



Metropolitan Development Commission Hearing (May 6, 2026) Meeting Notice

Meeting Details

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

Date: Wednesday, May 06, 2026

Time: 1:00 PM

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

Business:

Adoption of Meeting Minutes: April 15, 2026

Special Requests

Policy Resolutions:

REAL ESTATE:

1. 2026-R-013

Authorizes the Department of Metropolitan Development to convey title or an option to purchase title of Property to transferee as approved by Vacant to Vibrant Review Committee for the purpose of providing development that will best serve the interest of the City.

ECONOMIC DEVELOPMENT / INCENTIVES:

2. 2026-A-012 (For Public Hearing)

Final Economic Revitalization Area Resolution for TAG Midwest Properties, LLC located at 8205, 8215 & 8345 Georgetown Road, 4635 West 84th Street, and 4925 West 86th Street, Council District #1, Pike Township. (Recommend approval of six (6) years real property tax abatement.)

3. 2026-A-013 (For Public Hearing)

Final Economic Revitalization Area Resolution for TC Heartland LLC dba Heartland Food Products Group located at 8205, 8215 & 8345 Georgetown Road, 4635 West 84th Street, and 4925 West 86th Street, Council District #1, Pike Township. (Recommend approval of six (6) years personal property tax abatement.)

4. 2026-E-002

Authorizes the Metropolitan Development Commission to reimburse the Department of Public Works for reasonable expenditures associated with improving the alley known as North Alley 3750 behind the United States Postal Office, located at 2830 North Sherman Drive, Indianapolis.

5. 2026-A-018

Preliminary Economic Revitalization Area Resolution for Zima International Inc., located at 6900 English Avenue, Council District #20, Warren Township. (Recommend approval of seven (7) years personal property tax abatement.)

PLANNING:

6. 2026-P-006

Authorizes the Department of Metropolitan Development to negotiate and execute an Agreement with Nelson/Nygaard Consulting Associates, Inc., for a term through December 31, 2027, for a contractual amount not to exceed \$350,780, to provide an inventory of available parking in various areas.

HISTORIC PRESERVATION:

7. 2026-HP-001 (For Public Hearing)

Adopts the "Circle Tower Historic Area Plan - 45" into the Comprehensive Plan for Indianapolis-Marion County. The Plan maps out two interior spaces that make up the historic area located at 55 Monument Circle and provides preservation guidelines and recommendations based on the historic, architectural, and cultural significance of the two interior spaces, which include the first-floor lobby and the second-floor 1930's historic barber shop.

Zoning Petitions:

PETITIONS OF NO APPEAL (RECOMMENDED FOR APPROVAL):

8. 2026-APP-005 | 4600 Sunset Avenue

Washington Township, Council District #7
UQ-1
Butler University, by Brian J. Touhy

University Quarter One Approval to provide for a 16,000 square-foot ballroom that will connect to the existing Clowes Memorial Hall and the Schrott Center for the Arts.

9. 2026-APP-006 | 1702 & 1706 Ruckle Street and 516 East 17th Street

Center Township, Council District #13
PK-2
Holly Mate Holdings LLC, by Matthew Peyton

Park District-Two Approval to provide for a 5-unit townhome structure with attached garages accessed from the alley to the west.

10. 2025-ZON-110 (Amended) | 10302 East 38th Street

Lawrence Township, Council District #15
Desmonde Monroe, by Lindsey Wikstrom

Rezoning of 7.726 acres from the SU-1 (FF) district to the D-6 (FF) classification to provide for a multi-family residential development.

11. 2025-ZON-112 (Amended) | 641 Langsdale Avenue and 2110, 2058 Dr. Martin Luther King Jr. Street

Center Township, Council District #12
2058 Property Group LLC, by Joel Bruns

Rezoning of 12.6 acres from the C-7 and I-4 (W-1) districts to the I-2 (W-1) district to provide industrial uses.

12. 2026-ZON-003 | 951 South White River Parkway West Drive

Center Township, Council District #18
951 White River Parkway LLC, by Justin Kingen

Rezoning of 0.99-acre from the SU-2 (RC) district to the CS (RC) district to provide for a surface parking lot.

13. 2026-ZON-012 | 2946, 2950, 2954 McPherson Street

Center Township, Council District #8
Arcadia 1 Development LLC, by Jynell Berkshire

Rezoning of 0.37-acre from the D-5 district to the D-8 district for residential development.

- 14. 2026-ZON-013 | 2910 McPherson Street**
Center Township, Council District #8
Arcadia 1 Development LLC, by Jynell Berkshire

Rezoning of 0.13-acre from the D-5 district to the D-8 district to provide for residential development.

- 15. 2026-ZON-019 | 1714 West Minnesota Street**
Center Township, Council District #18
Habitat for Humanity of Greater Indianapolis Inc., by Chris Barnett

Rezoning of 0.104-acre from the C-1 district to the D-8 district to provide for residential uses.

PETITIONS OF NO APPEAL (RECOMMENDED FOR DENIAL):

Petitions for Public Hearing

PETITIONS FOR PUBLIC HEARING:

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

2025-MOD-024 | 5601 and 5621 Madison Avenue and 1525 East Dudley Avenue
Perry Township, Council District #23 C-5 (TOD)
Jade Investments of Indy Inc.

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

17. REZONING PETITIONS RECOMMENDED FOR DENIAL BY HEARING EXAMINER, APPEAL FILED PETITIONER:

2025-ZON-084 | 4001 South Keystone Avenue
Perry Township, Council District #19
Aman LLC, by Tyler Ochs

Rezoning of 1.075 acres from the C-4 district to the C-S district to provide for all C-3 uses and an automobile fueling station.

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

2025-ZON-132 (Amended) | 5736 Madison Avenue
Perry Township, Council District #23
Jade Investments GMA, LLC

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

19. COMPANION PETITIONS TRANSFERRED BY HEARING EXAMINER FOR INITIAL HEARING:

2026-CZN-808 / 2026-CVR-808 | 8450 Westfield Boulevard
Washington Township, Council District #2
C-3 (TOD) and SU-38 (TOD)
Black Panther Athletica, LLC, by Michael Rabinowitch

Rezoning of 6.16 acres from C-3 (TOD) and SU-38 (TOD) to SU-16 (TOD) to provide for an indoor and outdoor recreational facility, with accessory uses including daycare, a restaurant, and retail.

Variance of Development Standard of the Consolidated Zoning and Subdivision Ordinance to provide for development with a 6.5-foot north side transitional yard setback (minimum 20-foot side transitional yard

required), a five-foot rear yard setback (minimum 10-foot rear yard setback required), a zero-foot south side yard setback (minimum 10-foot side yard setback required), a building height of 64 feet along a transitional yard (maximum 18-foot height permitted), a front building line 94 feet from the property line and 51% of the lot width (range of 0-20 feet and 60% required), a single primary entry feature (3 required), 254 parking spaces (minimum 363 parking spaces required), a driveway with 32 feet in width (maximum 24-foot width), and front-yard parking with a 20-foot setback (25-foot setback required), and to provide for a pylon sign with an Electronic Variable Messaging Sign (EVMS) component (pylon sign within 600 feet of a protected district not permitted, EVMS not permitted).

Additional Business:

**The addresses of the proposals listed above are approximate and should be confirmed with the Division of Planning. Copies of the proposals are available for examination prior to the hearing by emailing planneroncall@indy.gov. Written objections to a proposal are encouraged to be filed via email at planneroncall@indy.gov before the hearing and such objections will be considered. At the hearing, all interested persons will be given an opportunity to be heard in reference to the matters contained in said proposals. The hearing may be continued from time to time as may be found necessary. For accommodations needed by persons with disabilities planning to attend this public hearing, please call the Office of Disability Affairs at (317) 327-7093, at least 48 hours prior to the meeting. Department of Metropolitan Development - Current Planning Division.

**METROPOLITAN DEVELOPMENT COMMISSION (MDC)
MEMBER ROSTER**

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

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

Multiple Properties
Real Estate Conveyance
Multiple Transferees

**METROPOLITAN DEVELOPMENT COMMISSION
OF
MARION COUNTY, INDIANA
Resolution No. 2026-R-013**

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED THAT:

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

Approved as to Adequacy & Legal Form

Metropolitan Development Commission

Sheila Kinney

Sheila Kinney, Asst. Corp Counsel

John J. Dillon III, President

Date: 4/27/2026

Date: _____

Exhibit A

Address	Parcel Number	Transferee	Sale Program	Sale Price
2834 Eastern Ave	1018135	Alvin Cantey Jr	TRANSFER	\$30,000
724 S Keystone Ave	1036870	TCR CONSTRUCTION LLC / Jose Tula	Standard	\$19,000
728 S Keystone Ave	1014115	TCR CONSTRUCTION LLC / Jose Tula	Standard	\$19,000

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

FINAL ECONOMIC REVITALIZATION AREA RESOLUTION

RESOLUTION NO. 2026-A-012

REAL PROPERTY TAX ABATEMENT

TAG Midwest Properties LLC

8205, 8215 & 8345 Georgetown Road, 4635 West 84th Street, 4925 West 86th 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 for such property by following a procedure involving adoption of a preliminary resolution, provision of public notice, conducting of a public hearing, and adoption of a resolution confirming the preliminary resolution or a modified version of the preliminary resolution; and

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

WHEREAS, I.C. 6-1.1-12.1 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, **March 18, 2026**, the Commission received evidence about whether the Subject Real Estate should be designated as an Economic Revitalization Area and recommended the appropriate length of the abatement period for such Area, and the Commission adopted **Preliminary Resolution No. 2026-A-008 (“Preliminary Resolution”)** preliminarily designating the Subject Real Estate as an Economic Revitalization Area for an abatement period of six (6) years (“Preliminary Resolution”); 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 **May 4, 2026**, adopted a resolution approving the Applicant’s Statement of Benefits; and

WHEREAS, pursuant to Commission Resolution No. 01-A-041, 2001, the Applicant and the 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, proper legal notices were published indicating the adoption of such Preliminary Resolution and stating when and where such final public hearing would be held.

NOW, THEREFORE, IT IS RESOLVED:

1. The Commission now confirms, amends, adopts, 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 December 31, 2030, four (4) years after the date a final resolution is adopted; May 6, 2026, to December 31, 2030.** However, relative to redevelopment or rehabilitation completed before the end of the four (4) year period, this termination does not limit the time the Applicant or successor owner is entitled to receive a partial abatement of property taxes to a period of less than **six (6) years**.

3. 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 and rehabilitation activities occurring in the ERA.
4. Pursuant to I.C. 6-1.1-12.1-17, the Commission desires to utilize a standard abatement schedule. increased property taxes for each of the **six** years of the real property tax abatement.
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 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 eight (8) years. **The dates of the eight (8) surveys shall be on or about the following dates: 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036 and 2037. (abatement total plus 2 years)**
8. The Subject Real Estate and Project area are approved for an abatement period of six **(6)** years.
9. A copy of this Resolution shall be filed with the Marion County Auditor.

PROPOSED ABATEMENT SCHEDULE
REAL PROPERTY TAX ABATEMENT

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

METROPOLITAN DEVELOPMENT COMMISSION

John J. Dillon III, President

Date

Approved as to Legal Form
and Adequacy this day 20th
of April 2026.

Sheila Kinney

Sheila Kinney, Assistant Corporation Counsel

STAFF ANALYSIS
REAL PROPERTY TAX ABATEMENT

Area Surrounding Subject Real Estate: The site is in Pike Township located between Zionsville Road and Georgetown Road. South of 86th Street and North of 79th Street.

Current Zoning:.....(I-2)

New Jobs Created:30 at an average of \$32.00/hr.

Jobs Retained:832 at an average of \$28.75/hr.

Estimated Cost of proposed project: \$15,000,000.00

STAFF ANALYSIS

TC Heartland, LLC, (dba Heartland Food Products Group) and TAG Midwest Properties LLC, are a globally recognized manufacturer and marketer of food and beverage products headquartered in Carmel, Indiana. Founded in the early 1990s, the company has built a reputation for innovation in low- and no-calorie sweeteners, liquid water enhancers, ready-to-drink coffee, nutritional beverages, and custom-co-manufactured solutions for both retail and foodservice channels. HFPG has grown through innovation and global expansion establishing manufacturing, distribution and packaging operations in the U.S., Europe, and Latin America. In August 2015, Heartland significantly expanded its leadership in the sweetener market by acquiring the iconic **Splenda®** brand, thereby enhancing its portfolio of artificial and plant-based sweeteners. More recently, in September 2025, the company further diversified its product offerings with the acquisition of the **SlimFast® US** brand, strengthening its position in the weight-management segment and aligning with its mission to empower healthier consumer choices.

Heartland is proposing a major expansion of its Indianapolis operations to support the recent acquisition and integration of SlimFast. The company will be investing a total of fifteen million (\$15 million) in real property and seventy-six (\$76 million) in personal property for a total investment of ninety-one million (\$91 million) over the next six (6) years. The project will retain eight-hundred thirty-two (832) jobs with an average wage of \$28.75/hr. and create thirty (30) new full-time positions by year end 2030 at an average wage of \$32.00/hr., strengthening the local economy and workforce.

The company seeks to expand production capacity in Indianapolis due to the growth of new business and to support the ongoing enhancements across other manufacturing locations. The new construction will be adjacent to the current location and will encompass an additional 131,500 square foot production building. The new structure will house advanced manufacturing lines and material handling systems, complementing the company’s main factory operations, and allowing greater efficiency in production and distribution. The project, located in the Dow Elanco TIF Allocation Area, will add bus stop improvements in the area and sidewalk infrastructure.

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

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

RECOMMENDATION: Staff recommends approval of six (6) years real property tax abatement.

TOTALITY OF BENEFITS

PETITIONER: TAG Midwest Properties, LLC

INVESTMENT: Staff estimates that the proposed investment of \$15,000,000.00 should result in an increase to the tax base of approximately \$11,250,000.00 of assessed value. Staff estimates that over the six (6) year real property tax abatement period the petitioner will realize savings of approximately \$1,019,581.20 (a 15.4% savings). During the abatement period, the petitioner is expected to pay an estimated \$5,597,144.55 in real property taxes relative to the new investment. This is in addition to the current taxes being paid on the properties in the amount of \$1,019,679.07 annually (pay 2026 taxes). After the tax abatement expires, the petitioner can be expected to pay an estimated \$1,102,787.63 in real property taxes annually on the new improvements, in addition to the annual taxes attributable to the current value of the land.

EMPLOYMENT: The petitioner estimates that this project will retain eight hundred thirty-two (832) positions with an average wage of \$28.75/hr. and create a minimum of thirty (30) positions at an average wage of not less than \$32.00/hr. Staff finds these figures to be reasonable for a project of this nature.

OTHER BENEFITS: Staff believes this Project is significant for **Pike** 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: TAG Midwest Properties LLC

Subject Real Estate: 8205, 8215 & 8345 Georgetown Road, 4635 West 84th Street, 4925 West 86th Street

Pike Township Parcel Numbers: 6030387, 6030390, 6006594, 6002319, and 6000254

PROJECT DESCRIPTION

New Jobs Created: 30 at an average of \$32.00/hr.

Jobs Retained: 832 at an average of \$28.75/hr.

Estimated Cost of Project: \$15,000,000.00

TAG Midwest Properties LLC and TC Heartland (dba Heartland Food Products Group) are proposing a significant expansion of its Indianapolis operations to support the recent acquisition and integration of SlimFast. The company will be investing fifteen million (\$15 million) in real property and seventy-six million (\$76 million) in personal property for a total investment of ninety-one million (\$91 million) over the next six (6) years. The project will retain eight hundred thirty-two (832) jobs with an average wage of \$28.75/hr. and create thirty (30) new full-time positions by year end 2030 at an average wage of \$32.00/hr., strengthening the local economy and workforce. The project, located in the Dow Elanco TIF Allocation Area, will use five percent (5%) of the savings to support infrastructure improvements, such as bus stop upgrades and sidewalk enhancements along the project site.

As a leading manufacturer of low- and no-calorie sweeteners, Heartland continues to experience strong growth driven by innovation and global expansion. The company operates manufacturing, distribution, and packaging facilities across the U.S., Europe, and Latin America. To meet rising demand and support enhancements at the company’s main site in Indianapolis, Heartland will construct a 131,500 square-foot production building adjacent to its current location to support the new business acquisition of SlimFast. In addition to the new construction, the company will install seventy-six million (\$76 million) in production equipment in the expanded facility, distribution center, and main factory.

RECOMMENDATION: Staff recommends approval of six (6) years real property tax abatement.

Project HFPG
8205, 8215, and 8345 Georgetown Road
4635 W 84th Street and 4925 W 86th Street
a.k.a. parcels# 6006594, 6002319, 6030390, 6030387, and 6000254



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

Resolution No. 2026-A-013

PERSONAL PROPERTY TAX ABATEMENT

TC Heartland LLC dba Heartland Food Products Group

8205, 8215 & 8345 Georgetown Road, 4635 West 84th Street, 4925 West 86th Street

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

WHEREAS, I.C. 6-1.1-12.1 empowers the Metropolitan Development Commission (hereinafter "Commission") to designate Economic Revitalization Areas and determine the length of the abatement period 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 areas as an Economic Revitalization Area, to determine that the Project can be reasonably expected to yield the benefits identified in the Statement of Benefits and determine that the totality of benefits arising from the project is sufficient to justify Economic Revitalization Area designation; and

WHEREAS, a business (hereinafter "Applicant") named in the attachment to this Resolution, which attachment is hereby incorporated by reference, has 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 preliminary hearing at 1:00 p.m. on Wednesday, **March 18, 2026**, the Commission received evidence about whether the Subject Real Estate should be designated as an Economic Revitalization Area and the Commission adopted **Preliminary Resolution No. 2026-A-009**,

TC Heartland dba Heartland Food Project Group 6-year Personal Property Tax Abatement

preliminarily designating the Subject Real Estate as an Economic Revitalization Area subject to the adoption of a confirming resolution by the Commission and subject to limiting conditions, and it fixed 1:00 p.m. on Wednesday, **May 6, 2026** in the Public Assembly Room of the City-County Building for the public hearing of remonstrances and objections from persons interested in whether the Subject Real Estate should be designated as an Economic Revitalization Area to allow for the installation of the specified New Equipment; and

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

WHEREAS, pursuant to 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 **May 4, 2026**, adopted a resolution approving the Applicant's Statement of Benefits; 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 Assertions 1 through 6 stated on the attachment to this Resolution, (along with all written remonstrances and objections previously filed) were considered by the Commission;

NOW, THEREFORE, IT IS RESOLVED:

1. The Commission now confirms, adopts and approves such Preliminary Resolution and thereby designates, finds and establishes the Subject Real Estate as an Economic Revitalization Area. This designation is subject to the conditions that designation allows abatement of property taxes only relative to the installation of the Specified New Equipment on the Subject Real Estate. However, on the written request of the Applicant, the Director of the Department of Metropolitan Development is allowed to authorize in writing, substitutions, modifications and additions which are not substantial in nature to the specified New Equipment, prior to March 1 of the year in which the initial certified deduction application for the Specified New Equipment is filed with the Township Assessor.
2. **The Economic Revitalization Area designation terminates December 31, 2030. Accordingly, partial abatement of property taxes is allowed relative to Specified New Equipment installed on the Subject Real Estate during the period May 06, 2026, to December 31, 2030.** 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**.

