

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

**March 18, 2026**

The regular meeting of the Metropolitan Development Commission (MDC) of Indianapolis-Marion County, IN, was held on Wednesday, March 18, 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  
Brian P. Murphy, Secretary  
Brigid Robinson  
Bruce Schumacher, Acting Secretary  
Gregg West

The following Commission member was absent:

Daniel Moriarty

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
Josh Levesque	Senior Planner - DMD
Bryce Patz	Current Planning Administrator - 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 Garver made a Motion to adopt the Minutes from the March 4, 2026 meeting; Commissioner Herget seconded the Motion; the Commission adopted the Minutes by voice vote (7:0:1) as follows:

Ayes: Dillon, Garver, Herget, Lyle, Robinson, Murphy, West  
Noes: None  
Recusals: Commissioner Schumacher recused himself from the vote as he had been absent on March 4, 2026

**The Minutes from the March 4, 2026 meeting were adopted.**

---

**SPECIAL REQUESTS**

Kathleen Blackham (Staff) announced that Russell Brown (Clark Quinn, 320 North Meridian Street, Suite 1100, Indianapolis, IN 46204) had a special request for a petition not on the agenda.

Mr. Brown, as the Petitioner's attorney for **Petition No. 2026-ZON-026** (3565 South Keystone Avenue, Indianapolis, IN), explained that the owner had contacted him wanting to rezone the property after petitions (2026-CZN-802, 2026-CVR-802) had been filed and withdrawn by a contractor buyer (acknowledged by Hearing Examiner on February 11, 2026). Mr. Brown requested a waiver of the three-month wait period for filing a petition prior to expiration of the wait period as required by the Rules of Procedure. Mr. Brown was ready to proceed with the rezoning Petition.

Kathleen Blackham (Staff) explained that since Staff was in support of the original rezoning of the site (but not the companion variance), Staff supported the waiver request.

President Dillon made a Motion to grant the waiver for Petition No. 2026-ZON-026; Commissioner Murphy seconded the Motion; the Motion was carried by a roll-call vote (8:0:0) as follows:

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

**The Commission granted the waiver of the three-month wait period for Petition No. 2026-ZON-026 following the withdrawal of a petition at the subject property.**

---

Zach Rodenberger (5645 Castle Creek Parkway North Drive, Indianapolis, IN 46250) requested a continuance to May 6, 2026.

**2025-ZON-112 (Amended) | 641 Langsdale Avenue and 2110, 2058 Dr. Martin Luther King Jr.**

Center Township, Council District #12  
2058 Property Group LLC, by Joel Bruns

Rezoning of 12.6 acres from the C-7 and I-4 (W-1) districts to the I-2 (W-1) district to provide industrial uses.

Kathleen Blackham (Staff) had no comment.

Hearing no questions or comments from the Commission or public, Commissioner Herget made a Motion to approve the continuance of the Petition to May 6, 2026; Commissioner Schumacher seconded the Motion; the Motion was carried by a roll-call vote (8:0:0) as follows:

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

**The Commission continued Petition No. 2025-ZON-112 (Amended) to May 6, 2026.**

---

**POLICY RESOLUTIONS**

**ECONOMIC DEVELOPMENT / INCENTATIVES:**

**2026-A-008** Preliminary Economic Revitalization Area Resolution for TAG Midwest Properties LLC, located at 8205, 8215 and 8345 Georgetown Road, 4635 West 84th Street, and 4925 West 86th Street, Council District #1, Pike Township. (Recommend approval of six (6) years real property tax abatement.)

**2026-A-009** Preliminary Economic Revitalization Area Resolution for TC Heartland LLC, dba Heartland Food Products Group, located at 8205, 8215 and 8345 Georgetown Road, 4635 West 84th Street, and 4925 West 86th Street, Council District #1, Pike Township. (Recommend approval of six (6) years personal property tax abatement.)

**PLANNING:**

**2026-P-002** Authorizes an appointment to the Plat Committee of the Metropolitan Development Commission.

President Dillon noted that the three Resolutions had been explained and discussed in the MDC Pre-meeting. He noted that **Resolution Nos. 2026-A-008, 2026-A-009 and 2026-P-002** did not stand for public hearing.

