



# Metropolitan Development Commission (May 7, 2025) 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 07, 2025

**Time:** 1:00 PM

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

## Business:

**Adoption of Meeting Minutes:** April 16, 2025

## Special Requests

## Policy Resolutions:

### REAL ESTATE:

#### 1. 2025-R-016

Authorizes the DMD to sell Property at 2620 N. Harding St. to Roots International for proposed redevelopment.

#### 2. 2025-R-018

Authorizes the DMD to convey title or an option to purchase certain Properties to Habitat for Humanity and Westside Community Development Corporation for the purpose of creating affordable housing opportunities on City-owned vacant properties.

#### 3. 2025-R-019

Authorizes DMD to convey title to certain Property at 2860 North Euclid Avenue as part of a plan to develop a neighborhood park.

#### 4. 2025-R-020

Authorizes DMD to accept title to certain Property near the Monon Trail from the Parks Department, at no cost, for the purpose of redevelopment of the Property.

#### 5. 2025-R-021

Metropolitan Development Commission authorizes DMD to enter into a contract with Local Initiatives Support Corporation for grants administration services. The agreement will extend through August 31, 2026, with an overall contract amount not to exceed \$300,000.00.

### ECONOMIC DEVELOPMENT / INCENTIVES:

#### 6. 2025-A-017 (For Public Hearing)

Resolution authorizes an amendment to the 2022 Personal Property Tax Abatement approved by Resolution #2022-A-028 for RayzeBio, LLC, located at 5850 West 80th Street, Council District #1, Pike Township.

## Zoning Petitions:

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

**7. 2025-MOD-001 (Amended) | 4021 West 71st Street**

Pike Township, Council District #6

I-1

Turner Adventures LLC, by Rebekah Phillips

Modification of Commitments related to 2023-ZON-078 to terminate commitment #3 and provide for sidewalk installation along West 71st Street in accordance with Section 744-302 of the Zoning and Subdivision Ordinance no later than the first of the following to occur: (1) four (4) years from the date of approval of 2025-MOD-001; (2) the date a new structural permit is sought; or (3) upon the sale of the property (previous commitment required the sidewalk to be installed within one year of zoning approval).

**8. 2025-ZON-013 | 240 East 22nd Street**

Center Township, Council District #13

Zinkan Enterprises, by Russell L. Brown and Elizabeth Bentz Williams, AICP

Rezoning of 0.27-acre from the D-8 district to the MU-2 district to provide for a mixed-use development.

**9. 2025-ZON-018 | 2215 South Biltmore Avenue**

Wayne Township, Council District #17

Ashley Allen

Rezoning of 0.32-acre from the I-2 (FF) district to the D-4 (FF) district to provide for residential uses.

**10. 2025-ZON-023 | 3418 East 20th Street**

Center Township, Council District #13

Brittney Gant

Rezoning of 0.12-acre from the SU-1 district to the C-1 district to provide for office and a child day care facility.

**11. 2025-ZON-026 | 2932 Central Avenue**

Center Township, Council District #12

College Flats, LLC, by Misha Rabinowitch

Rezoning of 0.154-acre from the C-1 district to the D-8 district to provide for a row house.

**12. 2025-ZON-028 | 1631 Montcalm Street**

Center Township, Council District #12

Josh Smith

Rezoning of 0.11-acre from the C-1 (W-1) district to the D-5 (W-1) district to provide for a single-family dwelling.

**13. 2025-CAP-800 (Amended) | 1525 Shelby Street, 1133 Cottage Avenue and 1510 Olive Street**

Center Township, Council District #18

SU-34 (TOD) (FF) and D-5 (TOD) (FF)

Fraternal Order of Police, Indianapolis Lodge #86, by Will Gooden and Elizabeth Bentz Williams

Modification of Commitments related to 2009-ZON-013 to terminate Commitment #3, which required an opaque fence abutting the dwelling at 1129 Cottage Avenue; and to modify Commitment #5, to read "owners agree to complete all fence changes within six months of the grant of this petition" (originally stated to require all site improvements to be completed within one year of approval of 2009-ZON-013).

**14. 2025-CAP-804 (Amended) | 324 West Morris Street and 325 Wilkins Street**

Center Township, Council District #18

C-S

Kaur Properties, LLC, by Adam DeHart

Modification of commitments and site plan related to 2019-CZN-827, to terminate Specific Commitments for Old Southside Neighborhood Association, commitment #1, which required that the exterior of the hotel should be consistent or complimentary to the new Emrich Plaza convenience store, and, to provide for revised building

footprint, indoor and outdoor amenities, minor site revisions, pedestrian access revisions, and a revised shared parking lot.