TC Heartland dba Heartland Food Project Group 6-year Personal Property Tax Abatement

3. The partial abatement of property taxes attributable to the installation of the Specified New Equipment is subject to limitations contained in I.C. 6-1.1-12.1-4.5 (c) and (d).
4. This Economic Revitalization Area designation is limited to allowing partial abatement of property taxes attributable to the installation of the Specified New Equipment on the Subject Real Estate and does not allow the abatement of real property taxes attributable to redevelopment or rehabilitation activities under I.C. 6-1.1-12.1-3.
5. The Commission has determined that the Project can reasonably be expected to yield the benefits identified in the attached "Statement of Benefits" and that the "Statement of Benefits" is sufficient to justify the partial abatement of property taxes requested, based on the following findings:
 - A. The estimate of the cost of the Specified New Equipment is reasonable for equipment of that type.
 - B. The estimate of the number of individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed installation of the Specified New Equipment.
 - C. The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed installation of the Specified New Equipment.
 - D. Other benefits about which information was requested are benefits which can reasonably be expected to result from the proposed installation of the Specified New Equipment.
 - E. The "Totality of Benefits" is sufficient to justify the deduction.
6. Under the authority of I.C. 6-1.1-12.1-5.1(b), the Commission directs the Department of Metropolitan Development to survey projects receiving Economic Revitalization Area designation for compliance with job creation/retention figures, salaries associated with these figures and investment figures contained in the Applicant's approved Final Economic Revitalization Area Resolution, the Memorandum of Agreement executed by and between the applicant and the City, and/or the Statement of Benefits form. The Commission may reduce the dollar amount, or rescind the deduction in its entirety, and/or require repayment of all or a portion of the deductions received by the applicant for failure to achieve the benefits identified in the attached Memorandum of Agreement and/or "Statement of Benefits" or failure to respond to the mandatory survey.
7. The Commission directs the Department of Metropolitan Development to survey the project described in the attachment to this Resolution annually for a total of eight (8) years. The dates of the eight (8) surveys shall be on or about the following dates: **2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036 and 2037. (abatement total plus 2 years)**
8. The Subject Real Estate and Project area are approved for an abatement period of six (6) years.
9. A copy of this Resolution shall be filed with the Marion County Auditor.

TC Heartland dba Heartland Food Project Group 6-year Personal Property Tax Abatement

METROPOLITAN DEVELOPMENT COMMISSION

John J. Dillon III, President

Date

Approved as to Legal Form
and Adequacy this 20th day
of April 2026, 20XX.

Sheila Kinney

Sheila Kinney
Assistant Corporation Counsel

STAFF COMMENT
PERSONAL PROPERTY TAX ABATEMENT

Street Address..... 8205, 8215 & 8345 Georgetown Road, 4635 West 84th Street, 4925 West 86th Street

New Jobs Created.....30 at an average of \$32.00/hr.

Jobs Retained.....832 at an average of \$28.75/hr.

Estimated Cost of Equipment: \$76,000,000.00

STAFF ANALYSIS

TC Heartland, LLC, (dba Heartland Food Products Group) and TAG Midwest Properties LLC, are a globally recognized manufacturer and marketer of food and beverage products headquartered in Carmel, Indiana. Founded in the early 1990s, the company has built a reputation for innovation in low- and no-calorie sweeteners, liquid water enhancers, ready-to-drink coffee, nutritional beverages, and custom-co manufactured solutions for both retail and foodservice channels. HFPG has grown through innovation and global expansion establishing manufacturing, distribution and packaging operations in the U.S., Europe, and Latin America. In August 2015, Heartland significantly expanded its leadership in the sweetener market by acquiring the iconic Splenda® brand, thereby enhancing its portfolio of artificial and plant-based sweeteners. More recently, in September 2025, the company further diversified its product offerings with the acquisition of the SlimFast® US brand, strengthening its position in the weight-management segment and aligning with its mission to empower healthier consumer choices.

Heartland is proposing a major expansion of its Indianapolis operations to support the recent acquisition and integration of SlimFast. The company will be investing a total of fifteen million (\$15 million) in real property and seventy-six (\$76 million) in personal property for a total investment of ninety-one million (\$91 million) over the next six (6) years. The project will retain eight-hundred thirty-two (832) jobs with an average wage of \$28.75/hr. and create thirty (30) new full-time positions by year end 2030 at an average wage of \$32.00/hr., strengthening the local economy and workforce.

The applicant is requesting tax abatement to assist in off-setting the high costs of equipment 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. Staff believes that 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 personal property tax abatement.

RECOMMENDATION: Staff recommends approval of six (6) years personal property tax abatement.

STATEMENT OF BENEFITS

- PETITIONER:** TC Heartland dba Heartland Food Products Group
- INVESTMENT:** Staff estimates that the proposed investment of \$76,000,000.00 should result in an increase to the tax base of approximately \$30,400,000.00 of assessed value in the first year of operation. Staff estimates that over the six (6) year personal property tax abatement period the petitioner will realize savings of approximately \$2,768,274.11 (a 61.5% savings). During the abatement period, the petitioner is expected to pay an estimated \$1,732,301.49 in personal property taxes related to the new equipment. After the tax abatement expires, the petitioner can be expected to pay an estimated \$587,031.60 in personal property taxes annually related to the new equipment.
- EMPLOYMENT:** The petitioner estimates that this project will create thirty (30) new positions at an average wage of \$32.00/hr. Staff finds these figures to be reasonable for a project of this nature.
- OTHER BENEFITS:** Staff believes this project is significant for **Pike** Township in terms of new taxes and potential job creation and retention. Furthermore, staff believes the petitioner's project will lead to continued future investment in Marion County.
- STAFF COMMENT:** Staff believes the "Totality of Benefits" arising from the project are sufficient to justify the granting of the tax abatement.

PROJECT SUMMARY

Applicant: **TC Heartland dba Heartland Food Products Group**

Subject Real Estate: 8205, 8215 & 8345 Georgetown Road, 4635 West 84th Street, 4925 West 86th Street

Pike Township Parcel Number: 6030387, 6030390, 6006594, 6002319 and 6000254

PROJECT DESCRIPTION

TC Heartland (dba Heartland Food Products Group) and TAG Midwest Properties LLC are proposing a significant expansion of its Indianapolis operations to support the recent acquisition and integration of SlimFast. The company will be investing fifteen million (\$15 million) in real property and seventy-six million (\$76 million) in personal property for a total investment of ninety-one million (\$91 million) over the next six (6) years. The project will retain eight hundred thirty-two (832) jobs with an average wage of \$28.75/hr. and create thirty (30) new full-time positions by year end 2030 at an average wage of \$32.00/hr., strengthening the local economy and workforce. The project, located in the Dow Elanco TIF Allocation Area, will use five percent (5%) of the savings to support infrastructure improvements such as bus stop upgrades and sidewalks enhancements.

As a leading manufacturer of low- and no-calorie sweeteners, Heartland continues to experience strong growth driven by innovation and global expansion. The company operates manufacturing, distribution, and packaging facilities across the U.S., Europe, and Latin America. To meet rising demand and support enhancements at the company’s main site in Indianapolis, Heartland will construct a 131,500 square-foot production building adjacent to its current location to support the new business acquisition of SlimFast. In addition to the new construction, the company will install seventy-six million (\$76 million) in production equipment in the expanded facility, distribution center, and main factory.

New Jobs Created: 30 at an average of \$32.00/hr.

Job Retained: 832 at an average of \$28.75/hr.

Estimated Cost of Project: \$76,000,000.00

RECOMMENDATION: Staff recommends approval of six (6) years personal property tax abatement.

**METROPOLITAN DEVELOPMENT COMMISSION
MARION COUNTY, INDIANA
RESOLUTION NO. 2026-E-002**

**RESOLUTION APPROPRIATING EXPENDITURE OF
HOTIF FUNDS FOR INFRASTRUCTURE IMPROVEMENTS**

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana (the “Commission”) serves as the Redevelopment Commission of the City of Indianapolis, Indiana (the “City”) under IC 36-7-15.1 (the “Redevelopment Act”); and

WHEREAS, in that capacity the Commission serves as the governing body of the City of Indianapolis Redevelopment District (the “District”); and

WHEREAS, the Redevelopment Act permits the Commission to designate allocation area in the District for the purposes of capturing and allocating property taxes commonly known as tax increment finance revenues (“TIF Revenues”); and

WHEREAS, the Commission has previously established the Greater Martindale-Brightwood Housing Redevelopment Area (the “GMB Housing RDA”), has designated the Hillside HOTIF Allocation Area within the GMB Housing RDA as an allocation area (the “Hillside HOTIF Allocation Area”) for the purposes of capturing TIF Revenues, has created an allocation fund for the Hillside HOTIF Allocation Area (the “Allocation Fund”) into which TIF Revenues are deposited, and has approved the GMB Housing RDA Plan, (the “Plan”); and

WHEREAS, IC 36-7-15.1-35 authorizes the Redevelopment Commission to reimburse the City with HOTIF revenue for expenditures associated with local public improvements that are physically located in that allocation area; and

WHEREAS, IC 36-7-15.3-6 defines local public improvements as “any redevelopment project or purpose of the commission or unit under IC 36-7-15.1 or IC 36-7-30”; and

WHEREAS, a redevelopment project includes the performance of all acts incident to the statutory powers and duties of a redevelopment commission; and

WHEREAS, the Commission is empowered to provide financial assistance (including grants and loans) to other city departments to permit them to construct, rehabilitate, or repair public property within the district; and

WHEREAS, the Department of Public Works (hereinafter “DPW”), a division of the Consolidated City of Indianapolis – Marion County, has the power to contract for the construction or improvement of public ways, sidewalks, sewers, waterlines, or other local improvements; and

WHEREAS, IC 36-7-15.1-26(b)(3) authorizes the Commission to reimburse DPW for reasonable expenditures associated with improving the alley known as North Alley 3750 behind the United States Postal Office located at 2830 North Sherman Drive, Indianapolis 46218 (the "Project") as depicted on Exhibit A; and

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

1. The Commission hereby finds that the expenditure of the unobligated HOTIF revenues in the Allocation Fund in an amount not to exceed Four Hundred Fifty Four Thousand Four Hundred Dollars (\$454,400) for the purposes of reimbursing the Consolidated City's DPW, acting through the DMD, for its expenditures for local public improvements physically located in the Hillside HOTIF Allocation Area will promote redevelopment of the City.
2. The Commission hereby dedicates and authorizes the expenditure of the HOTIF Revenues, in an amount not to exceed Four Hundred Fifty Four Thousand Four Hundred Dollars (\$454,400), for the purpose of reimbursing DPW for the expenditures associated with the Project.
3. The City Controller is hereby authorized to disburse moneys from the Allocation Fund for the local public improvements noted above. The Director of DMD is hereby authorized to execute the necessary documents in accordance with this Resolution.
4. This Resolution shall take effect immediately upon adoption by the Commission.

ADOPTED AND APPROVED at a meeting of the Metropolitan Development Commission of Marion County, Indiana, held on **May 6 2026**, at the City-County Building, 2nd 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

John J. Dillon III, President

Date

Approved as to Legal Form
and Adequacy this day
of **May 6, 2026**

Sheila Kinney

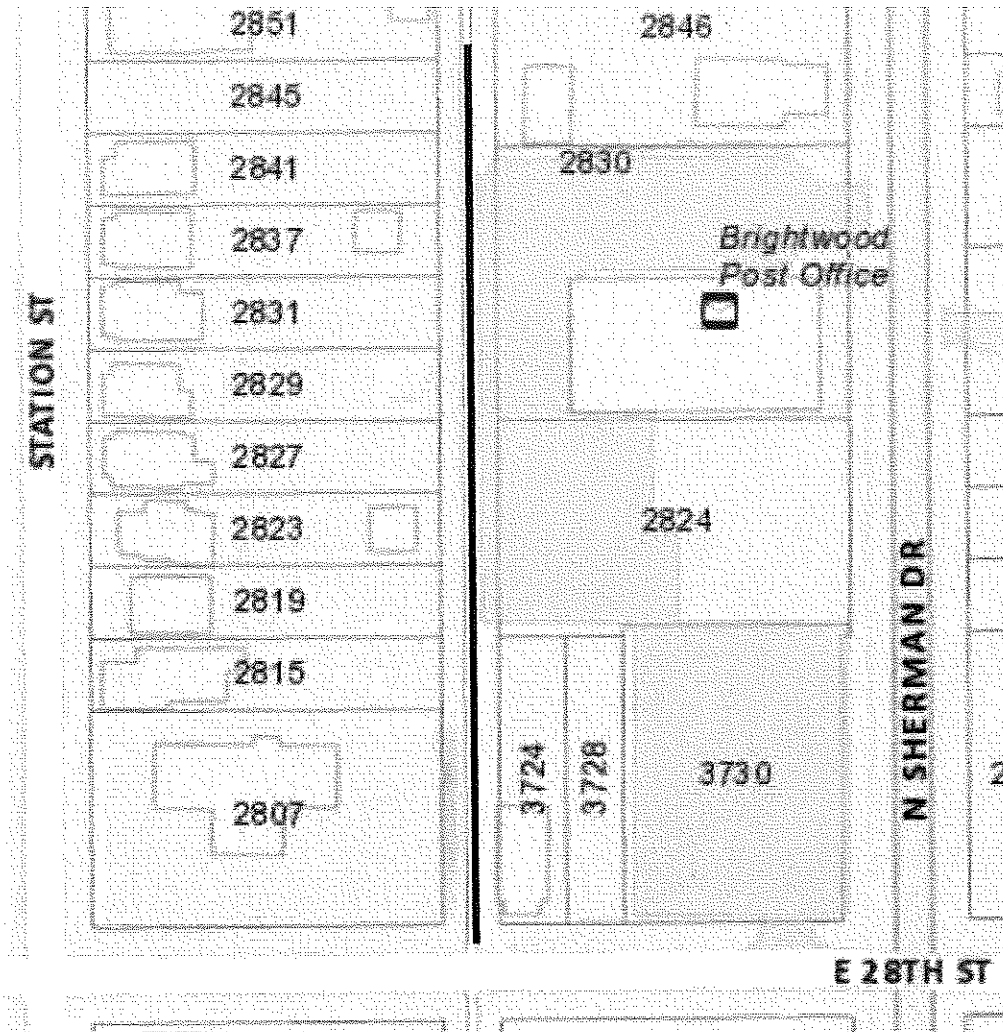
Sheila Kinney, Asst. Corp. Counsel
Office of Corporation Counsel

Approved as the Availability of Funding

Abigail Hanson

Abigail Hanson, Controller

EXHIBIT A



The segment of improvements will begin at 28th Street and extend north approximately 420 feet. The alley will be reconstructed to the same width as the existing concrete alley. The alley pavement will be replaced with HMA on Subgrade Treatment, and the cross slope will retain an inverted crown.

METROPOLITAN DEVELOPMENT COMMISSION OF

MARION COUNTY, INDIANA

PRELIMINARY ECONOMIC REVITALIZATION AREA RESOLUTION

**Resolution No. 2026-A-018
PERSONAL PROPERTY TAX ABATEMENT**

**Zima International, Inc.
6900 English Avenue**

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, 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 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 a leasehold interest in the geographical area (hereinafter "Subject Real Estate") described in such attachment; and

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

WHEREAS, during a hearing at 1:00 p.m. on, Wednesday, **May 6, 2026**, 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 seven (7) 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, 2030. 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 July 8, 2026, to December 31, 2030.** 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 seven (7) years. Pursuant to IC 6-1.1-12.1-2 (i), the Commission hereby limits the dollar amount of the deduction that will be allowed, with respect to installation of specified new equipment in the ERA, to those respective tax savings attributable to an equipment investment of not greater than **\$41,000,000.00**.
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, July 8, 2026**, in the Public Assembly Room of the City-County Building for the public hearing of remonstrances and objections from persons interested in the Project and directs the publication of notice of public hearing in accordance with the governing statute. At this hearing, the Commission will take action relative to this Preliminary Resolution and determine whether the Subject Real Estate should be designated as an Economic Revitalization Area and fix the length of the abatement period at seven (7) years.
8. A copy of this Resolution shall be filed with the Marion County Assessor.

METROPOLITAN DEVELOPMENT COMMISSION

John J. Dillon III, President

Date

Approved as to Legal Form
and Adequacy this ~~23rd~~
of April 2026 2026

Sheila Kinsey

Asst Corporation Counsel

ATTACHMENT TO

METROPOLITAN DEVELOPMENT COMMISSION RESOLUTION

PERSONAL PROPERTY TAX ABATEMENT

FACTUAL INFORMATION

Applicant: Zima International Inc.

Subject Real Estate: 6900 English Avenue

Warren Township Parcel Number: #7047776

PROJECT DESCRIPTION

Zima International Inc. will invest \$41 million in personal property to establish a state-of-the-art production facility at 6900 English Avenue in Indianapolis. The investment will support the advancement of digital dentistry over the next seven (7) years and is expected to create 350 new jobs with an average wage of \$24.94/hr., strengthening the local economy and workforce.

Zima, a leading innovator in the dental industry, leverages cutting edge materials and technology to manufacture high quality dental products. The new facility will be fully automated, incorporating advanced technologies such as 3D printing equipment, robotics, and 3D imaging systems to modernize dental product manufacturing and significantly improve efficiency through automation. Additionally, five percent of the total savings will be directed to the City's broader workforce initiatives, supporting programs that enhance training, skill development, childcare, transportation, and long-term economic opportunity.

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

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

- 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
- the operation in the facility is a distressed business (as defined in Resolution No. 97-A-110, 1997), and
- the specified new equipment is being installed to relieve the conditions causing the business to be distressed, and
- the facility is technologically, economically, or energy obsolete, continued obsolescence of which may lead to a decline in employment and tax revenues.

B. of a new facility, and

- 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
- the operation in the facility is a distressed business (as defined in Resolution No. 97-A-110, 1997), and
- the specified new equipment is being installed to relieve the conditions causing the business to be distressed, and
- the facility is technologically, economically, or energy obsolete, continued obsolescence of which may lead to a decline in employment and tax revenues.

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

6. The Subject Real Estate on which the facility is or will be located

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

PROPOSED ABATEMENT SCHEDULE
PERSONAL PROPERTY TAX ABATEMENT

YEAR OF DEDUCTION	PERCENTAGE
1 st	100%
2 nd	85%
3 rd	71%
4 th	57%
5 th	43%
6 th	29%
7 th	14%

STAFF COMMENT
PERSONAL PROPERTY TAX ABATEMENT

Street Address..... 6900 English Avenue

New Jobs Created..... 350 at an average of \$24.94/hr.

Jobs Retained: 0

Estimated Cost of Equipment: \$41,000,000.00

STAFF ANALYSIS

Zima International Inc. will invest \$41 million in personal property to establish a state-of-the-art production facility at 6900 English Avenue in Indianapolis. The investment will support the advancement of digital dentistry over the next seven (7) years and is expected to create 350 new jobs with an average wage of \$24.94/hr., strengthening the local economy and workforce.

Zima, a leading innovator in the dental industry, leverages cutting edge materials and technology to manufacture high quality dental products. The new facility will be fully automated, incorporating advanced technologies such as 3D printing equipment, robotics, and 3D imaging systems to modernize dental product manufacturing and significantly improve efficiency through automation. Additionally, five percent of the total savings will be directed to the City’s broader workforce initiatives, supporting programs that enhance training, skill development, childcare, transportation, and long-term economic opportunity.

The project at 6900 English Avenue, Indianapolis is leasing from the Thunderbird Commerce Center, master-planned industrial park located on a former Ford/Visteon plant site. The development spans approximately 148 acres and is zoned I-3 Medium Industrial making it suitable for heavy manufacturing, warehousing, and distribution. The site offers rail access via a CSX rail spur, proximity to major interstates (I-465, I-74, I-65, and I-69) and is located with an Opportunity Zone. The facility will ship products nationwide, positioning Indianapolis as a hub for advanced manufacturing and logistic operation. In addition, this project reflects the city’s commitment to advancing technology.

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 seven (7) years personal property tax abatement.

TOTALITY OF BENEFITS

PETITIONER: **Zima International Inc.**

INVESTMENT: Staff estimates that the proposed investment of \$41,000,000.00 should result in an increase to the tax base of approximately \$16,400,000.00 of assessed value in the first year of operation. Staff estimates that over the seven (7) year personal property tax abatement period the petitioner will realize savings of approximately \$1,774,657.51 (a 58.1 % savings). During the abatement period, the petitioner is expected to pay an estimated \$1,278,259.89 in personal property taxes related to the new equipment. After the tax abatement expires, the petitioner can be expected to pay an estimated \$352,259.70 in personal property taxes annually related to the new equipment.

