



Metropolitan Development Commission (August 20, 2025) Meeting Notice

Meeting Details

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

Date: Wednesday, August 20, 2025

Time: 1:00 PM

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

Business:

Adoption of Meeting Minutes: August 6, 2025

Special Requests

Policy Resolutions:

REAL ESTATE:

1. 2025-R-031

Authorizes DMD to convey title of Property at 2240 Enterprise Park Place (Parcel #1104957) to Fields Mortuary Transport & Removal Services LLC for the purpose of redevelopment.

ECONOMIC DEVELOPMENT / INCENTIVES:

2. 2025-A-028 (For Public Hearing)

Final Economic Revitalization Area Resolution for Thunderbird CC Land Partners LLC, located at 6900 English Avenue, Council District #20, Warren Township. (Recommend approval of up to (10) years real property tax abatement.)

3. 20255-A-029 (For Public Hearing)

Final Economic Revitalization Area Resolution for Roche Diagnostics Operation, Inc., located at 9115 Hague Road, Council District #4, Lawrence Township. (Recommend approval of (10) years real property tax abatement.)

4. 2025-A-030 (For Public Hearing)

Final Economic Revitalization Area Resolution for Roche Diagnostics Operation, Inc., located at 9115 Hague Road, Council District #4, Lawrence Township. (Recommend approval of (10) years personal property tax abatement.)

5. 2025-A-031

Preliminary Economic Revitalization Area Resolution for Romet (US), Inc., located at 8517 West Washington Street, Council District #17, Wayne Township. (Recommend approval of (5) years personal property tax abatement.)

6. 2025-A-032

Preliminary Economic Revitalization Area Resolution for Deep Meadow Ventures LLC, located at 3043 South Post Road, Council District #20, Franklin Township. (Recommend approval of ten (10) years real property tax abatement.)

7. 2025-E-024

Authorizes DMD to pay invoices for previously rendered and approved development services.

PLANNING:

8. 2025-P-010

Metropolitan Development Commission authorizes DMD to amend a contract with Town Planning & Urban Design Collaborative, LLC for professional services to extend the term through 12/31/2026 and revise the Scope of Services and Fee Schedule.

Zoning Petitions:

PETITIONS OF NO APPEAL (RECOMMENDED FOR APPROVAL):

9. 2025-APP-007 | 6451 East Thompson Road

Franklin Township, Council District #24

PK-1

City of Indianapolis, Department of Parks and Recreation, by Benjamin Jackson

Park District One Approval to provide for park improvements, including replacement playground equipment and sidewalks, resurface and restripe existing basketball court, and seating areas in multiple locations.

10. 2025-MOD-008 | 7436 Rockville Road

Wayne Township, Council District #16

C-3

Jeffrey Shelton

Modification of the Commitments for 2006-ZON-146, to terminate a portion of Commitment #9, which prohibits the use of tobacco stores (previous commitment removed tobacco stores as a permitted use).

11. 2025-ZON-019 | 1404 Prospect Street

Center Township, Council District #18

Luxury Leased Homes USA, LLC, by Stephanie J. Truchan

Rezoning of 0.345-acre from the C-5 district to the D-8 district to provide for residential uses.

12. 2025-ZON-065 | 5034 Lafayette Road

Pike Township, Council District #6

5034 Lafayette Road, LLC, by Tyler Ochs

Rezoning of 3.72 acres from the C-3 and I-2 districts to the C-7 district to provide for a commercial and building contractor.

13. 2025-ZON-070 | 631 South High School Road

Wayne Township, Council District #17

Jordan Vermillion

Rezoning of 1.263 acres from the D-3 (FF) and SU-1 (FF) districts to the D-3 (FF) district to legally establish a detached single-family dwelling.

14. 2025-ZON-072 | 2027 Spruce Street

Center Township, Council District #19

Dennis Kenneally, by Josh Smith

Rezoning of 0.30-acre from the I-3 district to the D-5 district to legally establish a detached single-family dwelling.

- 15. 2025-ZON-073 | 5720 South Walcott Street**
Center Township, Council District #23
Jacob International Investment, by Andrew Wert

Rezoning of 0.159-acre from the C-1 district to the D-3 district to provide for a proposed detached single-family dwelling.

- 16. 2025-ZON-076 | 6568 Cornell Avenue**
Washington Township, Council District #7
KMK, LLC, by Joseph D. Calderon

Rezoning of 0.21-acre from the C-S (FF) (TOD) district to the MU-2 (FF) (TOD) district to provide for an expansion of an existing day care facility.

Petitions for Public Hearing

PETITIONS FOR PUBLIC HEARING:

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

2025-CZN-814 / 2025-CVR-814 | 3043, 3451, 3511, and 3801 South Post Road, 9405, 9609, 9611, and 9931 East Troy Avenue, 3430, 3440, and 3610 Davis Road, and 9500 Vandergriff Road

Franklin Township, Council District #20

Deep Meadow Ventures, LLC, by Joseph D. Calderon

Rezoning of 467.66 acres from the D-A (FF) (FW), C-4 (FF) (FW), and SU-43 (FF) (FW) districts to the C-S (FF) (FW) district for a data center campus development, and uses including light manufacturing, all research and development, utilities, agricultural uses, buildings and structures, as permitted in I-1 and office uses, as permitted in C-1. Permitted accessory uses would include utility structures, such as power substations, water towers, and overhead and underground powerlines and wastewater treatment facilities, outdoor storage, renewable energy facility, satellite dish antenna, signs, and temporary construction yard, office, or equipment storage.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building height of 75 feet (maximum 38-foot building height permitted) and no maximum front yard setback (maximum front yard setback of 85 feet permitted).

18. COMPANION PETITIONS TRANSFERRED FROM HEARING EXAMINER FOR INITIAL HEARING:

2025-CZN-828 (2nd Amended) / 2025-CVR-828 (2nd Amended) | 1927, 1946, and 1950 East 32nd Street, and 3219 Orchard Avenue

Center Township, Council District #8

D-5 and SU-1

Universal Church of Truth and First Born, Inc., by Justin Kingen and David Kingen

Rezoning of 1.02 acres, from the D-5 and district to the D-8 district to provide for multi-family dwellings.

Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide to provide for the construction of a medium apartment building & community center (at 1927 East 32nd Street), within a SU-1 district (not permitted); to allow for a mixed-use, multi-family housing project, community center and religious use (church) to have 38 off-street parking spaces (77 off-street parking spaces required); provide for the construction of five duplexes (floor over floor) with a floor area of 500 square feet (minimum floor area of 660 square feet required); to provide for the construction of duplexes at 1946 East 32nd Street and 3219 Orchard Avenue with a reduced open space (60% open space required for duplexes).

19. REZONING PETITION SCHEDULED FOR INITIAL HEARING:

2025-ZON-046 | 10010 and 10440 Pentecost Road

Franklin Township, Council District #25

Pulte Group, by Brian J. Tuohy

Rezoning of 96.6 acres from the D-A district to the D-P district to provide for a single-family detached residential development, consisting of 225 lots.

Additional Business:

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

METROPOLITAN DEVELOPMENT COMMISSION (MDC)

MEMBER ROSTER

Commissioner	Appointing Authority	Term
John J. Dillon III (President)	Mayor	01/01/2025 – 12/31/2025
Megan Garver (Vice-President)	Mayor	01/01/2025 – 12/31/2025
Brian P. Murphy (Secretary)	Mayor	01/01/2025 – 12/31/2025
Bruce Schumacher (Acting Secretary)	Mayor	01/01/2025 – 12/31/2025
Brandon Herget	City-County Council	02/03/2025 – 02/03/2026
Brent Lyle	City-County Council	12/02/2024 – 12/02/2025
Daniel Moriarty	City-County Council	08/11/2025 – 08/11/2026
Brigid Robinson	Mayor	01/01/2025 – 12/31/2025
Gregg West	City-County Council	05/05/2025 – 05/05/2026

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

Community Economic Development
Real Estate-Disposition of Property
2240 Enterprise Park Place
Keystone Enterprise Park

**METROPOLITAN DEVELOPMENT COMMISSION
OF
MARION COUNTY, INDIANA
Resolution No. 2025-R-031**

WHEREAS, The City of Indianapolis, Department of Metropolitan Development (“DMD”), is engaging in disposition and redevelopment activities within the area known as Keystone Enterprise Park (“KEP”) in Marion County, Indiana; and

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

WHEREAS, IC 36-7-15.1-7 authorizes the MDC to dispose of property acquired for use in the redevelopment of areas needing redevelopment on the terms and conditions that the commission considers best for the City and its inhabitants; and

WHEREAS, the DMD, previously reacquired approximately one (1) acre of real estate depicted on Exhibit A and now known as 2240 Enterprise Park Dr. (“Property”) due to a default on development promised in a Project Agreement made in 2010 (“Agreement.”); and

WHEREAS, DMD now desires to convey title to the Property to Fields Mortuary Transport & Removal Services LLC for approximately \$250,000 and other valuable consideration subject to an agreement for prompt redevelopment.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The MDC does hereby authorize the DMD to convey title to approximately one (1) acre of real estate located 2240 Enterprise Park Dr. in Keystone Enterprise Park for approximately \$250,000 and other valuable consideration subject to the terms of a purchase agreement and with the stipulation that certain commitments be made by to timely develop the Property.
2. The DMD Director is hereby authorized to execute the necessary documents, with such terms and provisions as may be deemed necessary or appropriate to best accomplish the objectives set forth herein and all actions heretofore taken by any such official toward the completion thereof are hereby ratified, confirmed and approved, for the conveyance of said Property in accordance with this Resolution.

Approved as to Adequacy & Legal Form

Sheila Kinney

Sheila Kinney, Asst. Corp Counsel

Date: 8/13/2025

Metropolitan Development Commission

John J. Dillon III, President

Date: _____

Exhibit A

2240 Enterprise Park Pl. / Parcel #1104957



METROPOLITAN DEVELOPMENT COMMISSION OF
MARION COUNTY, INDIANA
FINAL ECONOMIC REVITALIZATION AREA RESOLUTION
RESOLUTION NO. 2025-A-028
REAL PROPERTY TAX ABATEMENT
Thunderbird CC Land Partners LLC
6900 English Avenue

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

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

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

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

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

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

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

WHEREAS, during a preliminary hearing at 1:00 p.m. on Wednesday, July 2, 2025, the Commission received evidence about whether the Subject Real Estate should be designated as an Economic Revitalization Area and recommended the appropriate length of the abatement period for such Area, and the Commission adopted **Preliminary Resolution No. 2025-A-025**, preliminarily designating the Subject Real Estate as an Economic Revitalization Area for an abatement period of up to ten (10) years ("Preliminary Resolution"); and

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

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

WHEREAS, the City-County Council, on **August 11, 2025**, adopted a resolution approving the Applicant's Statement of Benefits; and

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

WHEREAS, proper legal notices were published indicating the adoption of such Preliminary Resolution and stating when and where such final public hearing would be held.

NOW, THEREFORE, IT IS RESOLVED:

1. The Commission now confirms, amends, adopts, and approves such Preliminary Resolution and thereby finds, and establishes the area as an Economic Revitalization Area subject to the conditions that designation as an Economic Revitalization Area allows the abatement of property taxes only relative to the Project and the effectiveness of the designation can be terminated by action of the Commission if:
 - A. The Applicant is unable to secure approval of the necessary variance or rezoning petition to provide for the proposed development.
 - B. Construction on the Subject Real Estate is not in substantial conformance with the Project description contained in the final resolutions as supplemented by information in the application, site plan and elevations; or
 - C. Construction of the Project is not initiated within one (1) year of the date a final resolution designating the Subject Real Estate as an Economic Revitalization Area is adopted.
2. The Economic Revitalization Area designation terminates five (5) years after the date a final resolution is adopted; however, relative to redevelopment or rehabilitation completed before the end of the five (5) year period, this termination does not limit the period of time the Applicant or successor owner is entitled to receive a partial abatement of property taxes to a period of less than ten (10) years.
3. This Economic Revitalization Area designation is limited to allowing the partial abatement of property taxes attributable to redevelopment or rehabilitation activities: **This designation does not allow abatement of property taxes for installation of new manufacturing equipment under I.C. 6-1.1-12.1-4.5.** Pursuant to IC 6-1.1-12.1-2 (i), the Commission hereby limits the dollar amount of the deduction that will be allowed, with respect to redevelopment and rehabilitation activities occurring in the ERA.

4. Pursuant to I.C. 6-1.1-12.1-17, the Commission desires to utilize an alternative abatement schedule. The alternative schedule shall allow for 50% deduction (abatement) of the increased property taxes for each of the up to ten years of the real property tax abatement.
5. The Commission has determined that the Project can be reasonably expected to yield the benefits identified in the attached "statement of benefits" and the "statement of benefits" is sufficient to justify the partial abatement of property taxes requested, based on the following findings:
 - A. The estimate of the value of the proposed Project is reasonable for projects of that nature.
 - B. The estimate of the number of individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed Project.
 - C. The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed Project.
 - D. Other benefits about which information was requested are benefits which can reasonably be expected to result from the proposed Project.
 - E. The "Totality of Benefits" is sufficient to justify the deduction.
6. Under the authority of I.C. 6-1.1-12.1, the Commission directs the Department of Metropolitan Development to survey projects receiving Economic Revitalization Area designation for compliance with job creation/retention figures, salaries associated with these figures and investment figures contained in the applicant's approved Final Economic Revitalization Area Resolution, the Memorandum of Agreement executed by and between the applicant and the City, and/or the statement of benefits form. The Commission may reduce the dollar amount, or rescind the deduction in its entirety, and/or require repayment of all or a portion of the deductions received by the applicant for failure to achieve the benefits identified in the Memorandum of Agreement and/or "statement of benefits", or for failure to respond to the mandatory survey.
7. The Commission directs the Department of Metropolitan Development to survey the Project described in the attachment to this Resolution annually for up to twelve (12) years with enhanced incentives. The dates of the twelve (12) surveys shall be on or about the following dates: **2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, and 2039.**
8. The Subject Real Estate and Project area are approved for an abatement period of **up to ten (10) years.**
9. A copy of this Resolution shall be filed with the Marion County Auditor.

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

REAL PROPERTY TAX ABATEMENT

(Schedule if conditions are not met for “Enhanced Abatement,” pursuant to MOA)

YEAR OF DEDUCTION	PERCENTAGE
1 st	50%
2 nd	50%
3 rd	50%
4 th	50%
5 th	50%
6 th	50%
7 th	50%
8 th	50%

REAL PROPERTY OPPORTUNITY BUSINESS ENHANCED TAX ABATEMENT

(Must be invoked by 6th year of deduction)

YEAR OF DEDUCTION	PERCENTAGE
1 st	50%
2 nd	50%
3 rd	50%
4 th	50%
5 th	50%
6 th	50%
7 th	50%
8 th	50%
9 th	50%
10 th	50%

METROPOLITAN DEVELOPMENT COMMISSION

John J. Dillon III, President

Date

Approved as to Legal Form
and Adequacy this day
of July 2025.

Sheila Kinney 7/30/2025
Sheila Kinney,
Assistant Corporation Counsel

STAFF ANALYSIS
REAL PROPERTY TAX ABATEMENT

Area Surrounding Subject Real Estate: The site is located on English Avenue between Kitley Avenue and Fintail Drive abutting the Pennsy Trail.

Current Zoning:.....I-3

New Jobs Created:200

Jobs Retained:.....None.

Estimated Cost of proposed project: \$110,000,000.00

STAFF ANALYSIS

Thunderbird Commerce Park is a large-scale speculative industrial development located in Warren Township on Indianapolis's east side, within the Irvington-Brookville Road Allocation Area. Led by Thunderbird CC Land Partners LLC and developed by Lauth Group Inc., the project spans approximately 150 acres of I-3 zoned land with direct rail access. The site, which currently includes Monarch Beverage, is undergoing a \$125 million expansion to add over 1 million square feet of speculative industrial space, including a 258,336-square-foot warehouse in Phase 1.

Lauth Group, a seasoned real estate and construction firm based in Carmel, Indiana, brings a proven track record of delivering commercial and industrial developments across the U.S. Their approach to Thunderbird includes strategic replating, expansion of trucking operations, and adherence to municipal zoning standards. These efforts and long-term vision to attract industrial tenants and grow the region's logistics and warehousing capabilities, aligned with the City's goals for economic development within the TIF area.

In addition to the physical expansion, Thunderbird CC Land Partners Inc. has demonstrated a strong commitment to community and workforce engagement. By collaborating with local organizations such as the Irvington Development Organization and EmployIndy, the development aims to connect surrounding neighborhoods with job opportunities and career pathways. The project is expected to create 200 jobs with a minimum starting wage of \$18.00 per hour, and 5% of the developer's tax savings will be reinvested in the City's strategic initiatives—supporting broad-based economic opportunity and equitable growth across the community.

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

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

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

TOTALITY OF BENEFITS

PETITIONER:

Thunderbird CC Land Partners LLC

INVESTMENT:

Staff estimates that the proposed investment of \$110,000,000.00 should result in an increase to the tax base of approximately \$77,000,000.00 of assessed value. Staff estimates that over the eight (8) year real property tax abatement period the petitioner will realize savings of approximately \$8,820,812.00 (a 50.3% savings). During the abatement period, the petitioner is expected to pay an estimated \$8,707,192.25 in real property taxes relative to the new investment. This is in addition to the current taxes being paid on the properties in the amount of 859,768.80 annually (pay 2025 taxes). After the tax abatement expires, the petitioner can be expected to pay an estimated \$2,298,471.63 in real property taxes annually on the new improvements, in addition to the annual taxes attributable to the current value of the land.

OPPORTUNITY

INDUSTRY

INCENTIVE:

The petitioner has agreed to target Opportunity Industries in their marketing effort to lease or sell the developed property. If petitioner successful in leasing at least 51% of the gross leasable area of any building to such an industry, then the petitioner will be entitled to an alternate deduction schedule, including two (2) more years of deduction on the building(s) thus occupied. Staff estimates that if all buildings qualify for the enhanced real property tax abatement, the petitioner will realize an additional tax savings of approximately \$2,205,203.00, in addition to the tax savings realized during the initial abatement term. The petition would also pay an additional \$2,126,798.00 in real property taxes during the enhanced abatement term.

EMPLOYMENT:

The petitioner estimates that this project will create a minimum of one-hundred and two hundred (200) positions at a minimum wage of not less than \$18.00/hr. Staff finds these figures to be reasonable for a project of this nature.

OTHER BENEFITS:

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

STAFF COMMENT:

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

PROJECT SUMMARY

FACTUAL INFORMATION

<u>Applicant:</u>	Thunderbird CC Land Partners LLC
<u>Subject Real Estate:</u>	6900 English Avenue
<u>Warren Township Parcel Numbers:</u>	7047777, 7047778, 7047779, and 7034236

PROJECT DESCRIPTION

Thunderbird CC Land Partners LLC will spearhead a major industrial spec development located in Warren Township on Indianapolis's east side. The project is being developed by Lauth Group Inc. The site spans approximately 150 acres and is zoned I-3 for heavy industrial use, with direct rail access. It currently includes Monarch Beverage and will undergo a \$125 million expansion that will add over 1 million square feet of speculative industrial space, including a 258,336-square-foot warehouse in Phase 1. This project is located in the Irvington-Brookville Road Allocation Area.

The development is expected to create 200 jobs with a minimum starting wage of \$18.00 per hour. Thunderbird has also committed to dedicating 5% of its tax savings to support the City's broader strategic initiatives, further underscoring its commitment to community and economic development.

<u>New Jobs Created:</u>	200 at \$18.00/hr.
<u>Jobs Retained:</u>	None.
<u>Estimated Cost of Project:</u>	\$110,000,000.00

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

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

FINAL ECONOMIC REVITALIZATION AREA RESOLUTION

RESOLUTION NO. 2025-A-029

REAL PROPERTY TAX ABATEMENT

**Roche Diagnostics Operations, Inc.
9115 Hague Road**

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

WHEREAS, I.C. 6-1.1-12.1 empowers the Metropolitan Development Commission (hereinafter "Commission") to designate Economic Revitalization Areas and determine the length of the abatement period for such property by following a procedure involving adoption of a preliminary resolution, provision of public notice, conducting of a public hearing, and adoption of a resolution confirming the preliminary resolution or a modified version of the preliminary resolution; and

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

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

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

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

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

WHEREAS, during a preliminary hearing at 1:00 p.m. on Wednesday, July 2, 2025, the Commission received evidence about whether the Subject Real Estate should be designated as an Economic Revitalization Area and recommended the appropriate length of the abatement period for such Area, and the Commission adopted **Preliminary Resolution No. 2025-A-026 ("Preliminary Resolution")** preliminarily designating the Subject Real Estate as an Economic Revitalization Area for an abatement period of ten (10) years ("Preliminary Resolution"); and

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

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

WHEREAS, the City-County Council, on **August 11, 2025**, adopted a resolution approving the Applicant's Statement of Benefits; and

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

WHEREAS, proper legal notices were published indicating the adoption of such Preliminary Resolution and stating when and where such final public hearing would be held.

NOW, THEREFORE, IT IS RESOLVED:

1. The Commission now confirms, amends, adopts, and approves such Preliminary Resolution and thereby finds, and establishes the area as an Economic Revitalization Area subject to the conditions that designation as an Economic Revitalization Area allows the abatement of property taxes only relative to the Project and the effectiveness of the designation can be terminated by action of the Commission if:
 - A. The Applicant is unable to secure approval of the necessary variance or rezoning petition to provide for the proposed development.
 - B. Construction on the Subject Real Estate is not in substantial conformance with the Project description contained in the final resolutions as supplemented by information in the application, site plan and elevations; or
 - C. Construction of the Project is not initiated within one (1) year of the date a final resolution designating the Subject Real Estate as an Economic Revitalization Area is adopted.
2. The Economic Revitalization Area designation terminates five (5) years after the date a final resolution is adopted; however, relative to redevelopment or rehabilitation completed before the end of the five (5) year period, this termination does not limit the period of time the Applicant or successor owner is entitled to receive a partial abatement of property taxes to a period of less than **ten (10) years**.
3. This Economic Revitalization Area designation is limited to allowing the partial abatement of property taxes attributable to redevelopment or rehabilitation activities: **This designation does not allow abatement of property taxes for installation of new manufacturing equipment under I.C. 6-1.1-12.1-4.5.** Pursuant to IC 6-1.1-12.1-2 (i), the Commission hereby limits the dollar amount of the deduction that will be allowed, with respect to redevelopment and rehabilitation activities occurring in the ERA.

