



# Metropolitan Development Commission (May 1, 2024) 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, May 01, 2024

**Time:** 1:00 PM

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

## Business:

**Adoption of Meeting Minutes:** April 17, 2024

## Policy Resolutions:

### REAL ESTATE:

**1. 2024-R-008**

Authorizes DMD to accept and transfer real estate to facilitate redevelopment along the Monon Trail.

### ECONOMIC DEVELOPMENT / INCENTIVES:

**2. 2024-E-017**

Authorizes DMD to pay invoices for previously rendered and approved and outside counsel legal services.

**3. 2024-E-018**

Authorizes DMD to contract for outside legal services on an as-needed basis subject to MDC approval for payment.

**4. 2024-E-019**

Metropolitan Development Commission authorizes DMD to enter into a legal services contract with Frost Brown Todd, LLP for legal services.

**5. 2024-E-020**

Metropolitan Development Commission authorizes DMD to enter into a legal services contract with Taft Stettinius & Hollister for legal services related to redevelopment of the City Market and other matters.

**6. 2024-E-021**

Declaratory Resolution to create an Additional Professional Sports Development Area #2 and Approving a Development Area #2 Plan.

**7. 2024-A-009 (For Public Hearing)**

Resolution authorizes an amendment to the 2020 Real Property Tax Abatement approved by Resolution 2020-A-039 at 4725 and 4740 Victory Lane, Council District # 24, Perry Township.

**8. 2024-A-016 (For Public Hearing) (Continued)**

Final Economic Revitalization Area Resolution for Bila Solar Inc., located at 1301 South White River Parkway East Drive, Council District #16, Center Township. (Recommend approval of five (5) years personal property tax abatement.)

**9. 2024-A-017 (Continued)**

Preliminary Economic Revitalization Area Resolution for Novartis LLC, and Advanced Accelerator Applications USA, Inc., located at 8250 Challenger Drive, Council District #21, Decatur Township. (Recommend Amendment to Phase One and Approval of Phase Two of six (6) years real property tax abatement.)

**10. 2024-A-018 (Continued)**

Preliminary Economic Revitalization Area Resolution for Novartis LLC, and Advanced Accelerator Applications USA, Inc., located at 8250 Challenger Drive, Council District #21, Decatur Township. (Recommend Amendment to Phase One and Approval of Phase Two of six (6) years personal property tax abatement.)

**Zoning Petitions:**

**Special Requests**

**PETITIONS OF NO APPEAL (RECOMMENDED FOR APPROVAL):**

**11. 2024-APP-001 | 1621, 1625 and 1631 West 86th Street**

Washington Township, Council District #2  
HD-2  
Dinneen – Ward – Shelley, LLC, by Aaron Reynolds

Hospital District-Two Approval to provide for an office building and associated parking.

**12. 2023-ZON-124 | 5252 Hickory Road**

Franklin Township, Council District #25  
Grand Communities, LLC, by Joseph D. Calderon

Rezoning of 31.63 acres from the D-A (FW) (FF) district to the D-4 (FW) (FF) district, to provide for single-family residential development.

**13. 2024-ZON-009 | 5252 West 52nd Street**

Pike Township, Council District #6  
Bethel United Methodist Church

Rezoning of 0.724 acre from the SU-1 district to the D-4 district to provide for residential uses.

**14. 2024-ZON-021 | 3500 Sutherland Avenue**

Center Township, Council District #8  
Monon 35, LLC, by Chris White

Rezoning of 26.132 acres from the D-5 (FW) (FF) (TOD) district to the D-9 (FW) (FF) (TOD) district to provide for residential development.

**15. 2024-ZON-027 | 1101 and 1117 South Sherman Drive**

Center Township, Council District #19  
Liberty Commercial Investors, LLC., by Donald W. Fisher

Rezoning of 0.68-acre from the D-5 and C-3 districts to the C-5 district to provide for automobile sales.

16. **2024-CZN-811 | 35 East Morris Street**  
Center Township, Council District #18  
Living Log Aquatic Services, LLC., by Matthew Kerkof

Rezoning of 0.42-acre from the D-5 district to the MU-2 district for a restaurant.

## Petitions for Public Hearing

### PETITIONS FOR PUBLIC HEARING:

17. APPROVAL PETITION FILED BY PETITIONER TO APPEAL THE ADMINISTRATOR'S DENIAL OF 2023-ADM-158:

**2023-APP-030 | 5510 South Emerson Avenue**

Perry Township, Council District #24

D-P

Haven Health Management, LLC, by J. Murray Clark

Appeal of the Administrator's Decision to deny 2023-ADM-158, which proposed the use of a drug addiction and treatment facility in the D-P classification, based on the Development Statement approved for 2007-APP-131 and 2021-ZON-052.

**\*\*Petition previously withdrawn and acknowledged on April 17, 2024**

18. REZONING PETITION RECOMMENDED FOR APPROVAL BY THE HEARING EXAMINER, APPEAL FILED BY REMONSTRATOR:

**2024-ZON-015 | 2053 Yandes Street**

Center Township, Council District #13

Hollister Properties, LLC, by Kristin Hollister

Rezoning of 0.13 acres from the I-3 district to the D-8 district to provide for residential uses.

**\*\*Automatic Continuance request to June 5, 2024, filed by the Petitioner**

19. REGIONAL CENTER PETITION RECOMMENDED FOR APPROVAL BY REGIONAL CENTER HEARING EXAMINER, APPEAL FILED BY REMONSTRATOR:

**2023-REG-027 (Amended) | 1140 Dr. Martin Luther King, Jr. Street**

Center Township, Council District 12

SU-2 (RC)

Indianapolis Public Schools

Regional Center Approval to provide for demolition of an existing athletic stadium and construction of a proposed athletic field.

## 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](mailto:planneroncall@indy.gov). Written objections to a proposal are encouraged to be filed via email at [dmdpubliccomments@indy.gov](mailto:dmdpubliccomments@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) 327-5654, at least 48 hours prior to the meeting. Department of Metropolitan Development - Current Planning Division.

Real Estate  
0 Monon Trail  
Real Property Acquisition

**METROPOLITAN DEVELOPMENT COMMISSION  
OF  
MARION COUNTY, INDIANA  
Resolution NO. 2024-R-008**

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

WHEREAS, pursuant to IC 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, IC 36-1-11-8 authorizes governmental entities to transfer property between them upon terms and conditions agreed upon by the entities as evidenced by adoption of a substantially identical resolution by each entity; and

WHEREAS, MDC is a governmental entity authorized to acquire real property to be titled to the "City of Indianapolis, for the use and benefit of its Department of Metropolitan Development"; and

WHEREAS, the City of Indianapolis, Department of Public Works ("DPW") has control of a parcel located at 0 Monon Trail, which parcel #1101210 is described as: Monon Trail between 30<sup>th</sup> Street and Sutherland Avenue ("Subject Real Property"); and

WHEREAS, DMD has determined that its control of a small (.08 acre) portion of the Subject Real Property more particularly described on Exhibits "A" and "B", attached ("Parcel"), would facilitate appropriate disposition and redevelopment of the Subject Real Property in the Project Area; and

WHEREAS, in accordance with IC 36-7-15.1- 6, 7 and the Revised Code of the Consolidated City and County, Art II Div I Sec. 231-221 (b) (3), MDC has authority to approve acquisitions of interests in real estate needed for redevelopment within the redevelopment district on any terms that may be agreed upon; and

WHEREAS, DPW wishes to transfer control and title to the Subject Real Property to DMD to facilitate redevelopment, and DMD desires to accept conveyance of the Subject Real Property.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. DMD is hereby authorized to accept control and conveyance of the **Parcel**, as defined above from the City of Indianapolis, Department of Public Works.
2. DMD is hereby authorized to accept a conveyance and to execute all necessary documents related thereto in accordance with this Resolution and to do all acts and execute all other documents and instruments deemed necessary or appropriate by such official on behalf of the Commission 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.

Approved as to Adequacy & Legal Form  
Sheila Kinney

Metropolitan Development Commission

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Sheila Kinney, Asst. Corp Counsel

\_\_\_\_\_  
John J. Dillon III, President

Date: 4/23/2024

Date: \_\_\_\_\_

EXHIBIT "A"LEGAL DESCRIPTION

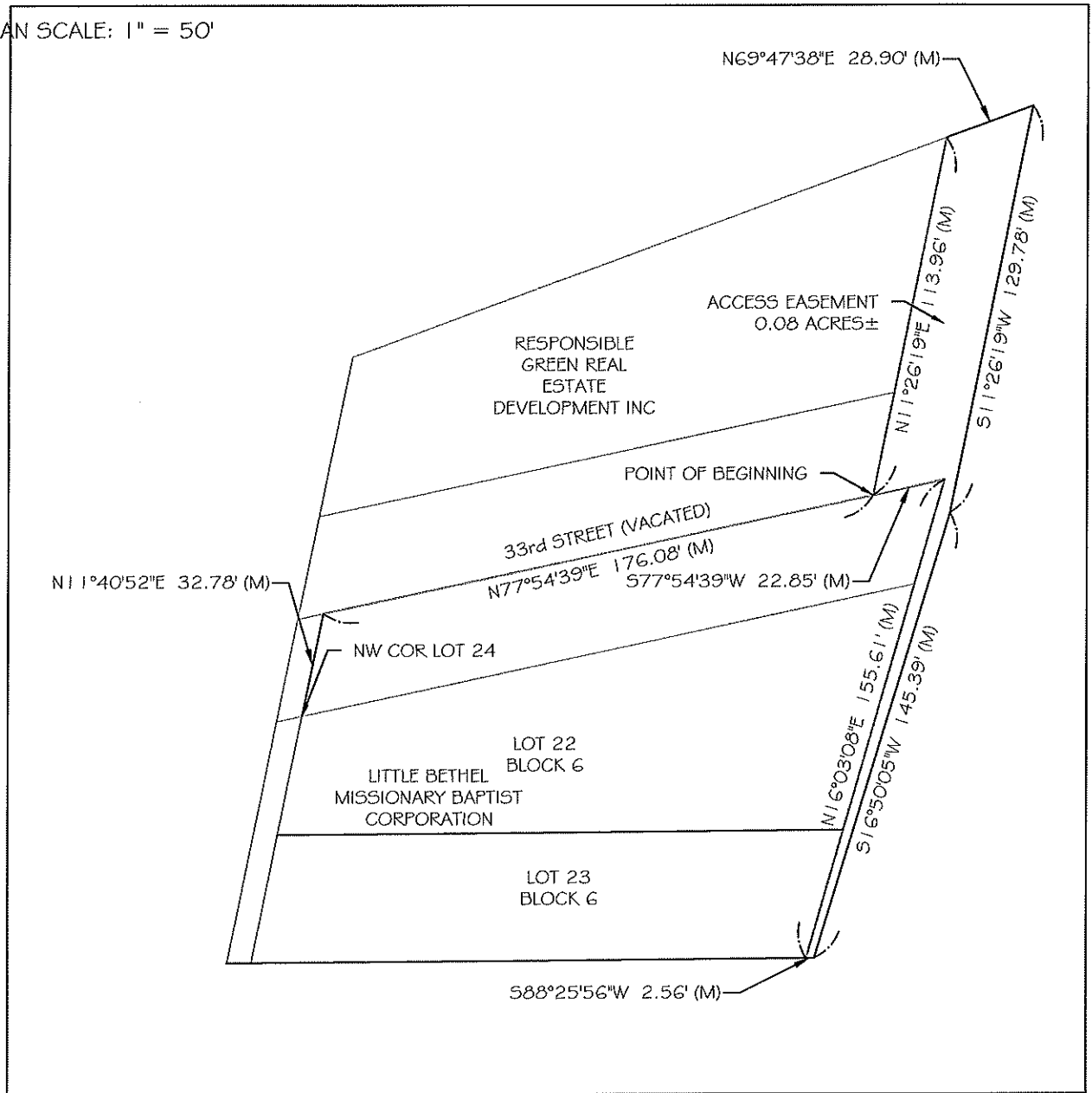
PART OF BLOCK "K" AND VACATED COLLEGE AVENUE OF NORTH SIDE ADDITION TO CITY OF INDIANAPOLIS, THE PLAT OF WHICH IS RECORDED IN PLAT BOOK 5, PAGE 25, IN THE OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA, IN PART OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 16 NORTH, RANGE 4 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 22 IN BLOCK 6 OF SAID NORTHSIDE ADDITION; THENCE NORTH 11 DEGREES 40 MINUTES 52 SECONDS EAST (ASSUMED BEARING) ALONG THE EAST RIGHT-OF-WAY OF A 15 FOOT VACATED ALLEY 32.78 FEET TO A POINT ON THE CENTERLINE OF VACATED 33<sup>RD</sup> STREET; THENCE NORTH 77 DEGREES 54 MINUTES 39 SECONDS EAST ALONG SAID CENTERLINE 176.08 FEET TO THE POINT OF BEGINNING; THENCE NORTH 11 DEGREES 26 MINUTES 19 SECONDS EAST ON AND ALONG SAID WEST LINE 113.96 FEET TO THE SOUTH RIGHT-OF-WAY OF SUTHERLAND AVENUE; THENCE NORTH 69 DEGREES 47 MINUTES 38 SECONDS EAST ON AND ALONG THE SOUTH LINE OF SAID SUTHERLAND AVENUE 28.90 FEET; THENCE SOUTH 11 DEGREES 26 MINUTES 19 SECONDS WEST 129.78 FEET; THENCE SOUTH 16 DEGREES 50 MINUTES 05 SECONDS WEST 145.39 FEET; THENCE SOUTH 88 DEGREES 25 MINUTES 56 SECONDS WEST 2.56 FEET TO THE SOUTHEAST CORNER OF LOT 23 IN BLOCK 6; THENCE NORTH 16 DEGREES 03 MINUTES 08 SECONDS EAST ALONG THE EAST LINE OF SAID BLOCK 6 155.61 FEET; THENCE SOUTH 77 DEGREES 54 MINUTES 39 SECONDS WEST 22.85 FEET TO THE POINT OF BEGINNING, CONTAINING 0.08 ACRES, MORE OR LESS.

EXHIBIT "B"



PLAN SCALE: 1" = 50'



**ROGER WARD  
ENGINEERING  
INCORPORATED**

6555 CARROLLTON AVENUE  
Indianapolis, IN 46220  
(317) 251-1738 (Fax) 251-1923

PROJECT NAME: MONON 32

PLAN SCALE: 1" = 50'

DATE: 01-18-2024

DESCRIPTION: ACCESS EASEMENT EXHIBIT "B"

**METROPOLITAN DEVELOPMENT COMMISSION  
MARION COUNTY, INDIANA  
RESOLUTION NO. 2024-E-017**

WHEREAS, the Department of Metropolitan Development (“DMD”), by authority of and pursuant to I.C. 36-7-15.1, engages in redevelopment activities within the Marion County Redevelopment District Area, Marion County, Indiana; and

WHEREAS, Pursuant to I.C. 36-7-15.1, the Metropolitan Development Commission (“MDC”) acts as the redevelopment commission of the Consolidated City of Indianapolis (“City); and, consistent with the policy and purpose of I.C. 36-7-15.1, has a duty to promote the use of land in the manner that best serves the interests of the City and its inhabitants and broad authority to take actions to foster redevelopment; and

WHEREAS, the MDC is authorized to approve the employment of all persons engaged to render professional or consulting services for DMD; and

WHEREAS, in order to carry out the duties described in I.C. 36-7-15.1, DMD requires access to professional outside counsel legal services on an as-needed, as-assigned basis (“Services”) and

WHEREAS, due to changes/ transitions in DMD and administration staff, certain contracts and payments for Services were delayed; but DMD has confirmed that Services were provided, and that payment is now overdue; and

WHEREAS, both Taft Stettinius & Hollister LLP (“Taft”) and Frost Brown Todd LLP (“FBT”) have submitted and confirmed invoices for past Services rendered totaling \$36,314.06 and \$27,757.04, respectively; and

WHEREAS, City Corporation Counsel has confirmed that the City/DMD has received benefits and, under the law of *quantum meruit*, must pay the actual value of the Services received and has sent letters to the Marion County Auditor to that effect.

**NOW, THEREFORE, BE IT RESOLVED** by the Metropolitan Development Commission of Marion County as follows:

1. The MDC hereby authorizes DMD to pay up to \$36,314.06 to Taft and \$27,757.04 to FBT in accordance with Corporation Counsel’s direction to the Marion County Auditor.
2. The Director of the Department of Metropolitan Development is hereby authorized and directed to take such further actions and execute such documents as deemed necessary or advisable to effectuate the authorizations set forth in this Resolution.
3. This Resolution shall take effect immediately upon adoption by the Commission.

Approved as to Adequacy & Legal Form  
Sheila Kinney sek  
Sheila Kinney, Asst. Corp Counsel

Metropolitan Development Commission  
John J. Dillon III, President

Date: April 23, 2024

Date: \_\_\_\_\_



**METROPOLITAN DEVELOPMENT COMMISSION  
MARION COUNTY, INDIANA  
RESOLUTION NO. 2024-E-018**

WHEREAS, the Department of Metropolitan Development (“DMD”), by authority of and pursuant to I.C. 36-7-15.1, engages in redevelopment activities within the Marion County Redevelopment District Area, Marion County, Indiana; and

WHEREAS, Pursuant to I.C. 36-7-15.1, the Metropolitan Development Commission (“MDC”) acts as the redevelopment commission of the Consolidated City of Indianapolis (“City”); and, consistent with the policy and purpose of I.C. 36-7-15.1, has a duty to promote the use of land in the manner that best serves the interests of the City and its inhabitants and broad authority to take actions to foster redevelopment; and

WHEREAS, the MDC is authorized to approve the employment of all persons engaged by contract to render professional or consulting services for DMD; and

WHEREAS, in order to carry out the duties described in I.C. 36-7-15.1, DMD requires access to professional outside legal services on an as-needed, as-assigned basis (“Services”) and

WHEREAS, under I.C. 5-22-6-1, the City and DMD have authority to purchase Services using any procedure the City considers appropriate and desire to have timely access to necessary Services where a matter requires particular expertise, is time-sensitive, or is necessary because of capacity or other reasons; and

WHEREAS, as such needs arise, DMD is in the best position to articulate the scope of Services and to negotiate satisfactory fees as appropriate given the particular matter, expertise, experience and other considerations relevant to the representation; and

WHEREAS, to address both current and future needs for Services, DMD desires to enter into a contract or contracts, for up to four (4) years each, with outside legal counsel for Services. The number of contracts and nature and volume of Services rendered will depend on the actual needs that arise, with matter-specific scopes of Services, attorneys and support staff, rates, costs and not-to-exceed amounts. All contract Services may be paid from all sources of funding available for such Services; and

WHEREAS, DMD will seek MDC authorization for payment as specific matters arise and actual costs of Services for the matter or matters are known.

**NOW, THEREFORE, BE IT RESOLVED** by the Metropolitan Development Commission of Marion County as follows:

1. The MDC hereby authorizes DMD to enter into agreements for legal Services with outside counsel, selected by DMD, and for terms not to exceed four (4) years in duration with the understanding that all proposed compensation for specific matters under such contracts will come before the MDC for approval and must be approved by the MDC prior to disbursement.
2. The Director of the Department of Metropolitan Development is hereby authorized and directed to take such further actions and execute such documents as deemed necessary or advisable to effectuate the authorizations set forth in this Resolution.
3. This Resolution shall take effect immediately upon adoption by the Commission.

Approved as to Adequacy & Legal Form

Metropolitan Development Commission

Sheila Kinney *sk*

Sheila Kinney, Asst. Corp Counsel

John J. Dillon III, President

Date: 4/25/2024

Date: \_\_\_\_\_



**METROPOLITAN DEVELOPMENT COMMISSION  
MARION COUNTY, INDIANA  
RESOLUTION NO. 2024-E-019**

**WHEREAS**, the Metropolitan Development Commission of Marion County (“MDC”) is authorized to approve the employment of all persons engaged by contract to render professional or consulting services for the Department of Metropolitan Development (“DMD”); and

**WHEREAS**, DMD is in need of general legal services, including matters arising in 2024 and has identified **Frost Brown Todd, LLP** as a law firm with the requisite skills and expertise to perform such services; and

**NOW, THEREFORE, BE IT RESOLVED** by the Metropolitan Development Commission of Marion County as follows:

1. The MDC hereby authorizes DMD to enter into an agreement for legal services with **Frost Brown Todd, LLP** for an initial term through December 31, 2024, in an amount not to exceed \$40,000.
2. The Director of the Department of Metropolitan Development is hereby authorized and directed to take such further actions and execute such documents as deemed necessary or advisable to effectuate the authorizations set forth in this Resolution.
3. This Resolution shall take effect immediately upon adoption by the Commission.

Approved as to Adequacy & Legal Form

Metropolitan Development Commission

Sheila Kinney  
\_\_\_\_\_  
Sheila Kinney, Asst. Corp Counsel

\_\_\_\_\_  
John J. Dillon III, President

Date: April 23, 2024

Date: \_\_\_\_\_

**METROPOLITAN DEVELOPMENT COMMISSION  
MARION COUNTY, INDIANA  
RESOLUTION NO. 2024-E-020**

**WHEREAS**, the Metropolitan Development Commission of Marion County (“MDC”) is authorized to approve the employment of all persons engaged by contract to render professional or consulting services for the Department of Metropolitan Development (“DMD”); and

**WHEREAS**, DMD is in need of legal services, including but not necessarily limited to, the redevelopment of the City Market and related matters and has identified **Taft Stettinius & Hollister, LLP** as a law firm with the requisite skills and expertise to perform such services; and

**NOW, THEREFORE, BE IT RESOLVED** by the Metropolitan Development Commission of Marion County as follows:

1. The MDC hereby authorizes DMD to enter into an agreement for legal services with Taft Stettinius & Hollister, LLP for an initial term through December 31, 2024, in an amount not to exceed \$55,000.
2. The Director of the Department of Metropolitan Development is hereby authorized and directed to take such further actions and execute such documents as deemed necessary or advisable to effectuate the authorizations set forth in this Resolution.
3. This Resolution shall take effect immediately upon adoption by the Commission.

Approved as to Adequacy & Legal Form

Metropolitan Development Commission

Sheila Kinney *sek*  
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Sheila Kinney, Asst. Corp Counsel

\_\_\_\_\_  
John J. Dillon III, President

Date: 4/25/2024

Date: \_\_\_\_\_

**RESOLUTION OF THE  
METROPOLITAN DEVELOPMENT COMMISSION OF  
MARION COUNTY, INDIANA, ACTING AS THE  
REDEVELOPMENT COMMISSION OF THE  
CITY OF INDIANAPOLIS, INDIANA,  
DECLARING AN AREA IN MARION COUNTY, INDIANA  
AS AN ADDITIONAL PROFESSIONAL SPORTS DEVELOPMENT AREA AND  
APPROVING A DEVELOPMENT AREA PLAN**

**RESOLUTION NO. 2024-E-021**

WHEREAS, in accordance with IC 36-7-31.5 et. seq. (the “Act”), the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the “Commission”), adopted Resolution No. 2023-E-044 on November 1, 2023, establishing a certain geographical area as an Additional Professional Sports Development Area (the “Tax Area #1”) and approving an Additional Professional Sports Development Area Plan (the “Area #1 Plan”) for Tax Area #1;

WHEREAS, following a public hearing, Resolution No. 2023-E-044 was confirmed by the Commission by adoption of its Resolution No. 2023-E-052 on December 20, 2023 (Resolution No. 2023-E-052 and Resolution No. 2023-E-044 are hereinafter defined as the “Tax Area #1 Resolutions”);

WHEREAS, in accordance with the Act, the Commission desires to establish an alternative certain geographical area as an additional professional sports development area (the “Tax Area #2”);

WHEREAS, as contemplated by the Act, the Commission desires to designate certain facilities or complex of facilities that are (A) located within the Tax Area #2 and (B) (i) used to hold a professional sporting event, and which in addition, may be used to hold other entertainment events, including any publicly owned parking garage, plaza, or infrastructure that is constructed or renovated in connection with the construction of the facility used to hold a professional sporting event; (ii) used in the training of a team engaged in professional sporting events; (iii) used in whole or in part to manage and operate the professional team that would participate in the facility used to hold a professional sporting event; or (iv) a mixed use development, consisting, in part, of retail space, office space, apartment dwelling units, and one or more hotels (collectively, the “Designated Facilities”) in order to make available certain funds to the Capital Improvement Board of Managers of Marion County, Indiana (the “Board”) to pay any costs related to the facility described in (b)(i) herein, and hereinafter referred to as the “Stadium Project”, including such costs provided in Section 15 of the Act; and

WHEREAS, each of the Designated Facilities are within a straight line distance of one (1) mile of the Stadium Project, as required by Section 4 of the Act; and

WHEREAS, the Tax Area #2 is a special taxing district authorized by the General Assembly of the State of Indiana to enable the County of Marion County (the “County”) to

provide special benefits to taxpayers in the Tax Area #2 by promoting economic development that is of public use and benefit; and

WHEREAS, in connection with establishing the Tax Area #2, the Commission caused to be prepared an additional professional sports development area plan (the "Area #2 Plan") including a map showing the boundaries of the Tax Area #2; and

WHEREAS, the Area #2 Plan is attached to this resolution as Exhibit A, and the Area #2 Plan is incorporated into this resolution by this reference; and

WHEREAS, the Area #2 Plan is presented to the Commission at this meeting for consideration and approval of the Commission; and

WHEREAS, the Area #2 Plan and additional and supporting information were reviewed and considered at this meeting; and

WHEREAS, the Commission determines that no residents of the Tax Area #2 will be displaced by the proposed activity hereunder;

NOW, THEREFORE, BE IT RESOLVED, by the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana, as follows:

Section 1. The foregoing recitals are incorporated into this resolution by this reference.

Section 2. (a) The Commission hereby finds that each of the Designated Facilities to be undertaken or that has been undertaken in the Tax Area #2 (A) is all or any part of one (1) or more buildings, structures, or improvements constituting a capital improvement (as defined in the Act), (B) will benefit the public health and welfare and will be of public utility and benefit and (C) will protect or increase state and local tax bases and tax revenues.

(b) The Tax Area #2, is hereby designated, declared and determined to be an "additional professional sports development area" and a new "tax area" under the Act. The Commission hereby further finds that one or more of the Designated Facilities located in the Tax Area #2 is: (i) used to hold a professional sporting event, and which in addition, may be used to hold other entertainment events, including any publicly owned parking garage, plaza, or infrastructure that is constructed or renovated in connection with the construction of the facility used to hold a professional sporting event; (ii) used in the training of a team engaged in professional sporting events; (iii) used in whole or in part to manage and operate the professional team that would participate in the facility used to hold a professional sporting event; or (iv) a mixed use development, consisting, in part, of retail space, office space, apartment dwelling units, and one or more hotels;

(c) The Tax Area #2 as established by the Commission is a special taxing district

authorized by the general assembly to enable the County to provide special benefits to taxpayers in the Tax Area #2 by promoting economic development that is of public use and benefit.

Section 3. In support of the findings and determinations set forth in Section 2 of this resolution, the Commission hereby adopts the specific findings set forth in the Area #2 Plan.

Section 4. The Area #2 Plan is hereby in all respects approved, and the Secretary of the Commission is hereby directed to file a certified copy of the Area #2 Plan with this resolution and the minutes of this meeting.

Section 5. (a) The covered taxes, as defined in the Act (the "Covered Taxes"), attributable to a taxable event or Covered Taxes earned in the Tax Area #2 shall be allocated to the Marion County Additional Professional Sports Development Area Fund established pursuant to Section 10 of the Act; provided, however, that for purposes of this resolution and the Tax Area #2, Covered Taxes shall not include any food and beverage tax imposed under IC 6-9 and, furthermore, under the Act, does not include (i) innkeeper's tax imposed under IC 6-9-8 or (ii) admissions tax imposed under IC 6-9-13.

(b) In addition to the foregoing allocation, it is contemplated that to further support the public purposes of this resolution, the Board shall adopt a resolution (subject to any requirements and limitations set forth therein) which directs that (i) food and beverage tax imposed under IC 6-9, (ii) innkeeper's tax imposed under IC 6-9-8 or (iii) admissions tax imposed under IC 6-9-13, received by the Board due to taxable transactions in the Tax Area #2 are to be segregated by the Board and used for the same purposes as the Marion County Additional Professional Sports Development Area Fund described in Section 15 of the Act.