EMPLOYMENT: The petitioner estimates that this project will create three hundred-fifty (350) new positions at an average wage of \$24.94/hr. Staff finds these figures to be reasonable for a project of this nature.

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

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

Project Site

Zima International Inc.- Project Site
6900 English Avenue
Parcel #7047776
Irvington-Brookville Road Allocation Area



- Legend**
- COOR CENTER
 - Parcel
 - CGS 15 MAG 2020
 - Red: Rent 1
 - Green: Rent 2
 - Blue: Rent 3

 Project Site

Produced by DMD - Battle 03-2026



0 500 1,000 2,000 Feet

**METROPOLITAN DEVELOPMENT COMMISSION
MARION COUNTY, INDIANA
RESOLUTION NO. 2026-P-006**

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

WHEREAS, the Commission is authorized to approve the employment of all persons engaged to render professional or consulting services for the Department of Metropolitan Development ("DMD")

WHEREAS, the Commission desires for an inventory of all parking on public right of way, public/private surface lots, and all public/private parking garages within the Regional Center, Fountain Square, North Mass, Broad Ripple, and Irvington areas as defined to be performed (the "Project"); and

WHEREAS, the Department of Public Works (the "DPW"), operates and maintains the City's public parking system and shall mutually undertake the Project with DMD; and.

WHEREAS, DMD and DPW seeks authorization to enter into a contractual agreement with NELSON\NYGAARD CONSULTING ASSOCIATES INC for a total not to exceed of \$350,780 for a term through December 31, 2027, for all necessary professional services in furtherance of the Project.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The MDC hereby authorizes the DMD and the DPW to enter into a contractual agreement with NELSON\NYGAARD CONSULTING ASSOCIATES INC for a total not-to-exceed of \$350,780 for a term through December 31, 2027, for all necessary professional services in furtherance of the Project
2. The Director of the Department of Metropolitan Development is hereby authorized to execute the necessary documents for the Agreement in accordance with this resolution and to do all acts and execute all other documents and instruments deemed necessary or appropriate by such official on behalf of the MDC to best accomplish the objectives set forth herein, and all actions heretofore taken by any such official toward the completion thereof are hereby ratified and approved

ADOPTED AND APPROVED at a meeting of the Metropolitan Development Commission of Marion County, Indiana, held on May 6, 2026, at the City-County Building, 2nd 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

John J. Dillon III, President

Approved as to Adequacy of Legal Form:

Sheila Kinney
Sheila Kinney, Assistant Corporation Counsel

Date: 4/28/2026

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

RESOLUTION NO. 2026-HP-001

**CIRCLE TOWER HISTORIC AREA
(Interior First Floor Lobby and 2nd Floor
1930's Barber Shop)**

WHEREAS, the Indianapolis Metropolitan Development Commission (the "Commission" or "MDC") serves as the Plan Commission of the Consolidated City of Indianapolis-Marion County, Indiana (the "City") under IC 36-7-4 (the "Local Planning and Zoning statute"); and

WHEREAS, in that capacity the Commission serves as the planning and zoning authority; and

WHEREAS, as it is the duty of the Commission to adopt, after a public hearing, segments of the Marion County Comprehensive Plan; and

WHEREAS, the Indianapolis Historic Preservation Commission (the "IHPC") has been given the statutory power and duty to identify by declaratory resolution areas, structures, and sites in the county having historic or architectural significance, and prepare historic plans for them; and

WHEREAS, the IHPC has the power and the duty under IC 36-7-11.1-6 to prepare proposed historic preservation plans for all appropriate areas of the county and submit proposed historic preservations plans to the MDC for consideration for adoption as a segment of the comprehensive plan of the county; and

WHEREAS, the IHPC considers the Circle Tower Historic Area (Interior First Floor Lobby and 2nd Floor 1930's Barber Shop) to be of historic and architectural significance and a historic plan has been prepared for the Circle Tower Historic Area (Interior First Floor Lobby and 2nd Floor 1930's Barber Shop); and

WHEREAS, on April 1, 2026 the IHPC declared the Circle Tower Historic Area (Interior First Floor Lobby and 2nd Floor 1930's Barber Shop) to be of historic and architectural significance; designated it as an historic area and placed on the Marion County Register of Historic Properties; and recommended to the MDC that Historic Preservation Plan 45 - The Circle Tower Historic Area be adopted as a segment of the Comprehensive Plan for Marion County; and

NOW THEREFORE BE IT RESOLVED:

1. That, pursuant to IC 36-7-4 and IC 36-11.1, the Metropolitan Development Commission of Marion County, India a, hereby amends the Comprehensive Plan for Marion County, Indiana by the adoption of The Circle Tower Historic Area Preservation Plan 45 – Circle Tower Historic Area (which is attached hereto), and made a part of this resolution and by incorporating same as an amendment of the Comprehensive Plan for Marion County, Indiana.
2. That the Director of the Department of Metropolitan Development shall make one complete copy

of the plan available in the Office of the MDC and shall file (1) copy of this resolution in the Recorder of Marion County together with a copy or summary of The Circle Tower Historic Area Preservation Plan 45 – Circle Tower Historic Area.

Adopted the 6th day of May, 2026

METROPOLITAN DEVELOPMENT
COMMISSION OF MARION COUNTY,
INDIANA

John J. Dillon III ---President
Metropolitan Development Commission

APPROVED AS TO LEGAL FORM
AND ACCURACY THE 29th
DAY OF April, 2026.

Christopher Steinmetz
Christopher Steinmetz, Assistant Corporation Counsel

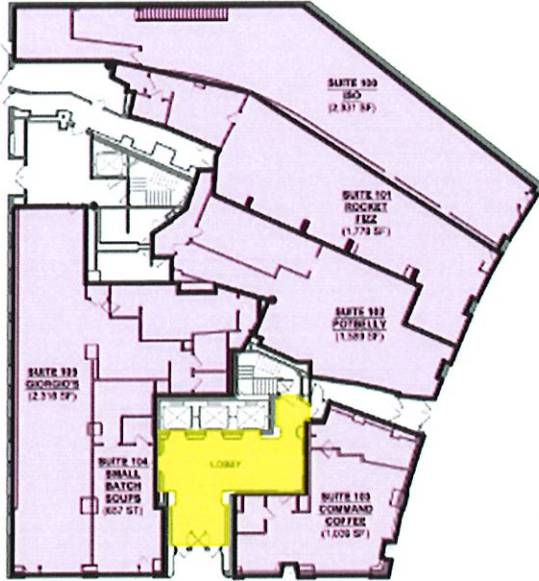


Figure 1: Floor Plan; Lobby Highlighted in Yellow

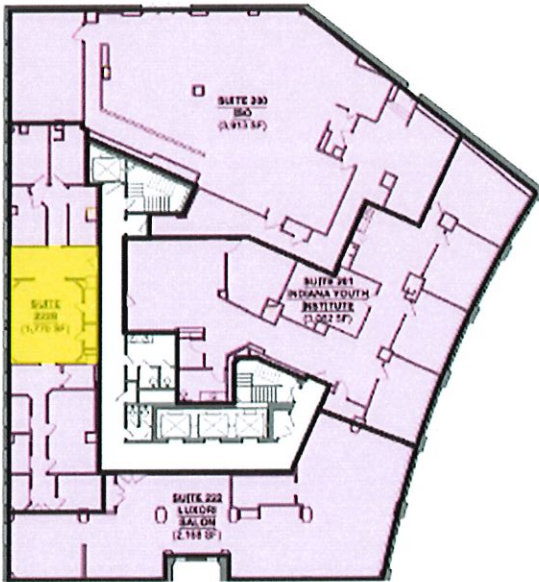


Figure 2: Floor Plan, Barber Shop (Suite 222B) Highlighted in Yellow

METROPOLITAN DEVELOPMENT COMMISSION

OF MARION COUNTY, INDIANA

STATE OF INDIANA)

) SS:

COUNTY OF MARION)

CERTIFICATION

I, Brian Murphy, Vice Secretary of the Metropolitan Development Commission of Marion County, Indiana, do hereby certify that the attached RESOLUTION NO. 2026-HP-001, AMENDING A SEGMENT OF THE COMPREHENSIVE PLAN OF MARION COUNTY, INDIANA- HISTORIC PRESERVATION PLAN 45 -CIRCLE TOWER HISTORIC AREA (Interior Only)- is a true copy of the resolution adopted by the Metropolitan Development Commission of Marion County, Indiana, following a public hearing at a meeting of said Commission on May 6, 2026, and the original of said resolution is on file of record in the office of the Department of Metropolitan Development of Marion County, Indiana.

Witness my hand and official seal of the Metropolitan Development Commission of Marion County, Indiana, _____ day of _____, 2026.

Brian Murphy, Vice Secretary
Metropolitan Development Commission of
Marion County, Indiana

COMMISSION
SEAL

HISTORIC PRESERVATION PLAN

CIRCLE TOWER – HISTORIC INTERIOR DESIGNATION
(SECOND FLOOR HISTORIC BARBER SHOP AND FIRST FLOOR LOBBY ONLY)

HA-45(CT)
55 Monument Circle
Indianapolis, Marion County, Indiana

A PART OF THE
COMPREHENSIVE PLAN
FOR MARION COUNTY, INDIANA

Adopted by the Indianapolis Historic Preservation Commission

March 4, 2026

Adopted by the Metropolitan Development Commission

Prepared By:

Staff of the Indianapolis Historic Preservation Commission
1842 City-County Building
200 East Washington Street
Indianapolis, Marion County, Indiana



CREDITS

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 City of Indianapolis

Director Megan Vukusich
 Department of Metropolitan Development

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Micheal Dilk		

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Disa Watson	Annie Lear	Kristin Wiggs
Michael Bivens	Anson Keller	Anjanette Sivilich

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Meg Busch, Administrator
 Emily Jarzen, Principal Architectural Reviewer
 Shelbi Long, Senior Architectural Reviewer
 Morgan Marmolejo, Architectural Reviewer
 Caroline Emenaker, Architectural Reviewer
 Miriam Burkett, Preservation Planner
 Christopher Steinmetz, Legal Counsel

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Circle Tower - Historic Interior

Historic Area Preservation Plan

I. OWNER: CIRCLE TOWER, LLC

3454 DOUGLAS RD SUITE 250, SOUTH BEND, IN 46635

II. HISTORIC & ARCHITECTURAL DESIGN ANALYSIS

Construction Information

- Date of original design, construction, or origin: 1929-1930
- Architectural Firm: Rubush and Hunter

Physical Description

Circle Tower is the city's finest example of the Art Deco Style, not only for its numerous decorative details in the "Art-Deco" Style but also for its massing, configuration, and location on Monument Circle. Designed by the architectural firm Rubush and Hunter, the building's features include the exquisite arched Market Street entrance with an Egyptian motif in a carved limestone and a bronze painted cast-iron screen (which continues into the lobby). The storefronts are also crowned with bronze colored cresting in the same manner, although some are now missing. Limestone carvings are found in the parapet and the many levels of the ziggurat, which conceals the elevator penthouse.¹

III. HISTORIC AREA DELINEATION & LEGAL DESCRIPTION

The legal description for the building is 87.2ft on Market Street 66.6FT on circle 105ft N Side L11 SQ56 & Vac Air Rights E & ADJ.

For the purposes of this plan, the historic area delineation is the entirety of the public lobby on the first floor and the historic 1930's barber shop on the second floor.

¹ Monument Circle Historic Preservation Plan (HA-40) 2013

IV. STATEMENT OF SIGNIFICANCE

Building

This building's massing and height is significant because it reflects the setback provisions of the 1922 height ordinance. The fenestration pattern and bay configuration are original to the design. Limestone materials with carved detailing, storefronts retaining bronze colored cresting and other bronzed elements also survive. An arched entry fronting Market Street has highly stylized foliar and animal molding. Above this entry is a frieze with raised letters indicating the building name and a large arched transom overlaid with a bronze painted cast-iron grid of Egyptian motifs.² The building was placed in the National Register of Historic Places in 1997 and included in the Monument Circle Historic Area (exterior only) by the IHPC in 2013.

Lobby (Figure 1)

The Art Deco architectural style is evident in the space starting with the lobby entrance (figure 5). The decorative elevator doors with their ornate geometric patterns are an excellent example of the architectural style. The three elevator doors are of solid bronze with medallions showing muscular figures of men as working parts of machines, a salute to the Machine Age that inspired many Art Deco architects (*figures 4 and 9*). The detailing in the space can also be seen in the floors with their contrasting bands and directional motifs that subtly guide circulation toward the elevators (figure 8). Inside, the lobby walls are black travertine marble (*figures 3 and 4*) accented with typical Art Deco motifs in bronze: geometric flowers, stylized greyhounds, birds, zigzags, and concentric swirls (*figures 7 and 10*).³ The floors in the lobby are green terrazzo. One section of original ceiling detailing can be seen in the west corner of the lobby (figure 6).

Barber Shop (Figure 2)

The barber shop space includes several character defining features that are indicative of the Art Deco architectural style and remains virtually unchanged since the 1930's. This is every detail of the space, starting with the black and white geometric patterning of the marble floor (*figure 11*). The character of the space is further defined by the tiles lining the walls (*figures 11 and 12*) and the detailing on the ceiling. The detail continues in the Art-Deco details on the windows (*figure 13*) that are present throughout the space. Its opulent black and silver decor featured motifs of stylized figures pursuing various sports as well as depictions of the shop's services accented with sunbursts and zigzags.⁴

² Monument Circle Historic Preservation Plan (HA-40) 2013

³ Encyclopedia of Indianapolis (2021)- Circle Tower, Glory-June Grieff

⁴ Encyclopedia of Indianapolis (2021)- Circle Tower, Glory-June Grieff

V. PRESERVATION OBJECTIVES

1. The historic Circle Tower first floor main lobby and 2nd floor barber shop and architectural and historic character thereof shall be preserved as a significant resource of Indianapolis-Marion County.
2. Accommodate the adaptive reuse of Circle Tower to facilitate the preservation of the site as a significant resource of Indianapolis-Marion County.

VI. PRESERVATION CRITERIA

- A. Any interior, construction, reconstruction, restoration, rehabilitation, or alteration of the two identified interior spaces shall be appropriate to the property's historical and architectural values and significance. All work to the two designated interior spaces must be reviewed and approved by the IHPC prior to commencement of work.
- B. Any exterior development, construction, reconstruction, restoration, rehabilitation, or alteration of the subject or its site shall follow the Monument Circle District Historic Preservation Plan (HA-40 MCD).
- C. The IHPC shall use the *Secretary of the Interior's Standards for the Treatment of Historic Properties* (36 CFR Part 36) and IHPC Policies and Procedures to determine appropriateness when it reviews and makes decisions regarding development, construction, preservation, restoration, rehabilitation, reconstruction, alteration, and demolition in the historic area.

VII. IDENTIFICATION AND DESIGNATION OF HISTORIC AREA

Circle Tower's historic interior first floor lobby and second floor 1930's barber shop is hereby identified and designated an Indianapolis historic landmark (exterior being previously locally designated by the IHPC as part of the Monument Circle Historic Area).

This plan has been prepared in accordance with the State Statute IC 36-7-11.1, which establishes and empowers the Indianapolis Historic Preservation Commission. After the approval of this plan by the Indianapolis Historic Preservation Commission and its adoption by the Metropolitan Development Commission as part of the Marion County Comprehensive Plan, the provisions and requirements of IC 36-7-11.1 and this plan apply to all property and structures within the designated area.

VIII. MAPS, PLANS AND PHOTOGRAPHS

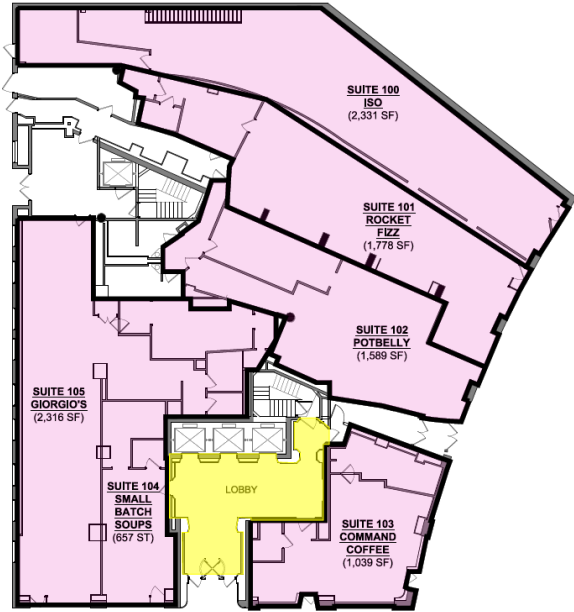


Figure 1: Floor Plan; Lobby Highlighted in Yellow

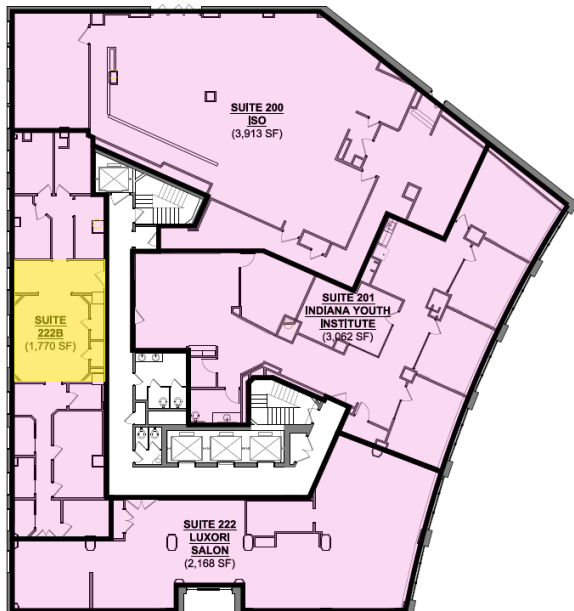


Figure 2: Floor Plan, Barber Shop (Suite 222B) Highlighted in Yellow



Figure 3: First floor lobby



Figure 4: First floor lobby with view of elevator doors



Figure 5: Entrance to lobby off Market Street.



Figure 6: Remaining section of original ceiling in lobby (located in hallway leading to adjacent tenant spaces at west corner of lobby.)



Figure 7 and 8: Original mailbox and terrazzo flooring in first floor lobby.



Figure 9 and 10: Original elevator doors and decorative air vent cover in first floor lobby.



