



# Metropolitan Development Commission Hearing (April 1, 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, April 01, 2026

**Time:** 1:00 PM

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

## Business:

**Adoption of Meeting Minutes: March 18, 2026**

### Special Requests

## Policy Resolutions:

### REAL ESTATE:

**1. 2026-R-010**

Declares the need for emergency roof repairs at Union Station and authorizes necessary contracts in an amount not-to-exceed \$345,865.

**2. 2026-R-011**

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

### ECONOMIC DEVELOPMENT / INCENTIVES:

**3. 2026-A-007 (For Public Hearing)**

Authorizes amendment to the 2024 Real Property Tax Abatement approved by Resolution #2024-A-027 at 412 West McCarty Street, including 717 and 721 Chadwick Street, Council District #18, Center Township.

### PLANNING:

**4. 2026-P-003**

Authorizes an appointment to the Board of Zoning Appeals, Division I, of the Metropolitan Development Commission.

## Zoning Petitions:

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

**5. 2026-APP-001 | 8707 Shelby Street**

Perry Township, Council District #23  
HD-2 (FF)  
Community Health Network, Inc., by C. Addison Bradford

Hospital District Two Approval to provide for a behavioral health services treatment facility.

**6. 2025-MOD-026 | 4201 Moller Road**

Pike Township, Council District #5  
SU-1  
Iglesias Cristiana Pentecostal Maranatha, by Jason Burk

Modification of Commitments related to 2013-ZON-022 to terminate Commitment Number Two (Commitment Number Two required the dedication of a 60-foot half right-of-way along Moller Road within 60 days of approval).

**7. 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.

**8. 2026-ZON-008 | 9031 East 16th Street**

Warren Township, Council District #14  
Common Ground at Faith, by Andrew Horton

Rezoning of 9.34 acres from the SU-1 district to the SU-7 district to allow for food pantry and other non-profit uses.

**9. 2026-ZON-009 | 4500 Blackstone Drive**

Perry Township, Council District #24  
Anthony Trickle

Rezoning of 0.507-acre from the D-A district to the D-3 district to provide for residential uses.

**10. 2026-ZON-010 | 11700 East 30th Street**

Warren Township, Council District #15  
Donna and James Clifford, by Indiana Association of Seventh-Day Adventists, Inc.

Rezoning of 9.91 acres from the D-A district to the SU-1 district to provide for religious uses.

**11. 2026-ZON-011 | 10702 East 25th Street, 10710 East 30th Street, 3510 North German Church Road, and 10314 Maumee Drive**

Warren Township, Council District #15  
Department of Parks and Recreation of the City of Indianapolis, by Benjamin Jackson

Rezoning of 88.46 acres from the D-A, D-4, and D-6 districts to the PK-1 district to provide for recreational park uses.

**12. 2026-CZN-804 | 3616 North Shadeland Avenue**

Warren Township, Council District #9  
Mees / Meyer Development Company, by David Gilman

Rezoning of 1.55 acres from the C-4 district to the C-5 district to provide for regional commercial uses.

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

**Petitions for Public Hearing**

**PETITIONS FOR PUBLIC HEARING:**

13. 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).

14. 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.

**\*\*Petitioner request for continuance for cause to May 6, 2026**

15. 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.

16. COMPANION PETITIONS RECOMMENDED FOR APPROVAL BY HEARING EXAMINER, APPEAL FILED BY REMONSTRATOR:

**2025-ZON-124 / 2025-VAR-012 | 2505 North Sherman Drive**

Center Township, Council District #8  
Metrobloks, LLC, by Tyler Ochs

Rezoning of 13.68 acres from the I-2 district to the C-S district, to provide for a data center, business, professional or government offices, and all uses in the I-2 zoning classification.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 70-foot-tall building height (maximum 38-foot building height permitted), no maximum front yard setback (maximum 65-foot front setback permitted), to provide for 60 parking spaces (minimum one parking space for each 1,500 square feet of floor area required).

17. COMPANION PETITIONS TRANSFERRED FROM THE HEARING EXAMINER FOR INITIAL HEARING:

**2026-CZN-809 / 2026-CVC-809 | 301 Virginia Avenue, 315 South New Jersey Street, and 400 and 402 East South Street**

Center Township, Council District #18  
Indy Parks and Recreation, by Benjamin Jackson

Rezoning of 1.43 acres from the CBD-2 (RC) (TOD) and I-3 (RC) (TOD) districts to the PK-1 (RC) (TOD) district to provide for a public park.

Vacation of an irregularly shaped alley, ranging from ten feet and fifteen feet in width, and being the first north-south alley east of New Jersey Street, from the north right-of-way line of South Street, north 238.5 feet to the south right-of-way line of Virginia Avenue, with a waiver of the assessment of benefits.

**18. REZONING PETITION SCHEDULED FOR INITIAL HEARING:**

**2026-ZON-015 | 2215 Southport Commons Drive**  
Perry Township, Council District #22  
FS of Carmel, LLC, by Joseph D. Calderon

Rezoning of 4.87 acres from the D-P (FF) (W-1) district to the D-P (FF) (W-1) district to provide for automobile, motorcycle and light vehicle sales or rental.

**Additional Business:**

19. Adoption of Findings of Fact for a Prior Approved Petition

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

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

<b>Commissioner</b>	<b>Appointing Authority</b>	<b>Term</b>
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](http://indy.gov: Channel 16 Live Web Stream). The recording of this meeting will also be archived (along with recordings of other City/County entities) at [indy.gov: Watch Previously Recorded Programs](http://indy.gov: Watch Previously Recorded Programs).

**METROPOLITAN DEVELOPMENT COMMISSION  
MARION COUNTY, INDIANA  
RESOLUTION No. 2026-R-010**

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

WHEREAS, the Metropolitan Development Commission ("MDC") acts as the board for the DMD and holds the requisite authority to award contract for public works per the Revised Code of the Consolidated City and County Sec, 231-221, I.C. 36-1-12-1.2 and 2, I.C. 36-7-15.1-7

WHEREAS, the DMD owns the historic Indianapolis Union Station (the "Union Station") and is responsible for capital repairs as necessary; and

WHEREAS, the Union Station, due to significant unforeseen weather event in February 2026, requires significant repairs to the roof and damaged interior that necessitates immediate attention given the threat to general public health and safety, collectively (the "Repairs"); and

WHEREAS, The Director of the DMD has determined the Repairs emergency repairs must be addressed immediately, has solicited two quotes from qualified Public Works vendors as required by, and seeks a declaration of emergency from the Board/MDC per I.C. 36-1-12-9, and

WHEREAS, the MDC acknowledges the urgency for the Repairs and the quotes received from Advanced Restoration Contractors, Inc (Attachment A) and PCB Construction Group (Attachment B) with the combined quote received by Advanced Restoration Contractors, Inc being the lowest totaling three hundred thousand eight hundred sixty-five dollars (\$300,865.00); and

WHEREAS, the DMD wishes to enter into a related professional services agreement with Merlin King, Inc in a total amount not to exceed forty-five thousand dollars (\$45,000.00) to provide Owner's representative and Construction Management services for the Repairs.

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

1. The MDC declares that the Repairs are an emergency and hereby authorizes the DMD to enter into contract with Advanced Restoration Contractors, Inc in a total not to exceed of three hundred thousand eight hundred sixty-five dollars (\$300,865.00).
2. The MDC hereby further authorizes the DMD to entire into a professional services agreement with Merlin King, Inc. for Owner's representative and Construction Management services to facilitate the Repairs in a total not to exceed forty-five thousand dollars (\$45,000.00).

- 3. The Director of the DMD is hereby authorized to execute the necessary documents to facilitate the Repairs 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 April 1, 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

Approved as to Adequacy of Legal Form:

Sheila Kinney  
 Sheila Kinney, Asst. Corporation Counsel  
 Date: 3/25/2026

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 John J. Dillon, III, President

# Attachment A

# *Advanced*

Item 1.

## Restoration Contractors, Inc.

P.O. Box 269568 Indianapolis, IN 46226-9568

## **Preliminary Budget Proposal**

### **February 2, 2026**

Advanced Restoration Contractors, Inc. ("**Advanced**") submits following budget proposal to Merlin King, Inc. ("**Owner/Purchaser**"), Attn: Mr. Gene King, to provide materials and perform services addressing water intrusion issues as described under the Scope of Work, at **Crown Plaza Indianapolis Downtown Union Station** caused by leaking Terra Cotta coping stones and flashing.

Budget proposal includes all necessary labor, materials, equipment, and standard insurance required to address leaks damaging interior plaster and gypsum walls, promoting mold growth and paint deterioration, and exacerbating masonry damage via freeze-thaw cycles. Goal is to restore structural integrity, prevent further damage, and preserve historic character of building as described below.

- **Problem Assessment:**
  - Existing Terra Cotta coping stones are permitting water entry into wall cavities.
  - Resulting damage includes spreading mold, paint failure, and unsuitability of spaces for intended use.
  - Water intrusion contributes to brick masonry deterioration through repeated freeze-thaw cycles.
- **Scope of Work:**
  - Remove all Terra Cotta coping stones.
  - Remove Terra Cotta stones located below coping.
  - Remove multiple Terra Cotta stones surrounding and capping column tops.
  - Remove decorative Terra Cotta trim between column caps extending below coping.
  - Repair damaged brick masonry supporting Terra Cotta coping on exterior of west wall.
  - Remove brick on interior of parapet down to existing roof flashing and replace with new brick.
  - Relay all masonry using Type O lime based historically blended mortar produced by US Heritage Group.
  - Install malleable lead sheets, handcrafted through wall flashings.
  - Pack all mortar joints with Type O specialty mortar.
  - Provide for proper drainage of lead flashing, Terra Cotta coping, and stone system to prevent future water accumulation.

- **Materials and Standards:**
  - Mortar: Type O lime based, historically blended from US Heritage Group for compatibility with historic masonry.
  - Flashing: Malleable lead sheets, custom handcrafted for through-wall installation.
  - Brick: New matching brick to replace removed sections, ensuring aesthetic and structural consistency.
  - All work to comply with historic preservation guidelines.
- **Methodology:**
  - Conduct demolition and removal to minimize disturbance to surrounding structures.
  - Follow best practices for Repairs and relaying to historic masonry, including proper curing and joint packing.
  - Drainage provisions to include weep holes, slopes, or channels integrated into coping and flashing system for effective water management.
- **Timeline Estimate:** Subject to site assessment and approvals, project is estimated to take 8-10 weeks, including preparation, removal, repairs, and final inspections. Phasing may be implemented to minimize disruption to hotel operations.

**Exclusions:**

- Allowance of \$35,000.00 for unforeseen conditions, Terra Cotta repair and other unknown or uncovered conditions not specifically provided for within SOW.
- Any work not listed above under SOW.
- Unknown work that may be uncovered during execution of SOW.
- Additional or other Work requested during execution of SOW.

The budget for this SOW is \$278,450.00 (two hundred seventy-eight thousand, four hundred fifty dollars and 00/100 cents).

All work is to be paid in accordance with the Terms and Conditions on the reverse side of this proposal/contract.

This agreement represents entire agreement between Advanced and Owner/Purchaser for this work. Proposal expires if not accepted within 30 days of date first written above.

**Proposed:**  
**Advanced Restoration Contractors, Inc.**

**Accepted:**  
**Merlin King, Inc.**

\_\_\_\_\_  
By: Carl L. Aikman, Jr.  
Its: President

\_\_\_\_\_  
By:  
Its:

# *Advanced*

## **Restoration Contractors, Inc.**

P.O. Box 269568 Indianapolis, IN 46226-9568

### **Proposal/Contract**

**January 27, 2026**

Advanced Restoration Contractors, Inc. (“**Advanced**”) submits following proposal/contract to Merlin King, Inc. (“**Owner/Purchaser**”), Attn: Mr. Gene King, to provide materials and perform services as described under Scope of Work, at **Amtrak**.

Proposal includes all necessary labor, materials, equipment, and standard insurance required to complete Scope of Work below for Targeted Removal of Imminently Loose Concrete from Train Shed Roof Underside (Tracks Out of Service).

#### **Scope of Work:**

1. **General Description:**

Furnish all labor, materials, equipment, tools, supervision, safety measures, and incidentals necessary to safely identify and remove only loose concrete material from structural beams and slabs on underside of train shed roof that poses imminent risk of falling. Work area covers entire length of shed, directly over Amtrak passenger tracks (north tracks) and pedestrian platform. Tracks and platform will be fully out of service with no trains operating and no pedestrians or personnel present during work. Primary hazards are from overhead work (falls, falling debris) rather than active rail traffic. This is a limited, emergency hazard-mitigation scope, therefore no patching, substrate preparation, full delamination removal, or structural repairs are included.

2. **Access Provision**

- Provide and maintain safe overhead access using manlifts (e.g. boom lifts or scissor lifts) suitable for work height and area.
- Coordinate with facility owner representative to confirm track outage, and any required permissions for exclusive possession of work zone.
- No active flagging, fouling protection for passing trains, or train coordination is required, as tracks are confirmed out of service and unoccupied.

3. **Identification of Loose Material**

- Conduct focused visual inspection of concrete members to identify only visibly loose, detached, spalled, or hanging concrete pieces/sections that appear ready to fall in near future (e.g. visibly cracked through, barely attached, dislodged by gravity, or confirmed loose by light hand/tool pressure).
- Lightly tap suspect areas with hand tool (e.g., chipping hammer) to verify imminent looseness only. No comprehensive sounding survey or chain drag all areas.

4. Removal of Loose Material

- Carefully remove only identified loose/delaminated concrete using hand tools (e.g., chipping hammers) or low-impact power tools to minimize vibration and avoid disturbing sound concrete or causing additional spalling.
- Cease removal once material is detached and no longer poses an immediate fall risk. Do not extend into sound substrate or remove tightly adhered concrete.
- If reinforcement is exposed during removal of loose pieces, note conditions but do not perform cleaning, treatment, or any repairs.
- Ensure all work complies with OSHA standards for overhead work, including fall protection (harnesses, guardrails on lifts, etc.), PPE, and debris prevention.

5. Debris Management and Disposal

- Immediately collect, contain, and remove all debris using tarps, or other containment to prevent any material from accumulating on tracks, platform, or elsewhere in work zone.
- Dispose of debris off-site in compliance with local, state, and federal regulations.

6. Cleanup

- Broom-clean work zone at end of each shift or phase, removing all dust, fragments, and debris.
- Verify no residual loose material remains that could fall after tracks are returned to service.

7. Key Limitations and Safety Notes

- This scope is strictly limited to removal of imminently loose material only. No full inspection, structural repairs, patching, or long-term delamination treatment work included.
- Provide full PPE and fall protection.
- If unexpected conditions are encountered (e.g., extensive corrosion, large voids, or other structural concerns), owner representative shall be notified.

**Exclusions:** Assessment or remediation of broader issues. Any additional work not described above.

Total cost for above-described work is **Twenty-two thousand four hundred fifteen and 00/100 Dollars (\$22,415.00)** to be paid in accordance with terms and conditions on reverse side of this proposal/contract.

**This agreement represents the entire agreement between Advanced and Owner/Purchaser for this work.**

This proposal expires if not accepted within 30 days of the date above.

**Advanced Restoration Contractors, Inc.**

**Merlin King, Inc.**

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**By: Carl L. Aikman, Jr.**  
**Its: President**