(c) Notwithstanding the foregoing provisions of this Section 5, Covered Taxes attributable to a taxable event or Covered Taxes from income earned in the Tax Area #2 may not be allocated to the Marion County Additional Professional Sports Development Area Fund established pursuant to Section 10 of the Act until this resolution and all resolutions adopted by the Commission in connection with the public hearing of the Commission authorized by Section 11 of this resolution are approved by the State Budget Agency, as contemplated by Section 7 of the Act.

(d) The Commission hereby finds that the allocation of Covered Taxes is not expected to materially adversely impact the pledge of LIT Revenues (as hereinafter defined) to lease rentals due under the Outstanding Leases (as hereinafter defined). If, at the time of the initial allocation of Covered Taxes as described in this Section 5, it is determined that such allocation may materially adversely impact the pledge of LIT Revenues to the lease rentals due under the Outstanding Leases, the Commission will notify the Board of such finding and will take such actions, in concert with the Board, the County and/or the City of Indianapolis, Indiana (the "City"), as may be necessary to authorize and permit such allocation under the terms of the resolutions, ordinances, leases, documents and agreements entered into in connection with the bonds secured by the Outstanding Leases. For purposes of this subsection (d), the term "LIT Revenues" means the City's and County's distributive shares of public safety and certified shares components of the County local income tax revenues pursuant to Indiana Code 6-3.6-6, as

amended. For purposes of this subsection (d), the term “Outstanding Leases” means, collectively, (i) the Lease dated as of April 1, 2019, among the City, the County and the Indianapolis-Marion County Building Authority (the “Building Authority”), as amended, (ii) the Lease (Forensic Services Agency) dated as of June 1, 2023, among the City, the County and the Building Authority, as amended, (iii) the Lease (Frederick Douglass Park) dated as of June 1, 2023, among the City, the County and the Building Authority, as amended, and (iv) the Lease (Youth & Family Services Center) dated as of June 1, 2023, among the City, the County and the Building Authority, as amended.

Section 6. The Tax Area #2 shall terminate not later than thirty-two (32) years after the first collection of Covered Taxes from the Tax Area #2, as provided in the Act and the foregoing allocation provisions shall apply to the entire Tax Area #2:

(i) Covered Taxes may not be collected in the Tax Area #2 until the date on which all the conditions set forth in the Act are met; and

(ii) As provided in Section 8(c) of the Act, the total amount of state revenue captured by the Tax Area #2 may not exceed nine million five hundred thousand dollars (\$9,500,000) per state fiscal year, for not more than thirty-two (32) years after the first allocation of Covered Taxes from the Tax Area #2.

Section 7. Until the expiration of the Tax Area #2, as contemplated by Section 6 of this resolution, the officers of the Commission are hereby authorized and directed to make by and on behalf of the Commission any and all filings with the Department of State Revenue required by Section 9 of the Act.

Section 8. The provisions of this Resolution shall be subject in all respects to the Act and any amendments thereto.

Section 9. The Commission hereby determines that this resolution and the Area #2 Plan conform to the comprehensive plan of development for the City, and the Commission hereby approves this resolution and the Area #2 Plan in all respects.

Section 10. The Secretary or any other officer of the Commission is hereby authorized, empowered and directed to set and give notice as the date, time and place that is determined to be suitable for a public hearing as an opportunity for the receiving of remonstrances and other testimony from persons interested in or affected by the proceedings pertaining to the Tax Area #2.

Section 11. The Secretary or any other officer of the Commission hereby is authorized, empowered and directed by and on behalf of the Commission (a) to publish notice of the adoption of this resolution and of the public hearing established in Section 10 of this resolution, (b) to publish notice of the adoption and substance of this resolution in accordance with IC 5-3-1, as contemplated by the Act, and (c) to take any other action by and on behalf of the Commission as the Secretary or such other officer deems necessary or desirable to effect this



resolution and any other resolution contemplated by this resolution. Any such publication or other actions heretofore made or taken hereby are, ratified and approved by the Commission.

Section 12. Following (a) the public hearing of the Commission authorized in Section 10 of this resolution, (b) compliance with the notice requirements of the Act, and (c) the adoption of one or more resolutions of the Commission confirming this resolution as approved by the Commission or as amended by such resolutions of the Commission, the Secretary or any other officer of the Commission hereby is authorized, empowered and directed by and on behalf of the Commission to submit this resolution together with any resolutions adopted in connection with the public hearing of the Commission authorized in Section 10 of this resolution to the State Budget Committee for review and recommendation to the State Budget Agency; provided, however, the Secretary or any other officer of the Commission shall only submit to the State Budget Committee either (i) the Tax Area #1 Resolutions or (ii) such resolutions in connection with the establishment of Tax Area #2. Further, and for an avoidance of doubt, upon the submission to the State Budget Committee of such resolutions in connection with the establishment of Tax Area #2, Tax Area #1 shall be deemed terminated and the Tax Area #1 Resolutions shall thereby be rescinded and repealed in their entirety, or, alternatively, upon the submission to the State Budget Committee the Tax Area #1 Resolutions, Tax Area #2 shall be deemed terminated and the resolutions in connection with the establishment of Tax Area #2 shall thereby be rescinded and repealed in their entirety.

Section 13. This resolution, together with the Area #2 Plan and any additional and supporting information, shall be submitted to the City-County Council of the City and of the County, as provided in the Act.

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Adopted at the regular meeting of the Metropolitan Development Commission of Marion County, Indiana, held on May 1, 2024, at the City-County Building, Public Assembly Room, Indianapolis, Indiana.

**METROPOLITAN DEVELOPMENT  
COMMISSION OF MARION COUNTY,  
INDIANA**, acting in its capacity as the  
Redevelopment Commission of the City of  
Indianapolis, Indiana

By: \_\_\_\_\_  
President

Exhibit A

ADDITIONAL MARION COUNTY  
PROFESSIONAL SPORTS DEVELOPMENT AREA #2 PLAN

May 1, 2024

Introduction

As permitted by IC 36-7-31.5, et. seq. (the “Act”), this is the Additional Marion County Professional Sports Development Area #2 Plan (the “Area #2 Plan”), as approved by the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the “Commission”), by Resolution No. 24-E-021, adopted May 1, 2024 (the “Declaratory Resolution”). (This Area #2 Plan as approved in a preliminary form, may be supplemented and amended by the Commission.)

As contemplated by the Act, the Commission desires to designate certain facilities or complex of facilities that are that are (A) located within the Tax Area #2 (as defined herein) and (B) (i) used to hold a professional sporting event, and which in addition, may be used to hold other entertainment events, including any publicly owned parking garage, plaza, or infrastructure that is constructed or renovated in connection with the construction of the facility used to hold a professional sporting event; (ii) used in the training of a team engaged in professional sporting events; (iii) used in whole or in part to manage and operate the professional team that would participate in the facility used to hold a professional sporting event; or (iv) a mixed use development, consisting, in part, of retail space, office space, apartment dwelling units, and one or more hotels (collectively, the “Designated Facilities”). In order to make available certain funds to the Capital Improvement Board of Managers of Marion County, Indiana (the “Board”) to pay any costs related to the facility described in (b)(i) herein, and hereinafter referred to as the “Stadium Project”, including such costs provided in Section 15 of the Act, it is contemplated that the Board will establish a mechanism consistent with the Act whereby certain Covered Taxes (as defined in and limited by the Declaratory Resolution), attributable to taxable events or Covered Taxes from income earned in the Tax Area #2 as thereby allocated to the Marion County Additional Professional Sports Development Area Fund will be held and made available for the foregoing purposes.

1. Description of Area #2 Plan

a. Boundaries of Tax Area #2

The boundaries of the Tax Area #2 contains certain noncontiguous tracts of land with Marion County, Indiana and that are within a straight line distance of not more than one (1) mile from the Stadium Project (the “Tax Area #2”), as shown or described on the map set forth on the attached Schedule I.

b. Designated Facilities

Each of the Designated Facilities has been determined and is recited herein to include (i) the facilities set forth on the attached Schedule 2, each of which are in service and operating prior to the date of adoption of the Declaratory Resolution and (ii) upon their respective completion, the facilities set forth on the attached Schedule 3, each of which are anticipated to be initially placed in service and operating after the date of adoption of the Declaratory Resolution. The Designated Facilities may be updated when determined appropriate without the necessity of amending this Area #2 Plan by given notice thereof to the Department of State Revenue pursuant to section 9 of the Act.

c. Area #2 Plan Objectives

The Area #2 Plan objectives are to:

(i) Provide sources of funds to the Board to pay any costs related to the Stadium Project, including such costs provided in Section 15 of the Act, and thereby foster and further the activity and ancillary benefits accruing directly and indirectly as a result of the Designated Facilities.

(ii) Benefit the public health and welfare and be of public utility and benefit.

(iii) Protect or increase state and local tax bases and tax revenues.

2. Proposed Activities

a. Tax Area #2 Declaration

The Tax Area #2 is a part of special taxing district authorized by the General Assembly to enable the County to provide special benefits in the Tax Area #2 by promoting economic development that is of public use and benefit.

b. Purposes

Covered Taxes attributable to a taxable event or Covered Taxes from income earned in the Tax Area #2 will be allocated to the Marion County Additional Professional Sports Development Area Fund established pursuant to IC 36-7-31.5, subject to the further provisions of such law.

c. Description of Stadium Project

The Stadium Project will be located in in the Tax Area #2 and shall consist of a soccer-specific stadium that will be the permanent home of one or more professional soccer teams. The ultimate scope and costs of the Stadium Project will be dependent upon (A) projected (i) Covered Taxes, (ii) food and beverage tax imposed under IC 6-9 and received by the Board due to taxable transactions in the Tax Area #2, (iii) innkeeper's tax imposed under IC 6-9-8 and

received by the Board due to taxable transactions in the Tax Area #2 and / or (iv) admissions tax imposed under IC 6-9-13 and received by the Board due to taxable transactions in the Tax Area #2, each of which to be used for the same purposes described in Section 15 of the Act (collectively, the “Projected Available PSDA Revenues”) and (B) the amount of bond proceeds that will be made available to pay costs of the Stadium Project when determined by comparing Projected Available PSDA Revenues to financing and related costs (including (i) requirements to pay principal and interest on such bonds, (ii) capitalized interest requirements, (iii) reserve requirements, (iv) appropriate coverage ratios, (v) bond issuance and servicing costs and (vi) capital and operational requirements for the Stadium Project), each as determined by the City and Board.

d. Finding(s)

The activities herein recited will further and fulfill the objectives set forth in the Area #2 Plan and this Supplemental Plan.

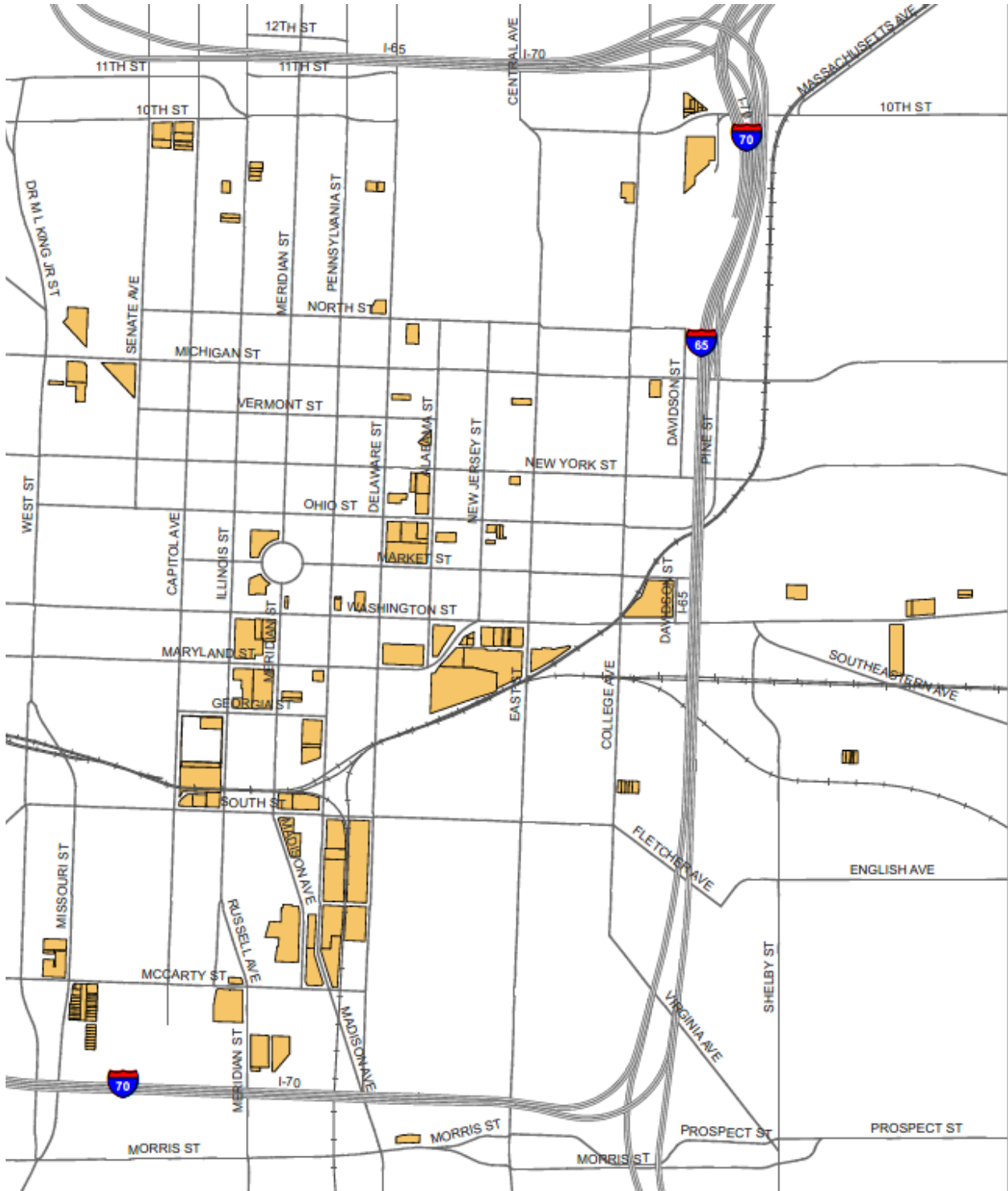
3. Procedures for Plan Changes

Supplements and amendments to this Area #2 Plan will be made in accordance with the laws of the State of Indiana.

4. List of Owners of Property to be Acquired

As of the date of adoption of the Declaratory Resolution, the Commission does not anticipate any property situated in the Tax Area #2 is to be acquired to accomplish the purposes of this Area #2 Plan.

**Schedule 1**  
**MAP OF THE TAX AREA #2**



**Schedule 2**

**Name, Approximate Street Address and Specific Local Parcel # of  
Designated Facilities  
In Additional Marion County Professional Sports Development Area  
For an Allocation Established Pursuant IC 36-7-31.5-4  
Operating Prior to the Date of Adoption of Resolution No. 24-E-021**

Certain developments located at the following approximate street addresses and specific Local Parcel #:

49 W. Maryland Street  
Indianapolis, Indiana 46225  
Local Parcel #: 1102250; 1102255; 1102256

130 Meridian Street  
Indianapolis, Indiana 46225  
Local Parcel #: 1102252

**Schedule 3**

**Name, Approximate Street Address and Specific Local Parcel # of Designated Facilities  
In Additional Marion County Professional Sports Development Area  
For an Allocation Established Pursuant IC 36-7-31.5-4  
Anticipated to be Initially Placed in Service and Operating  
After the Date of Adoption of Resolution No. 24-E-021**

Certain developments located at the following approximate street addresses and specific Local Parcel #:

217 10<sup>th</sup> St  
Indianapolis, Indiana 46202  
Local Parcel #:1017555; 1069508

101 Alabama St  
Indianapolis, Indiana 46204  
Local Parcel #: 1097878

202 Alabama St  
Indianapolis, Indiana 46204  
Local Parcel #: 1097670

222 Alabama St  
Indianapolis, Indiana 46204  
Local Parcel #: 1029552

1214 Bates St  
Indianapolis, Indiana 46202  
Local Parcel #: 1040648; 1028271

1222 Bates St  
Indianapolis, Indiana 46202  
Local Parcel #: 1096272

1224 Bates St  
Indianapolis, Indiana 46202  
Local Parcel #: 1061262

1226 Bates St  
Indianapolis, Indiana 46202  
Local Parcel #: 1077196

916 Capitol Ave  
Indianapolis, Indiana 46204  
Local Parcel #: 1005821; 1066798

918 Capitol Ave  
Indianapolis, Indiana 46204  
Local Parcel #: 1007929

922 Capitol Ave  
Indianapolis, Indiana 46204  
Local Parcel #: 1006824

151 Delaware St  
Indianapolis, Indiana 46204  
Local Parcel #: 1042179

810 E 10th St  
Indianapolis, Indiana 46202  
Local Parcel #: 1019031; 1061834; 1018779;  
1090273; 1060157; 1049548; 1090508;  
1093765

126 E 9th St  
Indianapolis, Indiana 46202  
Local Parcel # 1069860

130 E 9th St  
Indianapolis, Indiana 46202  
Local Parcel #: 1101806

108 E McCarty St  
Indianapolis, Indiana 46225  
Local Parcel #: 1107504



219 E New York St  
Indianapolis, Indiana 46204  
Local Parcel #: 1075317

120 E North St  
Indianapolis, Indiana 46204  
Local Parcel #: 1083497

411 E Ohio St  
Indianapolis, Indiana 46204  
Local Parcel #: 1076705

355 E Pearl St  
Indianapolis, Indiana 46204  
Local Parcel #: 1045928

301 E Washington St  
Indianapolis, Indiana 46204  
Local Parcel #: 1008377

428 Fulton St  
Indianapolis, Indiana 46202  
Local Parcel #: 1061862

260 Illinois St  
Indianapolis, Indiana 46225  
Local Parcel #: 1100878; 1100883

706 Lord St  
Indianapolis, Indiana 46202  
Local Parcel #: 1062821

714 Lord St  
Indianapolis, Indiana 46202  
Local Parcel #: 1035076

222 Market St  
Indianapolis, Indiana 46204  
Local Parcel #: 1097671

363 Massachusetts Ave  
Indianapolis, Indiana 46204  
Local Parcel #: 1005757

437 E New York St  
Indianapolis, Indiana 46202  
Local Parcel #: 1083073

215 E North St  
Indianapolis, Indiana 46204  
Local Parcel #: 1104075

415 E Ohio St  
Indianapolis, Indiana 46204  
Local Parcel #: 1076704

20 E South St  
Indianapolis, Indiana 46225  
Local Parcel #: 1020229

1420 E Washington St  
Indianapolis, Indiana 46201  
Local Parcel #: 1022792; 1043700

16 E Henry St  
Indianapolis, Indiana 46225  
Local Parcel #: 1080767

441 Indiana Ave  
Indianapolis, Indiana 46204  
Local Parcel #: 1052055

710 Lord St  
Indianapolis, Indiana 46202  
Local Parcel #: 1026262; 1035075

635 Madison Ave  
Indianapolis, Indiana 46225  
Local Parcel #: 1107505

1117 Market St  
Indianapolis, Indiana 46202  
Local Parcel #: 1107254

850 Massachusetts Ave  
Indianapolis, Indiana 46204  
Local Parcel #: 1106192

412 W McCarty St  
Indianapolis, Indiana 46255  
Local Parcel #: 1017001; 1023795; 1076951

812 Meikel St  
Indianapolis, Indiana 46225  
Local Parcel #: 1003243

814 Meikel St  
Indianapolis, Indiana 46225  
Local Parcel #: 1003242

818 Meikel St  
Indianapolis, Indiana 46225  
Local Parcel #: 1057699

824 Meikel St  
Indianapolis, Indiana 46225  
Local Parcel #: 1003241

826 Meikel St  
Indianapolis, Indiana 46225  
Local Parcel #: 1076965

830 Meikel St  
Indianapolis, Indiana 46225  
Local Parcel #: 1051506

834 Meikel St  
Indianapolis, Indiana 46225  
Local Parcel #: 1071706

838 Meikel St  
Indianapolis, Indiana 46225  
Local Parcel #: 1052021

844 Meikel St  
Indianapolis, Indiana 46225  
Local Parcel #: 1028767

902 Meikel St  
Indianapolis, Indiana 46225  
Local Parcel #: 1067390

906 Meikel St  
Indianapolis, Indiana 46225  
Local Parcel #: 1059073

910 Meikel St  
Indianapolis, Indiana 46225  
Local Parcel #: 1023791

914 Meikel St  
Indianapolis, Indiana 46225  
Local Parcel #: 1055068

918 Meikel St  
Indianapolis, Indiana 46225  
Local Parcel #: 1076954

922 Meikel St  
Indianapolis, Indiana 46225  
Local Parcel #: 1055067

926 Meikel St  
Indianapolis, Indiana 46225  
Local Parcel #: 1054052

930 Meikel St  
Indianapolis, Indiana 46225  
Local Parcel #: 1012911

1 Meridian St  
Indianapolis, Indiana 46204  
Local Parcel #: 1079974

420 N East St  
Indianapolis, Indiana 46204  
Local Parcel #: 1102186

808 Meridian St  
Indianapolis, Indiana 46225  
Local Parcel #: 1066309

401 Michigan St  
Indianapolis, Indiana 46204  
Local Parcel #: 1101538; 1101545; 1101548

40 Monument Circle  
Indianapolis, Indiana 46204  
Local Parcel #: 1047773

131 N Alabama St  
Indianapolis, Indiana 46204  
Local Parcel #: 1029201

219 N Delaware St  
Indianapolis, Indiana 46204  
Local Parcel #: 1027132

802 N Illinois St  
Indianapolis, Indiana 46204  
Local Parcel #: 1084472

901 N Illinois St  
Indianapolis, Indiana 46204  
Local Parcel #: 1045014

115 N New Jersey St  
Indianapolis, Indiana 46204  
Local Parcel #: 1069886

10 New Jersey St  
Indianapolis, Indiana 46204  
Local Parcel #: 1083584; 1083585; 1101801

225 Ohio St  
Indianapolis, Indiana 46204  
Local Parcel #: 1056438

1 Pennsylvania St  
Indianapolis, Indiana 46204  
Local Parcel #: 1090348

102 Pennsylvania St  
Indianapolis, Indiana 46204  
Local Parcel #: 1067356

238 Pennsylvania St  
Indianapolis, Indiana 46204  
Local Parcel #: 1045784

120 Monument Circle  
Indianapolis, Indiana 46204  
Local Parcel #: 1090350

846 N College Ave  
Indianapolis, Indiana 46202  
Local Parcel #: 1022024

411 N Delaware St  
Indianapolis, Indiana 46204  
Local Parcel #: 1097699

806 N Illinois St  
Indianapolis, Indiana 46204  
Local Parcel #: 1016919

921 N Illinois St  
Indianapolis, Indiana 46204  
Local Parcel #: 1073274; 1073275; 1073273

129 N New Jersey St  
Indianapolis, Indiana 46204  
Local Parcel #: 1034294

51 New Jersey St  
Indianapolis, Indiana 46204  
Local Parcel #: 1098816

251 Ohio St  
Indianapolis, Indiana 46204  
Local Parcel #: 1005124

15 Pennsylvania St  
Indianapolis, Indiana 46204  
Local Parcel #: 1083349

230 Pennsylvania St  
Indianapolis, Indiana 46204  
Local Parcel #: 1016729

240 Pennsylvania St  
Indianapolis, Indiana 46204  
Local Parcel #: 1045785

40 S Alabama St  
Indianapolis, Indiana 46204  
Local Parcel #: 1024545

301 S College Ave  
Indianapolis, Indiana 46202  
Local Parcel #: 1034810

750 S Delaware St  
Indianapolis, Indiana 46225  
Local Parcel #: 1100085

350 S Illinois St  
Indianapolis, Indiana 46225  
Local Parcel #: 1099828; 1101195; 1010788;  
1083153; 1075319

121 S Meridian St  
Indianapolis, Indiana 46225  
Local Parcel # 1075527

125 S Meridian St  
Indianapolis, Indiana 46225  
Local Parcel #: 1075528

365 S Meridian St  
Indianapolis, Indiana 46225  
Local Parcel #: 1028336

625 S Meridian St  
Indianapolis, Indiana 46225  
Local Parcel #: 1105600

915 S Meridian St  
Indianapolis, Indiana 46225  
Local Parcel #: 1035852; 1040102; 1075185

805 S Missouri St  
Indianapolis, Indiana 46225  
Local Parcel #: 1042634

813 S Missouri St  
Indianapolis, Indiana 46225  
Local Parcel #: 1004697

817 S Missouri St  
Indianapolis, Indiana 46225  
Local Parcel #: 1057604

821 S Missouri St  
Indianapolis, Indiana 46225  
Local Parcel #: 1057605

825 S Missouri St  
Indianapolis, Indiana 46225  
Local Parcel #: 1052868

829 S Missouri St  
Indianapolis, Indiana 46225  
Local Parcel #: 1065781

833 S Missouri St  
Indianapolis, Indiana 46225  
Local Parcel #: 1087973

837 S Missouri St  
Indianapolis, Indiana 46225  
Local Parcel #: 1042635

841 S Missouri St  
Indianapolis, Indiana 46225  
Local Parcel #: 1042636

847 S Missouri St  
Indianapolis, Indiana 46225  
Local Parcel # 1022220; 1041282

401 S Pennsylvania St  
Indianapolis, Indiana 46225  
Local Parcel #: 1081448

449 S Pennsylvania St  
Indianapolis, Indiana 46225  
Local Parcel #: 1100058; 1100059; 1100060

809 S Pennsylvania St  
Indianapolis, Indiana 46225  
Local Parcel #: 1101074

10 W McCarty St  
Indianapolis, Indiana 46225  
Local Parcel #: 1045194

343 W McCarty St  
Indianapolis, Indiana 46225  
Local Parcel #: 1004696

345 W McCarty St  
Indianapolis, Indiana 46225  
Local Parcel #: 1101335

347 W McCarty St  
Indianapolis, Indiana 46225  
Local Parcel #: 1091535

1 W Washington St  
Indianapolis, Indiana 46204  
Local Parcel #: 1102253

130 Washington St  
Indianapolis, Indiana 46204  
Local Parcel #: 1076486

401 Washington St  
Indianapolis, Indiana 46204  
Local Parcel #: 1014511

433 Washington St  
Indianapolis, Indiana 46204  
Local Parcel #: 1004123; 1035635; 1037857;  
1043888

730 Washington St  
Indianapolis, Indiana 46202  
Local Parcel #: 1027151; 1027152

1331 Washington St  
Indianapolis, Indiana 46202  
Local Parcel #: 1083454

15 N Arsenal Ave  
Indianapolis, Indiana  
Local Parcel #: 1054975

17 N Arsenal Ave  
Indianapolis, Indiana  
Local Parcel #: 1043348

225 Prospect St  
Indianapolis, Indiana  
Local Parcel #: 1106609

501 Indiana Ave  
Indianapolis, Indiana  
Local Parcel #: 1073494

823 Muskingum St  
Indianapolis, Indiana  
Local Parcel #: 1092148

**METROPOLITAN DEVELOPMENT COMMISSION OF  
MARION COUNTY, INDIANA**

**RESOLUTION  
AUTHORIZING AMENDMENTS TO THE MEMORANDUM OF AGREEMENT  
ASSOCIATED WITH RESOLUTION 2020-A-039 REGARDING REAL PROPERTY TAX  
ABATEMENT**

**RESOLUTION NO. 2024-A-009**

**Shear V1, LLC  
4725 and 4740 Victory Lane**

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

**WHEREAS,** pursuant to I.C. 6-1.1-12.1, Shear V1, LLC. (hereinafter “Applicant”) filed designation application requesting that the subject real estate at 4725 and 4740 Victory Lane (hereinafter “Subject Real Estate”) be designated as an Economic Revitalization Area for the purpose of achieving real property tax savings in connection with redevelopment or rehabilitation activities (hereinafter “Project”); and

**WHEREAS,** on Wednesday, November 18<sup>th</sup>, 2020, the Metropolitan Development Commission (hereinafter “Commission”) adopted Preliminary Economic Revitalization Area Resolutions No. 2020-A-033 preliminary designating the Subject Real Estate as an Economic Revitalization Area; and

**WHEREAS,** on Wednesday December 2<sup>nd</sup>, 2020, after conducting a public hearing, the Commission adopted Final Economic Revitalization Area Resolution No. 2020-A-039 (hereinafter “Resolution”), designating the Subject Real estate as an Economic Revitalization Area for the purpose of receiving up to ten (10) years real property tax abatement (hereinafter “Abatement”); and

**WHEREAS,** in the Statement of Benefits Form contained in the Resolution and the Memorandum of Agreement (hereinafter “MOA”) executed by and between the Applicant and the City of Indianapolis (hereinafter “City”), the Applicants indicated, among other requirements, that a minimum of \$27,400,000 in real property improvements would be made at the Subject Real Estate, and Building A would have 26 full-time, permanent positions and Building B would have 10 full-time, permanent positions would be created at wages of not less than \$18.00 per hour as a result of the Project (collectively, the “Commitments”); and

**WHEREAS,** in MOA required the Applicant to complete the Commitments for Building A by December 31, 2024, and Building B by December 31, 2027 (the “Deadline Date”); and

**WHEREAS,** the Applicant submitted, on October 23<sup>rd</sup>, a request to extend the schedule for commitments to Building A. The applicant has stated Building A has no tenants and no new job creation, as of this request; and

**WHEREAS**, the City and Applicant (collectively, the “Parties”) desire to amend the Resolution and MOA in the following manner: extend the real property Economic Revitalization (ERA) to December 31, 2025, and extend job creation commitment date of Building A to December 31, 2027.