Figure 11: Staff Interior Photograph; Barber Shop (Suite 222B)



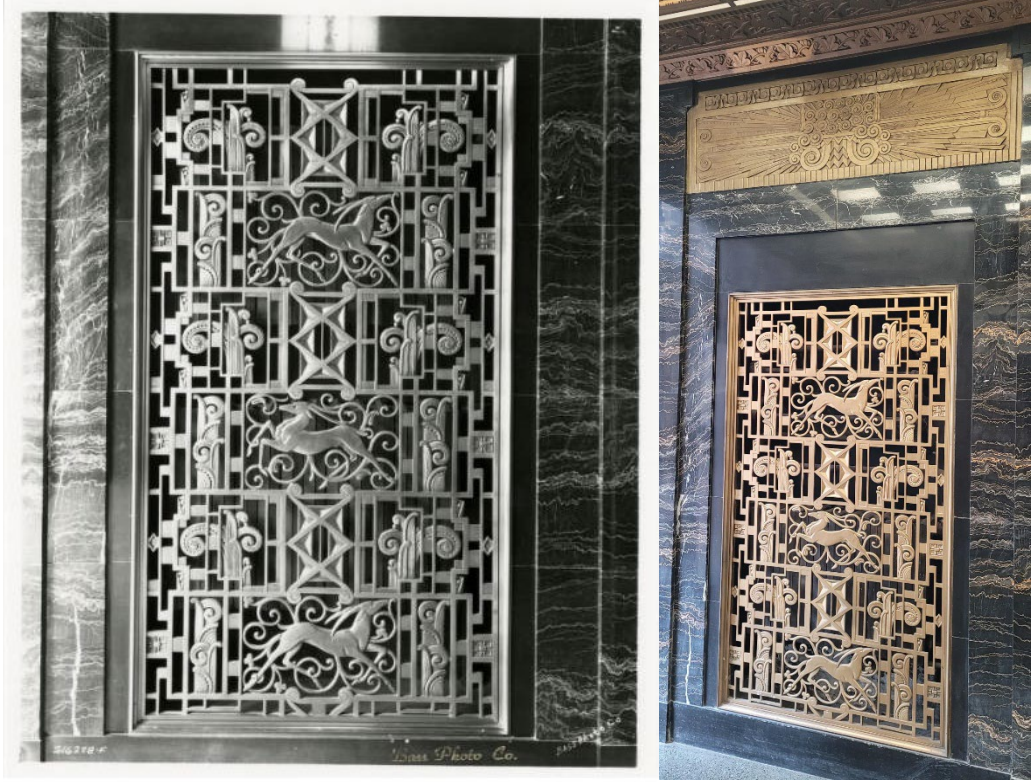
Figure 12: Staff Interior Photograph; Barber Shop (Suite 222B) Tile Detail



Figure 13: Staff Interior Photograph; Barber Shop (Suite 222B) Window Detail



1930's historic photo of first floor lobby (Indiana Historical Society)



1930's historic photo (Indiana Historical Society) of first floor lobby vent cover (and same vent cover today at right)



1930's historic photo (Indiana Historical Society) of exterior of Circle Tower and current photo of same view (taken March 13, 2026)



METROPOLITAN DEVELOPMENT COMMISSION **May 6, 2026**

Case Number: 2025-MOD-024

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

Location: Perry Township, Council District #23

Petitioner: Jade Investments of Indy, Inc.

Current Zoning: C-5 (TOD)

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

Current Land Use: Automobile Sales

Staff Recommendations: Denial.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

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

The Metropolitan Development Commission continued this petition from the February 4, 2026 hearing, to the March 4, 2026 hearing, and to the April 1, 2026 hearing, at the request of the petitioner.

On March 23, 2026, the petitioner submitted an updated landscape plan, but the plan does not comply with the Ordinance provisions related to required landscaping along street frontages.

The Metropolitan Development Commission continued this petition from the April 1, 2026 hearing, to the May 6, 2026 hearing, at the request of the petitioner.

Subsequently, the petitioner contacted staff and offered to replace the mobile office with a building within 36 months of approval. Because the 2015 commitments required that the mobile office be removed within 24 months of approval, staff felt it would be more appropriate for the mobile office to be removed within 24 months of approval of this modification, with no extensions of time. Consequently, staff would **recommend approval**, subject to the following commitment that would replace Commitment Number 5, with all other 2015 commitments to remain unchanged and applicable to the property: See Exhibit A.



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Division of Planning
Current Planning**

“The mobile home structure indicated on the site plan file-dated March 23, 2026, shall only be permitted to remain on-site for 24 months after the approval of the modification. Thereafter, the mobile home structure shall be removed, and no other mobile home or temporary structure shall be permitted on the site. Any new structure or any changes in the site plan shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit and / or any land disturbance.”

STAFF RECOMMENDATION

Denial.

PETITION OVERVIEW

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

Petition 94-Z-203 rezoned 1.58 acres of this site to the C-5 district to provide for an automobile sales operation and mobile office structure. Petition 2015-ZON-007 rezoned an additional 0.30-acre to the C-5 district to provide for automobile sales and repair and modify Commitment Two to reduce the required east and west transitional yards.

MODIFICATION

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

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

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

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

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



Violations – VIO24-002430

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

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

Overlays

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

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

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

GENERAL INFORMATION

Existing Zoning	C-5 (TOD)	
Existing Land Use	Automobile vehicle sales	
Comprehensive Plan	Community Commercial	
Surrounding Context	Zoning	Land Use
	North:	C-3 (TOD) Commercial uses
	South:	C-3 (TOD) Commercial uses
	East:	D-3 (TOD) Single-family dwellings
	West:	C-1 (TOD) / D-1 (TOD) Commercial uses / single-family dwelling
Thoroughfare Plan		
Madison Avenue	Primary arterial	Existing 50-foot right-of-way and proposed 80-foot right-of-way.
Dudley Avenue	Local Street	



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Whalen Avenue	Local Street	Existing 50-foot right-of-way and proposed 50-foot right-of-way. Existing 40-foot right-of-way and proposed 50-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	Transit-Oriented Development (TOD)	
Wellfield Protection Area	No	
Site Plan	November 18, 2025	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

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

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

Conditions for All Land Use Types – Community Commercial Typology



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

- All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
- All development should include sidewalks along the street frontage.

Red Line / Blue Line / Purple Line TOD Strategic Plan

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

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

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

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

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

- Classify roadways based on their location, purpose in the overall network and what land use they serve.
- Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
- Set requirements for preserving the right-of-way (ROW).
- Identify roadways for planned expansions or new terrain roadways.
- Coordinate modal plans into a single linear network through its GIS database.



ZONING HISTORY

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

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

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

VICINITY

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

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

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

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

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

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

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

MEMORANDUM OF EXAMINER'S DECISION

2025-MOD-024

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

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

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

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

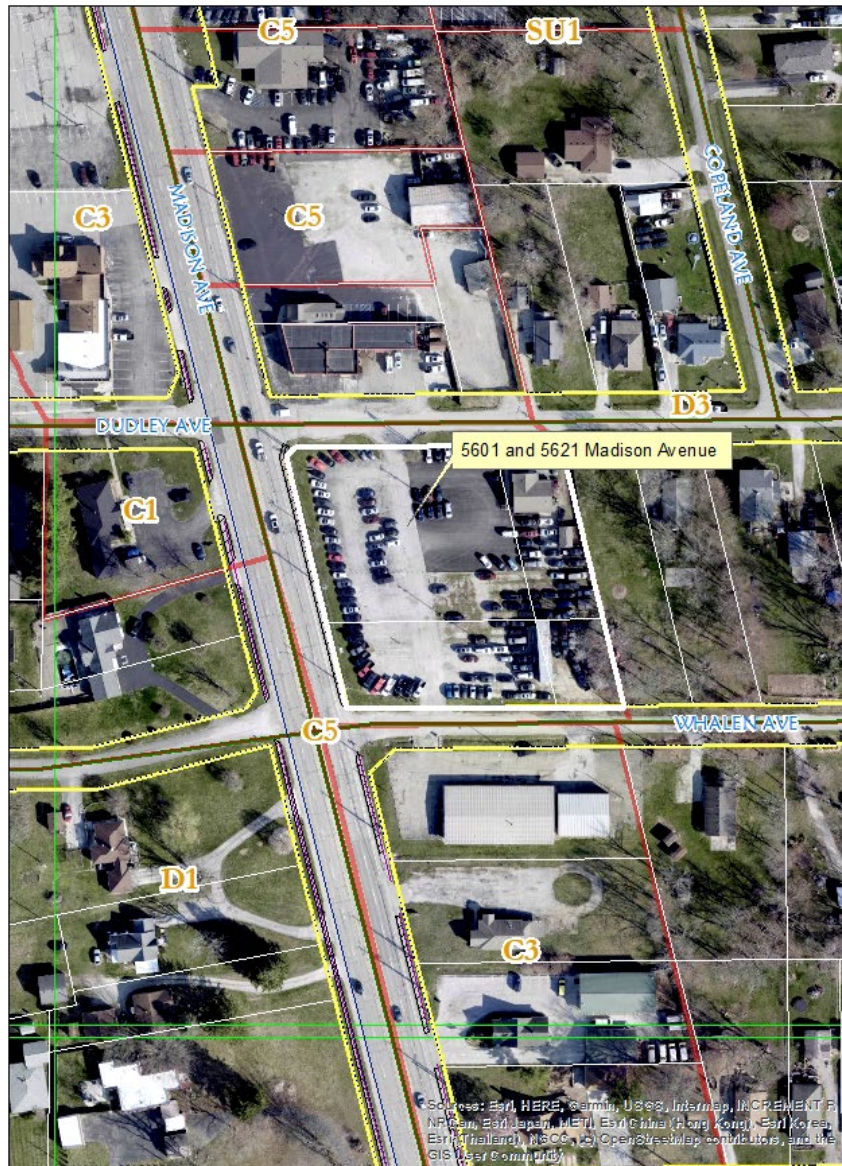
Letters of opposition were submitted by an area property owner and by the Thompson Edgewood Residential Association, and another area property owner appeared at the hearing. Reasons for opposition included improperly maintained property, lack of benefit to the neighborhood, and noncompliance with commitments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

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

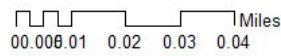
In your Hearing Examiner's opinion, the petitioner has not made a good faith effort to abide by commitments made in 2015, and has not maintained the site. Denial of this petition was recommended.

For Metropolitan Development Commission Hearing on February 4, 2026

EXHIBITS



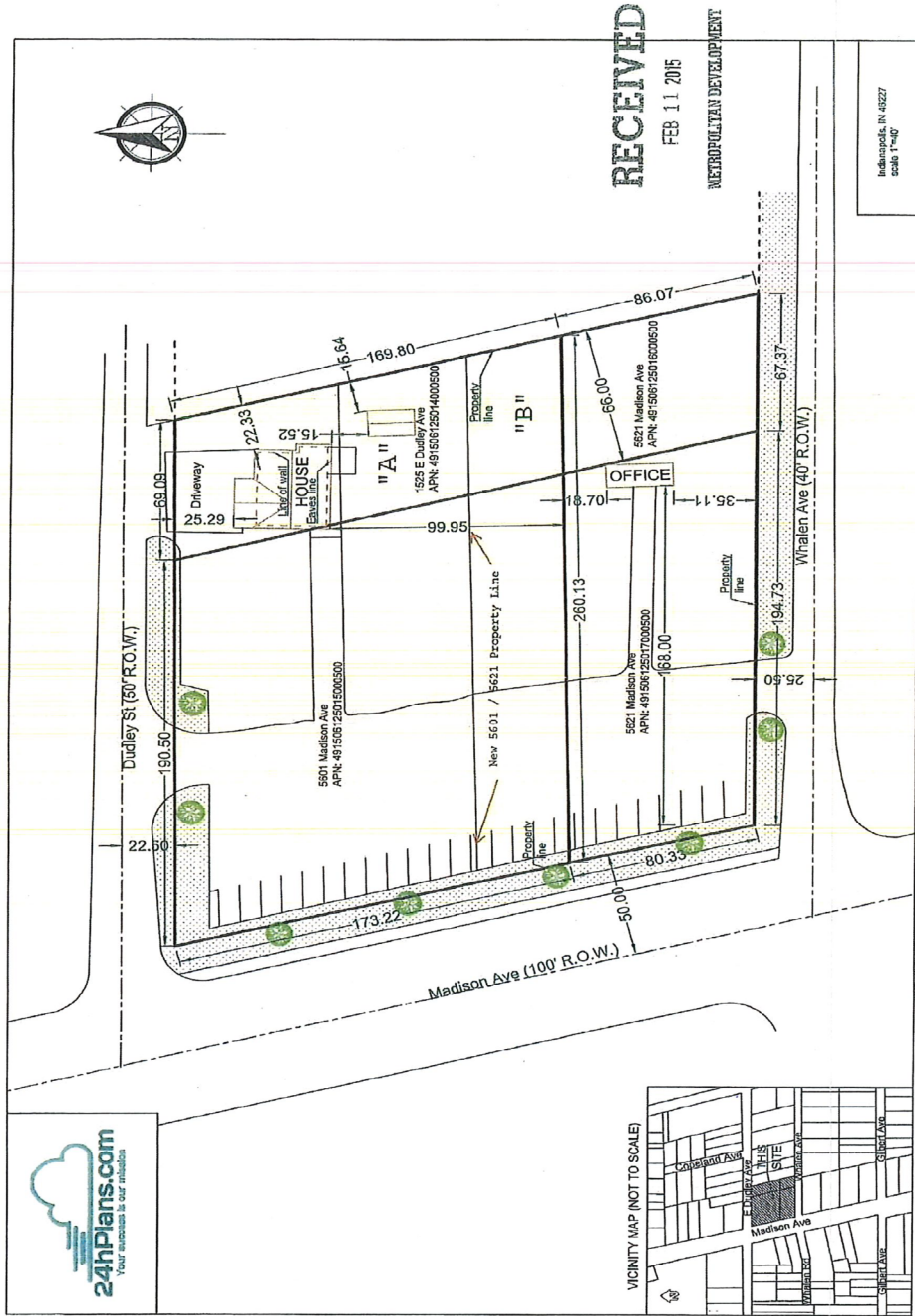
5601 and 5621 Madison Avenue





Department of Metropolitan Development
Division of Planning
Current Planning

2015-ZON-007 Site Plan



2025-MOD-024 Site Plan

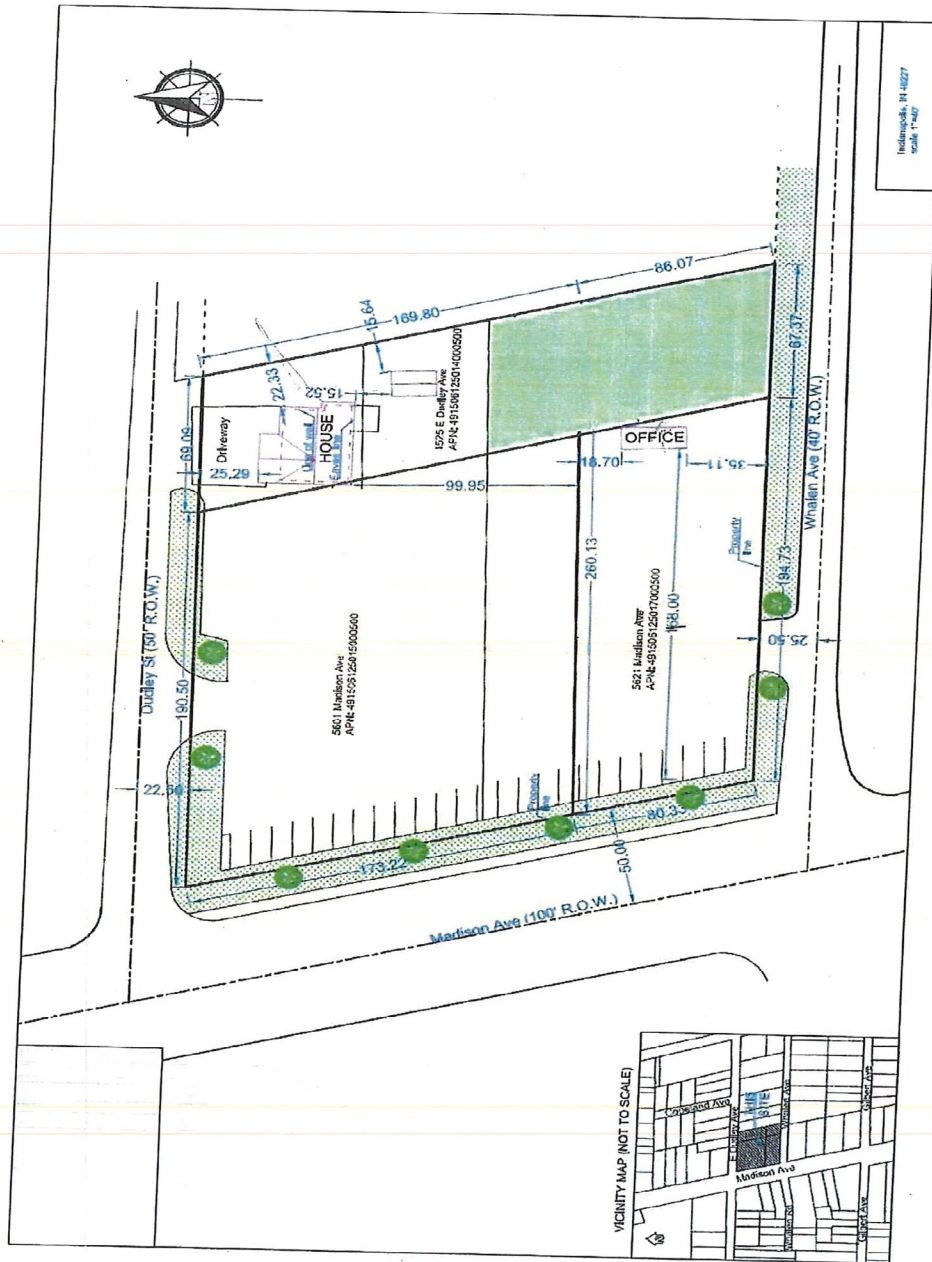
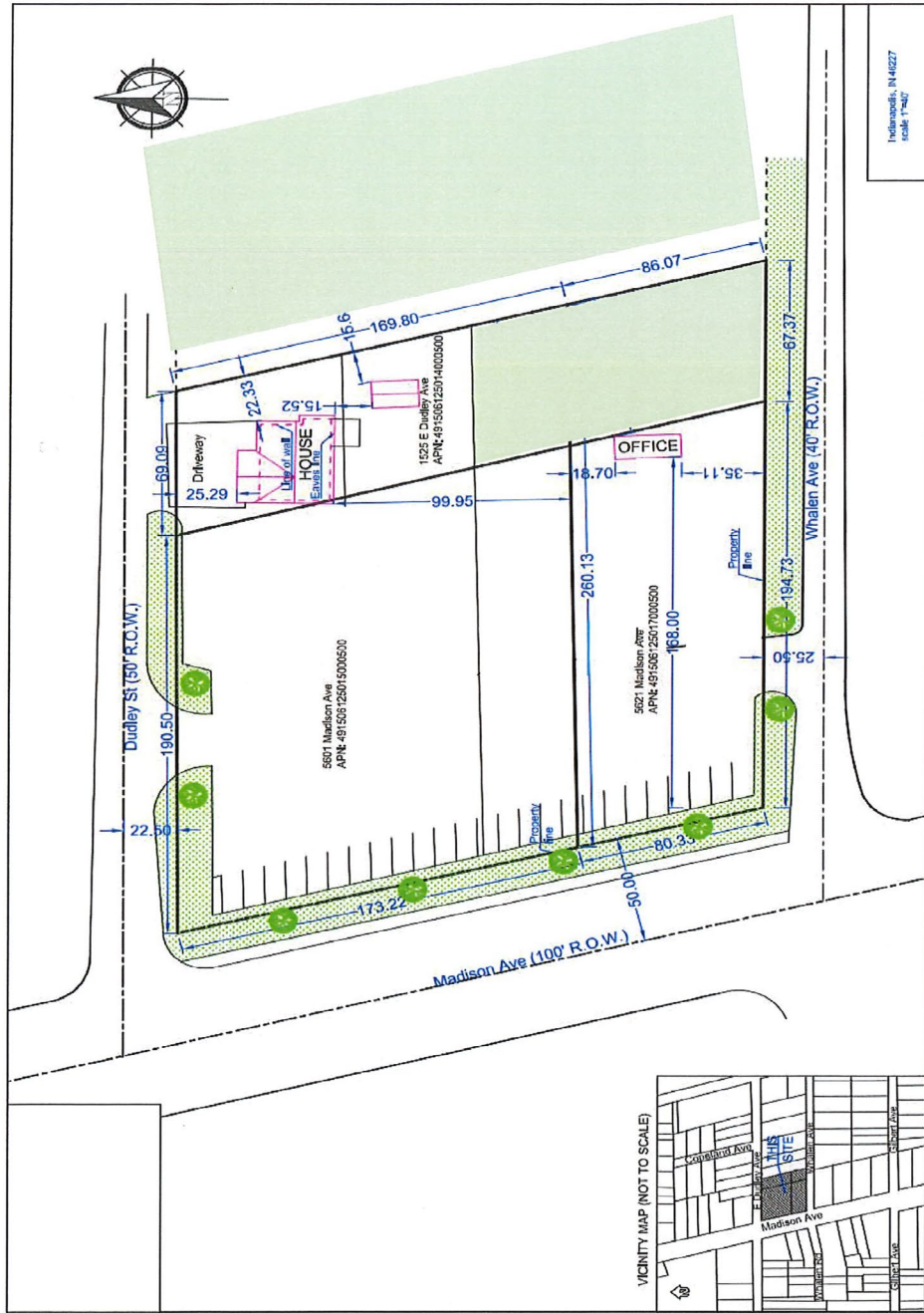


EXHIBIT 2

Updated Site Plan – March 23, 2026





Department of Metropolitan Development
Division of Planning
Current Planning

EXHIBIT A

A201500054955

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

ARC

RECEIVED

MAY 18 2015

METROPOLITAN DEVELOPMENT

STATEMENT OF MODIFICATION OR TERMINATION
OF COVENANTS OR COMMITMENTS

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

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

Legal Description: See Attached Exhibit "A"

Statement of MODIFICATION OR TERMINATION of Covenants or Commitments:

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

MDC's Exhibit C - - page 1 of 4



6



Department of Metropolitan Development
Division of Planning
Current Planning

RECEIVED

MAY 18 2015

METROPOLITAN DEVELOPMENT

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

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


These COMMITMENTS may be enforced jointly or severally by:

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

These COVENANTS may be enforced by the Metropolitan Development Commission.