4. Pursuant to I.C. 6-1.1-12.1-17, the Commission desires to utilize an alternative abatement schedule. The alternative schedule shall allow for 75% deduction (abatement) of the increased property taxes for each of the ten years of the real property tax abatement.
5. The Commission has determined that the Project can be reasonably expected to yield the benefits identified in the attached "statement of benefits" and the "statement of benefits" is sufficient to justify the partial abatement of property taxes requested, based on the following findings:
 - A. The estimate of the value of the proposed Project is reasonable for projects of that nature.
 - B. The estimate of the number of individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed Project.
 - C. The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed Project.
 - D. Other benefits about which information was requested are benefits which can reasonably be expected to result from the proposed Project.
 - E. The "Totality of Benefits" is sufficient to justify the deduction.
6. Under the authority of I.C. 6-1.1-12.1, the Commission directs the Department of Metropolitan Development to survey projects receiving Economic Revitalization Area designation for compliance with job creation/retention figures, salaries associated with these figures and investment figures contained in the applicant's approved Final Economic Revitalization Area Resolution, the Memorandum of Agreement executed by and between the applicant and the City, and/or the statement of benefits form. The Commission may reduce the dollar amount, or rescind the deduction in its entirety, and/or require repayment of all or a portion of the deductions received by the applicant for failure to achieve the benefits identified in the Memorandum of Agreement and/or "statement of benefits", or for failure to respond to the mandatory survey.
7. The Commission directs the Department of Metropolitan Development to survey the Project described in the attachment to this Resolution annually for twelve (12) years. The dates of the twelve (12) surveys shall be on or about the following dates: **2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, and 2039.**
8. The Subject Real Estate and Project area are approved for an abatement period of **ten (10) years.**
9. A copy of this Resolution shall be filed with the Marion County Auditor.

[Remainder left intentionally blank, signatures to follow]

PROPOSED ABATEMENT SCHEDULE
Roche Diagnostics Operations Inc.
REAL PROPERTY TAX ABATEMENT

YEAR OF DEDUCTION	PERCENTAGE
1 st	75%
2 nd	75%
3 rd	75%
4 th	75%
5 th	75%
6 th	75%
7 th	75%
8 th	75%
9 th	75%
10 th	75%

METROPOLITAN DEVELOPMENT COMMISSION

 John J. Dillion III, President

 Date

Approved as to Legal Form
 and Adequacy this day
 of July 2025.

Sheila Kinney 7/30/2025
 Sheila Kinney,
 Assistant Corporation Counsel

STAFF ANALYSIS
REAL PROPERTY TAX ABATEMENT

Area Surrounding Subject Real Estate: The site is located on the northeast side of Indianapolis in Lawrence Township, just south of 96th Street and on the east side of Hague Road.

Current Zoning:.....C-3

New Jobs Created:650 at \$35/hr.

Jobs Retained:2634 at \$42/hr.

Estimated Cost of proposed project: \$145,000,000.00

STAFF ANALYSIS

Founded in 1896 in Basel, Switzerland, Roche is the world's largest biotechnology company and a global leader in in-vitro diagnostics. Its Indianapolis campus, home to over 2,600 employees, serves as the North American headquarters for Roche Diagnostics and plays a critical role in global research, manufacturing, and distribution. The site is one of only two global distribution hubs and currently produces more than 5 billion Accu-Chek diabetes test strips annually. Roche has pioneered diagnostics solutions for cancer, cardiac health, infectious diseases, women's health, and diabetes management.

Roche Diagnostics has announced a \$550 million expansion of its Indianapolis campus, transforming the site into a global manufacturing hub for its next-generation continuous glucose monitoring (CGM) systems, including the Accu-Chek Smart Guide. The investment includes \$120 million for new construction, \$25 million to upgrade existing facilities, and \$405 million for advanced machinery and equipment to support key product lines. Production of CGM systems is expected to begin within three years, solidifying Indianapolis's role as a cornerstone of Roche's innovation and global supply chain.

The expansion will create approximately 650 new jobs, primarily in advanced manufacturing and laboratory roles, with starting wages of \$35 per hour. Roche will also retain its more than 2,600 existing employees, whose average wage is \$42+ per hour. As part of its commitment to the city's broad base economic growth, Roche will contribute 5% of its tax savings to the Indy Achieves Completion Grant program to support local workforce development and education.

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

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

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

TOTALITY OF BENEFITS**PETITIONER:****Roche Diagnostics Operations, Inc.****INVESTMENT:**

Staff estimates that the proposed investment of \$145,000,000.00 should result in an increase to the tax base of approximately \$110,305,200.00 of assessed value. Staff estimates that over the ten (10) year real property tax abatement period the petitioner will realize savings of approximately \$18,301,725.00 (a 75% savings). During the abatement period, the petitioner is expected to pay an estimated \$6,100,0575.00 in real property taxes relative to the new investment. This is in addition to the current taxes being paid on the properties in the amount of \$1,550,646.88 annually (pay 2025 taxes). After the tax abatement expires, the petitioner can be expected to pay an estimated \$2,440,230.00 in real property taxes annually on the new improvements, in addition to the annual taxes attributable to the current value of the land.

EMPLOYMENT:

The petitioner estimates that this project will retain two-thousand sixty-hundred and thirty-four (2,634) positions with an average wage of \$42-\$52/hr. and create a minimum of six-hundred and fifty (650) positions at an average wage of not less than \$35/hr. Staff finds these figures to be reasonable for a project of this nature.

OTHER BENEFITS:

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

STAFF COMMENT:

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

PROJECT SUMMARY

Factual Information

<u>Applicant:</u>	Roche Diagnostics Operations, Inc.
<u>Subject Real Estate:</u>	9115 Hague Road
<u>Lawrence Township Parcel Numbers:</u>	4001191, 4002962, 4017684, 4018101, 4018102, 4018726, 4019148, 4019149, 4019352, 4019586, 4020733, 4020734, 4021980, 4023431, 4023432, 4025698, 4026615, 4026616, 4026932, and 4045149.

PROJECT DESCRIPTION

Roche Diagnostics Operations, Inc. is investing up to \$550 million to expand its diagnostics campus on Indianapolis NE side by 2030, establishing itself as a global hub for the manufacturing of continuous glucose monitoring (CGM) systems, including the Accu-Chek SmartGuide. The Indianapolis site currently serves as Roche Diagnostics' North American headquarters and is one of only two global distribution hubs.

The expansion includes \$120 million for new construction, \$25 million to upgrade existing facilities, and \$405 million for advanced machinery and equipment to support key product lines. This investment is aimed at strengthening U.S. production capabilities and improving access to diabetes management tools.

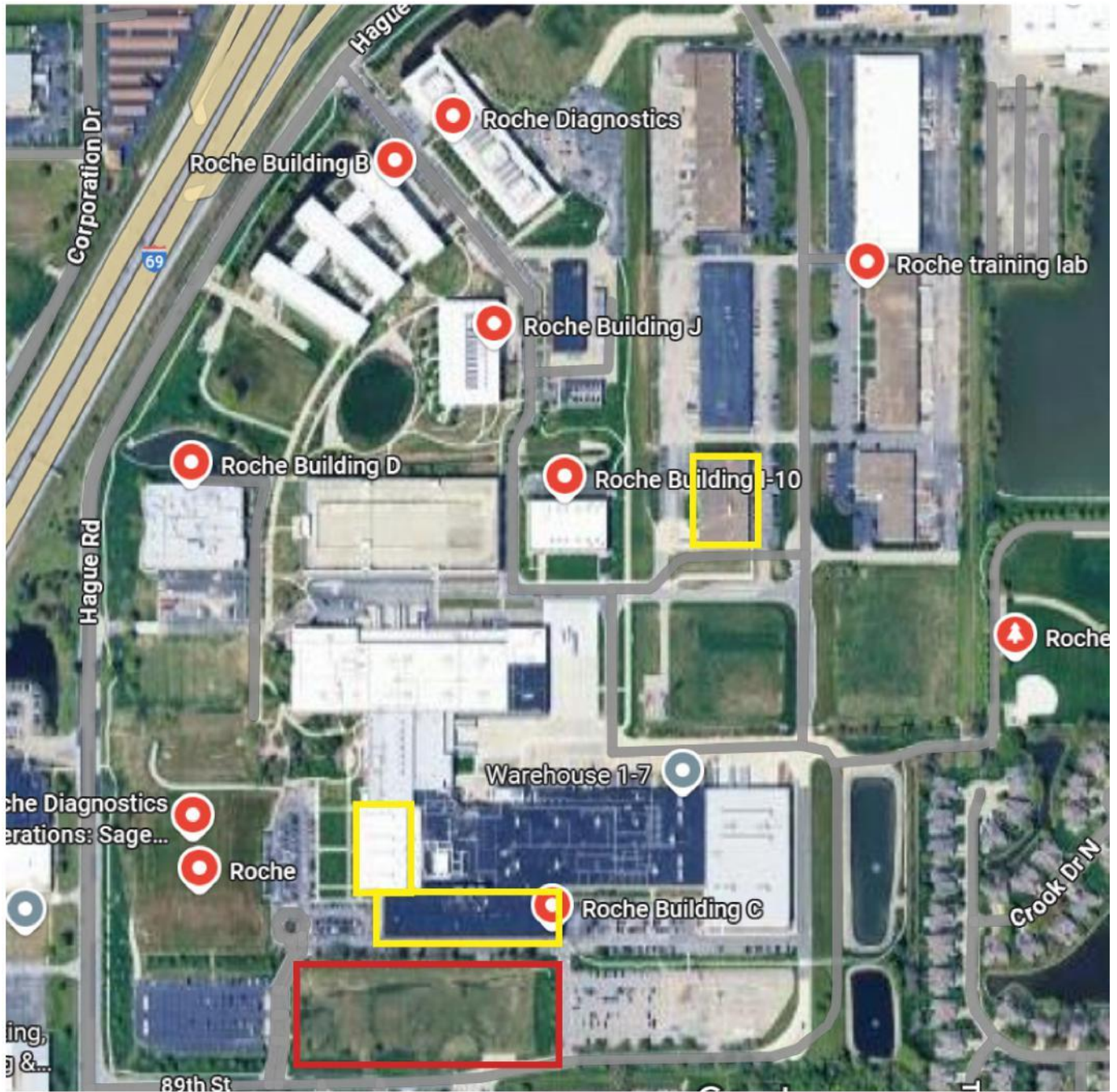
The project is expected to create approximately 650 new jobs—primarily in advanced manufacturing and laboratory positions with an average salary of \$35/hr. with a significant portion dedicated to Marion County residents. The company will retain over 2600 jobs with an average wage of \$42/hr. 5% of tax savings will be donated in support of the Indy Achieves Completion grant.

<u>New Jobs Created:</u>	650 at \$42.00/hr.
<u>Jobs Retained:</u>	2,634 at \$42.00/hr.
<u>Estimated Cost of Project:</u>	\$145,000,000.00

<u>RECOMMENDATION:</u>	Staff recommends approval of ten (10) years real property tax abatement.
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Roche Diagnostics Operations, Inc
9115 Hague Rd

Site Plan - Exhibit A



The yellow outlines identify the buildings that are part of a \$25,000,000 investment in renovations to commence in Year 2 of the project timeline.

The red outline identifies a currently vacant parcel along 89th St where the company plans to invest an estimated \$110,000,000 for the construction of a new, modular building to begin in Year 3 of the project timeline.

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

Resolution No. 2025-A-030

PERSONAL PROPERTY TAX ABATEMENT

Roche Diagnostics Operations, Inc.
9115 Hague Road

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

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

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

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

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

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

WHEREAS, during a preliminary hearing at 1:00 p.m. on Wednesday, **June 2, 2025**, the Commission received evidence about whether the Subject Real Estate should be designated as an Economic Revitalization Area and the Commission adopted **Preliminary Resolution No. 2025-A-027 ("Preliminary Resolution")**, preliminarily designating the Subject Real Estate as an Economic Revitalization Area, and subject to the adoption of a confirming resolution by the Commission and subject to limiting conditions, and it fixed 1:00 p.m. on Wednesday, **August 20, 2025**, in the Public Assembly Room of the City-County Building for the public hearing

of remonstrances and objections from persons interested in whether the Subject Real Estate should be designated as an Economic Revitalization Area to allow for the installation of the Specified New Equipment; and

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

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

WHEREAS, the City-County Council, on **August 11, 2025**, adopted a resolution approving the Applicant's Statement of Benefits associated with the Project; and

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

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

NOW, THEREFORE, IT IS RESOLVED:

1. The Commission now confirms, adopts, amends, and approves such Preliminary Resolution and thereby designates, finds, and establishes the Subject Real Estate to be an Economic Revitalization Area. This designation is subject to the conditions that designation allows abatement of property taxes only relative to the installation of the Specified New Equipment on the Subject Real Estate. However, on the written request of the Applicant, the Director of the Department of Metropolitan Development is allowed to authorize in writing, substitutions, modifications, and additions which are not substantial in nature to the Specified New Equipment, prior to March 1 of the year in which the initial certified deduction application for the Specified New Equipment is filed with the County Assessor.
2. **The Economic Revitalization Area designation terminates December 31, 2031. Accordingly, partial abatement of property taxes is allowed relative to Specified New Equipment installed and in operation on the Subject Real Estate during the period from August 20, 2025, to December 31, 2031.** However, termination of this designation does not limit the time the Applicant or successor owner is entitled to receive a partial abatement of property taxes, relative to Specified New Equipment installed on the Subject Real Estate before termination of such designation, to a period of less than ten (10) years.
3. The partial abatement of property taxes attributable to the installation of the Specified New Equipment is subject to limitations contained in I.C. 6-1.1-12.1-4.5 (c) and (d).
4. This Economic Revitalization Area designation is limited to allowing partial abatement of property taxes attributable to the installation of the Specified New Equipment on the Subject Real Estate and does not allow the abatement of real property taxes attributable to redevelopment or rehabilitation activities under I.C. 6-1.1-12.1-3. Pursuant to IC 6-1.1-12.1-2 (i), the Commission hereby limits the dollar amount of the deduction that will be allowed, with respect to installation of specified new equipment in the ERA, to those respective tax savings attributable to an equipment investment of not greater than \$405,000,000.00.

5. The Commission has determined that the Project can reasonably be expected to yield the benefits identified in the attached personal property statement of benefits (the "Statement of Benefits") and that the Statement of Benefits is sufficient to justify the partial abatement of property taxes requested, based on the following findings:
 - A. The estimate of the cost of the Specified New Equipment is reasonable for equipment of that type.
 - B. The estimate of the number of individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed installation of the Specified New Equipment.
 - C. The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed installation of the Specified New Equipment.
 - D. Other benefits about which information was requested are benefits which can reasonably be expected to result from the proposed installation of the Specified New Equipment.
 - E. The "Totality of Benefits" is sufficient to justify the deduction.
6. Under the authority of I.C. 6-1.1-12.1, the Commission directs the Department of Metropolitan Development to survey projects receiving Economic Revitalization Area designation for compliance with job creation/retention figures, salaries associated with these figures and investment figures contained in the Applicant's approved Final Economic Revitalization Area Resolution, the Memorandum of Agreement executed by and between the Applicant and the City, and/or the Statement of Benefits form. The Commission may reduce the dollar amount, or rescind the deduction in its entirety, and/or require repayment of all or a portion of the deductions received by the applicant for failure to achieve the benefits identified in the attached Memorandum of Agreement and/or "Statement of Benefits" or failure to respond to the mandatory survey.
7. The Commission directs the Department of Metropolitan Development to survey the Project described in the attachment to this resolution annually for not less than eight (8) years. The dates of the initial eight (8) surveys shall be on or about the following dates: **2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, and 2039.**
8. The Statement of Benefits is approved, and the Subject Real Estate area and Applicant's Specified New Equipment are approved for an abatement deduction period of **ten (10) years.**
9. The ten (10) year personal property tax abatement shall utilize the following deduction schedule:

YEAR OF DEDUCTION	PERCENTAGE
1 st	75%
2 nd	75%
3 rd	75%
4 th	75%
5 th	75%
6 th	75%
7 th	75%
8 th	75%
9 th	75%

10 th	75%
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10. A copy of this Resolution shall be filed with the Marion County Auditor.

METROPOLITAN DEVELOPMENT COMMISSION

John J. Dillon III, President

Date

Approved as to Legal Form
and Adequacy this _____ day
of July 2025.

Sheila Kinney 7/30/2025
Sheila Kinney,
Asst. Corporation Counsel

STAFF COMMENT
PERSONAL PROPERTY TAX ABATEMENT

Street Address:9115 Hague Road

Qualified New Jobs Created: 650 at \$35.00/hr.

Qualified Jobs Retained: 2634 at \$42.00/hr.

Estimated Cost of Equipment: \$405,000,000.00

STAFF ANALYSIS

Founded in 1896 in Basel, Switzerland, Roche is the world's largest biotechnology company and a global leader in in-vitro diagnostics. Its Indianapolis campus, home to over 2,600 employees, serves as the North American headquarters for Roche Diagnostics and plays a critical role in global research, manufacturing, and distribution. The site is one of only two global distribution hubs and currently produces more than 5 billion Accu-Chek diabetes test strips annually. Roche has pioneered diagnostics solutions for cancer, cardiac health, infectious diseases, women's health, and diabetes management.

Roche Diagnostics has announced a \$550 million expansion of its Indianapolis campus, transforming the site into a global manufacturing hub for its next-generation continuous glucose monitoring (CGM) systems, including the Accu-Chek Smart Guide. The investment includes \$120 million for new construction, \$25 million to upgrade existing facilities, and \$405 million for advanced machinery and equipment to support key product lines. Production of CGM systems is expected to begin within three years, solidifying Indianapolis's role as a cornerstone of Roche's innovation and global supply chain.

The expansion will create approximately 650 new jobs, primarily in advanced manufacturing and laboratory roles, with starting wages of \$35 per hour. Roche will also retain its more than 2,600 existing employees, whose average wage is \$42+ per hour. As part of its commitment to the city's broad base economic growth, Roche will contribute 5% of its tax savings to the Indy Achieves Completion Grant program to support local workforce development and education.

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

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

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

TOTALITY OF BENEFITS

PETITIONER: Roche Diagnostics Operations Inc.

INVESTMENT: Staff estimates that the proposed investment of \$405,000,000.00 should result in an increase to the tax base of approximately \$162,000,000.00 of assessed value in the first year of operation. Staff estimates that over the ten (10) year personal property tax abatement period the petitioner will realize savings of approximately \$26,607,892.50 (a 75% savings). During the abatement period, the petitioner is expected to pay an estimated \$8,869,297.50 in personal property taxes related to the new equipment. After the tax abatement expires, the petitioner can be expected to pay an estimated \$3,040,902.00 in personal property taxes annually related to the new equipment.

EMPLOYMENT: The petitioner estimates that this project will retain two-thousand sixty-hundred and thirty-four (2,634) positions with an average wage of \$42-\$52/hr. and create a minimum of six-hundred and fifty (650) positions at an average -wage of not less than \$35/hr. Staff finds these figures to be reasonable for a project of this nature.

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

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

PROJECT SUMMARY

Applicant: Roche Diagnostics Operations Inc.

Subject Real Estate: 9115 Hague Road

Lawrence Township Parcel Number: 4001191, 4002962, 4017684, 4018101, 4018102, 4018726, 4019148, 4019149, 4019352, 4019586, 4020733, 4020734, 4021980, 4023431, 4023432, 4025698, 4026615, 4026616, 4026932, and 4045149.

PROJECT DESCRIPTION

Roche Diagnostics Operations, Inc. is investing up to \$550 million to expand its diagnostics campus on Indianapolis NE side by 2030, establishing itself as a global hub for the manufacturing of continuous glucose monitoring (CGM) systems, including the Accu-Chek SmartGuide. The Indianapolis site currently serves as Roche Diagnostics' North American headquarters and is one of only two global distribution hubs.

The expansion includes \$120 million for new construction, \$25 million to upgrade existing facilities, and \$405 million for advanced machinery and equipment to support key product lines. This investment is aimed at strengthening U.S. production capabilities and improving access to diabetes management tools.

The project is expected to create approximately 650 new jobs—primarily in advanced manufacturing and laboratory positions with an average salary of \$35/hr. with a significant portion dedicated to Marion County residents. The company will retain over 2600 jobs with an average wage of \$42+/hr. 5% of tax savings will be donated in support of the Indy Achieves Completion grant.

New Jobs Created: 650 at \$35.00/hr.