Hearing no comments or questions, Commissioner Robinson made a Motion to approve **Resolution Nos. 2026-A-008, 2026-A-009 and 2026-P-002**; Commissioner Lyle seconded the Motion; the Motion was carried by a roll-call vote as follows (8:0:0):

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

**The Commission approved Resolution Nos. 2026-A-008, 2026-A-009 and 2026-P-002.**

---

**PETITIONS OF NO APPEAL**

**Petitions Recommended for Approval by the Hearing Examiner:**

**2026-APP-002 | 1733 Central Avenue**

Center Township, Council District #13

PK-2

Paul Musielak

Park District Two approval to provide for the construction of a single-family dwelling and a three-car detached garage.

**2025-ZON-134 | 1759 West Morris Street**

Center Township, Council District #18

Lyles Construction Group, by Matthew Lyles

Rezoning of 0.129 acres from the C-4 district to the D-8 classification to provide for residential uses.

**2025-ZON-139 (Amended) | 1055 and 1095 East 52nd Street**

Washington Township, Council District #7

EMR Mulligan Properties, LLC, by Misha Rabinowitch

Rezoning of 0.80-acre from the D-5 (W-5) district to the MU-2 (W-5) classification.

Hearing no other questions or comments, Commissioner Garver made a Motion to approve the above-listed **Petitions of No Appeal [Petition Nos. 2026-APP-002 (8:0:0), 2025-ZON-134 (8:0:0), and 2025-ZON-139 (Amended) (8:0:0)]** that the Hearing Examiner recommended for approval; Commissioner Herget seconded the Motion; the Motion was carried by a roll-call vote as follows:

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

Noes: None

Recusals: None

**The Commission approved Petition Nos. Petition Nos. 2026-APP-002, 2025-ZON-134, and 2025-ZON-139 (Amended).**

---

**PETITION FOR PUBLIC HEARING**

**COMPANION PETITIONS RECOMMENDED FOR APPROVAL BY HEARING EXAMINER,**

**APPEAL FILED BY REMONSTRATOR:**

**2025-CAP-856 / 2025-CVR-856 (Amended) | 6400, 6449, 6500, 6559, 6565, 6600, and 6833**

**Kentucky Avenue, and 6700, 7924, 7944, 8002, 8032, and 8210 Camby Road**

Decatur Township, Council District #21

I-2

Sabey Data Center Properties, LLC, by Mindy Westrick Brown

Modification of Commitments, related to 2020-CZN-834, to add and modify commitments associated with a proposed data center use, including details of a closed-loop air cooled system, commitment to pay all related costs associated with a proposed substation and energy infrastructure for said data center, develop the site in accordance with the site plan and building elevations, file dated December 29, 2025, to provide for building heights of 30 feet for East Building A and 50 feet for West Building B, to provide for sidewalks, outdoor amenities, loading

docks, short-term truck parking, landscaping, connection to sewers for various addresses on Camby Road, and dedication of public streets.

Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a data center technology park (not permitted) and to provide for 200 parking spaces (minimum 708 parking spaces, or one parking space for each 1,500 square feet of floor area required).

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to permit structure height in excess of 50 feet but no more than 75 feet within the Airspace Secondary Overlay, due to parapets and roof structures for the housing of elevators, stairways, air conditioning apparatus, cooling towers, ventilating fans, skylights, or similar equipment to operate and maintain the structure (maximum of 50 feet structures permitted).

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to permit utility yards and outdoor operational areas exceeding 25 percent of the gross floor area of the principal buildings for Building A (maximum of 120 percent) and Building B (maximum of 160 percent), due to the operational and infrastructure requirements associated with the proposed data center use (25 percent of gross floor area permitted) and to allow utility yards and outdoor operational areas a minimum of 200 feet from a protected district (500 feet required).

President Dillon asked that all those who were going to testify on behalf of the Petitioner and Remonstrators come forward to be individually sworn in. After all were sworn in, he explained the rules of engagement.

The Petitioner's attorney, Mindy Westrick Brown (300 North Meridian Street, Suite 2500, Indianapolis, IN 46202), presented on behalf of Sabey Data Center Properties LLC. She described Sabey as a family-owned business with over 25 years of experience in the data center co-location industry, operating six facilities nationwide. She explained that the Petition involved three components: a variance of use because data centers were unlisted use in the I-2 zoning code; a companion modification petition for the prior technology park commitments; and several development standard variances, all directly related to the data center use.