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

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

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

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



Department of Metropolitan Development
 Division of Planning
 Current Planning

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MAY 18 2015

METROPOLITAN DEVELOPMENT

Exhibit B – Statement of Additional Commitments

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

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



View looking north along Madison Avenue



View looking south along Madison Avenue



View looking east along Dudley Avenue



View looking west along Dudley Avenue



View of site looking south across Dudley Avenue



View of site looking southeast across Dudley Avenue



View looking south across Dudley Avenue and Madison Avenue



View of site looking east across Madison Avenue



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



View of site looking north across Whalen Avenue



View of site looking north across Whalen Avenue



View of site looking north across Whalen Avenue



View of site looking northwest across Whalen Avenue



METROPOLITAN DEVELOPMENT COMMISSION

May 6, 2026

Case Number:	2026-ZON-084
Property Address:	4001 South Keystone Avenue
Location:	Perry Township, Council District #19
Petitioner:	Aman, LLC, by Tyler Ochs
Current Zoning:	C-4
Request:	Rezoning of 1.075 acres from the C-4 district to the C-S district to provide for all C-3 uses and an automobile fueling station
Current Land Use:	Convenience store
Staff Recommendations:	Denial.
Staff Reviewer:	Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued this petition, with notice, at the request of staff from the December 18, 2025 hearing, to the January 15, 2026 hearing, due to a delay in providing notice documents to the petitioner's representative

The Hearing Examiner acknowledged a timely automatic continuance was filed by a remonstrator that continued this petition from the January 15, 2026 hearing, to the February 12, 2026 hearing. However, due to scheduling conflicts, the Hearing Examiner continued this petition to the March 12, 2026 hearing, at the request of the petitioner's representative and the remonstrator's representative.

This petition was heard by the Hearing Examiner on March 12, 2026. After a full hearing, the Hearing Examiner recommended denial of the rezoning. Subsequently, the petitioner's representative filed an appeal of the Hearing Examiner's decision. A memorandum of her recommendation is attached.

The Metropolitan Development Commission continued this petition from the April 1, 2026 hearing, to the May 6, 2026 hearing, at the request of the petitioner's representative, without objection from the remonstrator's representative or staff.

STAFF RECOMMENDATION

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



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1. A 60-foot half right-of-way shall be dedicated along the frontage of South Keystone Avenue; a 59.5-foot half right-of-way shall be dedicated along the frontage of Hanna Avenue, and a 40-foot half right-of-way shall be dedicated along Carson 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).
2. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptacles provided for the proper disposal of trash and other waste.

PETITION OVERVIEW

This 1.075-acre site, zoned C-4, is developed with a convenience store and associated parking. It is surrounded by commercial uses to the north, across East Hanna Avenue, zoned C-4; commercial uses to the south, across Carson Avenue, zoned C-3; a single-family dwelling to the east, zoned D-3; and commercial uses to the west, across South Keystone Avenue, zoned C-3.

Petitions 2016-ZON-083 / 2016-VAR-003 rezoned the site from the C-3 district to the C-4 classification and a variance of development standards to allow for a liquor store with reduced separation from a protected district. These petitions were approved.

Petition 2022-MOD-010 requested modification of the Commitments related to 2016-ZON-083 to Modify Commitment #2 to remove “Automobile Fueling Station” and “Automobile and Light Vehicle Wash” from the list of prohibited uses. This petition was denied.

Petition 2024-MOD-011 requested a modification of the Commitments related to 2016-ZON-083 to Modify Commitment #2 to remove “Automobile Fueling Station” from the list of prohibited uses. This petition was denied.

REZONING

The request would rezone the site to the C-S district to provide for C-3 uses and an automobile fueling station. “The C-S District is designed to permit, within a single zoning district, multi-use commercial complexes or land use combinations of commercial and noncommercial uses, or single-use commercial projects. The primary objective of this district is to encourage development which achieves a high degree of excellence in planning, design or function, and can be intermixed, grouped or otherwise uniquely located with maximum cohesiveness and compatibility. The district provides flexibility and procedural economy by permitting the broadest range of land use choices within a single district, while maintaining adequate land use controls. The C-S District can include high-rise or low-rise developments, can be applied to large or small land areas appropriately located throughout the metropolitan area, and can be useful in areas of urban renewal or redevelopment.”



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The Comprehensive Plan recommends village mixed-use typology for the site.

Recommended land uses in this typology include detached / attached / small- and large- scale multi-family housing; assisted living facilities / nursing homes; group homes; bed and breakfast; small-scale offices, retailing, and personal or professional services; small- and large- scale schools, places of worship, neighborhood serving institutions / infrastructure, and other places of assembly; small-scale parks; artisan manufacturing and food production; structured parking; and community farms / gardens. As proposed, this rezoning request would not be consistent with the Plan recommendation of village mixed-use.

C-S Statement – July 10, 2025

The C-S Statement provides for all C-3 uses and an automobile fueling station.

The site plan depicts the location of the convenience store, with access drives along East Hanna Avenue and South Keystone Avenue. There is a third access drive that connects this site to the adjacent commercial property to the south.

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.



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

Planning Analysis

The Special Commercial district (C-S) is established for the following purposes:

1. To encourage a more creative approach in land planning, superior site and structural design and development and an efficient and desirable use of open space.
2. To provide for a use of land with high functional value.
3. To assure compatibility of land uses, both within the C-S district and with adjacent areas.
4. To permit special consideration of property with outstanding features, including, but not limited to, historical, architectural or social significance, unusual topography, landscape amenities, and other special land characteristics.
5. To provide maximum adaptability and flexibility in zoning and development controls to meet the changing and diverse needs of the metropolitan area.

Staff believes that development of this site with a gasoline station does not align with any of the above purposes that the Ordinance outlines for the C-S district. The site is already zoned C-4, which permits 59 primary land use categories and 26 accessory uses. Furthermore, many of those land use categories identify additional specific uses within that category. In staff's opinion this site has many permitted uses that would serve the surrounding neighborhood and support the Plan recommendation of village mixed-use.

Mixed-Use Typologies have a balance of places where people live and places where people work. Generally, only **uses that are compatible with residential uses are recommended in these typologies**. More intense uses, such as hospitals or universities in the 'Institution-Oriented Mixed-Use' have conditions attached to them that mitigate their impact on nearby residential neighborhoods."

As proposed this rezoning would not be consistent with the Comprehensive Plan recommendation of village mixed-use.

Staff recommended denial of the 2016 rezoning request because the Plan recommendation at that time specifically recommended the C-3 district / community commercial. Additionally, staff was concerned with the impact on the adjacent neighborhood of the C-4 district permitted uses, including the liquor store and the potential fueling station / convenience store.

Staff recommended denial of the 2022 modification of the Commitments related to the 2016-ZON-083 to modify Commitment #2 to remove "Automobile Fueling Station" and "Automobile and Light Vehicle Wash" from the list of prohibited uses.

Staff recommended denial of the 2024 modification of the Commitments related to the 2016-ZON-083 to modify Commitment #2 to remove "Automobile Fueling Station" from the list of prohibited uses.



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The current plan recommendation of village mixed-use would be consistent with the C-3 District and provide for more small-scale and pedestrian-friendly uses and activities. The introduction of an automobile fueling station would not be appropriate for this site and would negatively impact the residential uses.

After the denial of the 2022 modification to permit an automobile fueling station, a 2800 square-foot convenience store and an automobile and light vehicle wash, the petitioner constructed the 2800 square-foot convenience store. When staff visited the site, the convenience store was operational with an active customer business.

Staff believes that the convenience store is an improvement to the site that had fallen in disrepair and neglect and supports the Plan recommendation of village mixed-use. However, allowing further development of the site for an automobile fueling station would increase the commercial intensity and encroachment that would be detrimental to the surrounding land uses by introducing increased traffic, noise, lighting and trash into this area.

There have been no changes in the surrounding land uses since the 2022 denial of a similar request that would cause staff to support the rezoning to provide for an automobile fueling station. In other words, an automobile fueling station at this location would negatively impact surrounding land uses, particularly the residential uses to the east.

GENERAL INFORMATION

Existing Zoning	C-4	
Existing Land Use	Convenience store	
Comprehensive Plan	Village Mixed-Use	
Surrounding Context	Zoning	Land Use
	North: C-4	Commercial uses
	South: C-3	Commercial uses
	East: D-3	Single-family dwelling
	West: C-3	Commercial uses
Thoroughfare Plan		
South Keystone Avenue	Primary Arterial	Existing 90-foot right-of-way and proposed 120-foot right-of-way.
Hanna Avenue	Primary Arterial	Existing 84-foot right-of-way and proposed 119-foot right-of-way.
Carson Avenue	Secondary Arterial	Existing 60-foot right-of-way and proposed 80-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	



Overlay	No
Wellfield Protection Area	No
Site Plan	October 10, 2025
Site Plan (Amended)	N/A
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	N/A
Findings of Fact (Amended)	N/A
C-S/D-P Statement	July 10, 2025

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

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

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

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



Conditions for All Land Use Types – Village Mixed-Use Typology

- All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
- All development should include sidewalks along the street frontage.
- In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.
- Where possible, contributing historic buildings should be preserved or incorporated into new development.

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.”)

- Mixed-use structures are preferred.
- **Automotive uses (such as gas stations** and auto repair) and uses with 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.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

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

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

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

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



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- Identify roadways for planned expansions or new terrain roadways.
- Coordinate modal plans into a single linear network through its GIS database.



ZONING HISTORY

2024-MOD-011; 4001 South Keystone Avenue, requested modification of the commitments related to 2016-ZON-083 to Modify Commitment #2 to remove “Automobile Fueling Station” from the list of prohibited uses, **denied**.

2022-MOD-010; 4001 South Keystone Avenue, requested modification of the commitments related to 2016-ZON-083 to Modify Commitment #2 to remove “Automobile Fueling Station” and “Automobile and Light Vehicle Wash” from the list of prohibited uses, **denied**.

2016-ZON-083 / 2016-VAR-003; 4001 South Keystone Avenue, requested rezoning of 1.075 acres from the C-3 district to the C-4 classification and a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a liquor store, within 70 feet of a protected district, **approved and granted**.

VICINITY

2006-ZON-138; 2616 East Hanna Avenue (north of site), requested rezoning of 1.82 acres, from the D-4 District, to the C-1 classification to provide for the expansion of a nursing home, **approved**.

99-UV1-126; 4031-4051 Carson Avenue (south of site), requested a variance of use of the Commercial Zoning Ordinance to provide for outdoor sales of produce, flowers, plants and other seasonal good, **granted**.

98-UV2-92, 2602 East Hanna Avenue (north of site); requested variance of use of the Dwelling Districts Zoning Ordinance, to provide for mini-warehouses, **granted**.

95-Z-83/95-Z-84, 2401 National Avenue (north of subject site); requested a rezoning of 9.02 acres, being in the D-7 Dwelling District, to the C-S Commercial Special classification, to provide for a catering hall, offices and warehousing, **approved**.

87-UV1-111, 3950 South Keystone Avenue (north of site); requested a variance of use of the Commercial and Dwelling Districts Zoning Ordinances to provide for a car wash, **granted**.

83-Z-215, 3647 South Keystone Avenue (north of site); requested a rezoning of 0.77 acre, being in the D-4 Dwelling District, to the C-1 classification, to provide for office uses, **approved**.

74-Z-196, 2540 East Hanna Avenue (west of site); requested a rezoning of 5.18 acres, being in the C-3 Commercial District, to the C-4 classification, to provide for a supermarket and retail commercial uses, **approved**.

70-Z-232, 2600 East Hanna Avenue (north of site); requested a rezoning of 17.4 acres, being in the D-4 District, to the D-7 classification, to provide for apartments, **approved**.

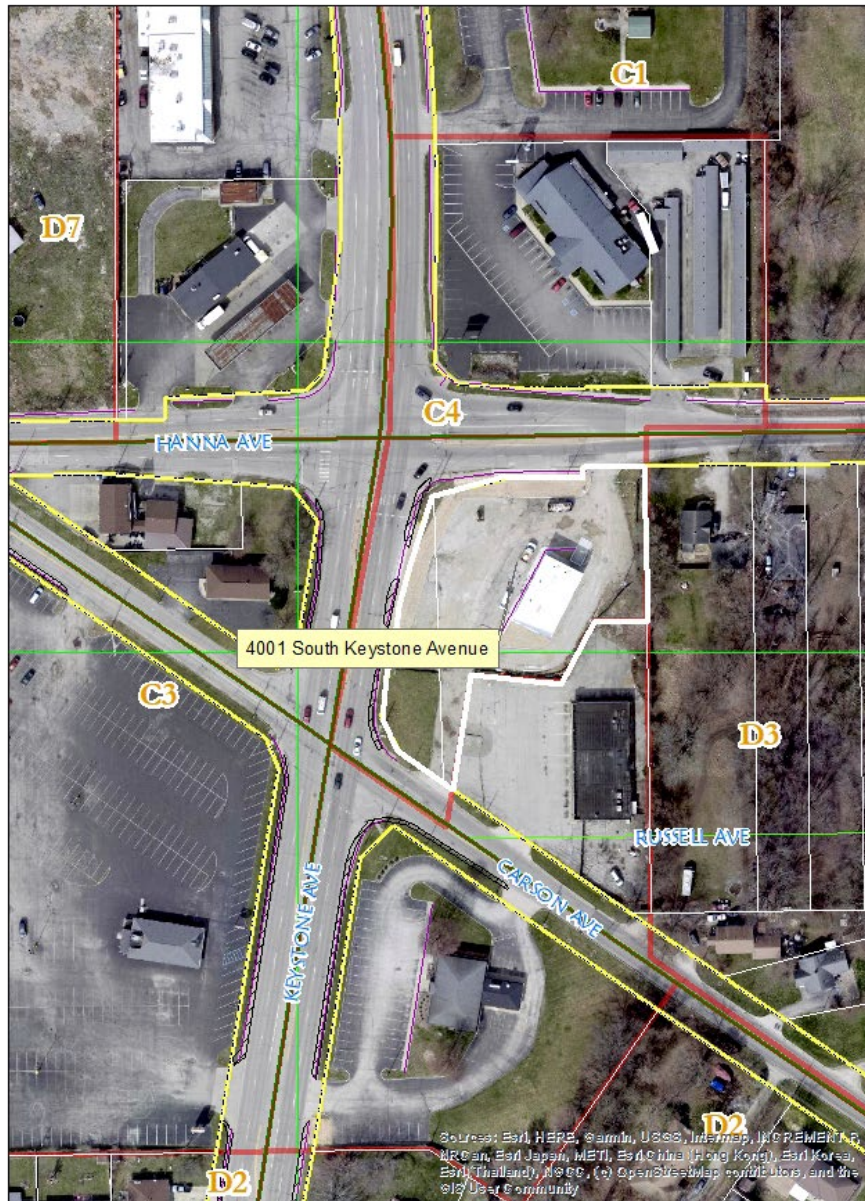


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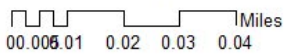
70-Z-23, 2400 East Hanna Avenue (west of site); requested a rezoning of 7.25 acres, being in the D-4 District, to the C-3 classification, to provide for office and retail uses, **approved.**

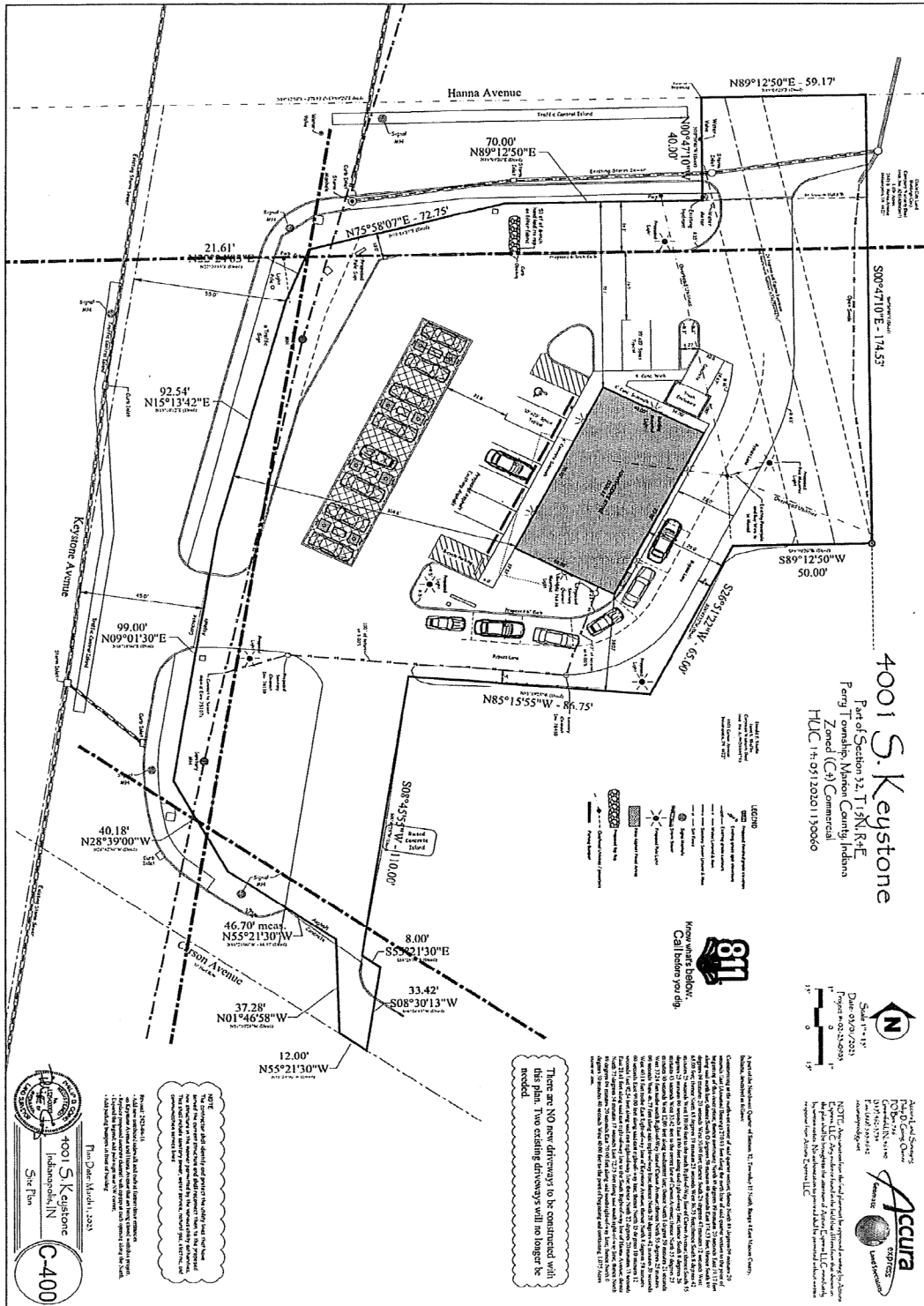
69-Z-246, 3838 South Keystone Avenue (north of site); requested a rezoning of 1.97 acres, being in the D-4 Dwelling District, to the C-3 classification, to provide for retail uses, **approved.**

EXHIBITS



4001 South Keystone Avenue







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C-S STATEMENT

4001 S. Keystone Avenue (“Site”)

The Site is a corner lot fronting Keystone Avenue and Hanna Avenue, two extremely high traffic roads in Indianapolis. The Site, which remained vacant for roughly four years and was bound by commitments, currently is used for a newly constructed convenience store. The owner has significantly cleaned up the Site, removed unnecessary ingress/egress access points, and has constructed a new, state of the art, convenience store. This rezone will allow for the convenience store, an asset to the community, to continue operation by adding automobile fueling stations to the Site.