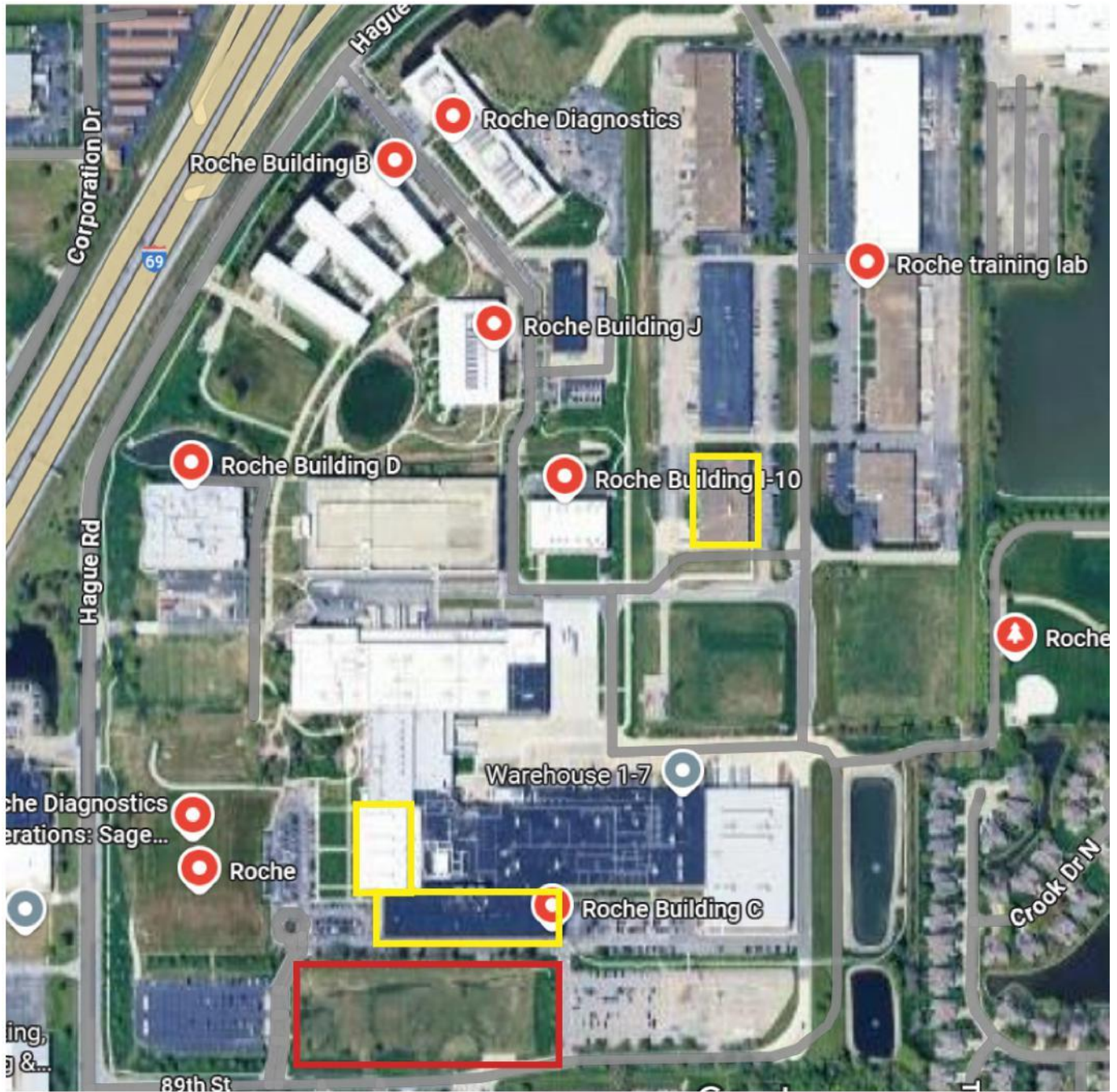
Job Retained: 2634 at \$42.00/hr.

Estimated Cost of Project: \$405,000,000.00

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

Roche Diagnostics Operations, Inc
9115 Hague Rd

Site Plan - Exhibit A



The yellow outlines identify the buildings that are part of a \$25,000,000 investment in renovations to commence in Year 2 of the project timeline.

The red outline identifies a currently vacant parcel along 89th St where the company plans to invest an estimated \$110,000,000 for the construction of a new, modular building to begin in Year 3 of the project timeline.

METROPOLITAN DEVELOPMENT COMMISSION OF

MARION COUNTY, INDIANA

PRELIMINARY ECONOMIC REVITALIZATION AREA RESOLUTION

Resolution No. 2025-A-031

PERSONAL PROPERTY TAX ABATEMENT

Romet (US) Inc.

8517 W Washington Street

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

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

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

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

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

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

WHEREAS, during a hearing at 1:00 p.m. on Wednesday, August 20, 2025, the Commission received evidence about whether the Subject Real Estate should be designated as an Economic Revitalization Area and sufficient evidence was provided which tended to establish Assertions 1, 2, 3, 4, 5 and 6 stated on the attachment to this Resolution.

NOW, THEREFORE, BE IT RESOLVED:

1. The Subject Real Estate is preliminarily designated as an Economic Revitalization Area for an abatement period of five (5) years with a proposed abatement schedule as shown on the attachment to this Preliminary Resolution. Final designation as an Economic Revitalization Area does not occur unless a resolution confirming this Preliminary Resolution is adopted in accordance with the governing statute.
2. Designation as an Economic Revitalization Area allows a partial abatement of property taxes only relative to Specified New Equipment. However, on the written request of the Applicant, the Director of the Department of Metropolitan Development is allowed to authorize in writing, substitutions, modifications, and additions which are not substantial in nature to the specified New Equipment, prior to March 1 of the year in which the initial certified deduction application for new equipment is filed with the Indiana Department of Local Government Finance.
3. **The Economic Revitalization Area designation terminates December 31, 2029. Accordingly, partial abatement of property taxes is allowed relative to Specified New Equipment installed and in operation on the Subject Real Estate during the period August 20, 2025, to December 31, 2029.** However, termination of this designation does not limit the time the Applicant or successor owner is entitled to receive a partial abatement of property taxes, relative to Specified New Equipment installed on the subject real estate before termination of such designation, to a period of less than five (5) years. Pursuant to IC 6-1.1-12.1-2 (i), the Commission hereby limits the dollar amount of the deduction that will be allowed, with respect to installation of specified new equipment in the ERA, to those respective tax savings attributable to an equipment investment of not greater than \$4,250,000.00.
4. The partial abatement of property taxes attributable to the installation of Specified New Equipment is subject to limitations contained in I.C. 6-1.1-12.1-4.5 (c) and (d).
5. This Economic Revitalization Area designation is limited to allowing partial abatement of property taxes attributable to the installation of the Specified New Equipment on the Subject Real Estate and does not allow the abatement of real property taxes attributable to redevelopment or rehabilitation activities under I.C. 6-1.1-12.1-3.
6. Under the authority of I.C. 6-1.1-12.1, the Commission directs the Department of Metropolitan Development to survey projects receiving Economic Revitalization Area designation for compliance with job creation/retention figures, salaries associated with these figures and investment figures contained in the applicant's approved statement of benefits form. The annual date of survey shall be contained in a final resolution designating the property as an Economic Revitalization Area.
7. The Commission fixes 1:00 p.m. on Wednesday October 1, 2025, in the Public Assembly Room of the City-County Building for the public hearing of remonstrances and objections from persons interested in the Project and directs the publication of notice of public hearing in accordance with the governing statute. At this hearing, the Commission will take action relative to this Preliminary Resolution and determine whether the Subject Real Estate should be designated as an Economic Revitalization Area and fix the length of the abatement period at five (5) years.
8. A copy of this Resolution shall be filed with the Marion County Assessor.

METROPOLITAN DEVELOPMENT COMMISSION

John J. Dillon III, President

Date

Approved as to Legal Form
and Adequacy this day
of July 2025.

Sheila Kinney 7/30/2025

Sheila Kinney
Asst Corporation Counsel

ATTACHMENT TO

METROPOLITAN DEVELOPMENT COMMISSION RESOLUTION

PERSONAL PROPERTY TAX ABATEMENT

FACTUAL INFORMATION

Applicant: Romet (US) Inc. – Project Romeo

Subject Real Estate: 8517 W Washington Street

Pike Township Parcel Number: #9006277

PROJECT DESCRIPTION

Project Romeo is Romet (US) Inc.’s first U.S.-based manufacturing and assembly operation, representing a major step in the company’s North American expansion strategy. The company plans to invest approximately \$4.2 million in personal property to equip and launch operations at 8517 W. Washington Street in Indianapolis, Wayne Township. The new facility will support light manufacturing and advanced assembly of precision gas metering technologies.

The project will commence in Q1 of 2026 and conclude in Q4 of 2029. It is expected to create 80 high-wage jobs, with an average hourly wage of \$36.00. Romet is committed to providing opportunities that reach a broad segment of the local workforce and plans to work with community and workforce development partners to connect individuals to training and employment pathways. The company aims to support job access and economic growth throughout the region by prioritizing local hiring and long-term career development, with 5% of tax savings dedicated to these initiatives.

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

4. The facility meets the appropriate requirements:

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

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

B. of a new facility, and

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

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

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

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

PROPOSED ABATEMENT SCHEDULE
Romet (US) Inc. – Project Romeo
PERSONAL PROPERTY TAX ABATEMENT

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

STAFF COMMENT
PERSONAL PROPERTY TAX ABATEMENT

Street Address:..... 8517 W Washington Street

New Jobs Created..... 80

Jobs Retained: None.

Estimated Cost of Equipment: \$4,200,000.00

STAFF ANALYSIS

Romet (US) Inc., a subsidiary of Romet Limited headquartered in Ontario, Canada, is a global leader in advanced measurement and monitoring solutions for natural gas utilities. Since its founding in 1972, Romet has built a strong reputation for precision engineering, offering rotary gas meters, electronic volume instrumentation, and integrated data management tools that help utilities monitor consumption, improve reliability, and support energy transition efforts. The company's commitment to sustainability and innovation has positioned it as a key partner to utility providers worldwide, including markets across North America, Europe, and Asia.

Romet's products are known for their accuracy, reliability, and seamless integration with smart metering systems—key components of modern utility infrastructure. Through ISO-certified manufacturing and ongoing investment in technology, Romet supports utility companies in meeting evolving regulatory requirements and environmental goals. Its leadership in helping utilities optimize infrastructure and modernize their grid operations has established Romet as an industry benchmark in natural gas metering and instrumentation.

Project Romeo represents a major milestone in Romet's growth strategy, marking the company's first U.S.-based manufacturing and assembly operation. With an investment of approximately \$7 million in real property and \$2.4 million in equipment and setup, Romet plans to establish operations at 8517 W. Washington Street in Indianapolis. The new facility will support light manufacturing and advanced assembly functions, with potential for future R&D expansion. The project is expected to create 80 high-wage jobs, averaging \$36 per hour, and will strengthen Romet's supply chain responsiveness to U.S. customers. Indianapolis was chosen due to its central location, strong logistics network, and access to a skilled workforce. Final site selection will depend on workforce availability, cost structures, regulatory factors, and the strength of local economic development incentives.

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

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

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

TOTALITY OF BENEFITS

<u>PETITIONER:</u>	Romet (US) Inc. – Project Romeo
<u>INVESTMENT:</u>	Staff estimates that the proposed investment of \$4,200,000.00 should result in an increase to the tax base of approximately \$1,680,000.00 of assessed value in the first year of operation. Staff estimates that over the five (5) year personal property tax abatement period the petitioner will realize savings of approximately \$154,953.93 (a 55.1% savings). During the abatement period, the petitioner is expected to pay an estimated \$126,446.07 in personal property taxes related to the new equipment. After the tax abatement expires, the petitioner can be expected to pay an estimated \$42,210.00 in personal property taxes annually related to the new equipment.
<u>EMPLOYMENT:</u>	The petitioner estimates that this project will create eighty (80) new positions at an average wage of \$36.00/hr. Staff finds these figures to be reasonable for a project of this nature.
<u>OTHER BENEFITS:</u>	Staff believes this project is significant for Wayne Township in terms of new taxes and potential job creation and retention. Furthermore, staff believes the petitioner's project will lead to continued future investment in Marion County.
<u>STAFF COMMENT:</u>	Staff believes the "Totality of Benefits" arising from the project are sufficient to justify the granting of the tax abatement.

METROPOLITAN DEVELOPMENT COMMISSION OF

MARION COUNTY, INDIANA

PRELIMINARY ECONOMIC REVITALIZATION AREA RESOLUTION

Resolution No. 2025-A-032

REAL PROPERTY TAX ABATEMENT

Deep Meadow Ventures LLC

3043 S Post Road Indianapolis, IN 46239

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

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

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

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

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

WHEREAS, during a hearing at 1:00 p.m. on Wednesday, **August 20, 2025**, the Commission received evidence about whether the Subject Real Estate should be designated as an Economic Revitalization Area, and sufficient evidence was provided which established Assertion 1 and some evidence was provided which tended to establish Assertions 2, 3, 4, 5, and 6 stated on the attachment to this Resolution.

NOW, THEREFORE, BE IT RESOLVED:

1. The Subject Real Estate is preliminarily designated as an Economic Revitalization Area for a period of up to forty-two years (42) years with a proposed abatement schedule as shown on the attachment to this

Preliminary Resolution. Final designation as an Economic Revitalization Area does not occur unless a resolution confirming this Preliminary Resolution is adopted in accordance with the governing statute.

2. Designation as an Economic Revitalization Area allows abatement of property taxes, for the period indicated, only relative to the Project and **the effectiveness of the designation can be terminated by action of the Commission if:**
 - A. Construction on the Subject Real Estate is not in substantial conformance with the Project description contained in a final resolution as supplemented by information in the application, site plans, and elevations; or
 - B. Construction of the Project is not initiated within one (1) year of the date a final resolution designating the Subject Real Estate as an Economic Revitalization Area is adopted.
3. In the event the investment period, as identified on the Statement of Benefits form, covers more than one assessment cycle, it is the intention of the Commission that Marion County Auditor shall treat each year of partial assessment as the first year of the abatement deduction schedule outlined in this abatement resolution. Each new increment of assessment that occurs during the approved investment period will trigger its own deduction schedule, ensuring that the Applicant is eligible to receive the full, intended abatement savings associated with its forecasted investment, provided that the Applicant timely files with Marion County a separate deduction application (State Forms CF-1 and 322/RE) for each new increment of assessment for which it seeks an abatement deduction.
4. The Economic Revitalization Area designation terminates forty-two (42) years after the date a final resolution is adopted. Any redevelopment or rehabilitation completed before the end of the forty-two (42) year period shall receive an abatement of property taxes to a period of up to ten (10) years; provided however, no abatement of property taxes shall be received after the termination of the designation of the Economic Revitalization Area.
5. This Economic Revitalization Area designation is limited to allowing the abatement of property taxes attributable to redevelopment or rehabilitation activities: **This designation does not allow abatement of property taxes for new manufacturing equipment pursuant to I.C. 6-1.1-12.1-4.5.** The Commission does not limit the dollar amount of the deduction that will be allowed, with respect to redevelopment in the Economic Revitalization Area.
6. Under the authority of I.C. 6-1.1-12.1, the Commission directs the Department of Metropolitan Development to survey projects receiving Economic Revitalization Area designation for compliance with job creation/retention figures, salaries associated with these figures and investment figures contained in the Applicant's approved statement of benefits form. The annual date of survey shall be contained in a final resolution designating the property as an Economic Revitalization Area.
7. The Commission fixes 1:00 p.m. on Wednesday, **October 1, 2025**, in the Public Assembly Room of the City-County Building for the public hearing of remonstrances and objections from persons interested in the Project and directs the publication of notice of public hearing in accordance with the governing statute. At this hearing, the Commission will take action relative to this Preliminary Resolution and determine whether the Subject Real Estate should be designated as an Economic Revitalization Area, fix the length of the abatement period at up to forty-two (42) years and establish an abatement schedule.
8. A copy of this Resolution shall be filed with the Marion County Assessor.

METROPOLITAN DEVELOPMENT COMMISSION

John J. Dillon III, President

Date

Drafted this 13th day
of August 2025

Richard J. Hall
Barnes & Thornburg LLP

ATTACHMENT TO
METROPOLITAN DEVELOPMENT COMMISSION RESOLUTION
REAL PROPERTY TAX ABATEMENT

FACTUAL INFORMATION

Applicant: **Richard Hall, Barnes & Thornburg LLP**

Company Name: **Deep Meadow Ventures LLC**

Subject Real Estate: **Industrial** Project Address: **3043 S Post Rd, Indianapolis, IN 46239**

Franklin Township Parcel Numbers:

- **49-09-29-116-003.000-300**
- **49-09-29-108-001.000-300**
- **49-09-29-101-001.000-300**
- **49-09-29-110-001.000-300**
- **49-09-29-104-001.000-300**
- **49-09-29-115-001.000-300**
- **49-09-29-117-001.000-300**
- **49-09-29-105-001.000-300**
- **49-09-29-102-001.000-300**
- **49-09-29-106-001.000-300**
- **49-09-29-107-002.000-300**
- **49-09-29-109-001.000-300**
- **49-09-20-105-003.000-700**
- **49-09-20-105-002.000-700**
- **49-09-20-105-001.000-700**
- **49-09-20-103-007.000-700**
- **49-09-29-107-003.000-300**

(List all parcel numbers associated with requested abatement)

PROJECT DESCRIPTION

The Company is a Fortune 100 Technology Company Headquartered in the U.S.

The proposed project would involve the construction and operation of one or more data center buildings and accessory uses, including but not limited to office space, warehousing for data center (s) and accessory use equipment and materials only, storage in bulk and other buildings ancillary to the data center(s) use. The first building will include an investment of approximately \$314 million of real property investment by December 31, 2030. The applicant's investment at the site will create, over five years, at least 50 new full-time jobs with minimum annual salaries of the greater of \$100,000 (including wages and benefits) and 125% of the average wage in Marion County.

The application is being submitted as a portion of a potential multi-building campus located in the Indianapolis area. The description of the project above reflects the estimated total investment to be made by the Company, including its affiliates and development partners, in the first data center building. The Company may construct additional data center buildings, each of which would receive a 50% abatement for ten years.

FACTUAL ASSERTIONS : *(check all that apply)*

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

- B. — Located in an allocation area, but has been determined by the Commission to be acceptable for real property tax abatement.

PROPOSED ABATEMENT SCHEDULE
REAL PROPERTY TAX ABATEMENT

YEAR OF DEDUCTION	PERCENTAGE
1 st	50%
2 nd	50%
3 rd	50%
4 th	50%
5 th	50%
6 th	50%
7 th	50%
8 th	50%
9 th	50%
10 th	50%

STAFF ANALYSIS
REAL PROPERTY TAX ABATEMENT

Area Surrounding Subject Real Estate: The site is located 3043 South Post Road, in Franklin Township.

Current Zoning: D-A, C-4, SU-43

New Jobs Created: 50 with annual compensation of at least the greater of the amount of \$100,000 (including wages and benefits) or 125% of the average wage in Marion County.

Jobs Retained: Not applicable.

Estimated Cost of proposed project: \$314,000,000.00

STAFF ANALYSIS

The Company is a Fortune 100 Technology Company Headquartered in the U.S.

The proposed project would involve the construction and operation of one or more data center buildings and accessory uses, including but not limited to office space, warehousing for data center (s) and accessory use equipment and materials only, storage in bulk and other buildings ancillary to the data center(s) use. The first building will include an investment of approximately \$314 million of real property investment by December 31, 2030. The applicant's investment at the site will create, over five years, at least 50 new full-time jobs with minimum annual salaries of the greater of \$100,000 (including wages and benefits) and 125% of the average wage in Marion County.

The application is being submitted as a portion of a potential multi-building campus located in the Indianapolis area. The description of the project above reflects the estimated total investment to be made by the Company, including its affiliates and development partners, in the first data center building. The Company may construct additional data center buildings, each of which would receive a 50% abatement for ten years.

The applicant is requesting tax abatement to assist in off-setting the high costs of investment associated with this proposed project. The granting of property tax abatement will assist the petitioner in making this project more economically feasible by reducing the increased tax liability resulting from the investments. In staff's opinion, a project such as this would not be economically feasible without the tax abatement incentive. Staff believes that the use of tax abatement is an appropriate tool to assist with this project and will set incentivize the applicant to to invest in not only the first data center building, but also additional data center buildings. As a result the use of the site as a data center will provide benefits that exceed alternative uses for the site.

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

RECOMMENDATION: Staff recommends approval of ten (10) years real property tax abatement for each data center building, commencing with the applicant's submission of its certificate of completion pursuant to Section 536-301 of the Revised Code of the Consolidated City and County.

TOTALITY OF BENEFITS

PETITIONER: Deep Meadow Ventures LLC

INVESTMENT: Petitioner commits to pay not less than \$1M per year in property taxes (the “Minimum Real Property Tax Payment”), for 40 years, commencing from the first date of occupancy of the first data center building.

To the extent that property taxes paid in a year by the Petitioner is less than the Minimum Real Property Tax Payment, the Petitioner will make a supplemental payment (the “Supplemental Payment”) equal to the difference between the Minimum Real Property Tax Payment and the property taxes paid by the Petitioner.

During the first five years commencing with the date of occupancy of the first data center building, the Supplemental Payment shall be in an amount not less than \$730,000. The site of the project is not currently in a tax increment finance (TIF) area; provided however, if the site is located in a TIF area in the future, then the Petitioner shall have no obligation to make a Supplemental Payment larger than the difference between \$1M and the property taxes paid by the Petitioner.

The Minimum Real Property Tax Payment and Supplemental Payment exceed the amount of real property tax that is estimated to otherwise be paid on the first data center building. Staff estimates that the proposed investment of \$314,000,000.00 should result in an increase to the tax base of approximately \$21,000,000.00 of assessed value. Staff estimates that over the ten (10) year real property tax abatement period the petitioner will realize savings of approximately \$2,699,030.00 (a 50% savings). During the abatement period, the petitioner is expected to pay an estimated \$2,699,030.00 in real property taxes relative to the new investment. This is in addition to the current taxes being paid on the properties.. After the tax abatement expires, the petitioner can be expected to pay an estimated \$539,826.00 in real property taxes annually on the new improvements, in addition to the annual taxes attributable to the current value of the land. These projected tax payments on the first data center building during and after the abatement period are less than \$1,000,000, and as a result it is anticipated that a Minimum Real Property Tax Payment and Supplemental Payment will be made. If additional data buildings are constructed, then the \$1,000,000 threshold may be exceeded, negating the need for Minimum Real Property Tax Payment and Supplemental Payment.

EMPLOYMENT: The petitioner estimates that this project will create at least fifty (50) at an annual average compensation of not less than the greater of \$100,000 (including wages and benefits) or 125% of the average wage in Marion County. The petitioner estimates that the jobs will be created as follows: Year 1 – 3 jobs, Year 2 – 10 jobs, Year 3 – 11 jobs, Year 4 – 9 jobs, and Year 5 – 17 jobs.

Staff finds these figures to be reasonable for a project of this nature.