Ms. Westrick Brown (while referring to an exhibit binder, an appendix, an electronic presentation, and three exhibit boards) stated that robust commitments had been developed over months in coordination with Councilor Bain and community members, and that the Hearing Examiner had recommended approval of the modification petition. She noted that additional written commitments had been made that addressed ongoing community concerns. Ms. Westrick Brown announced that, after working with Councilor Bain, the airspace overlay variance was eliminated by committing both buildings to be capped at no more than 50 feet, including all rooftop equipment.

Addressing environmental impacts, Ms. Westrick Brown cited a report by American Structurepoint - Environmental (Tab 14) showing that the project produced 92% fewer emissions than the previously approved technology park. She noted the generator count had been reduced by 38% since the initial proposal, along with a significant reduction in diesel fuel storage. Diesel particulate filters (DPFs) would be added to each generator, capturing 85 to 95% of particulates, and generators would operate only during power outages or defined, limited testing periods.

Key community concerns were addressed. Regarding energy, Ms. Westrick Brown cited AES letters of support, a Will-Serve letter, House Enrolled Act No. 1007, and Sabey's written commitment to pay for all infrastructure, generation, transmission, and distribution costs. Regarding water, she explained the project used a closed-loop, non-evaporative municipal water system with no use of natural aquifers, and that the Round Rock, Texas facility used the equivalent of only 15 homes' annual water consumption. Regarding noise, she noted commitments including prohibition of cryptocurrency mining, use of 200-foot buffers, 14-foot berm and fence combinations with double-staggered 15-foot-on-center evergreen trees, a limit of 65 decibels or less at the property line during generator operation (run only during power outages), no weekend or holiday generator testing, and no construction or operational access via Camby Road. A traffic memo (Tab 7) showed an 80 to 81% decrease in peak traffic compared to the previously approved use. She also described lighting and site selection. Regarding property values, Ms. Westrick Brown cited a licensed appraiser's report (Tab 8), finding no substantially adverse impact on surrounding residential properties, supported by a George Mason University report reaching similar conclusions. As to aesthetics, she described 200-foot transitional yards, buildings centered on the site, preserved trees, and renderings showing a visually appealing development which exceeded the landscape ordinance.

Ms. Westrick Brown challenged job-loss claims, pointing to the previously approved abatement requiring only 259 jobs at \$18 per hour. An IU Kelly School of Business report (Tab 20) showed that Sabey's project offered significantly higher wages, longer construction duration, and better long-term employment value. She noted the project represented one of the largest investments in Indianapolis history (i.e., five times the investment of Lucas Oil Stadium), and that Sabey had responded the same morning to a request from the Camby Woods neighborhood to assist with the grading of a basketball court and playground, demonstrating their commitment to being a good neighbor.

Jon Hooker (1828 North Meridian Street, Indianapolis, IN 46202), President and Executive Director of the Central Indiana Building Trades Council, testified in support. He said that he represented 35,000 union construction workers in Central Indiana and that Sabey has a long history of union partnership. Mr. Hooker emphasized that construction jobs for a data center of this size were not temporary, since long-term construction and maintenance were required both inside and outside the buildings. He relayed that he had visited the Sabey facility in Texas and observed the union partnership and meaningful work being provided to members.

Jerome Stanford (771 Greenwood Springs Drive, Greenwood, IN 46143), Political Director with the Central Midwest Regional Council of Carpenters, testified in support. He stated that he represents over 39,000 men and women across the region and highlighted Sabey's partnership with workforce programs at schools, which aligned with his organization's training facility on the south side of Indianapolis. Mr. Stanford noted that more than 500 members live in Decatur Township and was enthusiastic about the project.

Ms. Westrick Brown pointed out that union workers were a requirement under IEDC guidelines for data center projects. She referenced multiple constructive meetings held with Damar Services and noted Damar had not filed any objection to the project. She asked the Commission to incorporate all exhibit binder materials and the day-of appendix into the record, confirmed Sabey's agreement with the Staff Report, and respectfully asked for a favorable vote based on the findings of fact supported by the Staff Report, expert opinions, and the Hearing Examiner's recommendation.