1. Uses: The following uses shall be permitted uses on the Site:
 - a. All C-3 Permitted Uses as described in the Marion County Zoning Ordinance
 - b. Automobile Fueling Station
2. Improvements
 - a. Convenience Store (already constructed)
 - b. Automobile Fueling Pumps
3. Site Plan: A site plan depicting layout has been filed with the Department of Metropolitan Development. The Convenience Store on the Site has already been constructed and is operating.

MEMORANDUM OF EXAMINER’S DECISION

2026-ZON-084

4001 South Keystone Avenue

The petition requests the rezoning of 1.08 acres from the C-4 district to the C-S district to provide for all C-3 uses and an automobile fueling station.

Your Hearing Examiner visited the site prior to the hearing and noted its current use as a convenience store. Retail uses are on the other three corners of this intersection, and a residence is east of it.

The petitioner’s representative described the recent zoning history of the site, beginning with a petition in 2016 which rezoned the site from C-3 to C-4 to allow the relocation of a liquor store and included a commitment to prohibit an automobile fueling station. A modification of commitments was filed in 2022 and again in 2024 to remove automobile fueling from the list of prohibited uses, and both petitions were denied. A convenience store was constructed on the site within the last two years, and the petitioner would like to allow an automobile fueling station on the site. The petitioner’s representative opined that this is a busy intersection and the addition of an automobile fueling station would not increase traffic or the footprint of the building. The irregular shape of the site was also noted.

The remonstrator’s representative explained that the remonstrator owned a nearby automobile fueling station and convenience store. The representative said that there are 5 automobile fueling stations less than a mile from this site, and no more are needed. A letter of opposition from Marion County Alliance of Neighborhood Associations was presented, with chief concerns expressed that the commitment was negotiated in good faith and a modification was denied twice, the intensification of the site is incompatible with surrounding uses, and the request is contrary to the Comp Plan. A petition of opposition was presented, although very few signees included addresses on it.



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Staff stated that the request was an inappropriate use of the C-S district, because it is neither special nor creative. Staff also said that an automobile fueling station does not conform with the Comp Plan recommendation of Village Mixed Use, and said that it had consistently opposed an automobile fueling station on this site.

As your Hearing Examiner has previously opined during the hearings for the modification of commitments in 2022 and 2024, a public hearing is not the forum for a business to keep a competitor out of the area, nor is the number of existing automobile fueling stations within close proximity a reason for denial. It is your Hearing Examiner's opinion, however, there have been no significant land use changes in the area during the last ten years that warrant allowing an automobile fueling station on this site. The request does not meet the spirit and intent of the C-S district, and would allow a use that does not conform with the Comp Plan. Denial of this petition was recommended.

For Metropolitan Development Commission Hearing on April 1, 2026



View looking north along north Keystone Avenue



View looking north along South Keystone Avenue



View looking east along Hanna Avenue



View looking northeast across intersection of Hanna Avenue and South Keystone Avenue



View of site looking northeast across intersection of Carson Avenue and South Keystone Avenue



View of site looking south across Hanna Avenue



View of site looking south across Hanna Avenue



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METROPOLITAN DEVELOPMENT COMMISSION

May 6, 2026

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

PETITION HISTORY

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

The Metropolitan Development Commission continued this petition from the February 4, 2026 hearing, to the March 4, 2026 hearing, to the April 1, 2026 hearing, and to the May 6, 2026 hearing, at the request of the petitioner.

STAFF RECOMMENDATION

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

1. A technical assessment shall be conducted prior to the issuance of an Improvement Location Permit to provide for a wetlands delineation to determine the type and quality and how the area could be preserved and integrated into the development as an amenity.
2. A 56-foot half right-of-way shall be dedicated along the frontage of Madison Avenue, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).



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3. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptacles provided for the proper disposal of trash and other waste.

PETITION OVERVIEW

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

REZONING

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

The Comprehensive Plan recommends suburban neighborhood typology for the site.

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

As proposed, this request would not be consistent with the Plan recommendation of suburban neighborhood.

Overlays

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



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

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

Department of Public Works

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

Wetland Preservation

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

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

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

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

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



Stream Protection Corridor

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

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

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

The Stream Protection Corridor is defined as:

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

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

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

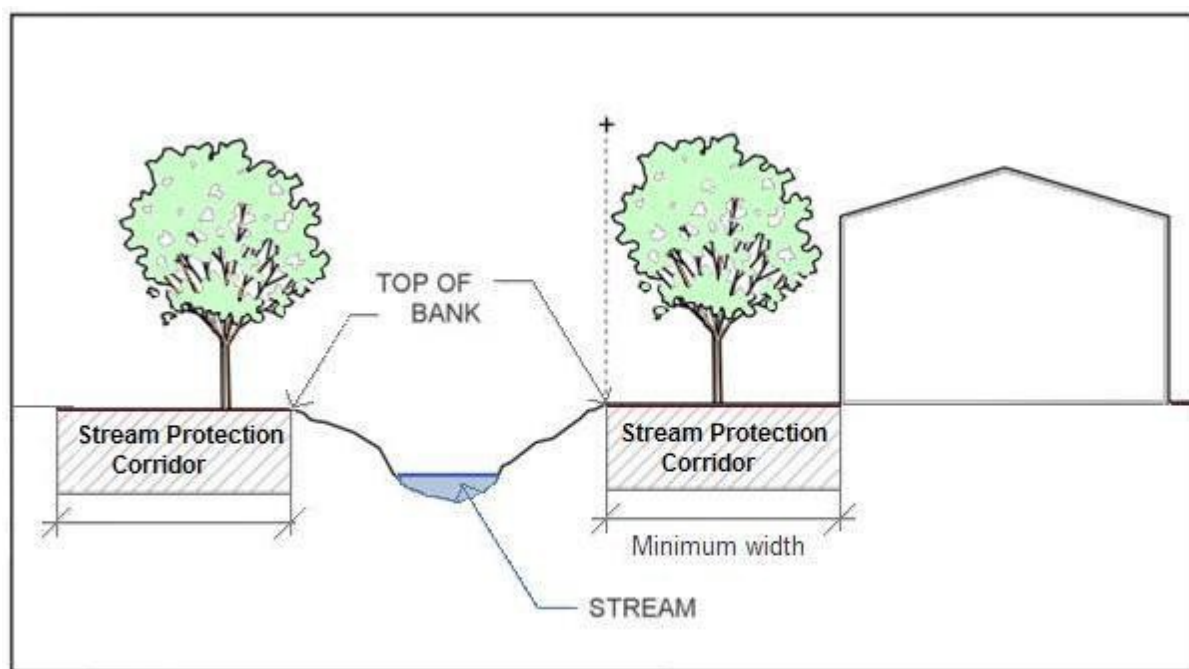
Stream Channel is defined as “part of a watercourse that contains an intermittent or perennial base flow of groundwater origin.”

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

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

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

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



Stream Protection Corridor

Environmental Public Nuisances

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



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

Environmental public nuisance means:

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

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

Planning Analysis

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

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

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

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



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

GENERAL INFORMATION

Existing Zoning	D-1 (TOD)	
Existing Land Use	Single-family dwelling	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Land Use
North:	D-1 (TOD)	Single-family dwelling
South:	D-1 (TOD)	Single-family dwelling
East:	D-9 (TOD)	Multi-family dwellings
West:	D-1 (TOD)	Single-family dwelling
Thoroughfare Plan		
South Madison Avenue	Secondary Arterial	Existing 90-108-foot right-of-way and proposed 112-foot right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	Yes. Transit-Oriented Development	
Wellfield Protection Area	No	
Site Plan	N/A	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends Suburban Neighborhood typology. “The Suburban Neighborhood typology is predominantly made up of single-family housing but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-serving businesses, institutions, and amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for development. Streets should be well-connected, and amenities should be treated as landmarks that enhance navigability of the development. This typology generally has a residential density



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of 1 to 5 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.”

Pattern Book / Land Use Plan

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

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

Conditions for All Land Use Types – Suburban Neighborhood Typology

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

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

- If proposed within one-half mile along an adjoining street of an existing or approved residential development, then connecting, continuous pedestrian infrastructure between the proposed site and the residential development (sidewalk, greenway, or off-street path) should be in place or provided.
- Should be located at the intersections of arterial streets and should be no closer than one mile to another commercial node with one acre or more of commercial uses except as reuse of a historic building.
- Should be limited to an aggregate of 3.5 acres per intersection, with no one corner having more than 1.5 acres.
- Should be limited to areas and parcels with adequate space for required screening and buffering.
- Automotive uses (such as gas stations and auto repair) and uses requiring a distance of separation of greater than 20 feet under the zoning ordinance (such as liquor stores, adult uses, and drive-through lanes) are excluded.
- Should not include outdoor display of merchandise.



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Red Line / Blue Line / Purple Line TOD Strategic Plan

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

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

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

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

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

- Classify roadways based on their location, purpose in the overall network and what land use they serve.
- Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
- Set requirements for preserving the right-of-way (ROW).
- Identify roadways for planned expansions or new terrain roadways.
- Coordinate modal plans into a single linear network through its GIS database.



ZONING HISTORY

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

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

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

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

VICINITY

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

94-Z-196; 5433 South Madison Avenue, requests rezoning of 0.44 acre, being in the C-3 District, to the C-5 classification to provide for commercial development, **pending**.

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

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

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

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

88-Z-140; 5452 Madison Avenue, requests rezoning of 1 acre, being in the D-1 and C-3 Districts, to



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the C-4 classification to provide for the construction of a neighborhood shopping center, **approved**.

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

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

MEMORANDUM OF EXAMINER'S DECISION

2025-ZON-132 (Amended)

5736 Madison Avenue

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

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

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

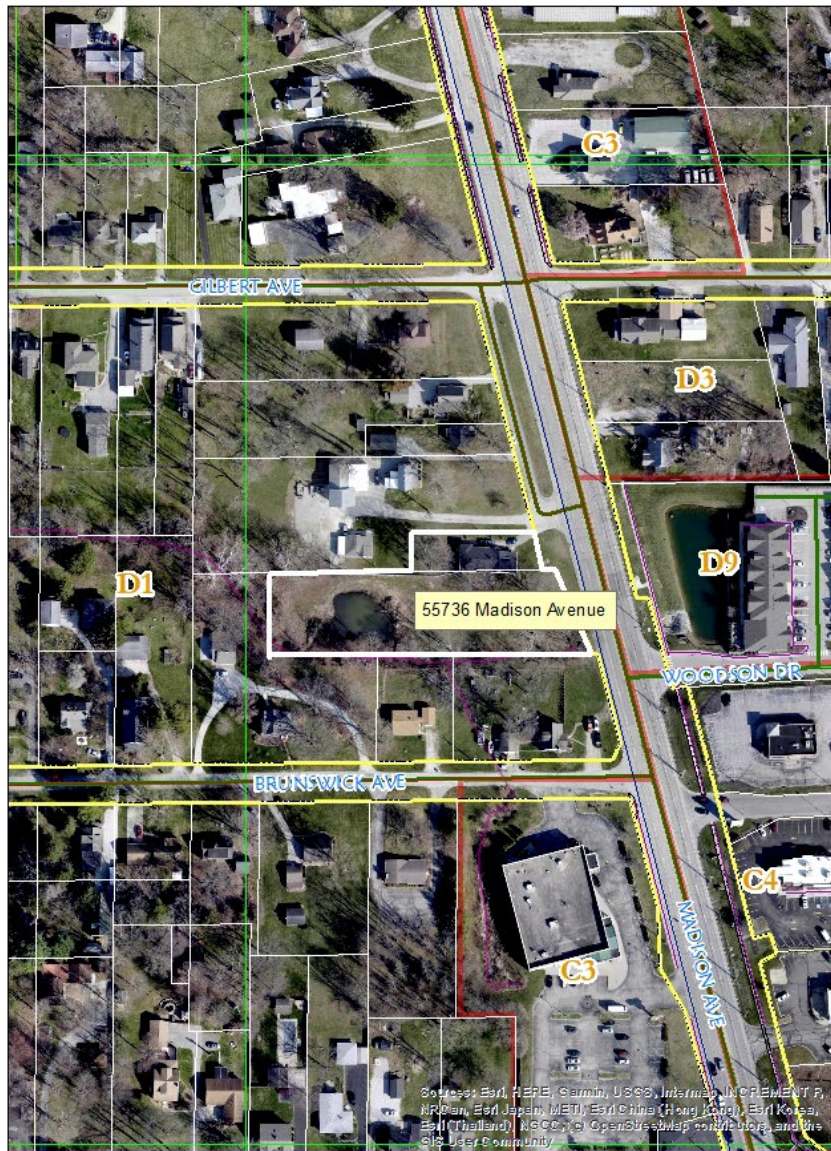
Letters of opposition were submitted by two area property owners and by the Thompson Edgewood Residential Association, and another area property owner appeared at the hearing. Reasons for opposition included traffic and access concerns, incompatibility with surrounding residences, lack of a site plan,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

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

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

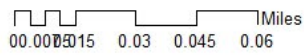
For Metropolitan Development Commission Hearing on February 4, 2026

EXHIBITS



Sources: Esri, HERE, Garmin, USGS, Imagery, Mapbox, Swatch, Mapbox, Esri, Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NSCC, © OpenStreetMap contributors, and the GIS User Community

5736 Madison Avenue





View looking south along Madison Avenue



View of site looking west across Madison Avenue



View of site looking west across Madison Avenue



View looking northwest across Madison Avenue



METROPOLITAN DEVELOPMENT COMMISSION **May 6, 2026**

Case Number: 2026-CZN-808 / 2026-CVR-808 (Amended)
Property Address: 8450 Westfield Boulevard (*Approximate Address*)
Location: Washington Township, Council District #2
Petitioner: Black Panther Athletica, LLC, by Misha Rabinowitch
Current Zoning: C-3 (TOD) / SU-38 (TOD)
 Rezoning of 6.16 acres from C-3 (TOD) and SU-38 (TOD) to SU-16 (TOD) to provide for an indoor and outdoor recreational facility, with accessory uses including daycare, a restaurant, and retail.

Request: Variance of Development Standard of the Consolidated Zoning and Subdivision Ordinance to provide for development with a 6.5-foot north side transitional yard setback (minimum 20-foot side transitional yard required), a five-foot rear yard setback (minimum 10-foot rear yard setback required), a zero-foot south side yard setback (minimum 10-foot side yard setback required), a building height of 64 feet along a transitional yard (maximum 18-foot height permitted), a front building line 94 feet from the property line and 51% of the lot width (range of 0-20 feet and 60% required), a single primary entry feature (3 required), 234 parking spaces (minimum 363 parking spaces required), a driveway with 32 feet in width (maximum 24-foot width), and front-yard parking with a 20-foot setback (25-foot setback required), and to provide for a pylon sign with an Electronic Variable Messaging Sign (EVMS) component (pylon sign within 600 feet of a protected district not permitted, EVMS not permitted).

Current Land Use: Undeveloped
Staff Recommendation: Staff recommends **approval** of each of the requested variances, except for **denial** of the variance related to the EVMS sign.
Staff Reviewer: Michael Weigel, Principal Planner I

PETITION HISTORY

4/9/26: Due to a potential conflict of interest, the Hearing Examiner recused themselves from initial hearing of this petition. The case was continued and transferred for initial hearing by the Metropolitan Development Commission on May 6th, 2026.

STAFF RECOMMENDATION

Staff recommends **approval** of the rezoning request as well as **approval** of the variances related to setbacks, building height, front building line, front entry features, number of parking spaces, driveway width, parking placement, and pylon sign.

Staff recommends **denial** of the variance related to allowing for a digital display on the proposed sign.



PETITION OVERVIEW

LAND USE

The subject site is comprised of approximately 6.16 acres and is currently undeveloped. The previous office building at the site was demolished in 2025, although two (2) vehicle access points remain at the site. The property is predominantly zoned C-3, although a small portion to the south is zoned SU-38 (Community Center). Surrounding land uses include apartment buildings to the north, a YMCA to the southwest, and several schools (Hilltop Elementary School, Northview Middle School) to the east. The site is located near the Monon Trail to the west, Nora Plaza shopping center to the north, and North Central High School to the northeast.

REZONE

Approval of this petition would rezone the subject site to the SU-16 zoning district, to allow for a multi-story indoor recreational facility containing tennis, pedal, and ping-pong facilities. The facility would also include accessory uses to the primary recreational facility: a daycare, two restaurants, first-floor retail space, and offices are noted on floor plans provided for staff review. daycare, a restaurant, and retail. The development would also result in the placement of new accessory parking areas, an outdoor playground associated with the daycare, the placement of new sidewalk and crosswalks, and alterations to both curb cuts: the northern entry point would be closed while the southern one would be removed and combined with the existing YMCA driveway to the south.

The SU-16 zoning district is the Special Use district to allow for indoor and outdoor recreation and entertainment establishments. Administrative Approval of plans would be required for new development within this district. Accessory uses related to a primary indoor/outdoor recreation facility would also be allowed by-right within SU-16 zoning.

C-3 is the Neighborhood Commercial District characterized extensive range of retail sales and personal, professional, and business services required to meet the demands of the residential neighborhood in proximity. C-3 generally does not allow those businesses that require the outdoor display, sale or storage of merchandise; or require outdoor operations.

SU-38 is the Special Use District that permits a community center. Only a small portion of the subject site has this zoning designation, due to proximity to the existing YMCA facility to the southwest of the property.

The property also falls within the Transit-Oriented Development ('TOD') Secondary Zoning district since the property is within 1000 feet of a projected future extension of the existing Red Line (the closest contemplated stop would be a BRT station at 91st and College). The TOD designation would result in additional dimensional standards applicable for development in this zoning district (SU-16 standards would mirror those applicable for C-5 zoning).



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VARIANCES OF DEVELOPMENT STANDARDS

Plans submitted by the applicant indicate the need for 12 Variances of Development Standards:

- Parking areas would be 6.5 feet from the property line to the north (20-foot transitional yard setback would be required).
- Parking areas would be 5 feet from the property line to the west (10-foot rear yard setback would be required).
- Parking areas would be 0 feet from the property line to the south (10-foot side yard setback would be required).
- The height of the building would be 64 feet, and since the building would encroach into the required transitional yard, a maximum height of 18 feet would be required.
- The front building line of the structure would be established 94 feet from the property line (a range of 0-20 feet would be required for the frontage type).
- The front building line of the structure would comprise 51% of the lot's total width (60% of the total lot width would be required for the frontage type).
- The building would have one primary entry feature on the front façade (3 would be required given the width of the front façade).
- The site would be improved with 234 parking spaces (the proposed uses and square footage of the facility would require the placement of at least 363 parking spaces).
- The newly placed driveway would have a width of 32 feet (a maximum of 24 feet would be permitted for the frontage type).
- The parking area proposed within the front yard would have a setback of 20 feet from the front property line to the east (25-foot setback would be required).
- The proposed freestanding sign would be a pylon sign given its height of 11.17 feet (pylon signs are not allowed within 600 feet of protected districts in SU zoning).
- The proposed freestanding sign would incorporate a digital display (Electronic Variable Messaging Signs are not permitted within SU zoning).