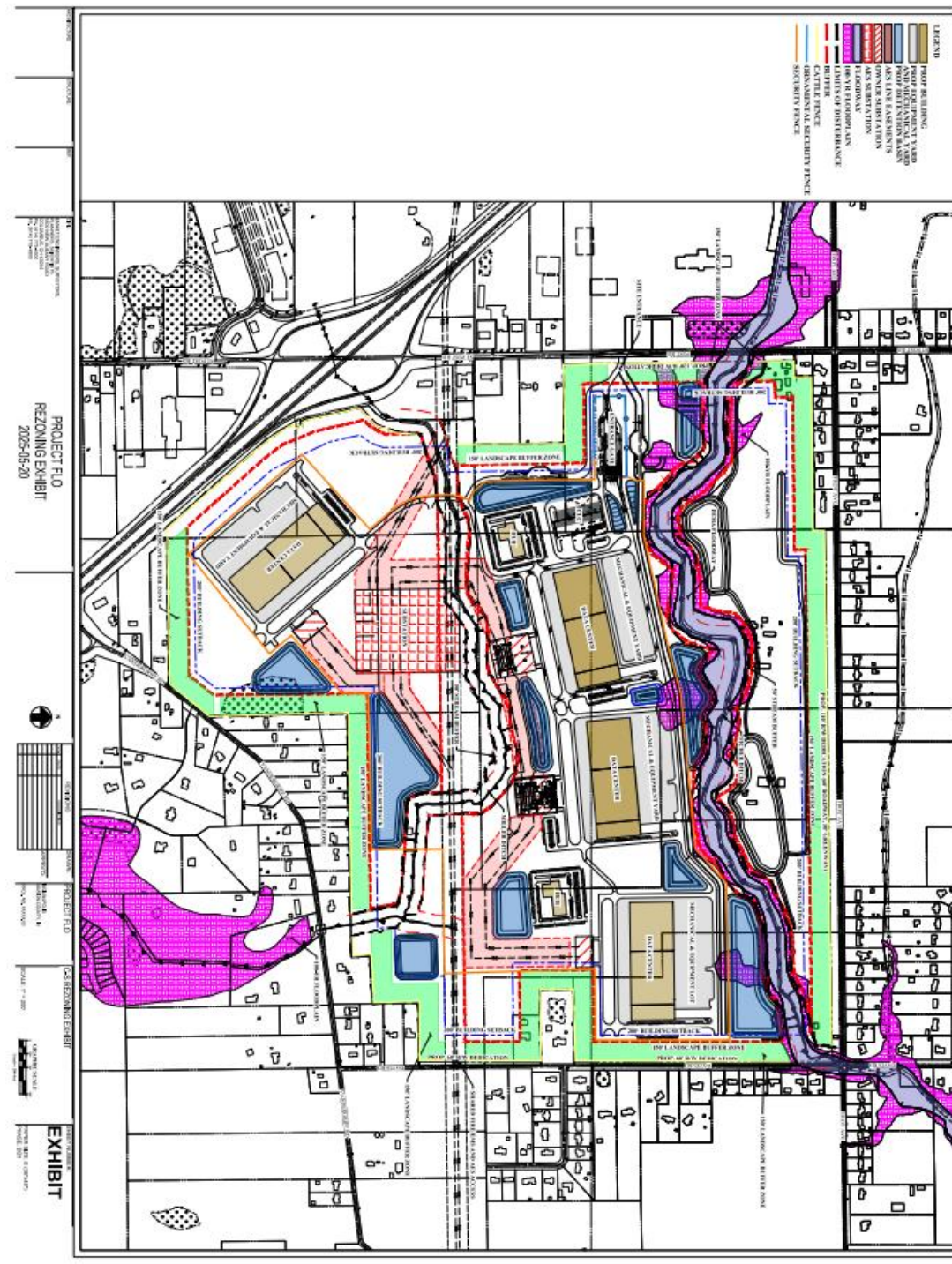
OTHER BENEFITS:

Staff believes this project is significant for Franklin Township in terms of applicant's commitment to pay Minimum Taxpayer and Supplemental Payments and create new jobs . Furthermore, staff believes the petitioner's project will lead to continued future investment and development in Marion County.

STAFF COMMENT:

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

Site Plan



Development Services
Quantum Meruit

**METROPOLITAN DEVELOPMENT COMMISSION
MARION COUNTY, INDIANA
RESOLUTION NO. 2025-E-024**

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

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

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

WHEREAS, in order to carry out the duties described in I.C. 36-7-15.1, DMD requires access to professional services on an as-needed, as-assigned basis and engaged GP-CM BOT, LLC to provide development services related to the Indianapolis City Market Whistler Plaza project (“Services”) and

WHEREAS, The original development plans have now changed, but DMD has confirmed that Services were provided, and that payment for Services rendered is now overdue; and


WHEREAS, GP-CM BOT LLC has submitted and confirmed invoices for past Services rendered totaling \$157,471.50; and

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

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

1. The MDC hereby authorizes DMD to pay up to \$157,471.50 to GP-CM BOT LLC in accordance with Corporation Counsel’s direction to the Marion County Auditor.
2. The Director of the Department of Metropolitan Development is hereby authorized and directed to take such further actions and execute such documents as deemed necessary or advisable to effectuate the authorizations set forth in this Resolution.
3. This Resolution shall take effect immediately upon adoption by the Commission.

Approved as to Adequacy & Legal Form



Sheila Kinney, Asst. Corp Counsel

Metropolitan Development Commission

John J. Dillon III, President

Date: 8/14/2025

Date: _____

**METROPOLITAN DEVELOPMENT COMMISSION
MARION COUNTY, INDIANA
RESOLUTION NO. 2025-P-010**

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

WHEREAS, DMD wishes to amend an agreement with Town Planning & Urban Design Collaborative, LLC for planning consulting services regarding an assessment and updates to the existing Regional Center Design Guidelines (“Services”); and

WHEREAS, per RES 2022-P-019, approved on November 2, 2022, MDC entered in to Contract #20108 (“Contract”), including \$400,000 for Services with a term through 9/16/2025, and now desires to extend the Contract through **12/31/2026** and revise Attachment A: Scope of Services and Attachment B: Pricing.

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

1. The MDC hereby authorizes DMD to amend the Contract for professional services with Town Planning & Urban Design Collaborative, LLC, for a term through December 31, 2026, and a revised Attachment A: Scope of Services and Attachment B: Pricing.
2. The Director of the Department of Metropolitan Development is hereby authorized and directed to take such further actions and execute such documents as deemed necessary or advisable to effectuate the authorizations set forth in this Resolution.
3. This Resolution shall take effect immediately upon adoption by the Commission.

Approved as to Adequacy & Legal Form



Sheila Kinney, Asst. Corp Counsel

Metropolitan Development Commission

John J. Dillon III, President

Date: 8/13/2025

Date: _____

METROPOLITAN DEVELOPMENT COMMISSION

August 20, 2025

Case Number: 2025-CZN-814 / 2025-CVR-814

Property Address: 3043, 3451, 3511, and 3801 South Post Road, 9405, 9609, 9611, and 9931 East Troy Avenue, 3430, 3440, and 3610 Davis Road, and 9500 Vandergriff Road (Approximate Addresses)

Location: Franklin Township, Council District #20

Petitioner: Deep Meadow Ventures, LLC, by Joseph D. Calderon

Current Zoning: D-A (FF) (FW), C-4 (FF) (FW), and SU-43 (FF) (FW)

Request: Rezoning of 467.66 acres from the D-A (FF) (FW), C-4 (FF) (FW), and SU-43 (FF) (FW) districts to the C-S (FF) (FW) district for a data center campus development, and uses including light manufacturing, all research and development, utilities, agricultural uses, buildings and structures, as permitted in I-1 and office uses, as permitted in C-1. Permitted accessory uses would include utility structures, such as power substations, water towers, and overhead and underground powerlines and wastewater treatment facilities, outdoor storage, renewable energy facility, satellite dish antenna, signs, and temporary construction yard, office, or equipment storage.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building height of 75 feet (maximum 38-foot building height permitted) and no maximum front yard setback (maximum front yard setback of 85 feet permitted).

Current Land Use: Residential / Agricultural / Undeveloped

Staff Recommendations: Approval with commitments and conditions.

Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

ADDENDUM FOR AUGUST 20, 2025, METROPOLITAN DEVELOPMENT COMMISSION

This petition was continued from the July 16, 2025 hearing to the August 20, 2025 hearing at the request of the petitioner to allow additional time to finalize commitment language and complete additional discussions with remonstrators.

ADDENDUM FOR JULY 16, 2025, METROPOLITAN DEVELOPMENT COMMISSION

This petition was heard by the Hearing Examiner on June 26, 2025. After a full hearing, the Hearing Examiner recommended approval of the request. Subsequently, a remonstrator filed an appeal of the Hearing Examiner's decision. A memorandum of her recommendation is attached.

ADDENDUM FOR JUNE 26, 2025, HEARING EXAMINER

This petition was continued for cause from the June 12, 2025 hearing to the June 26, 2025 hearing at the request of the petitioner's representative and staff to allow the petitioner additional time provide supplementary information for review.

A Traffic Impact study (TIS) was submitted to DPW at the end of day Friday, June 13th. Comments have not been provided by DPW regarding the traffic impact study nor has there been any commitment language drafted regarding the results of the study.

The TIS notes the following recommendations:

Post Road & Site Access:

- o Provide northbound and southbound left-turn lanes. Provide a northbound right-turn lane upon 2031 Construction traffic conditions.
- o The access associated with the proposed development should comply with the City of Indianapolis's construction standards.

Post Road & Commercial Drive:

- o Provide a southbound left-turn lane upon 2033 No Build conditions.

Post Road & I-74 WB Ramp:

- o Provide a northbound left-turn lane upon 2033 No Build conditions.

Post Road & I-74 EB Ramp:

- o Provide a southbound left-turn lane upon 2033 No Build conditions.

Post Road & Atlantis Drive:

- o Provide northbound and southbound left-turn lanes at the intersection upon 2027 No Build conditions. Provide a southbound right-turn lane upon 2027 No Build conditions.

Staff continues to recommend approval of the rezoning and variance requests subject to commitments and conditions as outlined in the June 12, 2025 staff report that follows.

June 12, 2025

This petition was automatically continued from the April 10, 2025 hearing to the May 15, 2025 hearing at the request of a Registered Neighborhood Organization.

The petition was continued for cause from the May 15, 2025 hearing to the June 12, 2025 hearing at the request of staff to allow additional time for the petitioner to submit further information for review.

Staff was informed that the petitioner may intend to request a two-week continuance for cause from the June 12, 2025 hearing to the June 26, 2025 hearing, which staff would support. It is staff's understanding that the Registered Neighborhood Organization who filed the automatic continuance is also in agreement with a continuance. Staff is in agreement with a two-week continuance, but would prefer a continuance to the July 10, 2025 hearing.

STAFF RECOMMENDATION

Staff **recommends approval** of the rezoning subject to the following commitments being reduced to writing on the Commission's Exhibit "B" forms at least three (3) days prior to the MDC hearing:

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

1. A 40-foot half right-of-way shall be dedicated along the frontages of Troy Avenue, Davis Road, and Vandergriff Road 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. A 59.5-foot half right-of-way shall be dedicated along the frontage of Post Road, 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).

Staff **recommends approval** of the rezoning and variances subject to the following conditions:

1. Documentation from AES and Citizens Energy Group shall be provided confirming that the plans and proposed development has been reviewed to determine that they are able to provide the necessary services or that the petitioner will assist to provide improvements to meet the capacity.
2. The Traffic Impact Study shall be submitted for review and comment by the Department of Public Works.
3. The petitioner shall work with the division of Trails and Greenways and Department of Public Works to outline perimeter connectivity for a trail system.
4. A final C-S Statement shall be submitted to staff prior to the hearing that addresses the changes to the proposed height limitation areas, 200-foot building setbacks, and 150-foot setbacks for all other structures.

PETITION OVERVIEW

LAND USE

The 467.66-acre subject site is comprised of 13 parcels. The majority of the parcels are undeveloped agricultural land, but five (5) parcels are developed with a mix of single-family dwellings, accessory structures, cattle farm, and agricultural accessory buildings.

REZONING

The request would rezone the property from the D-A (FF) (FW), C-4 (FF) (FW), and SU-43 (FF) (FW) districts to the C-S (FF) (FW) district for a data center campus development, and uses including light manufacturing, all research and development, utilities, agricultural uses, buildings and structures, as permitted in I-1 and office uses, as permitted in C-1. Permitted accessory uses would include utility structures, such as power substations, water towers, and overhead and underground powerlines and wastewater treatment facilities, outdoor storage, renewable energy facility, satellite dish antenna, signs, and temporary construction yard, office, or equipment storage.

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

The D-A district holds the agricultural lands of Marion County and provides for a variety of agricultural uses. It is intended to provide for animal and poultry husbandry, farming, cultivation of crops, dairying, pasturage, floriculture, horticulture, viticulture, apiaries, aquaculture, hydroponics, together with necessary, accompanying accessory uses, buildings, or structures for housing, packing, treating, or storing said products; or lands devoted to a soil conservation or forestry management program. A single-family dwelling is intended to be permitted as a part of such agricultural uses. A secondary provision of this district is large estate development of single-family dwellings. This district fulfills the very low-density residential classification of the Comprehensive General Land Use Plan. This district does not require public water and sewer facilities.

The C-4 District is designed to provide for the development of major business groupings and regional-size shopping centers to serve a population ranging from a community or neighborhoods to a major segment of the total metropolitan area. These centers may feature a number of large traffic generators such as home improvement stores, department stores, and theatres. Even the smallest of such freestanding uses in this district, as well as commercial centers, require excellent access from major thoroughfares. While these centers are usually characterized by indoor operations, certain permitted uses may have limited outdoor activities, as specified.

The SU-43 district only permits the use of power transmission lines.

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

1. To encourage:
 - i. A more creative approach in land planning.
 - ii. Superior site and structural design and development.
 - iii. 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.

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.

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

VARIANCE OF DEVELOPMENT STANDARDS

The grant of the request would allow for a building height of 75 feet and no maximum front yard setback.

Per Table 744-201-3, the C-S district in the Metro Context area has a maximum building height of 35 feet along transitional yards. Buildings and structures height along a transitional yard may increase one foot per one foot of additional side setback up to 45 feet.

Fronts along primary thoroughfares have a maximum of 85 feet from the proposed right-of-way or existing right-of-way, whichever is greater. Fronts along freeways do not have a maximum setback.

FLOODWAY / FLOODWAY FRINGE

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.

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 proposed in the C-S are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance.

DEPARTMENT OF PUBLIC WORKS

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 40-foot half right-of-way along Troy Avenue, Davis Road, and Vandergriff Road and 59.5-foot half right-of-way along Post Road. This dedication would also be consistent with the Marion County Thoroughfare Plan.

A Traffic Impact Study was requested by the Department of Public Works. To staff's knowledge, this study has yet to be submitted. If it was submitted to DPW, then staff is unaware of any findings proposed within the study at this time.

Therefore, staff requests that Traffic Impact Study be submitted for review and comment by the Department of Public Works.

STAFF ANALYSIS

The site falls within multiple land use typologies of the Comprehensive Plan with the majority being non-residential recommendations that include light industrial, office/industrial mixed-use, and regional

commercial that make up more than half of the site on the western end. The eastern portion of the site notes rural or estate neighborhood typology. There are other typologies that make up a small fraction of the site which are floodway and linear park recommendation.

With regards to the Comprehensive Plan recommendations, as a whole staff determined that the proposed uses would be compatible with the uses recommended in the light industrial, office/industrial mixed-use, and regional commercial recommendations. Because a data center in particular is not called out in the Comprehensive Plan, staff has the flexibility to make the interpretation where the use would be appropriate based on size of the property, proposed layout of the development, and the context of the surrounding area.

Due to the site's proximity to I-74 and the entrance and exit ramps, it would be a prime location for access to the facility. As proposed, the entrance to the site would be off Post Road which already has truck traffic for the adjacent industrial and commercial uses located along this primary arterial street.

C-S STATEMENT

The C-S Statement proposes a variety of uses to be permitted within this C-S district. Little is mentioned regarding landscaping, but the landscape plan would be subject to Administrative Approval due to the C-S zoning district and the review would reflect the landscape details included in this report.

Permitted sign types are mentioned and would ultimately need to meet the Sign Regulations of the Ordinance when submitted for Administrative Approval. The site plan provided is a Concept Plan and the final site and development plan will be submitted for Administrative Approval.

Staff requests that a final C-S Statement be submitted prior to the hearing to note the changes in the proposed height limitation areas, 200-foot building setbacks, and 150-foot setbacks for all other structures.

NOISE

Staff was informed that an initial noise study was completed for the project and resulted in a 63 dBA level at the property line under peak operation conditions which would be the hottest day of the year with all servers being utilized. A copy of this study was not submitted to the case file.

The petitioner proposed a commitment that the maximum noise level at the property line once fully operational shall not exceed 65 decibels, except for emergency use of generators or periods of testing emergency generators.

WATER

Staff was informed that the site would be planned to utilize two to three million gallons of water. According to the petitioner's representative, Citizens Energy Group has indicated the required volume of water is available to the project on a max day (hottest day of the year and all computing equipment being utilized).

A letter or memorandum from Citizens Energy Group has not been provided to staff confirming this information. Therefore, staff would request that documentation from Citizens Energy Group be provided confirming that the plans and proposed development have been reviewed to determine that they are able to provide the necessary services or that the petitioner will assist to provide improvements to meet the capacity.

ELECTRICITY

AES is the power company that will provide electricity to the project site. Staff was informed that AES has helped identify and evaluate the site for feasibility. They are working to determine how much electrical power is needed and working to ensure the site can be supplied.

A letter or memorandum from AES has not been provided to staff confirming whether the project is feasible. Therefore, staff would request that documentation from AES be provided confirming that the plans and proposed development have been reviewed to determine that they are able to provide the necessary services or that the petitioner will assist to provide improvements to meet the capacity.

LINEAR PARK

There is a linear park recommendation of the Comprehensive Plan that should be considered and incorporated into the site design layout. The Southeast Trail is proposed through the Indy Greenways Full Circle Master Plan, Part One (2014).

The client has committed to keeping the land between Ficher Ditch and Troy Avenue as open space and working with the City of Indianapolis DPW Trails and Greenways to accommodate a portion of the Southeast Trail through the portion of the site between Ficher Ditch and Troy Avenue.

However, Staff would request further discussions occur between both parties to outline perimeter connectivity for a trail system since only proposing a section along Troy Avenue would ultimately hinder possible connections to this section of the trail preventing the planned trail from coming to fruition.

STREAM PROTECTION CORRIDOR

The site has two (2) Stream Protection Corridors that run along Ficher Ditch on the north section of the site and Miller Ditch on the south section the site. Both named ditches require 50-foot-wide corridors in the Metro Context area measured parallel to the top of bank on both sides.

The following activities are permitted within the Stream Protection Corridor:

- a. Flood control structures.
- b. Residential support facilities and recreational facilities, such as trail or hiking paths, docks, picnic shelter, scenic overlook, provided however the cumulative area of subsections b. and c. activities does not exceed 10% of the Stream Protection Corridor area on the lot.
- c. Minor residential features, decks associated with an individual dwelling unit, mini- barns or sheds that are 200 square feet or less and are not on a permanent foundation, provided however the cumulative area of subsections b. and c. activities does not exceed 10% of the Stream Protection Corridor area on the lot.

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- d. Passive uses such as wildlife sanctuaries, nature preserves, forest preserves, fishing areas, and public and private parkland.
- e. Crossings, subject to the following, and as approved by the Administrator:
 - 1. Road or railroad crossings, with the right-of-way the minimum width needed to allow for maintenance access and installation and with the angle of the crossing to be perpendicular to the stream. In the case of proposed development or modification to existing development, there shall be one stream crossing per development project, to be no closer than 1000 feet to any other crossing.
 - 2. Intrusions necessary to provide access to a property provided that the angle of crossing is perpendicular to the stream in order to require less buffer clearing.
 - 3. Public sewer or utility easement crossings, including such land disturbance and impervious cover as is necessary for operation and maintenance, including, but not limited to, manholes, vents, and valve structures.
 - 4. Livestock crossings.

Disturbances in the Stream Protection Corridor. Any tree or vegetation removal must be replaced with native species of shade trees and shrubs at the rate of one shade tree and 4 large shrubs per 1,000 square feet of disturbed area.

The site plan notes the only disruptions to these corridors would be the road crossings which are proposed.

BUILDING HEIGHT

A Rezoning Height Exhibit was submitted to indicate the area on site that would allow for the 75-foot maximum building height and an area that indicates 50-foot maximum building heights with 65-foot maximum equipment height for water tanks and cooling equipment.

Actual renderings of the anticipated buildings have not been provided, but an example rendering was submitted and included in this report.

Because the plan calls for a 150-foot landscape buffer zone, with an additional 50-foot building setback for a total minimum setback of 200 feet in addition to the proposed 10- to 15-foot-tall mounds with deciduous trees and six-foot tall evergreen trees to be installed within the first phase of development, the height variance request is supportable.

ADDITIONAL ITEMS

Staff requested that the existing above ground utilities be buried with the development of the site, to which the petitioner's representative confirmed they would work with the owners of the existing utilities to facilitate burial of existing overhead utility lines where feasible.

The amended site plan notes the location of a, an ornamental security fence and another area for a security fence. Based on information relayed to staff, there will be a 4-foot ornamental fence along the perimeter of the site, an 8-foot-tall decorative security fence at the main entrance, an 8-foot-tall anti-climb

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security fence, an 8-foot-tall black coated chain link fence around the storm water management basins, and an 8-foot tall, barbed wire fence around the electrical substations. The petitioner should be aware that the maximum fence height for the C-S district is 3.5 feet in the front yard and six (6) feet in the side and rear yards. Additionally, barbed wire is prohibited. Variances would need to be sought to exceed the height limitations and for the inclusion of barbed wire. Staff would not support the barbed wire proposal.

CONCLUSION

Staff is recommending approval of the rezoning and variance request subject to two (2) right-of-way dedication commitments and four (4) conditions as indicated previously regarding documentation from AES and Citizens Energy Group to be provided to staff confirming that they will be able to provide the necessary services or that the petitioner will assist to provide improvements to meet the capacity, the traffic impact study shall be submitted for review and comment by the Department of Public Works, the petitioner to work with Trails and Greenways and DPW to outline perimeter connectivity for a trail system, and for the submittal of a final C-S Statement prior to the hearing that addresses the changes to the proposed height limitation areas, 200-foot building setbacks, and 150-foot setbacks for all other structures.