## Petitions for Public Hearing

### PETITIONS FOR PUBLIC HEARING:

#### 15. VACATION PETITION APPROVED BY PLAT COMMITTEE, APPEAL FILED BY PETITIONER:

##### **2025-VAC-004 (Amended) | 1301 East 16th Street**

Center Township, Council District #13

Oaks Community Center, Inc., by Timothy Ochs and Jennifer Milliken

Vacation of a portion of Dr. A. J. Brown Avenue, being a maximum of 69.37 feet in width, beginning at the south right-of-way line of 16th Street, south 467.14 feet to the north right-of-way line of Interstate 70, with a waiver of 50% of the appraised value for the assessment of benefits.

### Additional Business:

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

Real Estate and Brownfields  
Real Estate Sale and Conveyance  
Roots Intl. 2620 N Harding

**METROPOLITAN DEVELOPMENT COMMISSION  
OF  
MARION COUNTY, INDIANA  
Resolution No. 2025-R-016**

WHEREAS, the City of Indianapolis ("City"), Department of Metropolitan Development ("DMD"), by authority of and pursuant to IC 36-7-15.1, is engaging in disposition and redevelopment activities within the Marion County Redevelopment District; and

WHEREAS, pursuant to IC 36-7-15.1-2 and 6, the Metropolitan Development Commission ("MDC") is charged with the responsibility of replanning, redevelopment, and 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, DMD acquired the real property located in Marion County, Indiana at 2620 N. Harding -Parcel # 1006623, Legal Description: MILLER & WACKERS PARKWAY ADD L354 , which is currently tax exempt and has a current assessed value of \$70,900 ("Property"); and

WHEREAS, the Property is in an area that would benefit from redevelopment; and

WHEREAS, Roots International LTD ("Roots") is interested in purchasing this Property for \$3,000 and will maintain and rent the house for an affordable price for 3-5 years; and

WHEREAS, upon securing financing Roots will demolish the house and build a three story, 4–6-unit apartment building for low-income tenants as a part of a larger project with RG Collaborative that includes the redevelopment of the nearby Ritz and Hartmann buildings. ("Redevelopment"); and

WHEREAS the local community has expressed support for the proposal to DMD staff; and

WHEREAS, as one of its additional powers, IC 36-7-15.1-7 (a) (2) authorizes the MDC to sell property acquired for use in the redevelopment of areas needing redevelopment on the terms and conditions that the commission considers best for the City and its inhabitants.

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

1. MDC authorizes the DMD to sell the Property to Roots in conjunction with a project agreement consistent with the terms and conditions of the proposed Redevelopment.
2. MDC authorizes the DMD Director or designee to execute all necessary documents related to such conveyance 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, confirmed and approved.

Approved as to Adequacy & Legal Form

Sheila Kinney  
Sheila Kinney, Asst. Corp Counsel

Date: 4/23/2025

Metropolitan Development Commission

John J. Dillon III, President

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

**METROPOLITAN DEVELOPMENT COMMISSION  
OF  
MARION COUNTY, INDIANA  
Resolution No. 2025-R-018**

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

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

WHEREAS, the City/DMD has acquired real property listed on the attached Exhibit A of this Resolution, all generally located in the Redevelopment District (collectively, the "Properties"); and

WHEREAS, in accordance with IC 36-7-15.1-15.1, the Commission may sell or grant at no cost title to real property to a Qualifying Corporation for the purpose of providing development that will benefit or serve low or moderate income families if such a corporation agrees to the requirements of IC 36-7-15.1-15.1(b), which includes requiring that the development that will serve or benefit low or moderate income families on the property be completed within a specified period and meets certain additional criteria set forth therein (a "Qualifying Corporation"); and

WHEREAS, the proposed transferees, Habitat for Humanity and Westside Community Development Corporation, each a Qualifying Corporation ("Qualifying Corporation") as defined in IC 36-7-15.1-15.1; and

WHEREAS, DMD's Vacant to Vibrant Review Committee solicited applications from organizations interested in available properties, evaluated the submissions, and seeks to convey the properties shown for beneficial redevelopment; and

WHEREAS, DMD desires to convey title or an option to purchase the Properties to the selected organizations as described on Exhibit A of this Resolution in consideration of certain commitments to be made by the respective organizations to create affordable housing opportunities on City-owned vacant properties. Some of these conveyances may include previously approved options, but all will be conveyed with requirements of the City's current Vacant to Vibrant Review Committee goals and qualifying corporation goals as relevant.

**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 Properties as described above and on Exhibit A for the purpose of creating affordable housing opportunities on City-owned vacant properties.
- 2.The DMD Director is hereby authorized to execute the necessary documents, with such terms and provisions as may be deemed necessary or appropriate, 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 Properties in accordance with this Resolution.