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**By:**  
**Its:**

## GENERAL CONDITIONS

1. **CHANGE ORDERS.** Purchaser has the right to make changes in, additions to, or omissions from the Work by written order, but such right when exercised, will only be binding on Advanced after and if Purchaser and Advanced have agreed upon an adjustment in the contract price. 2. **PAYMENT TERMS.** Payment of the price shown on the face of the Proposal plus taxes in accordance with Section 8, below, shall be paid monthly upon receipt of invoice for portions of the Work performed during that month. On any invoice remaining unpaid on the 20th day of the month following the month for which Work is invoiced, Purchaser agrees to pay Advanced interest at the rate of eighteen percent (18%) per annum on such overdue account from the due date and until paid. If Purchaser fails to make any payment within the above stated time Advanced shall be entitled to damages and an extension of time for performance, and may suspend all Work until all payments due, together with the above agreed interest therein, have been made. 3. **SECURITY FOR PAYMENT.** Until full payment by Purchaser of all amounts to be paid by it hereunder, Advanced shall retain title to the materials and properties furnished hereunder, whether or not the same be installed in any building or other structure. Advanced, however, reserves the right to charge this conditional sale to an absolute sale at any time to all or any part of said materials or properties may pursue any statutory or other remedies in such cases made and provided. When and if requested by Advanced, Purchaser will duly acknowledge this contract in writing and will execute, acknowledge and deliver to Advanced such other instruments as may be appropriate to constitute the materials and properties as security for the price to be paid by Purchaser, or to enable Advanced to comply with the applicable filing, recording or other laws in the state where the Work is being performed. 4. **DELAYS AND CLAIMS.** A. **Liability Only for Acts Within Advanced's Control.** Advanced will be excused and will not be liable for any damages, whether direct, incidental or consequential, for any delay or failure in performance (including but not limited to delays due to strikes, fires, accidents, acts of God and delays in performance by Advanced suppliers and carriers) except to the extent caused by or within the direct control of Advanced. B. **Notice of Claims, When.** Any claim by Purchaser against Advanced must be presented in writing with particulars to Advanced with ten days after they arise; otherwise, Advanced shall have no responsibility or liability in respect thereof. 5. **INSURANCE, RISK OF LOSS ON MATERIALS.** Purchaser shall purchase and maintain property insurance on the full value of the Work. Including materials supplied, which shall include the interest of Advanced to be evidenced by Certificate. All material and equipment shall be at Purchaser's risk after delivery by Advanced to the site of the Work. 6. **LIMITED WARRANTY AND EXCLUSIVE REMEDIES** A. **Workmanship.** For a period of one year from the date of substantial completion of Advanced's Work covered hereby, Advanced warrants that it will promptly repair or replace any improper or defective workmanship performed by Advanced under this contract; provided, however, that this warranty is expressly conditioned on (I) Purchaser's payment to Advanced of all amounts due for work performed under this contract. (II) Advanced having received written notice from Purchaser of any such defective workmanship within 10 days after Purchaser first becomes aware thereof (provided such is within the aforesaid one-year period) and (III) Advanced having had a reasonable opportunity to inspect the same prior to any removal or alterations by Purchaser. Instead of effecting such repairs or replacement, all of Advanced's obligations under this paragraph and its liability under this contract, can be fully and completely satisfied at its option by its refunding to Purchaser the price of this contract or that portions thereof which Purchaser shall have paid and thereafter this contract shall have no further force or effect. B. **No Warranty, Materials.** Unless expressly so provided, Advanced given no warranty or guaranty of any kind, either express or implied, as to any materials described in this proposal. Advanced shall, however, provide to Purchaser any warranties with respect to such materials which the manufacture thereof may provide for the ultimate user, and Purchaser shall look to the manufacturer, and not to Advanced for any and all damages arising from material alleged to have been defective. C. **Disclaimer of Other Warranties.** PROVISIONS IN PARAGRAPHS A AND B ARE THE EXCLUSIVE WARRANTIES PROVIDED TO PURCHASER AND ARE EXPRESSLY IN LIEU OF ANY OTHER EXPRESS OR IMPLIED WARRANTIES, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE. D. **Exclusive Remedy.** Advanced's liability and responsibility under this section 6 is not transferable by Purchaser and is limited to the repair, replacement or refund as herein provided. It is expressly understood that under no circumstances shall Advanced have any liability under this section 6 for incidental or consequential damages or have a responsibility or liability which exceeds the amount Advanced is entitled to receive for performing this Work. No warranties provided in paragraph's 6 (A) or (B) shall be applicable until and unless Advanced has been paid for all work performed to the date of Purchaser's notifications of any defective workmanship. 7. **OBLIGATIONS OR PURCHASER AT SITE OF WORK.** A. **Site Conditions.** For work performed by Advanced at the site, Purchaser shall provide without cost to Advanced (I) sufficient and proper space for handling and storing the materials and equipment of Advanced; (II) proper protection therefore and all necessary utilities and facilities; (III) sufficient heat for the protection of the materials and, if interior, for the proper performance of the Work; (IV) all shoring and any other protection necessary to preserve from damage all foundations, walls or other structures or improvements or portions thereof which may be disturbed by Advanced's performance of the Work; (V) removal of all obstructions to performing the Work as economically as possible; (VI) in tanks or confined places. If air circulation is not sufficient to season the treatment properly or to provide reasonably safe conditions of work fans or other means to make it so. It is understood that all partitions or walls adjoining or abutting walls or floors to be waterproofed are to be left out of place by Purchaser until waterproofing is completed at such points. B. **Unanticipated Conditions.** Purchaser shall in addition to the contract price, (I) pay Advanced for all costs incurred by Advanced as a result of encountering water, quicksand, rock, structural failure or other conditions not reasonably anticipated by Advanced, and (II) bear and pay for any loss of or damage to the materials, equipment, tools, Work or workmen of Advanced, its agents, or subcontractors, except in any instance where caused solely by Advanced. C. **Concealed Fixtures and Structures.** Advanced shall not be liable for any loss or damage to, or due to (I) unseen or concealed piping, wires, fixtures, or equipment or materials, or (II) the character, conditions, or physical strength of any foundations, walls or other structures or improvements not erected by Advanced or any excavation in proximity thereto. D. **Hazardous Waste, Asbestos, Lead Paint, PCB.** Purchaser warrants that the Work will not expose Advanced workers or any other persons to contact with or exposure to hazardous waste, asbestos, lead paint or polychlorinated biphenyl ("PCB"). In the event Advanced encounters on the Site material reasonably believed to be hazardous waste, asbestos, lead paint or PCB which has not been rendered harmless, Advanced shall immediately stop Work in the area affected and report the condition to the Purchaser. The Work in the affected area shall not thereafter be resumed except by written agreement of the Purchaser and Advanced if in fact material is hazardous waste, asbestos, lead paint or PCB, or when it has not been rendered harmless and so agreed in writing by the Purchaser and Advanced. All cost of removal, or to render hazardous waste, asbestos, lead paint or PCB harmless, shall be borne by Purchaser. E. **No Interruptions.** Purchaser shall do everything required or necessary so as to permit Advanced to perform its works in a normal sequence, without interruption or interference from Purchaser or its agents suppliers, or other contractors, or subcontractors, or other, and in any event Purchaser will protect, defend, indemnify and save Advanced harmless from all loss, cost, damage, liability, attorney's fees and expenses which Advanced may sustain or incur by reason of Purchaser's breach of any of the provisions contained in Section 7. 8. **TAXES.** Purchaser shall pay or reimburse Advanced for all sales, use, occupation, and similar taxes or other charges or impositions levied, assessed, or imposed upon or with respect to the Work or the performance of this contract. For lien or bond claims purposes, although separately referred to on Advanced's invoices, such taxes shall be considered as part of the purchase price of the materials involved, to be promptly paid by Purchaser to Advanced on demand. 9. **DEFAULT BY PURCHASER.** Default by Purchaser shall consist of any of the following: (a) failure by Purchaser to make any payment when due hereunder, no demand being necessary, (b) any act or omission on the part of Purchaser whereby Advanced is prevented from completing its Work in a timely and uninterrupted manner, (c) Purchaser being adjudicated, bankrupt or insolvent, (d) the appointment of a receiver or trustee in bankruptcy or insolvency or liquidation of the Purchaser's property (e) the making of assignment by Purchaser for the benefit of creditor, (f) the collecting of a judgment against the Purchaser's property, or any part thereof, which shall remain unsatisfied for a period of ten consecutive days, or the filling of a materialman's or mechanic's lien against the Purchaser's property or any part thereof, which shall remain a lien thereon for a period of ten consecutive days. (g) the issuance of an execution upon a judgment against Purchaser of Purchaser's property, or the institution of proceedings for foreclosure against the Purchaser's property of (h) failure by Purchaser to comply with any term, condition or provision of this Contract. 10. **REMEDIES OF ADVANCED.** In case of any default by Purchaser, Advanced may (a) declare the full contract price to be immediately due and payable, less a sum equal to Advanced's cost of any labor and materials not furnished or ordered if the Work is not complete, (b) enter the premises and remove the material and properties furnished under the contract, or any part thereof, whether or not attached to any building or other structure, and at Advanced's option, sell the same at public or private sale and apply the proceeds (less expenses of such retaking and sale) toward the balance due and (c) invoke and pursue such other or additional remedies as may be provided by law. Purchaser shall indemnify Advanced for any and all expenses, including reasonable attorney's fee, incurred in pursuing any of the foregoing remedies. 11. **HOURS OF WORK.** Advanced is obligated to perform the Work only during its regular working hours and has no responsibility to work beyond such regular hours. All time beyond regular hours, which is required by Purchaser, shall be paid for by the Purchaser in addition to the contract price, at applicable premium rates of pay. 12. **ENTIRE AGREEMENT.** This proposal constitutes the entire agreement between the parties. No representations, statements or discussions between Advanced and Purchaser or Purchaser's representative shall be a part of this contract.



## Attachment B

Item 1.

# Construction Management Services Attn: Kristy Carter

**Client:** Raven Commercial

**Location:** 123 W. Louisiana St.

**Date:** March 2, 2026

**Submitted by:** PBC Construction Group

**Project Total: \$1,457,400**

**Partners | Building | Committed**



# Executive Summary

## Project Understanding

- Deliver a high-quality facility that meets the program requirements and supports the end user’s operational goals from day one.
- Maintain budget discipline and cost transparency, with clear allowances, scope boundaries, and change control throughout.
- Achieve the required schedule milestones, prioritizing early release of long-lead items and tight coordination with stakeholders.
- Execute with a safe, clean, and controlled jobsite, minimizing disruption to adjacent operations, occupants, and neighbors.
- Coordinate design and construction to reduce risk and rework, proactively resolving clashes, constructability issues, and sequencing constraints.
- Provide a smooth turnover and closeout, including commissioning coordination, training, complete documentation, and warranty support.

## Why PBC Construction Group

<b>Local market strength</b> trades, AHJs, permitting	<b>Sector experience</b> healthcare / industrial / multifamily / etc.	<b>Tech-enabled delivery</b> BIM/VDC, cost modeling, field reporting cadence
--	--	---

## What You Get

<b>Budget certainty</b> open-book estimating, change control discipline	<b>Schedule reliability</b> pull planning / Last Planner approach	<b>Quality assurance + digital closeout</b> checklists, inspections, punch list, turnover
--	--	--

# Company Profile / Firm Background

## Who We Are

**PBC Construction** is a Midwest-based commercial builder and development partner with 40+ years of construction and real estate development experience. We deliver high-quality projects on time and on budget by operating as a true extension of the owner’s team—anchored by transparent communication, clear accountability, and proactive planning from kickoff through closeout.

From concept through construction, PBC Construction provides an end-to-end delivery platform and a Midwest reach that includes development & design support as well as full construction services. Our experience spans restaurants, retail, tenant buildouts, office/warehouse, healthcare, institutional, and projects ranging from ground-up builds to complex remodels—executed with a focus on efficiency, durability, and lasting value.

## Core Values

 Relationship Focused

 Quality Driven

 Proven Experience & Knowledge

## Company "Scale & Capability" Proof Points

**\$25M**

Annual volume

**20**

Active projects

**20**

Team size

**38**

Years in business

**\$750k**

Bonding capacity

**0.87**

Safety EMR

## Differentiators

### Supply chain & procurement approach

vendor leverage, alternates, lead-time management

### BIM/VDC

clash detection, coordination, virtual mockups, quantifiable outcomes

### Estimating & Budget Control

Target Cost / cost model updates through design

### Scheduling

pull planning / Last Planner method

### End-to-End Delivery Method

**Development & Design Support:** site planning, feasibility/due diligence, early budgeting and scheduling, value engineering, and assistance with governmental approvals.

**Construction Services:** GC/CM delivery, contract negotiation, cost reporting and control, lender/tenant coordination, commissioning support, and project closeout

# Scope of Services

## Scope of Services

### Preconstruction Services

- planning
- estimating
- quality planning
- procurement strategy
- safety planning
- design support

### Construction Services

- cost control
- schedule control
- QA/QC
- commissioning coordination
- closeout
- warranty

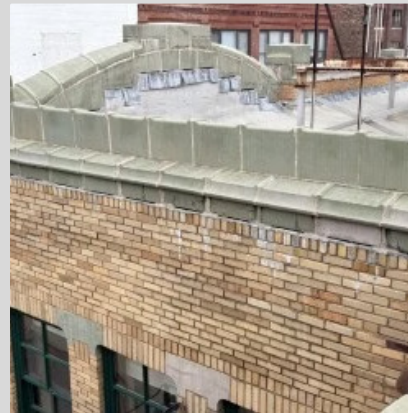
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# Relevant Project Experience

## 3.1 Key Relevancies Matrix

Project	\$ Range	Delivery	Type	Occupied	Sector	Schedule	Tech Scope
The Brewster Chicago, IL	✓	✓	✓	✓	✓	✓	✓
600 W. Jackson Chicago, IL	✓	✓	✓	✓	✓	✓	✓
110 E. Washington Indianapolis, IN	✓	✓	✓	✓	✓	✓	✓

## Current Conditions



# Project Team

## Project Leadership & Key Contacts

PBC Construction will staff this project with a senior leadership team that stays engaged from preconstruction through closeout. Our structure is designed to provide clear accountability, fast decision-making, and consistent communication—backed by executive oversight and hands-on project delivery leadership.

### Core Team



**Chad Hannah — President**

Executive sponsor providing strategic oversight, client alignment, and rapid issue escalation when needed.



**Staci Hannah — EVP of Operations**

Leads operational execution standards across the company, ensuring consistency in schedule, quality, cost control, and field performance.



**Jason Basso — Director | Operations & Strategic Growth**

Primary relationship lead and delivery strategist —drives planning, procurement strategy, and execution alignment to meet owner outcomes.



**JT Woelfer — Business Development**

Client-facing support ensuring continuity, responsiveness, and streamlined communication throughout the pursuit and project lifecycle.



**Jay Kammeyer — VP of Development**

Supports preconstruction and development coordination, helping align budget, schedule, and design intent early to reduce downstream risk.



**Chris Rudolph — Project Executive**

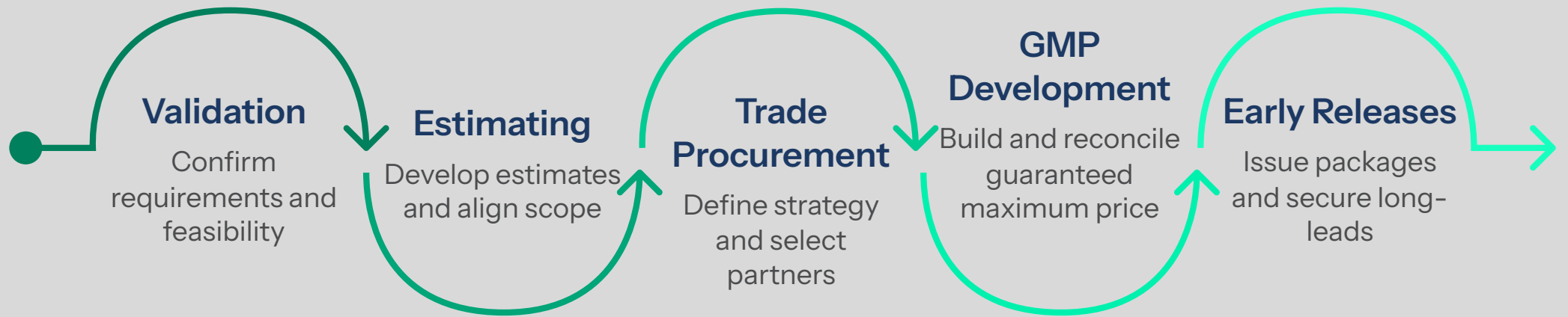
Senior project delivery leader responsible for day-to-day execution oversight, team coordination, and performance management across all phases.

### Accountability Model

- **Single point of accountability:** Project Executive (Chris Rudolph)
- **Executive oversight:** President (Chad Hannah) + EVP of Operations (Staci Hannah)
- **Owner relationship + strategic delivery leadership:** Jason Basso
- **Preconstruction/development support:** Jay Kammeyer
- **Client continuity + responsiveness:** JT Woelfer

# Preconstruction & Construction Execution

## Preconstruction Plan



Our phased preconstruction approach ensures budget certainty and schedule reliability through systematic validation, estimating, and early procurement of long-lead items.

## Construction Execution Plan



## Preliminary Schedule

Milestone	Target Date
Permit Approval	TBD
Mobilization	TBD
Substantial Completion	TBD
Final Completion	TBD

# Premiums & Insurance Coverage

## Coverage Narrative

PBC Construction Group maintains a comprehensive insurance program appropriate for commercial construction operations. Coverage is carried with admitted carriers rated A-/VII (or better) where available, and certificates and required endorsements are provided upon award and/or as contractually required.

### Commercial General Liability (CGL)

#### Limits of Insurance (CGL):

- Each Occurrence: \$1,000,000
- General Aggregate: \$2,000,000
- Products-Completed Operations Aggregate: \$2,000,000
- Personal & Advertising Injury: \$1,000,000
- Medical Expense (any one person): \$10,000
- Damage to Rented Premises (fire/legal liability): \$100,000

### Automobile Liability

#### Limit of Insurance (Auto):

- Combined Single Limit (Bodily Injury & Property Damage): \$1,000,000

### Umbrella / Excess Liability

#### Limits of Insurance (Umbrella):


- Each Occurrence: \$5,000,000
- Aggregate: \$5,000,000

### Workers' Compensation & Employers Liability

#### Limits of Insurance (WC / EL):

- Workers' Compensation: Statutory
- Employers Liability – Each Accident: \$1,000,000
- Employers Liability – Disease (Policy Limit): \$1,000,000
- Employers Liability – Disease (Each Employee): \$1,000,000

#### Endorsements (Provided as Required by Contract)

ACORD		CERTIFICATE OF LIABILITY INSURANCE		DATE (MM/DD/YYYY)		
				01/30/2026		
THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.						
IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).						
PRODUCER		CONTACT				
The George Insurance Agency, Inc. 12574 Promise Creek Lane Suite 126 Fishers IN 46038		Rochelle Rudicil PHONE: (317) 524-1555 FAX: (317) 524-1553 E-MAIL: rochelle@thegeorgeagency.com ADDRESS: rochelle@thegeorgeagency.com				
INSURED		INSURER(S) AFFORDING COVERAGE				
CS4J, Inc dba Perry Building Contractors 8117 Zionsville Rd Indianapolis IN 46268-1626		INSURER A: West Bend Insurance Co. A (Excellent) XIV 15350 INSURER B: Auto-Owners Insurance Co. A++ (Superior) XV 18988 INSURER C: Evanston Insurance Company (Non-Admitted) 35378 INSURER D: INSURER E: INSURER F:				
COVERAGES		CERTIFICATE NUMBER: 001		REVISION NUMBER:		
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.						
INSR	TYPE OF INSURANCE	ADDL/SUBR	POLICY NUMBER	POLICY EFF	POLICY EXP	LIMITS
ALT		INSD/ WVD		(MM/DD/YYYY)	(MM/DD/YYYY)	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJ <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:		B168028	09/30/2025	09/30/2026	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPOP AGG \$ 2,000,000
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS ONLY		B168028	09/30/2025	09/30/2026	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
B/C	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> RETENTION \$ 10000		5409601800/MKL3EUE1022f	09/30/2025	09/30/2026	EACH OCCURRENCE \$ 6,000,000 AGGREGATE \$ 6,000,000 PR/COMP OPS AGG \$ 6,000,000
A	<input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N Y N/A	B168038	09/30/2025	09/30/2026	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Rented or Leased Equipment Builder's Risk Coverage		B168028	09/30/2025	09/30/2026	Limit \$100,000 Per Project \$3,950,000 Aggregate \$7,500,000
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)						
Proof of Insurance						
CERTIFICATE HOLDER		CANCELLATION				
Proof of Insurance		SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.				
		AUTHORIZED REPRESENTATIVE 				
© 1988-2015 ACORD CORPORATION. All rights reserved.						
ACORD 25 (2016/03)		The ACORD name and logo are registered marks of ACORD				

# Safety Record & Procedures

## Safety Culture + KPIs



0.87

EMR

2-year history



0.0

LTI stats

"Incident and Injury Free" style positioning

## Jobsite Safety Requirements



Minimum PPE requirements



Orientation requirements



Substance testing policy



Field audit process

## Safety Programs

- 5S housekeeping / materials management
- Daily huddles / stretch & flex
- 100% fall protection stance, etc.

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# Proposed Scope of Work

## Union Station – Masonry Restoration & Water Remediation

PBC Construction proposes to provide all labor, materials, equipment, supervision, and coordination for the masonry restoration and water remediation work at Union Station.

### South Elevation Masonry Restoration

**Total: \$706,839**

- Selective restoration and repointing of deteriorated mortar joints (approx. 3/4 inch depth).
- Use of period-appropriate modified mortar (U.S. Heritage Group), subject to approval.
- New mortar joints tooled to match existing historic conditions.
- Includes scaffolding and access systems.

### West Parapet Wall Restoration

**Total: \$750,561**

- Removal of existing terra cotta coping stones for access.
- Substrate prepared for new plastic mesh and lead curtain flashing.
- Selective infill/reconstruction using CMU backup veneered with brick.
- Repair, replace, and reset salvaged terra cotta coping units.

### General Requirements

This work includes debris disposal, timely execution to industry standards, and coordination of subcontractors, site logistics, and sequencing.

## Exclusions & Assumptions

### Key Exclusions

- Structural/architectural design, permits, or third-party testing.
- Hazardous materials testing, abatement, or remediation.
- Temporary roofing or extensive weatherproofing.
- Full façade or wholesale brick/terra cotta replacement (beyond specified scope).
- Interior demolition, restoration, or repairs.
- Unforeseen concealed conditions.

### Project Assumptions

- Scope limited to south elevation tuckpointing & west parapet restoration.
- Access to work areas available during normal working hours.
- Existing conditions consistent with visible observations and provided information.
- Quantities of deterioration consistent with quoted pricing.
- Concealed deterioration will be addressed as a change in scope.
- Mortar selection and salvaged terra cotta reusability as planned.

### Clarifications

This proposal is based on currently available information and visible conditions only. Historic masonry projects frequently involve concealed conditions that may require additional repair areas or material replacement, documented as a change in scope. Final means and methods may be adjusted in the field.