GENERAL INFORMATION

Existing Zoning	D-A (FF) (FW), C-4 (FF) (FW), and SU-43 (FF) (FW)	
Existing Land Use	Residential / Agricultural / Undeveloped	
Comprehensive Plan	Light Industrial, Office/Industrial Mixed-Use, Regional Commercial, Rural or Estate Neighborhood, Floodway, and Linear Park.	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
	North: D-A	Residential / Agricultural
	South: D-A / C-5	Residential / Commercial
	East: D-A / D-2 / D-P / SU-43	Residential / Transmission Easement
	West: SU-1 / C-S / C-4 /	Church / Industrial / Commercial
Thoroughfare Plan		
Post Road	Primary Arterial Street	119-foot proposed right-of-way and 50-foot existing right-of-way.
Troy Avenue	Primary Collector Street	80-foot proposed right-of-way and 40-foot existing right-of-way.
Davis Road	Primary Collector Street	80-foot proposed right-of-way and 45-foot existing right-of-way.
Vandergriff Road	Primary Collector Street	80-foot proposed right-of-way and 30-foot existing right-of-way.
I-74	Freeway	205-foot existing right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	Yes	

Overlay	Yes
Wellfield Protection Area	No
Site Plan	March 5, 2025
Site Plan (Amended)	May 29, 2025
Elevations	May 29, 2025
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	February 26, 2025
Findings of Fact (Amended)	N/A
C-S/D-P Statement	February 26, 2025

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)
- Indy Greenways Full Circle Master Plan, Part One (2014).
- Indy Moves Transportation Integration Plan (2018)

Pattern Book / Land Use Plan

- The Comprehensive Plan recommends light industrial, office/industrial mixed-use, regional commercial, rural or estate neighborhood, floodway, and linear park typologies.
- The Light Industrial typology provides for industrial, production, distribution, and repair uses conducted within enclosed 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.
- **Light Industrial Uses**
 - 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.
- The Office/Industrial Mixed-Use (Business Park) typology is intended to provide for light industrial, distribution, and office uses conducted within enclosed structures and unlikely to create emissions of light, odor, noise, or vibrations. The typology is characterized by groups of buildings within office/warehouse parks. Examples of typical uses include warehousing, wholesaling, research and

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development facilities, testing and evaluation facilities, offices, education resource centers, assembly of high technology products, and conference centers. Industrial or truck traffic should be separated from local/ residential traffic in this typology.

- **Conditions for All Land Use Types**
 - Master-planned developments in excess of 2 acres should include pedestrian amenities for passive and active recreation internal to the development.
- **Light Industrial Uses**
 - 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.
- **Research and Production of High-Technology or Biotechnology Related Goods**
 - Recommended without additional conditions.
- **Offices**
 - Recommended without additional conditions.
- The Regional Commercial typology provides for general commercial, and office uses that serve a significant portion of the county rather than just the surrounding neighborhoods. Uses are usually in large freestanding buildings or integrated centers. Typical examples include shopping malls, strip shopping centers, department stores, and home improvement centers.
- **Conditions for All Land Use Types**
 - All land use types except small-scale parks in this typology must have adequate municipal water and sanitary sewer.
 - All development should include sidewalks along the street frontage.
- **Large-Scale Offices**
 - Pedestrian connections between buildings should be provided.
 - Street connections to perimeter roads should be provided.
- The Rural or Estate Neighborhood typology applies to both rural or agricultural areas and historic, urban areas with estate-style homes on large lots. In both forms, this typology prioritizes the exceptional natural features – such as rolling hills, high quality woodlands, and wetlands – that make these areas unique. Development in this typology should work with the existing topography as much as possible. Typically, this typology has a residential density of less than one dwelling unit per acre unless housing is clustered to preserve open space.
- The Floodway category delineates areas that exhibit a great potential for property loss and damage from severe flooding, or for water quality degradation. No development should occur within the floodway. Nonconforming uses currently within a floodway should not be expanded or altered.
- The Environmentally Sensitive Areas (ES) Overlay is intended for areas containing high quality woodlands, wetlands, or other natural resources that should be protected. The purpose of this overlay is to prevent or mitigate potential damage to these resources caused by development. This overlay is also appropriate for areas that present an opportunity to create a new environmental asset. This overlay is not intended for the preservation of open space.

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- When located in Environmentally Sensitive Areas the following uses are removed from the recommendations: light industrial uses and research and production of high-technology or biotechnology related goods.

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.

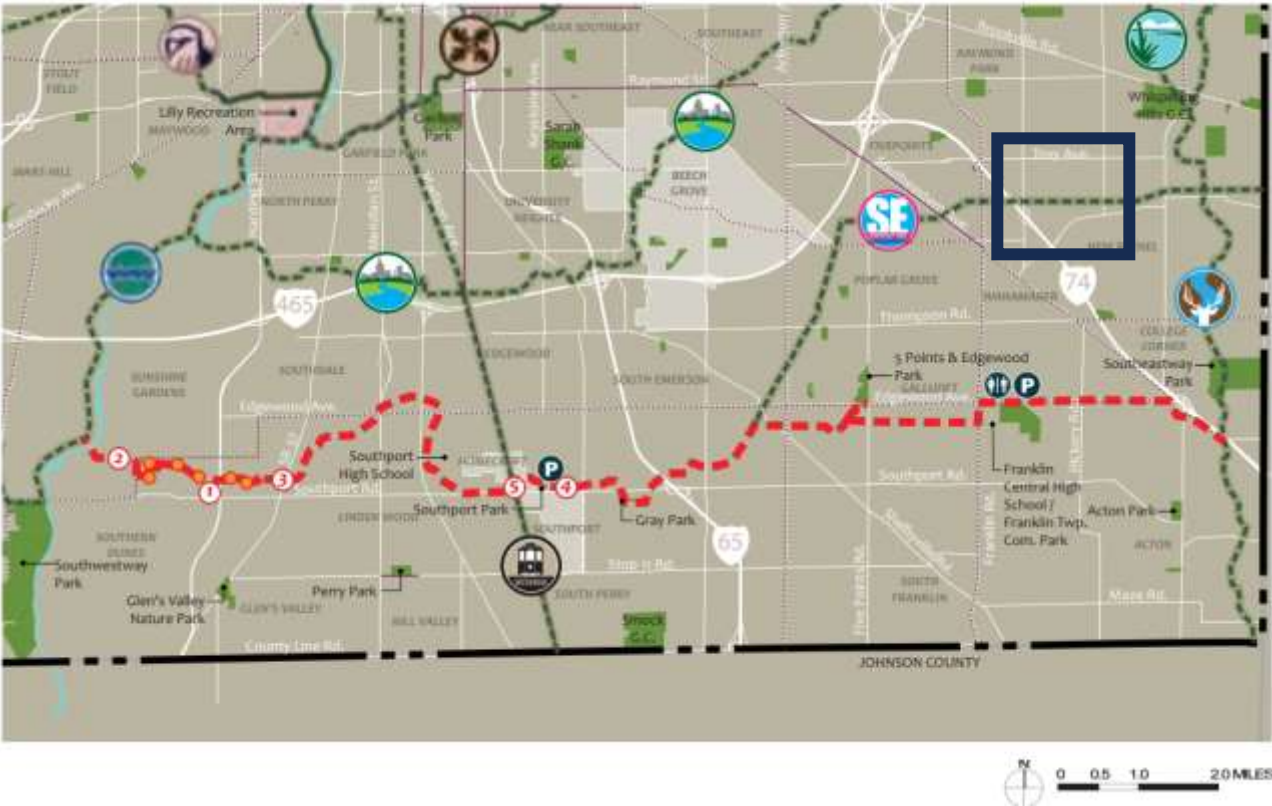
Indy Moves

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

- The site falls within the Indy Greenways Full Circle Master Plan, Part One (2014) and Indy Moves Transportation Integration Plan (2018).
- A multi-use path is proposed along Post Road from Hanna Avenue to the Pennsy Trail.
- A greenway, specifically the Southeast Trail is proposed through the subject site. At this point, the route shares the overhead utility easement with the Southeast Trail for 0.8 miles, extending northeast to the intersection of Edgewood and Shelbyville Road.



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SOUTHEAST TRAIL PROPOSAL

ZONING HISTORY

Zoning History – Site

2015-ZON-078; 3511 South Post Road (subject site), Rezoning of 38 acres from the C-4 district to the I-2-S classification to provide for a distribution facility, **withdrawn**.

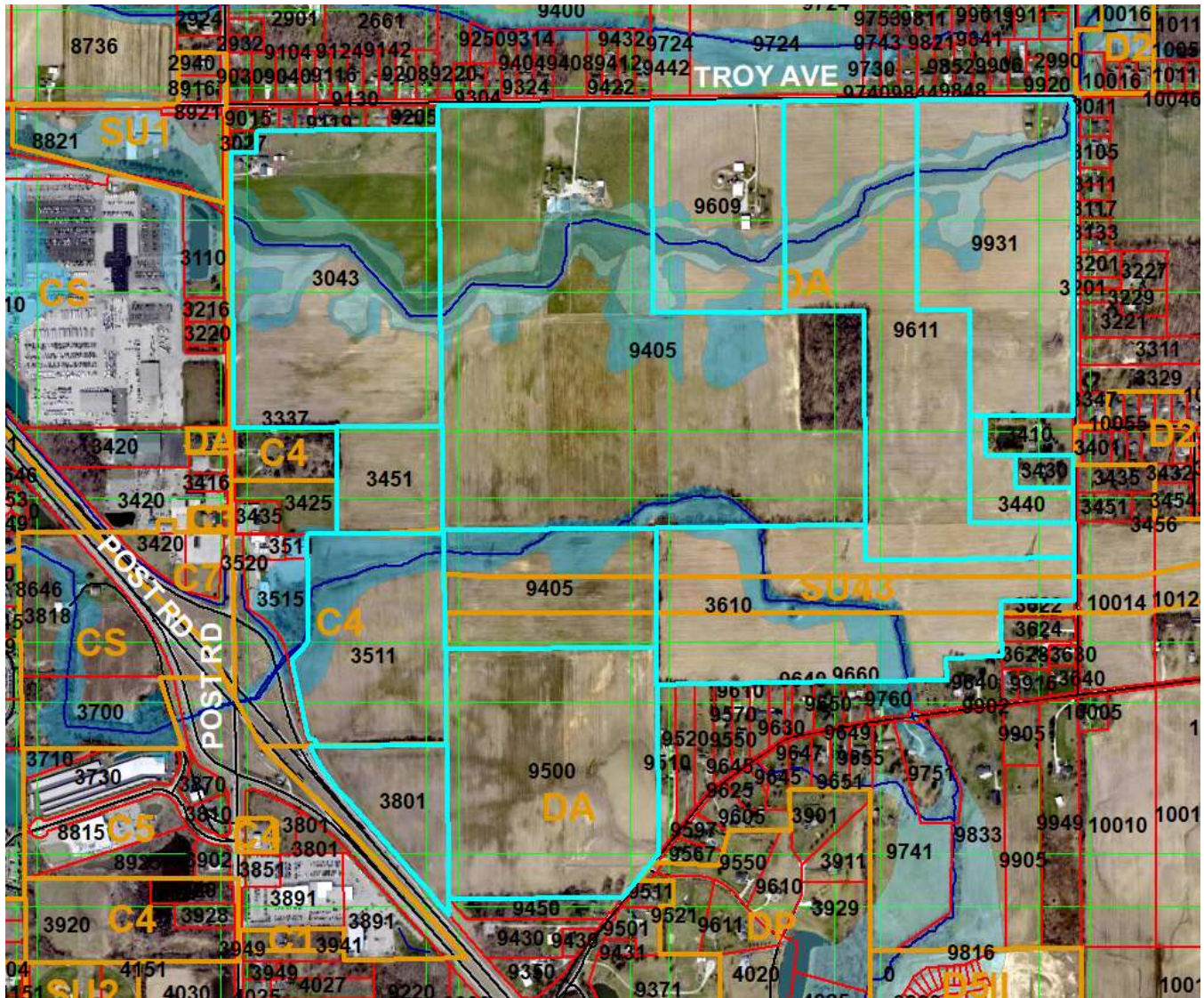
2005-ZON-181; 3801 South Post Road (subject site,) Rezoning of 11.13 acres, being in the D-A District, to the C-4 classification to provide for community-regional commercial uses, **withdrawn**.

2000-ZON-009; 3513 South Post Road, (subject site) Rezoning of 37.982 acres from C-4 and D-A to C-S, to provide for C-4 and C-6 uses and light and medium industrial uses, **withdrawn**.

90-Z-13; (south of site), Rezoning of 40.59 acres from D-A to C-4, **approved**.

61-Z-101; (subject site), Rezoning from the A-2, R-3, and B-4 to classification special use (43) – Electric power transmission tower lines of a strip of land one hundred and fifty feet in width for an electric transmission tower line extending from a Station Site of Indianapolis Power & Light Company, located adjacent to Hanna Avenue and the New York Central Railroad in Section 26, in generally Easterly direction through Franklin Township, consisting of three long East-West tangents connected by two short diagonals in Section 26, 25, 30, 29, 28, and 27, to the Hancock County line about 1 ½ miles south of the County Home, **approved**.

EXHIBITS



AERIAL WITH FLOOD PLAINS

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MEMORANDUM OF EXAMINER'S DECISION

2025-CZN/CVR-814

**Various addresses, S. Post, Davis, and
Vandergriff Roads, and E. Troy Avenue**

The petitions request the rezoning of 467.66 acres from the D-A (FF)(FW), C-4 (FF)(FW), and SU-43 (FF)(FW) districts to the C-S (FF)(FW) district to permit development of a data center campus along with certain uses permitted in the I-1 and C-1 districts and certain accessory uses, and variances of development standards to permit a building height of 75 feet and no maximum front yard setback.

Your Hearing Examiner visited the site prior to the hearing and noted that the majority of it is used for agricultural uses with associated accessory buildings and some residences. Commercial development is west of the site at the interchange of Post Road with I-74, and the majority of the residences abutting the site are on lots fronting on surrounding streets, with much of the surrounding property zoned D-A.

The petitioner's representative described the planning and detail that went into developing the concept for this site. There were numerous meetings with the Franklin Township Civic League, the City-County Councillor, neighbors, and staff, in addition to AES and Citizens Energy. Because the Comp Plan recommends light industrial or office industrial mixed use for the majority of the site, the proposed data center campus conforms to the recommendation, and would be a low traffic generator. Petitioner has agreed to 35 commitments at the request of neighbors and staff, including commitments to upsize water and sanitary sewers, increase setbacks and transitional yards, traffic study improvements, impose lighting standards, provide a multi-use path, limit noise, limit location of buildings 75 feet tall, and to plan share. Based on these commitments, the Franklin Township Civic League provided a letter of support.

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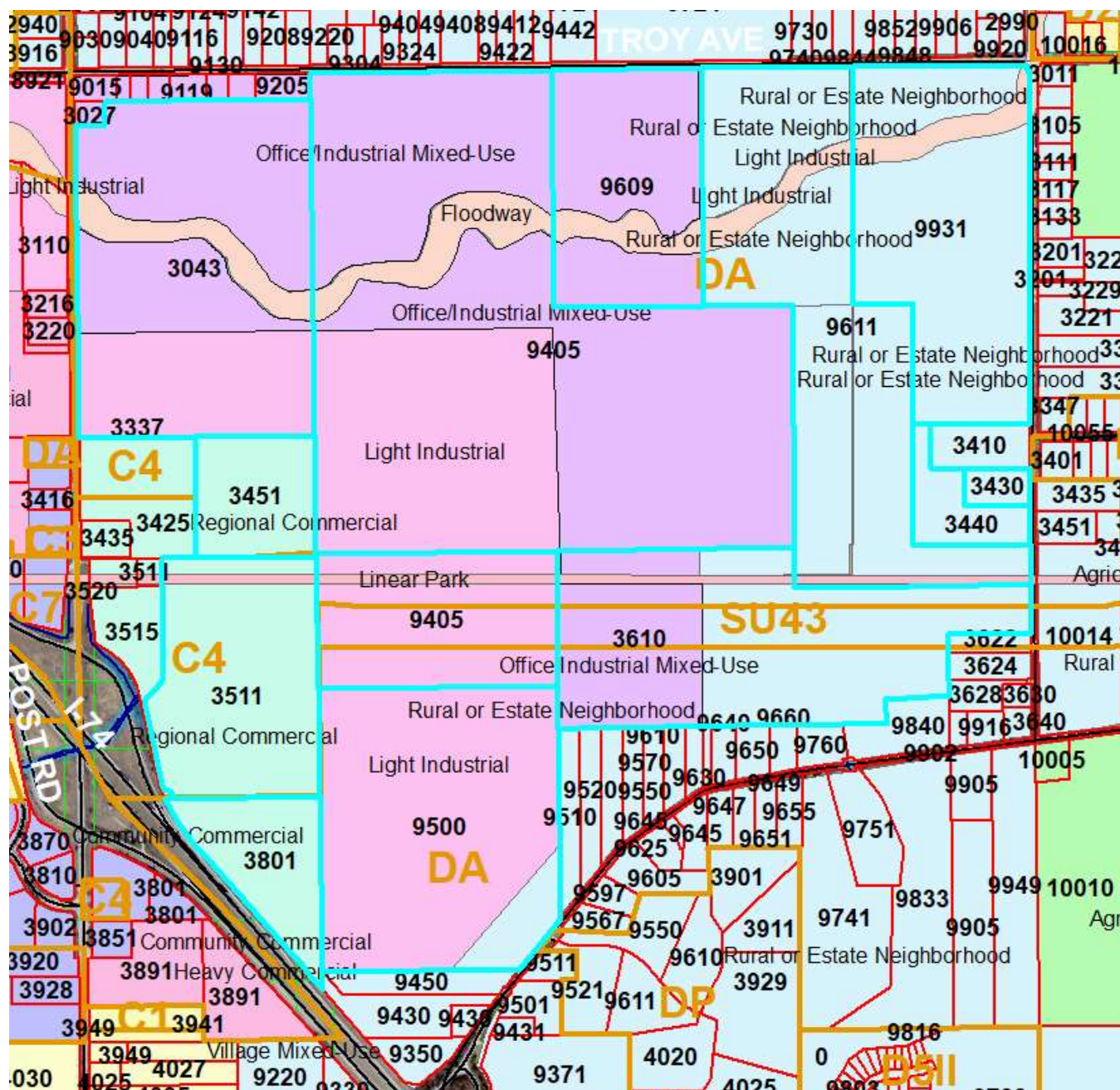
About 20 remonstrators attended the hearing, and several of them spoke. Primary concerns expressed included noise, water contamination, increase in utility costs, carbon emissions, increase in property taxes, and impact on wildlife. An online petition was submitted with reportedly 3,000 signatures, although your Hearing Examiner noted that some signatures were from other cities, states, and countries. The City-County Councillor also spoke in opposition, echoing the concerns of neighbors as well as questioning if the development would support local schools and wondering about tax abatements.

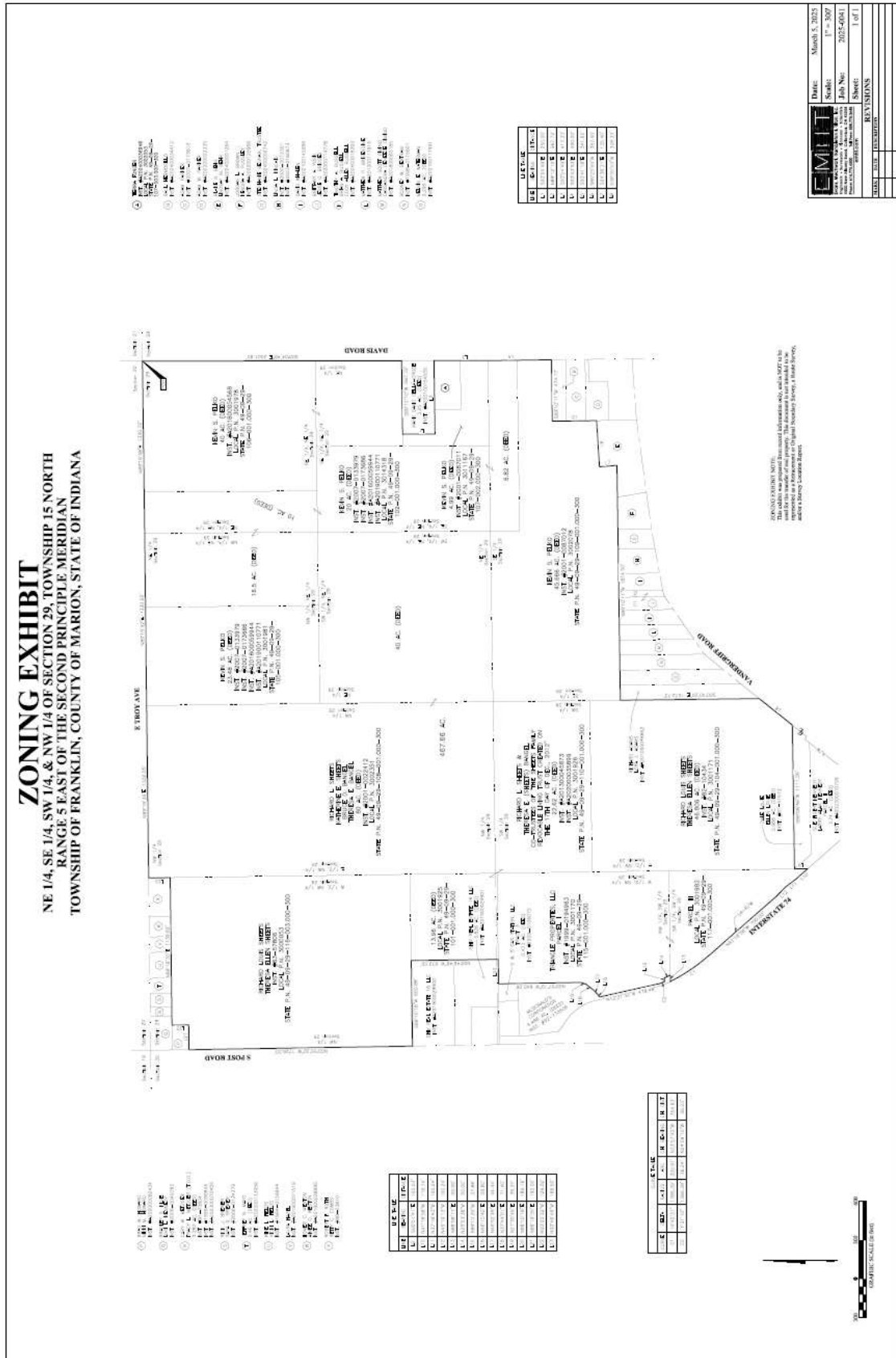
Staff reiterated many of the points made in its thorough written report. Staff stated that the proposal meets all of the requirements and intentions of a C-S zoning district, and conforms with the Comp Plan recommendation.

Your Hearing Examiner appreciates the time and effort that have been devoted to these companion petitions by the petitioner, remonstrators, neighborhood associations, political leaders, and staff. The magnitude and significance of the proposed development warrants the attention given to it. In your Hearing Examiner's opinion, the proposed development does meet the intentions of the Comp Plan, and the commitments proposed ensure that this transformative project will minimize any potential negative impacts. Approval of these petitions was recommended.

