



Metropolitan Development Commission Hearing (March 4, 2026) Meeting Notice

Meeting Details

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

Date: Wednesday, March 04, 2026 **Time:** 1:00 PM

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

Business:

Adoption of Meeting Minutes: February 18, 2026

Special Requests

Policy Resolutions:

REAL ESTATE:

1. 2026-R-004

Authorizes the Department of Metropolitan Development to contract for placemaking services with Downtown Indy Inc. for an overall amount not to exceed \$2,040,000.

ECONOMIC DEVELOPMENT / INCENTIVES:

2. 2026-E-001

Authorizes expenditure of \$120,000 Certified Technology Park Grant Funds for demolition and site preparation for slab located at 1200 Indiana Avenue in 16 Tech Park, Council District #12, Center Township.

Zoning Petitions:

PETITIONS OF NO APPEAL (RECOMMENDED FOR APPROVAL):

3. 2025-ZON-075 | 5416 North College Avenue

Washington Township, Council District #7
Firkins, LLC, by Joseph D. Calderon

Rezoning of 0.22-acre from the D-3 (TOD) and C-3 (TOD) districts to the MU-2 (TOD) district to provide for a mixed-use development.

4. 2025-ZON-128 (Amended) | 2802 Lafayette Road

Wayne Township, Council District #11
PFFO QOZB, LLC, by Michael Rabinowitch

Rezoning of 5.6 acres from the C-4 (FF) district to the I-1 (FF) district to provide for small-scale commercial workspace and self-storage uses.

5. **2025-ZON-140 | 1802 Cornell Avenue**
Center Township, Council District #13
Rachel Loveman and Lyle Fettig, by Adam Tyler Murphy

Rezoning of 0.19-acre from the I-3 district to the D-8 district to provide for residential uses.

6. **2025-ZON-143 / 1860 Sugar Grove Avenue**
Center Township, Council District #12
Full Circle Development II LLC, by Jason Wolfe

Rezoning of 0.12 acres from the C-1 (W-1) district to the D-5 (W-1) classification to provide for residential uses.

7. **2026-ZON-004 | 3 Beachway Drive**
Wayne Twp., CD #16
SBP Properties, LLC, by Stephanie Fall

Rezoning of 2.536 acres from the D-6 district to the C-3 district to legally establish an existing neighborhood commercial development.

8. **2025-CAP-854 | 6340 Intech Commons Drive**
Pike Township, Council District #6
C-S
ASIntech Park Partners, LLC, by Timothy E. Ochs and Jennifer Milliken

Modification of Commitments related to petition 98-Z-233 to modify Commitment 20 to provide for no more than two free-standing fast food or drive-through restaurants within 'Area "F", within three hundred forty-five feet (345 feet) of the existing centerline of 71st Street, and the west line of the outlot (in an east-west direction) upon which it is located shall not be closer than two hundred feet (200 feet) to the east right-of-way of Intech Boulevard (current commitment limits the number of free-standing fast food or drive-through restaurants to one within 'Area "F", within three hundred forty-five feet (345 feet) of the existing centerline of 71st Street, and the west line of the outlot (in an east-west direction) upon which it is located shall not be closer than four hundred feet (400 feet) to the east right-of way of Intech Boulevard.

9. **2025-CZN-859 | 1536 Prospect Street**
Center Township, Council District #18
The Whitney Company, LLC, by Garrick Walton

Rezoning of 0.233-acre from the C-4 district to the D-8 district to provide for residential uses.

10. **2025-CZN-863 | 1921 Prospect Street**
Center Township, Council District #18
Morris Cohen, by Mark and Kim Crouch

Rezoning of 0.12-acre from the C-4 district to the D-8 district for a four-unit multi-unit structure. Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for side yard building setbacks of three feet on each side (minimum five-foot side yard building setbacks required) and one-foot side yard setbacks for a surface parking area (minimum five-foot side yard setbacks required).

PETITIONS OF NO APPEAL (RECOMMENDED FOR DENIAL):

Petitions for Public Hearing

PETITIONS FOR PUBLIC HEARING:

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

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

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

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

2025-ZON-132 (Amended) | 5736 Madison Avenue

Perry Township, Council District #23
Jade Investments GMA, LLC

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

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

2025-ZON-133 (Amended) | 2650 West Epler Avenue & 5201 South Warman Avenue

Perry Township, Council District #22
K & S Realty LLC, by Mindy Westrick Brown and Mark R. Leach

Rezoning of 38.53 acres from the D-A (FF) and D-5 (FF) districts to the I-3 (FF) district to provide for medium industrial uses.

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

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

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

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

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

Additional Business:

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

METROPOLITAN DEVELOPMENT COMMISSION (MDC)

MEMBER ROSTER

Commissioner	Appointing Authority	Term
John J. Dillon III (President)	Mayor	01/01/2026 – 12/31/2026
Megan Garver (Vice-President)	Mayor	01/01/2026 – 12/31/2026
Brian P. Murphy (Secretary)	Mayor	01/01/2026 – 12/31/2026

Bruce Schumacher (Acting Secretary)	Mayor	01/01/2026 – 12/31/2026
Brandon Herget	City-County Council	02/02/2026 – 02/02/2027
Brent Lyle	City-County Council	12/02/2025 – 12/02/2026
Daniel Moriarty	City-County Council	08/11/2025 – 08/11/2026
Brigid Robinson	Mayor	01/01/2026 – 12/31/2026
Gregg West	City-County Council	05/05/2025 – 05/25/2026

This meeting can be viewed live at [indy.gov: Channel 16 Live Web Stream](https://indy.gov/Channel%2016%20Live%20Web%20Stream). 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://indy.gov/Watch%20Previously%20Recorded%20Programs).

**METROPOLITAN DEVELOPMENT COMMISSION
MARION COUNTY, INDIANA
RESOLUTION NO. 2026-R-004**

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana ("MDC") serves as the Redevelopment Commission of the City of Indianapolis, Indiana ("City") under Indiana Code Section 36-7-15.1 (the "Redevelopment Act"); and

WHEREAS, in that capacity, the Commission serves as the governing body of the City of Indianapolis Redevelopment District ("District") and the City's Department of Metropolitan Development ("DMD"); and

WHEREAS, the DMD is in need of placemaking services in the City, including in the Downtown area Canal Walk, Lugar Plaza, Georgia Street, and Monument Circle and is seeking one or more partners to provide such services; and

WHEREAS, in 2026, DMD released **RFQual-13DMD-100** to identify a placemaking partner **for DMD and** the City's Department of Public Works ("DPW"); and

WHEREAS, DMD wishes to enter into a service contract with its selected partner-Indianapolis Downtown Inc., d/b/a **Downtown Indy Inc.** for a term of **up to four (4) years** and in an amount **not to exceed \$500,000 per year for** placemaking services **plus \$40,000 over the contract term** for additional related expenses.

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

1. The Commission authorizes DMD to enter into a services agreement with Indianapolis Downtown Inc., doing business as **Downtown Indy Inc.**, for the provision of placemaking services and related expenses for City-owned properties for a total not-to-exceed amount of **\$2,040,000.**
2. The Director of the DMD is hereby authorized and directed to take such further actions and executed 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

Metropolitan Development Commission

Sheila Kinney

Sheila Kinney, Asst. Corp Counsel

Date: 2/25/2026

John J. Dillon III, President

Date: _____

**THE METROPOLITAN DEVELOPMENT COMMISSION OF
MARION COUNTY, INDIANA
RESOLUTION NO. 2026-E-001**

**GRANT OF CERTIFIED TECHNOLOGY PARK FUNDS FOR DEMOLITION AND
SITE PREPARATION FOR SLAB LOCATED AT 1200 INDIANA AVENUE**

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the “Commission”), being the governing body of the Department of Metropolitan Development of the City of Indianapolis (“DMD”), is charged with the duty under IC 36-7-15.1 and IC 36-7-32 of facilitating economic development in the City of Indianapolis (the “City”); and

WHEREAS, pursuant to such charge the Commission desires to promote further economic development in the Indiana University Emerging Technology Center Certified Technology Park which is a Certified Technology Park designated under IC 36-7-32 (the “CTP”); and

WHEREAS, 16 Tech (herein after “Developer”) as the lead developer for demolition site preparation for the existing building and slab at 1200 Indiana Avenue, which will become the Heartland BioWorks Headquarters; and

WHEREAS, Developer has communicated with DMD regarding additional construction needs to support the development of the CTP; and

WHEREAS, in furtherance of the development of the CTP, DMD has recommended that the Commission contribute \$120,000.00 from funds on hand in the CTP Fund to support the construction of the research facility, (the “Project”).

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

1. The Commission hereby authorizes DMD to enter into a Grant Agreement with Developer to implement the Project, and further authorizes the expenditure of unobligated funds to deposit in the CTP to fund the Project in an amount not to exceed \$120,000.00. The Commission hereby finds and determines that the Project will directly serve and benefit the Certified Technology Park and that the expenditure of CTP Funds for such purpose is in accordance with IC 36-7-32. The Commission further finds that the Project will benefit of the general welfare of the community by encouraging investment, job creation and retention, and economic growth and diversity, is of public benefit, and is in the best interests of the City’s residents.
2. The City Controller is hereby authorized to disburse excess CTP revenues from the CTP Fund for the Project described above. The Mayor and Controller of the City, the officers of the Commission and the Director of DMD, are hereby authorized and directed to take

such further actions and execute such documents as they deem necessary or advisable to effectuate the authorizations set forth in this Resolution, including, without limitation, a grant agreement with Developer setting forth the terms and conditions of the Commission's contributions to the Project.