**NOW, THEREFORE, BE IT RESOLVED:**

- 1. The Commission hereby determines that the Applicant is unlikely to be able to comply with the job creation Commitments for Building A, as stated in the Statement of Benefits, the Resolution, and the MOA.
- 2. The Commission finds that allowing the extension to job creation for Building A is a reasonable deviation from the Commitments set forth in the SB-1, Resolution and MOA, and authorizes the Director of DMD to execute the Amended Memorandum of Agreement.
- 3. The Real Property Economic Revitalization Area previously authorized by resolution 2020-A-039 is hereby extended to terminate December 31, 2025.
- 4. The Commission directs the Department of Metropolitan Development to continue to monitor the Applicant’s Project for the remainder of the term agreed upon in the Amended MOA.

METROPOLITAN DEVELOPMENT COMMISSION

\_\_\_\_\_  
John J. Dillion III, President

\_\_\_\_\_  
Dated

Approved as to Legal Form  
and Adequacy April 17<sup>th</sup>, 2024.

Sheila Kinney 4/17/2024 sek  
Approved for Legal Form and Adequacy  
Office of Corporation Counsel

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

**Resolution No. 2024-A-016**

**PERSONAL PROPERTY TAX ABATEMENT**

**Bila Solar, Inc.**

1301 (aka 1249) South White River Parkway East Drive

**WHEREAS, I.C. 6-1.1-12.1** allows a partial abatement of property taxes attributable to the installation of new equipment (hereinafter the "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 deduction 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 the installation of new equipment; 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 areas 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 attachment is hereby incorporated by reference, has a leasehold interest in the geographical area (hereinafter "Subject Real Estate") described in such attachment; and

**WHEREAS,** the Applicant has requested that the Subject Real Estate be designated as an Economic Revitalization Area for the purpose of achieving property tax savings in connection with the installation on the Subject Real Estate of certain new manufacturing, logistical distribution, information technology, and/or research and development equipment (hereinafter "Specified New Equipment"); and

**WHEREAS,** during a preliminary hearing at 1:00 p.m. on Wednesday, September 6, 2023, the Commission received evidence about whether the Subject Real Estate should be designated as an Economic Revitalization Area and the Commission adopted **Preliminary Resolution No. 2023-A-034 ("Preliminary Resolution")**, preliminarily designating the Subject Real Estate as an Economic Revitalization Area, and subject to the adoption of a confirming resolution by the Commission and subject to limiting conditions, and it fixed 1:00 p.m. on Wednesday, **May 1, 2024**, in the Public Assembly Room of the City-County Building 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 to allow for the installation of the Specified New Equipment;  
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 amends, confirms, adopts, and approves such Preliminary Resolution and thereby designates, finds and establishes the Subject Real Estate to be an Economic Revitalization Area. This designation is subject to the conditions that designation allows abatement of property taxes only relative to the installation of the Specified New Equipment on the Subject Real Estate. However, on the written request of the Applicant, the Director of the Department of Metropolitan Development is allowed to authorize in writing, substitutions, modifications and additions which are not substantial in nature to the Specified New Equipment, prior to March 1 of the year in which the initial certified deduction application for the Specified New Equipment is filed with the County Assessor.
2. **The Economic Revitalization Area designation terminates December 31, 2026. Accordingly, partial abatement of property taxes is allowed relative to Specified New Equipment installed and in operation on the Subject Real Estate during the period from May 1, 2024, to December 31, 2026.** However, termination of this designation does not limit the time the Applicant or successor owner is entitled to receive a partial abatement of property taxes, relative to Specified New Equipment installed on the Subject Real Estate before termination of such designation, to a period of less than five (5) years.
3. The partial abatement of property taxes attributable to the installation of the Specified New Equipment is subject to limitations contained in I.C. 6-1.1-12.1-4.5 (c) and (d).
4. This Economic Revitalization Area designation is limited to allowing partial abatement of property taxes attributable to the installation of the Specified New Equipment on the Subject Real Estate and does not allow the abatement of real property taxes attributable to redevelopment or rehabilitation activities under I.C. 6-1.1-12.1-3. 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 installation of specified new equipment in the ERA, to those respective tax savings attributable to an equipment investment of not greater than \$7,000,000.00.
5. The Commission has determined that the Project can reasonably be expected to yield the benefits identified in the attached personal property statement of benefits (the "Statement of Benefits") and that 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 cost of the Specified New Equipment is reasonable for equipment of that type.

- 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 installation of the Specified New Equipment.
  - 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 installation of the Specified New Equipment.
  - D. Other benefits about which information was requested are benefits which can reasonably be expected to result from the proposed installation of the Specified New Equipment.
  - E. The "Totality of Benefits" is sufficient to justify the deduction.
6. 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 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 attached Memorandum of Agreement and/or "Statement of Benefits" or failure to respond to the mandatory survey.
  7. The Commission directs the Department of Metropolitan Development to survey the Project described in the attachment to this resolution annually for not less than seven (7) years. The dates of the initial seven (7) surveys shall be on or about the following dates: 2024, 2025, 2026, 2027, 2028, 2029, 2030.
  8. The Statement of Benefits is approved, and the Subject Real Estate area and Applicant's Specified New Equipment are approved for an abatement deduction period of **five (5) years**.
  9. The five (5) year personal property tax abatement shall utilize the following deduction schedule:

YEAR OF DEDUCTION	PERCENTAGE
1 <sup>st</sup>	100%
2 <sup>nd</sup>	80%
3 <sup>rd</sup>	60%
4 <sup>th</sup>	40%
5 <sup>th</sup>	20%

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

METROPOLITAN DEVELOPMENT COMMISSION

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John J. Dillon III, President

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Date

Approved as to Legal  
Form and Adequacy this  
9th day of April 2024.

Sheila Kinney *sek* 4/9/2024

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Sheila Kinney,  
Asst. Corporation Counsel

**STAFF COMMENT**  
**PERSONAL PROPERTY TAX ABATEMENT**

Street Address:.....1301 (aka 1249) South White River Parkway East Drive

Qualified New Jobs Created: ..... 115

Qualified Jobs Retained: ..... None.

Estimated Cost of Equipment: ..... \$7,000,000.00

**STAFF ANALYSIS**

Bila Solar, Inc. is a designer and manufacturer of a proprietary, ultra-lightweight solar panel that incorporates composite materials in lieu of glass. The company has identified a vacant tenant space of an industrial building, partially occupied by Eli Lilly and Elanco, as the proposed US headquarters and production facility. The company has secured a nine-year lease for 157,785 square feet of the approximately 447,000-square foot building, which two five-year extension options.

The combined Bila Solar headquarters and manufacturing facility will require a significant investment in taxable personal property, specific solar panel manufacturing equipment. The new facility will be a state-of-the-art robotic factory for the manufacture and assembly of solar modules. The installation of new equipment and build-out of phase 1 will take place over the next three years, with an estimated equipment expenditure of \$7,000,000.00. As a result of the project, the company would commit to the creation of the 115 new jobs by 2026.

The proposed use and the planned personal property investments will result in net benefits for the downtown area and the County. The petitioner will be donating five percent of its estimated abatement savings to support area Employ Indy’s Indy Achieves completion grants program.

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 five (5) years personal property tax abatement.

**TOTALITY OF BENEFITS**

- PETITIONER:** Bila Solar, Inc.
- INVESTMENT:** Staff estimates that the proposed investment of \$7,000,000.00 should result in an increase to the tax base of approximately \$2,800,000.00 of assessed value in the first year of operation. Staff estimates that over the five (5) year personal property tax abatement period the petitioner will realize savings of approximately \$232,688.62 (a 59.8% savings). During the abatement period, the petitioner is expected to pay an estimated \$156,567.38 in personal property taxes related to the new equipment. After the tax abatement expires, the petitioner can be expected to pay an estimated \$58,388.40 in personal property taxes annually related to the new equipment.
- QUALIFIED EMPLOYMENT:** The petitioner estimates that this project will create one-hundred and fifteen (115) positions at an average wage of \$28.00/hr. Staff finds these figures to be reasonable for a project of this nature.
- OTHER BENEFITS:** Staff believes this project is significant for Center 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 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**

Applicant: Bila Solar, Inc.

Subject Real Estate: 1301 (aka 1249) South White Rive Parkway East Drive

Center Township Parcel Number: 1106212

Project Description:

Bila Solar, Inc. is a privately funded company incorporated in Delaware. Bila Solar’s products include a proprietary, ultra-lightweight solar panel that incorporates composite materials in lieu of glass. The company has identified a vacant space in a building partially-occupied by Eli Lilly and Elanco building as the US headquarters and production facility for Bila Solar. The company has secured a nine-year lease for 157,785 square feet of the approximately 447,000-square foot building, which two five-year extension options.

The combined Bila headquarters and manufacturing facility will require a significant investment in taxable personal property, specific solar panel manufacturing equipment. The new facility will be a state-of-the-art robotic factory for the manufacture and assembly of solar modules. The installation of new equipment and build-out of phase 1 will take place over the next three years, with an estimated equipment expenditure of \$7,000,000.00. As a result of the project, Bila Solar would commit to the creation of the 115 new jobs by 2026.

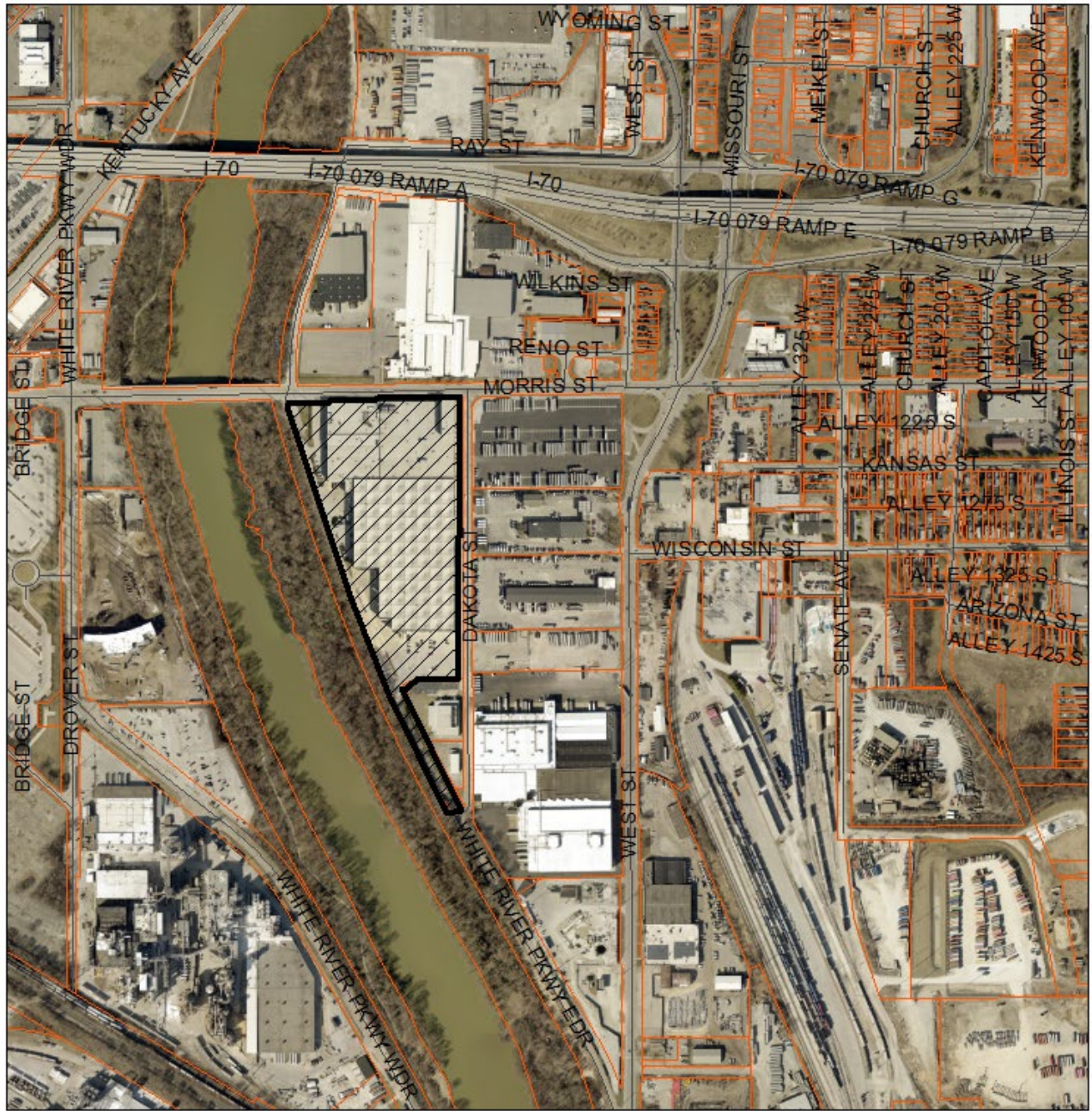
New Jobs Created: 115 at \$28.00/hr.

Job Retained: None.

Estimated Cost of Project: \$7,000,000.00

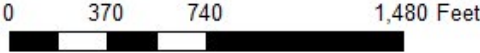
**RECOMMENDATION:** Staff recommends approval of five (5) years personal property tax abatement.

# Bila Solar, Inc. 1301 South White River Parkway East Drive



### Legend

-  IndyGo Transit Routes
-  Parcels
-  Project Site



Produced by: DMD REED August 16, 2023

**METROPOLITAN DEVELOPMENT COMMISSION OF  
MARION COUNTY, INDIANA**

**PRELIMINARY ECONOMIC REVITALIZATION AREA RESOLUTION**

**Resolution No. 2024-A-017**

**REAL PROPERTY TAX ABATEMENT**

**Novartis Manufacturing LLC and Advanced Accelerator Applications USA, Inc.  
Amendment to Phase One and Approval of Phase Two  
8520 Challenger Drive**

**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 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** 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,** in 2020, Applicant had submitted Phase One of the Project for the Commission's consideration; and

**WHEREAS,** during a hearing at 1:00 p.m. on Wednesday, November 18, 2020, the Commission received information regarding Phase One of the Project, and evidence about whether the Subject Real Estate should be designated as an Economic Revitalization Area, and sufficient evidence was



provided which established Assertion 1 and some evidence was provided which tended to establish Assertions 2, 3, 4, 5, and 6 stated on the attachment to Resolution 2020-A-031; and

**WHEREAS**, in March 2024, Applicant submitted Phase Two of the Project for Commission's consideration; and

**WHEREAS**, during a hearing at 1:00 p.m. on Wednesday, May 1, 2024, the Commission received information regarding Phases One and Two of the Project and additional evidence about whether the Subject Real Estate's designation as an Economic Revitalization Area warrants an extension, in regard to Phase One, and sufficient evidence was provided which established Assertion 1 and some evidence was provided which tended to establish Assertions 2, 3, 4, 5, and 6 stated on the attachment to this Resolution, in regard to Phase Two.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Subject Real Estate's previously designated status as an Economic Revitalization Area is preliminary extended for an abatement period of ten (10) years for Phase One of this Project with a proposed abatement schedule as shown on the attachment to Commission Resolution 2020-A-044, and in regard to Phase Two of this Project, for an abatement period of six (6) years with a proposed abatement schedule as shown on the attachment to this Preliminary Resolution. Final designation as an Economic Revitalization Area does not occur unless a resolution confirming this Preliminary Resolution is adopted in accordance with the governing statute.
2. Designation as an Economic Revitalization Area allows abatement of property taxes, for the period indicated, only relative to the Project and **the effectiveness of the designation can be terminated by action of the Commission if:**
  - A. Construction on the Subject Real Estate is not in substantial conformance with the Project description contained in a final resolution as supplemented by information in the application, site plans, and elevations; or
  - B. 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.
3. The Economic Revitalization Area designation terminates three (3) years after the date a final resolution is adopted; however, relative to redevelopment or rehabilitation completed before the end of the three (3) year period, this termination does not limit the period of time the Applicant or successor owner is entitled to receive an abatement of property taxes to a period of less than ten (10) years for Phase One of the Project and six (6) years for Phase Two of the Project.
4. This Economic Revitalization Area (ERA) designation is limited to allowing the abatement of property taxes attributable to redevelopment or rehabilitation activities: **This designation does not allow abatement of property taxes for new manufacturing equipment pursuant to 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 and rehabilitation activities

occurring in the ERA, to those respective tax savings attributable to the construction of buildings not greater than 139,000 square feet of leasable area, inclusive of Phases One and Two.

5. 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 and investment figures contained in the Applicant's approved statement of benefits form. The annual date of survey shall be contained in a final resolution designating the property as an Economic Revitalization Area.
6. The Commission fixes 1:00 p.m. on Wednesday, June 5, 2024, in the Public Assembly Room of the City-County Building for the public hearing of remonstrances and objections from persons interested in the Project and directs the publication of notice of public hearing in accordance with the governing statute. At this hearing, the Commission will take action relative to this Preliminary Resolution and determine whether the Subject Real Estate should be designated as an Economic Revitalization Area, fix the length of the abatement period for the Phase Two Project at six (6) years and establish an abatement schedule.
7. A copy of this Resolution shall be filed with the Marion County Assessor.

METROPOLITAN DEVELOPMENT COMMISSION

\_\_\_\_\_  
John J. Dillon III, President

\_\_\_\_\_  
Date

Approved as to Legal Form  
and Adequacy this day  
of April, 2024

Sheila Kinney *Sheila Kinney*  
\_\_\_\_\_  
Sheila Kinney, Asst. Corp. Counsel  
Office of Corporation Counsel

**ATTACHMENT TO**

**METROPOLITAN DEVELOPMENT COMMISSION RESOLUTION**

**REAL PROPERTY TAX ABATEMENT**

**FACTUAL INFORMATION**

Applicant: Novartis Manufacturing LLC and  
Advanced Accelerator Applications USA, Inc.

Subject Real Estate: 8520 Challenger Drive

Decatur Township Parcel Number: 2014725

**PROJECT DESCRIPTION**

Novartis Manufacturing LLC is an international pharmaceutical company, headquartered in Basel, Switzerland, with focused on medications, advanced therapy platforms and data science. Advanced Accelerator Applications USA, Inc. is a subsidiary of Novartis, focused on nuclear medicine theragnostics, which is a disease management strategy involving the integration of nuclear medicine diagnostic imaging and therapy.

In 2020, Novartis was approved for incentives for construction of a new, 59,450-square foot advanced manufacturing and laboratory facility on 16.64 acres of undeveloped land in the Purdue Research Park at Ameriplex. This \$61MM real property investment in the Phase One project is now the largest Radioligand (targeted molecule) therapy manufacturing site in the Novartis network of companies.

With Phase One complete, Novartis is now proposing to expand their complex with the construction of a new 79,000-square foot manufacturing facility. This Phase Two project will require additional investment of \$53,400,000.00 to construct the new building. In addition to construction costs, Novartis would invest an additional \$56,600,000.00 in eligible personal property as part of the Phase Two expansion. As a result of the project, Novartis would commit to retain 170 recently created jobs and create an additional 55 new jobs by the end of 2026.

**FACTUAL ASSERTIONS**

1. The Subject Real Estate:
  - A. \_\_\_ Is in a planned area which has a tax abatement policy as a part of its plan, or
  - B. \_\_\_ is in a planned area which has a tax abatement policy as part of its plan, but such plan does not contain a recommendation for Economic Revitalization Area designation and the recommended length of abatement, or

- C.  is not located in a planned area with a tax abatement policy.
2.  The Subject Real Estate and the surrounding area are undesirable for normal development.
3. The project is allowed by zoning restrictions applicable to the subject real estate, or the necessary variance, rezoning or approval petitions are on file at the time of this application, and have final approval prior to a final hearing on this resolution.
- A.  Current zoning allows project.
- B.  Appropriate petition is on file.
- C.  Final approval for variance, rezoning or approval petition has been granted.
4. A.  The application for Economic Revitalization Area designation was filed before a building permit was obtained or construction work was initiated on the property, or
- B.  substantial evidence has been provided supporting that work was started under the following appropriate exception:
5. A.  The subject real estate is governed by Metropolitan Development Commission Resolution No. 01-A-041, 2001 Real Property Tax Abatement Policy for Commercial Projects, which allows up to ten years of abatement for qualifying development, or
- B.  The project is eligible to receive ten (10) years tax abatement due to the following recognized exceptional circumstances which justify the longer deduction period:
6. The Subject Real Estate is:
- A.  Located outside of a previously established allocation area as defined in I.C. 36-7-15.1-26, or
- B.  Located in an allocation area, but has been determined by the Commission to be acceptable for real property tax abatement.

**PROPOSED ABATEMENT SCHEDULE**  
**NOVARTIS MANUFACTURING LLC AND**  
**ADVANCED ACCELERATOR APPLICATIONS USA, INC.**  
**PHASE II PROJECT**  
**REAL PROPERTY TAX ABATEMENT**

YEAR OF DEDUCTION	PERCENTAGE
1 <sup>st</sup>	100%
2 <sup>nd</sup>	85%
3 <sup>rd</sup>	66%
4 <sup>th</sup>	50%
5 <sup>th</sup>	34%
6 <sup>th</sup>	17%

**STAFF ANALYSIS**  
**REAL PROPERTY TAX ABATEMENT**

Area Surrounding Subject Real Estate: The site is located in the Purdue Research Park at Ameriplex, an industrial park just south of I-70 and the Indianapolis International Airport.

Current Zoning: ..... C-S

New Jobs Created:..... 55

Jobs Retained:..... 170

Estimated Cost of proposed project: \$53,400,000.00

**STAFF ANALYSIS**

Novartis Manufacturing LLC is an international pharmaceutical company, and Advanced Accelerator Applications USA, Inc. is a subsidiary of Novartis, focused on nuclear medicine theragnostics, which is a disease management strategy involving the integration of nuclear medicine diagnostic imaging and therapy.

In 2020, the Novartis companies began investment of \$61MM to construct and over \$108MM in personal property to equip a 59,450-square foot advanced manufacturing and laboratory facility on 16.64 acres of undeveloped land in the Purdue Research Park at Ameriplex Certified Technology Park (CTP). This “Phase One” development has resulted in the creation 170 new jobs. In each respect, Novartis greatly outperformed the initial commitments made to the City in 2020.

Phase Two is a proposed investment of \$53,400,000.00 to construct a new 73,000-square foot building for radiopharmaceutical manufacturing and distribution, and \$56,600,000.00 in new eligible equipment. Phase Two will also result in the creation of 55 new jobs by 2026.

In the Phase One, the petitioner’s Inclusivity Plan committed five percent of its estimated abatement savings to an internship program. For Phase Two, Novartis will make a donation to the Commission for a project to improve pedestrian connectivity within the Ameriplex industrial park.

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 six (6) years real property tax abatement for the Phase Two project.

## TOTALITY OF BENEFITS

**PETITIONER:**

**Novartis Manufacturing LLC and  
Advanced Accelerator Applications USA, Inc.**

**PHASE II  
INVESTMENT:**

Staff estimates that the proposed investment of \$53,400,000.00 should result in an increase to the tax base of approximately \$37,380,000.00 of assessed value. Staff estimates that over the six (6) year real property tax abatement period the petitioner will realize savings of approximately \$4,544,649.28 (a 63% savings). During the abatement period, the petitioner is expected to pay an estimated \$2,670,546.51 in real property taxes relative to the new investment. This is in addition to the current taxes being paid on the properties in the amount of \$348,644.90 annually (pay 2024 taxes). After the tax abatement expires, the petitioner can be expected to pay an estimated \$1,577,818.07 in real property taxes annually on the new improvements, in addition to the annual taxes attributable to the value of existing improvements.

**EMPLOYMENT:**

The petitioner estimates that this project will retain one-hundred and seventy (170) positions at an average wage of \$48.00/hr. and will create fifty-five (55) new positions at an average wage of \$46.00/hr. Staff finds these figures to be reasonable for a project of this nature.

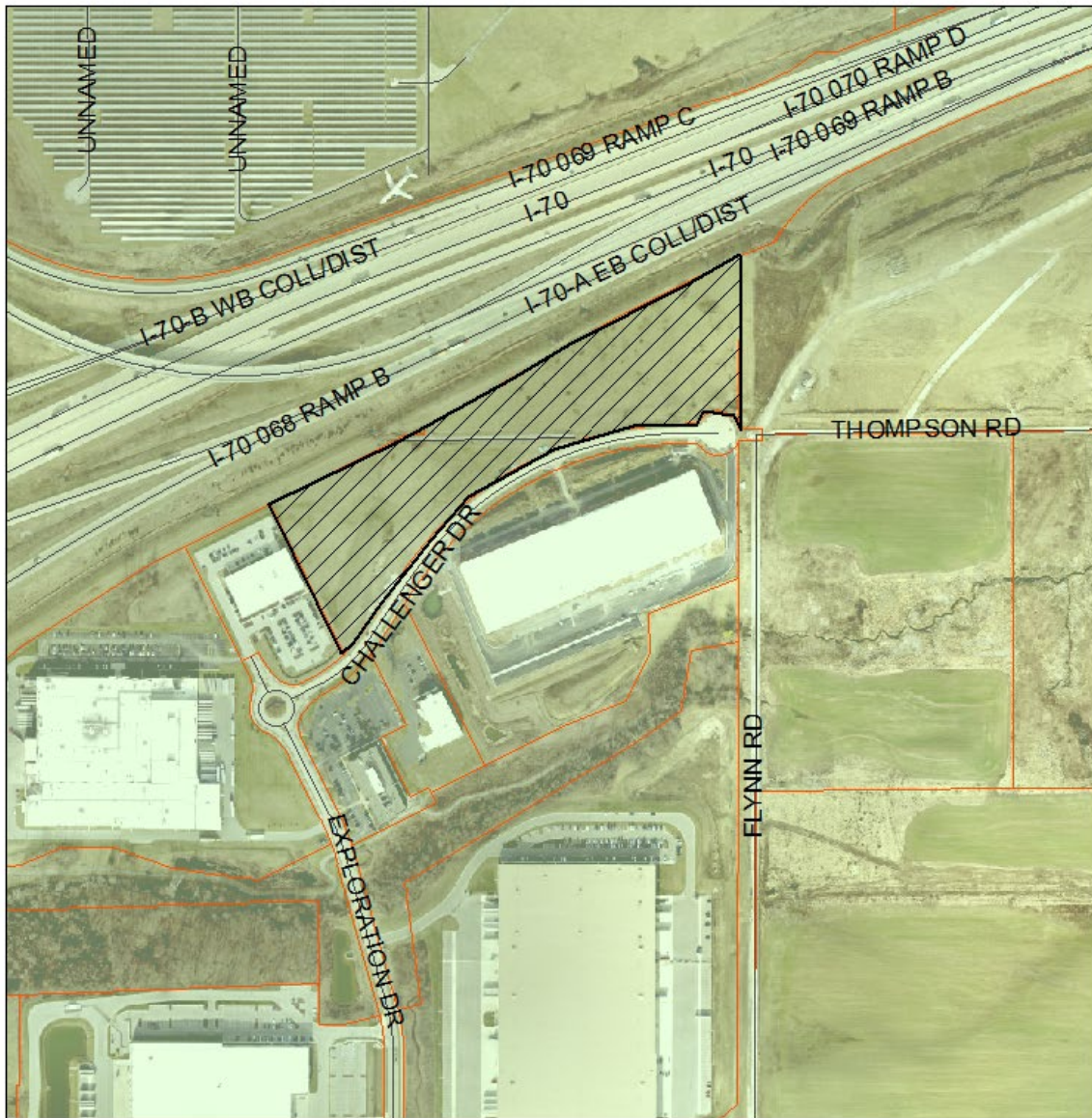
**OTHER BENEFITS:**

Staff believes this project is significant for Decatur 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:**

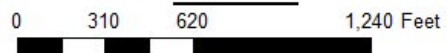
Staff believes the "Totality of Benefits" arising from the project are sufficient to justify the granting of the tax abatement.