Approved as to Adequacy & Legal Form

Sheila Kinney  
Sheila Kinney, Asst. Corp Counsel

Date: 4/23/2025

Metropolitan Development Commission

John J. Dillon III, President

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

**Exhibit A**  
Property Disposition Information

Parcel	Street Address	Zip Code	Application Type	Property Type	Sale Price	Buyer Name
9019639	909 N PERSHING AVE	46222	Affordable	Improved	\$3,000	Westside Community Development Corporation
1088487	3202 N EUCLID AVE	46218	Affordable	Vacant Lot	\$1,500	Greater Indy Habitat for Humanity
1034985	3102 BROOKSIDE PKWY NDR	46218	Affordable	Vacant Lot	\$1,500	Greater Indy Habitat for Humanity
1081350	1326 ROACHE ST	46208	Affordable	Vacant Lot	\$1,500	Greater Indy Habitat for Humanity
1039056	1316 PRUITT ST	46208	Affordable	Vacant Lot	\$1,500	Greater Indy Habitat for Humanity
1079231	2305 WHITE AVE	46208	Affordable	Vacant Lot	\$1,500	Greater Indy Habitat for Humanity
1008809	3222 WINTHROP AVE	46205	Affordable	Vacant Lot	\$1,500	Greater Indy Habitat for Humanity
1026131	3137 SUTHERLAND AVE	46205	Affordable	Vacant Lot	\$1,500	Greater Indy Habitat for Humanity
1012942	3122 GUILFORD AVE	46205	Affordable	Vacant Lot	\$1,500	Greater Indy Habitat for Humanity
1108140	2301 WHITE AVE	46208	Affordable	Vacant Lot	\$1,500	Greater Indy Habitat for Humanity
1108141	3218 WINTHROP AVE	46205	Affordable	Vacant Lot	\$1,500	Greater Indy Habitat for Humanity

Real Estate and Economic Development  
Disposition of Property  
2860 N Euclid Avenue

**METROPOLITAN DEVELOPMENT COMMISSION  
OF  
MARION COUNTY, INDIANA  
Resolution No. 2025-R-019**

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

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

WHEREAS, DMD owns the real estate at 2860 N Euclid Avenue (parcel #: 1075837-“Property”), which is adjacent to two properties, 2802 and 2861 N Colorado Ave., that the Department of Parks and Recreation (“DPR”) plans to develop into a neighborhood park.; and

WHEREAS, DMD desires to convey title of the Property to DPR, at no cost, for such the purpose and development by DPR; and

WHEREAS, DMD is an entity having the power to convey an interest in land pursuant to Indiana Code 36-7-15.1, is interested in conveyance of the Property for use in neighborhood development; and

WHEREAS, Indiana Code 36-1-11-8 authorizes governmental entities to transfer or exchange real property between themselves upon terms and conditions agreed upon by the entities as evidenced by adoption of substantially identical resolutions by each entity; and

WHEREAS, the Board of Parks and Recreation of the Consolidated City of Indianapolis, Marion County, Indiana has or plans to adopt a substantially identical resolution regarding the Property;

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

1. The MDC hereby authorizes DMD to convey title of the Property to DPR at no cost for the purpose of redevelopment in the manner that best serves the interest of the City of Indianapolis and its inhabitants.
2. The Director of DMD is hereby authorized to convey the Property to DPR and to execute all necessary documents related thereto in accordance with this Resolution and to do all acts and execute all other documents and instruments deemed necessary or appropriate by such official on behalf of the 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, confirmed and approved.

Approved as to Legal Form & Adequacy:

By: Sheila Kinney  
Sheila Kinney, Asst. Corp. Counsel

Date: 4/23/2025

Metropolitan Development Commission:

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

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

Real Estate and Economic Development  
Acquisition of Property  
The “Bulge”/Monon

**METROPOLITAN DEVELOPMENT COMMISSION  
OF  
MARION COUNTY, INDIANA  
Resolution No. 2025-R-020**

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

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

WHEREAS, the Department of Parks and Recreation (“DPR”) a department of the City, owns real estate in the area south of 28<sup>th</sup> St. adjacent to and west of the Monon rail, and commonly known as the “Bulge”, as more particularly described on Exhibit A (“Property”); and

WHEREAS, DPR desires to convey title of the Property to DMD, at no cost, for the purpose of redevelopment of the Property; and

WHEREAS, DMD is an entity having the power to take an interest in land pursuant to Indiana Code 36-7-15.1, is interested in ownership and desires to take title to the Property for use in neighborhood redevelopment; and

WHEREAS, Indiana Code 36-1-11-8 authorizes governmental entities to transfer or exchange real property between themselves upon terms and conditions agreed upon by the entities as evidenced by adoption of substantially identical resolutions by each entity; and

WHEREAS, the Board of Parks and Recreation of the Consolidated City of Indianapolis, Marion County, Indiana has adopted a substantially identical resolution (No. 7, 2025- approved 4/22/25) regarding the Property;

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

1. The MDC hereby authorizes DMD to accept title of the Property from DPR at no cost for the purpose of redevelopment in the manner that best serves the interest of the City of Indianapolis and its inhabitants.
2. The Director of DMD is hereby authorized to accept conveyance of the Property from DPR and to execute all necessary documents related thereto in accordance with this Resolution and to do all acts and execute all other documents and instruments deemed necessary or appropriate by such official on behalf of the 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, confirmed and approved.