- 3. This Resolution shall take effect immediately upon adoption by the Commission. ADOPTED AND APPROVED at a meeting of the Metropolitan Development Commission of Marion County, Indiana, held on March 4, 2026, at the City-County Building, 2nd floor, Public Assembly Room (Room 230), Indianapolis, Indiana.

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

 John J. Dillon III, President

 Date

Approved as to Legal Form
 and Adequacy

Sheila Kinney

 Sheila Kinney, Corporation Counsel

Date : 2/25/2026

Approved as the Availability of Funding

Abigail Hanson

 Abigail Hanson, Controller

Date: 2-25-2026



METROPOLITAN DEVELOPMENT COMMISSION **March 4, 2026**

Case Number: 2025-MOD-024
Property Address: 5601 and 5621 Madison Avenue and 1525 Dudley Avenue
Location: Perry Township, Council District #23
Petitioner: Jade Investments of Indy, Inc.
Current Zoning: C-5 (TOD)
Request: Modification of Commitments Numbers #2 and #5 related to 2015-ZON-007, subject to the site plan, file-dated November 18, 2025, for landscaping and office location (previous commitments provided for Administrator’s Approval for redevelopment or replacement of the residential structure, no other commercial use and removal of the mobile office within 24 months after final approval of the rezoning).
Current Land Use: Automobile Sales
Staff Recommendations: Denial.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

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

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

STAFF RECOMMENDATION

Denial.

PETITION OVERVIEW

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



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

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

MODIFICATION

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

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

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

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

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

Violations – VIO24-002430

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

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

Overlays

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



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

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

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

GENERAL INFORMATION

Existing Zoning	C-5 (TOD)	
Existing Land Use	Automobile vehicle sales	
Comprehensive Plan	Community Commercial	
Surrounding Context	Zoning	Land Use
	North: C-3 (TOD)	Commercial uses
	South: C-3 (TOD)	Commercial uses
	East: D-3 (TOD)	Single-family dwellings
	West: C-1 (TOD) / D-1 (TOD)	Commercial uses / single-family dwelling
Thoroughfare Plan		
Madison Avenue	Primary arterial	Existing 50-foot right-of-way and proposed 80-foot right-of-way.
Dudley Avenue	Local Street	Existing 50-foot right-of-way and proposed 50-foot right-of-way.
Whalen Avenue	Local Street	Existing 40-foot right-of-way and proposed 50-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	Transit-Oriented Development (TOD)	
Wellfield Protection Area	No	
Site Plan	November 18, 2025	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	



COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

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

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

Conditions for All Land Use Types – Community Commercial Typology

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

Red Line / Blue Line / Purple Line TOD Strategic Plan

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

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

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

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



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

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

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



ZONING HISTORY

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

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

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

VICINITY

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

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

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

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

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

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

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

MEMORANDUM OF EXAMINER'S DECISION

2025-MOD-024

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

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

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

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

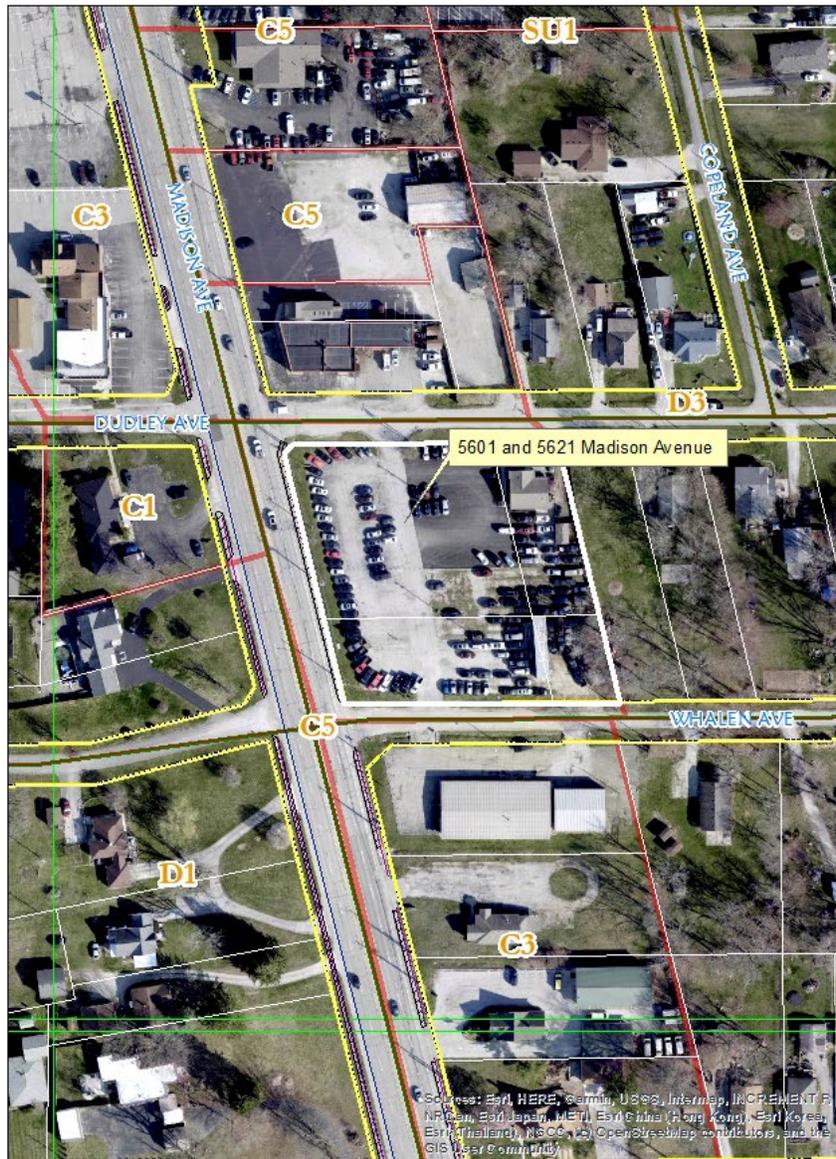
Letters of opposition were submitted by an area property owner and by the Thompson Edgewood Residential Association, and another area property owner appeared at the hearing. Reasons for opposition included improperly maintained property, lack of benefit to the neighborhood, and noncompliance with commitments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

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

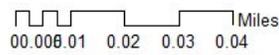
In your Hearing Examiner's opinion, the petitioner has not made a good faith effort to abide by commitments made in 2015, and has not maintained the site. Denial of this petition was recommended.