Multiple Properties  
Real Estate Conveyance  
Multiple Transferees

**METROPOLITAN DEVELOPMENT COMMISSION  
OF  
MARION COUNTY, INDIANA  
Resolution No. 2026-R-011**

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  
Date: 3/20/2026

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

Exhibit A

<b>Address</b>	<b>Parcel Number</b>	<b>Transferee</b>	<b>Sale Program</b>	<b>Sale Price</b>
1049 W 28TH ST	1012408	Mohammad Usman	Homestead	\$20,000
839 N OAKLAND AVE	1066676	NEAR	Affordable	\$5,000
946 N PARKER AVE	1084477	NEAR	Affordable	\$5,000
58 S LASALLE St	1040113	Wayne Tyler Sall	Standard	\$20,000
907 W 30TH ST	1013695	Jeremy Stephens	Standard	\$15,000
2462 COLUMBIA AVE	1097737	Paradigm Construction & Development	Standard	\$23,000
2454 COLUMBIA AVE	1015063	Paradigm Construction & Development	Standard	\$28,000
2539 COLUMBIA AVE	1002509	Paradigm Construction & Development	Standard	\$29,000
1215 E 25TH ST	1075975	Paradigm Construction & Development	Standard	\$15,000
2458 COLUMBIA AVE	1052172	Paradigm Construction & Development	Standard	\$28,000

**TWG 412 McCarty, LLC**  
412 West McCarty Street including 717 and 721 Chadwick Street

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

**RESOLUTION  
AUTHORIZING AMENDMENTS TO THE MEMORANDUM OF  
AGREEMENT ASSOCIATED WITH RESOLUTION 2024-A-027 REGARDING  
REAL PROPERTY TAX ABATEMENT**

**RESOLUTION NO. 2026-A-007**

**TWG 412 McCarty, LLC**  
412 West McCarty Street including 717 and 721 Chadwick Street

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

**WHEREAS**, pursuant to I.C. 6-1.1-12.1, TWG Development LLC (owner/developer of TWG 412 McCarty, LLC, hereinafter “Applicant”) filed designation application requesting that the subject real estate at 412 West McCarty Street including 717 and 721 Chadwick Street, hereinafter “Subject Real Estate”) be designated as an Economic Revitalization Area for the purpose of achieving real property tax savings in connection with redevelopment or rehabilitation activities (hereinafter “Project”); and

**WHEREAS**, on Wednesday, July 3, 2024, the Metropolitan Development Commission (hereinafter “Commission”) adopted Preliminary Economic Revitalization Area Resolutions No. 2024-A-025 preliminary designating the Subject Real Estate as an Economic Revitalization Area expiring December 31, 2026; and

**WHEREAS**, on Wednesday, August 21, 2024, after conducting a public hearing, the Commission adopted Final Economic Revitalization Area Resolution No. 2024-A-027 (hereinafter “Resolution”), designating the Subject Real estate as an Economic Revitalization Area for the purpose of receiving up to ten (10) years real property tax abatement (hereinafter “Abatement”); and

**WHEREAS**, in the Statement of Benefits Form contained in the Resolution and the Memorandum of Agreement (hereinafter “MOA”) executed by and between the Applicant and the City of Indianapolis (hereinafter “City”), the Applicants indicated, among other requirements, that a minimum of \$50,540,000 in real property improvements would be made at the Subject Real Estate, and would have five (5) permanent positions would be created at a minimum wage of \$22.00 per hour as a result of the Project (collectively, the “Commitments”); and

**TWG 412 McCarty, LLC**  
412 West McCarty Street including 717 and 721 Chadwick Street

**WHEREAS**, Resolution #2024-A-027 required the Department of Metropolitan Development to survey the Project. Such annual reporting for the forty-one (41) affordable units as described in the 2024 MOA has been revised in this current Resolution to be at least fifteen (15) years. The dates of the initial fifteen (15) surveys shall commence upon full occupancy of these 41 units. The expected 15-year reporting period would thus be on or about the following dates: 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, and 2044.

Additional revisions to the 2024 MOA make this timeline distinct from the 12-year reporting period required of the investment and job creation/retention commitments. The dates of the initial twelve (12) surveys shall commence upon investment completion and full assessment of the new development, but no later than the expiration of the ERA on 12/31/2029. The expected 12-year reporting period would thus be on or about 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, and 2041.

**WHEREAS**, in the MOA Exhibit B, the Project is to maintain the rent restrictions described therein for fifteen (15) consecutive years following full occupancy of the forty-one affordable units ranging between 30% - 80% AMI as long as it averages 70% Area Median Income (AMI). Also, the Applicant is annually required to provide proof in the "Housing Report" of 100% compliance with the specified rent restrictions. The Housing Report shall be included with the Annual Survey; or, in the event the City does not provide an Annual Survey, the Housing Report shall accompany the Applicant's annual Compliance with Statement of Benefits Form (CF-1).

**WHEREAS**, the Applicant submitted a request on January 8, 2026 to extend the Economic Revitalization Area to December 31, 2029, extending the deadline for hiring five (5) new jobs and the investment period to December 31, 2029; 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, 2029, and related timelines as described in the TWG 412 McCarty LLC First Amendment to MOA, and subsequently set 1:00 p.m. on Wednesday, April 1, 2026, for the public hearing of remonstrances and objections from persons interested in the Applicant's compliance with Resolutions and MOA,

**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.

**TWG 412 McCarty, LLC**  
412 West McCarty Street including 717 and 721 Chadwick Street

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

1. The Commission finds that allowing an extension of the ERA for TWG 412 McCarty LLC 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.
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

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

Date: 3/20/2026

**METROPOLITAN DEVELOPMENT COMMISSION  
MARION COUNTY, INDIANA  
RESOLUTION NO. 2026-P-003**

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

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

NOW THEREFORE BE IT RESOLVED THAT:

1. The Commission hereby appoints John Wolski to the Metropolitan Board of Zoning Appeals, Division I, for the period from January 1, 2026, through December 31, 2026.
2. This Resolution shall take effect immediately upon adoption by the Commission.

Approved as to legal form and adequacy:

Metropolitan Development Commission:

By: Christopher Steinmetz  
Christopher Steinmetz  
Senior Counselling Attorney

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

Date: 03/24/2026  
\_\_\_\_\_

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



**METROPOLITAN DEVELOPMENT COMMISSION** **April 1, 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.

**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.



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

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

<b>Existing Zoning</b>	C-5 (TOD)	
<b>Existing Land Use</b>	Automobile vehicle sales	
<b>Comprehensive Plan</b>	Community Commercial	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
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
<b>Thoroughfare Plan</b>		
Madison Avenue	Primary arterial	Existing 50-foot right-of-way and proposed 80-foot right-of-way.
Dudley Avenue	Local Street	Existing 50-foot right-of-way and proposed 50-foot right-of-way.
Whalen Avenue	Local Street	Existing 40-foot right-of-way and proposed 50-foot right-of-way.
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	No	



<b>Overlay</b>	Transit-Oriented Development (TOD)
<b>Wellfield Protection Area</b>	No
<b>Site Plan</b>	November 18, 2025
<b>Site Plan (Amended)</b>	N/A
<b>Elevations</b>	N/A
<b>Elevations (Amended)</b>	N/A
<b>Landscape Plan</b>	N/A
<b>Findings of Fact</b>	N/A
<b>Findings of Fact (Amended)</b>	N/A
<b>C-S/D-P Statement</b>	N/A

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

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

**Pattern Book / Land Use Plan**

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

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

*Conditions for All Land Use Types – Community Commercial Typology*

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

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

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



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**Neighborhood / Area Specific Plan**

Not Applicable to the Site.

**Infill Housing Guidelines**

Not Applicable to the Site.

**Indy Moves**

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

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

The following listed items 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**.



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**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.

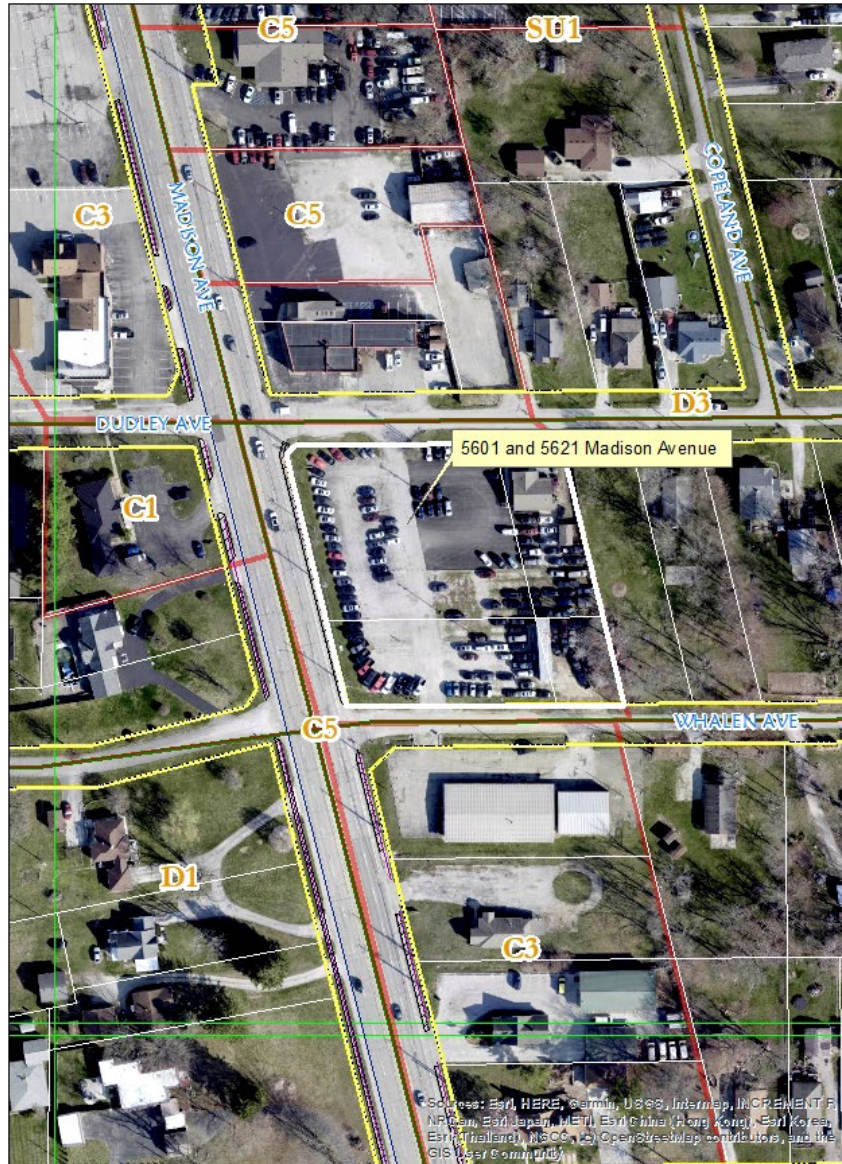
Letters of opposition were submitted by an area property owner and by the Thompson Edgewood Residential Association, and another area property owner appeared at the hearing. Reasons for opposition included improperly maintained property, lack of benefit to the neighborhood, and noncompliance with commitments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

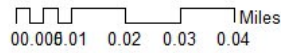
For Metropolitan Development Commission Hearing on February 4, 2026

**EXHIBITS**



© Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Ireland), SCS, Swisstopo, DeLorme, NAVTEQ, and the GIS User Community

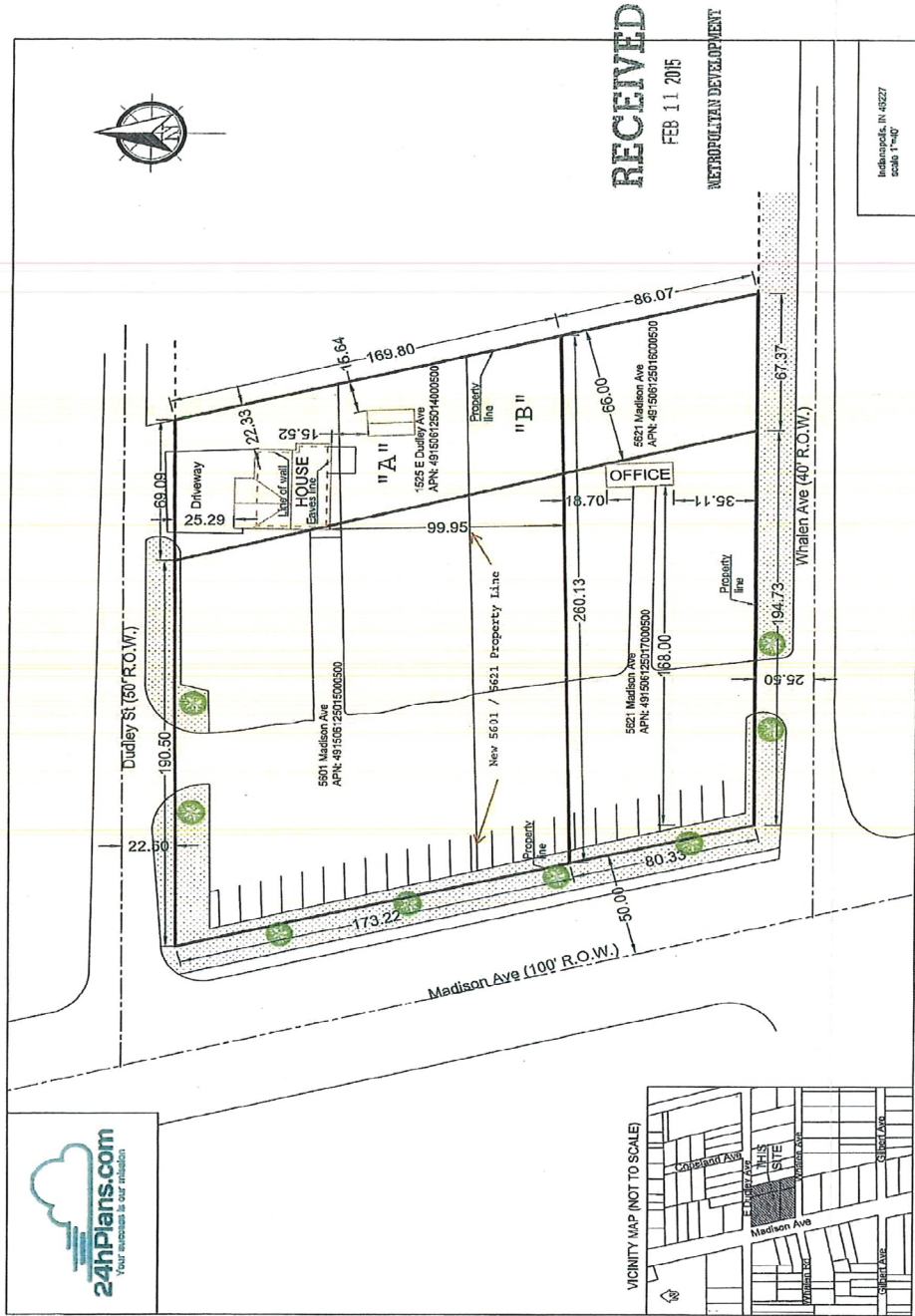
5601 and 5621 Madison Avenue





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2015-ZON-007 Site Plan



2025-MOD-024 Site Plan

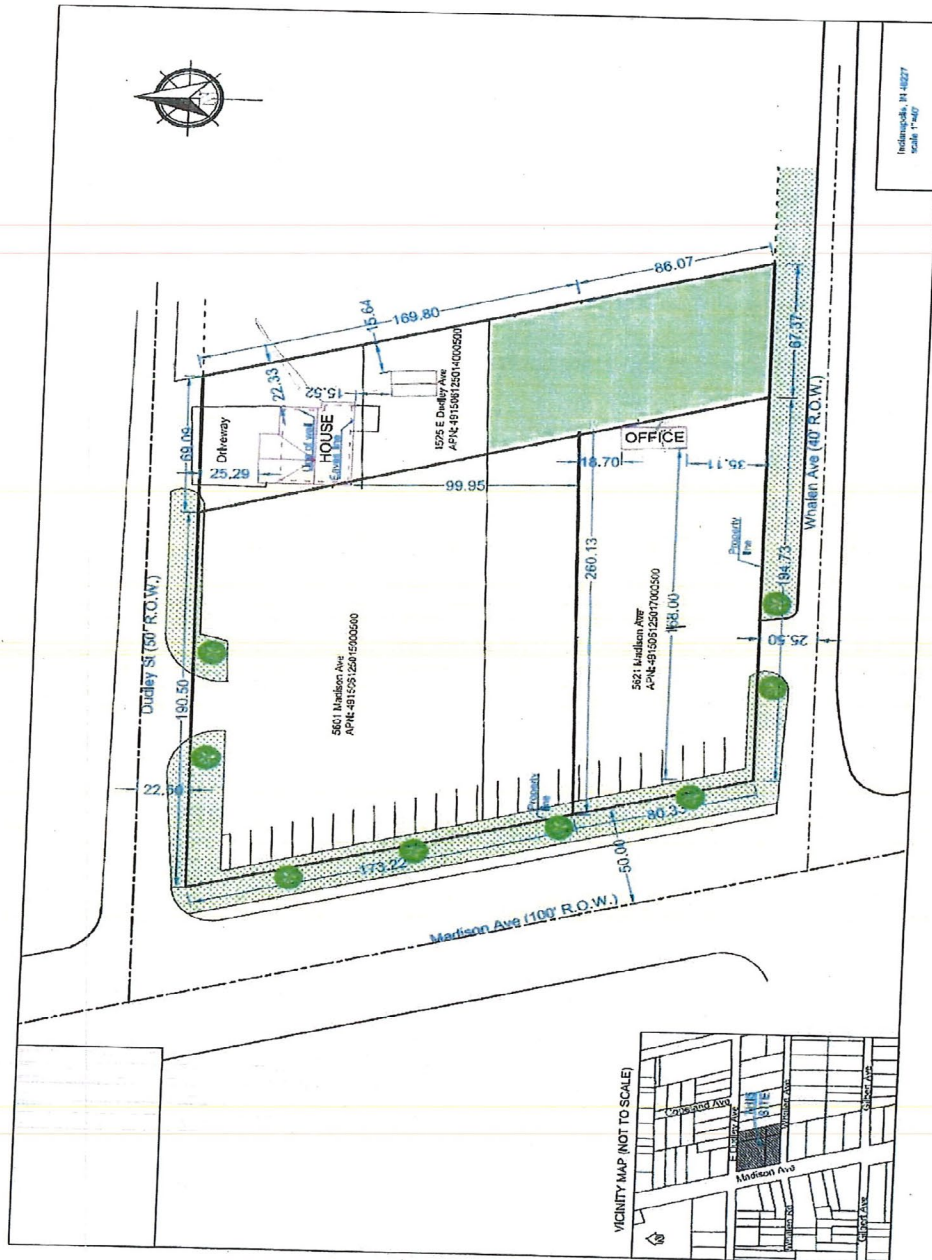
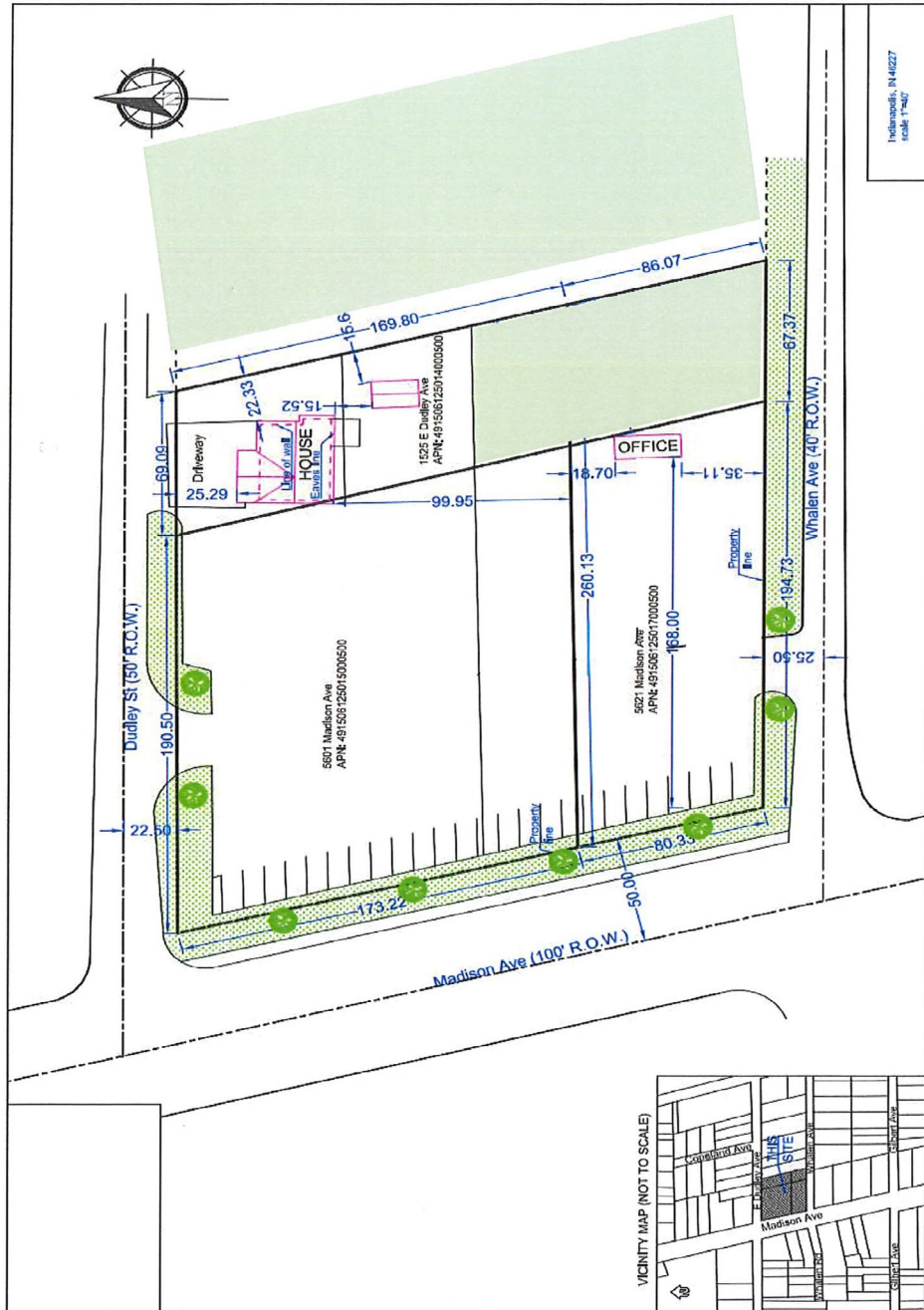


EXHIBIT 2

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

*ANC*

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*



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MAY 18 2015

METROPOLITAN DEVELOPMENT

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

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

These COMMITMENTS may be enforced jointly or severally by:

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

These COVENANTS may be enforced by the Metropolitan Development Commission.

