



# Metropolitan Development Commission (August 21, 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, August 21, 2024      **Time:** 1:00 PM

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

## Business:

**Adoption of Meeting Minutes: August 7, 2024**

**Bid Opening: Request for Proposal: Master Developer for Sherman Park**

## Policy Resolutions:

### ECONOMIC DEVELOPMENT / INCENTIVES:

**1. 2024-A-026 (Public Hearing)**

Resolution authorizing a hearing regarding termination of the Real Property Tax Abatement associated with Economic Revitalization Area Resolution 2015-A-051, 2015, for Exploration Center I, LLC and Republic Airways Holdings, Inc., located at 5303 Stanley Rd (aka 5151 Exploration Drive), Council District #21, Decatur Township.

**2. 2024-A-024 (Public Hearing)**

Final Economic Revitalization Area Resolution for TWG 412 McCarty LLC, located at 412 West McCarty Street, Council District #18, Center Township. (Recommended approval of ten (10) years real property tax abatement).

**3. 2024-A-028**

Preliminary Economic Revitalization Area Resolution for OMR North America, Inc., located at 4655 Gilman Street, Council District #16, Wayne Township. (Recommend approval of six (6) years personal tax abatement).

**4. 2024-E-029 (Public Hearing)**

Confirmatory Resolution for the expansion of the Greater Martindale Brightwood Redevelopment Area and the creation of the Reagan Park HOTIF Allocation Area.

### BOND BANK:

**5. 2024-BB-002**

Authorizes the pledge of Tax Increment and issuance of Indiana Redevelopment District Tax Increment Revenue Bonds in Series 2024D (with such further series or other designation as determined to be necessary, desirable or appropriate), in a maximum aggregate principal amount not to exceed Sixty Million Dollars (\$60,000,000) (the "2024D Bonds"), with a maximum term not to exceed twenty-five (25) years, and bear ordinary interest rates not to exceed 8 percent (8%), and which shall be issued in the name of the City, for and on behalf of the District, and approving and authorizing other actions in respect hereto.

## Zoning Petitions:

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

**6. 2024-MOD-013 (Amended) | 6904 and 6908 North Tacoma Avenue**

Washington Township, Council District #3  
C-S  
Patrick Sullivan, LLC, by Brian J. Tuohy

Modification of the Development Statement and Site Plan related to 2015-CZN-800 (6908) to provide for a greenhouse, and a Modification of Development Statement, Site Plan and Commitments related to petition 2018-ZON-029 (6904), to provide for a greenhouse and to terminate Commitment #2, which required development of the site to be in substantial compliance with the site plan, file-dated April 28, 2018.

**7. 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.

**8. 2024-ZON-076 | 4701 East Thompson Road**

Perry Township, Council District #24  
Grace Bible Christian Church of Indiana, by Misha Rabinowitch

Rezoning of 3.65 acres from the D-A (FF) and SU-1 (FF) districts to the SU-1 (FF) district to provide for religious uses.

**9. 2024-CZN-824 (Amended) | 1402 Shelby Street**

Center Township, Council District #18  
Carnivore Properties, LLC, by Emily Duncan and David Kingen

Rezoning of 0.14-acre from the MU-1 (TOD) district to the C-3 (TOD) district.

**10. 2024-REG-038 | 752 East Market Street and 730 East Washington Street**

Center Township, Council District #13  
CBD-2 (RC)  
1820, LLC, by Jeremy Stephenson

Regional Center Approval to provide for the renovation of two former industrial buildings into mixed-use structures, with new windows and masonry reconstruction, and providing for 30,000 square feet of commercial space, 213 dwelling units, amenities and utility space, and reconfigured surface parking areas.

## Petitions for Public Hearing

### PETITIONS FOR PUBLIC HEARING:

**11. REZONING PETITION RECOMMENDED FOR APPROVAL BY HEARING EXAMINER, APPEAL FILED BY REMONSTRATOR:**

**2024-ZON-059 (Amended) | 2345 South Arlington Avenue**

Warren Township, Council District #20  
Doris M. Lambert, by Teri L. Hutchison

Rezoning of five acres from the D-A (FF) district to the C-1 (FF) district to provide for office-buffer commercial uses.

**12. REZONING HEARING SCHEDULED FOR INITIAL HEARING:**

**2024-ZON-079 | 2400 and 2406 North Tibbs Avenue**

Wayne Township, Council District #11  
Noble, Inc., by Joseph D. Calderon

Rezoning of 14.7 acres from the SU-7 District to the D-P District, to provide for a fire station, attached multi-family dwellings, a community center, community garden, indoor and outdoor recreation facilities, offices, medical and dental center, or clinic, surface parking and uses permitted in the SU-7 and SU-9 districts.

**\*\*Staff request for continuance to September 4, 2024, with Notice**

## **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 [planneroncall@indy.gov](mailto:planneroncall@indy.gov) before the hearing and such objections will be considered. At the hearing, all interested persons will be given an opportunity to be heard in reference to the matters contained in said proposals. The hearing may be continued from time to time as may be found necessary. For accommodations needed by persons with disabilities planning to attend this public hearing, please call the Office of Disability Affairs at (317) 327-7093, at least 48 hours prior to the meeting. Department of Metropolitan Development - Current Planning Division.

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

**Exploration Center I, LLC & Republic Airways Holdings Inc.  
5303 Stanley Road (aka 5151 Exploration Drive)**

**Resolution No. 2024-A-026**

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

**WHEREAS**, pursuant to I.C. 6-1.1-12.1, Exploration Center I, LLC, and Republic Airways Holdings Inc. (collectively "Applicant") filed a designation application requesting that the subject real estate at 5151 Exploration Drive ("Subject Real Estate") be designated as an Economic Revitalization Area for the purpose of achieving real property tax savings in connection with the proposed redevelopment and rehabilitation activities ("Project"); and

**WHEREAS**, on Wednesday, August 5, 2015, the Metropolitan Development Commission ("Commission") adopted Preliminary Economic Revitalization Area Resolutions No. 2015-A-043, preliminarily designating the Subject Real Estate as an Economic Revitalization Area; and

**WHEREAS**, on Wednesday, August 19, 2015, after conducting a public hearing, the Commission adopted Final Economic Revitalization Area Resolution No. 2015-A-051 ("Resolutions"), confirming designation of the Subject Real Estate as an Economic Revitalization Area for the purpose of receiving seven (7) years real property tax abatement ("Abatement"); and

**WHEREAS**, in the Statement of Benefits Form contained in the Resolutions and the Memorandum of Agreement ("MOA") executed by and between the Applicant and the City of Indianapolis ("City"), the Applicant indicated that \$3,852,900 in real property improvements would be made at the Subject Real Estate, and that 62 retained positions at an average hourly wage of not less than \$22.62, and 6 new full-time permanent positions would be created at an average wage of \$25 per hour as a result of the Project (collectively the "Commitments") and in consideration thereof, the Commission approved the Resolutions and the Applicant accepted the terms and conditions of the Resolutions by accepting the benefits thereof; and

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

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

**WHEREAS**, pursuant to Resolution 2014-A-034 of the Commission, authorizes DMD to evaluate and determine on behalf of the Commission whether each property owner who has been awarded a tax abatement has substantially complied with its Statement of Benefits and whether failure to comply

was caused by factors beyond the control of the property owner. The Applicant’s annual survey was evaluated on May 15<sup>th</sup>, 2022, and DMD has determined it does not comply with its Statement of Benefits and such failure was not caused by factors beyond the Applicant’s control; and

**WHEREAS**, the Applicant has realized a tax savings of \$247,522.17 to date due to the Abatement; and

**WHEREAS**, the Department of Metropolitan Development, on behalf of the Commission and in agreement with the Applicant, determined that the Abatement should be terminated, and the Applicant will pay damages of \$247,522.17 of tax savings received by the Applicant, and subsequently they set 1:00 p.m. on Wednesday, August 7<sup>th</sup>, 2024, for the public hearing of remonstrances and objections from persons interested in whether the Abatement for the Subject Real Estate should be terminated, and payment of the damages should be reimbursed to the City; and

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

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

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

**NOW, THEREFORE, IT IS RESOLVED:**

1. The Commission hereby confirms DMD’s preliminary finding that the Applicant has not substantially complied with the Statement of Benefits contained in the Resolutions or met the Commitments contained in the MOA.
2. The Commission now hereby determines that the Applicant has failed to or will be unable to substantially comply with the Commitments (as identified and agreed upon in the Statement of Benefits form contained in the attachments to the Resolutions and/or the MOA), entitling DMD to terminate, through the Commission, the tax abatement deductions regarding the Subject Real Estate and relative to the Project and Resolutions and authorizes the Director of DMD to sign the Termination Agreement.
3. The Commission hereby acknowledges that Applicant’s agreement and consent to the termination of the tax abatement and repayment of damages, as authorized by this Final Resolution.
4. The Commission determines that the MOA for the Subject Real Estate shall be terminated upon adoption of this Termination Resolution.
5. The Commission hereby directs that the Applicant shall pay to the City of Indianapolis damages in the amount of \$247,522.17, within 60 days of the adoption of this Final Resolution and authorizes the Director of the Department of Metropolitan Development to take such action as is necessary to recover said damages should they not be timely remitted. Upon repayment of said damages, the Commission shall release Applicant from any and all other liabilities related to the Abatement or the termination of the Abatement.

- 6. A copy of this Termination Resolution shall be filed with the Marion County Auditor and Marion County Assessor.