Novartis Manufacturing LLC and  
Advanced Accelerator Applications USA, Inc.  
8520 Challenger Drive



**Legend**

-  TIF Districts
-  Project Site



Produced by: DMD REED October 13, 2020



**METROPOLITAN DEVELOPMENT COMMISSION OF  
MARION COUNTY, INDIANA**

**PRELIMINARY ECONOMIC REVITALIZATION AREA RESOLUTION**

**Resolution No. 2024-A-018**

**PERSONAL PROPERTY TAX ABATEMENT**

**Novartis Manufacturing LLC and Advanced Accelerator Applications USA, Inc.  
Amendment to Phase One and Approval of Phase Two  
8520 Challenger Drive**

**WHEREAS, I.C. 6-1.1-12.1** allows a partial abatement of property taxes attributable to the installation of Equipment (hereinafter the "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 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 the installation of new equipment; 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 attachment is hereby incorporated by reference, has an ownership interest in the geographical area (hereinafter "Subject Real Estate") described in such attachment; and

**WHEREAS,** the Applicant has requested that the Subject Real Estate be designated as an Economic Revitalization Area for the purpose of achieving property tax savings in connection with the installation on the Subject Real Estate of certain new manufacturing, logistical distribution, information technology, and/or research and development equipment (hereinafter "Specified New Equipment"); and

**WHEREAS,** in 2020, Applicant had submitted Phase One of the Project for the Commission's consideration; and

*Novartis Manufacturing LLC Phase II - 6 Year Personal Property Tax Abatement*

**WHEREAS**, during a hearing at 1:00 p.m. on Wednesday, November 18, 2020, the Commission received information regarding Phase One of the Project, and evidence about whether the Subject Real Estate should be designated as an Economic Revitalization Area and sufficient evidence was provided which tended to establish Assertions 1, 2, 3, 4, 5 and 6 stated on the attachment to Resolution 2020-A-044, and

**WHEREAS**, in March 2024, Applicant submitted Phase Two of the Project for Commission's consideration; and

**WHEREAS**, during a hearing at 1:00 p.m. on Wednesday, May 1, 2024, the Commission received information regarding Phases One and Two of the Project and additional evidence about whether the Subject Real Estate's designation as an Economic Revitalization Area warrants an extension, in regard to Phase One, and sufficient evidence was provided which tended to establish Assertions 1, 2, 3, 4, 5 and 6 stated on the attachment to this Resolution, in regard to Phase Two.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Subject Real Estate's previous designation as an Economic Revitalization Area is preliminary extended for an abatement period of ten (10) years for Phase One of the Project, with a proposed abatement schedule as shown on the attachment to Resolution 2020-A-032, and, in regard to Phase Two, for an abatement period of six (6) years with a proposed abatement schedule as shown on the attachment to this Preliminary Resolution. Final designation as an Economic Revitalization Area does not occur unless a resolution confirming this Preliminary Resolution is adopted in accordance with the governing statute.
2. Designation as an Economic Revitalization Area allows a partial abatement of property taxes only relative to Specified New Equipment. However, on the written request of the Applicant, the Director of the Department of Metropolitan Development is allowed to authorize in writing, substitutions, modifications and additions which are not substantial in nature to the specified New Equipment, prior to March 1 of the year in which the initial certified deduction application for new equipment is filed with the Indiana Department of Local Government Finance.
3. **The Economic Revitalization Area designation terminates December 31, 2026. Accordingly, partial abatement of property taxes is allowed relative to Specified New Equipment installed and in operation on the Subject Real Estate during the period December 16, 2020 to December 31, 2026.** However, termination of this designation does not limit the time the Applicant or successor owner is entitled to receive a partial abatement of property taxes, relative to Specified New Equipment installed on the subject real estate before termination of such designation, to a period of less than ten (10) years, in regard to Phase One investments, and not less than six (6) years in regard to Phase Two investments. 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 installation of specified new equipment in the ERA, to those respective tax savings attributable to an equipment investment of not greater than \$165,000,000.00, inclusive of Phases One and Two.
4. The partial abatement of property taxes attributable to the installation of Specified New Equipment is subject to limitations contained in I.C. 6-1.1-12.1-4.5 (c) and (d).

*Novartis Manufacturing LLC Phase II - 6 Year Personal Property Tax Abatement*

- 5. This Economic Revitalization Area designation is limited to allowing partial abatement of property taxes attributable to the installation of the Specified New Equipment on the Subject Real Estate and does not allow the abatement of real property taxes attributable to redevelopment or rehabilitation activities under I.C. 6-1.1-12.1-3.
- 6. 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 and investment figures contained in the applicant's approved statement of benefits form. The annual date of survey shall be contained in a final resolution designating the property as an Economic Revitalization Area.
- 7. The Commission fixes 1:00 p.m. on Wednesday, June 5, 2024, in the Public Assembly Room of the City-County Building for the public hearing of remonstrances and objections from persons interested in the Project and directs the publication of notice of public hearing in accordance with the governing statute. At this hearing, the Commission will take action relative to this Preliminary Resolution and determine whether the Subject Real Estate should be designated as an Economic Revitalization Area and fix the length of the abatement period for the Phase Two Project at six (6) years.
- 8. A copy of this Resolution shall be filed with the Marion County Assessor.

METROPOLITAN DEVELOPMENT COMMISSION

\_\_\_\_\_  
John J. Dillon III, President

\_\_\_\_\_  
Date

Approved as to Legal Form  
and Adequacy this 9<sup>th</sup> day  
of April, 2024

*Sheila Kinney*  
Sheila Kinney, Asst. Corp. Counsel  
Office of Corporation Counsel

**ATTACHMENT TO**  
**METROPOLITAN DEVELOPMENT COMMISSION RESOLUTION**  
**PERSONAL PROPERTY TAX ABATEMENT**

**FACTUAL INFORMATION**

Applicant: Novartis Manufacturing LLC and  
Advanced Accelerator Applications USA, Inc.

Subject Real Estate: 8520 Challenger Drive

Decatur Township Parcel Number: 2014725

**PROJECT DESCRIPTION**

Novartis Manufacturing LLC is an international pharmaceutical company, headquartered in Basel, Switzerland, with focused on medications, advanced therapy platforms and data science. Advanced Accelerator Applications USA, Inc. is a subsidiary of Novartis, focused on nuclear medicine theragnostics, which is a disease management strategy involving the integration of nuclear medicine diagnostic imaging and therapy.

In 2020, Novartis was approved for incentives and began construction of a new, 59,450-square foot advanced manufacturing and laboratory facility on 16.64 acres of undeveloped land in the Purdue Research Park at Ameriplex. The project is now the largest Radiology and (targeted molecule) therapy manufacturing site in the Novartis network of companies.

Novartis has now proposed a Phase Two expansion of their operations, which would require additional real estate investment of \$53,400,000.00 to construct a second, 79,000-square foot building. In addition to construction costs, Novartis would invest \$56,600,000.00 in eligible personal property to equip the new facility. As a result of the project, Novartis would commit to retain the 170 positions created since 2020 and create an additional 55 new jobs by the end of 2026.

**FACTUAL ASSERTIONS**

1.  The application was filed with the Department of Metropolitan Development prior to the New Equipment being installed.
2.  The specified New Equipment meets the definition of "New Manufacturing Equipment", "New Logistical Distribution Equipment", "New Information Technology Equipment", and/or "New Research and Development Equipment" found in I.C. 6-1.1-12.1, as interpreted by the Indiana Department of Local Government Finance.
3.  The specified New Equipment will be installed on the subject real estate in one of the following types of facilities:
  - A.  Existing facility
  - B.  Expanded facility

- C.  New facility  
 D.  Vacated or converted facility

4. The facility meets the appropriate requirements:

A.  of an existing, expanded or vacated or converted facility:

1.  The area in which the facility is located has become "undesirable for normal development" (as defined in Metropolitan Development Commission Resolution No. 01-A-041, 2001), or
2.  The operation in the facility is a distressed business (as defined in Resolution No. 97-A-110, 1997), and
3.  the specified new equipment is being installed to relieve the conditions causing the business to be distressed, and
4.  the facility is technologically, economically or energy obsolete, which obsolescence may lead to a decline in employment and tax revenues.

B.  of a new facility;

1.  the area in which the facility is to be located has become "undesirable for normal development" (as defined in Metropolitan Development Commission Resolution No. 97-A-110, 1997), or
2.  The operation in the facility is a distressed business (as defined in Resolution No. 97-A-110, 1997), and
3.  the specified new equipment is being installed to relieve the conditions causing the business to be distressed, and
4.  the facility is technologically, economically or energy obsolete, which obsolescence may lead to a decline in employment and tax revenues.

5.  The facility will benefit Marion County by creating or retaining permanent jobs, increasing the property tax base, avoiding environmental harm, securing the attraction, retention or expansion of targeted businesses.

6. The subject real estate on which the facility is, or will be located:

- A.  Is outside an Allocation Area as defined in I.C. 36-7-15.1-26, or
- B.  inside an Allocation Area, but has been determined by the Commission to be acceptable for personal property tax abatement.

**PROPOSED ABATEMENT SCHEDULE**  
**PERSONAL PROPERTY TAX ABATEMENT**  
**PHASE II PROJECT**

YEAR OF DEDUCTION	PERCENTAGE
1 <sup>st</sup>	100%
2 <sup>nd</sup>	85%
3 <sup>rd</sup>	66%
4 <sup>th</sup>	50%
5 <sup>th</sup>	34%
6 <sup>th</sup>	25%

**STAFF COMMENT**  
**PERSONAL PROPERTY TAX ABATEMENT**

Street Address:.....8520 Challenger Drive

New Jobs Created: ..... 55

Jobs Retained: ..... 170

Estimated Cost of Equipment: \$56,600,000.00

**STAFF ANALYSIS**

Novartis Manufacturing LLC is an international pharmaceutical company, and Advanced Accelerator Applications USA, Inc. is a subsidiary of Novartis, focused on nuclear medicine theragnostics, which is a disease management strategy involving the integration of nuclear medicine diagnostic imaging and therapy.

The Novartis companies invested \$61MM to construct and \$108MM to equip a 59,450-square foot advanced manufacturing and laboratory facility on 16.64 acres of undeveloped land in the Purdue Research Park at Ameriplex, a State of Indiana Certified Technology Park (CTP). The project is Novartis' first Indianapolis research and production facility and is the largest Radioligand (targeted molecule) therapy manufacturing site in the Novartis network of companies.

Novartis has now proposed a Phase Two expansion of their campus. This expansion would include construction of an additional 79,000 square-foot manufacturing building and an additional \$56,600,000.00 in eligible personal property to equip the expanded facility. The new project would result in the retention of the 170 jobs created since 2020 and creation of an additional 55 new jobs by 2026.

In Phase One, the petitioner committed five percent of its estimated abatement savings to develop a paid summer internship for Marion County college students which will create career pathways within the larger company. For Phase Two, Novartis will make a donation to the Commission to help improve pedestrian connectivity within the Ameriplex industrial park.

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 six (6) years personal property tax abatement for the Phase Two Project.

## TOTALITY OF BENEFITS

**PETITIONER:**                    **Novartis Manufacturing LLC and  
Advanced Accelerator Applications USA, Inc.**

### **PHASE II**

#### **INVESTMENT:**

Staff estimates that the proposed investment of \$56,600,000.00 should result in an increase to the tax base of approximately \$22,640,000.00 of assessed value in the first year of operation. Staff estimates that over the six (6) year personal property tax abatement period the petitioner will realize savings of approximately \$2,675,562.34 (a 64.0% savings). During the abatement period, the petitioner is expected to pay an estimated \$1,506,562.34 in personal property taxes related to the new equipment. After the tax abatement expires, the petitioner can be expected to pay an estimated \$764,565.52 in personal property taxes annually related to the new equipment.

#### **EMPLOYMENT:**

The petitioner estimates that this project will retain one-hundred and seventy (170) jobs at an average wage of \$48.00/hr. and will create fifty-five (55) jobs at an average wage of \$46.00/hr. Staff finds these figures to be reasonable for a project of this nature.

#### **OTHER BENEFITS:**

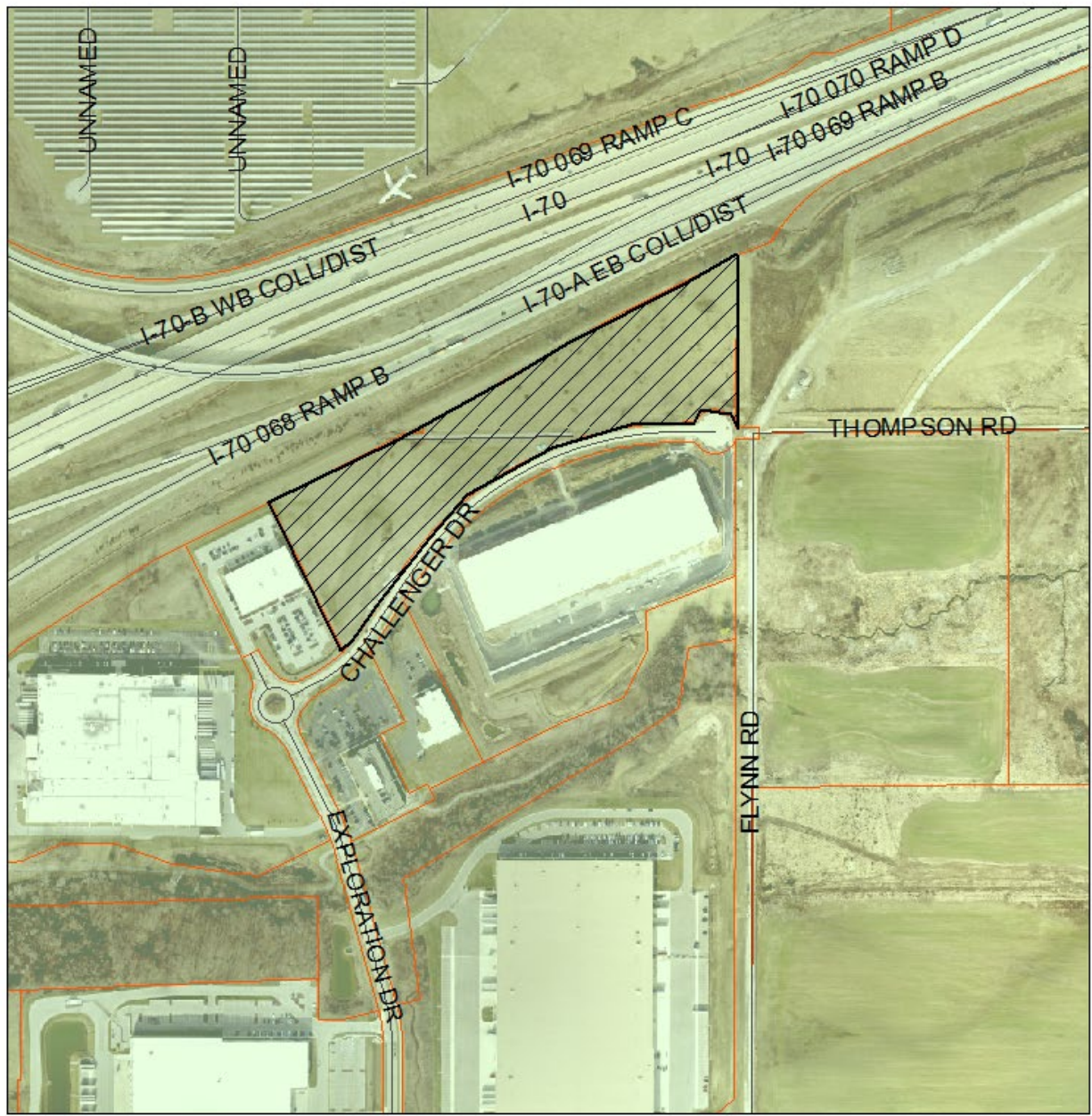
Staff believes this project is significant for Decatur Township in terms of new taxes and potential job creation and retention. Furthermore, staff believes the petitioner's project will lead to continued future investment in Marion County.

#### **STAFF COMMENT:**

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

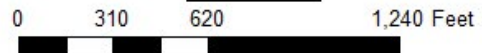


Novartis Manufacturing LLC and  
Advanced Accelerator Applications USA, Inc.  
8520 Challenger Drive



**Legend**

-  TIF Districts
-  Project Site



Produced by: DMD REED October 13, 2020

## STAFF REPORT

### Department of Metropolitan Development Division of Planning Current Planning Section

**Case Number:** 2023-APP-030  
**Address:** 5510 South Emerson Avenue (approximate addresses)  
**Location:** Perry Township, Council District #24  
**Zoning:** D-P  
**Petitioner:** Haven Health Management, LLC, by J. Murray Clark  
**Request:** Appeal of the Administrator's Decision to deny 2023-ADM-158, which proposed the use of a drug addiction and treatment facility in the D-P classification, based on the Development Statement approved for 2007-APP-131 and 2021-ZON-052.

#### **ADDENDUM FOR MAY 1, 2024, METROPOLITAN DEVELOPMENT COMMISSION**

This petition was continued from the March 6, 2024, hearing to the May 1, 2024 hearing at the request of the petitioner.

This petition was withdrawn at the April 17, 2024 hearing of the MDC at the request of the petitioner. The withdrawal was acknowledged by the Commission.

#### **ADDENDUM FOR MARCH 6, 2024, METROPOLITAN DEVELOPMENT COMMISSION**

This petition was continued from the December 6, 2023, hearing to the March 6, 2024 hearing at the request of the petitioner. No additional information has been provided to the case file.

This petition should be withdrawn or dismissed since a rezoning petition, 2023-ZON-127, is pending to rezone the site to the D-P district to include the proposed use.

#### **ADDENDUM FOR DECEMBER 6, 2023, METROPOLITAN DEVELOPMENT COMMISSION**

This petition was continued from the November 15, 2023 hearing to the December 6, 2023 hearing at the request of the petitioner. No additional information has been provided to the case file.

#### **November 15, 2023**

#### **RECOMMENDATIONS**

Staff **recommends denial** of this request.

#### **SUMMARY OF ISSUES**

The following issues were considered in formulating the recommendation:

(Continued)

**STAFF REPORT 2023-APP-030 (Continued)****LAND USE****EXISTING ZONING AND LAND USE**

D-P	Metro	Drug Addiction and Treatment Facility
-----	-------	---------------------------------------

**SURROUNDING ZONING AND LAND USE**

North	D-A	Surface Parking Lot
South	D-P	Residential (Townhomes)
East	C-S	Undeveloped
West	D-P	Residential (Townhomes)

**COMPREHENSIVE PLAN**                      The Comprehensive Plan for Indianapolis and Marion County (2018) recommends suburban neighborhood development.

- ◇ The subject site is zoned D-P and is developed with a commercial building and associated parking area. The property is bordered to the west and south by townhomes, zoned D-P, to the north by a parking lot, zoned D-A, and an undeveloped lot to the east across Emerson Avenue, zoned C-S.
- ◇ The Comprehensive Plan recommends the 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.”
- ◇ The request would allow the operation of a drug addiction and treatment facility in this D-P district.

**HISTORY**

- ◇ The site was included in rezoning case 2004-ZON-078, which rezoned 25.539 acres from the D-A and D-P Districts to the D-P classification to provide for the development of the 104-unit Planned Unit Development known as Coventry Park consisting of multi-family townhouses and two-family dwellings. That rezoning petitioner contemplated eventual development of a Senior Housing Component on the subject site.
- ◇ In 2007, approval petition 2007-APP-131 was granted for the Modification of Development Statement, related to petition 2004-ZON-78 (2004-DP-005), to provide for a **shared senior living building** consisting of twelve resident rooms, an owner’s room and a guest room on 1.04 acres, with density of 13.46 units per acre and Approval to Modify Commitments, related to petition 2004-ZON-078 (2004-DP-005), recorded as instrument number 2004-021854, and replace them with new commitments. See Staff Exhibit A.

(Continued)

**STAFF REPORT 2023-APP-030 (Continued)**

- ◇ In 2021, the property was rezoned from the D-P district to the D-P district, via 2021-ZON-052, to use the existing building for a **residential living facility for individuals with psychiatric disorders**. Approval was subject to the Approved Preliminary Planned Unit Development, stamped-approved July 21, 2021. See Staff Exhibit B.
- ◇ The D-P Statement, from 2021-ZON-052, describes the change of use from a shared senior living facility to a facility for adults who voluntarily seek residential mental health treatment. The maximum number of adults would be 16, with the average stay ranging from thirty days to one year.

**Staff Analysis**

- ◇ The Consolidated Zoning and Subdivision Ordinance, specifically Table 743-1: USE TABLE, distinctly differentiates the residential uses such as group homes, assisted living facilities, and transitional living quarters from health care facilities such as methadone clinic or treatment facility and substance abuse treatment facilities.
- ◇ **Group Home** is defined as a residential facility for 2 or more individuals meeting the definition of a handicapped person under the Federal Fair Housing Act and court decisions interpreting that act. This definition includes Community residential facilities for persons with developmental disabilities (as defined by IC 12-7-2-61) as licensed by the Division of Disability and Rehabilitative Services – Bureau of Developmental Disabilities Services, per 460 IAC 9-2. This definition includes residential living facilities for persons with psychiatric disorders or addictions as licensed by the Division of Mental Health and Addiction, per 440 IAC 7.5. For purposes of this definition, the term handicapped does not include persons currently using or addicted to alcohol or controlled substances who are not in a recognized recovery program, nor does it include half-way houses for individuals in the criminal justice system, or diversion centers.
- ◇ **Substance Abuse Treatment Facility** is defined as a facility, the primary function of which is to administer or dispense a schedule II-controlled substance (as listed under IC 35-48-2-6(b) or (c)) to a narcotic addict for maintenance or detoxification treatment. This definition does not include a methadone clinic or treatment facility.
- ◇ **Methadone Clinic or Treatment Facility** is defined as a clinic or facility engaged in dispensing Methadone (dolphine) for the purpose of elimination or reduction of opiate use by drug addicts and abusers.
- ◇ Staff determined that the now proposed use of an addiction and treatment facility is not a permitted use in this D-P district.
- ◇ Staff notified the applicant of Administrative Approval 2023-ADM-158 that the site needed to be rezoned from D-P to D-P to allow for the additional use.

**GENERAL INFORMATION****THOROUGHFARE PLAN**

Emerson Avenue is classified in the Official Thoroughfare Plan for Marion County, Indiana as a primary arterial street, with a 140-foot existing right-of-way and a 102-foot proposed right-of-way.

(Continued)

**STAFF REPORT 2023-APP-030 (Continued)**

SITE PLAN File-dated September 25, 2023.

FINDINGS OF FACT File-dated September 25, 2023.

**ZONING HISTORY – SITE****EXISTING VIOLATIONS**

1. VIO22-006966; 5510 South Emerson Avenue (subject site), Building violation for the notice of change in permit information: amendment of permits and plans.

**PREVIOUS CASES**

**2023-ADM-158; 5510 South Emerson Avenue** (subject site), Approval of three building additions for a drug addiction and treatment facility, **denied**.

**2021-ZON-052; 5510 South Emerson Avenue** (subject site), Rezoning of 1.1 acres from the D-P district to the D-P district to use the existing building for a residential living facility for individuals with psychiatric disorders, **approved**.

**2015-ADM-373;** (subject site), Approval of a ground sign, **approved**.

**2007-APP-131; 5524 South Emerson Avenue** (subject site), Approval of Modification of Development Statement, related to petition 2004-ZON-78 (2004-DP-005), to provide for a shared senior living building consisting of twelve resident rooms, an owner's room and a guest room on 1.04 acres, with density of 13.46 units per acre and Approval to Modify Commitments, related to petition 2004-ZON-078 (2004-DP-005), recorded as instrument number 2004-021854, and replace them with new commitments related to this request, **approved**.

**2004-PLT-070; 5500 and 5640 South Emerson Avenue** (subject site), Subdivision approval dividing 25.53 acres into 41 lots and a Waiver request for sidewalks along South Emerson Avenue and within the interior of the multi-family residential development, **approved**.

**2004-ZON-078; 5500 South Emerson Avenue** (subject site), Rezoning of 25.539 acres from D-P and D-A to D-P to provide for 30 multi-family townhouses and 37 two-family dwellings, for a total of 104 dwelling units, with a density of 4.1 units per acre, **approved**.

**99-Z-23/ 99-DP-5; 5502 South Emerson Avenue** (subject site), Rezone 13 acres from D-A to D-P to provide for a mixed residential development, consisting of townhomes and two-family residential structures, **approved**.

**98-Z-230/98-DP-28; 5502 South Emerson Avenue** (subject site), Rezoning of 13 acres, being in the D-A District to the D-P classification to provide for a mixed residential development, consisting of townhomes and two-family residential structures, consisting of 89 units, **denied**.