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

IN WITNESS WHEREOF, owner has executed this instrument this 23<sup>rd</sup> 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  
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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



Department of Metropolitan Development  
Division of Planning  
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION**

April 1, 2026

<b>Case Number:</b>	2026-ZON-084
<b>Property Address:</b>	4001 South Keystone Avenue
<b>Location:</b>	Perry Township, Council District #19
<b>Petitioner:</b>	Aman, LLC, by Tyler Ochs
<b>Current Zoning:</b>	C-4
<b>Request:</b>	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
<b>Current Land Use:</b>	Convenience store
<b>Staff Recommendations:</b>	Denial.
<b>Staff Reviewer:</b>	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 petitioner's representative has requested a **continuance to the May 6, 2026 hearing**. Staff does not object to the continuance and understands that the remonstrator has been advised and does not have an objection to the continuance.

**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:



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

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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Division of Planning  
Current Planning**

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.



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

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**

<b>Existing Zoning</b>	C-4	
<b>Existing Land Use</b>	Convenience store	
<b>Comprehensive Plan</b>	Village Mixed-Use	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
North:	C-4	Commercial uses
South:	C-3	Commercial uses
East:	D-3	Single-family dwelling
West:	C-3	Commercial uses
<b>Thoroughfare Plan</b>		
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.
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	No	



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



Department of Metropolitan Development  
Division of Planning  
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*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**.

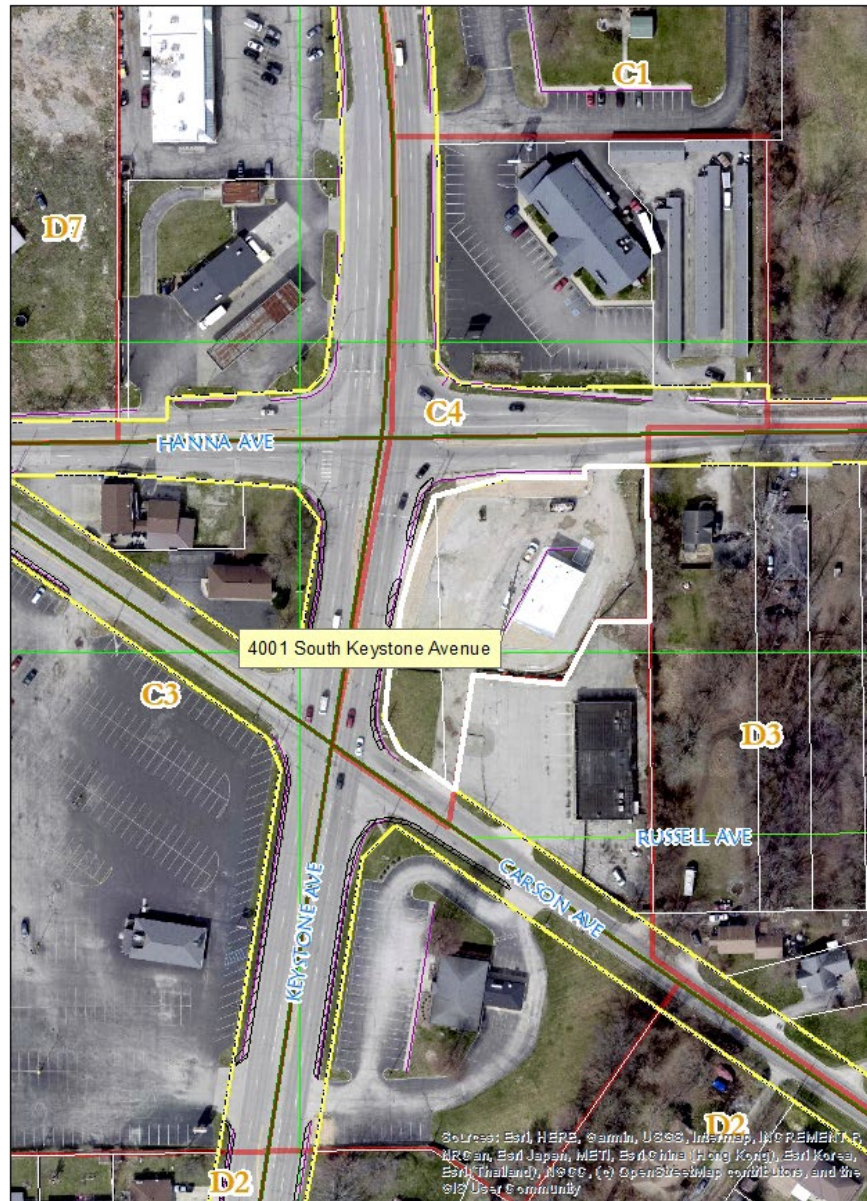


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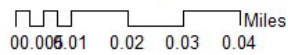
**70-Z-23, 2400 East Hanna Avenue (west of site);** requested a rezoning of 7.25 acres, being in the D-4 District, to the C-3 classification, to provide for office and retail uses, **approved.**

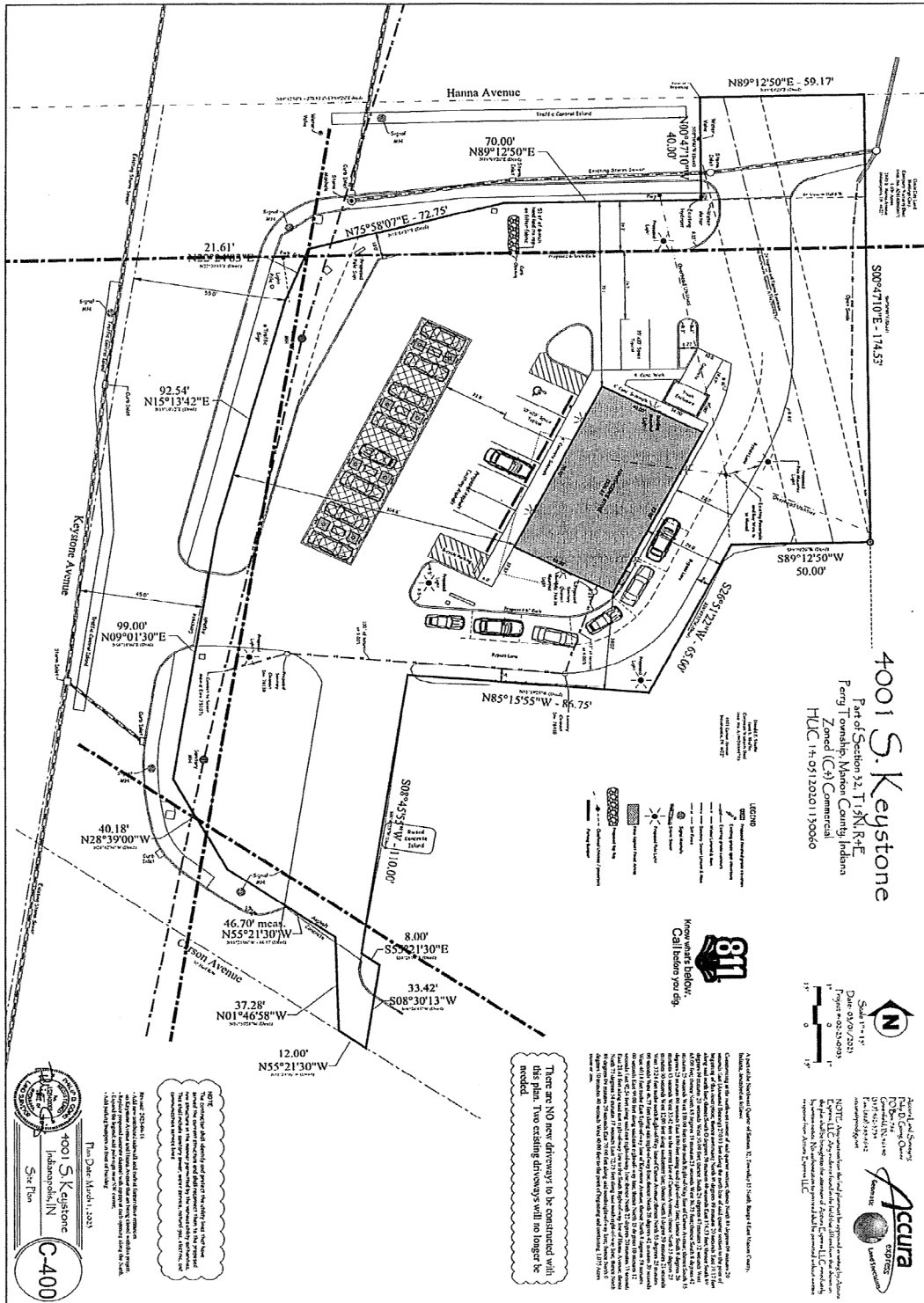
**69-Z-246, 3838 South Keystone Avenue (north of site);** requested a rezoning of 1.97 acres, being in the D-4 Dwelling District, to the C-3 classification, to provide for retail uses, **approved.**

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**

April 1, 2026

<b>Case Number:</b>	2025-ZON-132 (Amended)
<b>Property Address:</b>	5736 Madison Avenue
<b>Location:</b>	Perry Township, Council District #23
<b>Petitioner:</b>	Jade Investments GMS, LLC
<b>Current Zoning:</b>	D-1 (TOD)
<b>Request:</b>	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.
<b>Current Land Use:</b>	Single-family dwelling
<b>Staff Recommendations:</b>	Denial.
<b>Staff Reviewer:</b>	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, and to the April 1, 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).
3. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptacles provided for the proper disposal of trash and other waste.



## PETITION OVERVIEW

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

## REZONING

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

The Comprehensive Plan recommends suburban neighborhood typology for the site.

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

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

## Overlays

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

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



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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.”

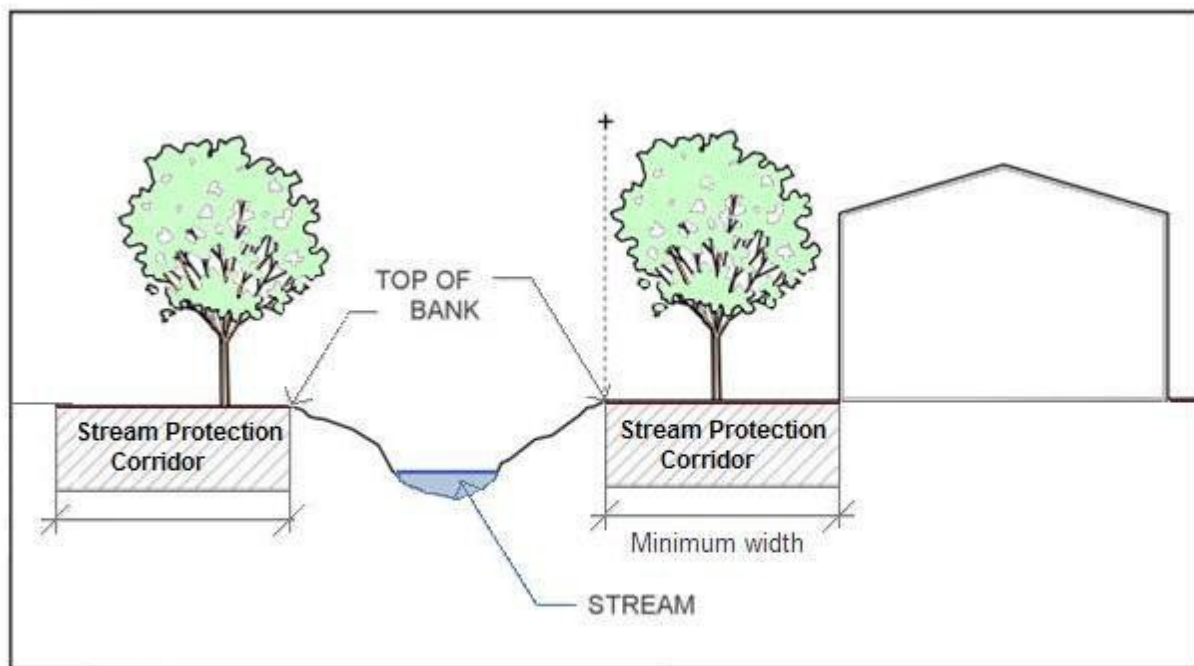
Stream Channel is defined as “part of a watercourse that contains an intermittent or perennial base flow of groundwater origin.”

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**

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

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

The 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.

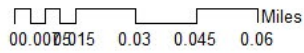
For Metropolitan Development Commission Hearing on February 4, 2026

**EXHIBITS**



Sources: Esri, HERE, Garmin, USGS, Imagery, Mapbox, Mapbox, Esri, Swire, 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** **April 1, 2026**

**Case Number:** 2025-ZON-124 / 2025-VAR-012

**Property Address:** 2505 North Sherman Drive

**Location:** Center Township, Council District #8

**Petitioner:** Metrobloks, LLC, by Tyler Ochs

**Current Zoning:** I-2  
 Rezoning of 13.68 acres from the I-2 district to the C-S district, to provide for a data center, business, professional or government offices, and all uses in the I-2 zoning classification.

**Request:** Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 70-foot-tall building height (maximum 38-foot building height permitted), no maximum front yard setback (maximum 65-foot front setback permitted), to provide for 60 parking spaces (minimum one parking space for each 1,500 square feet of floor area required).

**Current Land Use:** Truck and trailer parking

**Staff Recommendations:** Approval

**Staff Reviewer:** Kathleen Blackham, Senior Planner

**PETITION HISTORY**

The Hearing Examiner acknowledged a timely automatic continuance filed by a registered neighborhood organization that continued these petitions from the December 11, 2025 hearing, to the January 15, 2026 hearing.

The Hearing Examiner continued these petitions from the January 15, 2026 hearing, to the February 12, 2026 hearing, at the request of a neighborhood organization.

This petition was heard by the Hearing Examiner on February 12, 2026. After a full hearing, the Hearing Examiner recommended approval of the rezoning. Subsequently, the remonstrator filed an appeal of the Hearing Examiner’s decision. A memorandum of her recommendation is attached.

The Metropolitan Development Commission continued these petitions from the March 4, 2026 hearing, to the April 1, 2026 hearing, at the request of the City County Councilor for this district.

After further review of the submitted documents / reports related to potential environmental contamination of the site, staff has determined that the submitted documents are limited to the site addressed as 2507 North Sherman Drive, which is located at the northwest corner of the subject site and is not included in this rezoning request for 2505 North Sherman Drive.



## STAFF RECOMMENDATION

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

1. All mechanical yards, electrical yards, transformer arrays and generator areas shall be enclosed by sound absorption apparatus no more than five feet from the units and extend at least eight feet above the height of the rooftop units.
2. All mechanical equipment, including but not limited to generators, HVAC systems, and cooling / chilling systems shall be screened from public right-of-way and adjoining properties.
3. Any and all testing of equipment shall be limited between the hours of 7:00 a.m. and 6:00 p.m.
4. Development of the site shall be in accordance with the document file-dated October 1, 2025, and titled "IND-A Sherman Project: Information for the Martindale-Brightwood Community." See Exhibit A.
5. Prior to the issuance of an Improvement Location Permit (ILP), a report that describes the methodology on how the property owner / operator shall measure and monitor decibel levels at the property line shall be submitted to assure compliance with all rules and regulations related to permitted level of noise.
6. Final site plans, landscaping / Green Factor plans, photometric plans, and building elevations shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).

## PETITION OVERVIEW

This 13.68-acre site, zoned I-2 (industrial overlay), is developed with truck and trailer parking. It is surrounded by commercial uses to the north, zoned C-7; railroad right-of-way / Massachusetts Avenue to the south, zoned I-2; industrial uses to the east, zoned I-2; and single-family dwellings and commercial uses to the west, across North Sherman Drive, zoned D-5 and C-3, respectively.

## REZONING

The request would rezone the site to the C-S district to provide for a data center, business, professional or government offices and all uses in the I-2 zoning classification. "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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All C-S District uses shall:

1. Be so planned, designed, constructed and maintained as to create a superior land development, in conformity with the Comprehensive Plan of Marion County, Indiana; and
2. Create and maintain a desirable, efficient and economical use of land with high functional value and compatibility of land uses, within the C-S District and with adjacent uses; and
3. Provide sufficient and well-designed access, parking and loading areas; and
4. Provide traffic control and street plan integration with existing and planned public streets and interior access roads; and
5. Provide adequately for sanitation, drainage and public utilities; and
6. Allocate adequate sites for all uses proposed - the design, character, grade, location and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan for Marion County, Indiana.

The Comprehensive Plan recommends light industrial typology for the site. The Ordinance contemplates that the Restricted District I-1 or Light Industrial District I-2 permitted uses would generally be appropriate within this typology.

Recommended land uses in this typology include light industrial uses; heavy commercial uses; small-scale offices, retailing, and personal or professional services; and wind or solar farm.

### **Overlays**

This site is also located within an overlay, specifically the Industrial Reserve (IR). “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 Industrial Reserve (IR) overlay is intended for areas that are prime for industrial development due to factors such as large parcel size, proximity to compatible uses, and/or interstate access.

### **Site Plan (Conceptual)**

The site plan, file dated October 17, 2025, provides for two buildings. The larger building (approximately 112,640 square feet and 25 electrical generators) would front along the railroad right-of-way and Massachusetts Avenue. The second building (approximately 55,500 square feet and 11 electrical generators) would front along North Sherman Drive. Approximately 80 parking spaces would be provided between the two buildings.

Access to the site would be gained from two driveways along North Sherman Drive. The southern drive would be the primary access, with a secondary access on the northern drive.

Perimeter fencing around the entire site would provide security of operations that are proposed on the site.



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### **C-S Statement**

The C-S Statement, file dated November 10, 2025, identifies the proposed uses for a data center, all I-2 uses, and office uses to include business, professional or government offices. Permitted accessory uses would include all accessory uses permitted in the I-2 district, plus a temporary construction yard, office or equipment storage.

The Statement states that except for building height and no maximum front setback, the development would comply with the Ordinance development standards for the C-S district.

A Sign Program would be developed and submitted for Administrator Approval and would include a pylon or monument sign (not to exceed 10 feet tall), wall / awning / canopy / window signs, and other incidental, temporary that would be permitted in an industrial district.

Parking would be provided for employees, maintenance personnel and visitors, with no retail or customer traffic. Approximately 70 parking spaces, which would exceed the typical operational demand.

The Statement explains the possibility of phased development as generally shown on the concept plan but allows for future reconfiguration on the site that could increase the number of buildings, subject to Administrator Approval.

An environmental noise study (submitted with this petition) was conducted to determine noise levels and measures that would be required to comply with the Ordinance and EPA guidelines.

The Statement explains that the abutting property to the north (Parcel #1098788) is included in the site plan but not included in the rezoning. That property would remain I-2.

Finally, all site lighting would comply with the Ordinance, including perimeter foot-candle levels and fixtures that would prevent light spillover on to abutting properties.

### **Environmental Noise Study – September 18, 2025**

The study involved documenting existing noise ordinances within the area and developing a preliminary acoustic model to assess noise propagation from the mechanical and electrical equipment that would serve the facility.

