

**METROPOLITAN DEVELOPMENT COMMISSION
INDIANAPOLIS-MARION COUNTY, INDIANA**

March 4, 2026

The regular meeting of the Metropolitan Development Commission (MDC) of Indianapolis-Marion County, IN, was held on Wednesday, March 4, 2026, at 1:00 P.M. in the Public Assembly Room of the City-County Building, Indianapolis, IN, for various purposes, including the holding of a Public Hearing on various Petitions listed on the Notice of Public Hearing, and for taking official action upon public business and public Notice thereof as required by IC 5-14-1.5.

ATTENDANCE

The following Commission members were present:

John J. Dillon III, President
Megan Garver, Vice-President
Brandon Herget
Brent Lyle
Daniel Moriarty
Brian P. Murphy, Secretary
Brigid Robinson
Gregg West

The following Commission member was absent:

Bruce Schumacher, Acting Secretary

The following City of Indianapolis employees were present:

Megan Vukusich	Director - DMD
Jennifer Fults	Deputy Director, Strategy and Collaboration - DMD
Carmen Lethig	Deputy Director, Planning, Preservation and Design - DMD
Kathleen Blackham	Senior Planner - DMD
Robert Uhlenhake	Senior Planner - DMD
Michael Weigel	Senior Planner - DMD
Bryce Patz	Manager - DMD
Jeffrey York	Manager - DMD
Nancy Whitaker	Board Specialist - DMD
Chris Steinmetz	Senior Counseling Attorney - ACC / OCC

BUSINESS

CALL TO ORDER

President Dillon called the meeting to order at 1:00 P.M. and led the recitation of the Pledge of Allegiance.

MINUTES

Commissioner Lyle made a Motion to adopt the Minutes from the February 18, 2026 meeting; Commissioner Herget seconded the Motion; the Commission adopted the Minutes by voice vote (8:0:0) as follows:

Ayes: Dillon, Garver, Herget, Lyle, Moriarty, Murphy, Schumacher, West
Noes: None
Recusals: None

The Minutes from the February 18, 2026 meeting were adopted.

SPECIAL REQUESTS

City-County Councilor Ron Gibson (CD #8) requested that **Petition Nos. 2025-ZON-124 and 2025-VAR-012** be continued to the April 1, 2026 hearing. He explained that he wanted to use the additional 30 days to better inform the community about the benefits of the project.

COMPANION PETITIONS RECOMMENDED FOR APPROVAL BY HEARING EXAMINER, APPEAL FILED 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).

Noting that Councilor Gibson was the district councilor, President Dillon made a Motion to continue Petition Nos. 2025-ZON-124 and 2025-VAR-012 to April 1, 2026; Commissioner Herget seconded the Motion; the Motion was carried by a roll-call vote (8:0:0) as follows:

Ayes: Dillon, Garver, Herget, Lyle, Moriarty, Murphy, Robinson, West
Noes: None
Recusals: None

The Commission continued Petition Nos. 2025-ZON-124 and 2025-VAR-012 to the April 1, 2026 meeting.

The Petitioner's representative, Jay Sandifer (5736 Madison Avenue, Indianapolis, IN), made a request to continue **Petition Nos. 2025-MOD-024 and 2025-ZON-132**, to allow time for new counsel to be obtained.

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., by David E. Dearing

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).

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 Jay Sandefur

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.

Kathleen Blackham (Staff) stated that Staff was ready to proceed with both petitions but would defer to the Commission's decision.

Hearing no other comments, President Dillon called for a Motion. Commissioner Murphy made a Motion to continue Petition Nos. 2025-ZON-132 and 2025-MOD-024 to the April 1, 2026 meeting; Commissioner Robinson seconded the Motion; the Motion was carried by a roll-call vote (8:0:0) as follows:

Ayes: Dillon, Garver, Herget, Lyle, Moriarty, Murphy, Robinson, West

Noes: None

Recusals: None

The Commission continued Petition Nos. 2025-MOD-024 and 2025-ZON-132 to the April 1, 2026 meeting.

POLICY RESOLUTIONS

REAL ESTATE:

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 / INCENTATIVES:

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.

President Dillon noted that **Resolution Nos. 2026-R-004 and 2026-E-001** did not stand for public hearing.

Hearing no comments or questions, Commissioner West made a Motion to approve **Resolution Nos. 2026-R-004 and 2026-E-001**; Commissioner Lyle seconded the Motion; the Motion was carried by a roll-call vote as follows (8:0:0):

C-5 (TOD)

Jade Investments of Indy Inc., by David E. Dearing

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).