(Continued)

**STAFF REPORT 2023-APP-030 (Continued)****ZONING HISTORY – VICINITY**

**2021-CZN-809 / 2021-CVR-809; 5340 & 5406 South Emerson Avenue** (north of site), Rezoning of 2.08 acre from the D-A and C-1 districts to the C-1 district and Variance of use of the Consolidated Zoning and Subdivision Ordinance to legally establish a single-family dwelling in the C-1 district (not permitted), **approved and granted.**

**2017-ZON-018; 5055 Shelbyville Road** (north of site), Rezoning of 1.5 acre from the D-A district to the C-3 district, **denied.**

**2008-ZON-096; 5406 South Emerson Avenue,** (north of site), Rezoning of four acres from the D-A district to the C-1 district, **approved.**

**2009-CZN-832 / 2009-CAP-832; 5501 South Emerson Avenue** (east of site), Rezoning of 4.5 acres from the C-S district to the C-S district to provide for a pharmacy, offices, a restaurant and personal and professional services and requested the approval of a modification of site plan to provide for a convenience store and gas station and a modification of commitments related to 89-Z-102 to removed commitments for right-of-way dedication and the requirement that the site be developed as an integrated center, **approved.**

**2005-ZON-215; 5640 South Emerson Avenue** (south of site), Rezoning of 1.824 acres, being in the D-A District, to the C-1 classification to provide for the construction of commercial office buildings, **approved.**

**2005-ZON-215A; 5640 South Emerson Avenue** (south of site), Rezoning of 0.263 acres, being in the D-A District, to the D-P classification to correct an error in the legal description for 2004-ZON-078 (2004-DP-005), **approved.**

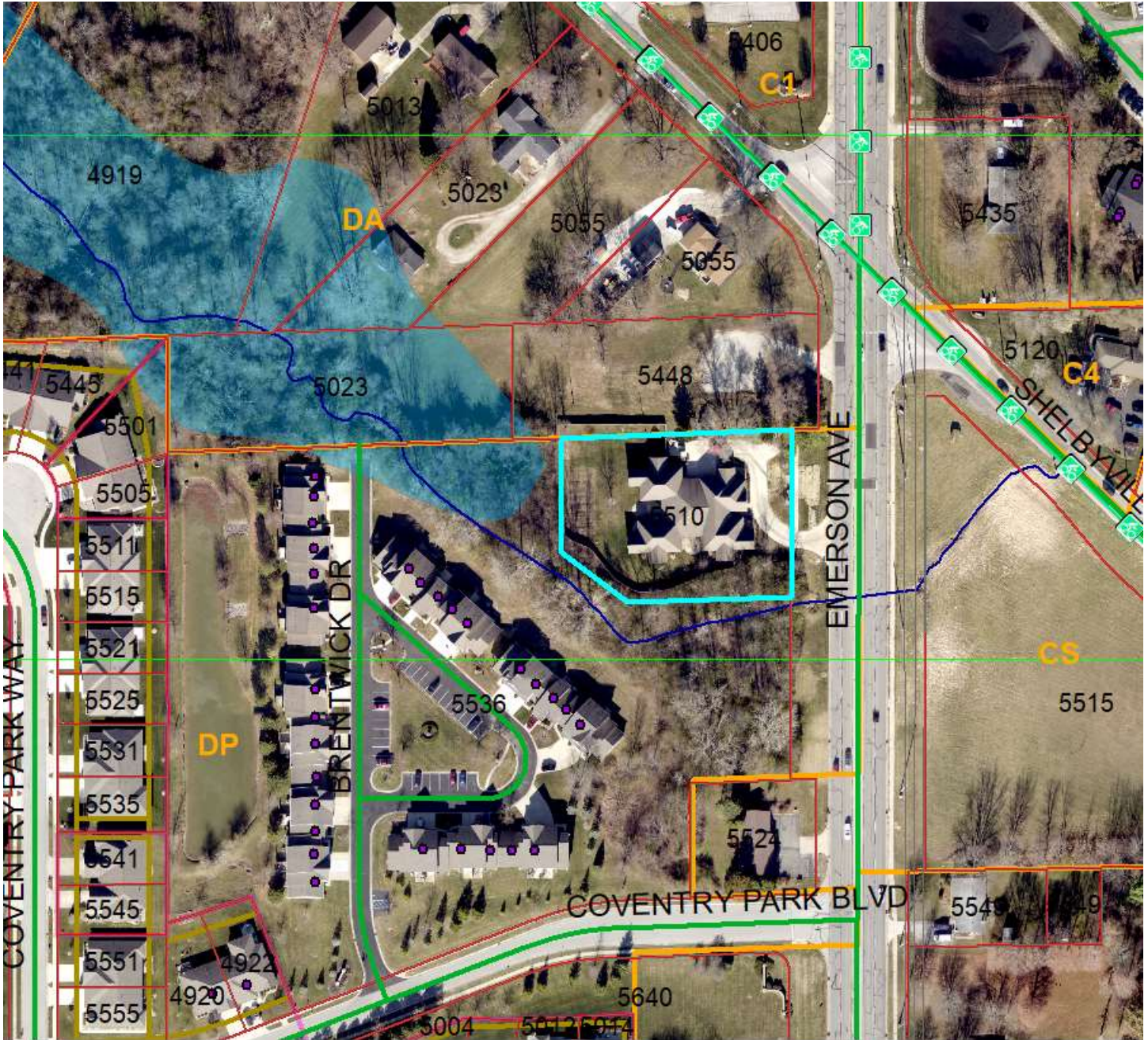
**2003-ZON-825 / 2003-VAR-825; 5120 Shelbyville Road** (northeast of site), Rezoning of 0.75 acre from the D-A district to the C-4 district and a variance of development standards to provide for deficient transitional yard and a freestanding sign with deficient setbacks, **approved.**

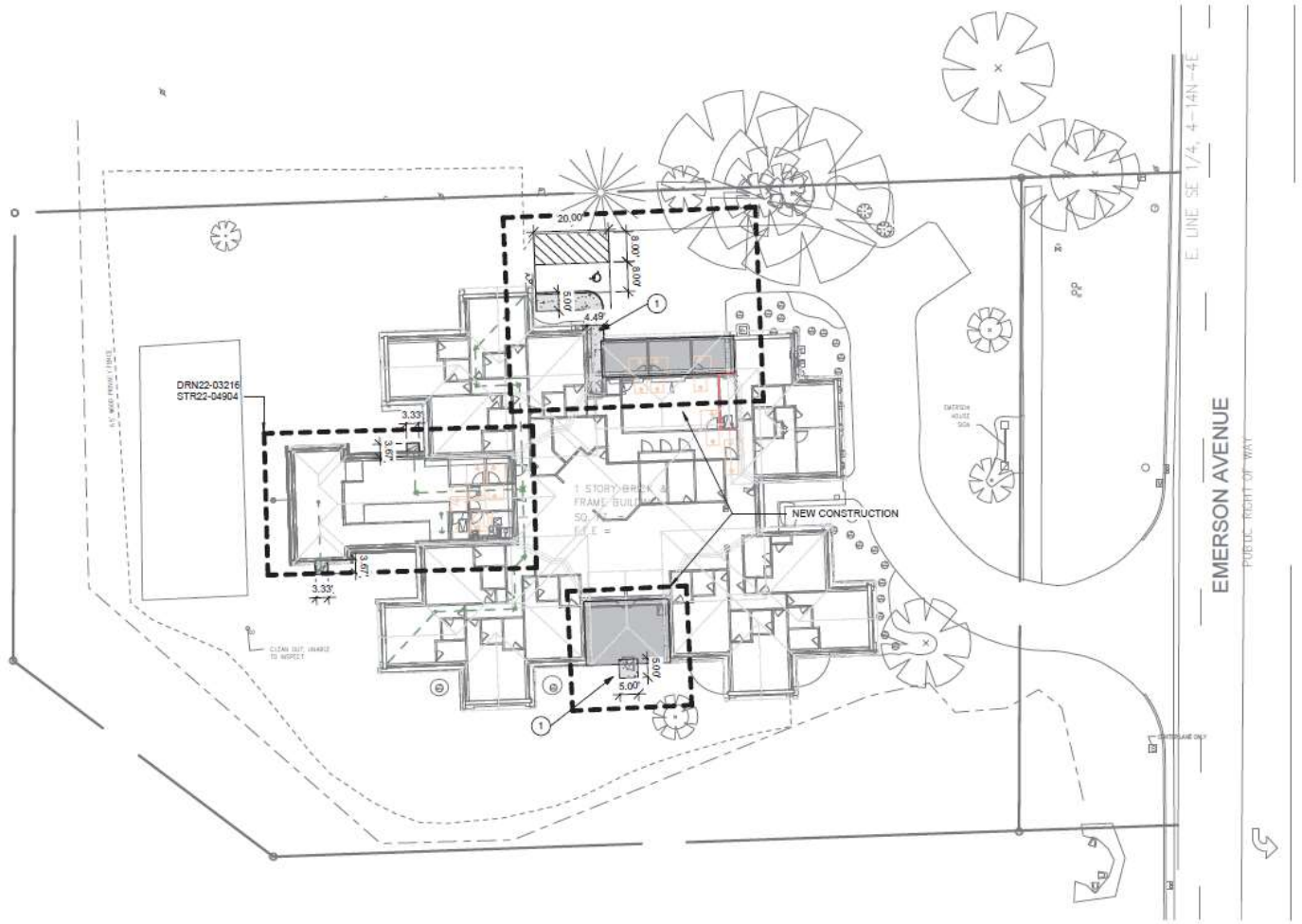
**89-Z-102; 5521 South Emerson Avenue** (east of site), Rezoning of 4.84 acres from the A-2 district to the C-S district to provide for a pharmacy, offices, a restaurant and personal and professional services, **approved.**

**88-Z-59; 5651 South Emerson** (east of site), Rezoning of 4.54 acres from the A-2 district to the C-4 district, **withdrawn.**

MI

\*\*\*\*\*





1 SITE PLAN N-S ADDITION  
1" = 20'-0"



**FINAL PROPOSED PRELIMINARY PLAN  
FOR  
COVENTRY PARK  
A NEW TOWNHOUSE AND SENIOR HOUSING DEVELOPMENT**

**5502 South Emerson Avenue**

**Rezoning Petition No. 2004-ZON-078 (2004-DP-005)**

**September 16, 2004**

**Mainstay, Inc. & Community Development, Inc.  
c/o Philip A. Nicely, Esq.  
Bose McKinney & Evans LLP  
301 Pennsylvania Parkway, Suite 300  
Indianapolis, IN 46280  
(317) 684-5300**

.....  
**MODIFICATION OF DEVELOPMENT STATEMENT**

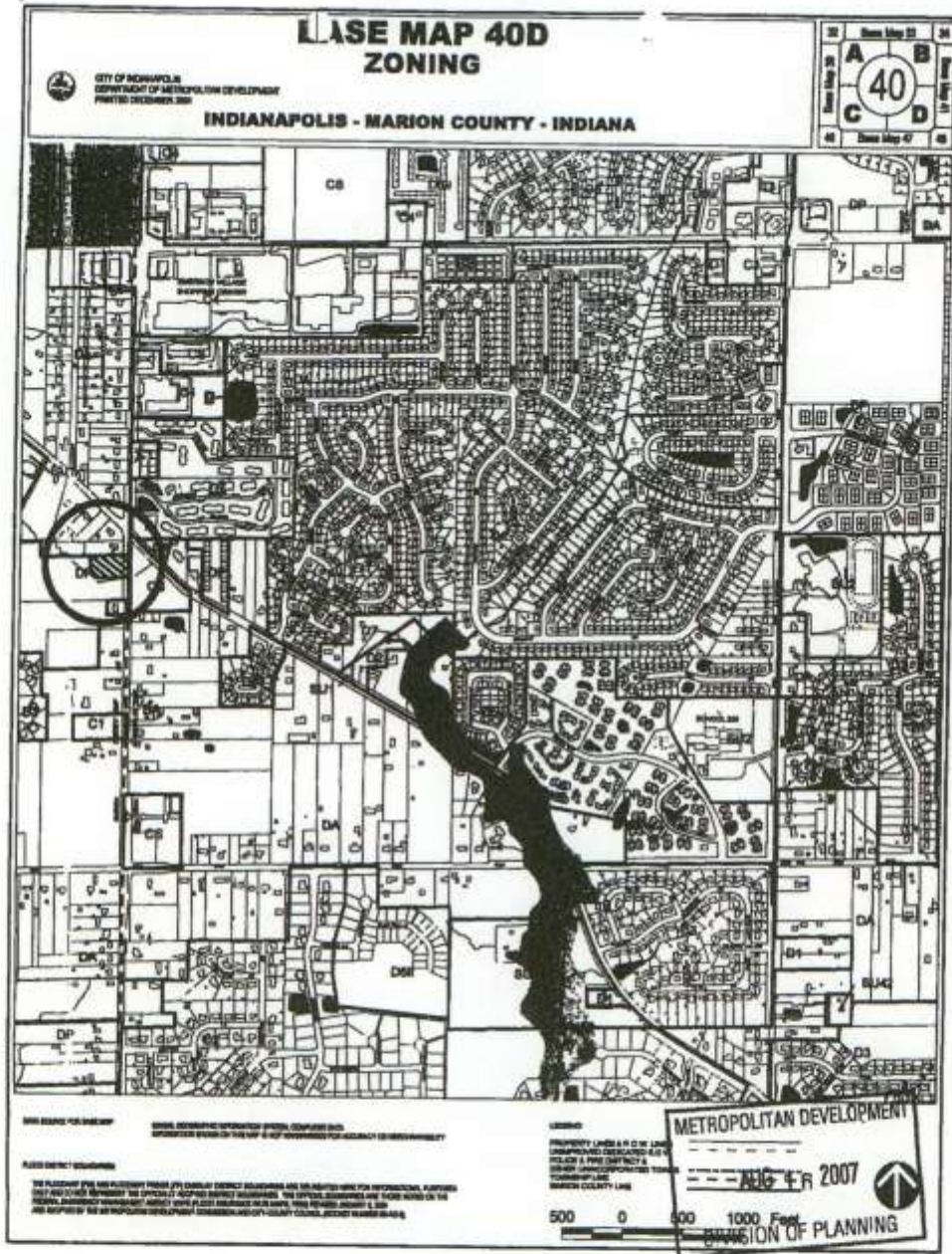
**ADDENDUM FOR  
SHARED SENIOR LIVING**

**2007-APP-\_\_\_**

**Prepared by Bose McKinney & Evans LLP  
Philip A. Nicely  
Attorney for Petitioner  
October 17, 2007**

**METROPOLITAN DEVELOPMENT  
AUG 16 2007  
DIVISION OF PLANNING**

972891\_1.DOC



**ADDENDUM TO COVENTRY PARK  
FOR  
SHARED SENIOR LIVING**

The Final Proposed Preliminary Plan for Coventry Park is hereby supplemented to allow for a Shared Senior Living component in the development. This petition proposes the development of a single structure which will house twelve resident rooms, the owner's rooms, a guest room, and shared living space.

Site development standards for the shared senior living component shall be as follows:

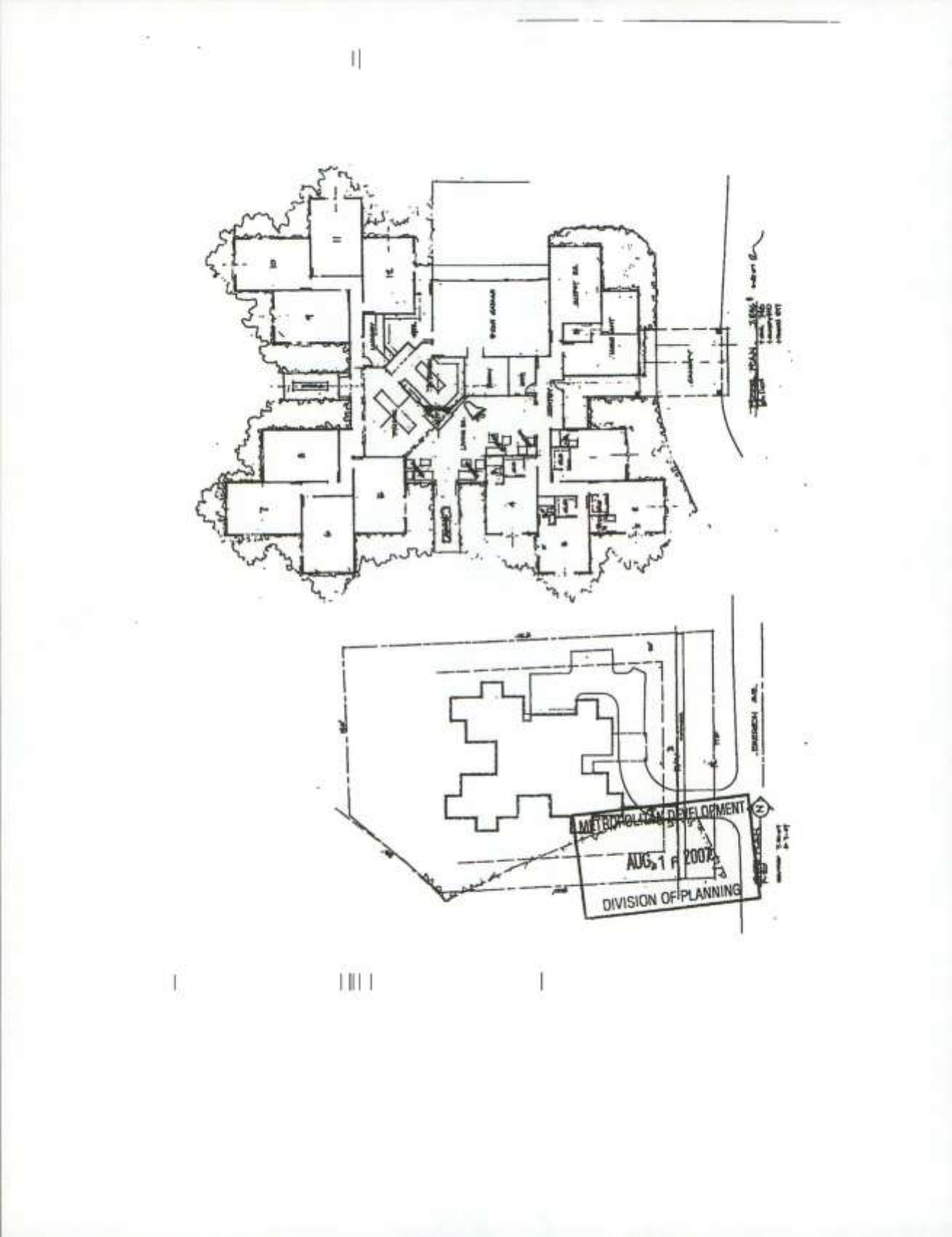
Minimum South Yard:	20 feet
Minimum West Yard:	25 feet
Minimum North Yard:	20 feet
Minimum Front Yard:	40 feet, excluding the entrance canopy
Minimum Height:	35 feet

The shared senior living component use shall be consistent with the Operating Plan file-dated August 16, 2007.

The use and development of the shared senior living component shall be consistent with the site plan, floor plan, building elevations and commitments filed-dated August 16, 2007.

METROPOLITAN DEVELOPMENT  
AUG 16 2007  
DIVISION OF PLANNING

972814v1

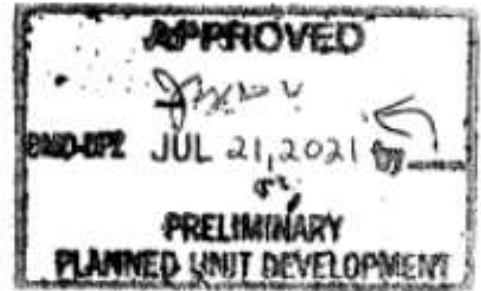




Haven Health Management  
fax: (561) 855-4473  
2925 10th Avenue N, Palm Springs FL 33461  
havenhealthmanagement.com

May 13, 2021

Indianapolis Planning Division  
200 E. Washington St., #1821  
Indianapolis, Indiana 46204



2021-ZON-052

Re: Petition for Rezone

Dear Planning Department:

This letter is submitted as "Exhibit A" to the Petition ("the Petition") to rezone the property located at 5510 S. Emerson Ave., Indianapolis, Indiana 46237 ("the Property") from its current zone ("DP") for use as an assisted living facility to a new zone ("DP") for use as a Residential Living Facility for Individuals with Psychiatric Disorders. Haven Health Management, LLC ("Haven Health") is a healthcare company, and seeks a rezone to permit a minor change to the current use of the Property. As is explained below, the impact on surrounding properties will be no different than the current use, but the positive impact on the City of Indianapolis and Marion County will be substantial.

The Plan of Operation of the Property falls under 440 I.A.C. 7.5, Residential Living Facility for Individuals with Psychiatric Disorders, and will be a Residential program for adults who voluntarily seek residential mental health treatment. The average stay for any given individual would be from thirty (30) days to one (1) year. Once licensed, Haven Health would be permitted to operate a residential facility for purposes of housing a treating not more than sixteen (16) individuals who suffer from mental health disorders. Haven Health only serves adults who struggle with mental health disorders. All individuals are carefully screened to make sure they fit within our approved levels of care. To ensure its participants are personally interested in self-improvement, Haven Health only takes clients who voluntarily seek treatment, and does not accept court-appointed treatment referrals.

Serving the patients of Haven Health will be between 5 and 6 staff members during the day, and 3-4 staff members overnight. Our staffing will consist of qualified professionals, including licensed nurses, Nurse Practitioners, a Medical Director, Licensed Clinicians, and Peer and Mental Health Specialists. Visitors are not permitted on property, in order to ensure treatment is focused on the patient. Accordingly, at any given time, the number of individuals on site will be not more than twenty (20) to twenty-four (24), most of whom will not have vehicles on site.

The property has a 3-car garage and an extensive driveway. There will be up to 6 vehicles on the property for half the day, and up to 3-4 for the second half. The garage will always be utilized for 3 of the vehicles and up to 3 of the vehicles will be in the driveway. There will not be any traffic that



Haven Health Management  
Fax: (561) 855-4473  
2925 10th Avenue N, Palm Springs FL 33461  
havenhealthmanagement.com

goes to and from the property besides the employees that will be on the property, and transport of patients to the facility by employees. Accordingly, Haven Health does not expect parking will be an issue at any time.

Haven Health welcomes any questions from the City of Indianapolis regarding its intended use of the Property, and respectfully requests a rezone from the current use to use as a Residential Living Facility for Individuals with Psychiatric Disorders.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Cheyenne N. Riker", written over a horizontal line.

Cheyenne N. Riker, Esq.  
General Counsel  
Haven Health Management, LLC

Petition Number \_\_\_\_\_

**METROPOLITAN BOARD OF ZONING APPEALS, DIVISION \_\_\_\_\_  
OF MARION COUNTY, INDIANA**

**APPEAL OF THE ADMINISTRATOR'S DECISION**

**FINDING OF FACT**

**THE ADMINISTRATOR'S DECISION SHOULD BE OVERTURNED BECAUSE**

Under 2021-ZON-052, the City Council permitted the use of the site as a facility licensed under 440 IAC 7.5, which is a psychiatric facility. Under that section (440 IAC 7.5), a licensee is permitted to treat patients suffering with alcohol and substance use disorder, per the plain language of 440 IAC 7.5-1-1(23), the definition of "psychiatric disorder" includes "(C) Alcoholism; (D) Addiction to narcotic or other drugs." The administrative denial should be overturned because the property, even after the permit is complete, will still operate under 440 IAC 7.5, as permitted under 440 IAC 7.5.

**DECISION**

IT IS THEREFORE the decision of this body that this PETITION IS APPROVED.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



Photo of the Subject Property: 5510 South Emerson Avenue



Photo of the Subject Property: 5510 South Emerson Avenue





Photo of the northern buiding façade.



Photo of the subject site looking west.



Photo of the surface parking lot north of the site looking northeast.



Photo of the surface parking lot north of the site looking north.



Photo of the surface parking lot north of the site looking northwest.



**METROPOLITAN DEVELOPMENT COMMISSION** **May 1, 2024**

**Case Number:** 2024-ZON-015

**Property Address:** 2053 Yandes Street (Approximate Address)

**Location:** Center Township, Council District #13

**Petitioner:** Hollister Properties, LLC, by Kristin Hollister

**Current Zoning:** I-3

**Request:** Rezoning of 0.13 acres from the I-3 district to the D-8 district to provide for residential uses.

**Current Land Use:** Vacant

**Staff Recommendations:** Approval

**Staff Reviewer:** Marleny Iraheta, Senior Planner

**PETITION HISTORY**

**ADDENDUM FOR MAY 1, 2024, METROPOLITAN DEVELOPMENT COMMISSION**

This petition was heard by the Hearing Examiner on April 11, 2024. After a full hearing, the Hearing Examiner recommended approval of the request. Subsequently, a remonstrator filed an appeal of the Hearing Examiner’s decision. A memorandum of her recommendation is attached.

A timely **automatic continuance** was filed by the petitioner **continuing this petition from the May 1, 2024 hearing to the June 5, 2024 hearing**. This would require acknowledgment by the Commission.

**April 11, 2024**

This petition was automatically continued from the March 14, 2024 hearing to the April 11, 2024 hearing at the request of a remonstrator.

**STAFF RECOMMENDATION**

Staff **recommends approval** of the request.

**PETITION OVERVIEW**

**LAND USE**

The 0.13-acre subject site is an undeveloped industrial lot located in the Martindale- Brightwood Neighborhood and is part of the S A Fletcher Jr. North East subdivision. It is surrounded by a single-family dwelling north, zoned D-8, a vacant commercial building west, zoned D-P, an undeveloped lot south, zoned I-3 and an industrial building east, zoned I-3.



**REZONING**

This petition would rezone this site from the I-3 district to the D-8 district for a single-family dwelling and detached garage.

The I-3 district is an intermediate district for industries that present moderate risks to the general public. Wherever practical, this district should be away from protected districts and buffered by intervening lighter industrial districts. Where this district abuts protected districts, setbacks are large, and enclosure of activities and storage is required.

The D-8 district is intended for a variety of housing formats, with a mix of small-scale multi-unit building types. This district can be used as a part of new mixed- use areas, or for infill situations in established urban areas, including medium and high-density residential recommendations of the Comprehensive Plan, and the Traditional Neighborhood, City Neighborhood, and Village or Urban Mixed-Use Typologies of the Land Use Pattern Book.

**STAFF ANALYSIS**

Staff is supportive of the rezoning to the D-8 district because it would allow for residential development to occur in line with the context of the surrounding area and historical residential use of the site per an 1898 Sanborn Map. The dwelling district would also align with the traditional neighborhood recommendation of the Comprehensive Plan.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	I-3	
<b>Existing Land Use</b>	Undeveloped	
<b>Comprehensive Plan</b>	Traditional Neighborhood	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b><u>Land Use</u></b>
	North:	D-8 Residential (Single-family dwelling)
	South:	I-3 Undeveloped
	East:	I-3 Industrial
	West:	D-P Vacant Commercial Building
<b>Thoroughfare Plan</b>		
Yandes Street	Local Street	61-foot existing right-of-way and a 48-foot proposed right-of-way.
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	N/A	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	



<b>Findings of Fact</b>	N/A
<b>Findings of Fact (Amended)</b>	N/A
<b>C-S/D-P Statement</b>	N/A

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

- Marion County Land Use Plan Pattern Book (2019)
- Infill Housing Guidelines (2021)

**Pattern Book / Land Use Plan**

- The Marion County Land Use Plan Pattern Book (2019) recommends traditional neighborhood development for the subject site.
- The Comprehensive Plan recommends traditional neighborhood development, which 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.
- **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.
- **Detached Housing**
  - The house should extend beyond the front of the garage. Garages should be loaded from an alley or side street when possible and should be detached if located on the side of the house.



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- Secondary units are encouraged.
- Lots should be no larger than one and a half times the adjacent lots.
- **Attached Housing**
  - 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

- **BUILDING ELEVATIONS AND ARCHITECTURAL ELEMEN**
  - **1. Utilize Foundation Styles and Heights that are Consistent with Nearby Houses:** The height of the foundation affects where doors, porches, and windows are located. Unless there are special circumstances that require additional height, such as the location is in or near a floodplain, the foundation height for new construction should be consistent with nearby buildings.
  - **2. Be Consistent with Surrounding Entry Locations:** Main entries should be visible from the street. Entries should not be hidden, obscured, or missing from the main street elevation (front). The entry should reflect a similar characteristic to those that surround it, such as formal or casual, recessed or flush, narrow or wide.
  - **3. Where Appropriate, Include Porches or Stoops:** Use context to determine if front porches are consistent elements used in the neighborhood. If so, add porches or stoops to new construction.
  - **4. Coordinate the Location and Door Style of Balconies with the Surrounding Neighborhood:** Balconies are common architectural elements in some neighborhoods, but uncommon in others. Balconies along the street should be used when appropriate. When a balcony is used, consider the appropriate door access for the type of balcony. For example, Juliet balconies, which are intended to bring the outside in, make the most sense when French doors are used.



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- **5. Consider Nearby Roof Styles:** The basic outline of a new building should reflect building outlines typical of the area. Roof selection and overall height contribute to the building outline. Select roof shapes that are frequently used in the neighborhood.
- **6. Fenestration Should Relate to the Surrounding Context:** Windows and doors should be arranged on buildings so as not to conflict with the basic fenestration patterns in the neighborhood. The proportion of glass (windows) to solid materials (wood, bricks, and other materials) which is found within the surrounding context should be reflected in new construction. Every elevation (sides and rear) should have windows on each story to help break up the monotony of the façade.
- **7. Materials Used Should Reflect the Context of the Neighborhood:** Introducing new materials that are not used in the existing context should be done in a way where those materials are not the dominant material and make up less than 30% of the overall façade design.
- **8. Consider Unique Neighborhood Features:** In addition to the architectural features mentioned above, consider other common features like chimneys, dormers, gables, and overhanging eaves that shape the character of a neighborhood. When possible, include these features into new construction.

**Indy Moves**

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

- Not Applicable to the Site.

## ZONING HISTORY

### ZONING HISTORY – VICINITY

**2024-CZN-803**; 2051 Columbia Avenue (southeast of site), Rezoning of 0.26 acres from the I-3 district to the D-8 district to provide for two, two-unit row homes, **pending**.

**2024-CVR-803**; 2051 Columbia Avenue (southeast of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for three-foot side setbacks (five feet required), **pending**.

**2023-CZN-848 / 2023-CPL-848**; **2069 Yandes Street** (northeast of site), Rezoning of 0.42 acre from the I-3 district to the D-8 district and Approval of a Subdivision Plat to be known as Starks Minor Subdivision, dividing 0.42 acre into four lots, **approved**.

**2022-CZN-835**; **2069 Yandes Street** (northeast of site), Rezoning of 0.42 acre from the I-3 district to the D-8 district, **withdrawn**.

**2022-ZON-005**; **2024 Columbia Avenue** (southeast of site), Rezoning of 0.129 acre from the I-3 district to the D-8 district to allow for the construction of a single-family house, **approved**.

**2021-CZN-819**; **2021-CVR-819 (south of site)**,

**2021-CZN-816 / 2021-CVR-816**; **2035, 2039, 2043 and 2047 Columbia Avenue** (southeast of site), Rezoning of 0.47 acre from the I-3 district to the D-8 district and a variance of development standards to provide for a deficient front setback, **approved**.