METROPOLITAN DEVELOPMENT COMMISSION

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

\_\_\_\_\_  
Dated

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

*Sheila Kinsey*  
\_\_\_\_\_  
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-027**

**REAL PROPERTY TAX ABATEMENT**

**TWG 412 McCarty, LLC**

**412 West McCarty Street, to include (717 and 721 Chadwick Street)**

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

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

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

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

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

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

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

**WHEREAS,** during a preliminary hearing at 1:00 p.m. on Wednesday, July 3, 2024, the Commission received evidence about whether the Subject Real Estate should be designated as an Economic Revitalization Area and recommended the appropriate length of the abatement period for such Area, and the Commission adopted **Preliminary Resolution No. 2024-A-025**, preliminarily designating the Subject Real Estate as an Economic Revitalization Area for an abatement period of up to ten (10) years

("Preliminary Resolution"); and it fixed 1:00 p.m. on Wednesday, **August 21, 2024**, for the public hearing of remonstrances and objections from persons interested in whether the Subject Real Estate should be designated as an Economic Revitalization Area; and

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

**WHEREAS**, pursuant to IC 6-1.1-12.1-2(k), a statement of benefits for property located within an allocation area, as defined by IC 36-7-15.1-26, may not be approved unless the City-County Council of Indianapolis and Marion County, Indiana (hereinafter referred to as "City-County Council") adopts a resolution approving the statement of benefits; and

**WHEREAS**, the City-County Council, on **August 12, 2024**, adopted a resolution approving the Applicant's Statement of Benefits associated with the Project; and

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

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

**NOW, THEREFORE, IT IS RESOLVED:**

1. The Commission now confirms, adopts, amends, and approves such Preliminary Resolution and thereby finds and establishes the area as an Economic Revitalization Area subject to the conditions that designation as an Economic Revitalization Area allows the abatement of property taxes only relative to the Project and the effectiveness of the designation can be terminated by action of the Commission if:
  - A. The Applicant is unable to secure approval of the necessary variance or rezoning petition to provide for the proposed development.
  - B. Construction on the Subject Real Estate is not in substantial conformance with the Project description contained in the final resolutions as supplemented by information in the application, site plan and elevations; or
  - C. Construction of the Project is not initiated within one (1) year of the date a final resolution designating the Subject Real Estate as an Economic Revitalization Area is adopted.
2. The Economic Revitalization Area designation terminates two (2) years after the date a final resolution is adopted (hereinafter the "ERA") designation terminates December 31, 2026; however, relative to redevelopment or rehabilitation completed before the end of the ERA (2) year period, this termination does not limit the period of time the Applicant or successor owner is entitled to receive a partial abatement of property taxes to a period of less than **ten (10) years**.
3. In the event the investment period, as identified on the Statement of Benefits form, covers more than one assessment cycle, it is the intention of the Commission that Marion County Auditor shall



treat each year of partial assessment as the first year of the abatement deduction schedule outlined in this abatement resolution. Each new increment of assessment that occurs during the approved investment period will trigger its own deduction schedule, ensuring that the Applicant is eligible to receive the full, intended abatement savings associated with its forecasted investment, provided that the Applicant timely files with Marion County a separate deduction application (State Forms CF-1 and 322/RE) for each new increment of assessment for which it seeks an abatement deduction.

4. This Economic Revitalization Area designation is limited to allowing the partial abatement of property taxes attributable to redevelopment or rehabilitation activities: **This designation does not allow abatement of property taxes for installation of new manufacturing equipment under I.C. 6-1.1-12.1-4.5.** Pursuant to IC 6-1.1-12.1-2 (i), the Commission hereby limits the dollar amount of the deduction that will be allowed, with respect to redevelopment in the ERA, to those respective tax savings attributable to the redevelopment of the Subject Real Estate, as described in this Resolution and as depicted in the Site Plan and Conceptual Elevations attached hereto.
5. The Commission has determined that the Project can be reasonably expected to yield the benefits identified in the attached "statement of benefits" and the "statement of benefits" is sufficient to justify the partial abatement of property taxes requested, based on the following findings:
  - A. The estimate of the value of the proposed Project is reasonable for projects of that nature.
  - B. The estimate of the number of individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed Project.
  - C. The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed Project.
  - D. Other benefits about which information was requested are benefits which can reasonably be expected to result from the proposed Project.
  - E. The "Totality of Benefits" is sufficient to justify the deduction.
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, Workforce Support Commitments and investment figures contained in the applicant's approved Final Economic Revitalization Area Resolution, the Memorandum of Agreement executed by and between the applicant and the City, and/or the statement of benefits form. The Commission may reduce the dollar amount, or rescind the deduction in its entirety, and/or require repayment of all or a portion of the deductions received by the applicant for failure to achieve the benefits identified in the Memorandum of Agreement and/or "statement of benefits", or for failure to respond to the mandatory survey.
7. The Commission directs the Department of Metropolitan Development to survey the Project described in the attachment to this Resolution annually for at least seventeen (17) years. The dates of the initial seventeen (17) surveys shall be on or about the following dates: 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042.
8. The Subject Real Estate and Project area are approved for an abatement period of **ten (10) years**.

9. The real property tax abatement shall utilize the following abatement schedule:

**REAL PROPERTY TAX ABATEMENT**

YEAR OF DEDUCTION	PERCENTAGE
1 <sup>st</sup>	80%
2 <sup>nd</sup>	80%
3 <sup>rd</sup>	80%
4 <sup>th</sup>	80%
5 <sup>th</sup>	80%
6 <sup>th</sup>	80%
7 <sup>th</sup>	80%
8 <sup>th</sup>	80%
9 <sup>th</sup>	80%
10 <sup>th</sup>	80%

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

*[Reminder left intentionally blank; Signatures to follow]*

METROPOLITAN DEVELOPMENT COMMISSION

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

\_\_\_\_\_  
Date

Approved as to Legal Form  
and Adequacy this 29th day  
of July 2024.

*Sheila Kinney*  
\_\_\_\_\_  
Sheila Kinney,  
Assistant Corporation Counsel

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

Area Surrounding Subject Real Estate: The site is located at the corner of West McCarty and Missouri Streets, just southwest of Lucas Oil Stadium.

Current Zoning:.....I-4

New Jobs Created: .....Five at \$22.00/hr.

Jobs Retained: .....None.

Estimated Cost of proposed project: \$53,200,000.00

**STAFF ANALYSIS**

Founded in 2007 and headquartered in Indianapolis, Indiana, TWG Development, LLC is a prominent real estate development company specializing in commercial, market rate, affordable, and senior housing developments across the United States. TWG operates through its related entities, TWG Development, TWG Construction, and TWG Management, offering end-to-end development services from concept to lease-up to stabilization.

With a commitment to constructing, developing, and managing quality housing, TWG believes that quality housing is a fundamental right that enhances the quality of life for all individuals. TWG Development, LLC through its single-purpose entity TWG 412 McCarty, LLC will invest \$53.2MM in real property for the development of a 375,000 square foot housing complex consisting of 4 buildings to include a 6-story multi-family structure with 270 apartment units and 203 parking stalls. The development will set aside 15%, forty-one (41) units reserved for households earning less than 70% Area Median Income (AMI).in addition, the affordable units must maintain this affordability for 15 years. Construction of the project is scheduled to begin Q1 2025 with delivery of units Q1 2027.

Operating in 19 states, TWG has successfully transacted over \$2 billion in development costs and delivered over 10,000 housing units nationwide. The company's integrated approach to development, financing, design, construction, and management positions it as a leader in the multifamily housing sector. TWG's core philosophy, "Together, We Grow," reflects the company's collaborative spirit and commitment to positive community impact. The project will add 5 new jobs with an average wage of \$22/hr. by December 31, 2025.

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

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

**TOTALITY OF BENEFITS**

**PETITIONER:** TWG 412 McCarty, LLC

**INVESTMENT:** Staff estimates that the proposed investment of \$53,200,000.00 should result in an increase to the tax base of approximately \$28,780,600.00 of assessed value. Staff estimates that over the ten (10) year real property tax abatement period the petitioner will realize savings of \$6,386,530.26 (an 80.2% savings). During the abatement period, the petitioner is expected to pay an estimated \$1,575,223.97 in real property taxes on the project. This is in addition to the current taxes being paid on the property in the amount of \$17,333.89 annually (pay 2024 taxes). After the tax abatement expires, the petitioner can be expected to pay an estimated \$814,279.50 in real property taxes annually on the new improvements, in addition to the annual taxes attributable to the current value of the property.

**EMPLOYMENT:** The petitioner estimates that this project will create at least five (5) positions at a minimum wage of \$22.00/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 and development in Marion County.

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

**PROJECT SUMMARY**

**FACTUAL INFORMATION**

Applicant: TWG 412 McCarty, LLC

Subject Real Estate: 412 West McCarty Street

Center Township Parcel Number: 1076951, 1023795, 1017001, 1007972, and 1007991

**PROJECT DESCRIPTION**

TWG Development, LLC through its single purpose entity, TWG 412 McCarty, LLC, will invest \$53.2MM in real property for the development of a 375,000 square foot, 6-story multi-family structure with 270 apartment units and 203 parking stalls. The development will set aside 15% of its units, forty-one (41) units that are reserved for households earning less than 70% Area Median Income (AMI). Construction of the project is scheduled Q1 2025 with delivery of units Q1 2027. The project will add 5 new jobs with a minimum wage of \$22/hr. by December 31, 2025 and will install local artwork on the south facing façade of the project. This project will be located at the corners of 412 W McCarty and Missouri Streets to include 717 and 721 Chadwick Streets, in Center Township, directly Southwest of Lucas Oil Stadium.

As part of the Workforce Support Commitments, TWG 412 McCarty, LLC commits to set aside 15% of the apartment units as affordable to households earning 70% AMI for a 15-year period.