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 Jay Sandefur

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.

Kathleen Blackham (Staff) stated that Staff was ready to proceed with both petitions but would defer to the Commission's decision.

Hearing no other comments, President Dillon called for a Motion. Commissioner Murphy made a Motion to continue Petition Nos. 2025-ZON-132 and 2025-MOD-024 to the April 1, 2026 meeting; Commissioner Robinson seconded the Motion; the Motion was carried by a roll-call vote (8:0:0) as follows:

Ayes: Dillon, Garver, Herget, Lyle, Moriarty, Murphy, Robinson, West

Noes: None

Recusals: None

The Commission continued Petition Nos. 2025-MOD-024 and 2025-ZON-132 to the April 1, 2026 meeting.

POLICY RESOLUTIONS

REAL ESTATE:

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ECONOMIC DEVELOPMENT / INCENTATIVES:

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.

President Dillon noted that **Resolution Nos. 2026-R-004 and 2026-E-001** did not stand for public hearing.

Hearing no comments or questions, Commissioner West made a Motion to approve **Resolution Nos. 2026-R-004 and 2026-E-001**; Commissioner Lyle seconded the Motion; the Motion was carried by a roll-call vote as follows (8:0:0):

Ayes: Dillon, Garver, Herget, Lyle, Moriarty, Murphy, Robinson, West
Noes: None
Recusals: None

The Commission approved Resolution Nos. 2026-R-004 and 2026-E-001.

PETITIONS OF NO APPEAL

Petitions Recommended for Approval by the Hearing Examiner:

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.

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.

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.

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.

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.

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.

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.

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.

President Dillon asked to hear testimony from the representatives for two of the petitions to clarify the requests before the Commission voted.

The Petitioner's attorney, Tim Ochs (One American Square, Suite 2900, Indianapolis, IN), testified that when Intech Park was originally zoned C-S over 20 years ago, a complicated development plan was attached to the rezoning that allowed only one business with a drive-through in the geographic area, with that area defined by distances from adjoining roadways. **Petition No. 2025-CAP-854** (6340 Intech Commons Drive) moved the boundary lines to allow his client's use (a 7 Brew Coffee drive-through business). President Dillon and Mr. Ochs agreed that it was a straightforward petition.

The Petitioner's attorney, Misha Rabinowitch (One Indiana Square, Suite 1800, Indianapolis, IN), testified for **Petition No. 2025-ZON-128 (Amended)** (2802 Lafayette Road). He addressed President Dillon's concern about the "self-storage" language in Staff's blurb, clarifying emphatically that the project was not self-storage. Mr. Rabinowitch described the development as small flex industrial buildings with spaces ranging from 600 to 2,500 square feet, intended for entrepreneurs and contractors such as HVAC, plumbing, and heating and cooling businesses, providing a step up from operating out of a garage. He stated this use was made clear at the Hearing Examiner meeting as well.

Michael Weigel (Staff) confirmed the self-storage classification was used because it was the closest comparable use in the zoning ordinance, acknowledging the project more accurately blends elements of commercial and industrial use for small businesses rather than individuals. President Dillon noted that Mr. Rabinowitch was on record under oath stating the units were not self-storage.

Hearing no other questions or comments, Commissioner Herget made a Motion to approve the above-listed **Petitions of No Appeal [Petition Nos. 2025-ZON-075 (8:0:0), 2025-ZON-128 (Amended) (8:0:0), 2025-ZON-140 (8:0:0), 2025-ZON-143 (7:0:1), 2026-ZON-004 (8:0:0), 2025-CAP-854 (8:0:0), 2025-CZN-859 (8:0:0), and 2025-CZN-863 (8:0:0)]** that the Hearing Examiner recommended for approval; Commissioner Garver seconded the Motion; the Motion was carried by a roll-call vote as follows:

Ayes: Dillon, Garver, Herget, Lyle, Moriarty, Murphy, Robinson, West (except Lyle recused himself on the vote for Petition No. 2025-ZON-143)

Noes: None

Recusals: Lyle recused himself on the vote for Petition No. 2025-ZON-143.

The Commission approved Petition Nos. 2025-ZON-075, 2025-ZON-128 (Amended), 2025-ZON-140, 2025-ZON-143, 2026-ZON-004, 2025-CAP-854, 2025-CZN-859, and 2025-CZN-863.

PETITION FOR PUBLIC HEARING

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.

President Dillon outlined the Rules governing the hearing and noted that no Remonstrators were present.