For Metropolitan Development Commission Hearing on February 4, 2026

EXHIBITS



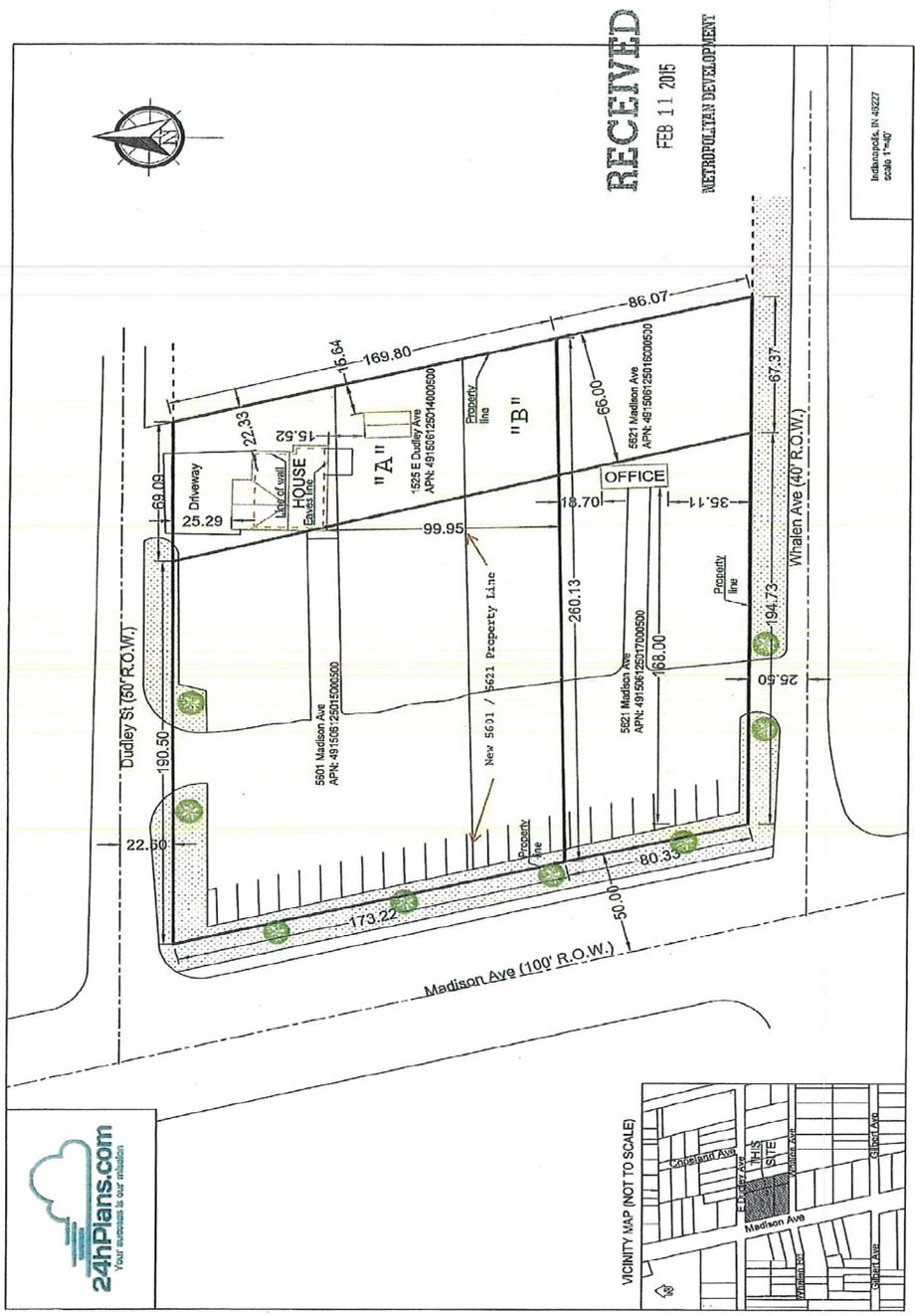
5601 and 5621 Madison Avenue



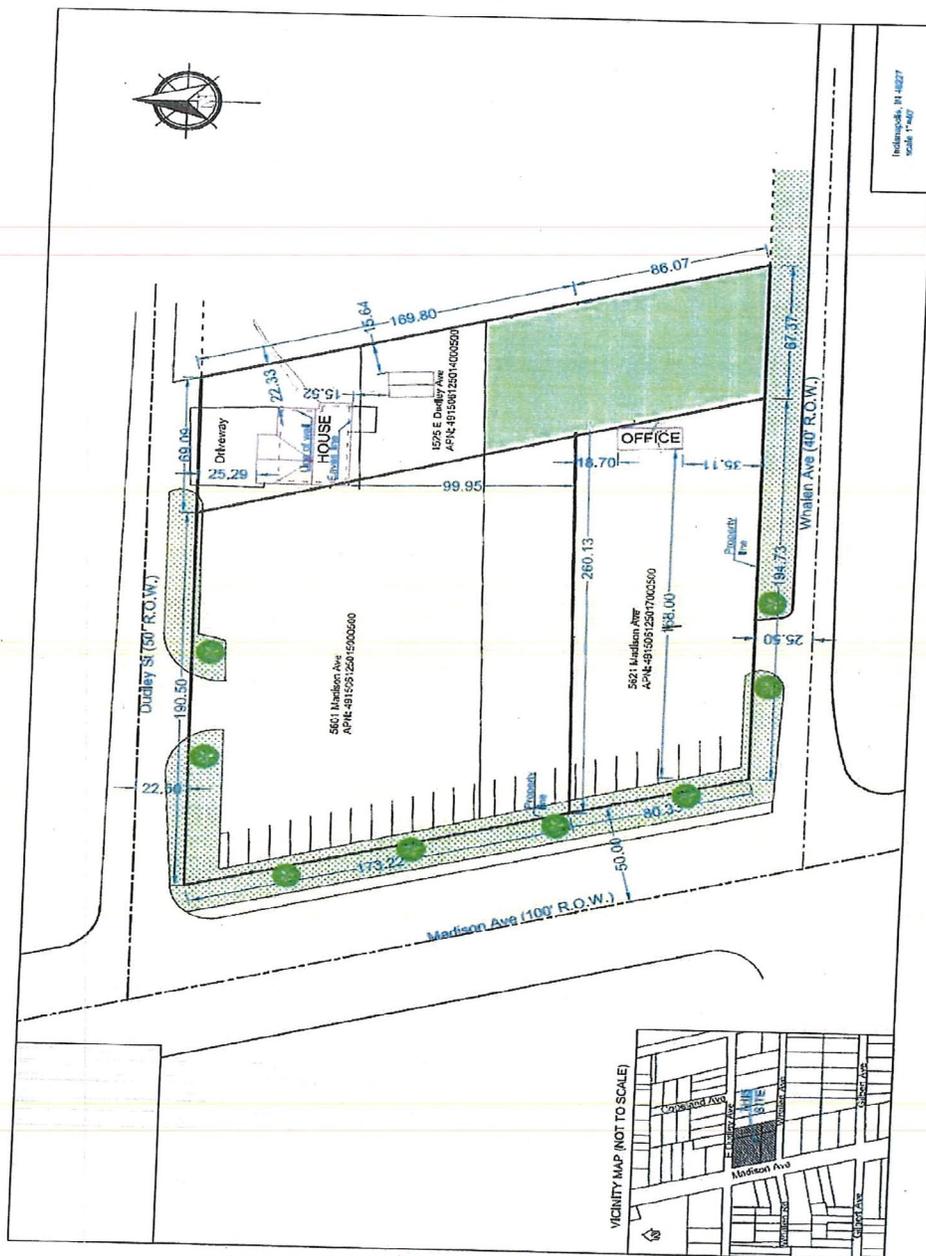


Department of Metropolitan Development
 Division of Planning
 Current Planning

2015-ZON-007 Site Plan



2025-MOD-024 Site Plan



Indianapolis, IN 46227
 Scale: 1"=40'

EXHIBIT 2



Department of Metropolitan Development
Division of Planning
Current Planning

EXHIBIT A

A201500054955

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

ANC

RECEIVED

MAY 18 2015

METROPOLITAN DEVELOPMENT

STATEMENT OF MODIFICATION OR TERMINATION
OF COVENANTS OR COMMITMENTS

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

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

Legal Description: See Attached Exhibit "A"

Statement of MODIFICATION OR TERMINATION of Covenants or Commitments:

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

MDC's Exhibit C - - page 1 of 4



6



Department of Metropolitan Development
Division of Planning
Current Planning

RECEIVED

MAY 18 2015

METROPOLITAN DEVELOPMENT

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

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

These COMMITMENTS may be enforced jointly or severally by:

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

These COVENANTS may be enforced by the Metropolitan Development Commission.

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

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

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

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



Department of Metropolitan Development
 Division of Planning
 Current Planning

RECEIVED

MAY 18 2015

METROPOLITAN DEVELOPMENT

Exhibit B – Statement of Additional Commitments

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

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



View looking north along Madison Avenue



View looking south along Madison Avenue



View looking east along Dudley Avenue



View looking west along Dudley Avenue



View of site looking south across Dudley Avenue



View of site looking southeast across Dudley Avenue



View looking south across Dudley Avenue and Madison Avenue



View of site looking east across Madison Avenue



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



View of site looking north across Whalen Avenue



View of site looking north across Whalen Avenue



View of site looking north across Whalen Avenue



View of site looking northwest across Whalen Avenue



Department of Metropolitan Development
Division of Planning
Current Planning

METROPOLITAN DEVELOPMENT COMMISSION

March 4, 2026

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

PETITION HISTORY

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

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

STAFF RECOMMENDATION

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

1. A technical assessment shall be conducted prior to the issuance of an Improvement Location Permit to provide for a wetlands delineation to determine the type and quality and how the area could be preserved and integrated into the development as an amenity.
2. A 56-foot half right-of-way shall be dedicated along the frontage of Madison Avenue, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).
3. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptables provided for the proper disposal of trash and other waste.



PETITION OVERVIEW

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

REZONING

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

The Comprehensive Plan recommends suburban neighborhood typology for the site.

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

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

Overlays

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

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



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

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

Department of Public Works

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

Wetland Preservation

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

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

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

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

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



Stream Protection Corridor

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

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

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

The Stream Protection Corridor is defined as:

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

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

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

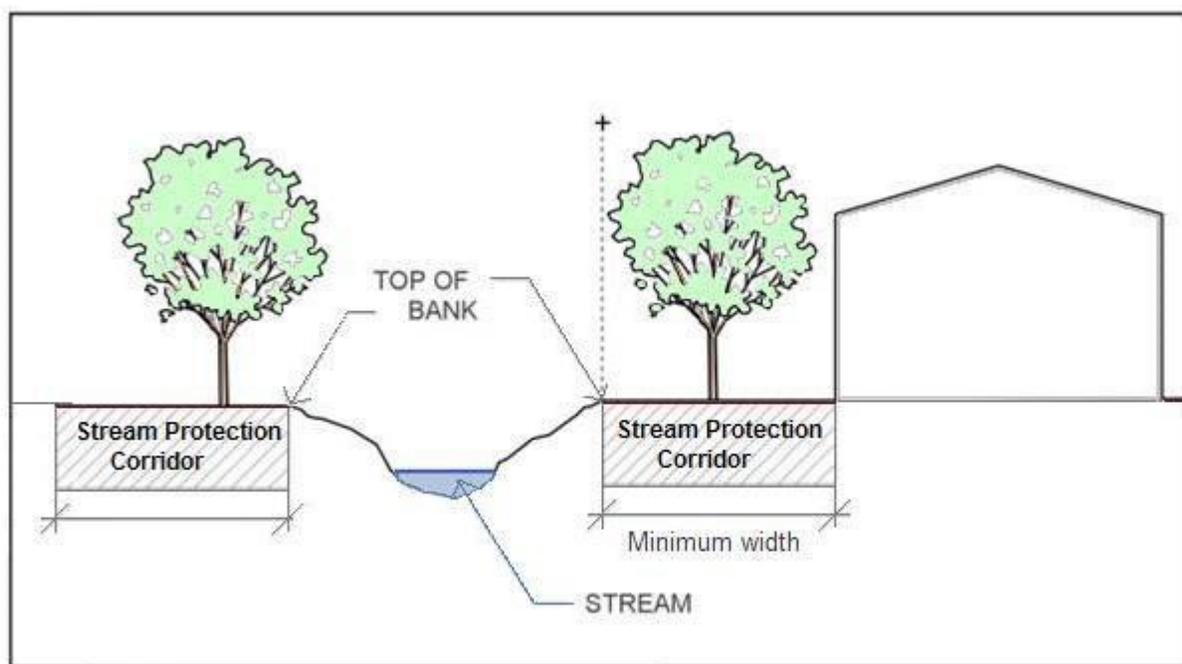
Stream Channel is defined as “part of a watercourse that contains an intermittent or perennial base flow of groundwater origin.”