Commissioner Murphy asked about the decibel level bar chart shown during the presentation, specifically whether it was included in the exhibit binder. Ms. Westrick Brown responded that the chart was not in the binder, but confirmed it was Slide 10 of the electronic presentation and had it redisplayed on screen for the Commissioners to review.

Commissioner West asked about site access and the timeline for installation of screening and trees. Cleve Casper (12201 Tukwila International Boulevard, Fourth Floor, Seattle, WA 98168) responded that the plan was to complete all site work, as the initial phase of the project, before any vertical construction began. Commissioner West asked about access and whether the commitment to stay off Camby Road applied to both the construction and operational periods, referencing language about compliance with previous commitments. Ms. Westrick Brown responded that there would be no access on Camby Road for either construction or operation.

Commissioner West inquired about fiber infrastructure and latency, noting projects envisioned to the northwest of the site in areas the township had historically targeted for high-tech, R&D, and biotech uses. He asked whether those businesses would have direct access to the data center's fiber network, what latency meant, whether businesses would benefit from being close to data centers, and whether neighboring businesses could tap directly into the data center's fiber connectivity. Ms. Westrick Brown replied that Tab 22 contained a current fiber map showing fiber near the project. She explained that the Midwest was attracting significant data center interest precisely because of latency needs. Ryan Beebout (4405 Grant Road, East Wenatchee, WA 98802) responded that data centers created great demand for both long-haul and local/regional fiber. When a data center is built, fiber carriers and telecom companies build new routes over time. He noted that the specific routing decisions were outside Sabey's control, but as more fiber is built to serve a data center and its tenants, obtaining fiber services would become easier and more accessible for local businesses. Ms. Westrick Brown added that a letter of support from the Indiana Technology and Innovation Association, found in the exhibit binder, addressed the tech community's excitement about the concept of data centers supporting and attracting broader technology growth.

President Dillon asked the Petitioner to briefly summarize Tab 3 regarding AES. Ms. Westrick Brown said that Tab 3 contained a Will-Serve letter from AES and a letter of support from AES. She noted that the President of AES had personally visited Sabey's Round Rock, Texas facility. She pointed out that House Enrolled Act (HEA) No. 1007 required large load customers to protect existing customers and mandated that the data center pay for its own costs. She described an energy memo walking through the existing checks and balances under HEA No.1007, the IEDC's energy neutrality requirement, Sabey's written commitment to pay for infrastructure, generation, transmission, and distribution, IURC protections, and the MISO interconnected grid framework. She noted that denying the project would not reduce energy demand but would only eliminate the local economic development benefit. Ms. Westrick Brown argued that AES's Integrated Resource Plan (IRP) showed data centers could benefit existing customers.

Commissioner West asked whether Sabey could make an informal commitment to actively help attract other high-tech businesses to the area through actions such as providing connectivity lines, hardware, or marketing support. Ms. Westrick Brown responded that the most immediate example was the new substation that Sabey would build on their site and transfer to AES, upgrading the electrical grid at no cost to the community and benefiting a wide range of existing and future users. Mr. Casper added that Sabey's investment profile was long-term hold (i.e., Sabey did not build and sell properties). The long-term commitment included investing in road

improvements at Councilor Bain's urging, charitable engagement including conversations with Damar Services about community participation, and vocational training programs at the high school level to create pathways for local youth into technology careers. Commissioner West asked if Sabey wanted to be present in the community rather than simply a fenced-off, unapproachable facility. Mr. Casper responded: "Absolutely," and Ms. Westrick Brown referenced a workforce development document (Tab 15) showing Sabey's history of partnerships with local schools and organizations around the country.

Commissioner Lyle asked how many buildings were being considered. Ms. Westrick Brown responded while referring to display boards. She clarified that the modification of commitments reduced the previously approved multi-building park concept, and that the data center consisted of Building A and Building B, with Building B planned for construction first and Building A to follow. Commissioner Lyle then asked whether plans existed for addressing future technology and market demand changes. Ms. Westrick Brown deferred to Ryan Beebout, who explained that chip manufacturers publish technology roadmaps five or more years into the future, giving Sabey good advance visibility into future energy consumption. Beyond that, Sabey's 25-year operating history included multiple examples of adaptive reuse (i.e., when tenants vacate and infrastructure becomes outdated, Sabey commits capital to revitalize and modernize the space). He relayed that the fundamental electrical and cooling infrastructure did not change significantly even as chip technology evolves and assured that data center space would remain valuable well into the future.