STAFF ANALYSIS

Staff feels that the proposed SU-16 zoning would be consistent with other institutional uses that have Special Use zoning along this corridor (SU-2 to the east, SU-38 to the south), and that the proposed mix of uses would be consistent with the Village Mixed Use recommendation of the Comprehensive Plan. Maintaining a Special Use zoning (as opposed to a higher-intensity commercial district which might introduce uses less appropriate for the corridor context) would more closely match the existing YMCA facility and would reflect the likelihood of utilization by the various educational facilities to the east. Staff recommends approval of the request to rezone to the SU-16 zoning district.

Findings of Fact related to the requested setback variances note that each of the encroachments would only be from paved vehicle areas, that the southern setback would be for a parcel with which there would be integrated parking facilities, and that the transitional setback relates to a D-P zoning district that



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contains several multi-story apartment buildings of a similar intensity to the proposed facility. Staff concurs and recommends **approval** of the variances requested related to setbacks.

Similarly, application documents provided by the petitioner indicate that approval of the transitional yard height variance would be justified given that the apartment buildings within the D-P zoning district to the north are of a similar height to the proposed structure. Staff agrees that this would constitute an atypical buffer yard, and would note that a building height of 65 feet is contemplated within the SU-16 zoning district for instances without a transitional yard. Staff recommends **approval** of the height variance.

Table 744-402-1 of the Ordinance regulates required parking minimums that are based on both building use and square footage. Required parking for a building with this size and this combination of uses would be 363 total parking spaces. Staff would note that the single largest contributor to the number of required parking spaces would be for the proposed tennis, padel, and ping-pong areas (85,493 square feet in total). While the minimum requirement of 1 space per 400 square feet would be logical for team sports such as basketball or soccer, the game courts proposed for this facility typically only allow for a max of 4 players per court. Additionally, the petitioner has noted that they have a parking agreement in place with the YMCA to the south and that a Traffic Impact Study will potentially be undertaken (not a requirement of petition approval). The property also falls within the TOD secondary overlay where off-street parking spaces are discouraged. Given this context, staff recommends **approval** of the parking space variance.

The site's location within the TOD overlay results in the need for five (5) separate variances outlined above. Those variances relate to the front building line, number of primary entry features, driveway width, and parking setback. Findings note the consistency of the proposed FBL width and placement with surrounding development, and staff would note that (a) the new driveway proposed at the southern edge of the property would be a shared drive with the YMCA that would consolidate and replace the two (2) driveways that currently exist there; (b) the single proposed entry feature on the provided elevations is substantial and that the rest of the front façade maintains a high level of transparency as contemplated by the Comprehensive Plan; and (c) landscape buffering would be placed between front-yard parking areas and both the frontage and the playground area which would reduce negative externality. Staff recommends **approval** of the five (5) variances applicable from Table 744-702-3.

Although SU zoning districts don't allow for pylon signage, staff would note that the proposed sign height provided in the given renderings (11 feet) would fall between the maximum heights of monument and pylon signs applicable for SU zoning (5 feet and 15 feet respectively) and would fall well below the maximum height for pylon signs contemplated in commercial districts (25 feet). Additionally, the closest protected district would be the D-P zoning district to the north containing several tall apartment buildings. The proposed sign would also comply with other dimensional standards (excepting the digital display; discussed below). Staff finds the pylon request to be minor in nature and recommends **approval**.

EVMS SIGNAGE

Findings of Fact provided in support of the request to allow for a digital display on the requested freestanding sign indicate that a similar digital display sign already exists for the school property to the east and that the EVMS display would be needed to notify the public of activities occurring on-site. Staff would note that neither the previous office tenant sign at the subject, the YMCA sign to the south, nor the



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school sign directly to the east incorporate a digital display. Additionally, alternate methods to inform the public of events would exist. Staff does not feel that a practical difficulty has been displayed to justify the placement of an EVMS sign and recommends **denial** of this variance.

GENERAL INFORMATION

Existing Zoning	C-3 (TOD) / SU-38 (TOD)	
Existing Land Use	Undeveloped	
Comprehensive Plan	Village Mixed Use	
Surrounding Context	Zoning	Surrounding Context
North:	D-P	North: Multi-Family Residential
South:	SU-38	South: YMCA
East:	SU-2	East: Middle School
West:	SU-38	West: YMCA / Monon Trail
Thoroughfare Plan		
Westfield Boulevard	Secondary Arterial	102-foot existing right-of-way and 102-foot proposed right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	02/20/2026	
Site Plan (Amended)	03/18/2026	
Elevations	02/20/2026	
Elevations (Amended)	N/A	
Landscape Plan	03/27/2026	
Findings of Fact	02/20/2026	
Findings of Fact (Amended)	03/17/2026	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)
- Red Line Transit Oriented Development Strategic Plan (2015)

Pattern Book / Land Use Plan

- The Village Mixed-Use typology creates neighborhood gathering places with a wide range of small businesses, housing types, and public facilities. This typology is intended to strengthen existing,



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historically small town centers as well as to promote new neighborhood centers. Businesses found in this typology serve adjacent neighborhoods, rather than the wider community. This typology is compact and walkable, with parking at the rear of buildings. Buildings are one to four stories in height and have entrances and large windows facing the street. Pedestrian-scale amenities such as lighting, landscaping, and sidewalk furniture also contribute to a walkable environment in this typology. Uses may be mixed vertically in the same building or horizontally along a corridor. Public spaces in this typology are small and intimate, such as pocket parks and sidewalk cafes. This typology has a residential density of 6 to 25 dwelling units per acre.

- Large-Scale Schools, Places of Worship, Community-Serving Institutions/Infrastructure, and Other Places of Assembly is a contemplated land use within this typology. Such uses should be located along arterial or collector streets, near bus or rapid transit stops, and should maintain continuous pedestrian connectivity.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Due to its proximity to the contemplated College & 91st BRT stop, this parcel is recommended to the Walkable Neighborhood TOD typology to allow for walkable areas that are primarily residential but may have a commercial node of one to two blocks, with a mix of uses near stations and stabilized residential beyond that. Off-street parking is discouraged and should be limited to garages.

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 property is located near the Monon Trail to the west (separated by one parcel).



ZONING HISTORY

ZONING HISTORY – SITE

58-Z-84, rezoning of 6.237 acres from A-2 to B-2 to allow for retail stores, offices, and personal service shops, **approved**.

RECENT ZONING HISTORY – VICINITY

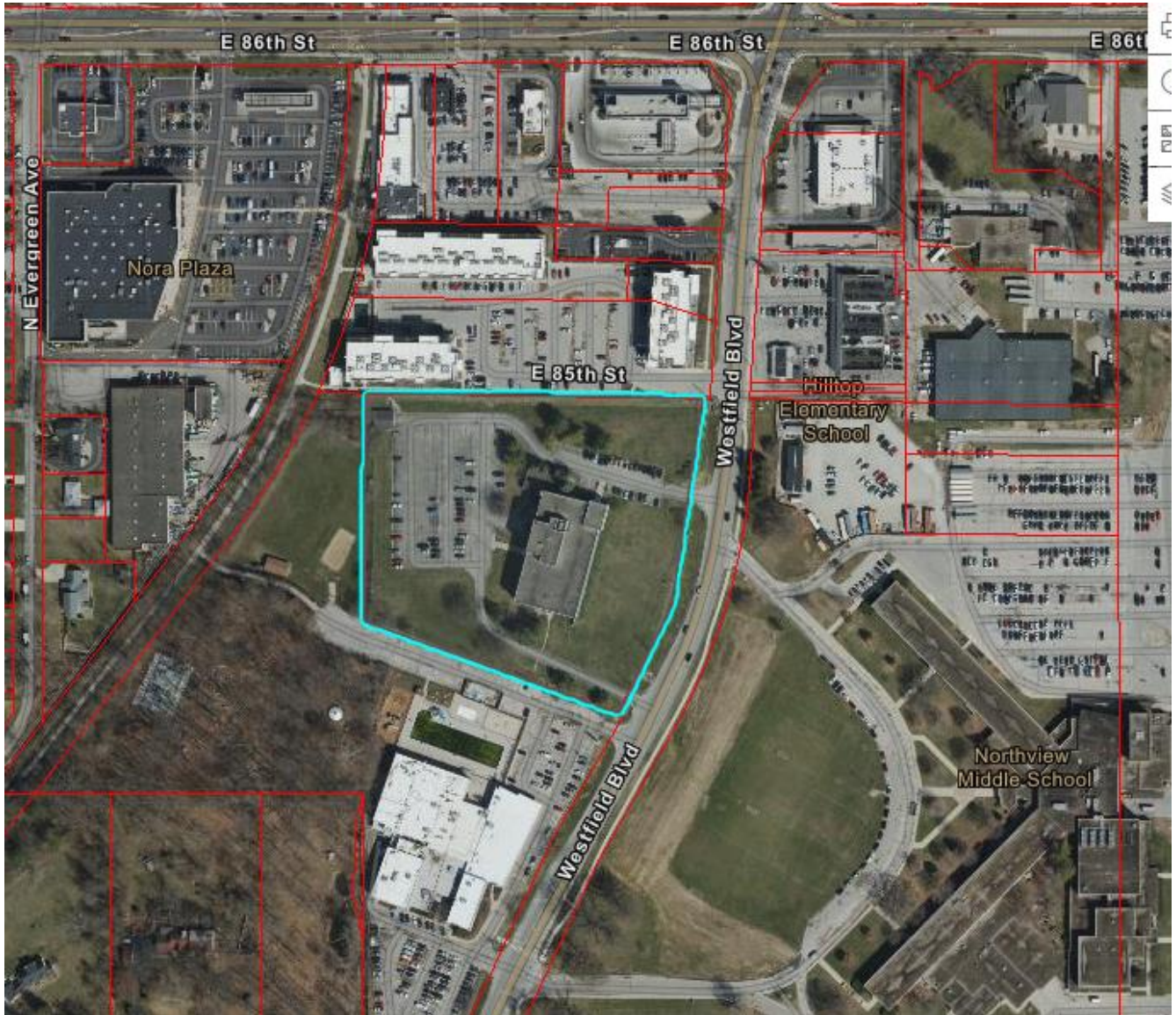
2017ZON037 ; 8502 Westfield Boulevard (north of site), Rezoning of 4.375 acres from the C-4 district to the D-P classification to provide for a 186-unit multi-family development, at a density of 42.5 units per acre, and a coffee shop, ice cream and/or frozen yogurt shop, **approved**.

2008DV3006 ; 8501 Westfield Boulevard (northeast of site), Variance of Development Standards of the Sign Regulations to provide for a 35.67-foot tall, 213.33-square foot pole sign, being within 91.167 of another freestanding sign along Westfield Boulevard within an integrated center with 250 feet of frontage (minimum 300-foot separation required, minimum 600 feet of frontage required for two signs), **approved**.

2001DV1041 ; 8401 Westfield Boulevard (east of site), variance of development standards of the Sign Regulations to provide for the construction of a 7.4-foot tall, 48.6 square foot pylon sign located within 535 feet of a dwelling district (pylon signs required to be 600 feet from a dwelling district), **withdrawn**.

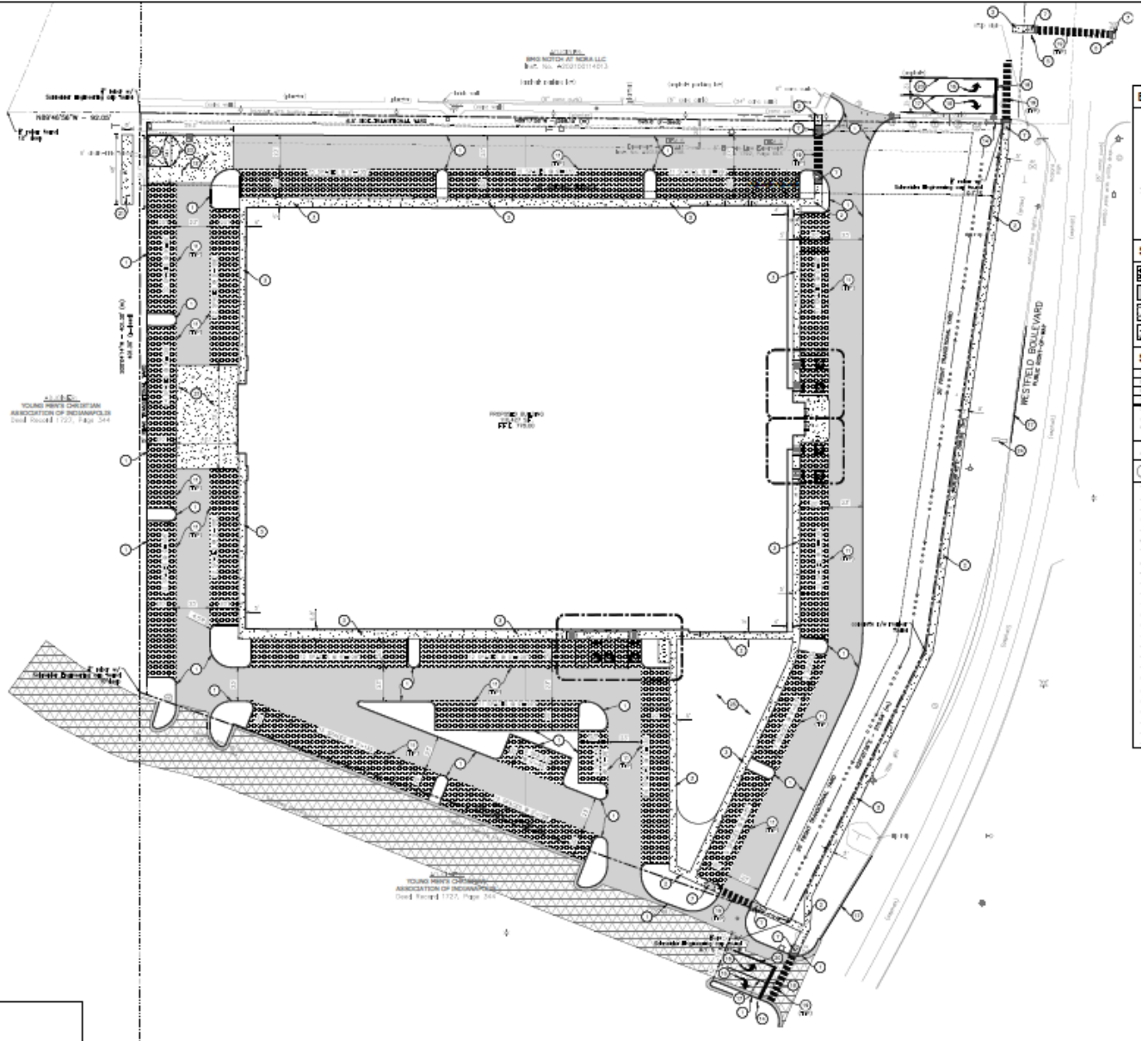
EXHIBITS

2026-CZN-808 / 2026-CVR-808 ; Aerial Map



Note: aerial photo was taken prior to demolition of the building and parking areas

2026-CZN-808 / 2026-CVR-808 ; Site Plan





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Current Planning

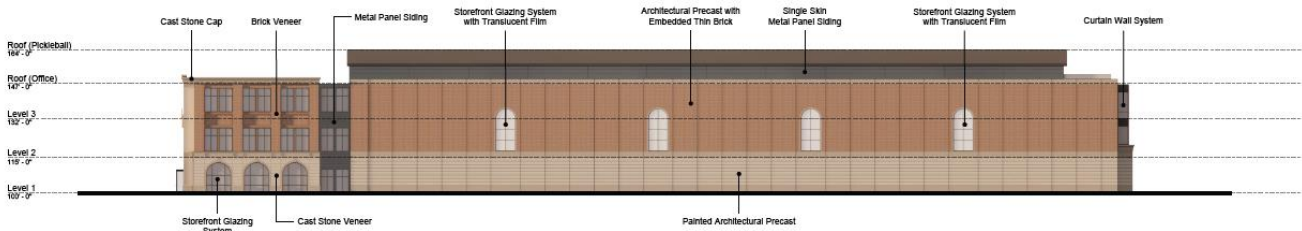
2026-CZN-808 / 2026-CVR-808 ; Elevations