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

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

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

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



Stream Protection Corridor

Environmental Public Nuisances

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



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

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

Environmental public nuisance means:

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

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

Planning Analysis

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

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

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

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



Department of Metropolitan Development
Division of Planning
Current Planning

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

GENERAL INFORMATION

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

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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



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

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

Pattern Book / Land Use Plan

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

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

Conditions for All Land Use Types – Suburban Neighborhood Typology

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

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

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



Department of Metropolitan Development
Division of Planning
Current Planning

Red Line / Blue Line / Purple Line TOD Strategic Plan

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

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

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

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

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

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



Department of Metropolitan Development
Division of Planning
Current Planning

ZONING HISTORY

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

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

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



MEMORANDUM OF EXAMINER'S DECISION

2025-ZON-132 (Amended)

5736 Madison Avenue

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

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

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

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

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

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

For Metropolitan Development Commission Hearing on February 4, 2026



View looking south along Madison Avenue



View of site looking west across Madison Avenue



View of site looking west across Madison Avenue



View looking northwest across Madison Avenue



Department of Metropolitan Development
Division of Planning
Current Planning

METROPOLITAN DEVELOPMENT COMMISSION

March 4, 2026

Case Number:	2025-ZON-133 (Amended)
Property Address:	2650 West Epler Avenue & 5201 South Warman Avenue (Approximate Address)
Location:	Perry Township, Council District #22
Petitioner:	K & S Realty LLC, by Mindy Westrick Brown and Mark R. Leach
Current Zoning:	D-A (FF) / D-5 (FF)
Request:	Rezoning of 38.53 acres from the D-A (FF) and D-5 (FF) districts to the I-3 (FF) district to provide for medium industrial uses.
Current Land Use:	Undeveloped / Residential
Staff Recommendations:	Staff recommends approval of the amended petition subject to the seven proposed commitments.
Staff Reviewer:	Michael Weigel, Senior Planner

PETITION HISTORY

ADDENDUM FOR MARCH 4TH MDC HEARING: This petition was recommended for denial by the Hearing Examiner on February 12, 2026. Between that point in time and this hearing, the petitioner provided an updated project narrative document and proposed commitments as well as a preliminary site plan (within Exhibits below; not binding but shows a general vision for the site layout). They also amended the petition to remove three of the residential parcels that had been part of the initial request (5205, 5215 and 5225 South Warman). Staff feels that the amended request and proposed commitments below would reduce impacts on residential areas to the west and would recommend **approval** of the amended request, subject to the seven commitments within Exhibits.

A timely automatic continuance request was filed by the petitioner and acknowledged by the Hearing Examiner, moving this petition from the January 15, 2026 hearing to the February 12, 2026 hearing.

STAFF RECOMMENDATION

Staff recommended denial of the initial request before the Hearing Examiner (prior to removal of three of the residential parcels and drafting of below commitments).

If approved against Staff's recommendation, approval shall be 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:

A 40-foot half right-of-way shall be dedicated along the frontage of Epler Avenue, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to



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

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).

PETITION OVERVIEW

LAND USE

The 40.11-acre subject site is comprised of six (6) total parcels: 2650 West Epler Avenue (5002467) is the largest of those parcels with a size of approximately 31.86 acres and frontage along both Epler and Warman. The five (5) parcels addressed to Warman are located to the north of the 5002467 parcel.

The site is bordered to the south by operations related to excavation of gravel, sand, and borrow (zoned D-A GSB), Interstate 69/State Road 37 to the east (zoned I-3), and single-family residential uses to the west and north (zoned D-A).

REZONING

The grant of this request would rezone the property from the D-A (FF) and D-5 (FF) districts to the I-3 district to provide for medium-industrial uses.

The D-5 district is intended for medium- and large-lot housing formats, primarily for detached houses, but may incorporate small-scale multi-unit building types in strategic locations. This district can be used for new, walkable suburban neighborhoods or for infill situations in established urban areas, including both low density and medium density residential recommendations of the Comprehensive Plan, and the Suburban Neighborhood and Traditional Neighborhood Typologies of the Land Use Pattern Book.

The I-3 district is an intermediate district for industries that present moderate risks to the general public. Wherever practical, this district should be away from Protected Districts and buffered by intervening lighter industrial districts. Where this district abuts Protected Districts, setbacks are large and enclosure of activities and storage is required.

FLOOD FRINGE

Most of this property is located within the floodway fringe, with only a small portion of the property to the southeast near the Epler frontage not falling within the designated floodway fringe. Any development within the Floodway Fringe must comply with Flood Control Secondary Zoning Districts regulations. The proposed use of truck parking mentioned within submittal documents provided by the applicant would not be allowed use within the floodway fringe.

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 Epler Avenue. This dedication would also be consistent with the Marion County Thoroughfare Plan.



Department of Metropolitan Development
Division of Planning
Current Planning

STAFF ANALYSIS

The request would rezone the property to the I-3 (FF) district to allow for medium intensity industrial uses. Application documents indicate that a portion of the 2650 West Epler Avenue (10 acres furthest to east) would likely be used for tractor and trailer truck parking with exclusive vehicle access coming from Epler Avenue to the south, although other I-3 uses could be considered. No site plan showing the proposed layout of truck parking spaces was provided for staff review.

In 2003, the site was zoned SU-23 (a special use district for gravel and sand operations) and was rezoned to the D-5 district to provide for single-family residential uses. This residential rezoning is consistent with the current Comprehensive Plan recommendation, and shows that residential development has been previously contemplated for this site.

Staff is recommending denial of the request since the proposed use would not align with the Suburban Neighborhood Uses recommendation from the Marion County Land Use Plan Pattern Book. Additionally, it is unclear if the contemplated development would allow for the preservation of existing natural resources at the site per its placement within the Environmentally Sensitive Areas Overlay.

Areas to the east of this site on the other side of the relocated I-69/SR-37 have Comprehensive Plan recommendations for Heavy Commercial development, and truck parking currently exists in these locations (see Photo 10 within Exhibits). Staff would contend that the relocated highway forms a logical buffer separating industrial use north of Epler from areas either containing single-family homes or contemplated for future residential use as reflected by both current zoning and Plan recommendations.

This petition would rezone the site to a district that would only allow the proposed use by grant of a Special Exception (and a Variance of Use if the size of the lot were to exceed two acres), as well as a Floodway Fringe area that wouldn't allow for the proposed truck parking. Approval of this rezone wouldn't replace the need for those additional petitions, and in general, it is not a planning best practice to rezone property for a new use not allowed by that zone.

Application documents indicated that only portions of the Epler Avenue parcel would be utilized for the proposed use. If this is to be the case, it is unclear why the five (5) additional smaller parcels to the north of the subject site (several of which are currently improved with single-family residences in accordance with the Plan recommendation) have been included within the request for industrial zoning.

Staff did not find there to be any reason to support the Medium Industrial District (I-3) rezoning or industrial type use of the site. Instead, the existing D-5 district is appropriate and would allow for single-family residential opportunities consistent with the Comprehensive Plan.

It should be noted that grant of this rezoning would not allow for deviation from any applicable dimensional standards for development of the site, or from the need for additional zoning petitions as discussed above (a Special Exception and Variance of Use would be required, at a minimum). Although the commitments proposed by the petitioner would not alter staff's recommendation, if approved it would be better to have those commitments in place than to not have them.



Department of Metropolitan Development
Division of Planning
Current Planning

GENERAL INFORMATION

Existing Zoning	D-A (FF) & D-5 (FF)	
Existing Land Use	Undeveloped / Residential	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Land Use
	North:	D-A Residential
	South:	D-A GSB Mining Operations
	East:	I-3 / D-5 Interstate
	West:	D-A Residential
Thoroughfare Plan		
Epler Avenue	Street Type	58-foot existing right-of-way and 80-foot proposed right-of-way
Warman Avenue	Local Street	50-foot existing right-of-way and 50-foot proposed right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	Yes	
Overlay	Yes; Environmentally Sensitive	
Wellfield Protection Area	No	
Site Plan	02/24/2026	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

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



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

and amenities should be treated as landmarks that enhance navigability of the development. This typology generally has a residential density of 1 to 5 dwelling units per acre, but a higher density is recommended if the development is within ¼ mile of a frequent transit line, greenway, or park.

- Heavy commercial and industrial land uses are not recommended within this typology.
- 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.
 - Heavy commercial and industrial land uses are not recommended within this typology as they have potentially severe environmental impacts associated with stormwater runoff.

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)

- Not Applicable to the Site.



ZONING HISTORY

Zoning History – Site

2020-ZON-019; 2650 West Epler Avenue (subject site), Rezoning of 39.644 acres from the D-5 (FF) district to the I-3 (FF) district, **withdrawn**.