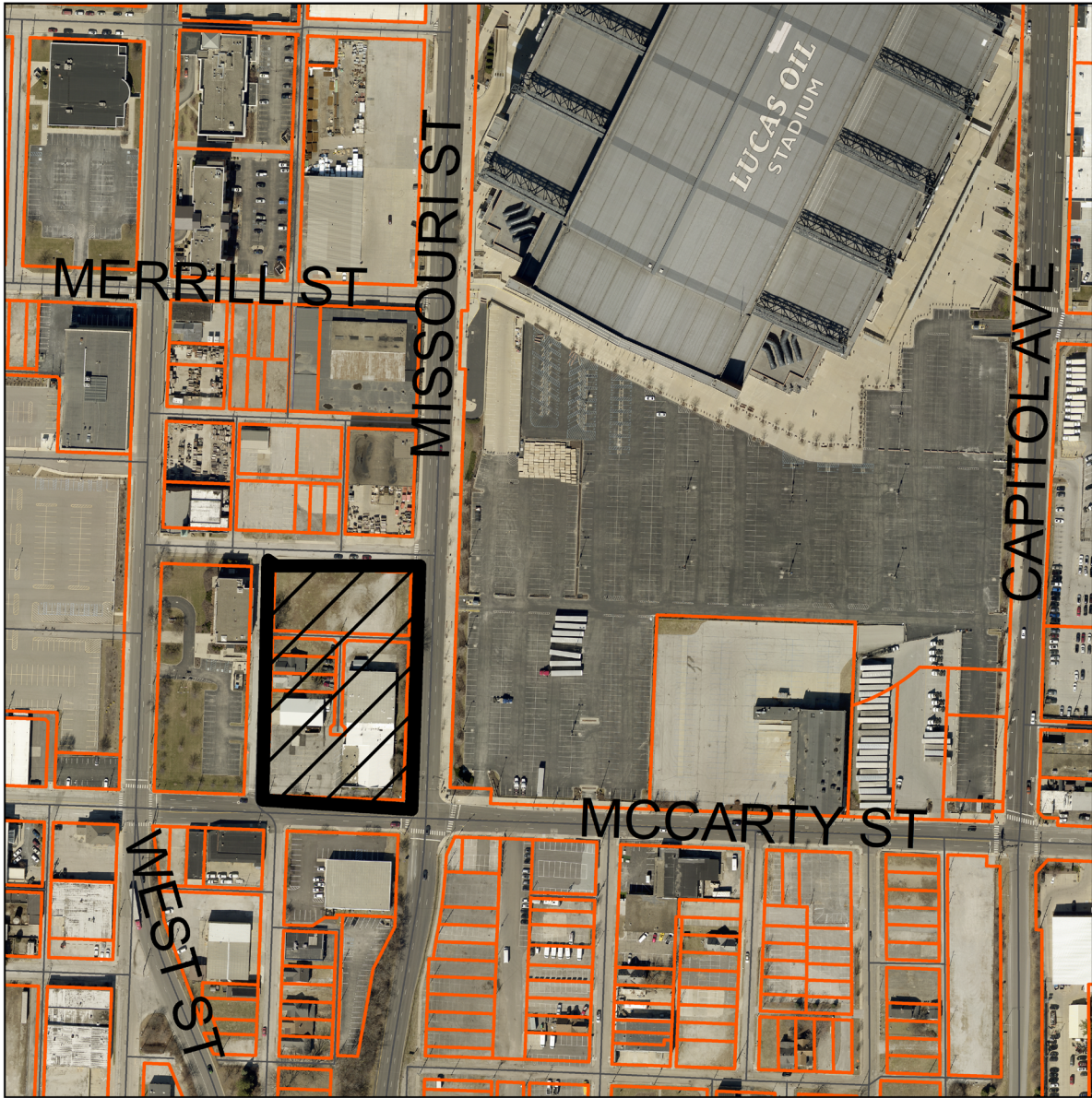
New Jobs Created: 5 at \$22.00/hr.

Jobs Retained: None.

Estimated Cost of Project: \$53,200,000.00

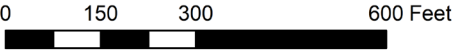

**RECOMMENDATION:** Staff recommends approval of ten (10) years real property tax abatement.

TWG Development, LLC  
412 West McCarty Street, 717 and 721 Chadwick Street  
Arthur L. Wright's Subdivision



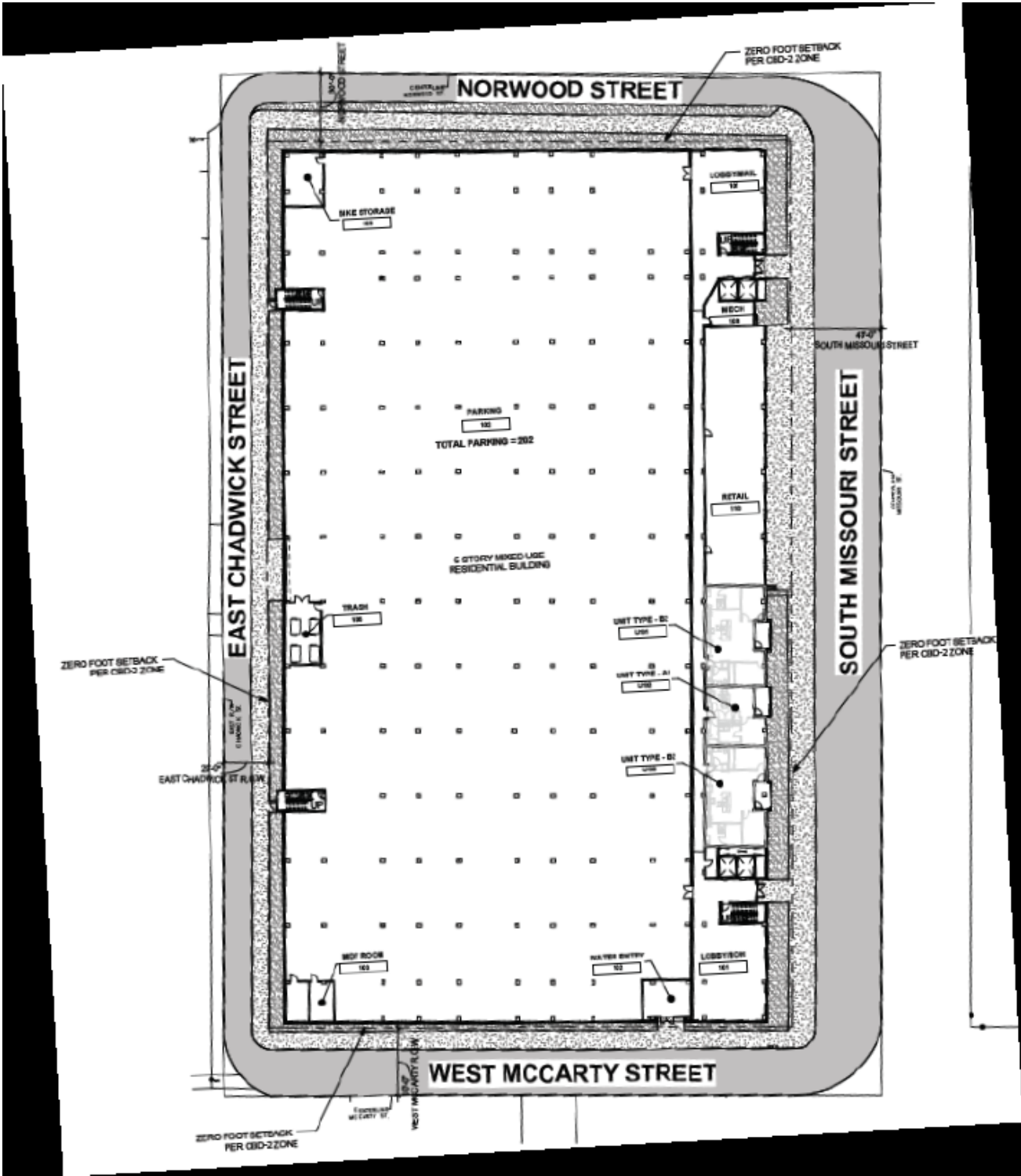
**Legend**

- IndyGo Transit Routes
- Parcels
- Project Site



Produced by: DMD BATTLE June 14, 2024

Site Plan





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

**Resolution No. 2024-A-028**

**PERSONAL PROPERTY TAX ABATEMENT**

**OMR North America, Inc.**  
4655 Gilman Street

**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,** during a hearing at 1:00 p.m. on Wednesday, August 21, 2024, the Commission received 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 this Resolution.

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

1. The Subject Real Estate is preliminarily designated as an Economic Revitalization Area 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 September 18, 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 six (6) years.
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).
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, **September 18, 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 at six (6) years, and establish an abatement schedule.
8. A copy of this Resolution shall be filed with the Marion County Assessor.

METROPOLITAN DEVELOPMENT COMMISSION

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John J. Dillion III, President

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Date

Approved as to Legal Form  
and Adequacy this 13<sup>th</sup> day  
of August 2024



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Ethan L. Hudson,  
Assistant Corporation Counsel

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

**FACTUAL INFORMATION**

Applicant: OMR North America, Inc.  
Subject Real Estate: 4655 Gilman Street  
Wayne Township Parcel Number: 9002138

**PROJECT DESCRIPTION**

OMR North America, Inc., established in 2017, currently serves as the only North American division of the renowned Italian firm Officine Meccaniche Rezzatesi. OMR specializes in manufacturing critical automotive components, including those used in engines, suspensions, gears, braking systems, and chassis, catering to a diverse range of automotive needs with high precision and quality.

OMR has proposed an expansion to add an oil pump line to its existing facility at the North American headquarters in Speedway, Indiana. This expansion project is significant as it requires an investment of at least \$10,000,000 in new equipment, enhancing the production capabilities and supporting the company's growth in the region. The facility is located within a redevelopment area and TIF District established by the Town of Speedway.

As a result of this project, OMR will retain its current workforce of 95 employees, who earn an average wage of \$24.73/hr. providing job security and stability to its existing team. The expansion is expected to create 45 new full-time permanent jobs, with an average wage of \$25.50/hr. In addition to job creation, OMR is committed to workforce development and training. The company has pledged to donate \$30,000 to a Youth Apprenticeship Program in partnership with a third-party trainer to be determined.