The State of Indiana delegates all noise ordinances to local municipalities and the City of Indianapolis ordinance does not specify noise limits. Consequently, the recommended maximum levels were based on other Indiana municipalities and the EPA guidelines at 55 dBA at the property line of single-family dwellings and 65 dBA at the commercial property line.



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The noise mapping determined that the chilled water units and electrical generators would be primary sources of noise exceeding the recommended levels. It was recommended that sound barriers be installed around both the chilled water units and electrical generators. See Exhibit B.

Staff would request a commitment that would provide for all mechanical yards, electrical yards, transformer arrays and generator areas to be enclosed by sound absorption apparatus no more than five feet from the units and extend at least eight feet above the height of the rooftop units.

### **VARIANCES OF DEVELOPMENT STANDARDS**

There are three requested variances related to building height, front yard setback and reduced parking.

The maximum height permitted in the C-S District is 38 feet. As proposed the variance would allow for a 70-foot-tall building, which would be almost double the permitted height.

Because of three park facilities (Colorado and 29<sup>th</sup> Street, Brightwood Park and Pogues Run Art and Nature Park), Indy Parks has requested that earthen mounds and year around screening be installed to visually mitigate the impact of the proposed 70-foot-tall buildings. Additionally, staff believes the visual impact of 70-foot-tall buildings along North Sherman Drive should be buffered by the installation and maintenance of columnar robust evergreen trees.

Staff's support of this height variance would be subject to substantial visual buffering that would provide well-maintained year around screening and subject to a landscape plan submitted for Administrator Approval prior to the issuance of an Improvement Location Permit. (ILP).

The front building setback along North Sherman Drive would be similar to the setback of the adjacent commercial center to the south. As proposed, the area between the building and the right-of-way of North Sherman Drive and outside the perimeter fence would be developed and maintained with a pocket park that would be available to the community. Staff believes this green space would serve as a buffer

The last variance would allow for reduced parking, which would be consistent with the reduced number of employees that are characteristic of data center operations, once constructed and operational. This use does not require the number of employees typically associated with industrial and office uses. Consequently, staff believes the reduced number of required parking spaces would be supportable.

### **Planning Analysis**

As proposed the request would rezone the site to the C-S district with a data center as the primary use, along with all I-2 uses, and office uses that would include business, professional or government.

The Comprehensive Plan recommends light industrial, with an Industrial Reserve overlay that would remove small-scale office, retailing and personal / professional services and heavy commercial, as recommended by the Pattern Book.



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The Industrial Reserve Overlay was established to protect and reserve larger tracts of land that would support and enhance the City’s competitive efforts that would encourage current residents and businesses to remain and bring new residents and businesses into the community.

The proposed uses would align with the Plan recommendation of light industrial, as well as the purpose of the overlay of industrial reserve.

Staff supports pedestrian connectivity, both within the site and along North Sherman Drive. Construction activities would likely access the site from North Sherman Drive, which could result in significant damage to the existing sidewalk fronting North Sherman Drive. If any reconstruction or restoration of the sidewalk would be necessary, it would need to comply with the Department of Public Works standards.

Staff would also request that pavement markings for pedestrian crossings be provided on the two access drives along North Sherman Drive frontage.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	I-2	
<b>Existing Land Use</b>	Truck and trailer parking	
<b>Comprehensive Plan</b>	Light Industrial	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
	North:	C-7 Commercial uses
	South:	I-2 Railroad right-of-way
	East:	I-2 Truck and trailer parking
	West:	C-3 / D-5 Commercial uses / Single-family dwellings
<b>Thoroughfare Plan</b>		
North Sherman Drive	Primary arterial	Existing 58-foot right-of-way and proposed 88-foot right-of-way.
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	Yes. Industrial Reserve Overlay	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	October 17, 2025	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	October 22, 2025	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	October 17, 2025	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	November 10, 2025	



## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

The Comprehensive Plan recommends Light Industrial typology. “The Light Industrial typology provides for industrial, production, distribution, and repair uses conducted within structures and unlikely to create emissions of light, odor, noise, or vibrations. This typology is characterized by freestanding buildings or groups of buildings, often within industrial parks. Typical uses include warehousing, self-storage, assembly of parts, laboratories, wholesaling, and printing. Industrial or truck traffic should be separated from local/residential traffic.”

### 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:

#### *Light Industrial Use*

- Industrial truck traffic should not utilize local, residential streets.
- Streets internal to industrial development must feed onto an arterial street.
- Removed as a recommended land use where they would be adjacent to a living or mixed-use typology.

#### Modified uses (Industrial Reserve)

- Added Uses - No uses are added.
- Modified Uses - No uses are modified.
- Removed Uses –
  - Small-Scale Offices, Retailing, and Personal or Professional Services
  - Heavy Commercial Uses

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

Not Applicable to the Site.



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### Neighborhood / Area Specific Plan

Not Applicable to the Site.

### Infill Housing Guidelines

Not Applicable to the Site.

### Indy Moves

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

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

The following listed items 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

**2022-UV2-016, 2505 North Sherman Drive**, requested a variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for a truck terminal with heavy truck/equipment repair, **withdrawn**.

**2021-CZN-833A / 2021-CZN-833B / 2021-CVR-8332021-CZN-833A / 2021-CZN-833B / 2021-CVR-833; 2505 North Sherman Drive**, requested a Rezoning of 13.15 acres from the I-2 district to the I-3 district, requested a Rezoning of 0.52 acre from the I-2 district to the C-S district to provide for truck repair and all C-3 uses with exclusions, and requested a Variance of development standards of the Consolidated Zoning and Subdivision Ordinance, **withdrawn**.

**95-UV3-124; 2501 North Sherman Drive**, requested a variance of use and development standards of the Industrial Zoning Ordinance to provide a commercial material recycling facility and municipal solid waste transfer station within two existing buildings with outdoor storage of vehicles being 70% of the square footage of the buildings, **denied**.

## VICINITY

**2022-ZON-011; 4005 East 26<sup>th</sup> Street (north of site)**, requested rezoning of 0.56 acre from the C-3 district to the C-7 district to allow for automobile service and repair, **approved**.

**2020-ZON-095; 4022 East 26<sup>th</sup> Street (north of site)**, requested rezoning of 1.12 acres from the D-5 district to the C-5 district, **approved**.

**2017-CZN-842 / 2017-CVC-842; 3701 & 3737 East 25<sup>th</sup> Street and 2402, 2422 & 2430 Sherman Drive (southwest of site)**, requested the rezoning of 1.75 acre from the C-4 and C-5 districts to the SU-37 District and the vacation of six and a half lots, **approved**.

**2017-ZON-023; 4005 East 26<sup>th</sup> Street (north of site)**, requested rezoning of 0.72 acre from the D-5 district to the C-3 district, **approved**.

**2008-ZON-008; 2415 and 2417 Station Street (west of site)**, requested rezoning of 0.3444 acre, from the C-4 district, to the C-5 classification to provide for general commercial uses, **approved**.

**2006-ZON-095; 3915 East 26<sup>th</sup> Street (north of site)**, requested rezoning of 0.48 acre from the D-5 district to the C-7 district, **approved**.

**2004-ZON-060; 2620 North Sherman Drive (west of site)**, requested rezoning of 1.0 acre, being in the D-5 district to the SU-1 classification to legally establish religious uses, **approved**.

**2002-ZON-026; 2435 Station Street (southwest of site)**, requested the rezoning of 0.17 acre from the C-5 district to the SU-1 district, **withdrawn**.



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**2002-ZON-808 / 2002-VAC-808; 4201 Massachusetts Avenue (east of site)**, requested the rezoning of 8.4 acres from the D-5 and C-7 districts to the I-4-U district and the vacation of portions of 25<sup>th</sup> Street, Colorado Street, Gladstone Avenue and Forest Manor Court and three alleys, **approved**.

**97-Z-224; 2403 – 2435 Sherman Drive (southwest of site)**, requested the rezoning of 7.3 acres from the I-2-U district to the C-4 district, **approved**.

**96-Z-215 / 96-CV-37; 2601 Sherman Drive (north of site)**, requested the rezoning of 1.05 acre from the D-5 district to the I-2-U district and a variance of development standards to provide for deficient front setback, transitional yard, number of loading spaces, number of parking spaces and landscaping, **approved**.

**95-UV1-24; 3906, 3914, 3918, and 3922 East 26<sup>th</sup> Street (north of site)**, requested a variance of use to provide for a truck dispatch operation, **granted**.

**94-UV3-4; 4002 East 26<sup>th</sup> Street (north of site)**, requested variance of use to provide for auto repair with overnight storage of two tow trucks in a dwelling district, **granted**.

**93-V1-120; 3823 Massachusetts Avenue (south of site)**, requested a variance of development standards to provide for a deficient front setback, **granted**.

**88-Z-239; 2407 North Sherman Drive (south of site)**, requested rezoning of 0.29 acre from the I-2-S district to the C-4 classification to provide for commercial uses, **approved**.

**86-UV1-9; 4022 East 26<sup>th</sup> Street (north of site)**, requested a variance of use to provide for the expansion of a light industrial use, **granted**.

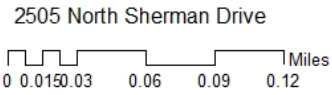
**74-UV1-153; 4022 East 26<sup>th</sup> Street (north of site)**, requested a variance of use to provide for the expansion of a light industrial use, **granted**.

**58-V-447; 4022 East 26<sup>th</sup> Street**, requested a variance of use to provide for a light industrial use, **granted**.

**57-V-24; 4022 East 26<sup>th</sup> Street**, requested a variance of use to provide for a warehouse, **granted**.

**EXHIBITS**

**Site Aerial**





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C-S Statement

Introduction: Petitioner, Metrobloks, LLC, seeks to rezone approximately 13.68 acres of property commonly known as 2505 N. Sherman Drive, Indianapolis, Indiana (“Property”) as shown on the conceptual site development plan attached hereto as Exhibit A (“Concept Plan”), in order to facilitate initial development of the Property for a small-scale, urban data center project.

Zoning: The Property is currently zoned I-2. Since the use as a “Data Center” is not explicitly enumerated in the City of Indianapolis Consolidated Zoning and Subdivision Ordinance (“Ordinance”), Petitioner is proposing a rezone of the Property to a C-S zoning designation.

Proposed Permitted Primary Uses of the Property as described and defined in the Ordinance:

1. “Data Center” which shall mean “A centralized location for storing and managing large volumes of digital data, which includes, but is not limited to, a physical facility that houses critical computing and networking equipment, including servers, storage systems, and network infrastructure, and ancillary uses such as, but not limited to, office spaces, warehousing for data center accessory equipment and materials and storage in bulk for data center accessory equipment and materials.”
2. All uses that are currently permitted in the I-2 zoning district.
3. Office: Business, Professional or Government.

Permitted Accessory Uses of the Property as described and defined in the Ordinance:

1. All Accessory Uses permitted in an I-2 zoning district.
2. Temporary Construction Yard, Office, or Equipment Storage

Development Standards:

Petitioner hereby incorporates the Lot and Building Dimensions for properties in the C-S zoning district set forth in Chapter 744; Art. II, Section 01.C, Table 744-201-3 of the Ordinance, except that (i) the maximum building height shall be seventy feet (70’); and there shall be no maximum setback from proposed right of way required, subject to approval of variances for said standards.

Landscaping plans are not yet fully developed as the site has not been fully engineered or site planned; however, the landscaping plans for each building or project phase shall be consistent with the Concept Plan and tendered for Administrative Approval prior to obtaining an Improvement Location Permit.

Signs: The following sign types shall be permitted on the Property:

1. Pylon or Monument Sign (not to exceed ten (10) feet in height and no more than one (1) total).



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2. Wall Signs, Awning, Canopy and Window Signs.
3. Incidental, Temporary, and Other Signs as would otherwise be permitted in an industrial zoning district.

A sign program shall be developed and tendered for Administrative Approval prior to obtaining an Improvement Location Permit.

Parking: Parking for the Data Center use shall be provided in an amount sufficient to accommodate employees, maintenance personnel, and occasional visitors associated with daily operations. The Property will not generate retail or customer traffic. The total number of parking spaces may be determined based on operational need at the time of detailed site plan approval and may be adjusted administratively without the need for a C-S amendment, provided that sufficient parking is available for employees and visitors during normal operations. The Concept Plan currently illustrates approximately seventy (70) parking spaces, which is anticipated to exceed typical operational demand.

Phasing of Development:

The Property may be developed in multiple phases. Additionally, the Property may be developed as generally shown on the Concept Plan; provided, however, prior to applying for an Improvement Location Permit, a final site and development plan shall be tendered for Administrator Approval. Nothing contained in this C-S Statement or shown on the Concept Plan shall preclude or restrict the number or configuration of buildings and structures which may be located on the Property, so long as the standards contained in this C-S Statement are met.

Adjacent Property:

4002 Massachusetts Avenue, Indianapolis, IN (Tax Parcel #49-07-28-103-001.000-101) is included in the Concept Plan ("Adjacent Property"). For the avoidance of doubt, the Adjacent Property is not to be included in the proposed change to a C-S rezoning. The Adjacent Property is currently rezoned I-2, and the zoning designation of the Adjacent Property shall not be changed due to this Petition.

Environmental Noise Study:

The Property will incorporate detailed noise modeling and analysis of on-site equipment to ensure compliance with the Ordinance and EPA guidelines. Thoughtful design measures, such as sound-attenuating barriers around the cooling systems, will be incorporated to control and minimize sound, reflecting our commitment to being a considerate neighbor.

Photometric Study:

All lighting will comply with Ordinance limits and remain below maximum foot-candle levels at property lines. Fixtures will be shielded and directed to prevent light spillover and maintain a respectful, low-impact presence.



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**MEMORANDUM OF EXAMINER'S DECISION**

**2025-ZON-124/2025-VAR-012**

**2505 N. Sherman Drive**

The petitions requests the rezoning of 13.86 acres from the I-2 to the C-S district to provide for a data center, business, professional or government offices, and all I-2 uses, and a variance of development standards to allow for a 70 foot tall building height, no maximum front yard setback, and 60 parking spaces.

Your Hearing Examiner visited the site prior to the hearing and noted the trucks and trailers parked on it. Heavy commercial uses about the site on the north, industrial uses are east and south of it, and commercial and residential uses are across Sherman Drive.

The petitioner's representative described the proposed redevelopment of the site, which had been vacant for more than 40 years. The data center was described as small scale, with significant differences from hyper scale data centers. There was an explanation of the amount of water used in the closed loop system, with an emphasis on no use of groundwater, and the amount of proposed utility power was explained. The petitioner's representative stated that an AES substation will be brought to the site, the petitioner had agreed to all commitments requested by staff, and had agreed to pledge \$2.5 million to the community. Environmental remediation measures taken on the site were also outlined. There were also letters of support, and the City-County Councillor for the district spoke in favor of the petitions.

About 70 remonstrators attended the hearing, and many letters of opposition were submitted. Reasons for opposition included noise, traffic, diesel fuel storage, public health and safety risks, excessive height, and lack of community engagement. The City-County Councillor for the adjacent district spoke, and suggested that, because the petitioner is not local, they will abandon the site once it is developed.



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Staff opined that, because the Comp Plan recommends light industrial use of the site, adding the data center to I-2 uses is appropriate. Staff also described how the commitments for sound absorption apparatus, screening, equipment testing, measuring and monitoring decibel levels, Administrator’s approval of all final plans, and compliance with the development statement ensure compatibility. Staff explained that it supported the height variance because of building setback, buffering, and mounding, and supported the parking variance because the proposed use does not require as much parking as other industrial businesses.

In your Hearing Examiner’s opinion, the detailed, factual description of the proposed development, along with the commitments, would allow redevelopment of this site in a manner that is compatible with surrounding land uses. The proposed development also conforms with the Comp Plan. Approval of these petitions was recommended.

For Metropolitan Development Commission Hearing on March 4, 2026



EXHIBIT A



October 1, 2025

Martindale Brightwood Community

Re: Proposed Data Center at the 25th & Sherman Ave. Indianapolis, IN location

**IND-A Sherman Project: Information for the Martindale-Brightwood Community**

Dear Members of the Martindale-Brightwood Community,

Metrobloks is committed to being transparent, respectful, and a good neighbor. We are grateful for the engagement the community has shown, and appreciate the concerns brought forth. We believe in our design, and we believe that this project will not have a negative impact to the Martindale-Brightwood community. In fact, as this site is zoned to allow light industrial use, we believe the quality of our project exceeds alternative projects that could come to this site.

We came to the community voluntarily, excited to hear how we can partner to create symbiotic project. We understand that a Data Center project can be concerning, as Data Centers have received some bad press, rightfully deserved in many cases, for reasons that were reflected in the well-researched concerns you have brought forward. However, our product has also taken into consideration the wrongs of past Data Center designs. Please allow us to address each of the concerns presented with some additional context below:

**Water Use**

- **Our Data Center Design:** Our cooling system is *closed-loop* and designed to recycle water continuously.
- **Impact:** This type of cooling system is different from other systems that have been used in Data Centers that require a large amount of water for cooling (ex: Direct-Evaporative systems). It will also use less than other industries/uses that are allowed on this site due to the zoning (light industrial)
- **Protection:** We will not draw from or deplete neighborhood aquifers. We will pull zero water from groundwater sources. The cooling system loop will be filled over time during construction at low-impact rate of fill from the public utility line. The first building system will need approximately 19,000 gallons, the second building will need approximately 47,500 gallons.
- **Comparison:** Below is a chart comparing water usage based on some other allowed uses for this site (by current zoning) with the same building square footage:

M1 Light Industry:	Warehouse	Light Manufacturing	Office	Metrobloks
Average range of water use/year	1 Million gallons – 2.3 Million gallons	5 Million gallons – 11.6 Million gallons	4 Million gallons – 5 Million gallons	0 gallons – 3,325 gallons



#### Energy Use

- **Our power is separately contracted:** The data center will purchase electricity through long-term agreements directly with the utility or wholesale market. This means our usage is not spread across residential bills. We are paying for the infra to serve us. For Large load projects , AES works with IURC and Developer to ensure the costs are distributed fairly and no adverse impact on existing Resi customers.
- **We pay for the infrastructure that we need:** If the utility has to upgrade a substation or lines to serve us, those costs are assigned to us, not to you.
- **No subsidies from residents:** The community will not be asked to “subsidize” our power. Our agreements are structured so that the data center pays for its demand, upgrades, and service.
- **Regulated by state authorities:** Indiana has strong oversight by the Utility Regulatory Commission, which ensures residential customers aren’t paying extra to cover industrial customers like us.
- **Grid improvements benefit everyone:** Any upgrades the utility makes to serve our facility will strengthen the grid, increasing reliability for households and businesses alike.
- **Comparison:** Indiana’s power system and utility oversight are different from some other systems that have made the news for data center impacts on utilities (like PJM auctions and East Coast Markets), and rate impacts here don’t automatically follow those trends. AES are in MISO not PJM, there is no data to support that MISO providing power to DC is driving costs up for residential customers. Requirement by INDY for AES to phase into renewables (Carbon free power) drives up costs , which has nothing to do with DCs.

#### Noise & Heat

- **Design:** The design of this site incorporates sound barriers around the equipment, which will dampen noise to be comparable to everyday background levels currently in the area. Noise levels at the property line will meet (or be quieter than) city standards.
- **Heat:** Heat is contained and managed on-site — this will not impact the neighborhood.

#### Air Quality

- **Generators:** Backup generators are tested only a few hours per year, with strict environmental controls.
- **Comparison:** A data center on this site will generate less air pollution than other uses that are allowed here by zoning, such as uses that would receive a large amounts of truck traffic.
- **Construction:** Dust is managed by industry-standard practices (watering, fencing, filters), as with any construction project that could come to this site.



#### Jobs & Community Impact

- **Construction:** Dozens of local construction jobs during the 18-24 month build.
- **Operations:** While long-term jobs are fewer, they are high-skill, high-wage positions, and we are open to training and internships for local residents.
- **Partnerships:** We are exploring community benefits such as park improvements, public art/murals, and local workforce development.

#### Land Use

- **Context:** The site is currently underutilized industrial land. Our development revitalizes this property without displacing homes.
- **Future:** We want to partner with Martindale-Brightwood leaders to ensure the project aligns with neighborhood goals and brings lasting benefits.