2013-DV3-005; 5205 South Warman Avenue (subject site), Variance of development standards of the Dwelling Districts Zoning Ordinance to legally establish 184 linear feet of an eight-foot-tall fence along the south lot line, encroaching nine feet into the front yard (maximum six-foot tall fence permitted, maximum 42-inch fence permitted within the front yard), **approved**.

2009-APP-038; 5320 South Belmont Avenue and 5201 Warman Avenue, modification of commitments related to 2003-ZON-183, **withdrawn**.

2009-ZON-017; 5320 South Belmont Avenue (subject site and east of site), Rezoning of 4.445 acres, being in the D-5 (FF) District, to the I-3-S (FF) classification to provide for medium intensity industrial uses in a suburban location, **approved** over staff recommendation of denial.

2003-ZON-181; 5320 South Belmont Avenue (subject site), Rezoning of 111.856 acres from SU-23 (GSB) (W-5) (FW) (FF) to the D-5 (GSB) (W-5) (FW) (FF) classification to provide for single-family development, **approved**.

83-Z-196; 2545 West Thompson Road (subject site), Rezoning of 44.9 acres, being in the A-2 district, to the A-2/GSB Secondary classification, to permit extraction and processing of mineral aggregate, **withdrawn**.

Zoning History – Vicinity

2011UV3006; 5320 South Belmont Avenue (northeast of site), Variance of use and development standards of the Industrial Zoning Ordinance to provide for a temporary asphalt stockpile until December 31, 2012, located zero feet from the south side transitional lot line, 10 feet from the east and west side transitional lot lines and 12 feet from the north side lot line (100-foot side transitional yard required, 30-foot side yard required), and to provide for a lot without the required street frontage (75 feet of street frontage required), with indirect access to Thompson Road via an access easement (direct access required), **denied**.

87-SE-3; 5320 South Belmont Avenue (northeast of site), special exception to provide for a concrete mixing plant, **approved**.

82-Z-72; 1801-2399 West Thompson Road (east of site), rezoning of 140 acres, being in an I-3-S district, to the GSB Secondary classification, to provide for the excavation of sand and gravel, **approved**.

82-Z-71; 1801-2399 West Thompson (east of site), rezoning of 140 acres, being in an I-3-S district, to the SU-23 classification, to provide for a permanent gravel and sand processing plant, **approved**.

EXHIBITS

2025ZON133 ; Aerial Map





2025ZON133 ; Hearing Examiner Memo

MEMORANDUM OF EXAMINER'S DECISION

2025-ZON-133

2650 W. Epler, and 5201-5225 S. Warman Ave.

The petition requests the rezoning of 40.11 acres from the D-A (FF) and D-5 (FF) districts to the I-3 (FF) district to provide for medium industrial uses.

Your Hearing Examiner visited the site prior to the hearing and noted the remnants of gravel extraction on the site, with several residences along Warman Avenue at the northwest corner of the site. The new I-69 is east of the site and a gravel, sand, and borrow operation is south of Epler Avenue. Single family residences are west and north of the site.

The petitioner's representative explained that the petitioner's acreage in the area was split by the construction of I-69. The major portion of the subject site was rezoned from I-3-S to D-5 in 2003 to allow for residential development. The petitioner now wants to use some of this site for truck tractor and trailer parking, as it does on its site east of I-69. A letter of support was submitted from the City-County Councillor for this district.

No remonstrators attended the hearing.

Staff explained that a medium industrial district, wherever practical, should be located away from protected districts and should be buffered by light industrial districts. The lack of a proposed site plan made it more difficult to assess the impact on residences in the area. Staff cited the Comp Plan recommendation of suburban residential neighborhood. Staff also pointed out that a special exception would be required for truck parking on this site.

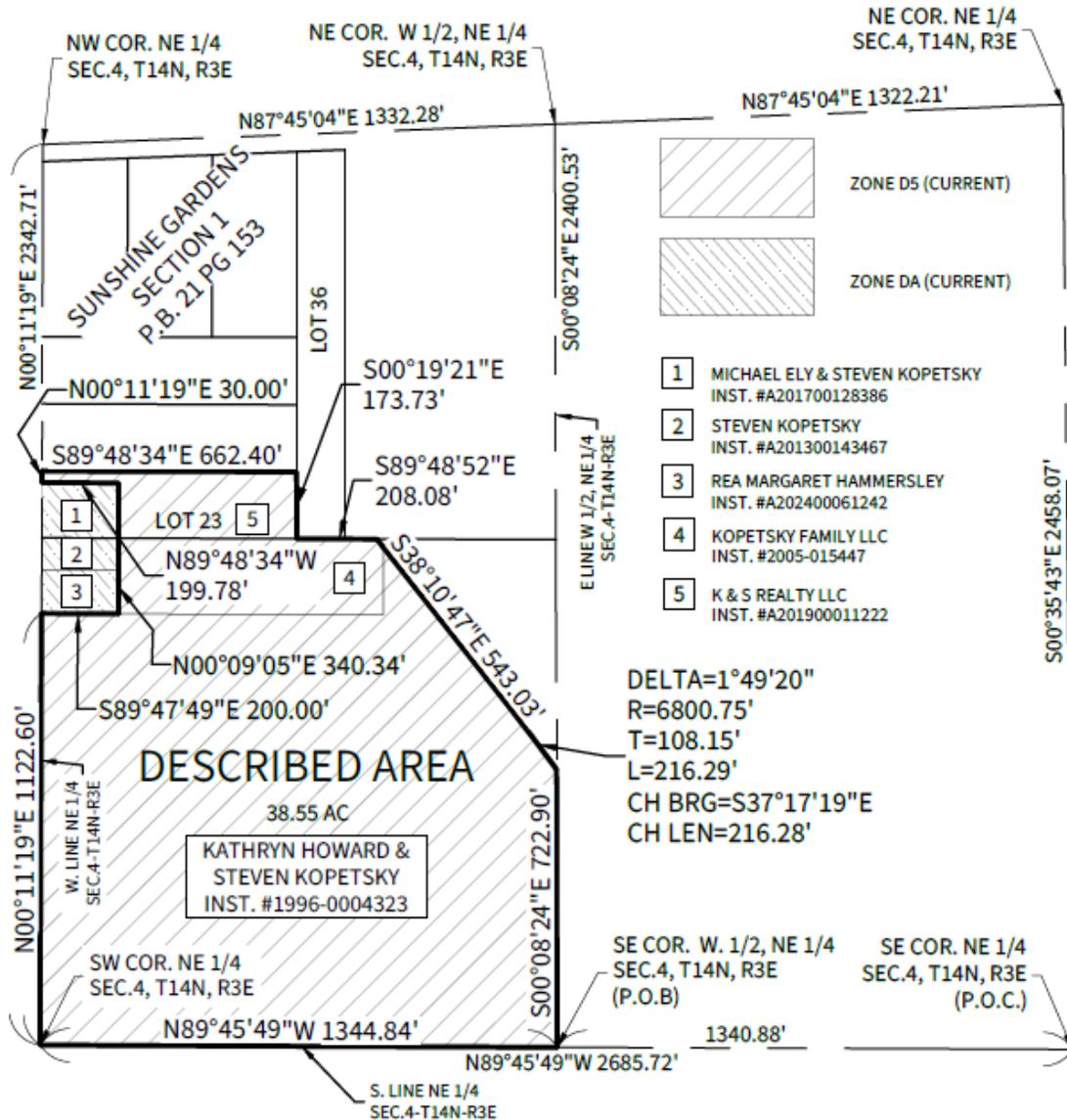
In your Hearing Examiner's opinion, medium industrial development of this site would be inconsistent with existing development, would be incompatible with adjacent residential areas, and would not conform with the Comp Plan. Although light industrial development may be warranted, the requested I-3 district is not. Denial of this petition was recommended.



Department of Metropolitan Development
Division of Planning
Current Planning

2025ZON133 ; Zoning Exhibit

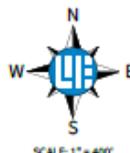
ZONING EXHIBIT



This drawing is not intended to be represented as a retracement or original boundary survey, a route survey, or a Surveyor Location Report.