Approved as to Legal Form & Adequacy:

By: Sheila Kinney  
Sheila Kinney, Asst. Corp. Counsel

Date: 4/23/2025

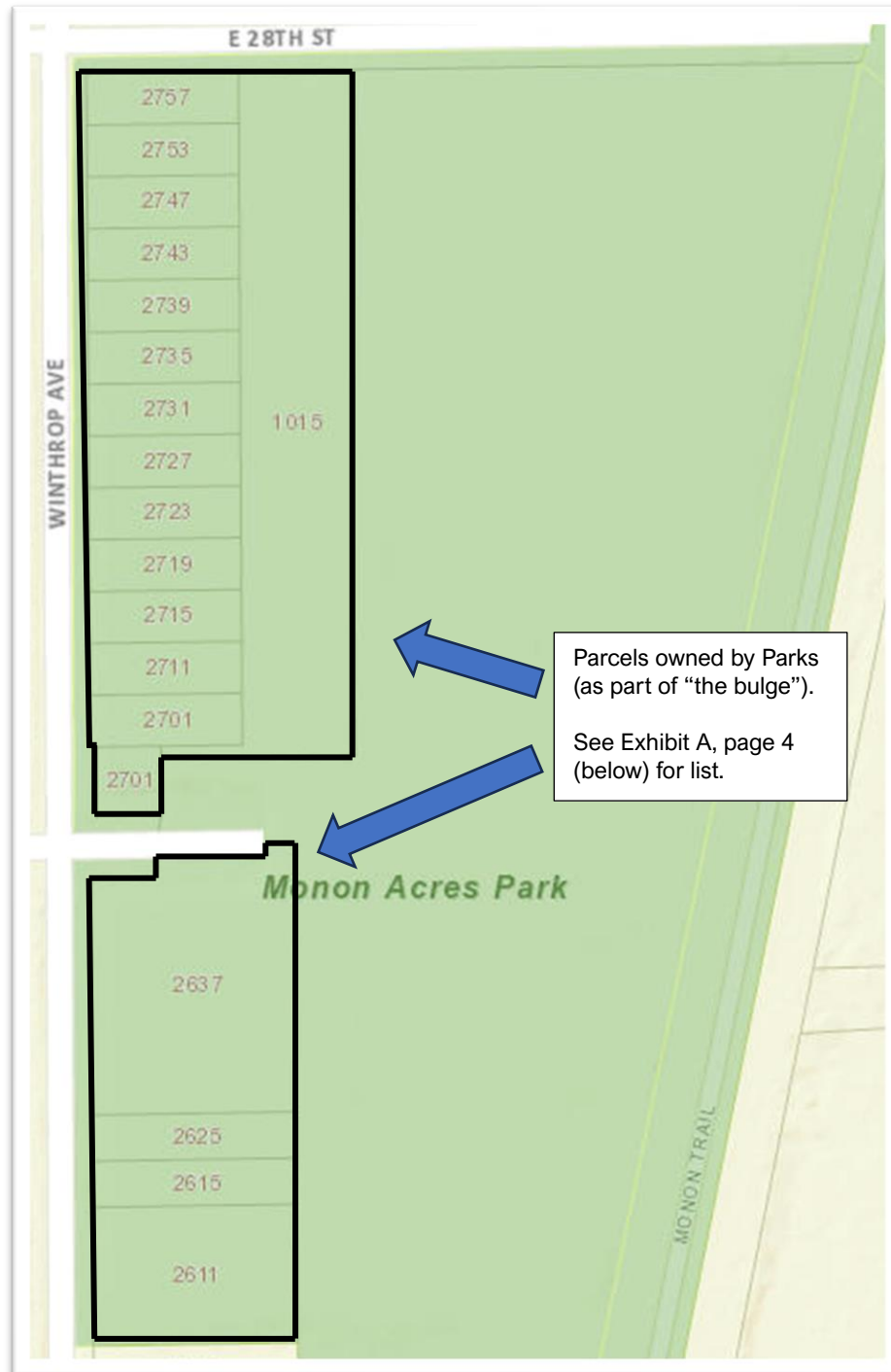
Metropolitan Development Commission:

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

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



**EXHIBIT A:  
Description of Real Property**



Parcels owned by Department of Parks and Recreation to be transferred to DMD:

ADDRESS	LOCAL PARCEL #
1015 E. 28 <sup>th</sup> Street	1046889
2611 Winthrop Ave	1027401
2615 Winthrop Ave	1072203
2625 Winthrop Ave	1072204
2637 Winthrop Ave	1045699
2701 Winthrop Ave	1042847
2701 Winthrop Ave	1042846
2711 Winthrop Ave	1042845
2715 Winthrop Ave	1050650
2719 Winthrop Ave	1058243
2723 Winthrop Ave	1051784
2727 Winthrop Ave	1021424
2731 Winthrop Ave	1082644
2735 Winthrop Ave	1074585
2739 Winthrop Ave	1037421
2743 Winthrop Ave	1046538
2747 Winthrop Ave	1048450
2753 Winthrop Ave	1078963
2757 Winthrop Ave	1021039