**FACTUAL ASSERTIONS**

1.   x   The application was filed with the Department of Metropolitan Development prior to the New Equipment being installed.
2.   x   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.   x   The specified New Equipment will be installed on the subject real estate in one of the following types of facilities:
  - A.   x   Existing facility
  - B.      Expanded facility
  - C.      New facility

D. \_\_\_ Vacated or converted facility

4. The facility meets the appropriate requirements:

A. x 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. x 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. x 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. x Is inside an Allocation Area, but Applicant's statement of benefits has been submitted to the legislative body for its approval as required by I.C.6-1.1-12.1-2(k)

**PROPOSED ABATEMENT SCHEDULE**  
**PERSONAL PROPERTY TAX ABATEMENT**

YEAR OF DEDUCTION	PERCENTAGE
1 <sup>st</sup>	100%
2 <sup>nd</sup>	100%
3 <sup>rd</sup>	100%
4 <sup>th</sup>	75%
5 <sup>th</sup>	50%
6 <sup>th</sup>	25%

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

Street Address: .....4755 Gilman Street

New Jobs Created: .....45

Jobs Retained: .....95

Estimated Cost of Equipment: \$10,000,000.00

**STAFF ANALYSIS**

OMR North America, Inc. is the North American division of Italian firm Officine Meccaniche Rezzatesi, a leading manufacturing of automotive components for use in engines, suspensions, gears, braking systems and chassis. In 2017 OMR establish a North American headquarters and production facility on a five-acre vacant site owned by the Town of Speedway.

The proposed OMR project would require an investment of at least \$10,000,000.00 in new equipment in an expansion of its existing 44,000-square foot facility built for production for the company's North American operations. As a result of the project, OMR would retain 95 jobs with an average wage of \$24.73/hr. and create 45 new full-time permanent jobs at an average wage of \$25.50/hr. Notably, 67% of the retained workforce are current residents of Marion County.

In addition to job creation, OMR is committed to workforce development and training. The company has pledged to donate \$30,000 to a Youth Apprenticeship Program in partnership with a third-party trainer to be determined. This program aims to provide certifications in essential employment areas such as Welding, Quality Control, Maintenance Technology, Safety, and Specialized Administrative roles. This investment in the future workforce, demonstrates OMR's dedication to fostering skill development and ensuring a pipeline of qualified professionals to support the automotive industry's evolving needs within Marion County.

The Town of Speedway and the Speedway Redevelopment Commission (SRC) have negotiated the proposed incentives with OMR. The proposed tax abatements would eliminate OMR's property tax obligations on eligible investments for a six-year period. Staff supports the incentive offer, as any incremental taxes generated by this project would otherwise be collected by the underlying TIF District, which is controlled by the Town and the SRC, rather than the MDC and City-County Council.

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.

**TOTALITY OF BENEFITS**

**PETITIONER:**                   **OMR North America, Inc.**

**INVESTMENT:**                   Staff estimates that the proposed investment of \$10,000,000.00 should result in an increase to the tax base of approximately \$4,000,000.00 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 \$509,822.00 (a 76.7% savings). During the abatement period, the petitioner is expected to pay an estimated \$155,246.00 in personal property taxes related to the new equipment. After the tax abatement expires, the petitioner can be expected to pay an estimated \$86,748.00 in personal property taxes annually related to the new equipment.

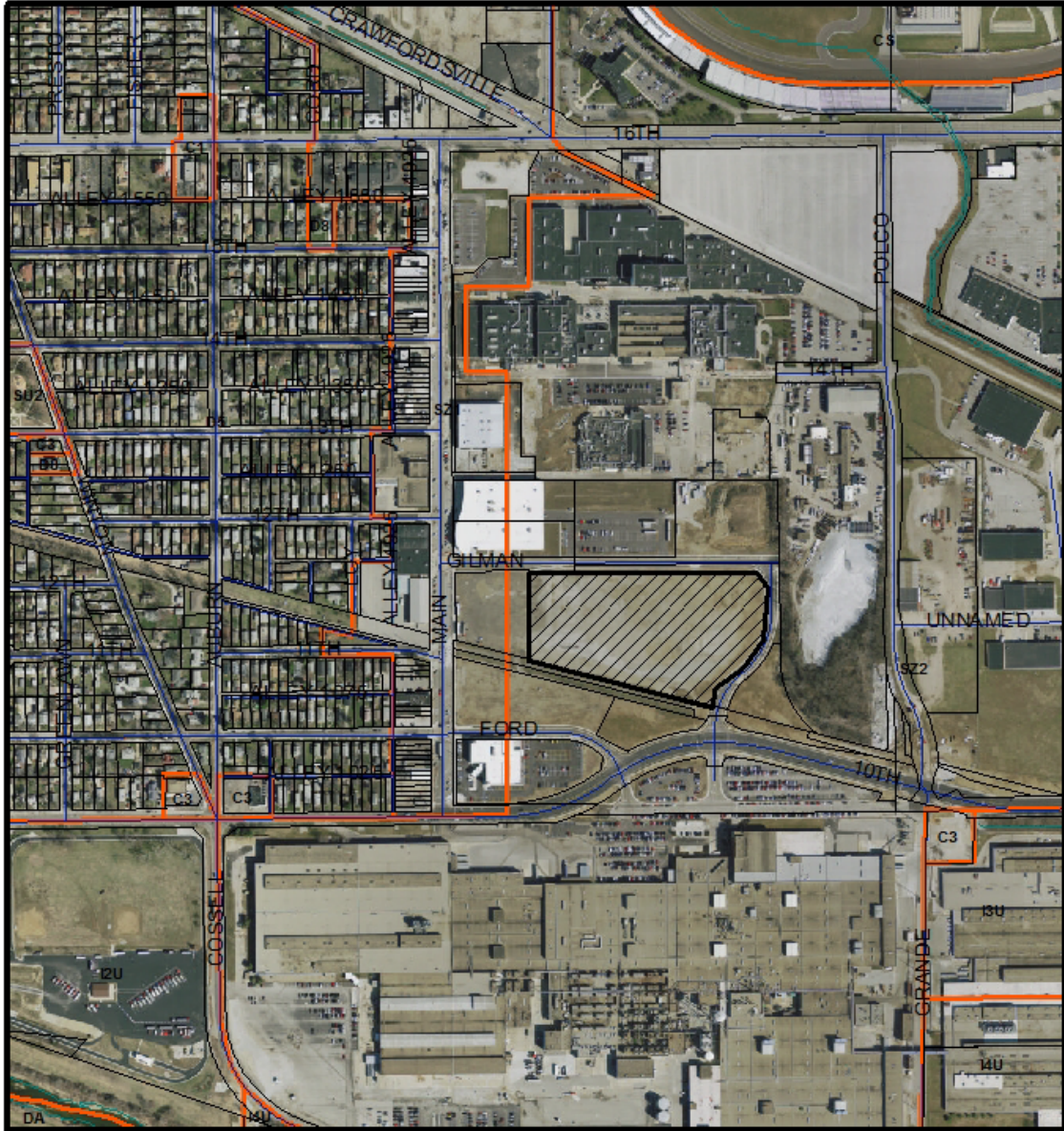
**EMPLOYMENT:**                   The petitioner estimates that this project will create forty-five (45) positions at an average wage of \$25.50/hr. Staff finds these figures to be reasonable for a project of this nature.

**OTHER BENEFITS:**                   Staff believes this project is significant for Wayne 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.

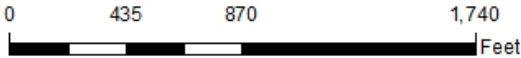


OMR North America, Inc.  
4755 Gilman Street



Legend

-  Parcels
-  Centerlines
-  Zoning
-  Project Location



Produced by DMD/CED, March 16, 2015

**RESOLUTION NO. 2024-E-029****CONFIRMATORY RESOLUTION OF THE METROPOLITAN DEVELOPMENT COMMISSION OF MARION COUNTY, INDIANA, RELATED TO THE GREATER MARTINDALE BRIGHTWOOD HOUSING REDEVELOPMENT AREA**

WHEREAS, on November 3, 2021, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the “Commission”) adopted its Resolution No. 2021-E-019 (the “Original Declaratory Resolution”) which established a housing redevelopment area known as the “Greater Martindale Brightwood Housing Redevelopment Area” (the “Original Area”) and approved a plan for the Original Redevelopment Area (the “Original Plan”) pursuant to Indiana Code 36-7-15.1 *et seq.*, and all acts supplemental and amendatory thereto (collectively, the “Act”); and

WHEREAS, on December 15, 2021, the Commission, through its Resolution 2021-E-26, confirmed the Original Declaratory Resolution which established the Original Area and approved the Original Plan; and

WHEREAS, on June 26, 2024, the Commission adopted its Resolution No. 2024-E-023 (the “Declaratory Resolution”) to (a) expand the Original Area to include the Enlarged Area (as defined in the Declaratory Resolution) (the “Enlarged Area”) and designates it the Expanded Greater Martindale Brightwood Housing Redevelopment Area; (b) establish the Reagan Park Housing TIF Allocation Area (the “Allocation Area”) as an allocation area for the purposes of capturing incremental assessed value as provided in the Act; and (c) amend the Original Plan with the Plan Amendment (as defined in the Declaratory Resolution) (the “Plan Amendment” and collectively with the Original Plan, the “Amended Plan”), pursuant to the Act;

WHEREAS, the Plan Amendment contains specific recommendations for the Arnold Place Project as further described in the Declaratory Resolution (the “Project”);

WHEREAS, on August 12, 2024, the City-County Council of the City of Indianapolis and of Marion County, Indiana (the “City-County Council”) approved the Declaratory Resolution pursuant to the Act;