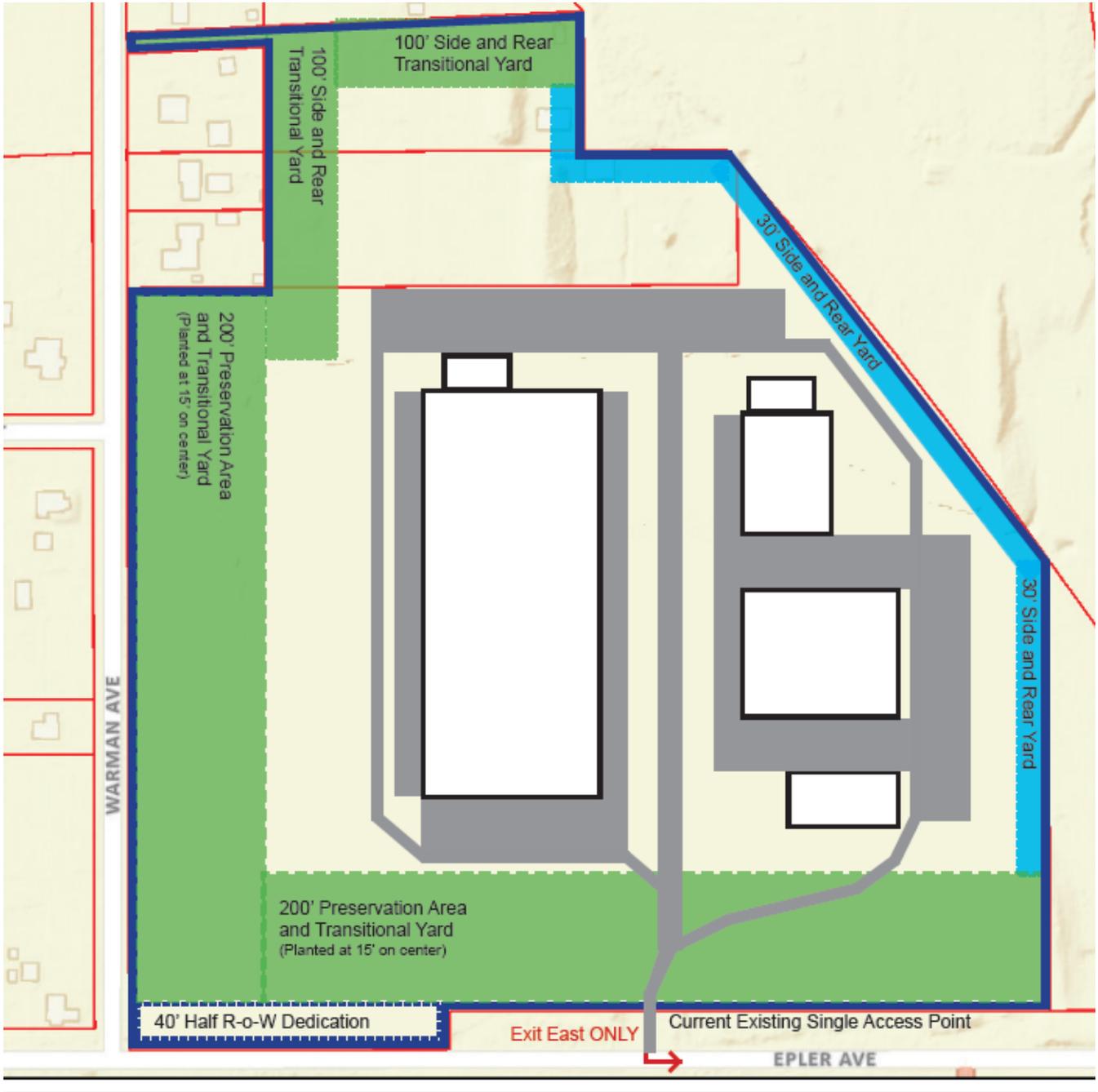


10505 N. College Ave.
Indianapolis, IN 46280
317.846.8611 - weihe.net



K & S REALTY LLC
2650 W EPLER AVE - INDIANAPOLIS, IN
DATE: NOVEMBER 5, 2025

2025ZON133 ; Preliminary Site Plan (not binding)





Department of Metropolitan Development
Division of Planning
Current Planning

2025ZON133 ; Project Description (updated; provided by applicant)

The Kopetsky family / K&S Realty LLC in Perry Township (the “Kopetskys”) respectfully requests a rezoning of their property near the northwest corner of I-69/SR 37 and Epler Avenue (the “Real Estate”) to I-3 for Medium Industrial land uses.

The main 33.46-acre parcel is addressed as 2650 W. Epler Avenue, and there are five smaller parcels to the north that are included in this rezoning request. East of the Real Estate is the interstate highway and many other I-3 Medium Industrial properties. South of the Real Estate is a very large, over 230 acres+, parcel used as a gravel, sand, and borrow mining/processing operation, where a permanent gravel or sand processing plant, rock crushing, grinding or milling and stockpiling can occur. A few residential properties lie to the north of the Real Estate, and the properties to the west of Warman Avenue are all residential as well.

The majority of the Real Estate was originally zoned SU-23 (GSB), for permanent gravel or sand processing plant, rock crushing, grinding or milling and stockpiling (Gravel-Sand-Borrow District), which has the Heavy Industrial District (I-4) as the listed applicable district for development standards review. In the early 2000s the Kopetskys rezoned to D-5 because of plans to build single-family residential homes around the manmade lakes that had been dug out at the time. After many years of working with homebuilders to try to develop the Real Estate residentially, the single-family homes were never built. As there is no appetite for residential development on the Real Estate, and the manmade lakes are now being filled back in, the Kopetskys would like to return the Real Estate to industrial type zoning.

The condition of the streets in the immediate area have greatly improved in the past three years with the redesign of the I-69/SR 37 highway layout. Epler Avenue has been repaved from near Warman Avenue on the west to past the interchange and Kopetsky Drive on the east. INDOT has stated that Epler Avenue is designed for 1,000 heavy trucks a day for 20-25 years. The road pavement appears to be highly rated, durable, and holding up well to the heavy traffic and equipment already utilizing the roadway for access to the highways. Any trucks at the Real Estate would be able to travel east on Epler Avenue’s newly updated roadway and head south on either Belmont Avenue or at I-69/SR 37 or continue east on Epler Avenue and then travel north on SR 37/Harding Street to get to I-465. All this travel would be on the new roadways.



2025ZON133 ; Proposed Commitments & Excluded Uses (provided by applicant)

1. A 40-foot half right-of-way shall be dedicated along the frontage of Epler Avenue, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).
2. The owner of the Property shall preserve currently existing natural barriers, buffers, trees, etc. along Warman Avenue and along Epler Avenue within 200 feet of the proposed minimum right-of-way as indicated by the current Thoroughfare Plan. Within these areas, no trees shall be removed unless the tree is damaged, diseased, dead, classified as an invasive plant species, is required to be removed in order to comply with safety requirements of any governmental agency, or is required to be removed to accommodate drainage, utilities, or other infrastructure. If a tree is damaged or otherwise removed by the owner of the Property, then the owner of the Property shall reestablish the tree within this area subject to the availability of space for their healthy growth.
3. The owner of the Property shall limit any industrial use of the Property to the east side of 2650 W. Epler Avenue (Local Parcel # 5002467), not getting any closer to Warman Avenue than 200 feet from the Warman Avenue right-of-way (approximately the current lake edge).
4. The owner of the Property shall retain access to the Property from Epler Avenue only. Access shall be in the same general location as the currently existing single access point on Epler Avenue. There shall be no direct vehicular access to or from the Property from Warman Avenue.
5. The owner of the Property shall direct any industrial use trucks leaving the Property to exit east only, toward the highways, and not west toward Warman Avenue and the residential neighborhood. The owner of the Property shall post signage stating the same.
6. Additional landscaping and screening shall be installed and maintained by the owner of the Property, subject to the requirements of the Zoning Ordinance, prior to the issuance of an Improvement Location Permit (ILP). Existing landscaping and screening on the Property shall count towards these requirements as allowed by the Zoning Ordinance. Where needed for transitional yard landscaping, trees shall be planted at 15 feet on center instead of the required 25 feet on center.
7. The following uses shall be prohibited on the Real Estate: Crematorium, Dry Cleaning Plant or Industrial Laundry, Heavy Manufacturing, Automobile Fueling Station, Heliport or Helistop, Transit Center, Truck Stop, Recycling Station, Waste or Recycling Transfer Facility.

2025ZON133 ; Photographs



Photo 1: Subject Site Access Drive Viewed from South (April 2025)



Photo 2: Subject Site Viewed from State Road 37 to East (July 2025)

2025ZON133 ; Photographs (continued)



Photo 3: Interior of Epler Parcel Looking North



Photo 4: Interior of Epler Parcel Looking West

2025ZON133 ; Photographs (continued)



Photo 5: Warman Frontage at Epler Intersection Looking North



Photo 6: Existing Residence at 5225 S Warman Avenue

2025ZON133 ; Photographs (continued)



Photo 7: Existing Residence at 5125 S Warman Avenue



Photo 8: Existing Residence at 5205 S Warman Avenue

2025ZON133 ; Photographs (continued)



Photo 9: Adjacent Property to South



Photo 10: Existing Truck Parking to East of SR 37 (April 2025)

2025ZON133 ; Photographs (continued)



Photo 11: Adjacent Residence to West of Site



Photo 12: Adjacent Residences to West of Site

2025ZON133 ; Photographs (continued)



Photo 13: Adjacent Residence to West of Site



Photo 14: Adjacent Residence to North of Warman Parcels



METROPOLITAN DEVELOPMENT COMMISSION **March 4, 2026**

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

Property Address: 2505 North Sherman Drive

Location: Center Township, Council District #8

Petitioner: Metrobloks, LLC, by Tyler Ochs

Current Zoning: I-2

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

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

Current Land Use: Truck and trailer parking

Staff Recommendations: Approval

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

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

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

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



STAFF RECOMMENDATION

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

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

PETITION OVERVIEW

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

REZONING

The request would rezone the site to the C-S district to provide for a data center, business, professional or government offices and all uses in the I-2 zoning classification. "The C-S District is designed to permit, within a single zoning district, multi-use commercial complexes or land use combinations of commercial and noncommercial uses, or single-use commercial projects. The primary objective of this district is to encourage development which achieves a high degree of excellence in planning, design or function, and can be intermixed, grouped or otherwise uniquely located with maximum cohesiveness and compatibility. The district provides flexibility and procedural economy by permitting the broadest range of land use choices within a single district, while maintaining adequate land use controls. The C-S District can include high-rise or low-rise developments, can be applied to large or small land areas appropriately located throughout the metropolitan area, and can be useful in areas of urban renewal or redevelopment."



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

All C-S District uses shall:

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

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

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

Overlays

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

The Industrial Reserve (IR) overlay is intended for areas that are prime for industrial development due to factors such as large parcel size, proximity to compatible uses, and/or interstate access.