Far Eastside  
RFP Selection  
Grants Administration-related Services

**METROPOLITAN DEVELOPMENT COMMISSION  
OF  
MARION COUNTY, INDIANA  
Resolution No. 2025-R-021**

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

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

WHEREAS, in order to carry out the above duties described in I.C. 36-7-15.1, DMD requires grants administration services related to development of a quality of life plan for the Far Eastside ("Services"), conducted a Request for Proposals (RFP-13DMD-95) to identify a firm for such Services, and selected Local Initiatives Support Corporation as the qualified and responsive contractor to provide the required Services; and

WHEREAS, DMD seeks authorization to enter into a contract with Local Initiatives Support Corporation for an amount not to exceed three hundred thousand dollars (\$300,000.00) to provide those Services for DMD through August 31, 2026 ("Agreement").

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The DMD is authorized to accept the proposal from Local Initiatives Support Corporation to provide the required Services for an amount not to exceed three hundred thousand dollars (\$300,000.00) through August 31, 2026.
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, confirmed and approved.

Approved as to Adequacy & Legal Form

*Sheila Kinney*

Sheila Kinney, Asst. Corp Counsel

Date: 5/1/2025

Metropolitan Development Commission

John J. Dillon III, President

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

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

Item 6.

**RESOLUTION  
AUTHORIZING AMENDMENTS TO THE MEMORANDUM OF AGREEMENT  
ASSOCIATED WITH RESOLUTION 2022-A-028 REGARDING REAL PROPERTY TAX  
ABATEMENT**

**RESOLUTION NO. 2025-A-017**

**RayzeBio, Inc.**  
5850 West 80<sup>th</sup> Street

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

**WHEREAS**, pursuant to I.C. 6-1.1-12.1, RayzeBio, Inc. (“Applicant”) filed designation application requesting that the subject real estate at 5850 West 80<sup>th</sup> Street (“Subject Real Estate”) be designated as an Economic Revitalization Area for the purpose of achieving real property tax savings in connection with redevelopment or rehabilitation activities and installation of new equipment (“Project”); and

**WHEREAS**, on Wednesday, October 19, 2022, the Metropolitan Development Commission (“Commission”) adopted Preliminary Economic Revitalization Area Resolutions No. 2022-A-027 and No. 2022-A-028 preliminary designating the Subject Real Estate as an Economic Revitalization Area; and

**WHEREAS**, on Wednesday, November 16, 2022, after conducting a public hearing, the Commission adopted Final Economic Revitalization Area Resolution No. 2022-A-027 and 2022-A-028 (hereinafter “Resolution”), designating the Subject Real estate as an Economic Revitalization Area for the purpose of receiving up to four (4) years real and personal property tax abatement (“Abatement”); and

**WHEREAS**, in the Statement of Benefits Form contained in the Resolution and the Memorandum of Agreement (“MOA”) executed by and between the Applicant and the City of Indianapolis (“City”), the Applicants indicated, among other requirements, that \$20,000,000 in real property improvements and \$24,050,000 in personal property improvements would be made at the Subject Real Estate, and would have sixty-four (64) full time permanent positions would be created at an average wage of \$47.55 per hour as a result of the Project (collectively, the “Commitments”); and

**WHEREAS**, the Applicant submitted SB-1 Statement of Benefits forms showed that the Applicant exceeded the personal property and real property investment commitments and the job retention commitment.

**WHEREAS**, the Applicant submitted a request, on January 13, 2025, to extend the Economic Revitalization Area to December 31, 2027, extending the deadline for hiring sixty-four (64) jobs and the personal property investment period to December 31, 2027; and

**WHEREAS** the City and Applicant (collectively, the “Parties”) desire to amend the Resolution and MOA in the following manner: to extend the end date of the Economic Revitalization Area to December 31, 2027, thus extending the deadline for hiring sixty four (64) jobs and the investment period to

December 31, 2027; and as set forth in this Amending Resolution, and subsequently set 1:00 p.m. on Wednesday, May 7<sup>th</sup>, 2025, for the public hearing of remonstrances and objections from persons interested in the Applicant's compliance with Resolutions and MOA, and whether the payment of the damages should be made to the City; and

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

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

**WHEREAS**, the City of Indianapolis has satisfied all other conditions precedent to hold the hearing to amend the terms of the Economic Revitalization Area designations, associated tax abatement deductions and the associated Memorandum of Agreement.

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

1. The Commission finds that allowing an extension of the ERA for RayzeBio, Inc. is a reasonable deviation from the Commitments set forth in the SB-1, Resolution and MOA. It authorizes the Director of DMD to execute the Amended Memorandum of Agreement, attached hereto as Exhibit A and incorporated herein, between the Parties ("Amended MOA").
2. The Commission directs the Department of Metropolitan Development to continue to monitor the Applicant's Project for the remainder of the term agreed upon in the Amended MOA.

**METROPOLITAN DEVELOPMENT COMMISSION**

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

\_\_\_\_\_  
Dated

Approved as to Legal Form  
and Adequacy May 7<sup>th</sup>, 2025.