For Metropolitan Development Commission Hearing on July 16, 2025

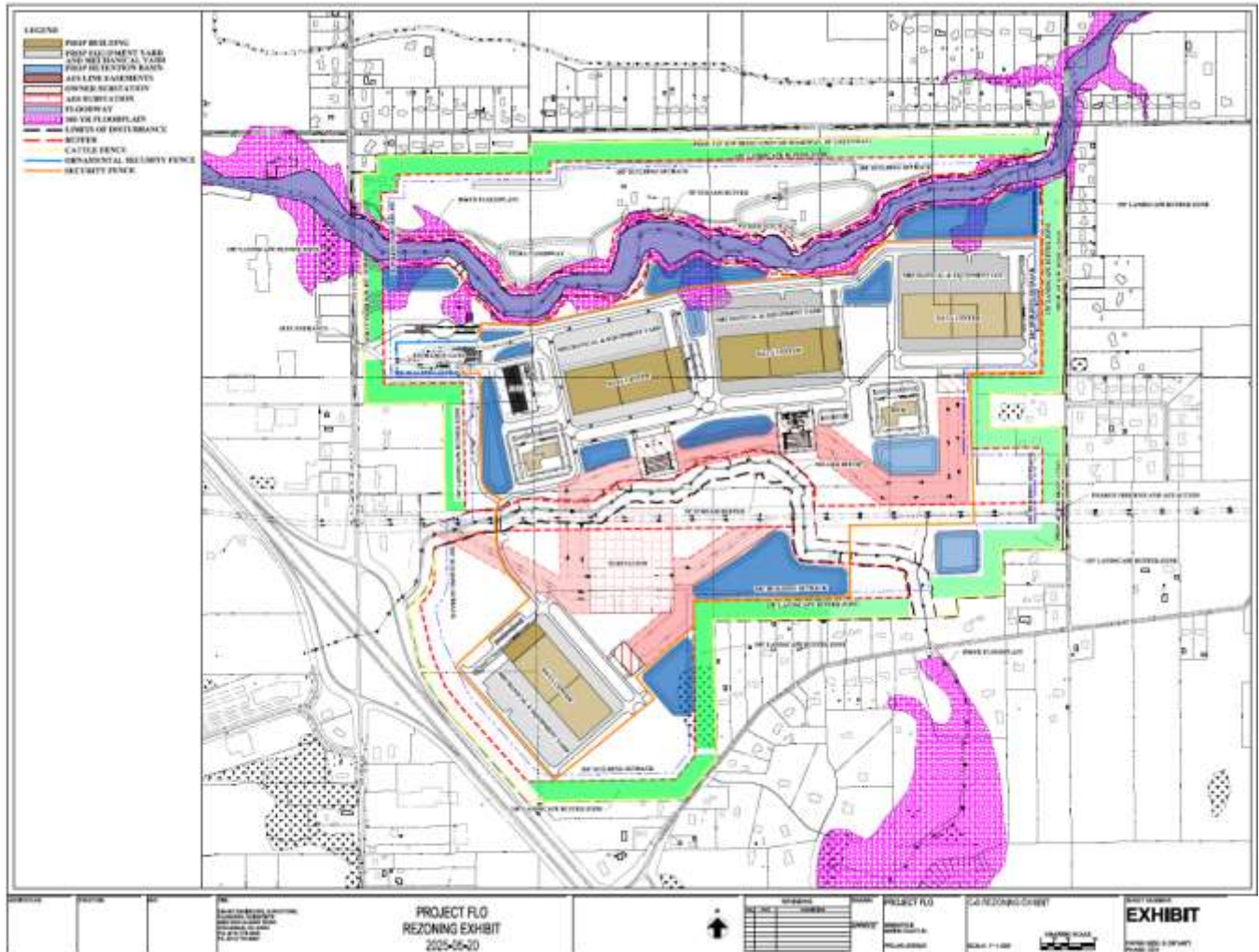
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AMENDED SITE PLAN



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REZONING HEIGHT EXHIBIT



Troy Road Greenway Commitment





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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 proposed project is to be developed as an integrated campus and due to the large amount of acreage involved and the presence of certain ditches/streams, enhanced setbacks are required. Additionally, there are technological requirements that may require certain buildings / structures to exceed the forty-five (45) foot height limitation.

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:

there will be adequate setbacks and landscaped berms which will mitigate the setback and height variances requested.

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

the C-S zoning designation is ideally suited for projects such as the data center campus proposed, but the forty-five (45) foot maximum height limited is inappropriate for industrial / utility type uses, and the maximum setback is inappropriate for a large, multi-building facility located on significant acreage.

DECISION

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

Adopted this _____ day of _____, 20 ____

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C-S Development Statement

Introduction: Petitioner, Deep Meadow Ventures LLC, seeks to rezone approximately 465.9 acres of property commonly known as 3043 South Post Road, 9405, 9611 and 9931 East Troy Avenue, 3430 Davis Road, and 9440 and 9500 Vandergriff Road (the “Subject Property”) as shown on the conceptual site development plan attached hereto as Exhibit “A” (“Concept Plan”), in order to facilitate initial development of the Subject Property for a data center campus.

Zoning: The Subject Property is currently zoned D-A, SU-43, and C-4 as more particularly set forth in the City of Indianapolis Consolidated Zoning and Subdivision Ordinance last updated May 8, 2023 (“Zoning Ordinance”). Because Petitioner’s proposed use of the Subject Property is not adequately defined in the Zoning Ordinance, it is proposing a C-S zoning.

Proposed Permitted Primary Uses of the Subject Property as described and defined in the Zoning Ordinance shall be as follows:

- 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) “Light Manufacturing”, all “Research and Development”, “Utilities”, “Agricultural Uses, “Buildings and Structures”, as permitted in the I-1 zoning district.
- 3) “Office” uses, as permitted in the C-1 zoning district.

Permitted Accessory Uses of the Subject Property shall include the following:

- 1) Utility structures, including, but not limited to, power substations, water towers, and overhead and underground powerlines, and wastewater treatment facilities.
- 2) Outdoor Storage (limited to construction of permitted buildings and structures, and outside of construction, limited to areas shown on the Concept Plan).
- 3) Renewable Energy Facility, Solar or Geothermal.
- 4) Satellite Dish Antenna.
- 5) Sign(s).
- 6) 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 Zoning Ordinance, except that (i) the maximum building height shall be seventy five feet (75’); and (ii) there shall be

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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 Subject Property:

- 1) Pylon or Monument Sign (not to exceed ten (10) feet in height and no more than two (2) total).
- 2) Wall Signs, Awning, Canopy and Window Signs.
- 3) Incidental, Temporary, and Other Signs as would otherwise be permitted in a commercial zoning district.

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

Phasing of Development:

The project 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 Administrators 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 Subject Property, so long as the standards contained in this C-S Statement are met.

AMENDED C-S STATEMENT

C-S Development Statement

Introduction: Petitioner, Deep Meadow Ventures LLC, seeks to rezone approximately 467.6 acres of property commonly known as 3043 South Post Road, 9405, 9611 and 9931 East Troy Avenue, 3430 Davis Road, and 9440 and 9500 Vandergriff Road (the “Subject Property”) as shown on the conceptual site development plan attached hereto as Exhibit “A” (“Concept Plan”), in order to facilitate initial development of the Subject Property for a data center campus.

Zoning: The Subject Property is currently zoned D-A, SU-43, and C-4 as more particularly set forth in the City of Indianapolis Consolidated Zoning and Subdivision Ordinance last updated January 8, 2025 (“Zoning Ordinance”). Because Petitioner’s proposed use of the Subject Property is not adequately defined in the Zoning Ordinance, it is proposing a C-S zoning.

Proposed Permitted Primary Uses of the Subject Property as described and defined in the Zoning Ordinance shall be as follows:

- 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) “Light Manufacturing”, all “Research and Development”, “Utilities”, “Agricultural Uses, “Buildings and Structures”, as permitted in the I-1 zoning district.
- 3) “Office” uses, as permitted in the C-1 zoning district.

Permitted Accessory Uses of the Subject Property shall include the following:

- 1) Utility structures, including, but not limited to, power substations/power generators (for emergency back-up power use) underground and above ground fuel tanks, water towers, and overhead and underground powerlines, and wastewater treatment facilities.
- 2) Outdoor Storage (limited to construction of permitted buildings and structures, and outside of construction, limited to areas shown on the Concept Plan).
- 3) Renewable Energy Facility, Solar or Geothermal.
- 4) Satellite Dish Antenna.
- 5) Sign(s).
- 6) 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 Zoning Ordinance,

AMENDED C-S STATEMENT (Continued)

except that (i) the maximum building and accessory structure height shall be seventy five feet (75'); and (ii) there shall be no maximum setback from proposed right of way required, subject to approval of variances for said standards. Notwithstanding the foregoing, the maximum height of any building located within five hundred feet (500') of either Davis Road or Vandergriff Road shall have a maximum height of fifty feet (50') subject to a maximum height of sixty five feet (65') for rooftop or ground mounted appurtenances, as more particularly provided in the Commitments attached hereto as Exhibit "B".

There shall a minimum building setback of at least two hundred feet (200') from any property line/right of way line, and a minimum setback line for other structures of at least one hundred fifty feet (150') from any property line/right of way line.

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/Commitments and tendered for Administrative Approval prior to obtaining an Improvement Location Permit. A minimum buffer area of one hundred fifty feet (150') in width shall be provided along portions of the perimeter of the Subject Property, with mounding and landscaping, as provided in the Commitments attached hereto as Exhibit "B".

Parking:

Parking and loading for the project will meet the requirements set forth in Chapter 744, Article IV of the Zoning Ordinance.

Signs:

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

- 1) Pylon or Monument Sign (not to exceed ten (10) feet in height and no more than two (2) total).
- 2) Wall Signs, Awning, Canopy and Window Signs.
- 3) Incidental, Temporary, and Other Signs as would otherwise be permitted in a commercial zoning district.

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

Phasing of Development:

The project 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 Administrators 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 Subject Property, so long as the standards contained in this C-S Statement are met.



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AMENDED C-S STATEMENT (Continued)

Commitments:

The project shall be subject to commitments (currently being negotiated)--the latest draft of which dated June __, 2025, is attached hereto as Exhibit "B".

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STATEMENT OF COMMITMENTS

COMMITMENTS CONCERNING THE USE OR DEVELOPMENT OF REAL ESTATE MADE IN CONNECTION WITH A REZONING OF PROPERTY OR PLAN APPROVAL

In accordance with I.C. 36-7-4-1015, the owner of the real estate located in Marion County, Indiana, which is described below, makes the following COMMITMENTS concerning the use and development of that parcel of real estate:

Legal Description: See Exhibit "A" Attached Hereto And Incorporated By Reference (the "Subject Property").

Statement of COMMITMENTS:

1. The owner agrees to abide by the Open Occupancy and Equal Employment Opportunity Commitments required by Metropolitan Development Commission Resolution No. 85-R-69, 1985, which commitments are attached hereto and incorporated herein by reference as Attachment "A".
2. After an improvement location permit is issued for the first building in the proposed data center project (the "Project"), but before the first building within the Project opens for business, Petitioner shall install a mounded buffer area with a minimum width of 150 feet (the "Buffer Area"), in those areas shown on the Conceptual Site Plan attached hereto as Exhibit "B" (the "Site Plan"). The mounding in the Buffer Area shall be a minimum of 10 feet in height measured from grade, and shall feature landscaping along and on the top of the mounding with a minimum of three (3) deciduous trees and six (6) evergreen trees for every 100 lineal feet. All trees shall meet the species and minimum planting requirements of the City of Indianapolis Consolidated Zoning / Subdivision Ordinance (the "Zoning Ordinance"). Petitioner shall, at all times, maintain the mounded buffer area.
3. No permanent buildings or structures shall be built on the portion of the Subject Property north of the Ficher ditch. (the "North No-Build Area"). However, this commitment shall not preclude construction staging, construction trailers and construction offices, as well as the outside storage of materials and equipment in the North No Build Area during periods of construction on the Subject Property.

4. A complete set of drainage plans for the project on the Subject Property shall be submitted to the Franklin Township Civic League for review and comment at least ten (10) days prior to submitting same to the City of Indianapolis, Department of Business and Neighborhood Services, for a drainage permit.
5. Petitioner has started and shall diligently complete a traffic impact study ("TIS"), for the proposed data center project on the Subject Property per the scope required by the City of Indianapolis, Department of Public Works ("DPW") and the Indiana Department of Transportation ("INDOT"). Once completed and accepted by DPW and INDOT, Petitioner shall, in conjunction with the initial development of the Project, complete or contribute its proportionate share such infrastructure projects, including but not limited to, dedication of right-of-way, acceleration / deceleration lanes, lane dedications / extensions, and passing blisters, based on the recommendations of the TIS in order to provide an acceptable level of service at the intersections studied as part of the TIS. This commitment shall not be construed to be a prerequisite to the issuance of any improvement location permit required for the first building in the Project.
6. There shall only be one main and one construction entrance to the project on the Subject Property, via Post Road, generally in the location shown on the Site Plan, but subject to DPW or INDOT approval. If required by DPW, an emergency ingress / egress drive to and from the Subject Property shall be permitted along Vandergriff Road, in a location approved by DPW and applicable public safety agencies..
7. All freestanding lighting fixtures shall feature full cut off shields, and light omissions shall not exceed the maximum level of footcandles at the property line, as set forth in the Zoning Ordinance.
8. Petitioner shall install a ten foot (10") wide asphalt multi-use path along the Subject Property's frontage on Troy Avenue, within the right of way to be granted.
9. Except for emergency use of generators or periods of testing emergency generators, the maximum noise level at the property line once fully operational shall not exceed 65 decibels.

These COMMITMENTS shall be binding on the owner, subsequent owners of the real estate and other persons acquiring an interest therein; provided that Commitment #1 (Open Occupancy and Equal Opportunity Commitments) shall not be binding on an owner, subsequent owners or other person acquiring an interest therein if such persons are exempt persons or are engaged in an exempt activity as defined on Attachment "A" which is attached hereto and incorporated herein by reference. These 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.

COMMITMENTS contained in this instrument shall be effective upon:

- (a) the adoption of rezoning petition # 2025-CZN-814 by the City-County Council changing the zoning classification of the real estate from a C4, DA, SU43 zoning classification to a C-S zoning classification; or
- (b) the adoption of approval petition # _____ by the Metropolitan Development Commission;

and shall continue in effect for as long as the above-described parcel of real estate remains zoned to the C-S zoning classification or until such other time as may be specified herein.

These COMMITMENTS may be enforced jointly or severally by:

TRAFFIC IMPACT STUDY SUMMARY AND RECOMMENDATIONS



1 EXECUTIVE SUMMARY

1.1 STUDY PURPOSE AND OBJECTIVE

The purpose of this Traffic Impact Study is to determine and evaluate the potential impacts that the proposed Project Flo development will have on traffic operations within the study area. As part of this effort, the following study objectives were identified:

- Evaluate peak hour traffic operations associated with 2027 and 2033 background traffic volumes (without the development).
 - Evaluate peak hour traffic operations associated with the proposed 2027 Build, 2031 Construction, and 2033 Build traffic volumes that include peak hour traffic generated by the proposed development.
 - Assess the impact of traffic generated by the proposed development in the study area.
 - Develop recommendations for roadway or intersection improvements to minimize the traffic impacts of the proposed development on adjacent roadways.
-

1.2 STUDY AREA & LOCATION

The proposed site consists of four data center buildings on approximately 470 acres. The proposed development is bound by Troy Avenue to the north, Davis Road to the east, Post Road to the west, and both Vandergriff Road and Interstate Route 74 (I-74) to the south.

The site access drive is planned to be located on the western side of the site, with access to Post Road, across from a commercial driveway on the west side of Post Road, approximately 1,600 feet south of the Post Road and Troy Avenue intersection. The primary focus for traffic operations is at the following intersections:

- | | |
|---|-----------------------------------|
| • Post Road & Raymond Street | • Post Road & I-74 Westbound Ramp |
| • Post Road & Troy Avenue | • Post Road & I-74 Eastbound Ramp |
| • Post Road & Site Access/Manheim Drive | • Post Road & Atlantis Drive |
| • Post Road & Commercial Access Road | • Troy Avenue & Davis Road |
-

1.3 CAPACITY ANALYSIS

Capacity analysis was completed for each of the following scenarios in order to estimate the impact of the proposed development on the operations of adjacent roadways and intersections:



- **2027 No Build Traffic** - This analysis scenario was based on background (2027) traffic volumes and used to determine the operating Level of Service (LOS) of current roadway geometrics.
- **2033 No Build Traffic** - This analysis scenario was based on background (2033) traffic volumes and used to determine the operating Level of Service (LOS) of current roadway geometrics.
- **2027 Build Traffic** - This analysis scenario added the estimated traffic generated by Scenario 1, one operational building, for the proposed development to the 2027 background traffic volumes.
- **2031 Construction Traffic** - This analysis scenario added the estimated traffic generated by Scenario 2, three operational buildings, and one under construction, for the proposed development to the 2031 background traffic volumes.
- **2033 Build Traffic** - This analysis scenario added the estimated traffic generated by Scenario 4, four operational buildings (full buildout), for the proposed development to the 2033 background traffic volumes.

1.4 SUMMARY & RECOMMENDATIONS

The following recommendations were made based on the analysis conducted:

- **Post Road & Site Access:**
 - Provide northbound and southbound left-turn lanes. Provide a northbound right-turn lane upon 2031 Construction traffic conditions.
 - The access associated with the proposed development should comply with the City of Indianapolis's construction standards.
- **Post Road & Commercial Drive:**
 - Provide a southbound left-turn lane upon 2033 No Build conditions.
- **Post Road & I-74 WB Ramp:**
 - Provide a northbound left-turn lane upon 2033 No Build conditions.
- **Post Road & I-74 EB Ramp:**
 - Provide a southbound left-turn lane upon 2033 No Build conditions.
- **Post Road & Atlantis Drive:**
 - Provide northbound and southbound left-turn lanes at the intersection upon 2027 No Build conditions. Provide a southbound right-turn lane upon 2027 No Build conditions.

The recommendations outlined herein are based on the projected land uses as provided by the developer. Should any of the land uses change significantly, the projected traffic volumes may increase or decrease, and subsequently, the recommendations for roadway improvements would also need to be reevaluated and revised as necessary.



Photo of the subject site at 9500 Vandergriff Road looking west from Vandergriff Road.



Photo of the subject site at 9500 Vandergriff Road looking northwest from Vandergriff Road.



Photo of single-family dwellings southeast of Vandergriff Road.



Single-family dwelling south of 9500 Vandergriff Road.



Single-family dwellings south of the site north of Vandergriff Road.



A single-family dwelling south of 3610 Davis Road within the transmission line zoning district of SU-43.

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Photo of the subject site looking north towards 3440 Davis Road.



Photo of single-family dwellings east of the subject site across Davis Road.

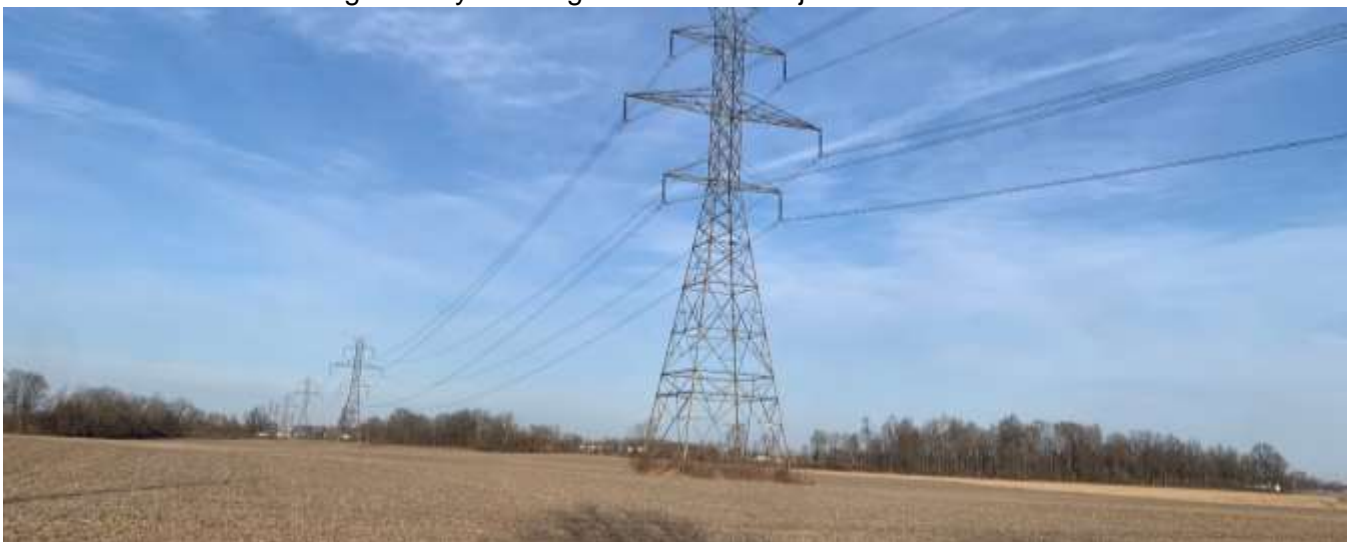


Photo of the transmission line easement that cuts through the subject site looking west.

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Photo of the property at 3430 Davis Road included in the subject site.



Photo of the property at 3410 Davis Road that is not included in the subject site.



Photo of the subject site at 9931 East Troy Avenue looking southwest.

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Photo of the subject site at 9931 East Troy Avenue looking northwest.



Photo of the property at 9931 East Troy Avenue looking southwest.



Photo of the property at 9611 East Troy Avenue looking southwest along Troy Avenue.

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Photo of single-family dwellings north of Troy Avenue.



Photo of the property at 9609 Troy Avenue looking south.



Photo of the property at 9406 Troy Avenue looking southwest.



Photo of single-family dwellings north of Troy Avenue.



Photo of single-family dwellings north of the site looking west along Troy Avenue.



Photo of single-family dwelling north of the site looking south along Post Road.

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Photo of the subject site at 3043 South Post Road.



Photo of the subject site looking southeast from Post Road.



Photo of the religious use west of the site.



Photo of an auto auction west of the subject site.



Photo of the commercial properties west of the subject site.