Site Plan (Conceptual)

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

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

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



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

C-S Statement

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

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

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

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

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

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

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

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

Environmental Noise Study – September 18, 2025

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

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



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

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

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

VARIANCES OF DEVELOPMENT STANDARDS

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

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

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

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

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

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

Planning Analysis

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

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



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

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

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

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

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

GENERAL INFORMATION

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



COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

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

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

Light Industrial Use

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

Modified uses (Industrial Reserve)

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

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.



Department of Metropolitan Development
Division of Planning
Current Planning

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

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

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

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

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



ZONING HISTORY

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

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

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

VICINITY

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

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

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

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

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

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

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

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



Department of Metropolitan Development
Division of Planning
Current Planning

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

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

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

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

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

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

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

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

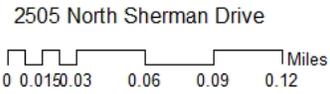
74-UV1-153; 4022 East 26th Street (north of site), requested a variance of use to provide for the expansion of a light industrial use, **granted**.

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

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

EXHIBITS

Site Aerial





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

C-S Statement

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

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

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

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

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

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

Development Standards:

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

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

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

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



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

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

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

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

Phasing of Development:

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

Adjacent Property:

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

Environmental Noise Study:

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

Photometric Study:

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



Department of Metropolitan Development
Division of Planning
Current Planning

MEMORANDUM OF EXAMINER'S DECISION

2025-ZON-124/2025-VAR-012

2505 N. Sherman Drive

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

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

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

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



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

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

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

For Metropolitan Development Commission Hearing on March 4, 2026



EXHIBIT A



October 1, 2025

Martindale Brightwood Community

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

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

Dear Members of the Martindale-Brightwood Community,

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

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

Water Use

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

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



Energy Use

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

Noise & Heat

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

Air Quality

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



Jobs & Community Impact

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

Land Use

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

Our Commitment

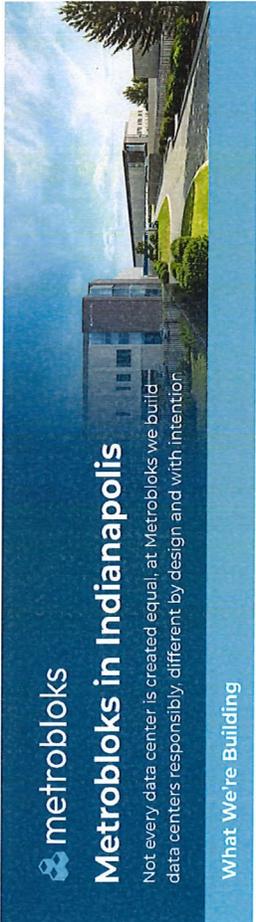
- We will not raise your electric or water bills.
- We will invest in the community outside our fence line.
- We will continue open conversations, with regular updates and opportunities for input.

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

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

Thank you,

The Metrobloks Team



metrobloks

Metrobloks in Indianapolis

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

What We're Building

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

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

Benefits for the Neighborhood

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

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

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

Our Sustainability Promise

<p> Water</p> <ul style="list-style-type: none"> • Uses closed-loop cooling, filled once, reused continuously • The data center's cooling system uses very little water - less than most homes, and far less than other types of large facilities • No groundwater drawn from the neighborhood 	<p> Energy</p> <ul style="list-style-type: none"> • Metrobloks pays for all power upgrades • No subsidies from residents • Grid improvements increase reliability for everyone 	<p> Noise & Air</p> <ul style="list-style-type: none"> • With sound attenuation operates at less than 50 dBA, similar to home appliances • Backup generators produce 90% less pollution than a school bus • Far cleaner than warehouses or factories allowed under current zoning
---	---	--



EXHIBIT B

MCCLURE ENGINEERING

September 18, 2025

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

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

Dear Mr. Michael Lyons,

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

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

NOISE ORDINANCE COMPLIANCE

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

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

EXECUTIVE SUMMARY

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



Department of Metropolitan Development
 Division of Planning
 Current Planning

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

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

Building A1

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

Building A2

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

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

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

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

Potential products for this application include:

- Kinetics – Noiseblock or approved equivalent

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

- Acoustiblok – Acoustifence
- Alliance Fence & Supply SimTek Fence

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

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



Department of Metropolitan Development
Division of Planning
Current Planning

Michael Lyons, AIA
September 12, 2025
Page 3 of 4

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

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

Table 1 – Summarized Results

ANALYSIS AND DISCUSSION

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

SIMULATION DESCRIPTIONS

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

Please contact me if you have any questions.

Sincerely,

Jared Carrier, P.E.

JTC:rmbn



Department of Metropolitan Development
Division of Planning
Current Planning

Petition Number _____

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

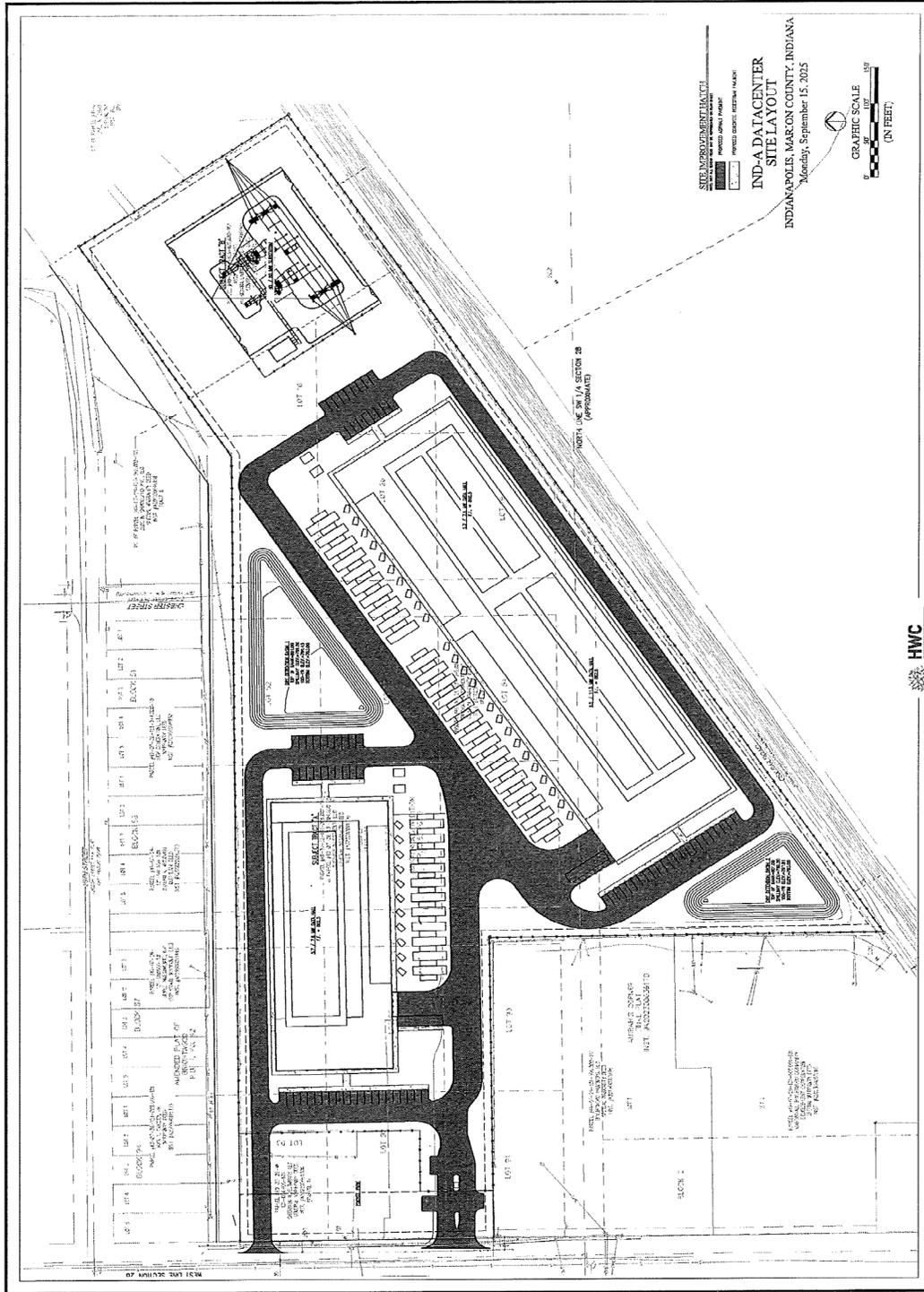
- 1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:
The building height is slightly higher than the C-S standard, but is more than appropriate for an industrial area. Additionally, a large portion of the excess height is due to noise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