President Dillon asked which building's height had been reduced. Ms. Westrick Brown clarified the height commitments for both buildings: Building A would be a one-story building with a maximum structural height of 30 feet, with an overall cap including rooftop equipment of 50 feet. Building B had previously been approved at 50 feet with an additional 25 feet permitted for rooftop equipment; however, following discussions with Councilor Bain and community members, Sabey committed that Building B would also be capped at 50 feet, including all rooftop equipment.

Commissioner Lyle asked two additional questions. Regarding the retail village removal, Ms. Westrick Brown explained that the plan never materialized, its commitment expired after five years, and removal was simply housekeeping. Future expansion into that area remained possible under current commitments, with community and property owner involvement. Commissioner Lyle asked about community engagement and oversight mechanisms that would exist during construction. Ms. Westrick Brown cited Sabey's track record of continuous engagement with local governments across all six operating locations, referencing her visit to Round Rock, Texas, as direct evidence of Sabey's active, ongoing relationships with local government staff.

Commissioner Murphy then confirmed that Sabey's commitment to a maximum of 65 decibels at the property line applies even when backup generators are running, then asked what the typical decibel level would be during normal operations when generators are not running. Ms. Westrick Brown acknowledged that no specific number was available. Mr. Casper estimated normal operating noise at approximately 50 decibels and noted that traffic on adjacent Kentucky Avenue would likely exceed any noise generated by day-to-day data center operations. He offered to have the acoustical engineer provide a more precise answer. Commissioner Murphy then addressed the retail village component, asking whether it failed to materialize due to a lack of retailer demand. Ms. Westrick Brown responded that the entire project simply never got off the ground.

President Dillon asked for all those supporting the Petitioner to stand. Approximately half of the audience stood.

Attorney Lauren White (White Legal Services, 2629 Lindberg Road, Anderson, IN 46012) testified on behalf of Jan and Tim McWhirter, Decatur Township residents, stating that their health, safety, and property values would be put at risk due to this development. She argued that the five criteria in Indiana Code 36-7-4-918 had not been met to allow the grant of the use variance. She felt that the Comprehensive Plan did not anticipate a data center in Decatur Township. The area was designated as Village Mixed Use in the Pattern Book, intended for walkable, neighborhood-serving businesses such as pocket parks and sidewalk cafes. The land use map designated the parcel as mixed use within a critical area, calling for mixed retail, office, and residential uses with housing as a priority. A restricted-access data center was a single-use industrial facility that conflicted with the Plan's vision for a publicly active destination. While limited light industrial uses might be allowed, the Plan required building heights of 35 feet or 150% of nearby residential heights, while Sabey's plans show 50-foot buildings, which White argued exceeded that standard. She concluded that Sabey's 14-foot berms and landscaping could not screen a 24-hour industrial complex from neighboring residents.

Regarding health and safety, Ms. White presented an NIH study on auditory and non-auditory noise effects, citing cardiovascular risks including increased blood pressure, hypertension, heart attack, and stroke, as well as effects on children's cognition and sleep. She argued that Sabey's commitment to 65 decibels at the property line already exceeded levels the NIH identified as harmful to human health, and that no independent sound study was conducted to validate the level. Ms. White described Sabey's plan to operate 122 diesel generators requiring over one million gallons of on-site diesel fuel storage, noting the generators emit nitrogen oxides and particulate matter linked to respiratory disease, cardiovascular problems, and cancer. Regarding water, Ms. White challenged Sabey's closed-loop cooling system, noting chemical additives were required, including corrosion inhibitors, biocides, and antifreeze. She raised particular concern for Decatur Township residents on private wells rather than municipal water, arguing that flooding, spills, or leaks could contaminate groundwater.