#### Our Commitment

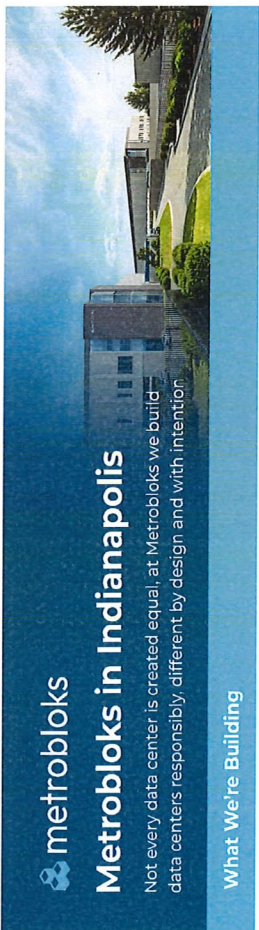
- We will not raise your electric or water bills.
- We will invest in the community outside our fence line.
- We will continue open conversations, with regular updates and opportunities for input.

#### Metrobloks looks forward to building a partnership with Martindale-Brightwood.

We take these concerns seriously, and we're committed to being good neighbors. If you ever hear something that worries you, we'll be here to answer your questions directly. This project is about investing in the future of this community, not adding to your household expenses.

Thank you,

The Metrobloks Team



**metrobloks**

## Metrobloks in Indianapolis

Not every data center is created equal, at Metrobloks we build data centers responsibly, different by design and with intention.

### What We're Building

A modern, low-impact data center along Massachusetts Ave. corridor, designed for:

- Quiet operation with minimal traffic to the site
- Clean and aesthetic design with community improvements, including landscaping and murals involving local architects and artists
- Community investment that strengthens local infrastructure

### Benefits for the Neighborhood

#### Community Investment

An estimated \$10 million of additional property tax revenues associated with the new construction



#### Better Environment

Revitalize an under-utilized lot and surrounding area with a modern, low-impact data center development



- Architectural landscaping and greenery to improve the site's appearance
- Construction of high quality new commercial space on a site currently zoned industrial
- Low daily traffic. No fleets of daily delivery trucks typical to standard industrial building projects
- Long-term investment that creates stable value and local benefits for decades

### Our Sustainability Promise



#### Water

- Uses closed-loop cooling, filled once, reused continuously
- The data center's cooling system uses very little water - less than most homes, and far less than other types of large facilities
- No groundwater drawn from the neighborhood



#### Energy

- Metrobloks pays for all power upgrades
- No subsidies from residents
- Grid improvements increase reliability for everyone



#### Noise & Air

- With sound attenuation operates at less than 50 dBA, similar to home appliances
- Backup generators produce 90% less pollution than a school bus
- Far cleaner than warehouses or factories allowed under current zoning

community@metrobloks.com

metrobloks.com



Department of Metropolitan Development  
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EXHIBIT B

**MCCLURE ENGINEERING**

September 18, 2025

Mr. Michael Lyons, AIA  
HKS  
3131 E. Camelback Road, Suite 400  
Phoenix, AZ 85016

Re: Metrobloks IND-A Data Center Facility  
Environmental Acoustic Study  
McClure No. 167301.000

Dear Mr. Michael Lyons,

We are pleased to present our findings from the Environmental Noise Study for the Metrobloks IND-A Data Center. This study involved documenting existing noise ordinances in the area and developing a preliminary acoustic model to assess noise propagation from mechanical and electrical equipment serving the facility.

This report outlines key findings from the study and provides recommendations for noise mitigation strategies based on environmental impact considerations.

**NOISE ORDINANCE COMPLIANCE**

Noise generated within a given area must comply with ordinances at the state, county, and municipal levels. The following ordinances apply to the proposed site of the new Metrobloks IND-A Data Center Facility.

- A. State of Indiana
  - Indiana delegates all noise ordinances development and enforcement to local municipalities.
- B. Marion County
  - Marion County adopts the same noise codes as the City of Indianapolis. Enforcement and definitions are identical to those outlined in Article III: Noise.
- C. City of Indianapolis
  - Article III Section 391-302. Unlawful noises.
    - i. "Unreasonable noise shall mean sound that is of a volume, frequency, or pattern that prohibits, disrupts, injures, or endangers the health, safety, welfare, prosperity, comfort, or repose of reasonable persons of ordinary sensitivities within the city, given the time of day and environment in which the sound is made."
    - ii. Establishes Nighttime parameters to be 10:00 p.m. and 7:00 a.m.
      - 1. In Reference to "Exhausts, blowers, engines, and motors"
        - a. "Between the hours of 10:00 p.m. and 7:00 a.m. in a manner that makes sound plainly audible to a person with normal hearing from any place other than the property on which the sound source is located, shall be prima facie evidence of a violation of this subsection.
    - iii. Establishes noise shall not be disruptive at "any place other than the property on which the sound source is located".

**EXECUTIVE SUMMARY**

Local ordinances in the location of the construction area do not specify noise limits. Therefore, recommended maximum levels were based on standards from other Indiana municipalities and EPA guidelines: 55 dBA at the property line of single-family residences and 65 dBA at commercial property lines.



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Michael Lyons, AIA  
 September 12, 2025  
 Page 2 of 4

Preliminary noise modeling and analysis of the equipment serving the data center included the following:

Building A1

1. 40 DX Units OR 11 Chilled Water Units
2. 22 Liebert Chillers DX Units
3. 2 Rooftop DOAS Units
4. 11 Electrical Generators (located behind the Data center building)

Building A2

1. 100 DX Units OR 25 Chilled Water Units
2. 50 Liebert Chillers DX Units
3. 2 Rooftop DOAS Units
4. 25 Electrical Generators (located behind the Data center building)

Noise mapping confirmed that the DX Units, Chilled Water Units and generators are the primary sources of noise, with designs exceeding the 55 dBA limit at the residential property line and 65 dBA at the commercial property line. To mitigate this impact, it is recommended that sound barriers be installed around the perimeter of cooling systems. The barrier should:

- Be placed no more than 5 feet from the units
- Extend at least 8 feet above the height of the rooftop units.

Generator noise should be kept at a maximum of 67 dBA at 23 feet away from the source.

Potential products for this application include:

- Kinetics – Noiseblock or approved equivalent

Other acoustic barrier products include the following. Note that these products do not have absorptive qualities and do not provide the same quality as the Kinetics Noiseblock product.

- Acoustiblok – Acoustifence
- Alliance Fence & Supply SimTek Fence

**Table 1** summarizes the noise levels found at four (4) different property lines for the generators, DX units, and Chilled Water units, with and without recommended noise mitigation measures. Values in red indicate levels exceeding the recommended noise criteria.

Scenario		Northeast Residential Property Line (LAeq)	North Residential Property Line (LAeq)	South Commercial Property Line (LAeq)	West Residential Property Line (LAeq)
Generators	75 dBA, 23ft away	56.1	60	67.2	52
	67 dBA, 23ft away	43.1	50.9	58.8	47
DX Units	Solo <sup>1</sup>	54.2	59	57.4	56.5
	With Noiseblock <sup>2</sup>	48.1	51.6	52.3	50.4
	With Generators <sup>3</sup>	54.5	59.6	61.2	57
	Solo	55	60.5	58.6	57.2



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Chilled Water Units	With Noiseblock	48.8	52.0	51.5	49.9
	With Generators	55.3	60.9	61.7	57.6
Full System with recommendations <sup>4</sup>	DX Units	49.0	53.1	54.9	51.4
	Chilled Water Units	50.4	54.1	54.5	51.3

<sup>1</sup> Modeled with only the units running.  
<sup>2</sup> Modeled with only the units running with a surrounding Kinetics Noiseblock barrier (8ft taller than units).  
<sup>3</sup> Modeled with both the units and electrical generators running. Accounts for a power outage scenario.  
<sup>4</sup> Modeled without the generators running.

Table 1 – Summarized Results

**ANALYSIS AND DISCUSSION**

A total of three (3) simulations were conducted using noise propagation software to assess changes in sound levels at the residential property line. The following descriptions outline each simulation, with associated noise maps provided in Appendix I of this report.

**SIMULATION DESCRIPTIONS**

1. Simulation 1 (Map 1) Generators only
  - o Represents the noise propagation of the DQLF 2750 electrical generators located behind the data centers.
  - o The simulation includes noise attenuation housing that reduces noise levels to 75 dBA at a distance of 23 feet.
2. Simulation 2 (Map 2) DX Rooftop Units Only
  - o Represents noise propagation from the Munters Syscool 500kW Cooling System Units.
3. Simulation 3 (Map 3) Chilled Water Units Only
  - o Represents noise propagation from the Chilled Water Units.

Please contact me if you have any questions.

Sincerely,

Jared Carrier, P.E.

JTC:rmbn



Department of Metropolitan Development  
Division of Planning  
Current Planning

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

METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER  
METROPOLITAN BOARD OF ZONING APPEALS, Division \_\_\_\_\_  
OF MARION COUNTY, INDIANA

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:  
The building height is slightly higher than the C-S standard, but is more than appropriate for an industrial area. Additionally, a large portion of the excess height is due to noise barriers to significantly reduce any excess noise to the surrounding properties.  
The removal of the maximum setback allows the building to be more in line with the surroundings properties, as well as allows for a pocket park to exist in front of the building, which will act as a community asset and screening for the project.  
Due to the limited amount of employees compared to traditional warehousing, and the lack of customers entering the building, the parking variance will provide for more than enough parking so as to avoid on-street parking in the neighborhood for employees.
  
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:
  1. The extra height allows for noise reduction barriers to be implemented so as to not impact the adjacent properties.
  2. The removal of a maximum setback allows the data center buildings to be tucked further back near the railroad and other industrial properties, and further allows a park stand in between the first building and Sherman Ave. This will add value to the area.
  3. The parking, as shown on the site plan, is more than enough for the amount of employees that will be on-site. This will prevent on-street parking nearby, and further, the limited employees for a data center will also not materially increase traffic.
  
3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:
  1. This is an industrial zone. A data center is not enumerated in the ordinance, and a C-S zoning makes sense for an integrated small-scale data center. However, the height requirement for the C-S zone is not appropriate for an industrial building and is too limited.
  2. Due to the location of the building tucked behind the property to the west with only wide flagpole access to N. Sherman, and running against the railroad tracks, the maximum setback would result in a building that cannot properly fit with that small of a maximum setback. This variance allows a thoughtfully constructed building to occur.
  3. While the warehouse use in the ordinance is applied for data center parking, it is not appropriate due to the lack of employees and customers.

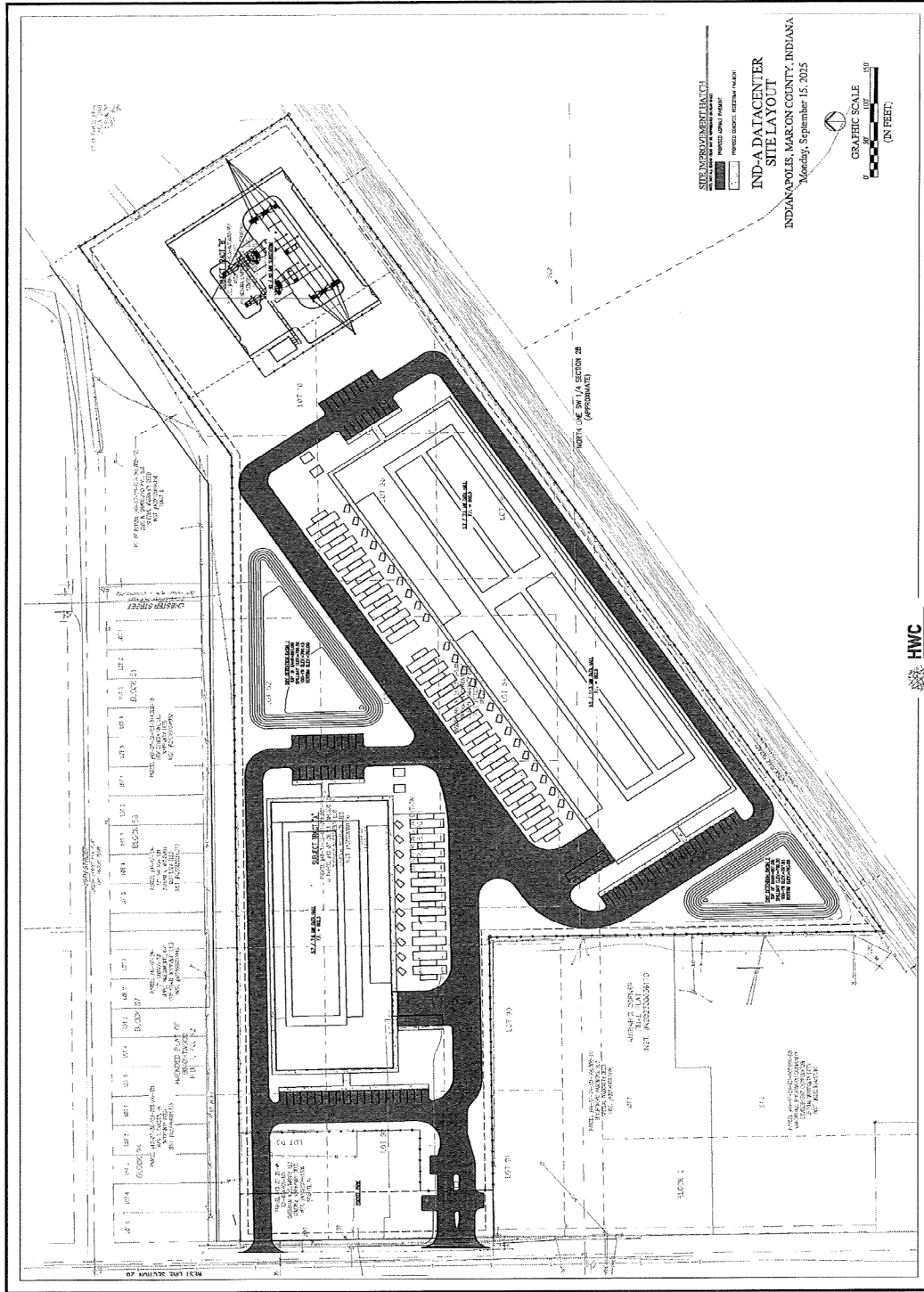
DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

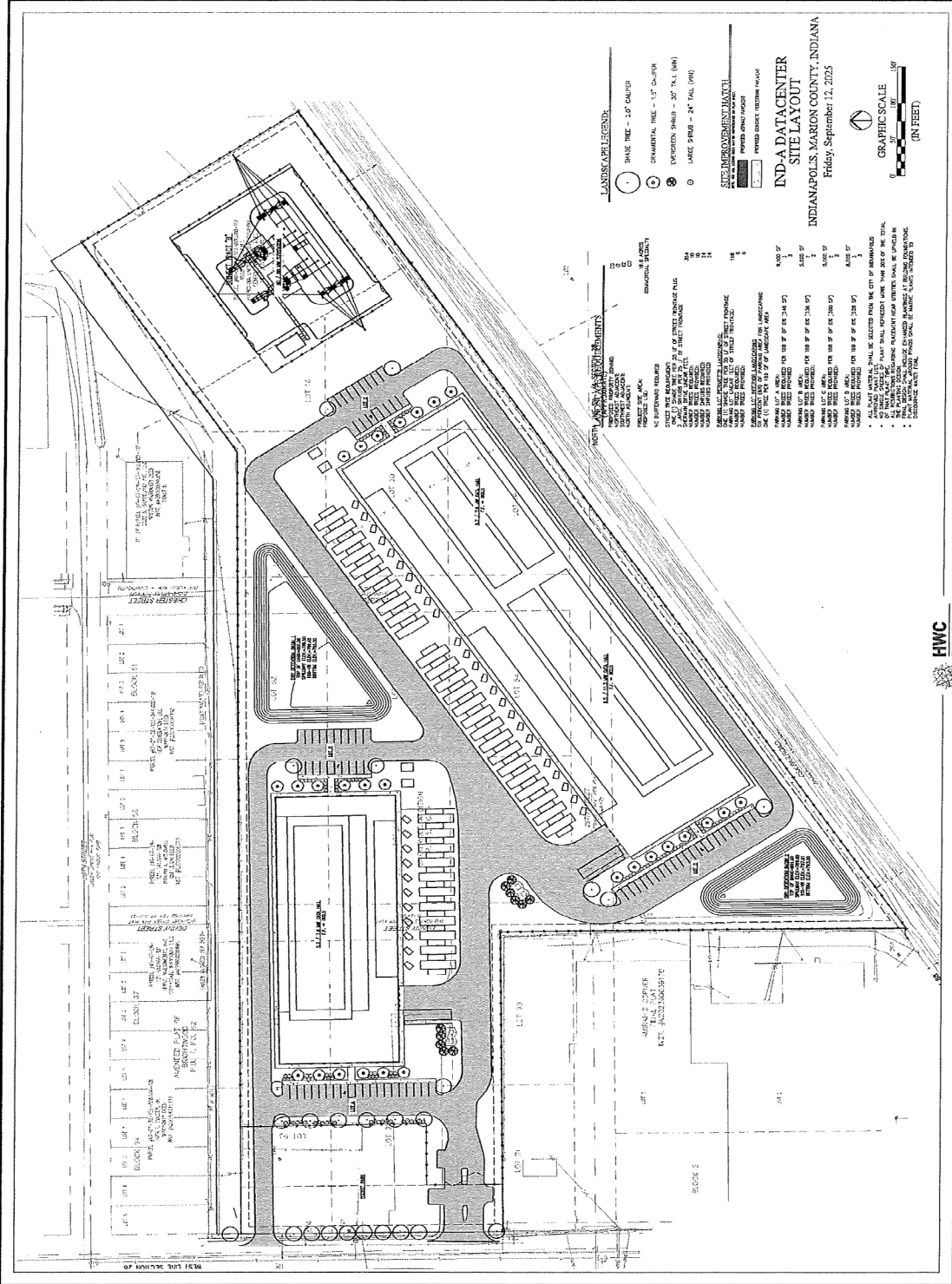
Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

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

Site Plan



Landscape Plan

















View looking south along North Sherman Drive



View looking north along North Sherman Drive



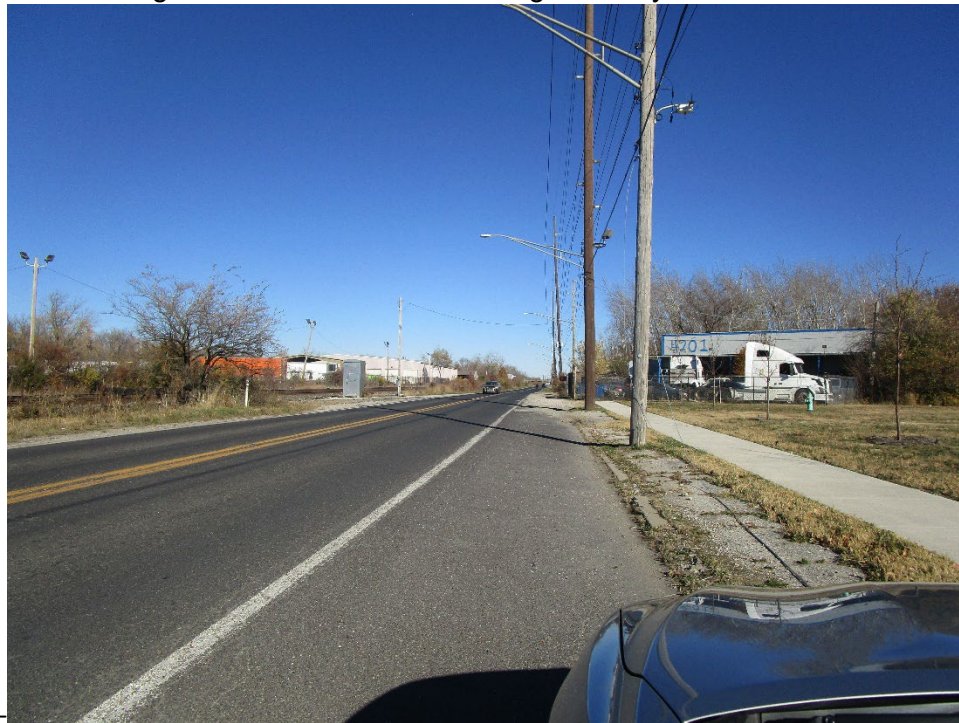
View of commercial strip center to the east located to the southeast of site



View of site looking west across railroad right-of-way and Massachusetts Avenue



View of site looking northwest across railroad right-of-way and Massachusetts Avenue



\* View of site looking northeast across railroad right-of-way and Massachusetts Avenue



View looking northeast along railroad right-of-way and Massachusetts Avenue



View of site looking north across railroad right-of-way and Massachusetts Avenue



View of site looking north across railroad right-of-way and Massachusetts Avenue



View of site looking northwest across railroad right-of-way and Massachusetts Avenue



View of site looking east from adjacent commercial use to the north



View of site looking east from adjacent commercial use to the north



View of site looking east from adjacent commercial use to the north



View of site looking southeast from adjacent commercial use to the north



View looking west along northern boundary towards North Sherman Drive



**METROPOLITAN DEVELOPMENT COMMISSION** **April 1, 2026**

**Case Number:** 2026-CZN-809 / 2026-CVR-809

**Property Address:** 301 Virginia Avenue, 315 South New Jersey Street, and 400 & 402 East South Street (*Approximate Addresses*)

**Location:** Center Township, Council District #18

**Petitioner:** Indy Parks and Recreation, by Benjamin Jackson

**Current Zoning:** CBD-2 (RC) (TOD) / I-3 (RC) (TOD)  
Rezoning of 1.43 acres from the CBD-2 (RC) (TOD) and I-3 (RC) (TOD) districts to the PK-1 (RC) (TOD) district to provide for a public park.