*Sheila Kinney*  
\_\_\_\_\_  
Approved for Legal Form and Adequacy  
Office of Corporation Counsel

**METROPOLITAN DEVELOPMENT COMMISSION**

**May 7, 2025**

**Case Number:** 2025-VAC-004 (Amended)  
**Property Address:** 1301 East 16<sup>th</sup> Street (*Approximate Address*)  
**Location:** Center Township, Council District #13  
**Petitioner:** Oaks Community Center, Inc., by Timothy Ochs and Jennifer Milliken  
**Zoning:** SU-2  
**Request:** Vacation of portion of Dr. A. J. Brown Avenue, being a maximum of 69.37 feet in width, beginning at the south right-of-way line of 16th Street, south 467.14 feet to the north right-of-way line of Interstate 70, with a waiver of the assessment of benefits.  
**Waiver Requested:** Assessment of benefits (Amended to 50% waiver at the hearing)  
**Current Land Use:** Improved alley  
**Staff Reviewer:** Jeffrey York, Principal Planner II

**PETITION HISTORY**

This petition was heard and approved by the Plat Committee on April 9, 2025, with a recommendation for the assessment of benefits to be applied to 50% of the appraised value of the street right-of-way. The petitioner amended the waiver of the assessment of benefits to request a 50% waiver of the assessment of benefits, prior to the vote. Subsequently, the petitioner appealed the Plat Committee's recommendation of a 50% waiver of the assessment of benefits. As of this writing, the appraisal report has not been submitted to the file. Staff anticipates that the appraisal will be received after publication of this staff report and will provide comment at the hearing.

**ASSESSMENT OF BENEFITS**

Appraiser Used:  
 Appraiser's Benefits: \$  
 Appraiser's Fee: \$

**RECOMMENDED MOTION (approval):** That the Metropolitan Development Commission find that the proposed vacation is in the public interest; that Metropolitan Development Commission sustain, confirm, approve and adopt the Final Assessment Roll in 2025-VAC-004, assessing benefits in accordance therewith, in the amount of \$\_\_\_\_.\_\_\_\_ and that the petitioner pay the Appraiser's Fee of \$\_\_\_\_.\_\_\_\_; that the Metropolitan Development Commission confirm and ratify the adoption of Declaratory Resolution 2025-VAC-004; and that the vacation be subject to the rights of public utilities under IC 36-7-3-16.

## STAFF RECOMMENDATION

Staff finds the **vacation** would be in the public interest and recommends the vacation petition be **approved**. Staff does not support the waiver of the assessment of benefits and recommends **denial of the waiver of the assessment of benefits**.

**RECOMMENDED MOTION (denial of waiver request):** That the Plat Committee find that the proposed vacation is in the public interest, that the waiver of the assessment of benefits be denied; that a hearing upon the assessment of benefits be held on May 14, 2025; that the Plat Committee confirm and ratify the adoption of Declaratory Resolution 2025-VAC-004; and that the vacation be subject to the rights of public utilities under IC 36-7-3-16

**RECOMMENDED MOTION (approval of waiver request):** That the Plat Committee find that the proposed vacation is in the public interest; that a hearing upon the assessment of benefits be waived; that the Plat Committee confirm and ratify the adoption of Declaratory Resolution 2025-VAC-004; and that the vacation be subject to the rights of public utilities under IC 36-7-3-16.

## PETITION OVERVIEW

### SUMMARY

This petition, if approved, would vacate an improved street right-of-way between 16<sup>th</sup> Street and Interstate 70. This street, which dead-ends at Interstate 70, is the southern end of Dr. A. J. Brown Avenue. Two unimproved alleys, which connect to this street, near the southern end, were vacated in 2024, under 2024-CVC-833.

This vacation would provide for improved access to the school, which is undergoing an expansion.

The vacation of this portion of this street right-of-way would be in the public interest.

### PROCEDURE

Neither the Division of Planning nor the Plat Committee, Hearing Examiner or Metropolitan Development Commission determines how vacated right-of-way is divided. The approval of a vacation petition only eliminates the public right-of-way. The vacation approval does nothing more. A petitioner will not receive a deed or other document of conveyance after the approval of a vacation.

The general rule under Indiana case law is that when a street or highway is vacated or abandoned the title to the land reverts to the abutting property owners. This rule exists by virtue of the fact that the abutting landowner owns to the center of the street or highway subject only to an easement for the public to the use of the street or highway. *Gorby v. McEndarfer* 135 Ind.App. 74, \*82, 191 N.E.2d 786, \*\*791 (Ind.App.1963). However, there are possible exceptions to this general rule.

After a vacation of public right-of-way, the county assessor determines how the vacated right-of-way will be assessed for tax purposes.

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

Petitioners and abutters of the vacated right-of-way should consult their own attorneys for advice regarding the ownership of the vacated right-of way.