Ms. White challenged the comparisons to Sabey's existing facilities, stating that while Sabey had built data centers ranging from one to 20 megawatts, the Indianapolis proposal was a hyperscale facility at over 200 times that scale. She cited the Southern Environmental Law Center's position that prioritizing industrial users like data centers during peak demand could leave residential customers vulnerable during extreme weather events and noted a 250-megawatt data center consumed enough electricity to power 200,000 to 250,000 homes. Regarding fire safety, she referenced a two-alarm fire at Sabey's Round Rock, Texas facility on March 22, 2024, resulting in over two million dollars in damages, a civilian injury, and a chemical release. Ms. White quoted Decatur Township Trustee Jason Holliday, who opposed the project, citing unprecedented public safety and environmental concerns, including the township fire department's lack of specialized equipment needed to fight a diesel fuel fire of this scale. She also raised the issue of data centers as potential targets for physical attack, citing a 2021 federal case involving a plot to destroy an Amazon facility in Virginia and drone strikes on UAE data centers in the current month.

Regarding property values, Ms. White presented analysis from MAI appraiser Mary MacLinton Clay, who determined that industrial projects created detrimental conditions that reduced adjacent property values in ways that are generally not economically curable under appraisal theory. Ms. White also noted that a March 12, 2026, Pew Research study found more

Americans believe data centers negatively affect the environment, home energy costs, and quality of life for nearby residents than believe they have a positive effect. She warned that once construction begins, neighboring landowners would have grounds for nuisance and negligence claims, and following operations, claims for property value depreciation.

Ms. White concluded by arguing that data centers were not listed as a permitted use in Marion County's land use and zoning code, which she said demonstrated that the use did not belong in a light industrial zone, rather than constituting an unnecessary hardship. She noted that Sabey's use of the term "technology park" in its commitments misrepresented what was originally promised, pointing out that the proposal eliminated the retail village, allowed for future I-2 uses, changed berm heights and landscaping, increased building square footage, and brought structures within less than 50 feet of neighboring homes. She presented a map of over 1,300 Decatur Township petition signatures in opposition and urged the Commission to deny the Petition.

Ms. White said that the Petitioner was seeking variances that reflect heavy industrial development standards, which were incompatible with the I-2 light industrial zoning applicable to the site. She contended that the Petitioner had made changes to berm heights and final landscaping during the process, had increased the square footage of buildings while providing no visual breaks, and that the development would negatively impact adjacent landowners' use and enjoyment of their properties. She pointed out that Sabey's site plan showed the development resting less than 50 feet from neighboring homes. She noted that data centers were not listed as permitted use in light industrial zones (which was acknowledged in the Staff Report), which meant a variance was required precisely because data centers did not belong in light industrial zones. She urged the Commission to deny the Petition and noted a findings of fact document was included in the Remonstrator's exhibit binder.

Remonstrator Pat Andrews (7631 Reynolds Road, Camby, IN 46113), representing the Decatur Township Civic Council, testified that at the Civic Council's February 4th meeting, the vote was 2 in support and 95 in opposition to the Petitions. She described the site as currently zoned for a technology park, which she felt was precisely the type of R&D-focused development that Governor Braun had recently announced a billion-dollar initiative to attract development to Indiana. Ms. Andrews characterized the site as shovel-ready for that purpose. She noted 221 residences within a one-mile radius of the site, with an aggregate assessed value of approximately \$450 million, and argued that those residents had rights to private use, peaceful enjoyment, and protection of property values. Ms. Andrews noted that the Critical Area overlay required that if light industrial development occurred, building footprints had to be less than 200,000 square feet and building height less than 35 feet. The Petitioner's proposal far exceeded both limits, with the two buildings totaling over one million square feet. Ms. Andrews argued the project would forfeit thousands of targeted industry career jobs promised by the site's current zoning and replace them with only 75 permanent data center jobs. She noted that Staff had taken the unusual step of commenting on the removal and replacement of commitments that Staff was not involved in creating and noted that the Petitioner also needed a special exception in an I-2 district, which had not been applied for. Ms. Andrews urged the Commission to deny the Petitions.

Commissioner Murphy noted that in reviewing the Remonstrators' materials, he said he had found a damage study theory and methodology paper that appeared to be a general academic document about property value diminution, followed by a letter from a real estate broker making general statements that data centers can have a negative effect on property values.