**Request:** Vacation of an irregularly shaped alley, ranging from ten feet and fifteen feet in width, and being the first north-south alley east of New Jersey Street, from the north right-of-way line of South Street, north 238.5 feet to the south right-of-way line of Virginia Avenue, with a waiver of the assessment of benefits.

**Current Land Use:** Undeveloped

**Staff Recommendation:** Staff recommends **approval** subject to a commitment.

**Staff Reviewer:** Michael Weigel, Senior Planner

**PETITION HISTORY**

This is the first public hearing for this petition. On March 12<sup>th</sup>, the Hearing Examiner approved a special request to have the initial hearing for this petition come before the Metropolitan Development Commission at their April 1, 2026 hearing date.

**STAFF RECOMMENDATION**

Staff recommends **approval** of the rezoning petition, subject to a commitment that the two (2) existing vehicle access points on Virginia Avenue be removed and curb/sidewalk restored within 12 months of approval of the rezoning petition.

**PETITION OVERVIEW**

**LAND USE**

The subject site is comprised of 1.43 acres and four (4) parcels, is currently undeveloped, and is zoned both MU-1 and C-4. An unimproved alley run vertically through the property from south to north. Surrounding land uses include industrial uses and the Cultural Trail to the west, an undeveloped parcel and the New Jersey stop of IndyGo’s Red Line to the northeast, a daycare to the south, a daycare associated with Eli Lilly to the south, and a park to the southwest.



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## REZONE

Approval of this petition would rezone the subject site to the PK-1 zoning district, to allow for a public park use including the placement of a basketball court placed along the Cultural Trail to the west of the site.

PK-1 is the Park District One zoning district, which limits allowable uses to parks, playgrounds, and greenways. Commission approval would be required for most development within the PK-1 district.

The CBD-2 district is for the general downtown area of Indianapolis, surrounding the CBD-1 and CBD-3 districts. The district represents the typical urban core of Indianapolis to be developed at very high density. It is a pedestrian oriented environment that is also the focus of the City's transit system providing excellent accessibility.

The I-3 (Medium Industrial) District is an intermediate district for industries that present moderate risks to the general public. Wherever practical, this district should be away from protected districts and buffered by intervening light industrial districts.

The property also falls within the Regional Center (RC) and Transit-Oriented Development (TOD) Secondary Zoning Overlays. The 'RC' designation would require additional design approval through a Regional Center petition. See 'Comprehensive Plan Analysis' below for additional information.

## VACATION

Approval of this petition would also vacate an unimproved 'paper' alley right-of-way between the 400 S East Street parcel to the east and the other three (3) subject parcels to the west. The alley predominantly runs north-south, although it turns to the northeast near Virginia Avenue. Areas to the south and northeast of the alley are not publicly accessible. See Exhibits for the precise location of the alley.

## PROCEDURE – VACATION

Neither the Division of Planning nor the Plat Committee, Hearing Examiner, nor 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. 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.



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**STAFF ANALYSIS**

The proposed PK-1 zoning district and land use of a public park would align with the Core Mixed Use recommendation from the Comprehensive Plan Pattern Book. It would also be consistent with TOD and Regional Center recommendations for the provision of active public spaces.

Additionally, the petitioner has indicated that they have consulted with the Cultural Trail regarding the placement of connection points from the Trail to the proposed basketball court, and that they would commit to restoring the curb and sidewalk along Virginia Avenue if the petition should be granted. Staff feels that the basketball court and landscaping shown on plans would constitute a desirable public amenity for an area near a BRT stop, the Cultural Trail, and the South Street Square Park to the southwest, and recommends approval.

Findings of Fact in support of the vacation petition indicate that approval of this petition would allow for development of the site as a public park. Staff agrees that this would constitute an advancement of the public’s interest and recommends approval of the vacation petition.

**ASSESSMENT OF BENEFITS**

Given the unimproved nature of the alley as well as the petitioner’s commitment to remove vehicle access points and restore the curb and sidewalk along Virginia Avenue, staff recommends approval of the requested waiver of the assessment of benefits.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	CBD-2 (RC) (TOD) / I-3 (RC) (TOD)	
<b>Existing Land Use</b>	Undeveloped	
<b>Comprehensive Plan</b>	Core Mixed Use	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Surrounding Context</b>
North:	CBD-S	North: BRT Station / Undeveloped
South:	I-3	South: Daycare
East:	CBD-S	East: Undeveloped
West:	I-3	West: Industrial
<b>Thoroughfare Plan</b>		
New Jersey Street	Primary Arterial	90-foot existing right-of-way and 48-foot proposed right-of-way
Virginia Avenue	Primary Collector	90-foot existing right-of-way and 56-foot proposed right-of-way
South Street	Primary Arterial	90-foot existing right-of-way and 78-foot proposed right-of-way
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	



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Overlay	No
Wellfield Protection Area	No
Site Plan	03/02/2026
Site Plan (Amended)	N/A
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	03/02/2026
Findings of Fact	03/02/2026
Findings of Fact (Amended)	N/A

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)
- Red Line Transit Oriented Development Strategic Plan (2015)
- Regional Center Design Guidelines (2008)

### Pattern Book / Land Use Plan

- The Core Mixed-Use typology is intended for the core of the City's Central Business District and along logical extensions from the core (such as the North Meridian Street Corridor). It is characterized by dense, compact, and tall building patterns and a substantial degree of activity. Business, services, and institutions in this typology serve the entire region as well as residents and tourists. There is a wide range of public spaces, with some designed to accommodate events and festivals. Buildings are at least six stories in height and all off-street parking should be in garages. While buildings in this typology are larger than in other mixed-use typologies, they should still be designed with the pedestrian in mind, with entrances and large windows facing the street. Ideally, this typology has a tight street grid with frequent intersections and small blocks. In areas where small blocks are not practical due to existing development, public pedestrian paths should be provided as cut-throughs. This typology has a residential density more than 50 units per acre.
- Small-Scale Parks are a recommended land use in this typology, and the Plan suggests that bollards or other vehicular barriers should be present.

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

- The Central Business District TOD typology is intended for the most dense core of the city, with high-rise buildings and active public spaces. A mix of office, entertainment, civic, retail, active public space and residential uses is desired. Off-street parking should be avoided.



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### Neighborhood / Area Specific Plan

- Regional Center Guidelines place these parcels within the Urban Core (UC), which is a pedestrian-oriented environment that is the focus of the City's transit system. Most streets in the Urban Core are high-volume arterial streets. The Urban Core is an area of high employment with a mixture of uses including major convention facilities, sports venues, hotels, and memorials with the predominant land use being offices. Because of its high visibility and central location, the Urban Core is often used as a venue for festivals and other public events. The Urban Core establishes much of the image of Indianapolis. The Mile Square of Downtown Indianapolis is an example of Urban Core development.
- An application for Regional Center approval has been filed (2026-REG-020) and is pending approval.

### Infill Housing Guidelines

- Not Applicable to the Site.

### Indy Moves

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

- The property is bordered by the Cultural Trail directly to the west, and on the adjacent side of South Street to the south.



## ZONING HISTORY

### ZONING HISTORY – SITE

**2026REG020**, Installation of a new multi-use sports court, court lighting, and landscaping upgrades, **pending**.

**2018REG104**, Construct shelters and related improvements to bus rapid transit stations along IndyGo Red Line route, **approved**.

**2003APP108**, Regional Center Approval to provide for the development of a mixed use, multi-story building enclosing approximately 58,000 square feet, with 32 underground parking spaces, 17 on-street spaces, 32 condominium dwelling units, and ground-level office and retail space, **approved**.

**2002ZON006**, Rezoning of 0.5 acres from I-3-U and I-4-U to CBD-2 (RC), **approved**.

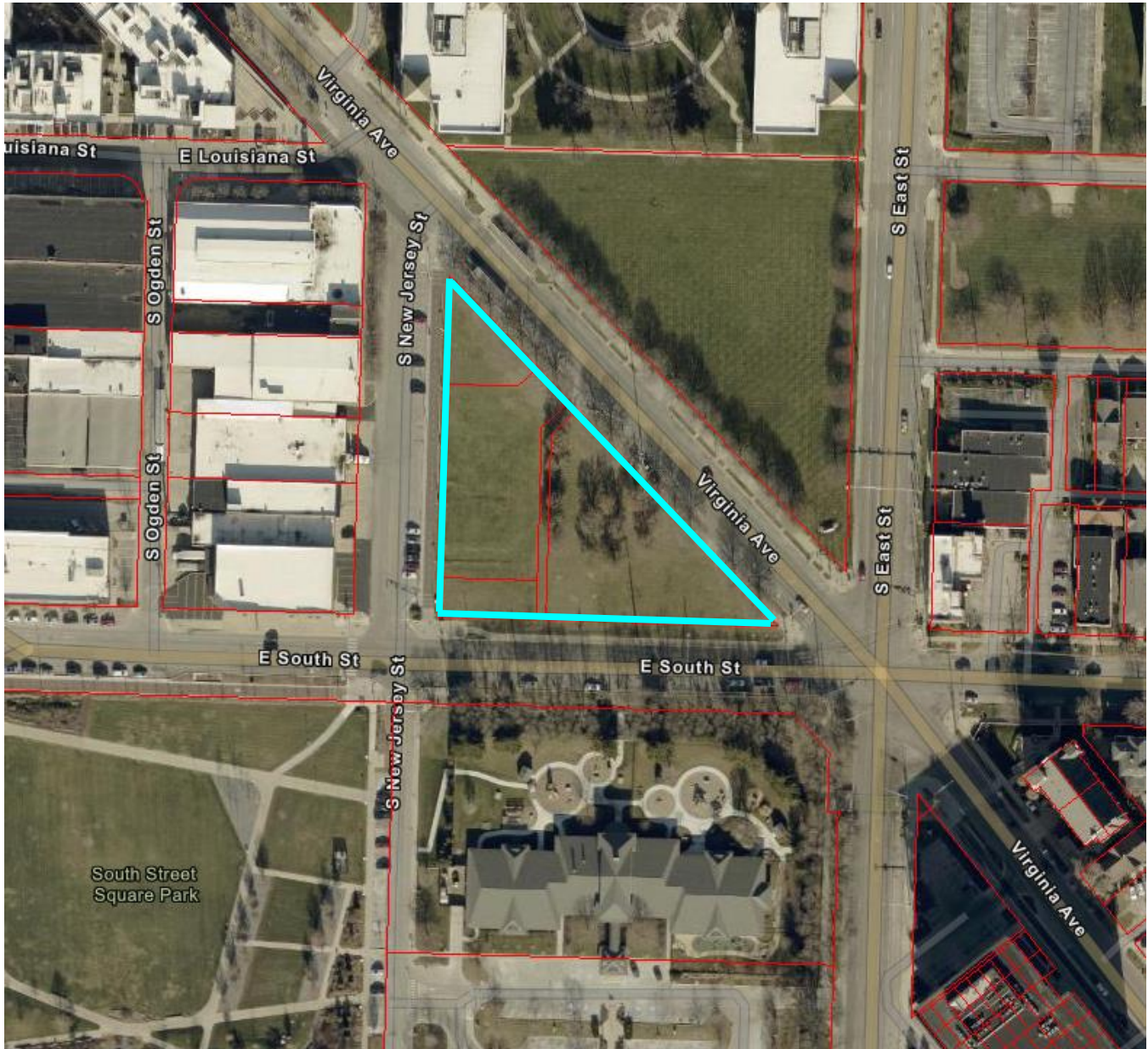
### ZONING HISTORY – VICINITY

**2018UV3013 ; 220 Virginia Avenue (northeast of site)**, Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for a surface parking lot (not permitted within the Mile Square), **withdrawn**.

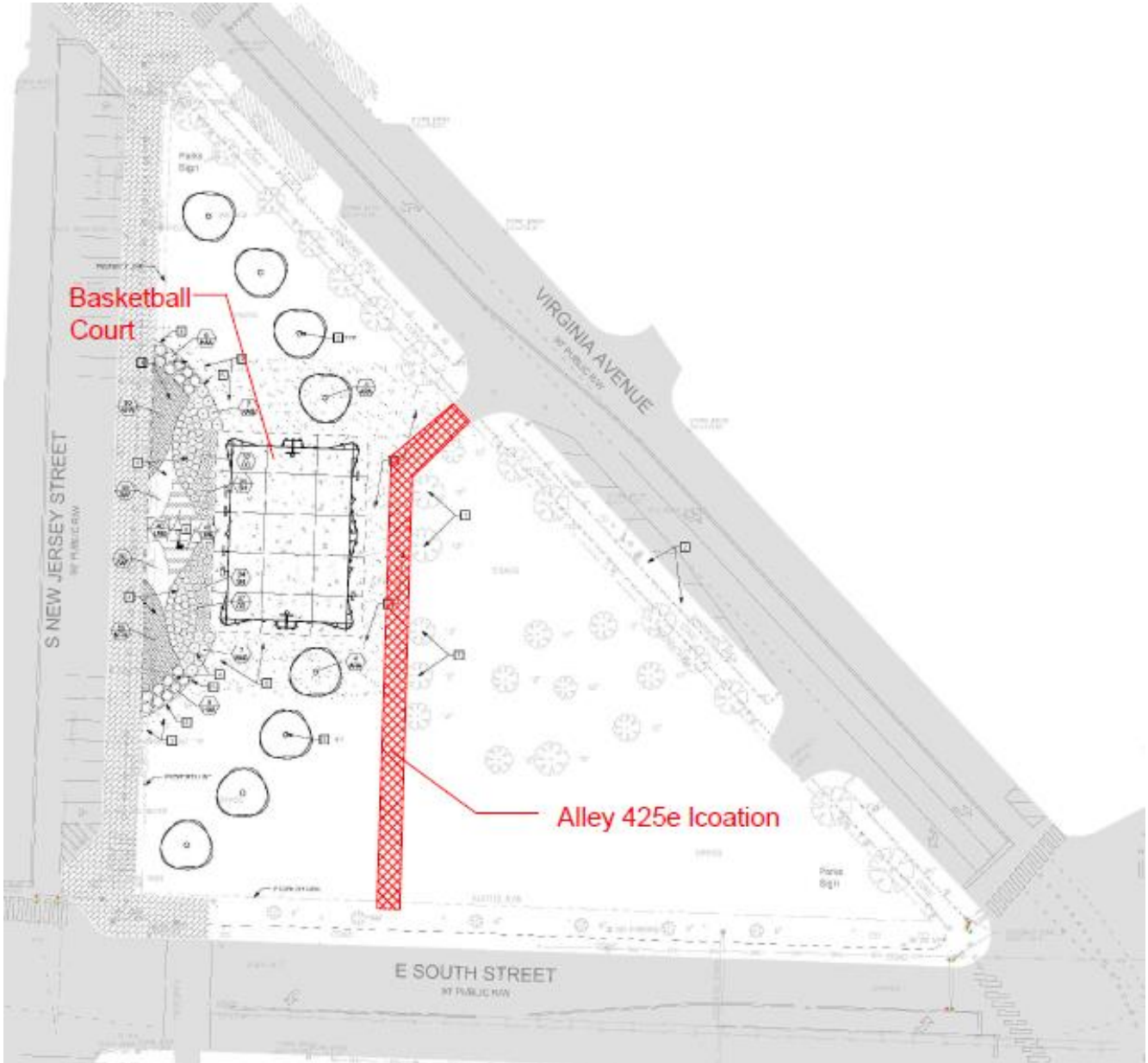
**98-Z-61 ; 220 Virginia Avenue (north of site)**, Rezoning of 12 acres from I-3-U (RC) and C-3 (RC) to the CBD-S (RC) classification, to provide for an integrated office complex and uses consistent with industrial research and development per the submitted development plan, **approved**.

**EXHIBITS**

**2026CMP809 ; Aerial Map**



**2026CMP809 ; Site/Landscape Plan**



**2026CMP809 ; Basketball Court Rendering**



**2026CMP809 ; Findings of Fact (Vacation)**

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

Vacating this unbuilt alley would allow for development of this property as a public park for the citizens of Indianapolis.

**2026CMP809 ; Photographs**



Photo 1: Subject Site Viewed from North



Photo 2: Subject Site Viewed from Northeast

**2026CMP809 ; Photographs (continued)**



Photo 3: Subject Site Viewed from East



Photo 4: Subject Site Viewed from Southeast

**2026CMP809 ; Photographs (continued)**



Photo 5: Subject Site Viewed from South



Photo 6: Subject Site Viewed from Southwest

**2026CMP809 ; Photographs (continued)**



Photo 7: Subject Site Viewed from West



Photo 8: Adjacent Property to West

**2026CMP809 ; Photographs (continued)**



Photo 9: Adjacent Property to Northwest



Photo 10: Adjacent Property to Northeast

**2026CMP809 ; Photographs (continued)**



Photo 11: Adjacent Property to East



Photo 12: Adjacent Property to Southeast

**2026CMP809 ; Photographs (continued)**



Photo 13: Adjacent Property to South



Photo 14: Adjacent Property to Southwest



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**METROPOLITAN DEVELOPMENT COMMISSION**

April 1, 2026

<b>Case Number:</b>	2026-ZON-015
<b>Property Address:</b>	2215 Southport Commons Drive
<b>Location:</b>	Perry Township, Council District #22
<b>Petitioner:</b>	FS of Carmel, LLC, by Joseph D. Calderon
<b>Current Zoning:</b>	D-P
<b>Request:</b>	Rezoning of 4.87 acres from the D-P (FF) (W-1) district to the D-P (FF) (W-1) district to provide for automobile, motorcycle and light vehicle sales or rental.
<b>Current Land Use:</b>	Undeveloped
<b>Staff Recommendations:</b>	Approval
<b>Staff Reviewer:</b>	Kathleen Blackham, Senior Planner

**PETITION HISTORY**

This the first hearing on this petition.

**STAFF RECOMMENDATION**

Approval.

**PETITION OVERVIEW**

This 4.87-acre site, zoned D-P, is undeveloped and surrounded by Interstate 69 right-of-way to the east and to the north, across West Southport Road; and multi-family dwellings to the south and west, across Wellingshire Boulevard, all zoned D-P.

Petition 97-Z-14 (97-DP-3); rezoned the site to the D-P (GSB) (FF) district to provide for a residential and golf course community development. Between this initial rezoning the current request, there have been nine modifications to the 1997 rezoning that amended the request to respond to marketing and land use changes that have occurred during the ensuing years (See Zoning History).

**REZONING**

The request would rezone the site from the D-P district to the D-P district to add a new use of automobile, motorcycle and light vehicle sales or rental.