The Petitioner's attorney, Mindy Westrick Brown with Faegre Drinker (300 North Meridian Street, Indianapolis, IN) appeared with Mark Leach, Senior Land Use Planner, and attorney Tom Blankenship, representing K & S Realty and the Kopetsky family. Ms. Westrick Brown explained that Staff now recommended approval of the Petition, which had been amended after the Hearing Examiner meeting, and walked through the changes made since the Hearing Examiner's recommendation of denial. The original filing had included six residential parcels (three of them developed with single-family homes), referenced truck parking as a primary use, and did not provide a conceptual site plan. The Hearing Examiner recommended denial citing incompatibility with adjacent residential areas and the Comprehensive Plan and suggested I-2 zoning as a potentially more appropriate district.

Following the adverse recommendation, the Petitioner engaged Staff and made four key amendments: (1) removed the three developed residential parcels along Warman Avenue from the request, reducing the total acreage; (2) designated nine prohibited I-3 uses to reduce the intensity of the development; (3) provided a preliminary conceptual site plan showing how the property could be developed, with industrial uses concentrated on the east side of the property; and (4) updated the project description to fully reflect all changes. Ms. Westrick Brown noted that the property was located just south of I-465 close to where the new I-69 connected and explained that the Kopetsky family's property was effectively split by the I-69 construction, making other development impractical. The site had been zoned SU-23 for gravel and sand mining and had a man-made lake; in the early 2000s it was rezoned for residential use around the lake, but the development never occurred and was rendered impractical by I-69. The man-made lake had been filled in.

Ms. Westrick Brown described the road infrastructure, noting that Epler Avenue had been improved as part of the I-69 project and was currently rated for 1,000 heavy trucks per day for 20 to 25 years. All site access would be exclusively from Epler Avenue, with trucks directed by signage to exit eastward onto the improved pavement and not westward toward residential areas. A 200-foot buffer would be maintained along Warman Avenue, preserving existing trees and brush. Landscaping would be installed at 15-foot centers rather than the 25-foot centers required by the zoning ordinance. She also noted two letters of support from City-County

Councilor Paul Annee, one original and one updated after the Hearing Examiner had recommended denial, confirming the Councilor's continued support after the amendments. Ms. Westrick Brown outlined the seven commitments agreed upon with Staff: (1) dedication of right-of-way as requested by Staff; (2) maintenance of the 200-foot buffer along Warman Avenue with retention of existing trees; (3) site access restricted exclusively to Epler Avenue with no ingress or egress from Warman Avenue; (4) truck traffic directed by signage to exit east only on the improved Epler pavement; (5) enhanced landscaping planted at 15-foot centers; (6) a list of nine prohibited I-3 uses; and (7) industrial development to be concentrated on the east side of the property consistent with the conceptual site plan. She stated the Petitioner fully agreed with the Staff Report.

Michael Weigel (Staff) confirmed that the original Petition was recommended for denial due to references to truck parking as a primary use, inclusion of three occupied residential parcels, and the absence of a conceptual site plan. Following the Hearing Examiner's memo suggesting I-2 as an alternative, the Petitioner engaged staff collaboratively. Staff noted that the nine prohibited uses, removal of the residential parcels, and the conceptual site plan (which did not show substantial outdoor storage or intensity typical of I-3 and looked more consistent with I-2) addressed the prior concerns. Staff found the amended petition acceptable and recommended approval, subject to the seven commitments.

President Dillon raised a concern about truck routing, noting the unusual geometry created by the I-69 and Route 37 interchange, making access from the west a potential issue. Mr. Weigel confirmed that a commitment required all truck traffic to come from and return to the east via Epler, with no use of Warman or local streets to the west. Ms. Westrick Brown confirmed that Thompson Road was closed, and all trucks would exit east on Epler. President Dillon then confirmed there would be no ingress or egress from Warman.

Ms. Westrick Brown waived the Petitioner's rebuttal period.

President Dillon directed the Commission to their ballots. The ballots for **Petition No. 2025-ZON-133 (Amended)** were marked as follows (8:0:0):

Ayes: Dillon, Garver, Herget, Lyle, Moriarty, Murphy, Robinson, West
Noes: None
Recusal: None

The Commission approved Petition No. 2025-ZON-133, subject to the commitments referenced during the hearing.

ADDITIONAL BUSINESS

President Dillon thanked the Marion County Sheriff's Department for their presence on behalf of the Commission. Seeing no additional business, he asked for a Motion to adjourn.

Commissioner Garver made a Motion to adjourn. Hearing no objections, President Dillon adjourned the meeting at 1:36 P.M.



President

Metropolitan Development Commission

Attest: 

MDC Secretary

Date: _____