Commissioner Murphy asked whether a licensed real estate appraiser had been hired to conduct a specific before-and-after analysis of property value reduction for the subject properties. Ms. White responded that there was no specific damage study at this time. However, she stated that once the data center had begun to be built, her clients would have the opportunity to obtain a formal appraisal and file suit.

Commissioner Lyle asked whether any specific protections or guarantees had been written into the Petitioner's commitments that addressed or satisfied the conditions and concerns the Remonstrators had raised. Ms. Andrews replied that the fundamental issue was one of compatibility, which could not be resolved through conditions. She said that the data center did not belong in the middle of a residential area, given the scientifically proven health effects from noise and diesel combustion. Ms. Andrews noted that 250 megawatts of capacity was a multiple of the sum of all current, commercial data centers in the City combined. She cited Washington State requirements, which compelled Sabey to notify residents within a quarter mile of diesel combustion health impacts, and argued that no number of conditions could eliminate that impact. Ms. Andrews added that the decibel level at nearby residences would need to be below 50 at night and marginally higher during the day, and that, for generator testing alone, she calculated that it would be equivalent to approximately 3,500 semi-trucks idling on the property in terms of diesel combustion output. She felt that she had not seen any credible effort to bring that exposure down to levels that would not promote cancer in the neighboring community. Commissioner Lyle asked Ms. Andrews more specifically whether any targeted conditions might be written to satisfy her primary concerns. Ms. Andrews re-stated that compatibility at this location could not be adequately addressed through conditions, citing the health risks from noise and diesel combustion were not solvable through mitigation measures. She added that more appropriate locations exist for a project of this scale, and that approving it here would forfeit significant development potential that had been secured for the community.

Commissioner Schumacher noted that the Petitioner had referenced diesel particulate filters as a solution to emissions concerns and asked whether that addressed Ms. Andrews' concerns about health impacts. Ms. Andrews replied that she would have to review the exact specifications of the filters before accepting them as adequate mitigation. She referenced Washington State data showing that Sabey's Quincy facility (running at only 58 megawatts and after filters were applied) still produced a modeled cancer incidence increase of 5.6 per million at three-quarters of a mile, just under Washington's allowable limit of 10 per million. Ms. Andrews believed that for a project at 260 megawatts (as reduced), proportional extrapolation would produce an incidence far exceeding what Washington State permits. She emphasized that the Petitioner was seeking heavy industrial development standard variances at the site, and without detailed specifications and independent verification of the diesel particulate filter commitment, it was an unsubstantiated claim.

Commissioner West asked about the relationship between the Comprehensive Plan, the Critical Area text, and the current I-2 zoning, specifically whether the zoning was the controlling legal standard or whether the Comprehensive Plan's vision also applied.

Pat Andrews explained that the Comprehensive Plan designated this specific location as village mixed use and suburban neighborhood. The Critical Area text, adopted in coordination with the 2020 rezoning to a technology park, acknowledged the potential for light industrial use at the location and set specific standards: building footprints below 200,000 square feet, heights below 35 feet, and a requirement that the development generate a diversity of economic development opportunities for Decatur Township. She argued that a 75-job data center did not satisfy that

diversity requirement. She noted that the Comprehensive Plan's vision for the broader area to the east (where Ameriplex Parkway would extend) was village mixed use, a walkable environment with commercial and residential components, not industrial. She distinguished this from the Critical Area's conditional allowance for light industrial on this parcel.

Commissioner West asked whether the term "mixed use" remained truly applicable, due to the current zoning. Ms. Andrews responded that the village mixed use designation in the Comprehensive Plan existed independently. The I-2 zoning was different from what that designation contemplated. The Critical Area text specifically governs what must happen if light industrial use goes in at the location and would apply to any development of the site under the current zoning. Commissioner West then referenced a map he had, describing a Greenway project (identified as the Ameriplex Parkway extension) that terminated at Kentucky Avenue just north of the subject project, with adjacent land designated as light industrial. He asked whether, if there was a ripple effect and if Decatur Township attracted high-tech industry through the data center, the resulting jobs could substitute for what would be lost by departing from the current technology park commitment. Ms. Andrews concluded that data centers attract other data centers, not R&D, biotech, or other targeted industries. The attraction of additional data centers to the area was driven by cost, not by the type of economic ecosystem the Comprehensive Plan and 2020 commitments were intended to build. She argued that no substitution effect would occur for the types of jobs and industries the current technology park zoning promised. Ms. White added that the straight application of the zoning ordinance actually prohibited data centers in a light industrial zone, as they are not listed as a permitted use. This was precisely why the variance was required, reinforcing her argument that data centers do not belong in the I-2 zone.