**2021-ZON-104**; **2060 Yandes Street** (northwest of site) Rezoning of 3.6 acres from the I-3 district to the D-P district to provide for 54 total units consisting of 50 single-family attached dwellings and four single-family detached dwellings for a density of 15 units per acre, **approved**.

**2021-ZON-063**; **2057 Yandes Street** (north of site), Rezoning of 0.13 acre from the I-3 district to the D-8 district, **approved**.

**2021-ZON-059**; **2020 Columbia Avenue** (southeast of site), Rezoning of 0.13 acre from the I-3 district to the D-8 district, **approved**.

**2021-ZON-028**; **2018, 2024 and 2032 Yandes Street** (southwest of site), Rezoning of 0.39 acre from the I-3 district to the D-8 district, **approved**.

**2020-CZN-835 / 2020-CVR-835**; **2005 and 2011 Columbia Avenue**; **1314 East 20th Street** (southeast of site), Rezoning of 0.29 acre from the I-3 district to the D-8 classification and Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of three single-family dwellings, with one single-family dwelling within the clear sight triangle of the abutting





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streets, with three-foot side setbacks and 47% open space (four-foot side setback and 55% open space), **approved and granted.**

**2020-CZN-829 / 2020-CVR-829: 2030 Yandes Street** (southwest of site), Rezoning of 0.13 acre from the I-3 district to the D-8 district and a variance of development standards to provide for deficient space between dwellings and deficient open space, **approved.**

**2020-ZON-076; 2019 and 2023 Yandes Street** (south of site), Rezoning of 0.26 acre from the I-3 district to the D-8 district, **approved.**

**2020-ZON-038; 2028 Columbia Avenue** (southeast of site), Rezoning of 0.1 acre from the I-3 district to the D-8 classification, **approved.**

**2019-HOV-020; 2015 Columbia Avenue** (southeast of site), Variance of use to provide for a single-family dwelling in an industrial district, and variances of development standards to provide for deficient setbacks, **approved.**

**2019-ZON-030; 2010 Yandes Street** (southwest of site), Rezoning of 0.13 acre from the I-3 District to the D-8 classification, **approved.**

**2019-ZON-029; 2007 Columbia Avenue** (southeast of site), Rezoning of 0.1 acre from the I-3 district to the D-8 district, **approved.**

**2019-ZON-028; 2032, 2038, and 2042 Columbia Avenue** (southeast of site), Rezoning of 0.39 acre from the I-3 district to the D-8 classification, **approved.**

**2018-UV1-030; 2018 Yandes Street** (southwest of site), Variance of use and development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for primary and accessory residential uses, including a single-family dwelling and detached garage, with deficient front and rear transitional setbacks and north side setback (30-foot front and rear transitional setbacks and 10-foot side setback required), **granted.**

**2017-ZON-030; 2001-2044 Alvord Street** (southwest of site), Rezoning of 2.57 acres, from the I-3 district to the D-8 classification, **approved.**

**2001-LNU-024; 2016 Columbia Avenue** (southeast of site), Certificate of Legal Non-Conforming Use of a single-family dwelling in the I-3-U district, **approved.**

**97-UV3-34; 2002 Alvord Street** (southeast of site), Variance of use of the Industrial Zoning Ordinance to provide for the repair of passenger automobiles and trucks, **denied.**

**95-UV3-1; 2002 Alvord Street** (southeast of site), Variance of use of the Industrial Zoning Ordinance to provide for an automobile and truck repair operation (not permitted), **granted for one year.**



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**93-UV3-31; 2016 Columbia Avenue** (southeast of site), Variance of use to provide for an addition to a single-family dwelling in an industrial district, **approved.**

**92-Z-133; 2001 Yades Street** (south of site), Rezoning of 2.640 acres from I-3-U District to the SU-1 classification to provide for a church, **approved.**

**85-UV3-14; 2022 Columbia Avenue** (southeast of site), Variance of use to provide for a single-family dwelling in an industrial district and a variance of development standards to provide for deficient setbacks, **approved.**

**82-V3-13; 2002-2012 Alvord Street** (southwest of site), Variance of development standards to permit the outside storage of a trash container at the northwest corner of the subject property, **granted.**

**58-V-429; 2017-2019 Alvord Street** (southwest of site) Variance of use to permit erection of a church, **approved.**

**EXHIBITS**





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## MEMORANDUM OF EXAMINER'S DECISION

2024-ZON-015

2053 Yandes Street

The petition requests the rezoning of 0.13 acre from the I-3 district to the D-8 district to provide for residential uses.

Your Hearing Examiner visited the vacant site prior to the hearing and noted that it is in an area that is being developed residentially. While industrial use is east of the site, many of the lots in the neighborhood are residential.

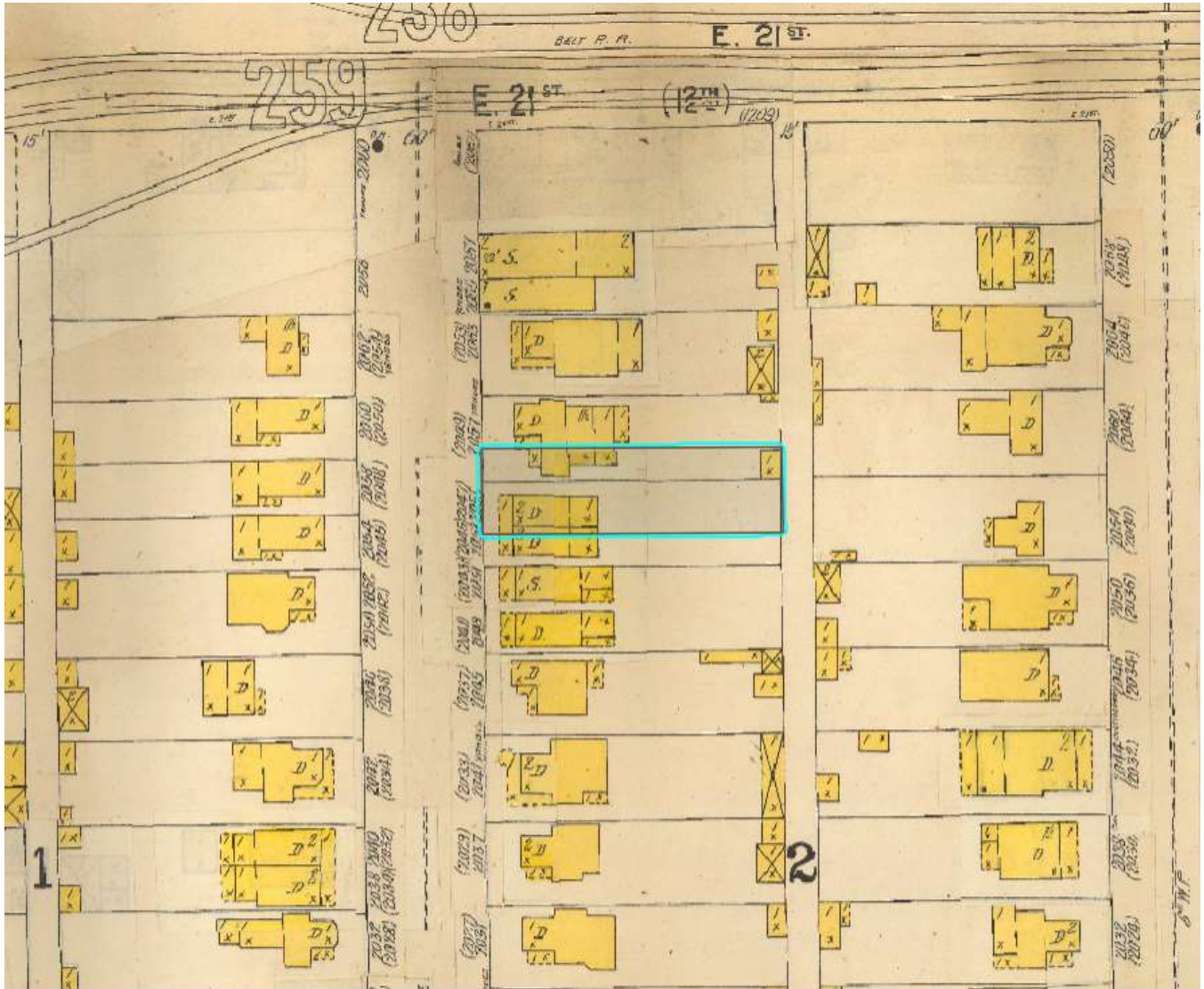
The petitioner explained the proposal to build a single family residence with a detached garage on the site. Although there are several unkempt properties south of the site, the area has been booming with residential development for the last five or six years. The petitioner stated that the City-County Councilor did not object to the request, although he was not at the hearing and didn't provide a letter.

The owner of the vacant lot south of the site remonstrated. He opined that the revitalization of the area is not only residential, and that the rezoning would diminish the value of his lot and make it difficult to provide a transitional yard if it is developed.

Staff stated that the historical use of the area was residential, and that the area is reverting to residential use. Because the remonstrator had argued that a use variance should have been filed instead of a rezoning petition, staff explained that it prefers a rezoning petition for a new build.

In your Hearing Examiner's opinion, the requested D-8 district is consistent with zoning and land uses in the area. Approval of this petition was recommended.

For Metropolitan Development Commission Hearing on May 1, 2024



1898 Sanborn Map



Photo of the subject site.



Photo of the sidewalk conditions in front of the property.



Photo of the rear of the property looking west.



Photo of the alley east of the site.



Photo of the undeveloped lot and single-family dwellings south of the site.



Photo of the single-family dwelling north of the site.



## STAFF REPORT

### REGIONAL CENTER HEARING EXAMINER - HIGH IMPACT CASE

<b>Case Number</b>	2023-REG-027 (Amended)
<b>Address (approx.)</b>	1140 Dr. Martin Luther King, Jr. Street
<b>Location</b>	Center Township, Council District #12
<b>Petitioner</b>	Indianapolis Public Schools
<b>Zoning</b>	SU-2 (RC)
<b>Request</b>	Regional Center Approval to provide for demolition of an existing stadium and construction of a proposed athletic field.

#### GENERAL INFORMATION

<b>Existing Zoning</b>	SU-2 (RC)	
<b>Existing Land Use</b>	Crispus Attucks High School	
<b>Urban Design Guidelines</b>	Neighborhood Residential	
<b>District Typology</b>	Neighborhood Residential	
<b>Center Township Plan</b>	Regional Special Use	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
	North: D-8 (RC)	Single-family dwellings
	South: D-8 / C-5 (RC)	Multi-family dwellings / commercial
	East: D-8 (RC)	Multi-family dwellings
	West: D-8 (RC)	Single-family dwellings
<b>Thoroughfare Plan</b>		
Dr. Martin Luther King, Jr. Street	Primary arterial	88-foot right-of-way existing and proposed
12 <sup>th</sup> Street	Local street	48-foot right-of-way existing and proposed
Brooks Street	Local street	48-foot right-of-way existing and proposed
Oscar Robertson Boulevard	Primary arterial	88-foot right-of-way existing and proposed
<b>Site and Landscape Plans – Submittal Date</b>	March 23, 2023; revised March 15, 2024; revised April 19, 2024	
<b>Elevation– Submittal Date</b>	March 23, 2023	
<b>Hearing Date</b>	April 11, 2024 (RCHE); May 1, 2024 (MDC)	

#### DETAILED SUMMARY OF REQUEST

##### MAY 1, 2024, METROPOLITAN DEVELOPMENT COMMISSION

At the April 11, 2024, Regional Center Hearing Examiner hearing, this request was recommended for approval. Subsequently, the remonstrator appealed the recommendation. On April 19, 2024, a revised site plan that includes more details regarding the location of accessible parking areas and accessible ramps from the parking area to the proposed athletic field was submitted and is included in this report, below. One concern of the remonstrator was the slope of the proposed accessible sidewalk from the parking lot level to the athletic field. The revised site plan indicates

that the slope would be less than 5%. Additionally, the Regional Center Hearing Examiner’s memorandum is below.

**APRIL 11, 2024, REGIONAL CENTER HEARING EXAMINER**

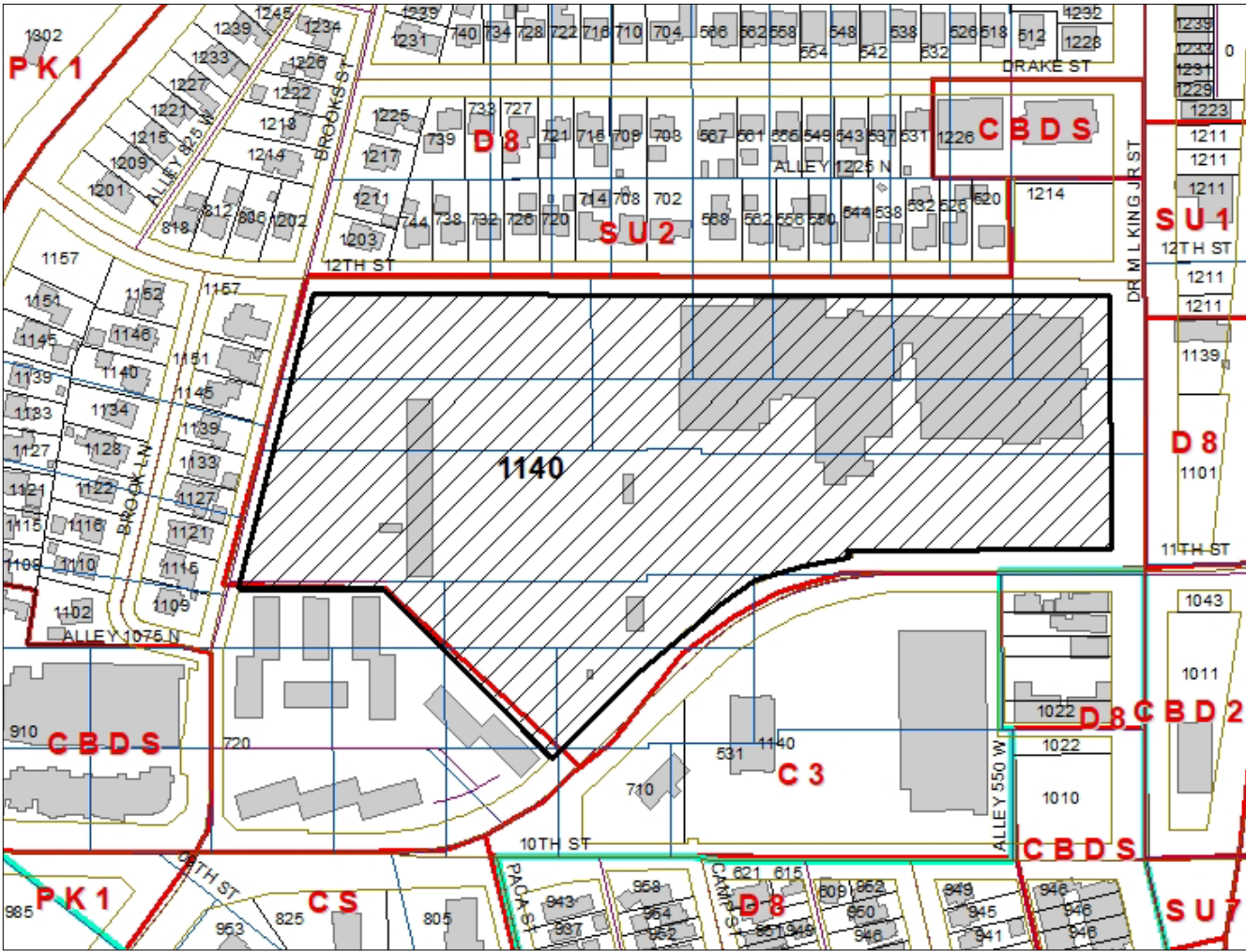
The subject site is an historic high school, Crispus Attucks High School, with significant importance to the City and State. The school building is listed on the *National Register of Historic Places*. It is bounded by single-family residential development to the north and west, with commercial uses to the south and multi-family dwellings to the east, across Dr. Martin Luther King, Jr. Street.

This site is adjacent to the Flanner House Homes neighborhood, which is to the north and west and is also listed in the *National Register of Historic Places*. The area is significant in the history of African Americans in the mid-20<sup>th</sup> Century as an area where many African Americans settled. Most of the dwellings in this area were constructed in the 1940s and 1950s. In many cases, the owners assisted in the construction of the dwellings. It is common that original owners or their descendants still reside in these homes today.

This request would demolish the existing sports stadium and construct a new sports field, with soccer, football, track, and field markings and facilities. The sports field would have an east-west orientation. The revised site plan indicates that the stadium and the requested bus parking area have been removed from the original proposal. The petitioner verbally indicated that these facilities would be part of a future request. There are no plans for the historic school building.

**WIRELESS COMMUNICATION FACILITY**

Staff would note that there is an existing wireless communication facility located on an existing light standard at the existing stadium. This facility would be removed, and a new wireless communication facility is proposed to be located to the southwest of the stadium structure away from the proposed sports field and the neighborhood. This wireless communication facility was granted approval by the Board of Zoning Appeals, per 2023-SE3-006 on March 19, 2024. 2023-REG-089, a low-impact Regional Center Approval review, is pending final review of the design of the wireless communications facility. **These requests are separate from this petition.**



Map of site and surrounding area



Aerial of site and surrounding area



**MEMORANDUM OF EXAMINER'S DECISION**

2023-REG-027 (AMENDED)

1140 Dr. Martin Luther King, Jr. Street

**Hearing:**

The case was initially heard on April 11, 2024. Several residents of the neighborhood surrounding Crispus Attucks High School were remonstrators. Both the petitioners and the remonstrators were allowed 20 minutes of time for their comments. The remonstrators were concerned about the new wireless communication facility (to replace existing); however, this was not part of this current petition. Another remonstrator/neighbor was concerned about the ADA parking and pedestrian and vehicular circulation adjacent to the new athletic field area. Also, there were additional comments about the lack of parking in the neighborhood and in the current high school parking lot (not part of this proposal) for the new sports facility.

**Decision:**

At the April 11, 2024 regional center hearing, the case was heard and presented by the petitioner.

The importance of the new facilities for the high school was considered a priority for the students and for the community around the school.

The final recommendation for the new athletic field adjacent to Crispus Attucks High School was approval with the following condition:

Additional site plans showing the ADA parking and ramp circulation adjacent to the new stadium location. This was suggested by the examiner to be approved with help and guidance from the Metropolitan Development Commission. These plans were sent by the petitioner on April 19, 2024. According to the petitioner, they will be restriping ADA parking spaces next to the ramp and will plan to use the existing ramp to access from parking spaces to the concession building. This project will then construct a new sidewalk (less than 5% slope) to get from the Concessions Building to the track. The whole area will be regraded to better meet the needs of the site and ADA access.

**Current Design:**

Since the hearing, the final recommendations were appealed by the remonstrators. Since that time, the design has been clarified by the petitioners and will be presented to MDC for a decision.



**APPLICABLE DISTRICT TYPOLOGY – Typology description directly from the Regional Center Design Guidelines.**

**Neighborhood Residential (NR)**

The Neighborhood Residential typology occurs in neighborhoods with houses that are medium-density and primarily pre-WWII construction or areas of new housing construction developed in a similar pattern. Homes are in single-family, townhome, or apartment configurations. Parcels are typically deep with narrow street frontage. Homes have small setbacks and front yards. The environment is pedestrian in nature. Examples of the Neighborhood Residential typology are Stringtown and the Valley.

**APPLICABLE GUIDELINES**

**URBAN STRUCTURE (US) GUIDELINES**

*Urban Structure Guidelines relate to large-scale urban design components like viewsheds, landmarks, public spaces and historic resources. Guidelines also relate to historic and current plans for the Downtown area.*

*REQ = Required guideline; ADV = Recommended (Advised) guideline; INFO = Informational; NA = Guideline does not apply.*

<p><b>US1.1 - Consistency with Adopted Plans</b></p>	<p>The Regional Center Zoning Ordinance is the legal basis for the review of development activities in the Regional Center, and the Indianapolis Regional Center Plan 2020 is the legal articulation of the plan components, goals, and standards for the area. The specific guidelines contained in this document are directly related to the implementation of the Indianapolis Regional Center Plan 2020 adopted by the Metropolitan Development Commission. The Indianapolis Regional Center Plan 2020 document contains proposed land use, proposed housing development, pedestrian and bicycle routes, land use framework and other relevant information.</p>	<p>APPRAISAL</p>
<p>REQ</p>	<p><i>US 1.1.1 – Proposals subject to Regional Center review shall be consistent with the following adopted plans, where applicable:</i></p> <ul style="list-style-type: none"> <li>• <i>Indianapolis Regional Center Plan 2020</i></li> <li>• <i>Sixteenth to Thirtieth Street Meridian Street Corridor Land Use Plan</i></li> <li>• <i>Subarea Plans</i></li> <li>• <i>Redevelopment Area Plans</i></li> <li>• <i>Marion County Thoroughfare Plan</i></li> <li>• <i>Indianapolis Regional Pedestrian Plan</i></li> <li>• <i>Indianapolis Metropolitan Planning Area Multi-Modal Corridor and Public Space Design Guidelines</i></li> <li>• <i>Indianapolis Marion County Park, Recreation and Open Space Plan</i></li> </ul>	<p><b>Satisfied</b></p>
<p><b>US1.2 - Boundaries &amp; Edges</b></p>	<p>The mixed-use nature of the Regional Center sometimes produces incompatible land use neighbors, and the incompatible elements should be minimized. Frontage streets and landscaped corridors also function as buffers, boundaries and edges.</p>	<p>APPRAISAL</p>
<p>ADV</p>	<p><i>US 1.2.1 – Buffers consisting of berms, evergreens and/or walls should be constructed in cases where the Indianapolis Regional Center Plan 2020 land use plan indicates residential development or campus development adjacent to industrial development, railroads or Interstates and as the right-of-way or site permits.</i></p>	<p><b>Satisfied</b></p>
<p>REQ</p>	<p><i>US 1.2.2 – High- or medium-density development adjacent to, or near to, low-density residential development (6 to 15 Units/Acre and/or 16 to 27 Units/Acre) is to be designed to minimize traffic congestion on local streets, noise, glare and other negative impacts.</i></p>	<p><b>Satisfied</b></p>
<p>REQ</p>	<p><i>US 1.2.3 – In areas undergoing transformation in land use (such as from industrial to residential), new development should consider the character and impact of existing development. New development should consider mitigating the impacts of existing noise, traffic, service access and other undesirable conditions.</i></p>	<p><b>Satisfied</b></p>



<b>US1.3 - Viewsheds, Vistas &amp; Landmarks</b>		<p><i>Views of landmark buildings, monuments and plazas and of the downtown skyline are public assets that should be protected. Views of the Soldiers and Sailors Monument, the Capitol Building, the World War Memorial Plaza and the Public Library are the top priorities considered here.</i></p> <p><i>For the purposes of these guidelines protected viewsheds are: (1) Meridian Street from Washington Street to Fall Creek, (2) Market Street from New Jersey Street to Capitol Avenue, (3) Capitol Avenue from Washington Street to Ohio Street, (4) Pennsylvania Street from Ohio Street to St. Joseph Street and (5) Monument Circle.</i></p>	APPRAISAL
NA	US 1.3.1 – Protected viewsheds shall not be obstructed by signs, canopies, awnings, bus shelters, pedestrian bridges, banners, utilities or traffic control signs. A maximum projection of four feet from the property line with a minimum Clear Height Zone of nine feet is not considered to be a visual obstruction.	Not Applicable	
NA	US 1.3.2 – Only deciduous trees are permitted to be planted in the public sphere (right-of-way) or adjacent to the Pedestrian Way.	Not Applicable	
REQ	US 1.3.3 – Hotels located along protected viewsheds are to develop any covered vehicle “drop off and pick up” areas on side streets. Hotel pedestrian entrance canopies may be permitted along a viewshed because the hotels provide 24/7 sidewalk activity and access. Design must minimize view obstruction, have no side “curtains,” and be of high quality, durable materials. No pull through drop-off permitted along a protected viewshed. Curbside designated areas are permitted if curbside parking restrictions are compatible.	Not Applicable	
<b>US1.4 - Gateways</b>		<p><i>Gateways create a sense of arrival at a place. They can be (1) transitional corridors such as the West Washington Street corridor adjacent to the Zoo linking the downtown and the west side neighborhoods, (2) a physical element marking a point of transition between districts, such as the Interstate underpasses approaching the downtown or (3) the sequence of views leading to a destination, such as views of the downtown skyline starting at 121st Street when southbound on North Meridian Street.</i></p>	APPRAISAL
REQ	US 1.4.1 – Existing physical elements in the public sphere, such as bridges and underpasses, are to be designed to be safe for pedestrians, bicycles and vehicles.	Satisfied	
ADV	US 1.4.2 – The design of bridges, underpasses and other gateways should incorporate unique lighting, painting, graphics and materials.	Not Applicable	
ADV	US 1.4.3 – All gateway projects that are proposed by “grassroots” initiatives will be reviewed for contextual relationships, durability and cultural relevance to the area.	Not Applicable	
<b>US1.5 - Public Art</b>		<p><i>Art should be an integral part of infrastructure improvements and new construction. Interactive art, fountains, paving, landscaping, graphics, lighting and sculpture can communicate our culture’s values and create a more vital environment. Art (for the purposes of these guidelines) is defined as original works created by an individual or team that is experienced in their discipline. The following disciplines are included as having the potential for producing original creative works:</i></p> <p style="padding-left: 40px;"><i>(1) Artists - visual arts, performing arts and literary arts,</i>  <i>(2) Craftsmen - glass, metal, weaving, quilting, pottery, etc., or</i>  <i>(3) Design professionals - architecture, landscapes, interiors, engineers, etc.</i></p> <p><i>In general, art is a creative expression by an individual or design team that also ultimately controls the aesthetic outcome.</i></p>	APPRAISAL
ADV	US 1.5.1 – Support for the arts is recommended to be integrated into the design of every new public and new commercial project with a floor area over 50,000 square feet in size or having a construction cost of over \$1,000,000.	None proposed	
ADV	US 1.5.2 – Public Art is recommended to be integrated with all new public institution and government construction projects greater than \$1,000,000 in value. Public Art is art that is located on public property and/or integrated with public construction projects. Public Art can include all forms of original works of art, exterior or interior, which are accessible to the public during normal hours of operation.	None proposed	

REQ	<i>US 1.5.3 – All permanent installations of art located in the Public Sphere or Quasi-Public Sphere shall be constructed of durable materials, not interfere with public safety, and be free of advertising. The installation shall provide access for as many individuals as possible (the provision of access for the mobility, hearing and vision impaired is encouraged), consider public safety and liability issues; consider vehicular and pedestrian traffic patterns; consider the relationship to architectural and natural features, landscape design, environmental impact, and future plans for the area. Petitioners are encouraged to develop a long-term maintenance program for all permanent installations.</i>	None proposed
REQ	<i>US 1.5.4 – All temporary installations of art shall not interfere with public safety and be free of advertising. Petitioners are encouraged to develop a long-term maintenance program for any such installation that uses recurring temporary or non-durable elements (such as flags or banners).</i>	None proposed
NA	<i>US 1.5.5 – Large scale installations of landscaping (environmental art), urban graphics or art consisting of dispersed components are encouraged. Projects will be reviewed for compatibility with these guidelines.</i>	Not Applicable

**US1.6 - Festivals, Ceremonies & Parades** *The Regional Center contains many of the primary festival and celebration spaces in the Central Indiana region, including World War Memorial Plaza, Military Park, Monument Circle, the City Market, White River State Park and the Central Canal Corridor.* APPRAISAL

NA	<i>US 1.6.1 – Projects over 150,000 square feet in size should consider developing space for receptions, special events and related activities. The space can be located in the Public, Quasi-public or Private built environment sphere. Ensure that all areas are ADA Accessible.</i>	Not Applicable
REQ	<i>US 1.6.2 – Ensure that the responsibility for maintenance of all improvements located in the quasi-public sphere or public sphere is established.</i>	Satisfied

**US2.1 - Historic Districts** *The Regional Center has many of the most historic resources in the Central Indiana region, and these should be preserved and reinforced. Development in a National Register or locally protected historic district should be contextually sensitive.* APPRAISAL

REQ	<i>US 2.1.1– In historic districts designated by the National Register of Historic Places (NRHP) that are not designated by the IHPC, new development shall be contextually sensitive to the district. The Infill Housing Guidelines will be used in reviewing single-family proposals in these districts.</i>	Satisfied
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**US2.2 - Individual Historic Resources** *The Regional Center has many of the most historic resources in the Central Indiana region, and these should be preserved and reinforced. Reusing and preserving older buildings provides a unique frame for new development, reinforces our sense of place, and environmental concern for recycling.* APPRAISAL

REQ	<i>US 2.2.1 – Changes to the exterior of historic resources shall be reviewed for negative effect to the historic character of the building. [See the Guidelines for the General Principles for Historic Preservation.]</i>	Satisfied
REQ	<i>US 2.2.2 – All proposed development which is located on a site that is intersected by a 200 foot buffer around an historic site, as determined to be historic under Guideline US 2.2.1, are to be reviewed for contextual sensitivity. The potential for the reinforcement of exterior space (corridors, plazas, and historic sites), the incorporation and allusion to details in the existing environment, the use of contextual colors and materials, the reinforcing of landscape precedents, the contribution to the social environment and the design response to seasonal change and the day-night cycle will be considered in the design review. This is not meant to restrict creativity, but rather to encourage development that does not destroy or damage those surrounding characteristics that are important and positive. At one end of the spectrum, this may result in new design that is highly reflective of the surrounding built environment, at the other end, it may result in new design that contrasts, but complements the surrounding built environment. In either case, or all cases in between, new design should make a conscious effort to relate in some meaningful way to its surroundings. Where the immediately surrounding built environment is weak or conflicts with the goals of the Regional Center guidelines, one should look beyond the immediate surroundings for context.</i>	Satisfied

**US2.3 - “Mile Square” Plan** *Indianapolis is a planned city, platted by Alexander Ralston in 1820. This historic plan is highly unique and should be preserved.* APPRAISAL

REQ	US 2.3.1 – New development is to be designed to reinforce the original Ralston “Mile Square” Plan. Original rights-of-way are to be retained or restored to preserve the historic character of the “Mile Square.”	Not in Mile Square
ADV	US 2.3.2 – Development of the triangular sites on the diagonal avenues should reflect the site configuration.	Not Applicable
<b>US3.1 - Demolition</b>		
	<i>Demolitions are necessary for the evolution of the urban environment. Buildings that are functionally obsolete, unsafe or economically obsolete can negatively affect the potential for orderly transition in growth areas. Demolitions must be done in a manner that is supportive of proposed land use, environmental goals, conservation goals and does not significantly impact the community’s cultural heritage preserved in historic buildings. A demolition should be pursued only out of necessity and not simply out of convenience.</i>	APPRAISAL
REQ	US 3.1.1 – Demolition requests shall receive Regional Center Approval prior to issuing a permit. Demolition requests will be reviewed (1) to determine if the structure is in a Redevelopment District or a special economic development district and might be eligible for incentives, (2) to determine if the proposed reuse of the site is consistent with the Indianapolis Regional Center Plan 2020 and/or Redevelopment Plans and (3) to determine if the property is historic (as defined in US2.2.1) so that interested parties may solicit development alternatives.	<b>Satisfied</b>

**SITE CONFIGURATION (SC) GUIDELINES**

Site Configuration Guidelines relate to site use, layout and orientation. They guide building uses and orientation, relationships to adjacent development and corridors and the relationship of site components such as open space, parking, access, service delivery and site security.