WHEREAS, the Commission published notice on August 9, 2024, of the adoption and substance of the Declaratory Resolution in accordance with the Act and Indiana Code 5-3-1 which public notice also gave notice of a public hearing that was held on August 21, 2024, on the adoption of the Declaratory Resolution by the Commission at which public hearing the opportunity to have remonstrances and objections heard by the Commission was provided;

WHEREAS, the public notice described in the preceding paragraph was also filed in the office of the Department of Metropolitan Development and any other departments, bodies or officers having to do with City planning, variances from zoning ordinances, land use or the issuance of building permits;

WHEREAS, copies of the public notice were also filed with the officer authorized to fix budgets, tax rates and tax levies under Indiana Code 6-1.1-17-5 for each taxing unit that is either wholly or partly located within the proposed Enlarged Area and Allocation Area, together with a statement disclosing the impact of the Enlarged Area and Allocation Area, which includes:

- (A) The estimated economic benefits and costs incurred by the Enlarged Area and Allocation Area, as measured by increased employment and anticipated growth of real property assessed values; and
- (B) The anticipated impact on tax revenues of each taxing unit;

WHEREAS, certain estimates contained in the Declaratory Resolution and Plan Amendment have been refined, which refinements do not require additional notices or proceedings under Indiana Code 36-7-15.1 and which were described at the below referenced public hearing; and

WHEREAS, prior to the adoption of the resolutions hereinafter set forth, and at such meeting, the Commission conducted a public hearing at which the Commission heard all persons interested in the proceedings and considered all written remonstrances and objections that were filed;

WHEREAS, after being fully advised in the matter,

**NOW, THEREFORE, BE IT RESOLVED** by the Commission, as follows:

1. The Commission has considered the evidence presented and now finds and determines that it will be of public utility and benefit to proceed with the Project, with the expanding of the Original Area and the establishment of the Allocation Area, as described in the Declaratory Resolution.

2. The Commission hereby finds that the public health and welfare will be benefitted by adoption and implementation of the Amended Plan, and that the Amended Plan is reasonable and appropriate when considered in relation to the purposes of the Act and conforms to the comprehensive plan for development for the City of Indianapolis.

3. The Commission hereby finds that the Amended Plan, the Enlarged Area and Allocation Area are necessary and that the adoption of the allocation provision in the Declaratory Resolution will result in new property taxes in the Original Area that would not have been generated but for the adoption of the allocation provision and is supported by the finding of fact, evidence, testimony and other information provided to the Commission as part of its determination to expand the Original Area and establish the Allocation Area pursuant to the Declaratory Resolution and the Act.

4. The Declaratory Resolution, the Amended Plan, the Enlarged Area and Allocation Area approved by the Commission on June 26, 2024, are hereby confirmed as described in the Act

and are incorporated herein and shall be kept on file with the Secretary of the Commission and the Clerk of the City.

5. The Secretary of the Commission is hereby directed to record the final action taken by the Commission, notify the Indiana Department of Local Government Finance of the expanded Original Area and the designation of the Allocation Area within the Enlarged Area, and to file this Confirmatory Resolution with the Marion County Auditor.

6. This Confirmatory Resolution shall be effective upon passage.

*[Remainder of Page Intentionally Left Blank]*

ADOPTED AND APPROVED at a meeting of the Metropolitan Development Commission of Marion County, Indiana, held on August 21, 2024, 1:00 p.m. at the City-County Building, 2<sup>nd</sup> floor, Public Assembly Room (Room 230), Indianapolis, Indiana.

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

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John J. Dillon III, President

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

/s/ Scott A. Krapf  
Scott A. Krapf  
Frost Brown Todd LLP

This Resolution prepared by Scott A. Krapf, Frost Brown Todd LLP, 111 Monument Circle, Suite 4500, Indianapolis, Indiana 46244-0961.

LR02314.0788791 4872-4025-1855v5

**METROPOLITAN DEVELOPMENT COMMISSION  
OF MARION COUNTY, INDIANA  
RESOLUTION NO. 2024-B-002  
EIGHTEENTH SUPPLEMENTAL BOND RESOLUTION OF THE REDEVELOPMENT  
DISTRICT OF THE CITY OF INDIANAPOLIS, INDIANA, SUPPLEMENTING AND  
AMENDING RESOLUTION NO. 99-D-037, ADOPTED BY THE COMMISSION ON  
JULY 7, 1999, AS PREVIOUSLY SUPPLEMENTED AND AMENDED**

**WHEREAS**, on July 7, 1999, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the “Commission”), the governing body of the Redevelopment District of the City of Indianapolis, Indiana (the “Redevelopment District”), adopted its Amended and Restated Bond Resolution (Resolution No. 99-D-037) (the “Original Bond Resolution”), as supplemented and amended from time to time (collectively, the “Master Bond Resolution”), which sets forth the conditions for the issuance of Senior Bonds, Subordinate Bonds, Junior Subordinate Bonds and Junior Junior Subordinate Bonds (all as defined in the Master Bond Resolution) which are payable from Tax Increment (as defined in the Master Bond Resolution); and

**WHEREAS**, on July 7, 2004, the Commission adopted its Resolution No. 04-R-057, as a supplemental resolution to the Master Bond Resolution (the “Original Junior Subordinate Bond Resolution”), which has been further supplemented and amended by (i) the First Supplemental Bond Resolution (Resolution No. 2010-B-033) adopted by the Commission on December 1, 2010 (the “First Supplemental Junior Subordinate Bond Resolution”), (ii) the Second Supplemental Bond Resolution (Resolution No. 2017-E-021) adopted by the Commission on July 19, 2017 (the “Second Supplemental Junior Subordinate Bond Resolution”), (iii) Resolution No. 2018-E-010 adopted by the Commission on April 18, 2018 (the “Third Supplemental Junior Subordinate Bond Resolution”); and (iv) Resolution No. 2021-BB-001 adopted by the Commission on February 17, 2021 (the “Fourth Supplemental Junior Subordinate Bond Resolution,” and together with the Original Junior Subordinate Bond Resolution, the First Supplemental Junior Subordinate Bond Resolution, the Second Supplemental Junior Subordinate Bond Resolution and the Third Supplemental Junior Subordinate Bond Resolution, collectively, the “Junior Subordinate Resolution”), all for the purpose of authorizing and/or securing multiple series of Junior Subordinate Bonds; and

**WHEREAS**, on September 19, 2018, the Commission adopted its Thirteenth Supplemental Bond Resolution (Resolution No. 2018-E-045), supplementing and amending the Master Bond Resolution and Junior Subordinate Resolution to permit the issuance of Junior-Junior Subordinate Bonds (as defined therein); and

**WHEREAS**, pursuant to Section 17(i) of the Master Bond Resolution, the Commission may adopt supplemental resolutions for any purpose which in the judgment of the Commission and the Redevelopment District Trustee (as defined herein) does not adversely affect the interests of the Owners of the Bonds (each as defined in the Master Bond Resolution); provided, however, for so long as The Indianapolis Local Public Improvement Bond Bank (the “Bond Bank”) is the Owner of any Bonds issued pursuant to and secured by the Master Bond Resolution, the

Commission must obtain the Bond Bank’s written consent and approval to any such supplemental resolution; and

**WHEREAS**, pursuant to the Master Bond Resolution, the Commission has pledged Tax Increment derived from the Consolidated Redevelopment Allocation Area (the “Allocation Area”) and deposited into the Subordinate Principal and Interest Account and Subordinate Reserve Account of the Allocation Fund (each as defined in the Master Bond Resolution) to various series of Subordinate Bonds issued for the construction of improvements in the Allocation Area or to the repayment of previously issued Subordinate Bonds; and

**WHEREAS**, as of the date hereof, there are no Senior Bonds outstanding under the Master Bond Resolution and pursuant to the Master Bond Resolution, the Redevelopment District has covenanted that it will not authorize or issue any additional Senior Bonds for any purpose; and

**WHEREAS**, the Bond Bank is currently the owner of certain of the outstanding Subordinate Bonds and Junior Subordinate Bonds issued under and secured by the Master Bond Resolution and the Original Junior Subordinate Bond Resolution, as previously supplemented and amended; and

**WHEREAS**, the Commission has now determined that it will be in the best interests of the Redevelopment District to further supplement and amend the Master Bond Resolution and the Junior Subordinate Bond Resolution in order to further pledge the Tax Increment as described herein, and such supplements and amendments to the terms of such resolutions do not adversely affect the interests of the owners of the Subordinate Bonds or the Junior Subordinate Bonds; and

**WHEREAS**, the Commission, in cooperation with the City, desires to finance certain projects, additions or improvements within the City, including all or any portion of: (a) the costs of the acquisition, planning, design, construction, inspection and equipping by the City of various projects identified on Exhibit A hereto and any projects related to such improvements and any and all costs related thereto, all of which are in the Allocation Area previously created by the Commission; (b) funding a debt service reserve fund or paying the costs of a premium for a debt service reserve fund surety policy (if necessary); (c) paying capitalized interest on the 2024D Bonds (as defined herein) until completion of each project (if necessary); and (d) paying all costs of issuing the 2024D Bonds (collectively, the “Projects”); and

**WHEREAS**, it would be of public utility and benefit and in the best interests of the City, the Commission and the Redevelopment District (the “District”) and its citizens to complete the Projects, which will provide special benefits to property owners in the District; and

**WHEREAS**, the Commission desires to issue one or more series of its City of Indianapolis, Indiana Redevelopment District Tax Increment Revenue Bonds, Series 2024D (with such further series or other designation as determined to be necessary, desirable or appropriate), in a maximum aggregate principal amount not to exceed Sixty Million Dollars (\$60,000,000) (the “2024D Bonds”), with a maximum term not to exceed twenty-five (25) years, and bear ordinary interest at rates not to exceed eight percent (8.0%), and which shall be issued in the name of the City, for and on behalf of the District, and approving and authorizing other actions in respect thereto;

**WHEREAS**, the pledge of Tax Increment to the 2024D Bonds shall be, in all respects (i) on a parity with the other Subordinate Bonds issued under the Master Bond Resolution and (ii) senior to the pledge of Tax Increment to all other obligations of the District or the City payable from Tax Increment.