Photo of the gas station west of the site.

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Photo of the subject site at 3511 South Post Road looking east towards the transmission easement.

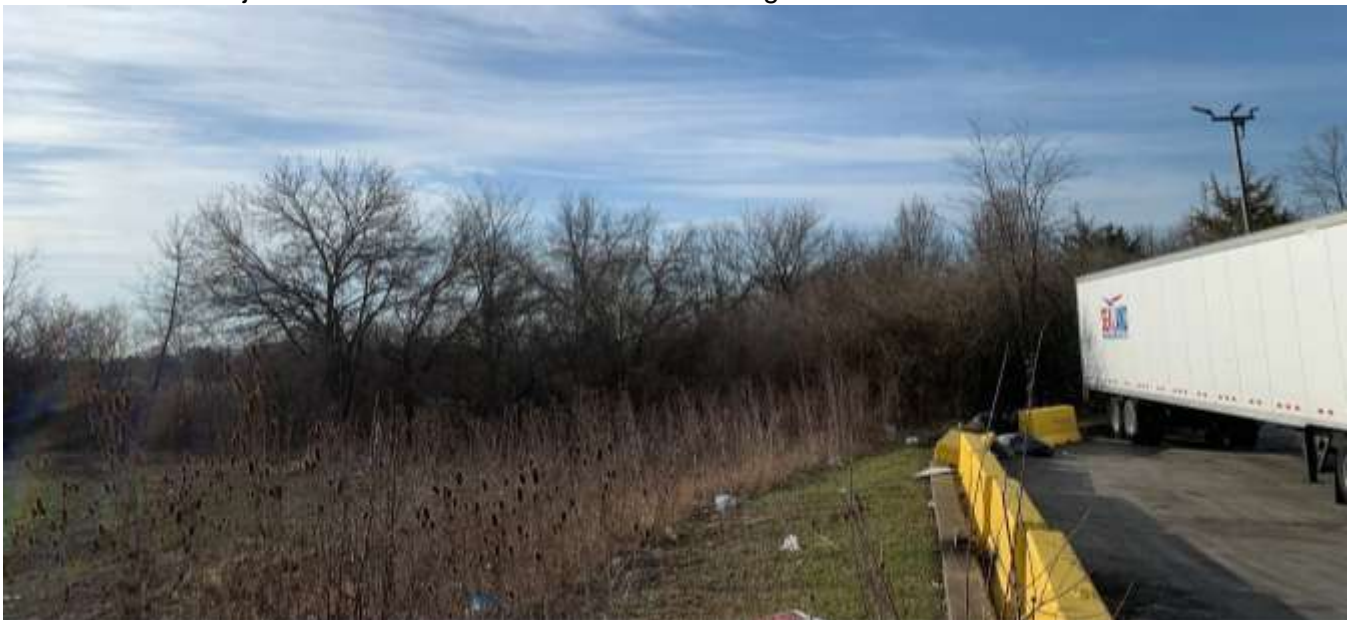


Photo of the subject site looking southeast towards the southern ditch that runs east to west.



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Photo of the subject site looking southwest from Post Road.

METROPOLITAN DEVELOPMENT COMMISSION

August 20, 2025

Case Number:	2025-CZN-828 (2 nd Amended) / 2025 CVR-828 (2 nd Amended)
Property Address:	1927, 1946, and 1950 East 32 nd Street, and 3219 Orchard Avenue
Location:	Center Township, Council District #8
Petitioner:	Universal Church of Truth and First Born, Inc., by Justin Kingen and David Kingen
Current Zoning:	D-5 / SU-1 Rezoning of 1.35 acres, from the D-5 district to the D-8 district to provide for multi-family dwellings.
Request:	Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide to provide for the construction of a medium apartment building & community center (at 1927 East 32nd Street), within a SU-1 district (not permitted); to allow for a mixed-use, multi-family housing project, community center and religious use (church) to have 38 off-street parking spaces (77 off-street parking spaces required); provide for the construction of five duplexes (floor over floor) with a floor area of 500 square feet (minimum floor area of 660 square feet required); to provide for the construction of duplexes at 1946 East 32nd Street and 3219 Orchard Avenue with a reduced open space (60% open space required for duplexes).
Current Land Use:	Vacant land
Staff Recommendations:	Denial of the rezoning and variance requests
Staff Reviewer:	Kathleen Blackham, Senior Planner

PETITION HISTORY

On May 29, 2025, the Hearing Examiner transferred these petitions to the Metropolitan Development Commission for initial hearing on July 2, 2025, at the request of the petitioner's representative due to deadlines associated with funding for the project.

The Metropolitan Development Commission continued these petitions from the July 2, 2025 hearing, to the July 16, 2025 hearing and to the August 20, 2025 hearing, with notice, to provide additional time to amend both the rezoning request and the variance request.

STAFF RECOMMENDATION

Denial of both the rezoning and variance requests. 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 five business days prior to the MDC hearing:

1. 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.
2. A tree inventory, tree assessment and preservation plan of all existing trees over 2.5 inches in diameter, shall be prepared by a certified arborist and shall be submitted for Administrator Approval prior to preliminary plat approval and / or prior to any site preparation activity or disturbance of the site. This plan shall, at a minimum: a) indicate proposed development; b) delineate the location of the existing trees, c) characterize the size and species of such trees, d) identify all heritage trees the diameter, e) indicate the wooded areas to be saved by shading or some other means of indicating tree areas to be preserved and f) identify the method of preservation (e.g. provision of snow fencing or staked straw bales at the individual tree's dripline during construction activity). All trees proposed for removal shall be indicated as such.

PETITION OVERVIEW

This 2.37-acre site, zoned D-5 and SU-1, is comprised of four parcels that are not contiguous. Three of the parcels, zoned D-5, are vacant and the fourth parcel is developed with religious uses, zoned SU-1. It is surrounded by single-family dwellings to the north, south, east, and west, all zoned D-5. The southernmost parcel (SU-1) also abuts religious uses to the east, zoned SU-1.

Petition 97-Z-76 rezoned the southernmost parcel (addressed as 1927 East 32nd Street) to SU-1 to provide for religious uses.

REZONING

The request would rezone the portion of the site zoned D-5 (three parcels totaling 1.35 acres) to the D-8 Walkable Neighborhood District. "The D-8 district is intended for a variety of housing formats, with a mix of small-scale multi-unit building types. This district can be used as a part of new mixed-use areas, or for infill situations in established urban areas, including medium and high-density residential recommendations of the Comprehensive Plan, and the Traditional Neighborhood, City Neighborhood, and Village or Urban Mixed-Use Typologies of the Land Use Pattern Book."

"To advance the Livability Principles of this Code, the D-5, D-5II, **D-8**, D9 and D-10 districts implement walkable, compact neighborhoods within a well-connected street network and block structure, using slow neighborhood streets, walkable connectors, and multi-mode thoroughfares. Access to parks and recreation, transit and neighborhood services within walking distance is important. Street trees, landscape and trees along private frontages, and an active amenity zone create comfortable walking

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environment and add appeal to neighborhoods. These districts require urban public and community facilities and services to be available. These districts may be used in combination to supply critical mass of residents to support nearby commercial and transit investments.”

The purpose of the Walkable Neighborhood design standards and objectives is to advance the Livability Principles of this code, and to promote walkable neighborhoods. Any exceptions to the standards in the Ordinance, or discretionary review processes related to a specific application, shall be judged against these design objectives, in addition to any other criteria in this code for the application.

The Comprehensive Plan recommends traditional neighborhood typology for the site.

As development on this site occurs, recommendations of the Pattern Book and the Walkable Neighborhood design standards and objectives should be considered, as well as compliance with the Ordinance to mitigate negative impacts on surrounding residential development. Additionally, Infill Housing Guidelines should be considered and implemented to support appropriate integration with the character of the surrounding residential neighborhood.

As proposed, this request would generally be consistent with the recommended land use but would not align with the Pattern Book recommendations or the Infill Housing Guidelines. Both the duplexes at the northwest portion of the site (addressed as 3219 Orchard Avenue) and the three-story multi-family building (addressed as 1927 East 32nd Street) are located mid-block, rather than at intersections as recommended, as recommended by the Pattern Book.

Additionally, the elevations that were submitted confirm that the proposed structures would not be architecturally integrated into this neighborhood generally consisting of one-story dwellings. The three-story multi-family building (addressed as 1927 East 32nd Street) would be out of scale with the neighborhood and introduce a mass that would not be compatible with the residential structures in this area. The duplexes and triplexes would introduce a housing typology that would disrupt and not be compatible with this neighborhood.

Staff is also concerned with the lack of convenient neighborhood servicing businesses or institutions within walking distance of this site, as well as the absence of the walkable neighborhood design standards and objectives.

Tree Preservation / Heritage Tree Conservation

There are significant amounts of natural vegetation and trees located on the northern portion of the site, zoned D-5. Due to their inherent ecological, aesthetic, and buffering qualities, the maximum number of these existing trees should be preserved on the site.

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

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A tree inventory, tree assessment and preservation plan of all existing trees over 2.5 inches in diameter, shall be prepared by a certified arborist and shall be submitted for Administrator Approval prior to preliminary plat approval and / or prior to any site preparation activity or disturbance of the site. This plan shall, at a minimum: a) indicate proposed development, b) delineate the location of the existing trees, c) characterize the size and species of such trees, d) identify all heritage trees and the diameter, e) indicate the wooded areas to be saved by shading or some other means of indicating tree areas to be preserved and f) identify the method of preservation (e.g. provision of snow fencing or staked straw bales at the individual tree's dripline during construction activity). All trees proposed for removal shall be indicated as such.

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

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

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

Environmental Public Nuisances

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

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

Environmental public nuisance means:

1. Vegetation on private or governmental property that is abandoned, neglected, disregarded or not cut, mown, or otherwise removed and that has attained a height of twelve (12) inches or more;

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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.

VARIANCE OF USE

The request would allow for the construction of a medium apartment building and community center (at 1927 East 32nd Street), within a SU-1 district, which is not permitted by the Ordinance. Staff is concerned that the proposed three-story apartment building would introduce a housing typology that would not be compatible with the existing religious uses and more importantly the surrounding neighborhood primarily consisting of detached one-story single-family dwellings.

For these reasons, staff does not support these variance requests.

VARIANCE OF DEVELOPMENT STANDARDS

Staff believes that the need for reduced parking associated with proposed multi-family dwelling units, community center and religious uses is further evidence that this use would not be compatible with this area. The Ordinance requires 77 off-street parking spaces when 38 off-street parking spaces would be provided. A 50% reduction of parking would not be appropriate or acceptable because of the impact on the surrounding the neighborhood and the resulting burden of additional vehicles on the adjacent residents and property owners. The Ordinance would allow for a maximum of 30% reduction through adjustments to required off-street parking.

The request would provide for a reduced floor area from the required 660 square feet to 500 square feet. Staff believes this reduction would not be acceptable and would negatively impact the quality of life for the residents.

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Staff is also concerned with the lack of appropriate architectural integration of the proposed various housing typologies into this neighborhood primarily consisting of one-story, detached single-family dwellings. It appears there was no consideration for the Infill Housing Guidelines that provides recommendations for compatible development in neighborhoods that would minimize disruption of the existing character and maintain the value of the existing dwellings.

This request would provide for the construction of duplexes at 1946 East 32nd Street and 3219 Orchard Avenue with a reduced open space when the Ordinance requires 60% open space. Open space provides areas for relaxation, recreation, socialization and contact with nature that contributes to the quality of life, health and well-being of the residents. Reducing the open space would negatively impact the residents and the surrounding land uses.

Staff supports density, but the proposed development would result in over development of the site because of the need for the reduced parking, floor area and open space. The site cannot appropriately sustain the level of density and comply with the walkable neighborhood standards. Furthermore, the development that is proposed would have a detrimental impact on all the residents living within the units and the surrounding neighborhood.

GENERAL INFORMATION

Existing Zoning	D-5 / SU-1	
Existing Land Use	Vacant / Church / Parking Lot	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
	North: D-5	Single-family dwellings
	South: D-5	Single-family dwellings
	East: D-5 / SU-1	Single-family dwellings/ Religious Uses
	West: D-5	Single-family dwellings
Thoroughfare Plan		
East 32 nd Street	Local Street	Existing 50-foot right-of-way and proposed 48-foot right-of-way.
Orchard Avenue	Primary Collector	Existing 60-foot right-of-way and proposed 56-foot right-of-way.
Nichols Street	Local Street	Existing 50-foot right-of-way and proposed 48-foot right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	

Site Plan	May 19, 2025
Site Plan (Amended)	July 1, 2025
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	May 19, 2025
Findings of Fact (Amended)	June 2, 2025
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends Traditional Neighborhood typology.

The Traditional Neighborhood typology includes a full spectrum of housing types, ranging from single family homes to large-scale multifamily housing. The development pattern of this typology should be compact and well-connected, with access to individual parcels by an alley when practical. Building form should promote the social connectivity of the neighborhood, with clearly defined public, semi-public, and private spaces. Infill development should continue the existing visual pattern, rhythm, or orientation of surrounding buildings when possible. A wide range of neighborhood-serving businesses, institutions, and amenities should be present. Ideally, most daily needs are within walking distance. This typology usually has a residential density of five to 15 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.”

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:

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- *Conditions for All Land Use Types – Traditional 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.
 - In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.
- *Conditions for All Housing*
 - A mix of housing types is encouraged.
 - Should be within a one-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly accessible recreational or cultural amenity that is available at no cost to the user.
 - Primary structures should be no more than one and a half times the height of other adjacent primary structures.
 - Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.
 - Developments with densities higher than 15 dwelling units per acre should have design character compatible with adjacent properties. Density intensification should be incremental with higher density housing types located closer to frequent transit lines, greenways or parks.
- *Attached Housing (defined as duplexes, triplexes, quads, townhouses, row houses, stacked flats, and other, similar legally complete dwellings joined by common walls and typically with each unit on its own lot or part of a condominium.)*
 - Duplexes should be located on corner lots, with entrances located on different sides of the lot.
 - It is preferred that townhomes should be organized around intersections of neighborhood collector streets, greenways, parks or public squares, or neighborhood-serving retail.
 - If the above conditions are not met, individual buildings of attached housing (not part of a primary residential structures on a block.
- *Small-scale multifamily housing (defined as single or multiple buildings each with five or more legally complete dwelling units in a development of less than two acres and at a height of less than 40 feet.*
 - It is preferred that multi-family housing should be organized around intersections of neighborhood collector streets, parks or public squares, or neighborhood-serving retail.
 - If the above conditions are not met, individual buildings of small-scale multi-family housing (not part of a complex) may be interspersed with single-family homes but should not make up more than 25% of the primary residential structures on a block.
 - In predominantly platted, single-family neighborhoods, site layouts should be similar in site- and building-orientation as the surrounding single-family homes.
 - Parking should be either behind or interior to the development.

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- Individual building height, massing, and footprint should gradually transition from adjacent developments. Specifically, buildings located adjacent to existing residential developments should be no more than one and a half times the height and no more than twice the average footprint of the existing adjacent residential buildings.

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

The Infill Housing Guidelines were updated and approved in May 2021, with a stated goal “to help preserve neighborhood pattern and character by providing guiding principles for new construction to coexist within the context of adjacent homes, blocks, and existing neighborhoods. These guidelines provide insight into basic design concepts that shape neighborhoods, including reasons why design elements are important, recommendations for best practices, and references to plans and ordinance regulations that reinforce the importance of these concepts.”

These guidelines apply to infill development in residential areas within the Compact Context Area and include the following features:

Site Configuration

- Front Setbacks
- Building Orientation
- Building Spacing
- Open Space
- Trees, Landscaping, and the Outdoors

Aesthetic Considerations

- Building Massing
- Building Height
- Building Elevations and Architectural Elements

Additional Topics

- Secondary Dwelling Units, Garages, and Accessory Structures
- Adapting to the Future

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“As established neighborhoods experience new development, infill residential construction will provide housing options for new and existing residents. Increased population contributes positively to the local tax base, economic development, lively neighborhoods, and an interesting city. As infill construction occurs, it is important to guide development in a way that complements current neighborhoods. Each home in a neighborhood not only contributes to the existing context of adjoining houses and the block, but to the sense of place of the entire neighborhood.”

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

97-Z-76; 1927 East 32nd Street, rezoned 1.02 acres from the D-5 district to the SU-1 classification to provide for religious uses, **approved**.

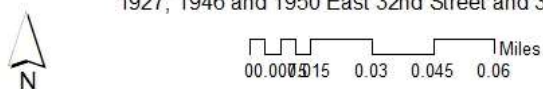
66-V1-122; 1927 East 32nd Street, requested a variance of use, setback, and accessory building regulations to permit the construction of a church, with a 10-foot front yard setback, with the existing residence and detached garage to remain, **granted**.

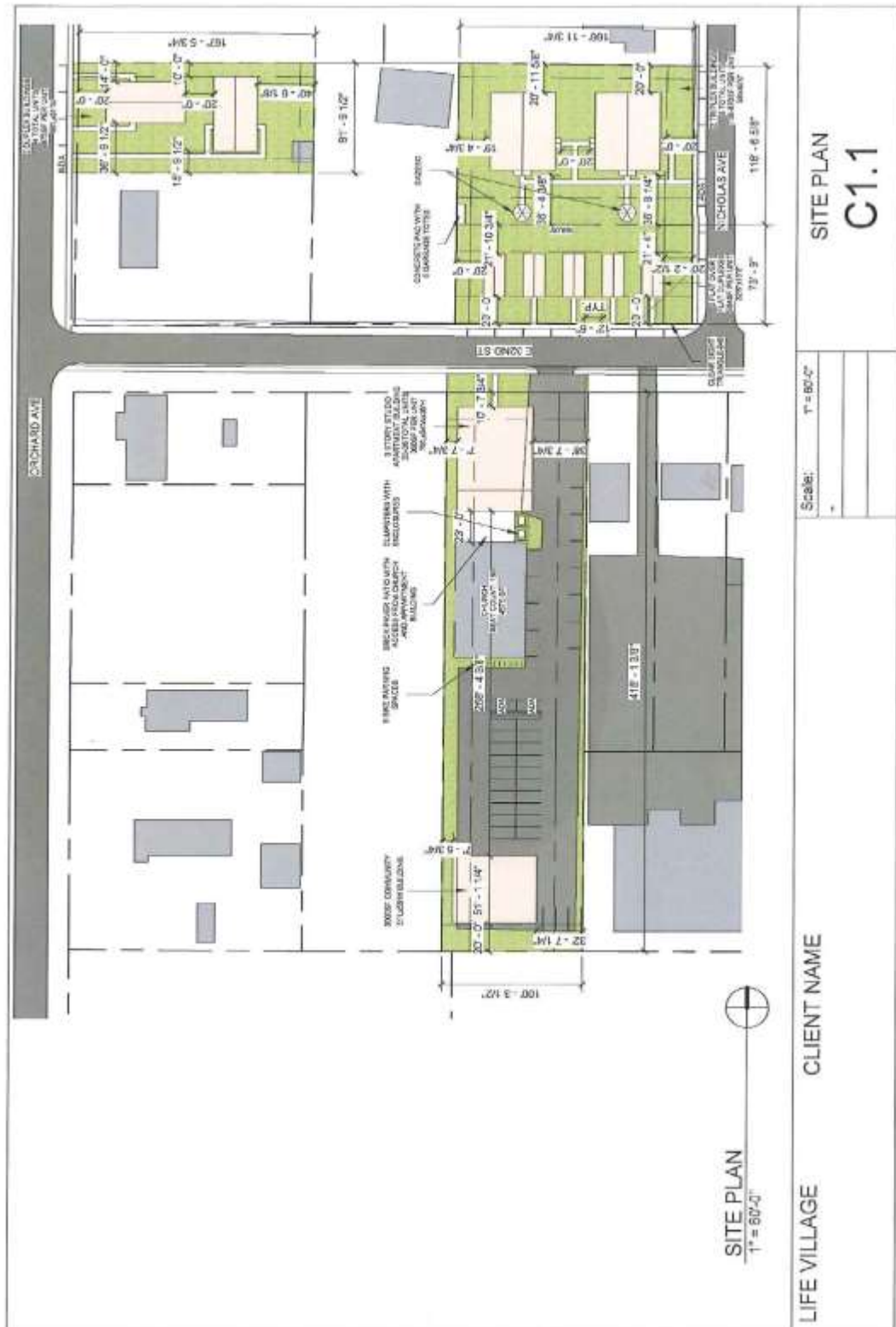
VICINITY

96-Z-225; 3176 North Baltimore Avenue (east of site), requested rezoning of 1.78 acres, being in the D-5 District, to the SU-1 classification to provide for religious uses, including a church addition and parking, **approved**.



1927, 1946 and 1950 East 32nd Street and 3219 Orchard Avenue







Department of Metropolitan Development
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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 majority of the future residents of this proposed developments will be low-income seniors, and therefore the number of automobiles parked at or coming and going to the site will be significantly lower than that of a typical multi-family development. Therefore, a variance to allow for a reduction in the amount of required parking spaces will not be detrimental to the health and/or general welfare of the community. The reduction to the amount of required open space and to the minimum floor area will also not be injurious to the community as there are certain areas of this proposed development where both of these standards are met. The variance request for these two standards only applies to a small percentage of the proposed units.

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

The use of the property is consistent with the Marion County Land Use Plan Pattern Book and the value of the nearby residences will be affected in a positive manner, given that this is will be an affordable housing development to an area of Marion County that is in need of such use and value.

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

This variance request for the reduction of the required parking, minimum floor area, and open space will allow for the density that is necessary for housing projects such as the one being proposed in this petition to be feasible.

DECISION

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

Adopted this _____ day of _____, 20 _____

**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 USE

FINDINGS OF FACT

1. THE GRANT WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY BECAUSE

The proposed site will continue to have a religious use and therefore a rezoning of the property would make that use non-compliant. The multi-family and community center will serve low-income earning senior citizens. A use that is greatly needed in Marion County, and in this neighborhood in particular. The community center will contain services for the residents.

2. THE USE AND VALUE OF THE AREA ADJACENT TO THE PROPERTY INCLUDED IN THE VARIANCE WILL NOT BE AFFECTED IN A SUBSTANTIALLY ADVERSE MANNER BECAUSE

The use and value of the area adjacent to the property will not be adversely affected due to the fact that the proposed will contain newly constructed homes for those in the community. Thus, granting the proposed use will not adversely affect the area.