REQ = Required guideline; ADV = Recommended (Advised) guideline; INFO = Informational; NA = Guideline does not apply.

<b>SC1.1 - Regional Center Plan 2020</b>		
	The Indianapolis Regional Center Plan 2020 is the guiding document for land use changes in the Regional Center. As part of the Comprehensive Plan for Marion County, it helps to assure orderly development, protect property values and to promote the regional welfare of the city. Development in the Sixteenth to Thirtieth Street Meridian Street Corridor is also subject to Regional Center Zoning review. The Sixteenth to Thirtieth Street Meridian Street Corridor Land Use Plan is adopted as a segment of the Comprehensive Plan and is to be used to guide development in that area.	APPRAISAL
REQ	SC 1.1.1 – Changes in a site’s land use shall be evaluated relative to its primary zoning classification and the recommendations of the Indianapolis Regional Center Plan 2020 or the Sixteenth to Thirtieth Street Meridian Street Corridor Land Use Plan. Changes in or deviations from a site’s primary zoning shall be as recommended in the Indianapolis Regional Center Plan 2020 or the Sixteenth to Thirtieth Street Meridian Street Corridor Land Use Plan.	Not Applicable
<b>SC1.2 - Mixed-Use Development</b>		
	The Regional Center is a dynamic urban environment where live, work and play space is intimately related. Buildings should be mixed-use in character to reinforce this environment and to spread economic viability over several categories of markets.	APPRAISAL
NA	SC 1.2.1 – New development and changes in use in areas proposed as High-Density Mixed-Use, Medium-Density Mixed-Use, and Research Community Mixed-Use in the Indianapolis Regional Center Plan 2020 are to have multiple uses in each building or multiple uses controlled by a single development entity. In buildings that are designed primarily for a single use, such as garages or office buildings, highly active grade level uses such as retail, restaurants, cafeterias, lobbies, security and other similar uses will be considered as mixed-use.	Not Applicable
<b>SC1.3 - Grade Level Use</b>		
	Pedestrian activity is encouraged in the Regional Center, and this activity is encouraged both by the presence of pedestrian facilities like sidewalks as well as by the environment through which the pedestrian passes. An active grade level street front is encouraged.	APPRAISAL

NA	<i>SC 1.3.1 – In areas proposed as High-Density Mixed-Use, Medium-Density Mixed-Use and Research Community Mixed-Use in the Indianapolis Regional Center Plan 2020, all grade level uses shall be designed to activate the adjacent pedestrian ways. Retail, restaurant and commercial uses are encouraged. Exhibit windows and public art may also be acceptable for areas where retail and commercial uses are not currently feasible.</i>	Not Applicable
NA	<i>SC 1.3.2 – Some or all activity areas of corporate, educational and institutional buildings should be highly visible and located at the grade level. Examples of such activity areas include food services, show rooms, meeting rooms, security offices, exercise rooms and other support functions. Special uses, such as places of worship, court buildings and sports arenas are exempt from this guideline.</i>	Not Applicable
<b>SC1.4 - Outdoor Living Space</b>		<b>APPRAISAL</b>
REQ	<i>SC 1.4.1 – New residential development including conversions of existing buildings with more than ten units shall provide 32 square feet of usable outdoor, tenant/owner accessible, plaza space per unit. This area should be designed for active use by residents, and may be associated with outdoor common areas associated with the entry, in a rooftop zone, adjacent to a pedestrian way or adjacent to a parking zone. It shall contain benches, paving, screening, lighting and landscaping. This requirement may be waived if public park, trail or plaza space is within 400 feet (linear along the public sidewalk or pedestrian way) of the primary entrance or if private patios, porches and/or balconies provide at least 32 square feet of usable space for each unit. This requirement will not be applicable to a project that involves the conversion or reuse of an existing building when conditions prevent implementation.</i>	Not Applicable
<b>SC2.1 - Environmental Site Context</b>		<b>APPRAISAL</b>
REQ	<i>SC 2.1.1 – The design, character, grade, location, and orientation of all uses is to be appropriate for the uses proposed, logically related to existing and proposed topology, and other conditions.</i>	<b>Satisfied</b>
REQ	<i>SC 2.1.2 – Development adjacent to a public waterway or public greenway shall not prohibit or substantially hinder public access to such features.</i>	Not Applicable
INFO	<i>SC 2.1.3 – Development regulations established by wellfield protection districts, adjacency to waterways or flood hazards, air space districts, and other environmental regulations may require deviation from some guidelines. Petitioner is to provide documentation for any requested exemption of these guidelines because of such regulations.</i>	Information
<b>SC2.2 - Site Circulation Context</b>		<b>APPRAISAL</b>
NA	<i>SC 2.2.1 – New development proposals shall not (1) in cases where public right-of-way is proposed to be vacated, isolate or reduce access to nearby sites, (2) in situations where there are multiple public street frontages, create a “back door” image by placing service or security systems exclusively on one frontage and (3) reduce the alternative routes available to accommodate traffic, service access and to provide emergency access in the vicinity of the site.</i>	Not Applicable
NA	<i>SC 2.2.2 – Primary pedestrian access to the site is to be from the public pedestrian way. However, additional pedestrian connections are also encouraged to be made in non-public right-of-way from one site to another.</i>	Not Applicable
<b>SC2.3 - Orientation</b>		<b>APPRAISAL</b>
Buildings in the Regional Center should be urban in nature and located to maintain a sense of defined urban space along a corridor.		

NA	SC 2.3.1 – The lower two levels of the primary facade zone of a building, is to be built to minimum height of 26 feet along the front property line(s) and is to be increased in height at a ratio of one foot vertical for each three feet horizontal if the building facade is set back from the property line. Grade level uses shall be designed to relate to the public pedestrian way and the street grid. The minimum height of 26 feet shall be exclusive of sloped roof forms.	Not Applicable
NA	SC 2.3.2 – Levels above the second floor (or above a height of 26 feet) may be oriented to relate to views, daylight, and/or energy conservation.	Not Applicable
REQ	SC 2.3.3 – In all areas with recommended land use of Residential 6-15 units per acre, buildings shall be set back consistent with the “established setback” of adjacent buildings. Major structures related to parks, plazas, monuments, churchyards and other formal, site-related elements shall not be construed to establish setback requirements.	Not Applicable – special use
NA	SC 2.3.4 – In areas where High-Density Mixed-Use, Medium-Density Mixed-Use, and Research Community Mixed-Use land use are proposed by the Indianapolis Regional Center Plan 2020, and when the existing right-of-way is a minimum of 90 feet, buildings, shall a be a minimum of 26 feet in height and shall be built to the property line on all sides abutting public streets. All streets in the Mile Square have 90 foot or greater rights-of-way. Along all primary and secondary arterial street corridors (as listed in the Official Thoroughfare Plan) with a right-of-way less than 90 feet, buildings shall be a minimum of 26 feet in height and shall be built to a line that is 45 feet from the centerline of the street, on all sides abutting public streets. The additional setback in these locations will enable the provision of bus shelters, deliveries, improved sidewalks, landscaping, improved vehicular circulation, curbside drop-off/pick-up and/or other assets. The following local/collector streets are to be treated as arterial streets: <ul style="list-style-type: none"> <li>(1) North Alabama Street from St. Clair Street to North Street,</li> <li>(2) North Belmont Avenue from White River Parkway West Drive to West 10th Street,</li> <li>(3) Fletcher Avenue from Calvary Street to South Shelby Street,</li> <li>(4) Ft. Wayne Avenue from East 10th Street to Alabama Street,</li> <li>(5) West Merrill Street from Kentucky Avenue to South Missouri Street,</li> <li>(6) North Pershing Avenue continuation of White River Parkway West Drive to West 16th Street,</li> <li>(7) Riverside Drive East from Waterway Boulevard to West 16th Street,</li> <li>(8) St. Clair Street from Indiana Avenue to Ft. Wayne Avenue,</li> <li>(9) Waterway Boulevard from Indiana Avenue to Riverside Drive East,</li> <li>(10) White River Parkway West Drive from West Michigan Street to North Pershing Avenue, and</li> <li>(11) Milburn Street from Indiana Avenue to West 16th Street.</li> </ul>	Not Applicable
NA	SC 2.3.5 – Entry plazas, colonnades, programmed outdoor space and sidewalk circulation related development may be permissible in establishing the build-to line referenced in SC 2.3.1 and SC 3.2.4.	Not Applicable

**SC2.4 - Site Utilization, Maintenance & Safety**

The urban environment is a mix of public, quasi-public, and private uses and users, and sites should be designed to improve utilization, maintenance and safety.

APPRAISAL

REQ	SC 2.4.1 – Sites shall be designed to clearly define proposed site utilization and treated accordingly. The private sphere (tenant/owner private space) may be secured and/or treated as quasi-public space. Guest and visitor quasi-public space is to be supervised, lighted, landscaped and clearly marked. Publicly accessible space in the quasi-public sphere is to be treated compatibly with the street and pedestrian way treatment. When establishing any quasi-public sphere zone, ensure that the ownership/maintenance of that zone is arranged prior to opening up such a space to the public.	Satisfied
NA	SC 2.4.2 – Portions of the site which are “leftover” such as: (1) weed lines in the space between the fence and the alley, (2) spaces between closely adjoining buildings, (3) offsets and notches at the base of the building and (4) emergency egress and loading areas, shall be designed to require low maintenance.	Not Applicable

NA	<i>SC 2.4.3 – Each public right-of-way frontage with secured fenced or walled areas shall have at least one access gate per frontage to encourage owner maintenance and litter removal.</i>	Not Applicable
<p><b>SC2.5 - Adaptability</b></p> <p>Buildings inevitably undergo change as economic conditions change. Buildings should be designed from the beginning to maximize their adaptability to different configurations and uses. Buildings that are difficult to adapt often fall into blight and have negative impacts on surrounding properties.</p> <p style="text-align: right;">APPRAISAL</p>		
NA	<i>SC 2.5.1 – New development that has “zero lot line” side yards abutting existing development is to be designed so that floor heights align on as many floors as possible. At a minimum, the grade level and one additional level must be aligned with adjoining buildings.</i>	Not Applicable
NA	<i>SC 2.5.2 – Commercial and institutional buildings should be designed to accommodate change associated with new technologies, future needs of owners and potential reuse.</i>	Not Applicable
NA	<i>SC 2.5.3 – All new development, including parking structures, in areas identified by the Indianapolis Regional Center Plan 2020 as High-Density Mixed-Use, Medium-Density Mixed-Use, and Research Community Mixed-Use, shall be designed and constructed with provisions for active grade level uses adjacent to pedestrian ways.</i>	Not Applicable
<p><b>SC2.6 - Building Access</b></p> <p>As the center of the Central Indiana region and a destination for visitors from all over, the Regional Center built environment must enhance wayfinding.</p> <p style="text-align: right;">APPRAISAL</p>		
NA	<i>SC 2.6.1 – The primary pedestrian access to a building should be easily identifiable and directly from the public pedestrian way. In no case shall primary access across a parking zone be permitted. In situations where the primary pedestrian access to a building is not directly on the public pedestrian way, landscaped pedestrian corridors or plazas shall link entrances directly to the primary pedestrian way serving the use.</i>	Not Applicable
<p><b>SC3.1 - Zoning Required Parking</b></p> <p>Each Primary Zoning classification sets forth requirements for parking. However, in the Regional Center, policies to diminish the amount of land devoted to the automobile and to encourage multi-modal transportation should be employed. Parking shall be provided as specified in the primary zoning ordinance. On-street parking, shared parking and commercial parking availability may be considered in granting variances.</p> <p>Existing parking located on the same parcel as new development shall be upgraded to meet all development standards and these Guidelines when there is a greater than 15 percent change in the number of parking spaces. Existing parking that will serve the new development and that is located on other parcels that are unaffected by the new development will not require Regional Center Approval.</p> <p style="text-align: right;">APPRAISAL</p>		
ADV	<i>SC 3.1.1 – Surface parking lots are discouraged. Site related constraints that result from existing building configurations and/or that relate to small unbuildable parcels and/or that are 20 or less parking spaces in size will be taken into consideration in the review of proposed surface parking. Surface parking that is proposed as part of a master plan to achieve ultimate density recommendations will be permitted.</i>	Will use existing on-site parking
NA	<i>SC 3.1.2 – Parking structures are encouraged in order to increase the density of Regional Center uses.</i>	None proposed
NA	<i>SC 3.1.3 – In order to support growth in the use of mass transit and to increase density, development located in the CBD 1 or CBD 2 Zoning Districts and also located in the Mile Square, and all development located in the CBD 3 Zoning District is not required to provide parking.</i>	Not Applicable
<p><b>SC3.2 - Surface Parking</b></p> <p>Each Primary Zoning classification sets forth requirements for parking. However, in the Regional Center, policies to diminish the amount of land devoted to the automobile and to encourage multi-modal transportation should be employed. Parking shall be provided as specified in the primary zoning ordinance. On-street parking, shared parking and commercial parking availability may be considered in granting variances.</p> <p>Existing parking located on the same parcel as new development shall be upgraded to meet all development standards and these Guidelines when there is a greater than 15 percent change in the number of parking spaces. Existing parking that will serve the new development and that is located on other parcels that are unaffected by the new development will not require Regional Center Approval.</p> <p style="text-align: right;">APPRAISAL</p>		

ADV	SC 3.2.1 – Surface parking lots are discouraged. Site related constraints that result from existing building configurations and/or that relate to small unbuildable parcels and that are 20 or less parking spaces in size will be taken into consideration in the review of proposed surface parking. Surface parking that is proposed as part of a master plan to achieve ultimate density recommendations will be permitted.	Will use existing on-site parking
REQ	SC 3.2.2 – New or substantially reconstructed surface parking areas shall be designed considering visibility and safety. They shall also be screened permeably from public rights-of-way and pedestrian ways.	Will use existing on-site parking
REQ	SC 3.2.3 – When surface parking is provided with new construction locate the parking area to the rear or to the side to allow the building facade to front the pedestrian way.	Will use existing on-site parking
REQ	SC 3.2.4 – Provide accessible walkways for pedestrians from the parking lot area connecting to the public pedestrian way.	Will use existing on-site parking
ADV	SC 3.2.5 – Design parking areas to facilitate back-in parking to improve driver vision and safety.	Will use existing on-site parking
ADV	SC 3.2.6 – Provide bio-swales at regular intervals to reduce the heat island effect and improve storm water management as well as provide places for snow storage during the winter.	Will use existing on-site parking
<b>SC3.3 - Parking Structures</b>		<i>APPRAISAL</i>
NA	SC 3.3.1 – All structured parking fronting on public pedestrian ways shall have the grade level designed to accommodate active uses that generate pedestrian activity, such as retail shops, restaurants, business services and offices.	None proposed
NA	SC 3.3.2 – Generally the exterior facade of garages visible from the public right-of-way shall be designed to reflect a dominant rectilinear pattern. Exposed sloped ramps often conflict contextually. If sloped parking decks are desired, they should be placed behind a rectilinear pattern facade.	None proposed
NA	SC 3.3.3 – Parking structures shall have an articulated façade as if they were an active building. Complete facades with contextually-patterned openings and materials attached to the superstructure (posts and beams) are preferred. Superstructure elements (posts and beams) may form portions of the facade if they incorporate substantial decorative castings and patterns.	None proposed
NA	SC 3.3.4 – New parking structures serving new development should be integrated with the design of the primary building. Consistency of materials, pattern, grade level development and signage is encouraged. When existing parking structures are used to support new development they should be improved to include consistent signage, lighting, security and landscape features.	None proposed
NA	SC 3.3.5 – Automobiles and glare from headlights shall be screened from view from the public right-of-way.	None proposed
REQ	SC 3.3.6 – Exits and entrances shall be designed to minimize pedestrian conflicts. When the right-of-way permits, alley access and parking structures located in the interior of the block are encouraged.	Will use existing on-site parking
<b>SC3.4 - Access to Parking</b>		<i>APPRAISAL</i>
ADV	SC 3.4.1 – Grade level parking facing the perimeter of the block is discouraged.	Will use existing on-site parking
REQ	SC 3.4.2 – Parking lot screening is required if parked vehicles are visible from a public street or pedestrian way. It shall be designed to be permeable, considering visibility and safety.	Will use existing on-site parking
ADV	SC 3.4.3 – Entrances to parking areas should be designed for their intended audience. Public entrances should have a higher-profile entrance than an entrance to a restricted parking area.	Will use existing on-site parking
ADV	SC 3.4.4 – When the right-of-way permits, alley access and parking in the interior of the block is encouraged.	Will use existing on-site parking

	REQ	SC 3.4.5 – Commercial convenience drive-thru pick-up windows are permitted only when not located facing a public street (public right-of-way that is greater than 40 feet in width). High-density and medium-density residential development (as defined by the Indianapolis Regional Center Plan 2020) may provide convenience drop-off and pick-up improvements for residents. The improvements shall not reduce or impede pedestrian or vehicular effectiveness.	Will use existing on-site parking
<b>SC4.1 - Construction Site Control</b>		The density of the Regional Center provides all sites with a significant public profile. Construction sites should remain clean and secure and mitigate impacts on surrounding buildings or activities. The public right-of-way shall be maintained clear and free of construction materials, debris, gravel and dust at all times unless a permit has been issued for use of such right-of-way and the construction has been appropriately secured.	APPRAISAL
	REQ	SC 4.1.1 – Construction sites shall be fully secured. Construction fences may have creative artwork or informational material specifically about the project under construction. Chain link fencing will be allowed along a pedestrian way to secure a site during construction provided it is covered with canvas or a similar material which may display artwork or informational material specifically about the project under construction.	Satisfied
	REQ	SC 4.1.2 – All barriers and alternative pedestrian routes shall be compliant with Americans with Disabilities Act (ADA) standards.	Satisfied
	NA	SC 4.1.3 – Protected pedestrian passageways (ADA compliant) shall be provided when a sidewalk needs to be closed for more than 72 hours because of maintenance activities or new construction. Continued use of vehicular, bicycle and pedestrian modes of transportation shall be provided for during the construction period.	Not Applicable
<b>SC4.2 - Service &amp; Delivery Access</b>		Service access to buildings in the Regional Center should balance logistical convenience and the desire to maintain design integrity, public safety, and the pedestrian experience.	APPRAISAL
	NA	SC 4.2.1 – All service and delivery access shall be on site and fully screened, contained within the building, or located below grade and accessible from the alley when alleys serve the site.	Not Applicable
	REQ	SC 4.2.2 – No trash dumpsters shall be placed directly adjacent to a pedestrian way.	Satisfied
<b>SC4.3 - Security Fencing, Walls &amp; Barriers</b>		In some circumstances security fencing and/or barriers are required for site control. Public sidewalks, alleys and other areas outside of the fence are areas where weeds and litter frequently accumulate.	APPRAISAL
	REQ	SC 4.3.1 – Permanent security fencing shall be designed to enhance the building design.	See Summary
	REQ	SC 4.3.2 – No chain link fencing is to be visible from a sidewalk or pedestrian way.	None proposed
	REQ	SC 4.3.3 – No barbed wire or razor wire is permitted.	Existing fence surrounding the athletic field includes barbed wire but would be replaced
	NA	SC 4.3.4 – Each public right-of-way frontage with secured fenced or walled areas shall have at least one access gate per frontage to encourage owner maintenance and litter removal.	Not Applicable
	NA	SC 4.3.5 – Vehicle security barriers or planters are to be designed into the site, and all pedestrian ways must remain Americans with Disabilities Act (ADA) accessible. New development is encouraged to use site design (such as raised steps or planting beds) in lieu of individual security barriers or planters.	Not Applicable

## **MASSING AND DENSITY (MD) GUIDELINES**

Massing & Density Guidelines relate to general building form, such as building bulk and density.

REQ = Required guideline; ADV = Recommended (Advised) guideline; INFO = Informational; NA = Guideline does not apply.



<b>MD1.1 – Massing</b>		Viewsheds, sight lines, landmark buildings and monuments and other larger-scale urban design elements are public assets that development should enhance and protect. Also refer to CBD Zoning Ordinance “Sky Exposure Plane” requirements.	APPRAISAL
NA	<i>MD 1.1.1 – New development is to be designed to maximize sight lines to and from the development. The design should provide viewing opportunities from the building of the sidewalk, public areas, and landmarks, as well as incorporate building elements which assist in wayfinding. Balconies, rooftop gardens, courtyards, large windows, grade level visibility, glass elevators, high-rise lobbies with exterior views and public observation decks are encouraged.</i>		Not Applicable
NA	<i>MD 1.1.2 – The impact of shadows, glare, and “wind tunnels” shall be considered in the design of landscaping and site improvements.</i>		Not Applicable
NA	<i>MD 1.1.3 – Views of landmarks, respect for identified Viewsheds, enhanced wayfinding and enhanced pedestrian circulation are to be identified and documented with the plans submitted.</i>		Not Applicable
NA	<i>MD 1.1.4 – The corners of buildings located at the intersection of two streets should be emphasized in order to create identity, take advantage of the high visibility and enhance wayfinding.</i>		Not Applicable
NA	<i>MD 1.1.5 – New structures shall not cast shadows on the south quadrant of the upper plaza (grade plus 20 feet and 100 feet in diameter) of the Soldiers and Sailors Monument between the hours of 10:00 AM solar time and 2:00 PM solar time, from February 21 through October 21. This limitation considers the Azimuth, Altitude and the Intercept created by the 150 foot permissible height for structures located on Monument Place. During Daylight Savings Time the area is protected from 11:55 AM to 3:55 PM clock time. It shifts back one hour during Eastern Standard Time.</i>		Not Applicable
<b>MD2.1 – Density</b>		While a variety of densities are present in even the densest of cities, it is recognized that as the center of the Central Indiana region, low-density, suburban-style development is a detriment to the promotion of pedestrian activity and to the overall economic vitality of the Regional Center.	APPRAISAL
REQ	<i>MD 2.1.1 – Regional Center Floor Area Ratios (RCFAR) shall be met in accordance with the following: High-Density Mixed-Use: 4:1 and greater; Medium-Density Mixed-Use: 2:1 and greater; Research Community: 1.5:1 and greater. Floor area data by level and use must be provided. In situations where development is proposed to be phased over a period of time greater than five years, a master plan showing phasing is to be submitted. The first phase of the proposed development shall conform to Guideline SC2.6.1: Building Access.</i>		Not Applicable – Plan recommends regional special use

**CHARACTER AND APPEARANCE (CA) GUIDELINES**

*Character & Appearance Guidelines relate to the look and performance of buildings and related elements. They provide guidance on architectural style, individual building components and materials, exterior user amenities and environmental performance.*

*REQ = Required guideline; ADV = Recommended (Advised) guideline; INFO = Informational; NA = Guideline does not apply.*

<b>CA1.1 - Regional Center Zoning Ordinance</b>		The Regional Center Zoning Ordinance, as amended, is the guiding legal ordinance and sets forth general design parameters.	APPRAISAL
INFO	<i>CA 1.1.1 – All new development or change of use, signage, building facade treatment, street furnishings and landscaping within the right-of-way, landscape treatment on the site, development intensity and massing of structures shall be so designed to be in conformity with the Indianapolis Regional Center Plan 2020 and Regional Center Zoning Ordinance.</i>		Information

<b>CA1.2 - Style</b>		The Regional Center is a dynamic place where each generation expresses itself through the built environment. The architectural style of a building should reflect the time in which it was constructed, but should also be respectful of surrounding styles.	APPRAISAL
ADV	CA 1.2.1 – <i>New development will be reviewed for its contextual relationship with nearby development when the existing development is consistent with the Indianapolis Regional Center Plan 2020. New design should make a conscious effort to relate in some meaningful way to its surroundings. The potential for the reinforcement of exterior space (corridors, plazas and historic sites), the incorporation and allusion to details in the existing environment, the use of contextual colors and materials, the reinforcing of landscape precedents, the contribution to the social environment and the design response to seasonal change and the day-night cycle will be considered in the design review. This may result in new design that is reflective of the surrounding built environment, or it may result in new design that contrasts but complements the surrounding built environment.</i>	<b>Satisfied</b>	
ADV	CA 1.2.2 – <i>Buildings should be designed as a whole and in general should not attempt to mix diverse architectural styles.</i>	Not Applicable	
ADV	CA 1.2.3 – <i>Literal replication of historic styles is strongly discouraged.</i>	Not Applicable	
ADV	CA 1.2.4 – <i>Low- and medium-density franchise or corporate design is discouraged. Buildings should be designed to relate to their context.</i>	Not Applicable	
<b>CA1.3 – Theme</b>		Most urban areas have very distinct districts that are identified by a unique architectural style, streetscape or other physical design. The identity of such districts should be enhanced in the Regional Center.	APPRAISAL
ADV	CA 1.3.1 – <i>Historic themes and district themes related to documented initiatives (such as designated Cultural Districts) are encouraged to be promoted in site and building design. Petitioner shall cite the initiative and their design response.</i>	Not Applicable	
NA	CA 1.3.2 – <i>Significant structures that contribute to the overall form of the Regional Center, such as buildings over 20 stories high, sports and entertainment venues and public buildings, will be reviewed in the broader context of the entire Regional Center.</i>	Not Applicable	
<b>CA2.1 – Facade Character</b>		The facades of buildings are one of the most important contributors to the urban environment. From the interaction with a building at the pedestrian level to the appearance of skyscrapers from a distance, building facades contribute significantly to the character of the Regional Center.	APPRAISAL
REQ	CA 2.1.1 – <i>All new buildings shall have a cohesive architectural treatment on all facades as well as on any solid screening elements such as walls. The colors, patterns and quality of materials shall create a unified building form. In situations where there are “zero lot lines” the sides and rear of buildings may conform to the dominant contextual precedent. This guideline is not intended to prohibit variation in the facade treatment that sensitively responds to context, to building code requirements, to service access or to limit the variation in façade design that is large in scale and forms the wall(s) of exterior spaces.</i>	Not Applicable	
NA	CA 2.1.2 – <i>The facades of buildings shall be designed to have three-dimensional interest. Transparent facade treatment may be used. Flat and minimally textured facades are discouraged.</i>	Not Applicable	
NA	CA 2.1.3 – <i>In new commercial buildings a minimum of forty percent of the length of the grade level facade, adjacent to the pedestrian way, shall be glazed between two feet and eight feet above grade. In situations where tenants require wall space, the back of shelving may be set back a minimum of two feet and displays placed in the window areas. This guideline is intended to encourage occupant interaction with exterior space, in order to engender “natural surveillance” and social interaction.</i>	Not Applicable	