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. Definitions.** All terms used in the Master Bond Resolution shall have the same meaning in this Eighteenth Supplemental Bond Resolution, except as specifically provided otherwise herein. In addition, the following terms used in this Eighteenth Supplemental Resolution shall have the following meanings unless the context or use indicates another or different meaning or intent:

“Bond Bank” shall have the meaning set forth in the recital clauses herein.

“Bonds” means, collectively, Senior Bonds, Subordinate Bonds, Junior Subordinate Bonds and Junior-Junior Subordinate Bonds which are then Outstanding.

“City Bond Indenture” means the Trust Indenture providing for the issuance of the 2024D Bonds.

“City Bond Trustee” means the Trustee for the 2024D Bonds under the City Bond Indenture.

“City Projects” shall have the meaning set forth in the recital clauses herein.

“Consolidated Parity Bonds” means, the 1999A Bonds, the Reissued 2011C Bonds, the 2019A Bonds, the 2022A Bonds, the 2022B Bonds, the 2022D Bonds, the 2022E Bonds, the 2022F Bonds, the 2022A Subordinate District Bonds, and the 2022B Subordinate District Bonds and any other bonds issued in the future that have a parity lien on the Tax Increment with the 2024 Qualified Obligations.

“Eighteenth Supplemental Resolution” means this Eighteenth Supplemental Bond Resolution, adopted by the Commission, as the same may be amended or supplemented from time to time.

“Junior-Junior Subordinate Bonds” shall have the meaning set forth in the recital clauses herein.

“Master Bond Resolution” means, collectively, (a) the Original Bond Resolution, as supplemented and amended from time to time by various supplemental resolutions, including this Eighteenth Supplemental Bond Resolution, and (b) Resolution No. 99-D-010 adopted by the Commission on March 3, 1999, and Resolution No. 01-R-005 adopted by the Commission on January 3, 2001, pledging the depreciable personal property tax increment from the designated taxpayer in the Harding Street Project Allocation Area to the Allocation Fund (as defined in the Master Bond Resolution), as each of the same may be supplemented or amended from time to time.



“Redevelopment District Trustee” means The Bank of New York Mellon Trust Company, N.A. (successor to Bank One Trust Company, NA), as trustee under the Master Bond Resolution.

“Reissued 2011C Bonds” means City of Indianapolis, Indiana, Economic Development Tax Increment Revenue Bonds, Series 2011C.

“Subordinate Debt Service Reserve Requirement” shall have the meaning set forth in the Master Bond Resolution.

“Subordinate Principal and Interest Account” means the Subordinate Principal and Interest Account established under the Master Bond Resolution.

“Subordinate Reserve Account” means the Subordinate Reserve Account established under the Master Bond Resolution.

“1999A Subordinate Bonds” means the City of Indianapolis, Indiana, Redevelopment District Tax Increment Refunding Revenue Bonds of 1999, Series A (Capital Appreciation Bonds).

“2019A Bonds” means the City of Indianapolis, Indiana, Economic Development Tax Increment Revenue Bonds, Series 2019A (16 Tech Project).

“2022A Bonds” means the City of Indianapolis, Indiana, Economic Development Tax Increment Revenue Bonds, Series 2022A (Indy/Penn Center Hotel Garage Project).

“2022A Subordinate District Bonds” means City of Indianapolis, Indiana, Redevelopment District Tax Increment Revenue Bonds of 2022, Series A.

“2022B Bonds” means the City of Indianapolis, Indiana, Economic Development Tax Increment Revenue Bonds, Series 2022B (Elanco Project).

“2022B Subordinate District Bonds” means City of Indianapolis, Indiana, Redevelopment District Tax Increment Revenue Bonds of 2022, Series B.

“2022D Bonds” means the City of Indianapolis, Indiana, Economic Development Tax Increment Revenue Bonds, Series 2022D.

“2022E Bonds” means City of Indianapolis, Indiana, Economic Development Tax Increment Revenue Bonds, Series 2022E.

“2022F Bonds” means City of Indianapolis, Indiana, Economic Development Tax Increment Revenue Bonds, Series 2022F.

“2024D Bonds” means the City of Indianapolis, Indiana Redevelopment District Tax Increment Revenue Bonds, Series 2024D.

“2024E Bonds” means the City of Indianapolis, Indiana Economic Development Refunding Revenue Bonds, Series 2024E.

“2024 Qualified Obligations” means the 2024D Bonds and the 2024E Bonds.

**SECTION 2. Authorization of 2024D Bonds and Pledge of Tax Increment.**

(a) The Commission hereby authorizes one or more series of its City of Indianapolis, Indiana Redevelopment District Tax Increment Revenue Bonds, Series 2024D (with such further series or other designation as determined to be necessary, desirable or appropriate), in a maximum aggregate principal amount not to exceed Sixty Million Dollars (\$60,000,000) (the “2024D Bonds”) in denominations of \$5000 and integral multiples thereof, with a maximum term not to exceed twenty-five (25) years, bearing ordinary interest at rates not to exceed eight percent (8.0%), which may be sold at a price of not less than 97% and which shall be issued in the name of the City, for and on behalf of the District, and such 2024D Bonds may be redeemable prior to maturity, at the election of the Commission, and the Commission hereby approves and authorizes any other actions in respect thereto;

(b) The Commission hereby authorizes the Director of the Department of Metropolitan Development (“DMD”) to approve and confirm the findings and estimates required to be certified under Section 8(B)(5) of the Master Bond Resolution, relating to the amount of Tax Increment to be received each year, such approval and confirmation to be made prior to the issuance of any series of Subordinate Bonds hereunder, based upon a report prepared by a financial or municipal advisory firm selected by the Bond Bank.

(c) For the purpose of assisting the City to secure funds for the issuance of the 2024D Bonds, the Commission and the District hereby pledge the Trust Estate (which includes the Tax Increment) to the payment of the 2024D Bonds. Each 2024D Bond shall be treated as a Subordinate Bond (as defined in the Master Bond Resolution). Such pledge to the Subordinate Bonds is senior to the Commission’s pledge of the Tax Increment to all other obligations of the District or the City which are payable from the Tax Increment.

**SECTION 3. Required Deposits; Transfers to City Trustee.**

(a) Pursuant to Section 8(B)(4) of the Master Bond Resolution, the Commission and the District hereby covenant that the District will have on deposit in the Subordinate Reserve Account immediately after the issuance of a series of the 2024D Bonds an amount equal to the Subordinate Debt Service Reserve Requirement, computed for the aggregate of all Subordinate Bonds then Outstanding, including the pledge of Tax Increment to such series of the 2024D Bonds.

(b) The Commission and the District hereby covenant that it shall cause the Redevelopment District Trustee to immediately transfer the Tax Increment deposited into the Subordinate Principal and Interest Account, in the manner provided under Section 7(G) of the Master Bond Resolution, to the City Bond Trustee for deposit into the Bond Fund established and held under the City Bond Indenture in an amount necessary to pay the debt service on the 2024D

Bonds, plus Annual Fees (as defined in the City Bond Indenture) coming due during the following six month period.

(c) For purposes of calculating the amount of Tax Increment required to be deposited into the Subordinate Principal and Interest Account pursuant to the Master Bond Resolution with respect to the 2024D Bonds, the City Trustee, at least fifteen (15) days prior to each Interest Payment Date with respect to the 2024D Bonds, shall notify the City Controller and the Redevelopment District Trustee of any amounts already on deposit in the Bond Fund (as defined in the City Bond Indenture) with respect to the 2024D Bonds. The City Controller and the Redevelopment District Trustee shall reduce the amount to be deposited into the Subordinate Principal and Interest Account and transferred to the City Trustee by any amounts already on deposit in the Bond Fund.

SECTION 4. **Future Pledges of Tax Increment.** The Commission and the District reserve the right to issue bonds, enter into leases, or enter into additional pledges payable from Tax Increment, in whole or in part, on a parity with the pledge thereof to the 2024D Bonds for any purpose permitted by law (collectively, “Parity Obligations”). The authorization and issuance of such Parity Obligations shall be subject to the terms and conditions precedent set forth in Section 8 of the Master Bond Resolution. Except as otherwise provided in the Master Bond Resolution, the terms and conditions of any Parity Obligations shall be set forth in the resolution authorizing such Parity Obligations.

SECTION 5. **Further Actions.** In connection with the issuance of the 2024D Bonds, the Commission hereby authorizes and directs the Mayor, the City Controller, the officers of the Commission and the Director of DMD, both collectively and in their individual capacities, to take such further actions and execute such documents as they deem necessary or advisable to effectuate the authorizations set forth in this Eighteenth Supplemental Resolution, including the issuance of the 2024D Bonds, in form and substance and on terms and conditions acceptable to such officer of the City, the Commission or DMD executing the same, together with any and all changes as may be necessary, desirable or appropriate, which such approval of the form and substance and any changes thereto conclusively evidenced by such officer’s execution thereof to facilitate the expenditure of the Tax Increment on costs of the issuance of the 2024D Bonds.

SECTION 6. **Effectiveness; Consent of Bond Bank Required.** This Eighteenth Supplemental Resolution shall not be effective unless and until (a) the Bond Bank, as the owner of certain of the outstanding Subordinate Bonds, Junior Subordinate Bonds and Junior-Junior Subordinate Bonds, in accordance with the applicable provisions of the Master Bond Resolution, consents to and approves the adoption of this Eighteenth Supplemental Resolution, (b) either the Commission complies with all applicable notice requirements in the Master Bond Resolution, or all such notice requirements are waived in writing by the Bond Bank as the owner of all or certain of the outstanding Subordinate Bonds, Junior Subordinate Bonds and Junior-Junior Subordinate Bonds, and (c) the Bond Bank delivers a written certification consenting to and approving the adoption of this Eighteenth Supplemental Resolution. As supplemented and amended by this Eighteenth Supplemental Resolution upon its effective date, the Master Bond Resolution, as previously supplemented and amended, shall remain in full force and effect.