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The established purpose of the D-P District follows:

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

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

The Comprehensive Plan recommends community commercial for this site.

Recommended land uses in this typology include small- and large- 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; and small-scale parks.

As proposed, this request would not be consistent with the Comprehensive Plan recommendation of community commercial.

### **Floodway / Floodway Fringe (500-Year Floodplain of Little Buck Creek)**

This site has a secondary zoning classification of a Floodway (FW) and Floodway Fringe (FF). The Floodway (FW) is the channel of a river or stream, and those portions of the floodplains adjoin the channels which are reasonably required to efficiently carry and discharge the peak flood flow of the base flood of any river or stream. The Floodway Fringe (FF) is the portion of the regulatory floodplain that is not required to convey the 100-year frequency flood peak discharge and lies outside of the floodway.



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The purpose of the floodway district is to guide development in areas identified as a floodway. The Indiana Department of Natural Resources (IDNR) exercises primary jurisdiction in the floodway district under the authority of IC 14-28-1.

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

### **Wellfield Protection Secondary Zoning**

A wellfield is an area where the surface water seeps into the ground to the aquifer and recharges the wells that are the source of our drinking water. This secondary zoning district places closer scrutiny on uses and activities that might contaminate the underground drinking water supply.

There are two wellfield district designations. An area identified as W-1 is a one-year time-of-travel protection area. The W-5 is a five-year time-of-travel protection area. All development within these districts is subject to Commission approval. The filing of a site and development plan is required and subject to approval, on behalf of the Commission, by a Technically Qualified Person (TQP), unless exempted by the Ordinance.

“Because of the risk that hazardous materials or objectionable substances pose to groundwater quality, it is recognized that the further regulation of the manufacturing of, handling, transfer, disposal, use or storage of hazardous materials or objectionable substances related to nonresidential use activities is essential in order to preserve public health and economic vitality with Marion County.”

All uses permitted in the applicable primary zoning district shall be those uses permitted in the W-1 and W-5 zoning districts, unless otherwise prohibited by the Ordinance, and provided no other secondary zoning district prohibits the use.

“No building, structure, premises or part thereof shall be altered, constructed, converted, erected, enlarged, extended, modified, or relocated except in conformity with this Section, and not until the proposed Site and Development Plan has been filed with and approved on behalf of the Commission by the Technically Qualified Person (TQP). Regulations found in Chapter 742, Article II, Section 4 shall apply to all land within the Wellfield Protection Zoning Districts. The entire site shall be subject to review by the TQP. These regulations shall be in addition to all other primary and secondary zoning district regulations applicable to such land, and in case of conflict, the more restrictive regulations shall apply.”

The subject site is located in W-1 South wellfield protection area and any use or development within a wellfield protection district would be subject to the Technically Qualified Person (TQP) review and approval, unless and until the property owner provides sufficient justification that the type of use, type of facility, and chemical quantity limits, independent of the land use would be exempt from the requirements for filing a development plan. Otherwise, a development plan would be required to be filed and approved on behalf of the Metropolitan Development Commission by the (TQP). Contaminants that would have an



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adverse effect would include chemicals that are used in the home, business, industry, and agriculture. Chemicals such as furniture strippers, lawn and garden chemicals, cleaning chemical and solvents, gasoline, oil, and road salt can all contaminate groundwater supplies if poured on the ground or improperly used or stored.

**Planning Analysis**

As proposed, this request would not align with the Comprehensive Land Use Plan that recommends Community Commercial typology. Community commercial typology is contemplated to be consistent with the C-3 (neighborhood commercial) or the C-4 (community-regional) zoning districts, depending upon the location and the surrounding land uses.

This request would provide for a commercial use that is more intense and permitted in the C-5 (general commercial) district. Staff, however, believes that the adjacent commercial uses and the construction of the Interstate 69 interchange abutting this site to the north and east would minimize the impact of the proposed use of the automobile dealership.

Furthermore, the retention pond to the south and adjacent to the multi-family development provides a buffer to the residential uses that mitigates impact of the proposed use.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	D-P	
<b>Existing Land Use</b>	Undeveloped land	
<b>Comprehensive Plan</b>	Community Commercial	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
	North:	D-P I-69 right-of-way
	South:	D-P Multi-family dwellings
	East:	D-P I-69 right-of-way
	West:	D-P Multi-family dwellings
<b>Thoroughfare Plan</b>		
Southport Commons Drive	Private Street	Existing 23-foot-wide pavement.
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	Yes. Little Buck Creek – 500-year unregulated	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	Yes. Wellfield Protection District, South W-1	
<b>Site Plan</b>	February 6, 2026	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	February 6, 2026	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	



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<b>Findings of Fact</b>	N/A
<b>Findings of Fact (Amended)</b>	N/A
<b>C-S/D-P Statement</b>	February 6, 2026

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

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

### Pattern Book / Land Use Plan

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

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

- *Conditions for All Land Use Types – Community Commercial Typology*
  - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
  - All development should include sidewalks along the street frontage.

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

Not Applicable to the Site.

### Neighborhood / Area Specific Plan

Not Applicable to the Site.

### Infill Housing Guidelines

Not Applicable to the Site.



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**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.



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## ZONING HISTORY

**2024-ZON-014; 7125 Wellingshire Boulevard**, requested rezoning of 57.81 acres from the D-P (FF) (W-1) district to the D-P (FF) (W-1) district to revise the list of permitted uses for Parcel 2 of the Southern Dunes (formerly Wellingshire) Planned Unit Development. Permitted uses would be as follows: Parcel 2 (7125 Wellingshire Boulevard) Public, Institutional, Religious and Civic Uses, Medical or Dental Offices, Centers or Clinics, Animal Care, Boarding, Veterinarian Services, Artisan Food and Beverage, Farmers Market, Financial and Insurance Services, Hair and Body Care Salon or Service, Bar or Tavern, Eating Establishment or Food Preparation (any type), Indoor Recreation and Entertainment, Hotel, Motel, Offices (Business, Professional or Government), Outdoor Recreation and Entertainment, Grocery Store, Liquor Store, Retail, Light and Heavy General, Automobile and Light Vehicle Wash, Automobile, Motorcycle, Light Vehicle Service or Repair, Vehicle Charging Station and other Accessory Uses. **approved.**

**2024-PLT-031, 7125 Wellingshire Boulevard**, requested approval of a Subdivision Plat to be known as Southern Dunes Commons at Wellingshire, subdividing 18.73 acres into two lots and three blocks, with a waiver of sidewalk requirements along Southport Road, per Chapter 741, Article III, Section 6 of the Consolidated Zoning and Subdivision Ordinance, **approved.**

**2013-MOD-016; 7185 Wellingshire Boulevard and 7500 South Belmont Avenue**, requested modification of the Development Statement for 97-Z-14 (97-DP-3), as modified by 2000-APP-038, 2000-APP-161, 2001-APP-161, 2001-APP-158, 2002 APP-03 and 2002-APP-127 to generally include: a) 2,341 dwelling units and 2.17 units per acre; b) multi-family developed on Parcels One and 25; c) 250,000 square feet of commercial development, 400 multi-family units and a 15-acre assisted living facility within Parcel Two; d) multi-family and commercial on Parcels 12 and 13, subject to the overall 2.17 units per acre density; and e) perimeter street improvements: The west approach of Stop 11 Road at the intersection of Stop 11 Road and State Road 37 and the east and west approaches of County Line Road at the intersection of County Line Road and State Road 37 shall be improved to the extent approved by DPW and INDOT (requires double right-turn and left-turn lanes, and double-left turn lanes, one through land and one right-turn lane, respectively, **approved.**

**2004-ZON-093; 2201 and 3425 West Southport Road, 7500 State Road 37, 2701 West Stop 11 Road and 8808 Bluff Road**, requested rezoning of 1,023 acres, being in the D-P (GSB)(FW)(FF)(W-1) District to the D-P (FW)(FF)(W-1) classification to provide for a map correction to rezoning case 97-Z-14 to remove all property from the Gravel Sand =Borrow (GSB) classification, **approved.**

**2002-APP-127; 2201 West Southport Road**, requested a modification of the Development Statement related to petitions 97-Z-14 (97-DP-003), 2000-APP-38, 2000-APP-161, 2001-APP-158 and 2002-APP-033 to provide for 1) Parcel 3 and Parcel 3a of southern Dunes to be developed with two-family dwellings; 2) a decrease of acreage of Parcel 1B from 62 acres to 38 acres; 3) improvements / upgrades of State Road 3 7 to the extent approved by DPW and INDOT; 4) changes to traffic signal improvements, the method of provided for "fair share" costs of improvements, and "in kind" improvements, times in which a Letter of Credit shall be obtained and the amount of funds required for the Letter of Credit; and 5) deletion of VI.A.3.g which provided for reservation of right-of-way at the intersection of State Road 37 and



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Southport Road, and the expiration of said reservation after ten years for those parts of the right-of-way not required, **approved**.

**2002-APP-033; 2201 West Southport Road**, requested modification of the Development Statement related to petitions 97-Z-14 (97-DP-3), 2000-APP-038, 2000-APP-161 and 2001APP-158 to modify Section 1 to read: No building, with the exception of the clubhouse, shall exceed 35 feet. The Clubhouse located on Parcel 14 shall not exceed 48 feet, **approved**.

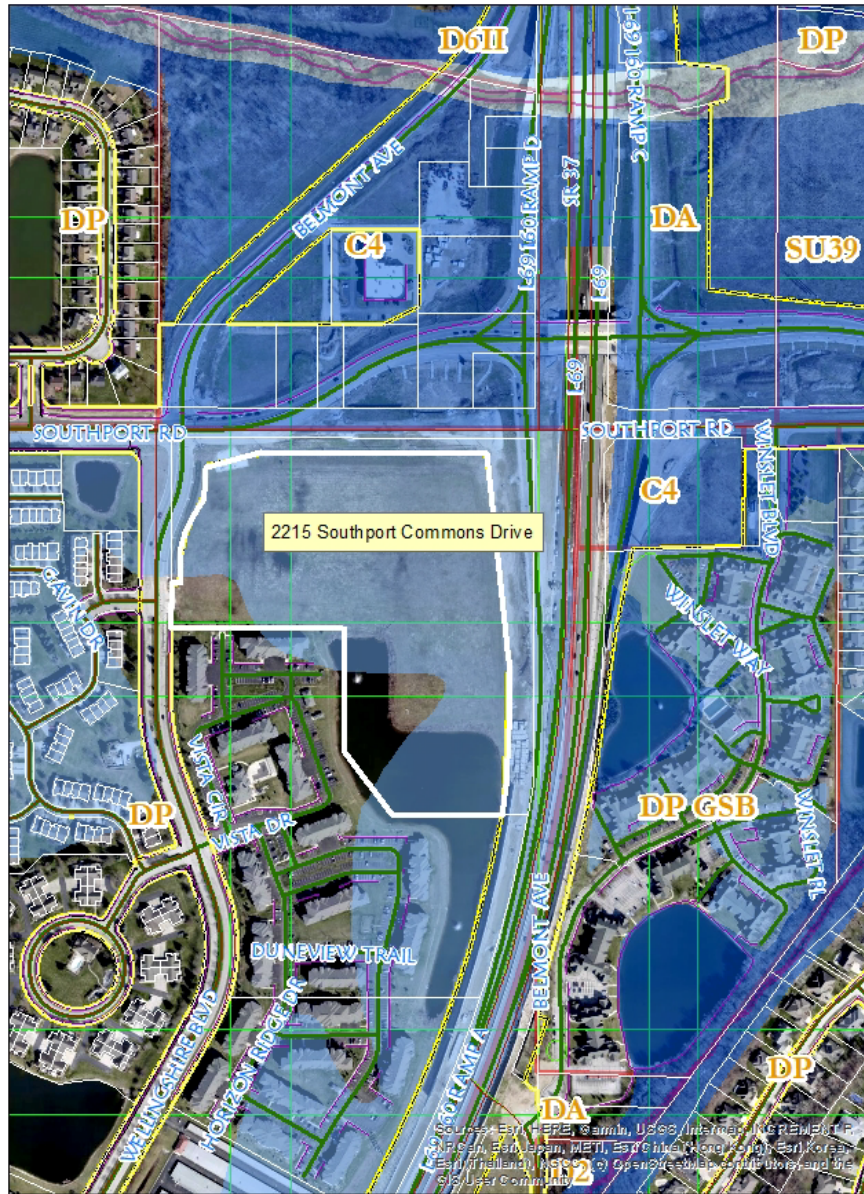
**2001-APP-158; 2201 West Southport Road**, requested modification of the development statement related to petition 97-Z-14 (97-DP-2), 2000-APP-038, and 2001-APP-161 to provide for the reconfiguration of the proposed residential, commercial recreational and miscellaneous uses within the proposed development to include a) a corrected legal description of 1,189 acres; b) 12 single-family residential communities; c) total acreage within each residential community of development parcel may increase or decrease by as much as 10%; d) proposed number of lots or units within each residential community of development parcel may increase or decrease by as much as 25%; e) creation parcel 9a as three acres of open space, with development of this site limited to a pylon sign not to exceed 30 feet in height to serve as identification of the proposed adjacent commercial uses; and f) density to be based on the entire development minus the commercial properties, **approved**.

**2000-APP-161; 2201 West Southport Road**, requested modification of the Development Statement related to petitions 97-Z-14 (97-DP-3) and 2000-APP-038 to provide for 43-foot-tall multi-family dwellings on Parcels 25 and / or 1, **approved**.

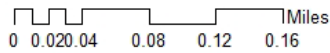
**2000-APP-038, 2201 West Southport Road**, requested modification of the Development Statement, related to petition 97-Z-14 (97-DP-3), of Southern Dunes (formerly known as Wellingshire) to provide for a reconfiguration of the proposed residential, commercial, recreational, and miscellaneous uses within the proposed development, **approved**.

**97-Z-14 (97-DP-3); 2201 West Southport Road**, requested rezoning of 1,130 acres, being in the D-A (FF), SU-23 (GSB)(FF), SI-3 (FF), D-6 (FF), and C-3 (FF) districts to the D-P (GSB)(FF) classification to provide for a residential and golf course community development consisting of eight single-family residential communities, three multi-family residential communities, a 27-hole golf course, a nine-hole golf course, a golf academy, club house and practice area, two neighborhood commercial centers, two neighborhood commercial services, a mini-warehouse use, recreational amenities and open space areas, **approved**.

**EXHIBITS**



2215 Southport Commons Drive





**AMENDED AND RESTATED PRELIMINARY DP PLAN  
AS TO BLOCK "C"**

**SOUTHERN DUNES PLANNED UNIT DEVELOPMENT**

**INTRODUCTION**

FS of Carmel, LLC ("Petitioner") is under contract to purchase property located at the southwest quadrant of Southport Road and I-69, more particularly described on Exhibit "A". In 2024, under case 2024-ZON-014, approximately 18.72 acres within the Southern Dunes Planned Unit Development was rezoned from DP as a result of case numbers 97-Z-14 (97-DP-03), 2001-APP-038, 2000-APP-161, 2001-APP-158, 2002-APP-003, 2002-APP-127 and 2013-MOD-016 (the "Original DP") to DP to add various commercial uses and create development standards for a commercial section within Southern Dunes (the "2024 DP Plan"). More recently, an automobile dealer, FS of Carmel, LLC, proposes to locate a new dealership on Block "C" of the platted commercial subdivision, Southern Dunes Commons At Wellingshire, which contains 4.87 acres (the "Subject Property"). The purpose of this Preliminary DP Plan is to add one additional commercial use and modify development standards solely with respect to the Subject Property, while otherwise affirming the uses and development standards set forth in the Amended and Restated Preliminary DP Plan. In the event of a conflict between the Original DP, the 2024 DP Plan, and this Amended Preliminary DP Plan with respect to the Subject Property, this Amended Preliminary DP Plan shall control.

Petitioner is proposing a new automobile dealership to be located on the Subject Property, generally as shown on Exhibit "B" (the "Site Plan").

**PROPOSED BUILDINGS, PERMITTED USES,  
BUILDING SPECIFIC STANDARDS FOR SOUTHPORT/I-69 PARCEL**

Permitted Uses: The following primary use, as described in Table 743-1 of the City of Indianapolis Consolidated Zoning/Subdivision Ordinance (the "Zoning Ordinance"), shall be added as a permitted use on the Subject Property:

- 1. Automobile, Motorcycle, and Light Vehicle Sales or Rental
- 2. All other permitted uses set forth in the 2024 DP Plan shall remain as permitted uses

Permitted Accessory Uses:

- 1. All permitted accessory uses set forth in the 2024 DP Plan shall remain as permitted uses.
- 2. Automobile, Motorcycle and Light Vehicle Service or Repair

Development Standards:

- 1. The proposed automobile dealership shall have the following minimum development standards:
  - a) No more than two (2) showroom buildings;



- b) No more than one service building for each showroom building; and
- c) Maximum height 40 feet, measured to top of parapet wall.

- 2. **Parking:**  
Surface parking and bicycle parking of no less than the minimum required by the Zoning Ordinance per the particular use. Shared parking is permissible. No parking maximum shall apply.

**STANDARDS/REQUIREMENTS APPLICABLE TO SOUTHPORT/I-69 PARCEL**

**Building Setbacks:**

- 1. **Front Yard (I-69):**  
Buildings: Twenty (20) feet, measured from the right-of-way line.  
Accessory Uses: Five (5) feet measured from the existing right-of-way line.
- 2. **Side/Rear Yard (Overall boundary line of Subject Property):**  
Buildings: Twenty (20) feet, measured from overall south boundary line of Subject Property, and not each lot line.
- 3. **Individual Lots, yards not fronting on Wellingshire Boulevard, Southport Road or I-69:**  
Buildings: Ten (10) feet, measured from lot line.  
Accessory Uses: Zero (0) feet, measured from lot line.

**Landscaping:** Detailed landscaping plans will be submitted for Administrator’s Approval, prior to obtaining an Improvement Location Permit for development of any lot. At a minimum, any such landscaping plan shall provide for perimeter landscaping and along the west and south property lines.

**Utilities/Drainage:** All utilities are available to the site. There will be no utility poles located on the Subject Property, unless already existing and financially impractical to bury. Storm drainage will be professionally engineered to meet all City of Indianapolis requirements with respect to runoff rate and quantity, as well as water quality. The Petitioner may use a combination of surface and underground drainage systems to meet City of Indianapolis Ordinance requirements.

**Lighting:** All free standing light fixtures and lighting elements shall meet the requirements of the Zoning Ordinance.

**Signs:** Petitioner proposes the following signs on the Subject Property, for the dealership:

- 1. Wall signs, as permitted by the Sign Regulations of Marion County, on all of the Buildings. A typical logo sign, as shown on Exhibit C, shall be permitted.
- 2. Secondary freestanding signs as permitted by Table 744-906-2 of the Zoning Ordinance for Commercial Districts.



3. The foregoing shall not be deemed to remove or eliminate any signs permitted under the 2024 DP Plan, even if signs permitted under the 2024 DP Plan are located on the Subject Property.

Building Design Materials: The Buildings on the Subject Property shall feature one or more of the following materials: glass, steel, aluminum, wood, masonry, stone, EIFS and fiber cement board, and shall feature architectural elements generally as shown on the concept rendering attached hereto as Exhibit "C".

**LIST OF EXHIBITS**

Exhibit "A"	Legal Description of Subject Property
Exhibit "B"	Site Plan
Exhibit "C"	Conceptual Rendering

50618789.1



**EXHIBIT "A"**

**Legal Description**

Block "C" of Southern Dunes Commons At Wellingshire, as per plat thereof, recorded as Instrument A202400079961 in the Office of the Recorder of Marion County, Indiana.

Exhibit A



EXHIBIT "C"

Conceptual Rendering



02 *Photo by Scott of South Indianapolis*

SPARK

Exhibit C



View looking east along Southport Commons Drive



View looking west along Southport Commons Drive



View looking northeast from Southport Commons Drive



View looking northeast across Southport Commons Drive



View of site looking southeast



View of site looking south across Southport Commons Drive



View of site looking south across Southport Commons Drive



View looking southwest across Southport Commons Drive (site on left)