NA	CA 2.1.4 – <i>At the grade level, adjacent to pedestrian ways, glass and/or other glazing materials shall have high transmissivity of visible light and low reflectivity qualities. The percent of visible light transmitted less the percent reflected shall be no less than 59 percent. For example: (1) Clear monolithic uncoated laminated glass transmits 86 percent and reflects 8 percent for a net factor of 78 percent and (2) Aqua-green low reflectivity glass transmits 66 percent and reflects 7 percent for a net factor of 59 percent.</i>	Not Applicable
ADV	CA 2.1.5 – <i>The articulation of openings, roof line, base and materials should be designed to protect materials from staining. Care should be taken in the detailing of water runoff, use of untreated ground water, use of porous materials, and also the use of copper, core-ten steel or other oxidizing metals. The impact of starling and pigeon roosting habits should also be considered and discouraged adjacent to pedestrian ways and balconies. Such birds prefer to roost on flat ledges or crevices that offer protection from the elements.</i>	Not Applicable
NA	CA 2.1.6 – <i>When a new project requires that an opaque wall or fence be constructed adjacent to the public sidewalk or pedestrian way, the design shall incorporate features to provide visual interest at a minimum of 30 foot intervals. A thirty foot long expanse would require no features and a 40 foot long expanse would require a minimum of two features. Permanently installed landscape, lighting features, public art, windows and cutouts may be used to create interest. When “new tenant” leasehold improvements are made in existing buildings this guideline applies only to the new construction.</i>	Not Applicable

**CA2.2 – Materials**  
 Technological advancements have produced a palette of facade materials that varies drastically from the relatively limited palette of the past. A limited palette produced districts with uniform character and appearance, and modern materials should be used to create a similar result. These guidelines are directed toward creating an overall urban fabric with a strong sense of place that reinforces the definition of corridors (such as Meridian Street, the Canal and Mass Avenue) and places (such as University Park and Monument Circle.)  
 APPRAISAL

REQ	CA 2.2.1 – <i>Materials shall be compatible with the Regional Center urban environment in durability, color, texture and use. Examples of current materials include red to brown tone brick, buff tone brick, limestone, granite, low reflectivity glass, metal frames, concrete and metal panels. Projects should be constructed to be as maintenance free as possible.</i>	Not Applicable
ADV	CA 2.2.2 – <i>Contrasting, bright colors and light may be used (on less than five percent of facade) for design accent and building identification.</i>	Not Applicable
REQ	CA 2.2.3 – <i>Only in residential situations where context permits shall wood siding or cedar shakes be permitted as the primary cladding material.</i>	Not applicable
REQ	CA 2.2.4 – <i>Mirrored glass, polished stainless steel and other highly reflective materials shall only be used in moderation. In no case shall glare create an unsafe driving condition. An analysis of the impact of reflected sunlight (related to glare and heat) shall be submitted if greater than 20 percent of any facade is composed of materials that reflect greater than thirty percent of visible light.</i>	Not applicable

**CA2.3 – Pattern, Scale & Texture**  
 Building facades or facade sections can provide visual cues to users through varying patterns and scales. Such cues are important in creating a legible built environment.  
 APPRAISAL

ADV	CA 2.3.1 – <i>Patterns reflected in materials and/or the installation of materials should be scaled in context with their use on the building. Generally flat and minimally textured facades are discouraged. Uses that often have opaque exterior walls such as theaters, stadiums, museums, gymnasiums, utilities and industries are to include pattern, scale and texture elements.</i>	Not applicable
ADV	CA 2.3.2 – <i>The scale of entrances, fenestration, articulation of the structure and use of materials shall create a balanced, cohesive visual composition that relates to the use and size of the building.</i>	Not Applicable
ADV	CA 2.3.3 – <i>The pattern, perceived size and placement of fenestration or other building openings and horizontal bands should reflect and/or reconcile similar patterns on adjacent buildings.</i>	Not applicable

NA	CA 2.3.4 – <i>In general, patterns should be more fine-grained and provide greater texture and visual interest nearer the ground level, especially when adjacent to a pedestrian way.</i>	Not Applicable
<b>CA2.4 – Window Treatment</b>		<b>APPRAISAL</b>
NA	CA 2.4.1 – <i>At the grade level, adjacent to pedestrian ways, glass and/or other glazing materials shall have high transmissivity of visible light and low reflectivity qualities. The percent of visible light transmitted less the percent reflected shall be no less than 59 percent. For example: (1) Clear monolithic uncoated laminated glass transmits 86 percent and reflects 8 percent for a net factor of 78 percent and (2) Aqua-green low reflectivity glass transmits 66 percent and reflects 7 percent for a net factor of 59 percent.</i>	Not Applicable
NA	CA 2.4.2 – <i>Upper-level windows that are mirrored or otherwise highly-reflective must not significantly reflect light onto adjacent buildings, plazas or public rights-of-way. Mirrored glass shall be used in moderation. An analysis of the impact of reflected sunlight (related to glare and heat) shall be submitted if greater than 20 percent of any facade is composed of materials that reflect greater than 30 percent of visible light. In no case shall glare create an unsafe driving condition. This information may be submitted conceptually at the schematic design phase. If additional analysis is warranted the architect may submit impact information at the appropriate design phase.</i>	Not Applicable
NA	CA 2.4.3 – <i>The fenestration pattern of grade level windows and openings shall be compatible with the grade level use and the urban context. Movable security accordion type gates and overhead security barriers are not permitted. Permanently installed grills shall be compatible and integrated with the building design.</i>	Not Applicable
REQ	CA 2.4.4 – <i>Awnings, shutters and other energy conservation devices shall be designed integral with the building.</i>	Not applicable
NA	CA 2.4.5 – <i>All sides of the building with fenestration and/or required openings that are abutting developable property not controlled by the owner shall be offset and/or set back from the property line a distance consistent with the requirements of the relevant building codes and/or fire rated as required, unless air-rights (or development rights) are acquired from adjacent properties.</i>	Not Applicable
NA	CA 2.4.6 – <i>In the Village Mixed-Use district typology, it is recommended that all grade level windows on new structures that are adjacent to the public sidewalk be able to be opened.</i>	Not Applicable
<b>CA2.5 – Signs</b>		<b>APPRAISAL</b>
NA	CA 2.5.1 – <i>Buildings shall be designed to incorporate building and business signs into the facade design. Signs shall be compatible with the architectural pattern, style and fenestration of the building.</i>	Not Applicable
NA	CA 2.5.2 – <i>Signs shall be “architectural type” letters. The individual letters may be lighted, back lit or neon type letters. Backlit panel or “box type” signs are generally discouraged. If these sign types are used, the background shall be non-reflective, opaque and dark in color with lettering light in color.</i>	Not Applicable
NA	CA 2.5.3 – <i>Projecting signs shall be permitted when they are integrated with the building design and when contextual relationships are compatible. Signs shall have maximum projection of four feet in to the right-of-way with a minimum Clear Height Zone of nine feet.</i>	Not Applicable
NA	CA 2.5.4 – <i>Strobe lights, motion and other attention-getting devices shall not be used.</i>	Not Applicable
NA	CA 2.5.5 – <i>Grade level window signs and displays are permitted but shall not obscure more than 15 percent of the total window area or more than 15 percent of any single storefront window panel and shall only contain materials for products or services (or representative of services) available on premises.</i>	Not Applicable

REQ	CA 2.5.6 – Signs are to have an 80 percent contrast ratio to enhance legibility for the sight impaired.	None proposed
ADV	CA 2.5.7 – Signs are encouraged to be designed creatively and artistically.	None proposed
REQ	CA 2.5.8 – All buildings shall have the street address number clearly visible, daytime and nighttime, from the pedestrian way and from the vehicle travel lanes for each public entrance. Numbers shall be a minimum of four inches in height.	Use existing

<b>CA2.6 – Rooflines/Rooftops</b>	In the Regional Center, rooftops are usually visible from high-rise buildings and should therefore contribute to the overall character of the area.	APPRAISAL
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NA	CA 2.6.1 – The uppermost portion of the facade (building massing, roof form, eave, cornice, upper floor level(s), roof top design and/or parapet) of all buildings shall be articulated with a treatment in scale with the building.	Not Applicable
NA	CA 2.6.2 – Rooftop zones are to be designed integral with the building with consideration given for the view from the grade level and from other buildings. Mechanical equipment shall be placed to complement the building design and/or screened with materials consistent with the building’s design.	Not Applicable
ADV	CA 2.6.3 – Public art and rooftop gardens are encouraged in rooftop design.	None proposed
NA	CA 2.6.4 – The illumination of the uppermost portion of the facade (building massing, roof form, eave, cornice and/or parapet) of buildings over 10 stories in height is Design principles related to energy conservation and light pollution are to be followed.	Not Applicable

<b>CA2.7 – Facade Lighting</b>	The architectural lighting of facades can provide additional character at night but can also create light pollution.	APPRAISAL
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NA	CA 2.7.1 – The architectural lighting of building features and special seasonal power should be incorporated into the building design.	Not Applicable
NA	CA 2.7.2 – In the Campus, Entertainment, Urban Mixed-Use, Village Mixed-Use and Urban Core district typologies, where night time use is typical, the lighting of facade features is encouraged.	Not Applicable
NA	CA 2.7.3 – Facade lighting should be done in a manner as to minimize light “overspray” onto adjacent properties or public rights-of-way. It should also be done with a minimum amount of lighting to minimize light pollution.	Not Applicable
NA	CA 2.7.4 – The illumination of the uppermost portion of buildings over 10 stories in height is recommended.	Not Applicable
NA	CA 2.7.5 – When lighting (such as to accent windows or architectural elements) is used to contribute significantly to the overall design of structure or site, the installation should require low maintenance and be easily accessible. When operating, no more than 10 percent of the lighting shall be nonfunctioning at any point in time.	Not Applicable
NA	CA 2.7.6 – Except in the Entertainment Mixed-Use district typology, the non-sign use of exposed neon tubing (such as to accent windows or architectural elements) should be used sparingly.	Not Applicable

<b>CA2.8 – Awnings &amp; Canopies</b>	Awnings and canopies can contribute to the public streetscape while providing protection from the elements for pedestrians. They may also be used for energy conservation and as signage.	APPRAISAL
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NA	CA 2.8.1 – Awnings and canopies are encouraged in order to provide energy conservation and inclement weather protection to clients and pedestrians.	Not Applicable
NA	CA 2.8.2 – Awnings and canopies may have business identification signage on no greater than 15 percent of any surface.	Not Applicable
NA	CA 2.8.3 – Backlit or internally-illuminated vinyl or plastic awnings are not allowed.	Not Applicable
NA	CA 2.8.4 – Awnings shall have no greater than a four foot projection into the public right-of-way. Marquees associated with entertainment venues will be reviewed separately as a component of entrance design.	Not Applicable

NA	CA 2.8.5 – Awnings and canopies shall maintain the clear height zone with a minimum clearance of nine feet under the lowest part of the assembly.	Not Applicable
NA	CA 2.8.6 – Canopies and canopy supports shall not impede pedestrian traffic, or narrow or otherwise restrict the pedestrian way. Canopies should not be located on building corners at intersections unless their supports do not interfere with pedestrian movement. All development in the right-of-way is subject to the issuance of an Encroachment Permit by the Indianapolis Department of Public Works.	Not Applicable

<b>CA 3.1 – Building Entrances/Exits</b>	As the center of the Central Indiana region and a destination for visitors from all over, the Regional Center built environment must be universally legible.	<i>APPRAISAL</i>
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NA	CA 3.1.1 – New building entrances shall face the public street, be emphasized and weather protected when possible.	Not Applicable
NA	CA 3.1.2 – Building entrances should be designed in a manner to provide visual cues, such as entry scale, that differentiate public and private entrances.	Not Applicable
REQ	CA 3.1.3 – Entries shall be lighted from dusk until dawn. Design principles related to energy conservation and light pollution are to be followed.	Not Applicable
NA	CA 3.1.4 – Buildings at the intersection of two streets should consider corner access in order to treat each frontage equally and to provide easy access for pedestrians from the crosswalks.	Not Applicable
REQ	CA 3.1.5 – Exit doors that open directly into the pedestrian way, street or alley shall be designed to provide safe egress and to not conflict with the sidewalk or Pedestrian Way utilization. Each door condition should be evaluated based on the volume of use, user visibility, accessibility and safety. Pedestrians normally maintain an 18 inch clear zone when walking adjacent to a wall.	Not Applicable

<b>CA 3.2 – Arcades, Tunnels &amp; Walkways</b>	The density of the Regional Center promotes pedestrian activity year-round. Protection from inclement weather should be promoted to enhance the pedestrian experience.	<i>APPRAISAL</i>
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NA	CA 3.2.1 – Interior arcades that are integral with the design of the building are encouraged in public buildings, hotels and mixed-use buildings.	Not Applicable
ADV	CA 3.2.2 – Protection from inclement weather should be provided at transit stops when possible.	None proposed
NA	CA 3.2.3 – Existing non-grade level walkway systems (skywalk, Canal level and tunnel) are to be extended and enhanced.	Not Applicable

<b>CA 4.1 – Exterior Site Furnishings</b>	Exterior site furnishings located in the public and semi-public spheres contribute to the character of the public corridor and accommodate pedestrians and public gatherings.	<i>APPRAISAL</i>
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REQ	CA 4.1.1 – All exterior light standards, tree grates, seating, etc. shall be dark finished metal, granite or other durable materials. Dark green, dark red, black or dark anodized colors are Color and material variations will be considered when the design of the site furnishings is directly related to the architectural materials and treatment of the building. This Guideline does not apply to art (defined as original works created by an individual or team that is experienced in their discipline.)	Not Applicable
REQ	CA 4.1.2 – Benches, bollards, trash receptacles, light standards and other similar elements shall not have advertising or business identification signage.	None proposed
NA	CA 4.1.3 – All elements that are approved to be in the public right-of-way placed by the adjacent property owner shall be maintained by the property owner and removed as required for safety, access and utility maintenance.	Not Applicable
NA	CA 4.1.4 – Because of the visual clutter created by the misalignment of movable exterior site furnishings, movable waste receptacles, tables and planters are to be circular in plan. This does not apply to furnishings placed as a component of a regulated Sidewalk Restaurant.	Not Applicable
NA	CA 4.1.5 – All outdoor site furniture is encouraged to incorporate artistic elements or be designed as a work of public art.	Not Applicable

<b>CA 4.2 – Pedestrian &amp; Bicycle Amenities</b>		The Regional Center should accommodate and promote pedestrian and bicycle activity as a way to reduce vehicle traffic and pollution and to promote public health.	APPRAISAL
NA	CA 4.2.1 – In areas identified by the Indianapolis Regional Center Plan 2020 as High-Density Mixed-Use, Medium-Density Mixed-Use and Research Community Mixed-Use, outdoor seating, bicycle parking and weather protection are encouraged adjacent to or accessible from the pedestrian way.	Not Applicable	
NA	CA 4.2.2 – Commercial and institutional developments of more than 50,000 square feet are required to provide at least one bicycle parking space per 10,000 square feet of building.	Not Applicable	
NA	CA 4.2.3 – Office, institutional and industrial developments are encouraged to provide shower and changing facilities for employees commuting by bicycle or by walking.	Not Applicable	
NA	CA 4.2.4 – Residential development containing 20 or more residential units shall provide sheltered and secure bicycle storage with a no-step entry for alternative transportation modes (such as bicycle, scooter or motorcycle). Such facilities shall be provided at a ratio of at least one space per four residential units. The storage may be accommodated by providing space in a dedicated storage room designed for this purpose, space in a parking facility, or exterior storage facilities that are integrated with the site development. Projects composed of town homes or apartments with direct access to their own private garages are exempted.	Not Applicable	
<b>CA 4.3 – Site Lighting</b>		Lighting should be provided in all built environment spheres at an appropriate level to provide for the safety and security of users.	APPRAISAL
REQ	CA 4.3.1 – Pedestrian circulation corridors are to have pedestrian scale lighting.	None proposed	
REQ	CA 4.3.2 – Building entries, sidewalks and heavily used pedestrian areas in areas designated by the Indianapolis Regional Center Plan 2020 as High-Density Mixed-Use, Medium-Density Mixed-Use or Research Community Mixed-Use, as well as in the Campus district typology, are to be lit to a level of 4 to 8 foot-candles. Metal halide lamps (because of more effective visibility and better color rendition in the ultraviolet range) are preferred in high activity pedestrian areas. General lighting shall be provided to light vehicular parking, vehicular travel surfaces, plazas and service areas. The foot-candle level shall be designed to provide the minimum lighting needed for safety. A level of 1 to 5 foot-candles with a maximum variance of 4 to 1 for the brightest to dimmest lit spot is recommended by the Illuminating Engineering Society of North America (IESNA). High pressure sodium may be used in areas where general lighting is provided. Outdoor lighting design should take into account, (1) specific site conditions, (2) reducing light pollution, (3) reducing energy consumption, (4) improving safety and (5) aesthetic considerations.	None proposed	
REQ	CA 4.3.3 – Light sources shall be “full cut” shielded and direct light onto the surface area only. Lighting filaments in excess of 2000 lumens shall not be visible at the lot line, adjacent buildings or from above the source. Likewise shall the level of light from a light source not exceed one foot-candle at the lot line, entering an adjacent building or above the source. When appropriate, exceptions may be made for decorative, ornamental and “historic period” lights (acorn globe, pendant, etc.), which shall be designed to minimize light overspray and light source contrast.	None proposed	
<b>CA 4.4 – Screening</b>		The impact of parking zones and service/utility equipment and similar facilities should be minimized aesthetically and functionally on surrounding properties and pedestrian ways.	APPRAISAL
NA	CA 4.4.1 – Mechanical equipment, loading docks and trash removal areas shall be screened from view from the public streets and pedestrian ways. Dumpsters shall not be located adjacent to a pedestrian way.	Not Applicable	
REQ	CA 4.4.2 – Screening materials are to be the same as the primary building materials and/or composed of permanent landscape elements such as: architectural metal fencing, masonry, trees, evergreen plant material, and berms.	Not Applicable	

REQ	CA 4.4.3 – Surface parking areas adjacent to the public right-of-way or pedestrian way shall have a minimum four foot deep planting area to provide for screening with trees, walls, berms and/or ground planting. Clear sightlines between three feet and seven feet above the sidewalk grade are to be maintained to promote visibility and safety (except where the primary zoning ordinance requires clear sightlines between two and one-half feet and nine feet at clear sight triangle areas at vehicular intersections). The design of the lower three feet (two and one-half feet in clear sight triangle areas) of the screening shall be permanent, durable and easily maintained. A solid “knee wall” or berm with ground level evergreen planting is recommended.	Use existing parking
<b>CA 4.5 – Paving Materials</b>		<i>APPRAISAL</i>
NA	CA 4.5.1 – Paving materials and installation patterns shall complement the building design and site utilization.	Not Applicable
NA	CA 4.5.2 – Plazas, sidewalks, outside eating areas and all other paved areas in the public or quasi-public spheres and not in a parking zone or service zone shall be constructed of masonry pavers or concrete (no asphalt or crushed stone permitted.)	Not Applicable
NA	CA 4.5.3 – Parking zones with more than 20 parking spaces shall be constructed of a permanent permeable material (such as permeable asphalt or unit masonry systems) or shall provide and maintain bio-swales or other natural methods to substantially eliminate storm water runoff. Creative and artistic solutions are encouraged. If petitioner proposes standard asphalt, concrete or other non-permeable paving, runoff and onsite detention documentation must be provided.	Not Applicable
REQ	CA 4.5.4 – Paving systems and materials installed in the right-of-way by property owners shall meet Department of Public Works and Americans with Disabilities Act (ADA) standards.	<b>Satisfied</b>
<b>CA 4.6 – Urban Forestry &amp; Plant Material</b>		<i>APPRAISAL</i>
REQ	CA 4.6.1 – Plant materials are to be selected to exhibit seasonal coloration and flowers. All landscape design is to emphasize seasonal variation.	Not Applicable
NA	CA 4.6.2 – In parking zones, deciduous shade trees (minimum of four inch caliper) are to be provided and maintained at a minimum of one tree for each 1,600 square feet of paving in order to achieve 25 percent canopy coverage in 10 years of growth. Required trees may be clustered in islands, but only if such clustering will not impact the target of 25 percent of the parking zone being covered by tree canopy in 10 years of growth.	Not Applicable
NA	CA 4.6.3 – Tree islands in parking lots should be a minimum of 130 square feet per tree with irrigation or 150 square feet per tree without irrigation. This minimum requirement may be waived if the pavement is permeable. All tree islands shall be curbed to prevent damage to the tree.	Not Applicable
REQ	CA 4.6.4 – Planting materials selected must be suitable to urban conditions. Trees with shallow root systems that could severely impact paved areas, or be severely impacted by paved areas, should be avoided. A wide range of species might be used depending on general conditions such as hardiness and site-specific conditions related to performance, soil, sunlight, exposure to pollutants, etc. Each site plan will be reviewed to determine the appropriateness of the proposed plant material.	Not Applicable
NA	CA 4.6.5 – Interior trees should be selected that have large canopies in order to maximize the surface area of pavement covered by the tree canopy. Perimeter trees should be selected that are columnar in order to visually maintain the urban “wall” of the corridor. Also consult guidelines relating to the adjacent public corridor for guidelines relating to street trees.	Not Applicable
NA	CA 4.6.6 – Clear sightlines between three feet and seven feet above the sidewalk and/or parking grade are to be maintained to promote visibility and safety.	Not Applicable



REQ	CA 4.6.7 – All trees in parking zones or adjacent to a pedestrian way or activity zone must maintain a clear height zone of no less than nine feet. Only deciduous trees are permitted to be planted in the public sphere (right-of-way) or adjacent to the pedestrian way.	Not Applicable
INFO	CA 4.6.8 – Alternative, documented systems of reducing urban heat buildup may be proposed.	Information
INFO	CA 4.6.9 – Designers should consult the Indianapolis Metropolitan Planning Area Multi-Modal and Public Space Design Guidelines for information related to plantings in the public right-of-way. Designers should also refer to current City Ordinances that regulate maintenance, planting and trees.	Information

<b>CA 5.1 – LEED Standards</b>	Development in the Regional Center should reflect innovation in environmentally sustainable building methods and materials.	APPRAISAL
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ADV	CA 5.1.1 – Building and site development which conforms to Leadership in Energy and Environmental Design (LEED) Standards published by the U.S. Green Building Council are encouraged.	None proposed
INFO	CA 5.1.2 – Environmentally sound design solutions may include elements that are not anticipated in these Design Guidelines. Exceptions to the Design Guidelines will be considered for documented energy and environmental components.	Information

<b>CA 5.2 – Rooftop Gardens</b>	Green roofs can reduce urban heat islands, reduce sewage system loads by assimilating large amounts of rainwater, absorb air pollution, collect airborne particulates, store carbon and insulate a building from extreme temperatures.	APPRAISAL
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NA	CA 5.2.1 – Wherever practical, install “green roofs” consisting of vegetation and soil, or a growing medium, planted over a waterproof membrane. Additional layers, such as a root barrier and drainage and irrigation systems may also be included.	Not Applicable
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<b>CA 5.3 – Passive Heating/Cooling</b>	Buildings designed for passive solar and daylighting incorporate design features such as large south-facing windows and building materials that absorb and slowly release the sun’s heat. No mechanical means are employed in passive solar heating. Incorporating passive solar designs can reduce heating bills as much as 50 percent. Passive solar designs can also include natural ventilation for cooling. Windows are an important aspect of passive solar design. In cold climates, south-facing windows designed to let the sun’s heat in while insulating against the cold are ideal. Interior spaces requiring the most light, heat, and cooling are located along the south face of the building, with less used space to the north.	APPRAISAL
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ADV	CA 5.3.1 – All projects should incorporate passive solar heating, cooling and daylighting strategies recommended by the Energy Efficiency and Renewable Energy (EERE) section of the U.S. Department of Energy.	None proposed
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<b>CA 5.4 – Energy Use</b>	For businesses and residential development, a strategic approach to energy management can produce significant savings for operation costs and the environment. Also, the Federal Energy Policy Act of 2005 outlines energy efficient residential systems for which Federal Tax Credits are available. The eligible energy systems include certified: (1) Windows & Doors, (2) Roofing Insulation, (3) HVAC Systems, (4) Water Heaters, (5) Solar Energy Systems, (6) Fuel Cells, (7) Air Source Heat Pumps, (8) Geo-Thermal Heat Pumps, (9) Solar Water heating, (10) Photovoltaic Systems and (11) Fuel Cells.	APPRAISAL
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ADV	CA 5.4.1 – All projects are encouraged to follow standards recommended by Environmental Protection Agency’s (EPA ) ENERGY STAR partnership which offers an energy management strategy that helps in measuring current energy performance, setting goals, tracking savings and rewarding improvements.	None proposed
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<b>CA 6.1 – Utilities</b>	The Regional Center is the postcard of Central Indiana, the primary destination for visitors to the area and a major economic center. Therefore the visual presence of utilities should be minimized. The inherent maintenance and innovation related to utilities should be planned and incorporated into the building and site to minimize future disruption.	APPRAISAL
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REQ	CA 6.1.1 – All on-site utility service access is to be buried when new construction is located more than 20 feet from an existing utility supply. New development is encouraged to provide for long-term utility and communication access flexibility.	<b>Satisfied</b>
REQ	CA 6.1.2 – Any utility and service connections and equipment placed along a pedestrian way are to be placed in the frontage zone and shall not impede the pedestrian way. Where possible, all such connections and equipment should be located in a screened service zone or other area not adjacent to a pedestrian way.	<b>Satisfied</b>
<b>CA 6.2 – Curb Cuts/Driveways</b>		<i>APPRAISAL</i>
REQ	CA 6.2.1 – Pedestrian way paving treatment shall be continuous through curb cuts (and also compliant with Americans with Disabilities Act (ADA) standards.) Textured pavement and other “Traffic Calming” devices shall be used to create a safe environment for pedestrians.	<b>Satisfied</b>
ADV	CA 6.2.2 – When the right-of-way permits, alley access and parking in the interior of the block is encouraged.	None proposed
REQ	CA 6.2.3 – Locate driveway aprons outside of the pedestrian way, with the sloped portion entirely within the separation zone (SZ).	<b>Satisfied</b>
REQ	CA 6.2.4 – Maintain the pedestrian way pavement and pattern at a cross slope of 1:50 (one foot high, 50 feet long) across the driveway.	<b>Satisfied</b>
ADV	CA 6.2.5 – Where necessary to keep the driveway slope from exceeding 1:10 (one foot high, 10 feet long), the sidewalk may be partially dropped to meet the grade at the top of the apron. This is preferred to extending the sloped apron into the pedestrian way.	<b>Satisfied</b>

**SUMMARY**

Review of the Guidelines against the submitted plans reveals the request would meet the Guidelines.

**RECOMMENDATIONS**

Staff **recommends approval** of the Regional Center Approval petition, with the following condition:

The elevations of the fencing shall be submitted for staff review and approval prior to installation.

**ZONING HISTORY**

**2023-SE3-006; 1140 Dr. Martin Luther King, Jr. Street**, requested a Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for a wireless communication facility with a 120-foot-tall monopole tower and a four-foot lightning rod and a variance of development standards to provide wireless communication facility without the required perimeter landscape screening, **granted**.

**2023-REG-089; 1140 Dr. Martin Luther King, Jr. Street**, requested a Regional Center Approval for a proposed 120-foot-tall wireless communication facility, **pending**.

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