3. THE NEED FOR THE VARIANCE ARISES FROM SOME CONDITION PECULIAR TO THE PROPERTY INVOLVED BECAUSE

This property has historically been used as & by a church, whom wishes to provide quality housing for low-income seniors in the area. A property cannot be used residentially while being zoned for Special Use (Religious), thus a variance of use is necessary.

4. THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE CONSTITUTES AN UNUSUAL AND UNNECESSARY HARDSHIP IF APPLIED TO THE PROPERTY FOR WHICH THE VARIANCE IS SOUGHT BECAUSE

This property has historically been used as & by a church, whom wishes to provide quality housing for low-income seniors in the area. A property cannot be used residentially while being zoned for Special Use (Religious), thus a variance of use is necessary.

5. THE GRANT DOES NOT INTERFERE SUBSTANTIALLY WITH THE COMPREHENSIVE PLAN BECAUSE

Granting the variance of use allows for the new residential units to be developed on the site while allowing for the religious use to continue, and therefore does not interfere substantially with the comprehensive plan.

DECISION

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

Adopted this _____ day of _____, 20 _____

EXHIBIT A

Heritage Tree Conservation

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

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

Table 744-503-3: Replacement Trees		
Size of tree removed or dead (inches)	Number of Trees to be planted to replace a Heritage Tree	Number of Trees to be planted to replace an existing tree
Over 36 DBH	15	10
25.5 to 36 DBH	11	8
13 to 25 DBH	8	6
10.5 to 12.5 DBH	6	4
8.5 to 10 DBH	5	4
6.5 to 8	3	2
4 to 6	2	2
2.5 to 3.5	1	1



7/1/25, 1:58 PM

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1/3







View looking west along East 32nd Street



View looking west along East 32nd Street

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View looking south across East 32nd Street at site – 1927 East 32nd Street



View looking north across East 32nd Street – 1926 / 1950 East 32nd Street



View looking north along Nichols Street



View looking northwest across East 32nd Street / Nichols Street– 1926 / 1950 East 32nd Street

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View looking south along Orchard Avenue



View looking north along Orchard Avenue

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View of site looking east across Orchard Avenue – 3219 Orchard Avenue



View of site looking east across Orchard Avenue – 3219 Orchard Avenue

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View of adjacent property to the south looking east across Orchard Avenue – 3219 Orchard Avenue

METROPOLITAN DEVELOPMENT COMMISSION

August 20, 2025

Case Number: 2025-ZON-046
Property Address: 10010 and 10440 Pentecost Road
Location: Franklin Township, Council District #25
Petitioner: Pulte Group, by Brian J. Tuohy
Current Zoning: D-A
Request: Rezoning of 96.6 acres from the D-A district to the D-P district to provide for a single-family detached residential development consisting of 225 lots.
Current Land Use: Agricultural Uses / Single-family dwelling
Staff Recommendations: Approval.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner acknowledged the automatic continuance filed by a registered neighborhood organization that continued this petition from the July 16, 2025 hearing, to the August 20, 2025 hearing.

STAFF RECOMMENDATION

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

1. A 25-foot half right-of-way shall be dedicated along the frontage of Pentecost Road and a 45-foot half right-of-way shall be dedicated along Senour Road, 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. Modify the Palermo Drive / shared entrance to comply with Subdivision Standards including the recently dedicated right-of-way.
3. Install a crosswalk at emergency only access drive approximately 1,400 feet west of the intersection of Pentecost Road and Senour Road with Rectangular Rapid Flashing Beacons (RRFB).
4. Provide roadways with traffic calming features in accordance with Department of Public Works standards per Chapter 800 traffic calming methods, excluding stop signs.
5. The proposed access drive along Pentecost Road shall have one inbound and at least one outbound lane with stop control per the Traffic Impact Study (TIS).

PETITION OVERVIEW

This 96.6-acre site, zoned D-A, is comprised of four parcels developed with agricultural uses and a single family dwelling. It is surrounded by agricultural uses and single-family dwellings to the north, zoned D-A; single-family dwellings to the south and across Pentecost Road, zoned D-A and D-P; single-family dwellings to the east, zoned D-A; and single-family dwellings to the west, zoned D-5II.

REZONING

This request would rezone the site to the D-P District.

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 suburban neighborhood typology for the western portion of the site and agricultural reserve for the eastern portion of the site.

A proposed development of the site would not be consistent with the Plan recommendation of suburban neighborhood or the agriculture reservation recommendation.

DP Statement – April 14, 2025 (See Exhibit A)

The DP Statement explains development of the four parcels for 225 single-family detached dwelling units.

Development standards provide for a 20-foot minimum front yard setback, minimum five-foot with an aggregate of ten feet for the side yards and a minimum 15-foot rear yard setback. The minimum lot width would be 60 feet and the minimum lot area would be 7,800 square feet.

Utilities and drainage would comply with all regulations and requirements.

The D-P Statement provides detailed architectural standards that include building materials, building scale / massing, minimum living space, window openings, garages, porches / entryways, rooflines, lot lighting, and landscaping.

Signage would include freestanding monument signs at each entry and incidental signs.

Amenities would include multi-purpose paths, preserved / natural landscaping area, common areas, a playground, picnic / BBQ area and game courts.

Traffic Impact Study (DRAFT) – July 18, 2025

The parameter used to evaluate traffic operation conditions is referred to as the level-of-service (LOS). There are six LOS (A through F) categories, which relate to driving conditions from best to worst, respectively. LOS directly relates to driver discomfort, frustration, fuel consumption and lost travel time. Traffic operating conditions at intersections are considered to be acceptable if found to operate at LOS D or better.

Scope of the study:

1. Obtain turning movement traffic volume counts between the hours of 6:00 A.M. to 9:00 A.M. and 4:00 P.M. to 7:00 P.M. during a typical weekday at the existing study intersections.
2. Estimate the year 2030 background traffic volumes by applying a 2.0% per year non-compounded growth rate to the existing traffic volumes and adding projected traffic from the following proposed nearby developments.
 - Montgomery Woods (161 Single Family Dwelling Units)
 - Palermo Gardens (184 Senior Adult Housing Dwelling Units)
3. Estimate the number of peak hour trips that will be generated by the proposed development.
4. Assign and distribute the generated traffic from the proposed development to the study intersections.
5. Prepare a capacity analysis/level of service analysis and turn lane analysis at the study intersections for each the scenarios.

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Capacity analysis occurred for three different scenarios. Scenario One was based on existing traffic volumes. Scenario Two - Year 2030 Background Traffic Volumes – Based on applying a 2.0% per year non-compounded growth rate to the existing traffic volumes and adding projected traffic from nearby future developments. Scenario Three - Year 2030 Proposed Development Traffic Volumes – Based on the sum of year 2030 background traffic volumes and generated traffic volumes from the proposed development.

Study Area - Intersections:

- Pentecost Road & Senour Road
- Pentecost Road & Vandergriff Road
- Pentecost Road & Fox Hollow Boulevard/Palermo Drive
- Pentecost Road & Proposed Access Drive

Conclusions / Recommendations

- Pentecost Road and Senour Road - Capacity analyses for all traffic volume scenarios have shown that all approaches to this intersection currently operates and will continue to operate at acceptable levels of service during the AM and PM peak hours with existing intersection conditions. Therefore, no improvements are recommended at this intersection.
- Pentecost Road & Vandergriff Road - Capacity analyses for all traffic volume scenarios have shown that all approaches to this intersection currently operates and will continue to operate at acceptable levels of service during the AM and PM peak hours with existing intersection conditions. Therefore, no improvements are recommended at this intersection.
- Pentecost Road & Fox Hollow Boulevard/Palermo Drive - capacity analyses for all traffic volume scenarios have shown that all approaches to this intersection currently operates and will continue to operate at acceptable levels of service during the AM and PM peak hours with existing intersection conditions. Therefore, no improvements are recommended at this intersection.
- Pentecost Road & Proposed Access Drive - Capacity analyses have shown that all approaches to this intersection will operate at acceptable levels of service during the AM and PM peak hours with the following recommendations:
 - The access drive should be constructed with one inbound lane and at least one outbound lane.
 - Intersection should be stop-controlled with the access drive stopping for Pentecost Road.

Department of Public Works

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 25-foot half right-of-way along Pentecost Road and a 40-foot half right-of-way along Senour Road. These dedications would also be consistent with the Marion County Thoroughfare Plan.

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Planning Analysis

Staff believes the request would not be consistent with the Comprehensive Plan recommendations of rural or estate neighborhood and agriculture reservation, along with a proposed density of 2.33 units per acre. However, the proposed development would be similar to recent rezonings to the D-3 district in the area to the southwest and east, across Senour Road and the D-5II district abutting the site to the west. Consequently, the development would be compatible with the surrounding land uses.

It should be noted that this request is limited to the rezoning and is not approval or support of the conceptual site plan, dated April 14, 2025.

GENERAL INFORMATION

Existing Zoning	D-A	
Existing Land Use	Agricultural uses / single-family dwelling	
Comprehensive Plan	Rural or Estate Neighborhood / Agricultural Reservation	
Surrounding Context	Zoning	Land Use
North:	D-A	Agricultural Uses / Single-family dwellings
South:	D-A	Single-family dwellings
East:	D-A	Single-family dwellings
West:	D-5II	Single-family dwellings
Thoroughfare Plan		
Pentecost Road	Local Street	Existing 50-foot right-of-way and proposed 50-foot right-of-way.
Senour Road	Primary Arterial	Existing 30-foot right-of-way and proposed 80-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	April 14, 2025	
Site Plan (Amended)	N/A	
Elevations	April 14, 2025	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	April 14, 2025	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends Rural or Estate Neighborhood and Agricultural Reserve. The Rural or Estate Neighborhood typology applies to both rural or agricultural areas and historic, urban areas with estate-style homes on large lots. In both forms, this typology prioritizes the exceptional natural features – such as rolling hills, high quality woodlands, and wetlands – that make these areas unique. Development in this typology should work with the existing topography as much as possible. Typically, this typology has a residential density of less than one dwelling unit per acre unless housing is clustered to preserve open space.

The Industrial Reservation land use (non-typology land use) is intended for areas that should be protected for agricultural use. These areas may also be appropriate for parks.

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:

Detached Housing

- Should preserve open space.
- In older, established historic areas, lots should be deep and narrow with deep setbacks. This allows for city services such as streets and sewer lines to be used more efficiently. Mature trees should be preserved whenever possible.
- In more rural areas, the protection of open space is even more critical. Lots should be both deep and wide.
- Denser development is appropriate only if the houses are clustered together and public open space is provided.
- “Flag lots” (lots that are behind other lots, buildings, or otherwise not visible from the road) should be avoided.
- Lots should be no larger than one and a half times the adjacent lots.

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

ZONING HISTORY

2022-ZON-036; 4161 and 4355 Senour Road (east of site), requested rezoning of 63.60 acres from the D-A district to the D-3 district, **approved**.

2021-CZN-831 / 2021-CPL-831; 9700 and 10010 Pentecost Road (west of site), requested rezoning of six acres from the D-A (FF) district to the D-5II (FF) district and to modify or terminate commitments of 2004-ZON-830 as follows: Modify Commitment Six to permit the maximum number of lots to equal the number shown on the plat (maximum – 140); Modify Commitment Eight to permit outbuildings if permitted by the Declaration of Covenants and approved by the Architectural Review Committee; Modify Commitments 12 and 13 to provide for entry and Pentecost Road landscaping and fencing that matches current plans (combination of evergreen and deciduous trees, shrubs and fencing similar to “Bentley Commons”); Modify Commitment 14 to relocate the required second entrance to the area being rezoned; Modify Commitment 15 to permit the street layout to match the proposed plat (the plat will include one stub street to the north of the original 40 acres that does not line up with an entrance); Modify Commitment 16 to permit the minimum lot width to match the recorded plat (minimum 107-foot width for two-unit lots and 52-foot width for individual unit lots); Modify Commitment 22 to permit all interior streets to be 26 feet wide from curb to curb (28 feet width required); Modify Commitment 23 to permit either a sidewalk or a recreational trail along each side of internal streets (sidewalks required); Modify Commitment 27 to clarify that concrete composite board or sheet product like (James Hardie Companies) qualifies as masonry (98% of first floor exterior walls shall be brick or masonry); Terminate Commitment 28 requiring a “knox box;” Terminate Commitment 29 restricting residents to age 55 or older; Modify Commitment 30 to permit the setback from Pentecost Road to match the recorded plat (140 feet from centerline required); and Terminate Commitment 33 providing for a sanitary sewer easement, if necessary to New Beth-el subdivision and Approval of a Subdivision Plat to be known as The Village at Miller Bend, dividing 46 acres into 186 single-family attached dwellings (93 two-family lots), with a waiver to shorten the boulevard entry length, to permit a trail instead of a sidewalk, and to partially waive the street connection requirement, **approved**

2018-ZON-004, 9700 Pentecost Road (west of site), requested rezoning of 40 acres, from the D-5II (FF) district, to the D-3 (FF) classification to provide for a cluster residential development, **withdrawn**.

2013-ZON-035; 10203 Pentecost Road (east of site), requested rezoning of 3.5 acres from D-A to D-P to permit the site to be incorporated into the Wolf Run development (2003-ZON-060, as modified by 2004-APP-058 and 2007-APP-187), **approved**.

2005-ZON-120; 9741 Pentecost Road (west of site), requested rezoning 68.337 acres, being in the D-A (FF) District, to the D-3 (FF) classification to provide for residential uses, **approved**.

2004-ZON-830 / 2004-VAR-830; 9700 Pentecost Road (west of site), requested rezoning of 40.0 acres, being in the D-A District, to the D-5II classification to provide for two-family residential development; and a variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for a maximum of 25-percent of the lots or 18 lots with fifty-percent lot open space, **approved and withdrawn**.



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2003-ZON-060, 9900, 10050, 10500, and 10640 East Thompson Road and 10101 and 10401 Pentecost Road (north of site), requested rezoning 422.943 acres, from the D-P (FF) (FW) District, to the D-P (FF) (FW) classification to provide for 833 single-family dwellings, with a density of 1.98 units per acre, **approved**.

96-Z-18 / 96-DP-2; 4650 Senour Road (subject site), requests a rezoning of 423 acres, from D-A (FW) (FF), to D-P (FW) (FF), to provide for mixed-use development including 433 single-family residences, a golf course, and a neighborhood commercial center, **approved**.

EXHIBITS



10010 and 10440 Pentecost Road



0 0.05 0.1 0.2 0.3 0.4 Miles

EXHIBIT A

Preliminary DP Plan

Introduction

Pulte Homes of Indiana, LLC ("Petitioner") is under contract to purchase approximately 96.6 acres of real estate commonly addressed as 10440 & 10010 Pentecost Rd (aka 10640 Pentecost Rd and 4160 Senour Rd) (the "Subject Property"). The Subject Property is zoned DA.

Permitted Use

Permitted Use: The use of the Subject Property shall be limited to single-family detached dwelling units, as set forth in Table 743-1 of the Consolidated Zoning/Subdivision Ordinance of the City of Indianapolis, Marion County, effective January 8, 2025 (the "Zoning Ordinance").

Development Layout

The Concept Plan filed concurrently with this DP Plan shows 225 lots in a subdivision to be named at a time a primary plat is submitted. The proposed development will feature traditional single-family detached homes. Development of the Subject Property shall be in substantial compliance with the Concept Plan attached hereto as Exhibit A.

Development Standards:

Lots containing single-family detached dwellings shall meet the following development standards:

1. Front Yard/Setback: Minimum twenty feet (20') from the right-of-way line.
2. Side Yard/Setback: Minimum five feet (5') per side, minimum ten feet (10') in the aggregate.
3. Rear Yard/Setback: Minimum fifteen feet (15').
4. Minimum Lot Width at the front setback line: Sixty feet (60').
5. Minimum Lot Size: Seven Thousand Eight Hundred (7,800) square feet.

Utilities/Drainage: All utilities are available to the site. There will be reasonable attempts made so that no utility poles will be located on the Subject Property, unless already existing and financially impractical to bury or relocate. 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.

Architectural Standards: All homes constructed on the Subject Property shall meet the following minimum standards:

Section 1. Single Family Design:

A. Permitted Building Materials:

1. Exterior building materials may include masonry, wood and fiber cement siding.
2. All first floor front elevations must have a masonry (brick or stone) wainscot, a minimum of twenty-four (24) inches in height or to the bottom of the windows,

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with the exception that no more than twenty (20) homes may have no masonry on the front elevation to achieve certain architectural styles that lends itself to the use of less masonry on the front facade.

B. Building Scale and Massing: Dwellings shall not feature long front elevation, unbroken expanses of wall. This may be accomplished by including, but not limited to any of the following features:

1. Variation in height and depth.
2. Windows and door openings.
3. Changes in roof line or height.
4. Architectural details and materials, texture, and material placement.
5. Placement of landscaping materials.
6. Recessed entries, and covered porches.
7. Bays and towers.

C. Required Window Openings:

1. A minimum of the following: two (2) windows on the front facade (elevation) for a one-story home, three (3) windows on the front facade (elevation) for a two-story home, one (1) window on the side facade (elevation), and three (3) windows on the rear facade (elevation) shall be provided, excluding the garage door (for the purpose of this requirement a standard door with a window shall qualify as one (1) window).
2. Windows shall be wood, vinyl-clad, vinyl, aluminum-clad wood, or painted metal.

D. Garage Type:

1. All garages shall be attached to the dwelling.
2. All garages shall be designed as an integral part of the architecture of the dwelling, with regards to materials, trim and details.
3. All Dwellings shall have a minimum of 2 car garage.

E. Porches and Entryways:

1. Porches and/or entryways shall be clearly defined, with a minimum of four (4) feet in depth, or be a minimum of thirty (30) square feet.

F. Roofline:

1. Primary roof shall have a minimum roof slope of 6 (vertical units); 12 (horizontal units) with the exception that no more than twenty (20) homes may have a minimum 5/12 roof pitch on the primary roof to achieve certain architectural styles that lend itself to the use of lower roof pitches. Secondary roofs (e.g. porch, bays, garages, dormers) may have a lower pitch.
2. All dwellings shall include architectural-grade dimensional shingles. Three-tab shingles are not permitted.

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3. If dormers are used, at least one (1) window or decorated louver per dormer is required. Dormers and gables must have details such as attic bands, windows and/or decorative attic vent.

G. Landscaping

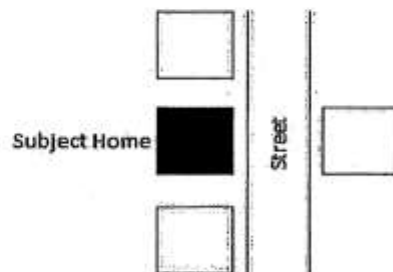
1. Front Yard: Two (2) 2.5 in. deciduous trees and ten (10) shrubs of a minimum of 24- inches in width or height, or landscaping that meets the requirements of the Zoning Ordinance.
2. Lawns: Sod is required in the front yard up to the front corner of the home. Seed is permitted in the side and rear yards of the home. On corner lots, sod will be installed within the building setback line adjacent to the road.

H. Architectural Character Imagery: The applicable character illustrations, indicating conceptually the intended architecture and appearance of single family detached dwellings are contained within Exhibit B.

I. Minimum Square Footage: One story single-family homes (ranches) shall contain a minimum of One Thousand Six Hundred (1,600) square feet of "Living Space" (areas under roof of primary structure but not including porches, terraces, unfinished attics and garages). Two story single-family homes shall contain a minimum of Two Thousand Two Hundred (2,200) square feet of Living Space.

Section 2. Monotony Mitigation:

Front Facades: The same floor plan with same elevation and same color shall not be constructed for one (1) lot on each side of the subject lot on the same side of the street and for one (1) lot across the street from the subject lot as illustrated in the below diagram.



- A. Exterior Siding Color: No two side by side homes on contiguous lots or the lot across the street from the subject lot shall have the same primary exterior color on the primary structure of the home.
- B. Exterior Masonry Color: No two side by side homes on contiguous lots shall have the same masonry color.

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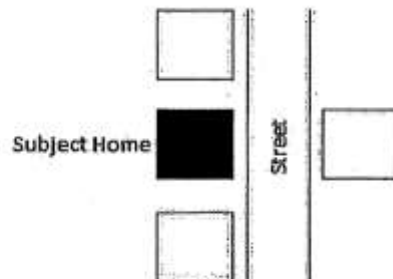
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- A. Exterior Siding Color: No two side by side homes on contiguous lots or the lot across the street from the subject lot shall have the same primary exterior color on the primary structure of the home.
- B. Exterior Masonry Color: No two side by side homes on contiguous lots shall have the same masonry color.

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Section 3. Lot Lighting: All Dwellings shall have two (2) dusk to dawn garage lights, one (1) located on each outermost side of the garage door(s).

Sign Program

Primary Freestanding (Entry) Signs: The development shall be permitted to have monument style entry signs located at each entrance.

1. Number: One (1) if located in the median, two (2) if located on the outside of the ingress/egress lanes.
2. Maximum Height of Sign Face: Eight (8) feet.
3. Maximum Width of Sign Face: Fifteen (15) feet.
4. Maximum Height of Sign Frame (includes columns): Ten (10) feet.
5. Maximum Width of Sign Frame (includes columns): Twenty-five (25) feet.
6. Materials: Masonry (brick; stone), metal accent, wood accent (vinyl is prohibited).
7. Lighting: Internal (backlit letters) or ground mounted external.

Secondary Freestanding: The development shall permit both Vehicle Entry Point and Incidental Signs as set forth in Ch. 744, Art. IX, Sec. 06, Table 744-906-10 of the Zoning Ordinance.

Miscellaneous

Amenities: Petitioner shall provide certain amenities for the development, substantially as shown on the Concept Plan.

1. Multipurpose paths (internal and along portions of Pentecost Road frontage).
2. Preserved, natural landscaping areas.
3. Open common areas.
4. Playground, Picnic/BBQ Area and Game Courts.

EXHIBIT A



EXHIBIT B
 Character Exhibits – Single-Family



B-1



View looking west along Pentecost Road



View looking east along Pentecost Road



View of western boundary of site looking north across Pentecost Road



View of site looking northeast across Pentecost Road

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View of site looking north across Pentecost Road



View of site looking north across Pentecost Road



View of site looking north across Pentecost Road



View of site looking north across Pentecost Road

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View looking northeast across intersection of Pentecost Road and Senour Road