SECTION 7. **2024E Bonds**. The Commission specifically ratifies and confirms the provisions of the Seventeenth Supplemental Bond Resolution (Resolution No. 2022-E-033) adopted on August 3, 2022 authorizing the issuance of refunding bonds and to proceed to complete the refunding of all or a portion of any remaining bonds authorized for refunding thereunder in accordance with such terms.

**ADOPTED AND APPROVED** at a meeting of the Metropolitan Development Commission of Marion County, Indiana, held on August 21, 2024, at the City-County Building, 2<sup>nd</sup> floor, Public Assembly Room (Room 230), Indianapolis, Indiana.

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

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John J. Dillon III, President

This Resolution prepared by Frost Brown Todd LLP, 111 Monument Circle, Suite 4500, Indianapolis, IN 46244

**EXHIBIT A**

- East Washington Street
- Market Street (Capitol to Illinois)
- Market Street (Pennsylvania to Delaware)
- Illinois Street + Capital Avenue Underpass
- East Henry Street
- Maryland Avenue /Alabama Street Realignment
- South Capital Avenue
- 10th and Lewis Street
- Georgia Street
- Virginia Avenue /Delaware Avenue realignment

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**METROPOLITAN DEVELOPMENT COMMISSION** **August 21, 2024**

**Case Number:** 2024-ZON-059 (Amended)  
**Property Address:** 2345 South Arlington Avenue  
**Location:** Warren Township, Council district #20  
**Petitioner:** Doris M. Lambert, by Teri L. Hutchison  
**Current Zoning:** D-A (FF)  
**Request:** Rezoning of five acres from the D-A (FF) district to the C-1 (FF) district to provide for office-buffer commercial uses.  
**Current Land Use:** Single-family dwelling  
**Staff Recommendations:** Approval, subject to the commitments noted below.  
**Staff Reviewer:** Kathleen Blackham, Senior Planner

**PETITION HISTORY**

The Hearing Examiner acknowledged the automatic continuance filed by a registered neighborhood organization that continued this petition from the June 13, 2024 hearing, to the July 11, 2024 hearing.

The Hearing Examiner continued this petition from the July 11, 2024 hearing, to the July 25, 2024 hearing, at the request of the petitioner’s representative.

This petition was heard by the Hearing Examiner on July 25, 2024. After a full hearing, the Hearing Examiner recommended approval of the rezoning. Subsequently, a remonstrator filed an appeal of the Hearing Examiner’s decision. A memorandum of her recommendation is attached.

**STAFF RECOMMENDATION**

Approval subject to the following commitments being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

1. A 59.5-foot half right-of-way shall be dedicated along the frontage of South Arlington Avenue, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).



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2. A tree inventory, tree assessment and preservation plan prepared by a certified arborist shall be submitted for Administrator Approval prior to preliminary plat approval and prior to any site preparation activity or disturbance of the site. This plan shall, at a minimum: a) indicate proposed development; b) delineate the location of the existing trees, c) characterize the size and species of such trees, d) indicate the wooded areas to be saved by shading or some other means of indicating tree areas to be preserved and e) identify the method of preservation (e.g. provision of snow fencing or staked straw bales at the individual tree's dripline during construction activity). All trees proposed for removal shall be indicated as such.
  
3. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptables provided for the proper disposal of trash and other waste.

## PETITION OVERVIEW

This 5.0-acre site, zoned D-A (FF), is developed a single-family dwelling. It is surrounded by single-family dwellings to the north, zoned D-A (FF); commercial uses to the south zoned C-3 and C-S; a single-family dwelling and undeveloped land to the east, zoned D-A; and vacant land and single-family dwellings to the west, across South Arlington Avenue, zoned C-3 and D-2, respectively.

Petition 2022-ZON-025 requested rezoning to the C-7 district to provide for a commercial contracting business but was withdrawn.

## REZONING

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

The Comprehensive Plan recommends suburban neighborhood typology for this site, which does allow for low intense small scale, neighborhood commercial uses that would be limited to lots less than 1.5 acres, with a limited aggregate of 3.5 acres per intersection. Currently, this intersection has over 11.64 acres that are commercially zoned or variances granted for commercial uses. Despite the expansion of commercial uses at this intersection, staff believes this request would serve as a buffer from the more intense commercial uses surrounding this intersection of Arlington Avenue and Southeastern Avenue.





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## **Department of Public Works**

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 59.5-foot half right-of-way along South Arlington Avenue. This dedication would also be consistent with the Marion County Thoroughfare Plan.

## **Floodway Fringe**

This site has a secondary zoning classification of a Floodway Fringe (FF), which is the portion of the regulatory floodplain that is not required to convey the 100-year frequency flood peak discharge and lies outside of the floodway.

The designation of the FF District is to guide development in areas subject to potential flood damage, but outside the Floodway (FW) District. Unless otherwise prohibited, all uses permitted in the primary zoning district (C-3 in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance.

Henninger Ditch, including a 500-year unregulated flood plain is located within the northeast portion of the site.

## **Tree Preservation / Heritage Tree Conservation**

The entire site is covered with natural vegetation and trees. Due to their inherent ecological, aesthetic, and buffering qualities, the maximum number of these existing trees should be preserved on the site.

All development shall be in a manner that causes the least amount of disruption to the trees.

A tree inventory, tree assessment and preservation plan prepared by a certified arborist shall be submitted for Administrator Approval prior to any site preparation activity or disturbance of the site. This plan shall, at a minimum: a) indicate proposed development, b) delineate the location of the existing trees, c) characterize the size and species of such trees, d) indicate the wooded areas to be saved by shading or some other means of indicating tree areas to be preserved and e) identify the method of preservation (e.g. provision of snow fencing or staked straw bales at the individual tree's dripline during construction activity). All trees proposed for removal shall be indicated as such.

If any of the trees are heritage trees that would be impacted, then the Ordinance requires that the Administrator, Urban Forester or Director of Public Works determine whether the tree(s) would be preserved or removed and replaced.



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The Ordinance defines “heritage tree” as a tree over 18 inches Diameter at Breast Height (DBH) and one of the Heritage tree species. Heritage tree species include: Sugar Maple (*Acer saccharum*), Shagbark Hickory (*Carya ovata*), Hackberry (*Celtis occidentalis*), Yellowwood (*Cladrastus kentukea*), American Beech (*Fagus grandifolia*), Kentucky Coffeetree (*Gymnocladus dioica*), Walnut or Butternut (*Juglans*), Tulip Poplar (*Liriodendron tulipifera*), Sweet Gum (*Liquidambar styraciflua*), Black Gum (*Nyssa sylvatica*), American Sycamore (*Platanus occidentalis*), Eastern Cottonwood (*Populus deltoides*), American Elm (*Ulmus americana*), Red Elm (*Ulmus rubra*) and any oak species (*Quercus*, all spp.)

The Ordinance also provides for replacement of heritage trees if a heritage tree is removed or dies within three years of the Improvement Location issuance date. See Exhibit A, Table 744-503-3: Replacement Trees.

### **Environmental Public Nuisances**

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

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

Environmental public nuisance means:

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

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

## GENERAL INFORMATION

<b>Existing Zoning</b>	D-A (FF)		
<b>Existing Land Use</b>	Single-family dwelling		
<b>Comprehensive Plan</b>	Suburban Neighborhood		
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>	
	North:	D-A (FF)	Single-family dwelling
	South:	C-3 / C-S	Commercial uses
	East:	D-A	Single-family dwelling / undeveloped land
	West:	C-3 / D-2	Vacant land / Single-family dwelling
<b>Thoroughfare Plan</b>			
South Arlington Avenue	Primary arterial	Existing 45-foot right-of-way and proposed 119-foot right-of-way.	
<b>Context Area</b>	Metro		
<b>Floodway / Floodway Fringe</b>	Yes – unregulated 500-year floodplain		
<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

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

**Pattern Book / Land Use Plan**

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

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

- *Conditions for All Land Use Types – Suburban Neighborhood Typology*
  - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
  - All development should include sidewalks along the street frontage
  - Hydrological patterns should be preserved wherever possible
  - Curvilinear streets should be used with discretion and should maintain the same general direction.
  - In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.
  
- *Small-Scale Offices, Retailing, and Personal or Professional Services (defined as commercial uses with minimal outdoor operations, storage, or display on lots of less than 1.5 acres and a height of less than 35 feet.)*
  - If proposed within one-half mile along an adjoining street of an existing or approved residential development, then connecting, continuous pedestrian infrastructure between the proposed site and the residential development (sidewalk, greenway, or off-street path) should be in place or provided.
  - Should be located at the intersections of arterial streets and should be no closer than one mile to another commercial node with one acre or more of commercial uses except as reuse of a historic building.
  - Should be limited to an aggregate of 3.5 acres per intersection, with no one corner having more than 1.5 acres.
  - Should be limited to areas and parcels with adequate space for required screening and buffering.
  - Automotive uses (such as gas stations and auto repair) and uses requiring a distance of separation of greater than 20 feet under the zoning ordinance (such as liquor stores, adult uses, and drive-through lanes) are excluded.
  - Should not include outdoor display of merchandise.

**Red Line / Blue Line / Purple Line TOD Strategic Plan**

- Not Applicable to the Site.



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**Neighborhood / Area Specific Plan**

- Not Applicable to the Site.

**Infill Housing Guidelines**

- Not Applicable to the Site.