DECISION

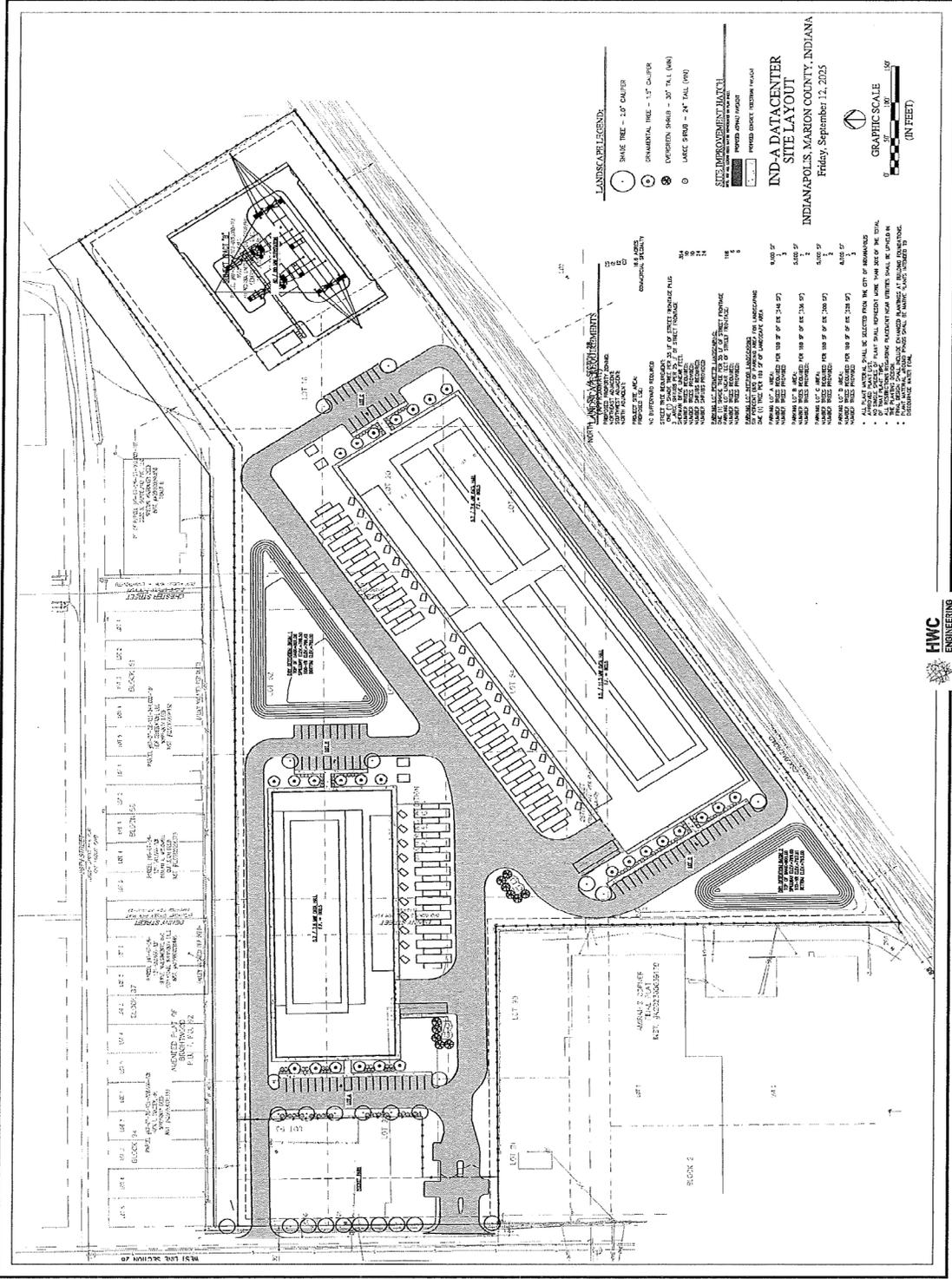
IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

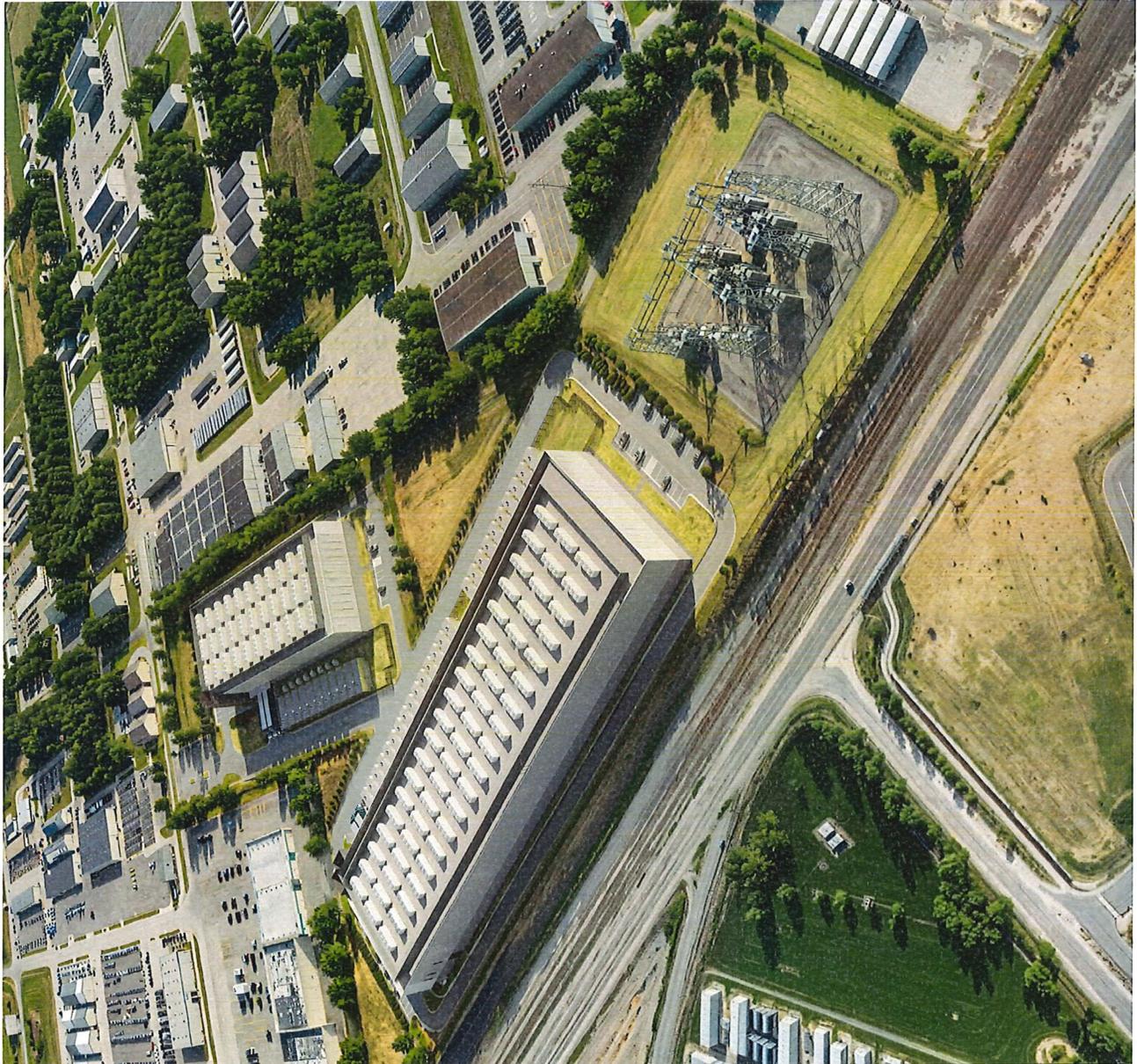
Adopted this _____ day of _____, 20 ____

Site Plan



Landscape Plan













View looking south along North Sherman Drive



View looking north along North Sherman Drive



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



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



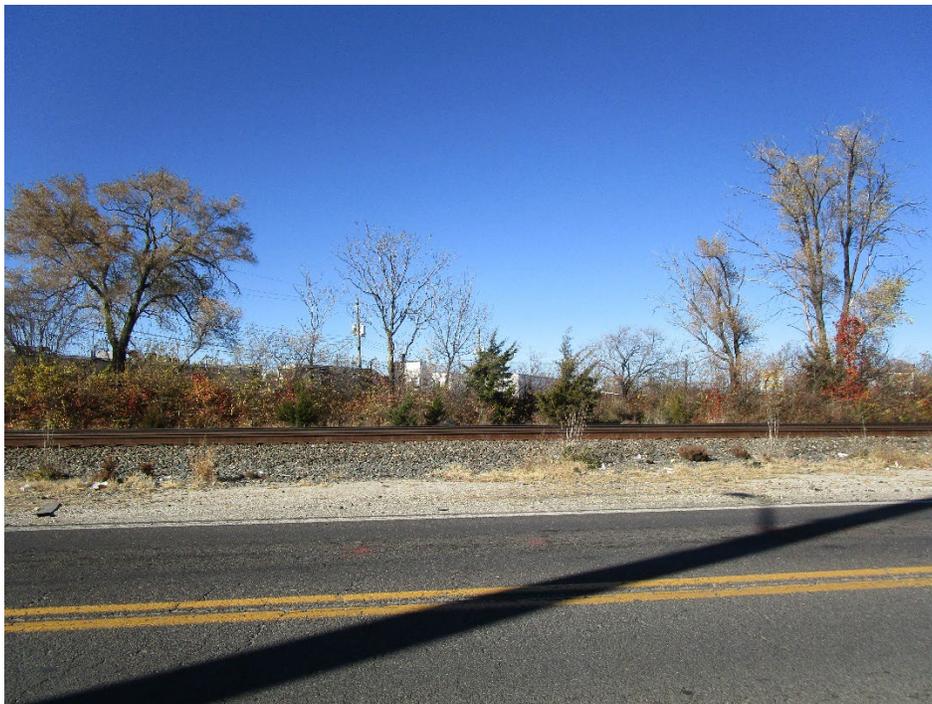
View of site looking northwest across railroad right-of-way and Massachusetts Avenue



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



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



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



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



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



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



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



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



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



View looking west along northern boundary towards North Sherman Drive