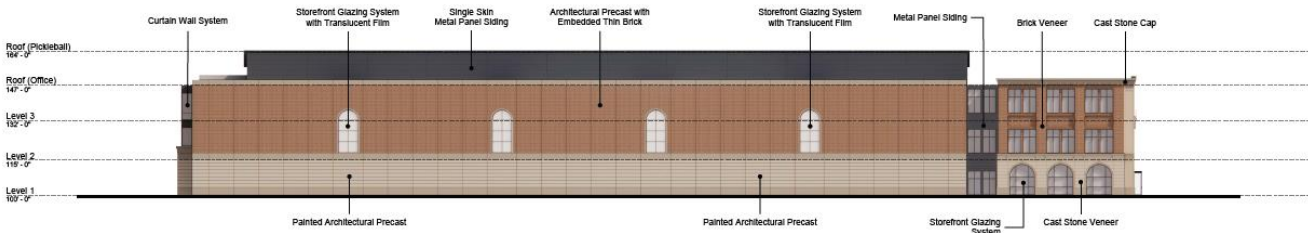
EAST ELEVATION



WEST ELEVATION

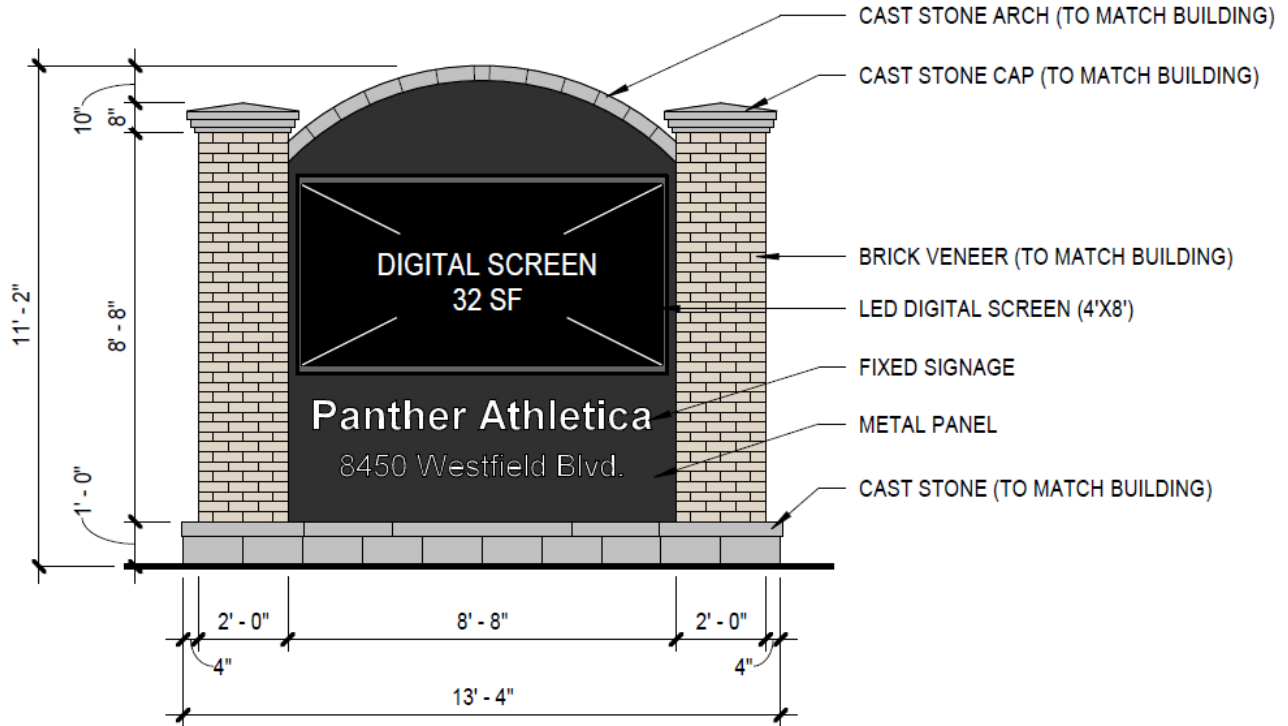


NORTH ELEVATION



SOUTH ELEVATION

2026-CZN-808 / 2026-CVR-808 ; Sign Rendering



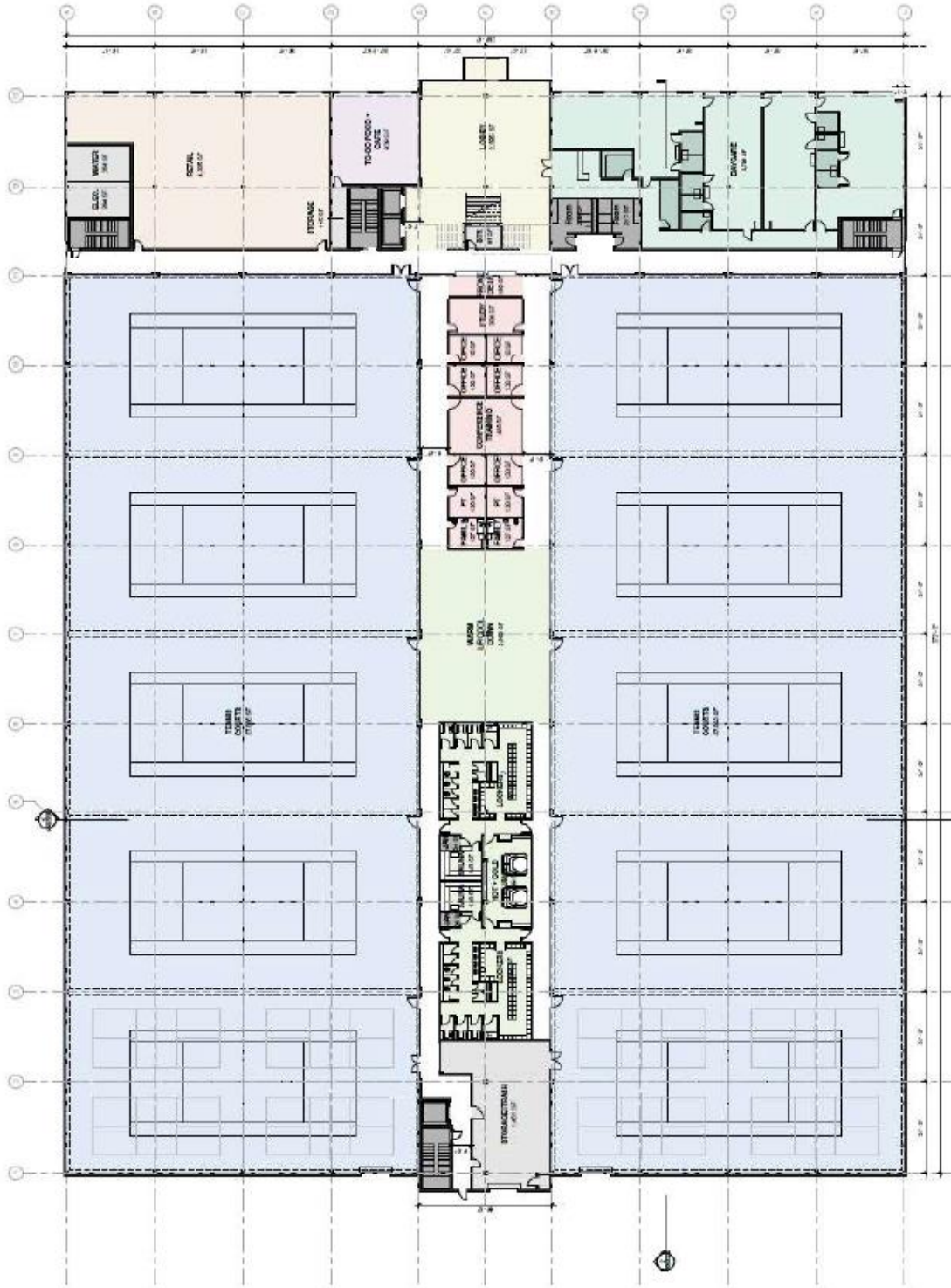
2026-CZN-808 / 2026-CVR-808 ; Building Rendering



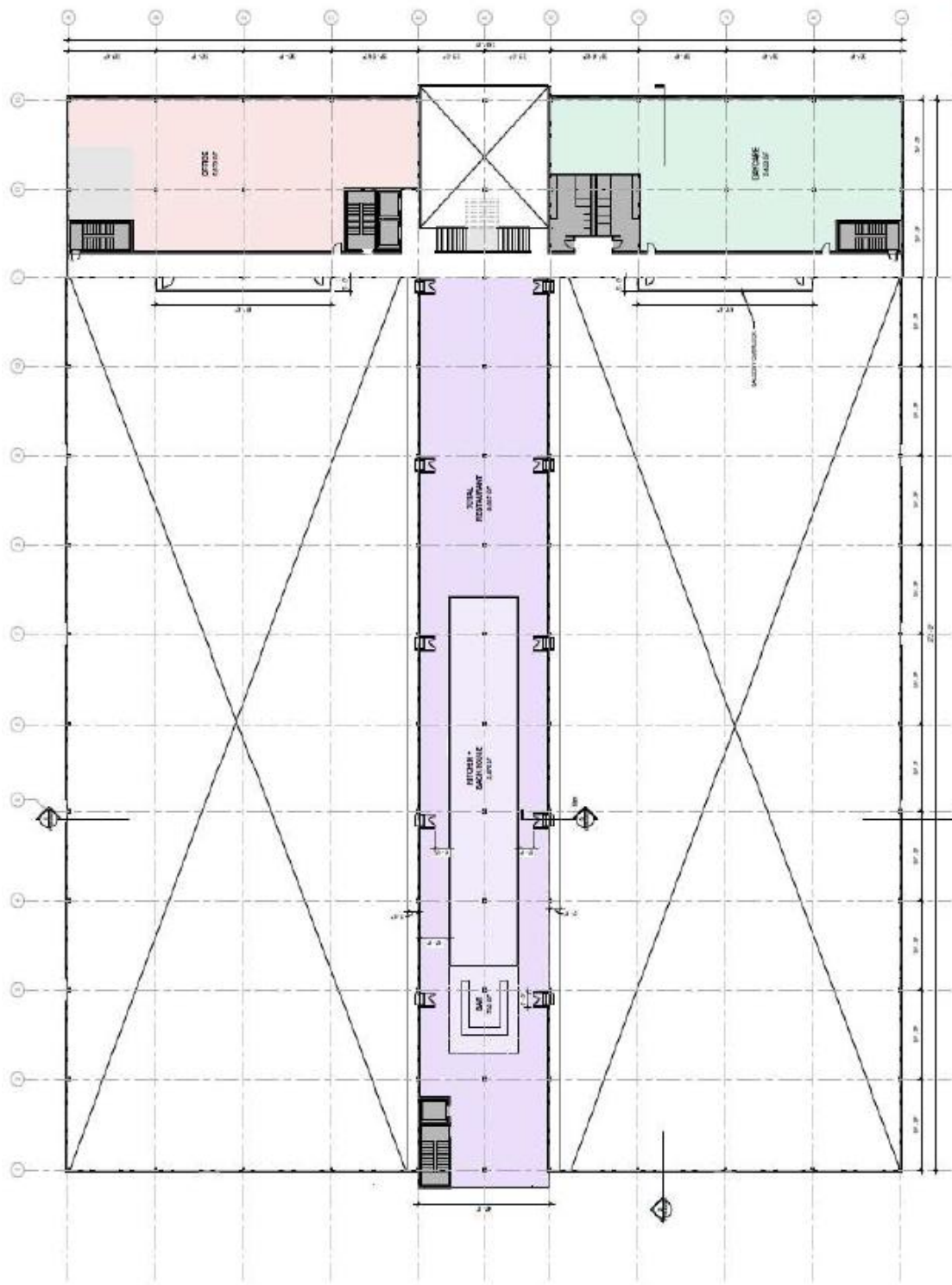


Department of Metropolitan Development
Division of Planning
Current Planning

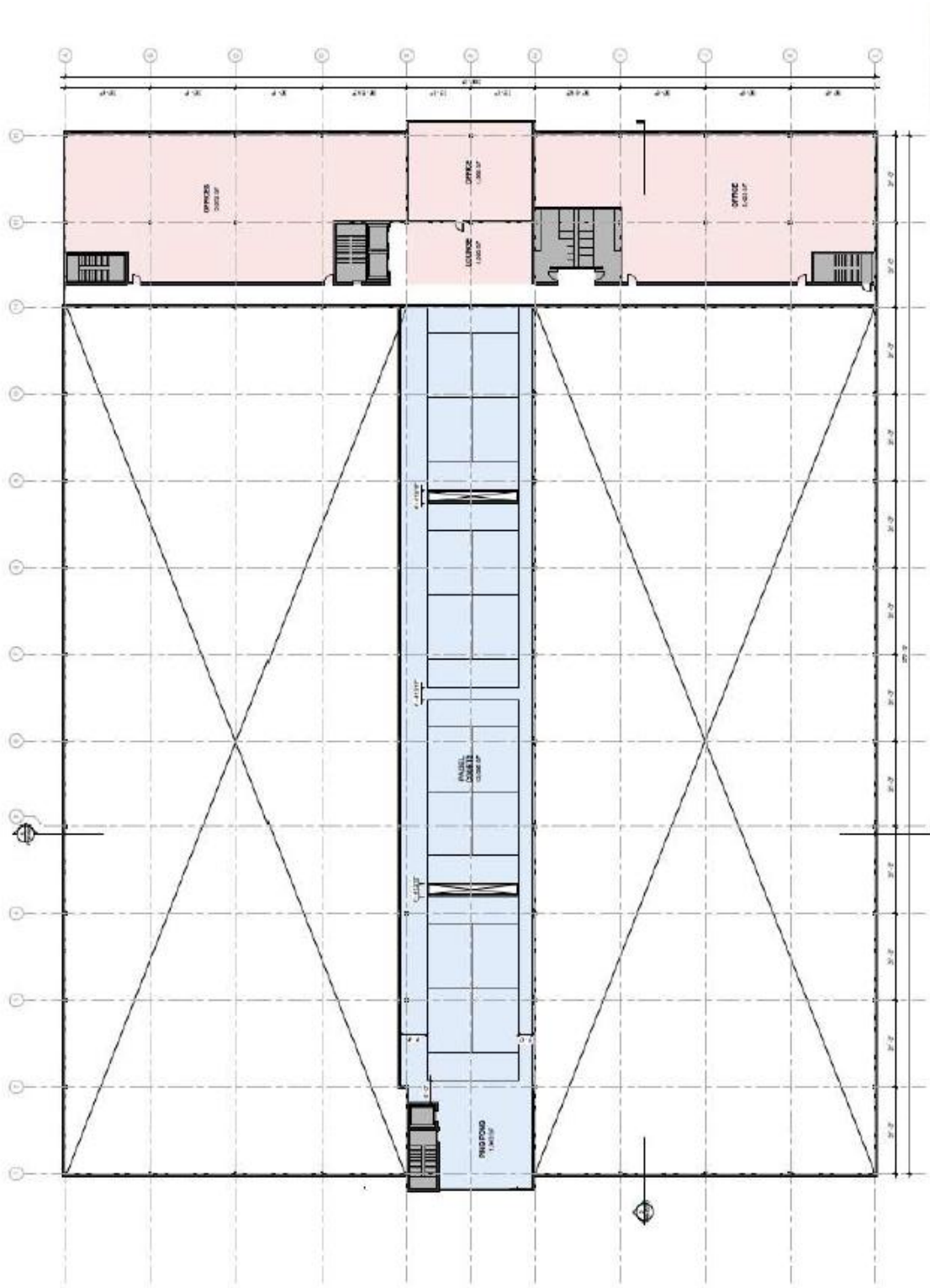
2026-CZN-808 / 2026-CVR-808 ; Floorplan (First Floor)



2026-CZN-808 / 2026-CVR-808 ; Floorplan (Second Floor)



2026-CZN-808 / 2026-CVR-808 ; Floorplan (Third Floor)





Department of Metropolitan Development
Division of Planning
Current Planning

2026-CZN-808 / 2026-CVR-808 ; Findings of Fact (Northern Transitional Yard Setback)

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

The adjacent property to the north is a 4 story, multifamily development. A landscape buffer will be provided.

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

The adjacent property to the north is a 4 story, multifamily development. A landscape buffer will be provided.

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

Although the property to the north is within a protected district, it is developed with a four (4) story multifamily development.

2026-CZN-808 / 2026-CVR-808 ; Findings of Fact (Rear Yard Setback)

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

the property is adjacent to an open athletic field and only parking improvements will be located within the required rear yard setback.

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

the property is adjacent to an open athletic field and only parking improvements will be located within the required rear yard setback.

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

due to the configuration of the property, the topographical slope toward Westfield Blvd., and location of existing established adjacent uses, given the logical orientation of the building toward Westfield Blvd., meeting the rear yard setback requirements presents practical difficulties.

2026-CZN-808 / 2026-CVR-808 ; Findings of Fact (Side Yard Setback)

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

the parking area for the proposed development along the west side yard will be integrated with the adjacent YMCA parking area to facilitate a complimentary parking situation for public health uses that are desirable to the community.

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

the parking area for the proposed development along the west side yard will be integrated with the adjacent YMCA parking area to facilitate a complimentary parking situation.

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

the parking areas for the two properties along the west side yard will be integrated such that a setback between the two areas and complimentary uses is not practical



2026-CZN-808 / 2026-CVR-808 ; Findings of Fact (Building Height)

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

The apartment building to the north is consistent with the 47' height of the proposed structure at the north elevation. Also, the building is setback from the road and is not adjacent to any single family residential buildings.

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

The apartment building to the north is consistent with the 47' height of the proposed structure at the north elevation. Also, the building i setback from the road and is not adjacent to any single family residential buildings.

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

Although adjacent property to the north is a protected district, it is multifamily residential development with buildings that are four (4) stories tall.

2026-CZN-808 / 2026-CVR-808 ; Findings of Fact (Front Building Line Placement)

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

The front building line at 94' is consistent with the location of other buildings along Westfield Blvd. in this area and will permit proper drainage and other improvements along Westfield Blvd.

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

The front building line at 94' is consistent with the location of other buildings along Westfield Blvd. in this area and will permit proper drainage and other improvements along Westfield Blvd.

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

The Transit Oriented Development overlay does not contemplate the established building line along Westfield Blvd. in this area.

2026-CZN-808 / 2026-CVR-808 ; Findings of Fact (Front Building Line Width)

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

The building architecture is designed in an attractive manner to break-up the massing of the building, which is required for the proposed indoor recreation use.

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

The building architecture is designed in an attractive manner to break-up the massing of the building, which is required for the proposed indoor recreation use.

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

The ordinance does not contemplate the proposed indoor recreation use, which requires a lengthy front expanse to accommodate standard tennis (and other playing) court dimensions.



2026-CZN-808 / 2026-CVR-808 ; Findings of Fact (Minimum Parking)

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

Sufficient onsite parking is provided for the proposed tennis and padel facility.

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

Sufficient onsite parking is provided for the proposed tennis and padel facility.

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

The parking requirement under the ordinance for indoor recreation does not accurately take into account that tennis and padel courts which is the balance of the proposed facility, requires far less parking than the ordinance requires, as typically a maximum of 4 people will be on a court at time.

2026-CZN-808 / 2026-CVR-808 ; Findings of Fact (Single Entry Feature)

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

Due to the unique nature of the primary use - indoor tennis facility - a single primary entrance along the Westfield frontage provides for the safest and most secure manner of entry, and is functionally, and aesthetically, appropriate.

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

Due to the unique nature of the primary use - indoor tennis facility - a single primary entrance along the Westfield frontage provides for the safest and most secure manner of entry, and is functionally, and aesthetically, appropriate.

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

The ordinance does not specifically contemplate a building of the size required for an indoor recreation building like the one being proposed.

2026-CZN-808 / 2026-CVR-808 ; Findings of Fact (Driveway Width)

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

The site driveways are shared with adjacent properties for more efficient and congruent traffic flow, and will result in the minimization of curb cuts along Westfield Blvd.

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

The site driveways are shared with adjacent properties for more efficient and congruent traffic flow, and will result in the minimization of curb cuts along Westfield Blvd.

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

The ordinance required minimum driveway width does not contemplate the shared access arrangement among adjacent properties, which results in more efficient traffic flow.



2026-CZN-808 / 2026-CVR-808 ; Findings of Fact (Parking Setback)

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

The location of the parking in the front yard is only 5' from the ordinance requirement and is consistent with the location of other improvements in the area. Also, landscape screening and a sidewalk will be provided along Westfield Blvd.

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

The location of access and parking improvements provides for integrated circulation of traffic and parking among adjacent property owners.

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

The location of the proposed parking is consistent with established setbacks of the adjacent properties and the configuration of the lot is consistent with the curvature of Westfield Blvd. which dictates location of the building on the site as well as onsite parking in the safest location.

2026-CZN-808 / 2026-CVR-808 ; Findings of Fact (Pylon Sign)

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

the proposed pylon sign, which will be tastefully designed with appropriate architectural features, is for on-site informational purposes only, and the only adjacent residential district is a multifamily building to the north which will not be negatively impacted by the proposed pylon sign.

The proposed pylon sign is similar to the existing digital display for North Central High School on E. 86th Street

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

the proposed pylon sign, which will be tastefully designed with appropriate architectural features, is for on-site informational purposes only. The adjacent residential district is a multifamily development and additional landscape screening will be provided.

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

the proposed pylon sign will be located within 600 ft. of a school property where a similar digital display sign already exists and the residential district to the north is multifamily.

2026-CZN-808 / 2026-CVR-808 ; Findings of Fact (Digital Display)

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

the proposed digital sign, which will be tastefully designed with appropriate architectural features, is for on-site informational purposes only, and will comply with ordinance required digital display standards.

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

the proposed digital sign, which will be tastefully designed with appropriate architectural features, is for on-site informational purposes only, and will comply with ordinance required digital display standards. Moreover, the proposed digital sign is similar to the existing digital display for North Central High School on E. 86th Street.

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

the proposed digital sign will be located within 400 ft. of a school property where a similar digital display sign already exists and the digital information is important to notify the public of activities occurring onsite.

2026-CZN-808 / 2026-CVR-808 ; Photographs



Photo 1: Subject Site Viewed from East



Photo 2: Subject Site Viewed from Southeast

2026-CZN-808 / 2026-CVR-808 ; Photographs (continued)



Photo 3: Subject Frontage Viewed from South



Photo 4: Site of Demolished Structure Viewed from Northeast

2026-CZN-808 / 2026-CVR-808 ; Photographs (continued)



Photo 5: Adjacent Property to South



Photo 6: Adjacent Property to East

2026-CZN-808 / 2026-CVR-808 ; Photographs (continued)



Photo 7: Adjacent Property to North



Photo 8: Adjacent Property to Northeast