**Indy Moves**

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

- The Marion County Thoroughfare Plan (2019) “is a long-range plan that identifies the locations classifications and different infrastructure elements of roadways within a defined area.”
- The following listed items describes the purpose, policies and tools:
  - Classify roadways based on their location, purpose in the overall network and what land use they serve.
  - Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
  - Set requirements for preserving the right-of-way (ROW)
  - Identify roadways for planned expansions or new terrain roadways
  - Coordinate modal plans into a single linear network through its GIS database
- A bike lane along South Arlington Avenue is proposed from Raymond Street to Southeastern Avenue.



## ZONING HISTORY

**2022-ZON-025; 2345 South Arlington Avenue**, requested rezoning of five acres from the D-A district to the C-7 district to provide for a commercial contracting business, **withdrawn**.

### VICINITY

**2023-ZON-001; 5960 Southeastern Avenue (west of site)**, requested rezoning of 0.93 acres from the C-3 district to the C-4 district to provide for a gas station/convenience store, **denied**.

**2020-ZON-071; 6002 Southeastern Avenue (south of site)**, requested rezoning of 0.70 acre from the C-3 district to the C-4 district, **withdrawn**.

**2016-ZON-052; 6011 Southeastern Ave (south of site)**, requested rezoning of two acres from the C-3 district to the C-4 district, **denied**.

**2007-ZON-082; 6011 Southeastern Avenue (south of site)**, requested rezoning of 0.5 acre from the D-A district to the C-3 district, **approved**.

**2004-ZON-048; 6010 and 6020 (east of site)**, requested the rezoning of three acres from the D-A and C-3 districts to the C-3 district, **approved**.

**95-UV1-81; 6020 Southeastern Avenue (east of site)**, requested a variance of use to provide for an office in a dwelling district, **approved**.

**91-UV3-103; 5990 Southeastern Avenue (west of site)**, requested a variance of use to provide for outdoor automobile sales and variances of development standards for deficient landscaping and deficient transitional yards, **approved**.

**85-Z-145; 6011 Southeastern Avenue (south of site)**, requested a rezoning of one acre from the A-2 district to the C-7 classification, **withdrawn**.

**85-UV2-78; 6030 Southeastern Avenue (south of site)**, requested a variance of use to provide for the display and sales of automobiles in a dwelling district, **withdrawn**.



**MEMORANDUM OF EXAMINER’S DECISION**

**2024-ZON-059 (amended)**

**2345 S. Arlington Avenue**

The petition requests the rezoning of 5 acres from the D-A (FF) district to the C-1 (FF) district to provide for office-buffer commercial uses.

Your Hearing Examiner visited the site prior to the hearing and noted the heavy commercial uses at the intersection of Arlington and Southeastern Avenues, said intersection being just south of this site. Several residences remain in the area on larger lots.

The petitioner’s representative shared that the original request for C-3 was amended to C-1. Although there is not currently a buyer, the petitioner is willing to agree to commitments requested by staff, including the preparation of a tree inventory, tree assessment and preservation plan prepared by a certified arborist. Petitioner also agreed to submit a site plan for Administrator’s approval prior to applying for permits, and to share this plan with neighbors.

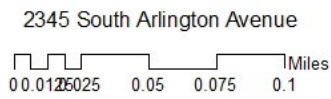
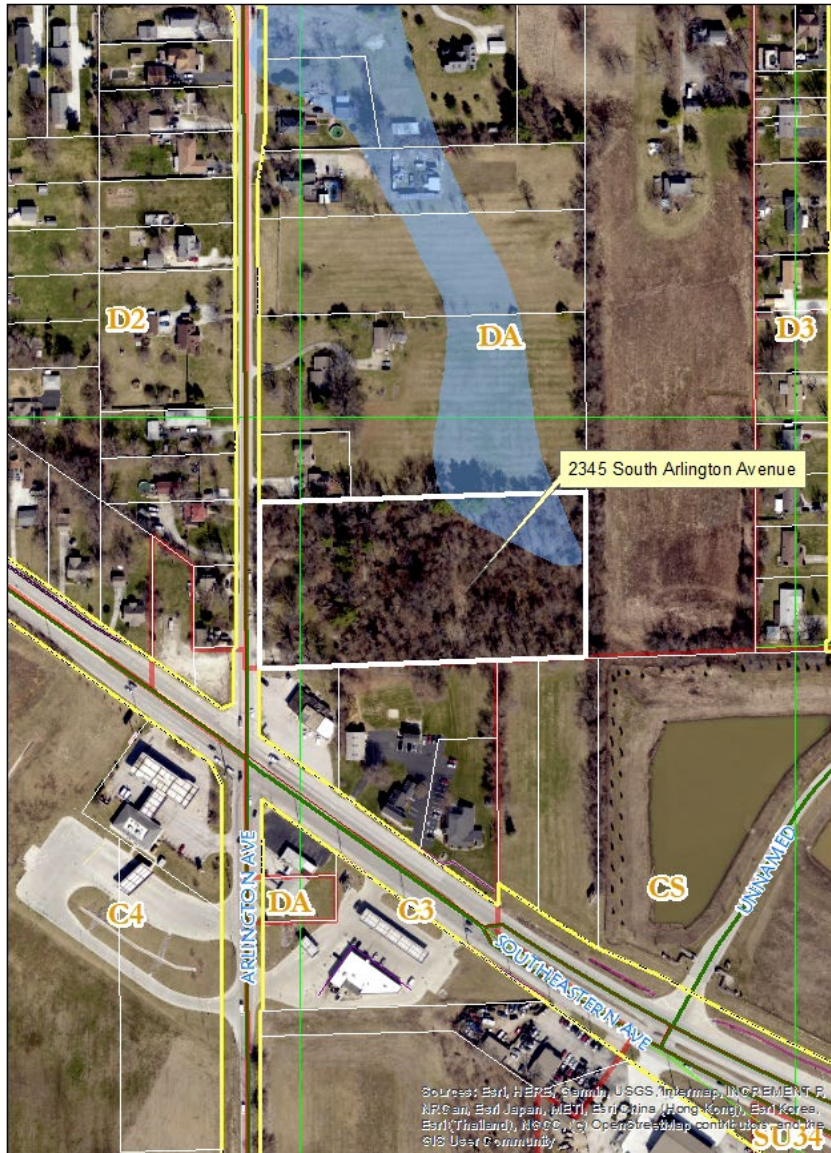
Three remonstrators spoke at the hearing, and there were several letters and a petition of opposition. Concerns stated included commercial encroachment, lack of development plan, removal of trees, heavy traffic, and the abundance of development in Warren Township. A letter also cited the recent adoption of an ordinance by the City-County Council to support the allocation of funds in the 2025 budget for the preservation of urban forests.

Staff commented that amending the petition from C-3 to C-1 was appropriate, and that C-1 would establish a buffer between the heavy commercial uses at the intersection and the residences north of this site. Staff also reiterated that the request conformed with the Comp Plan recommendation.

In your Hearing Examiner’s opinion, the requested C-1 district is an appropriate buffer, and the proposed commitments provide protection of the environmental assets on the site. Approval of this petition was recommended.

For Metropolitan Development Commission Hearing on August 21, 2024

**EXHIBITS**







**Exhibit A**

**Heritage Tree Conservation**

Removal of any Heritage Tree is prohibited unless any of the following determinations are made before removal:

1. The Administrator or the city’s Urban Forester determines that the tree is dead, significantly and terminally diseased, a threat to public health or safety, or is of an undesirable or nuisance species.
2. The Director of the Department of Public Works determines that the tree interferes with the provision of public services or is a hazard to traffic.
3. The Administrator determines that the location of the tree is preventing development or redevelopment that cannot be physically designed to protect the tree.
4. The site from which the tree is removed is zoned D-A and the tree is harvested as timber or similar forestry product.

**Table 744-503-3: Replacement Trees**

<b>Size of tree removed or dead (inches)</b>	<b>Number of Trees to be planted to replace a Heritage Tree</b>	<b>Number of Trees to be planted to replace an existing tree</b>
Over 36 DBH	15	10
25.5 to 36 DBH	11	8
13 to 25 DBH	8	6
10.5 to 12.5 DBH	6	4
8.5 to 10 DBH	5	4
6.5 to 8	3	2
4 to 6	2	2
2.5 to 3.5	1	1



View looking south along South Arlington Avenue



View looking north along South Arlington Avenue



View of site looking northeast across South Arlington Avenue



View from site looking northwest across South Arlington Avenue



View from site looking west across South Arlington Avenue



View from site looking south at adjacent property



View looking east at intersection of South Arlington Avenue and Southeastern Avenue



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## METROPOLITAN DEVELOPMENT COMMISSION

August 15, 2024

<b>Case Number:</b>	2024-ZON-079
<b>Property Address:</b>	2400 and 2406 North Tibbs Avenue (approximate addresses)
<b>Location:</b>	Wayne Township, Council District #11
<b>Petitioner:</b>	Noble, Inc., by Joseph D. Calderon
<b>Current Zoning:</b>	SU-7
<b>Request:</b>	Rezoning of 14.7 acres from the SU-7 District to the D-P District, to provide for a fire station, attached multi-family dwellings, a community center, community garden, indoor and outdoor recreation facilities, offices, medical and dental center, or clinic, surface parking and uses permitted in the SU-7 and SU-9 districts.
<b>Current Land Use:</b>	Offices
<b>Staff Recommendations:</b>	To be determined.
<b>Staff Reviewer:</b>	Marleny Iraheta, Senior Planner

## PETITION HISTORY

Staff will be requesting a **continuance for cause from the August 15, 2024 hearing to the September 4, 2024** hearing with additional notice due a staff error with the publication of the legal notice.

## STAFF RECOMMENDATION

Staff recommendation to be determined.

## PETITION OVERVIEW

This petition is to be continued to the September 4, 2024 hearing.