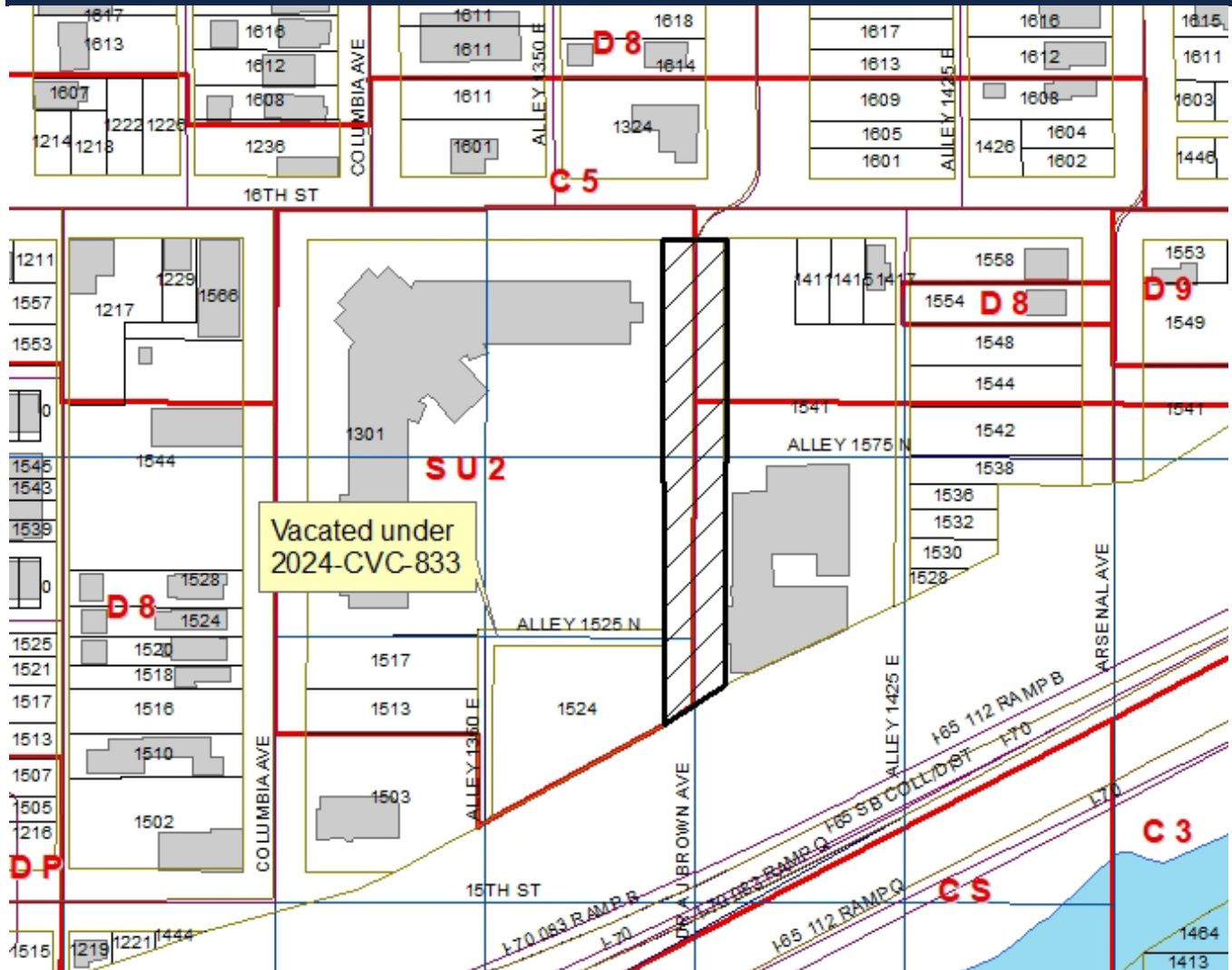
**ASSESSMENT OF BENEFITS**

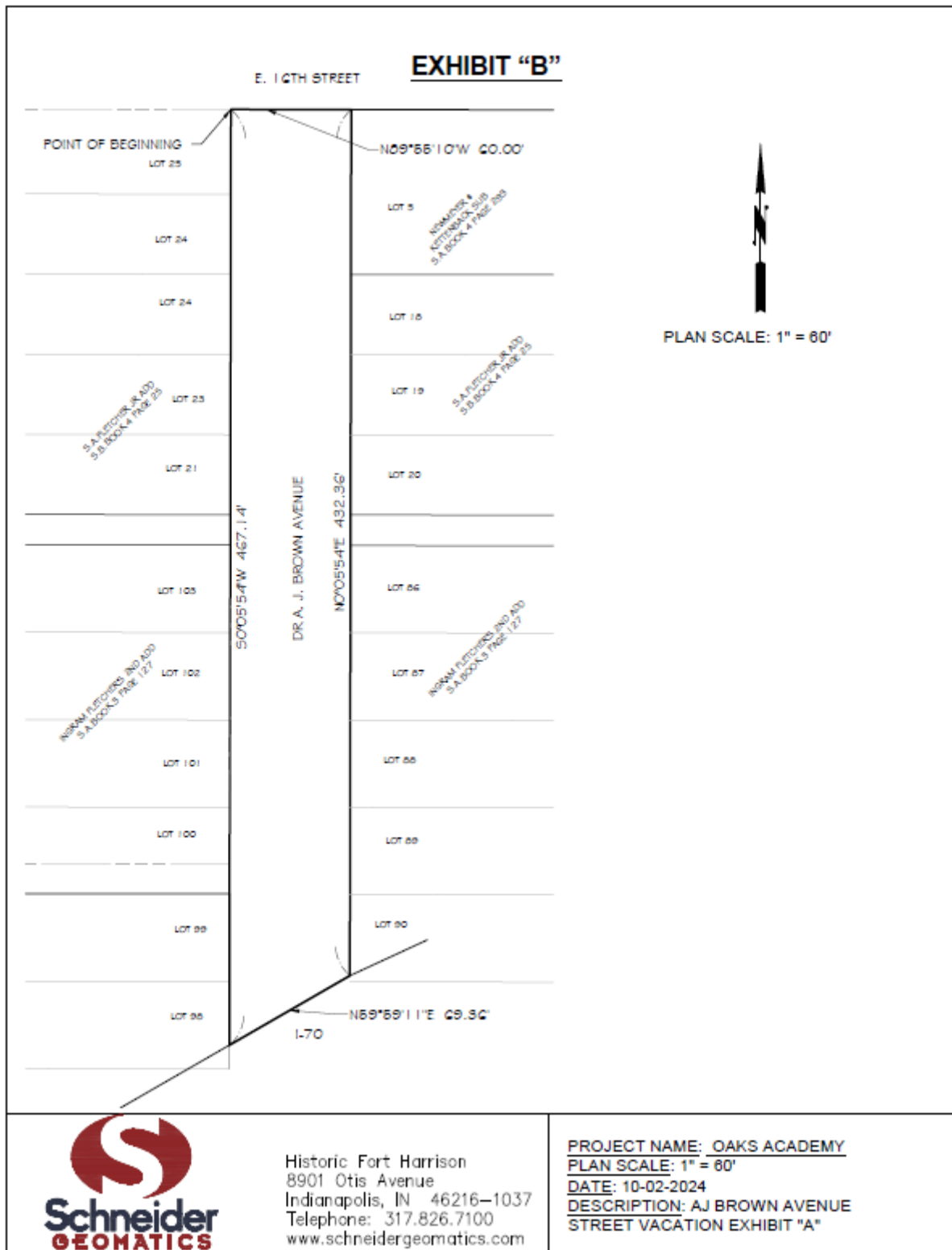
The entire right-of-way is improved and in excellent condition. Additionally, there are sidewalks on both sides of the improved street. Therefore, the city has invested in the street and sidewalks. Due to previous investment into this right-of-way, the request to waive the assessment of benefits should be denied.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	SU-2	
<b>Existing Land Use</b>	School, undeveloped land, and vacant building with parking area	
<b>Comprehensive Plan</b>	Community Commercial and Traditional Neighborhood	
<b>Surrounding Context</b>	<u><b>Zoning</b></u>	<u><b>Land Use</b></u>
North:	C-5	Commercial
South:	D-8	I-70
East:	C-5 / D-8	Church
West:	C-5 / D-8	Church / Commercial and Residential
<b>Thoroughfare Plan</b>		
Dr A J Brown Avenue	Local Street	48-foot proposed right-of-way and 57.5-foot existing right-of-way
16 <sup>th</sup> Street	Primary Arterial Street	78-foot proposed right-of-way and 61-foot existing right-of-way
Columbia Avenue	Local Street	48-foot proposed right-of-way and 62-foot existing right-of-way
<b>Petition Submittal Date</b>	February 27, 2025	









Department of Metropolitan Development  
Division of Planning  
Current Planning

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

METROPOLITAN DEVELOPMENT COMMISSION  
PLAT COMMITTEE  
HEARING EXAMINER  
OF MARION COUNTY, INDIANA

PETITION FOR VACATION OF A PUBLIC WAY, EASEMENT OR PUBLIC PLACE

FINDINGS OF FACT

1. THE PROPOSED VACATION IS IN THE PUBLIC INTEREST because:

It will provide space for more effective access and parking for both neighboring uses. The additional space available from the vacation will allow for a better and safer site plan with private driveway, parking, and sidewalks.

Removing the street from the City's costly maintenance responsibilities is also in the public interest.

DECISION

IT IS THEREFORE the decision of this body that this VACATION petition is APPROVED, subject to any conditions stated in the minutes (which conditions are incorporated herein by reference and made a part of this decision).

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

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

Findings of Fact

Photos



Photos of subject street and sidewalks



Department of Metropolitan Development  
Division of Planning  
Current Planning



Photos of subject street and sidewalks





Photos of subject street and sidewalks