Commissioner Murphy asked Ms. Andrews to clarify what she meant when she referred to the site as "shovel-ready for a park," asking specifically whether she was referring to the entire 32-acre site. Ms. Andrews confirmed that the full 32 acres were shovel-ready for R&D and targeted industry development. Commissioner Murphy then asked how a park creates new jobs. Ms. Andrews clarified that she was referring to a technology park (the Decatur Technology Park designation under the existing commitments), not a public park.

City-County Councilor Josh Bain (CD #21) (sworn testimony) noted that he would not support or remain neutral on any Petition he believed would genuinely harm his community and said that he wanted to describe his full involvement in the process, address speculation and misinformation circulating on social media, and explain the commitments he personally secured. He described first learning about the project in late summer when Sabey representatives requested a meeting. He recalled their first assurance being that they would not ask him to sign any NDA, which he said he would not have signed regardless. He stated he immediately established a condition that a public open house be held before any official hearings, a step he believed was unprecedented among data center projects nationally. He explained that on or around September 30th, he contacted DMD and asked that a full rezoning petition be required rather than a modification of commitments, which would have allowed a City-County Council vote. That request was ultimately not granted, which limited his formal role in the process. He chose to focus his energy on securing the strongest possible protections for the community.

He described the November open house (nearly 400 attendees), at which he personally greeted every person and distributed a printed survey, and later posted the survey online for additional responses. He noted that the meeting became chaotic due to a few very loud voices, some of whom were not Decatur Township residents. He said he used the survey feedback to guide his

advocacy for specific commitments. Drawing on his prior professional background in energy nonprofits, he described requesting a closed-loop cooling system as one of the first commitments, ensuring water was recirculated, contradicting claims that the facility would use millions of gallons daily. He described securing a commitment that Sabey would bear 100% of all energy costs associated with the project, including generation, infrastructure, and transmission, with no cost to local ratepayers. He directly addressed utility rate concerns by citing Indiana Michigan Power's February 24th announcement of a petition to the IURC for a rate decrease, specifically crediting large customers, including data centers, as the enabling factor. Councilor Bain explained that regulated utilities have fixed infrastructure costs that have to be paid regardless of load; when large users who pay their own way are added to the system, the fixed costs are spread across a larger customer base, which can relieve pressure on residential ratepayers rather than increase it. Councilor Bain then described other community-driven commitments: no Camby Road access for construction or operations; generator testing restricted to weekdays between 7 A.M. and 5 P.M. excluding major holidays; municipal water supply only, with no impact on nearby residential wells (including his family's well); proper hauling and disposal of water if the closed-loop system had to ever be drained, rather than discharging into nearby waterways or the municipal sewer system; a formal commitment prohibiting installation of small modular nuclear reactors (SMRs) on the property; annual sound testing with results reported to the City Administrator and District Councilor; all backup generators housed in insulated containers; preservation of existing on-site trees; and downward-facing, motion-sensor lighting to reduce light pollution for neighboring property owners.

Councilor Bain also noted that he took a personal day and traveled to Round Rock, Texas, to tour the existing Sabey facility and meet with local officials. Subsequently, he brought back additional commitments now embedded in the Petition. He described personally touring every area of the facility, including the rooftop, utility yard, and insulated generator containers, and having the backup generators run while he was present. He stated that beyond 20 to 25 feet outside the utility yard he could not hear them operating.

President Dillon asked to hear from Staff. Current Planning Administrator, Bryce Patz, presented Staff's recommendation of approval for both petitions, finding that the criteria for each of the requested variances and the modification of commitments had been met. Mr. Patz presented the two primary requests before the Commission: a modification of existing commitments from the 2020 I-2 rezoning approved by MDC in December 2020 and certified to the City-County Council in January 2021, and a variance of use to permit a data center technology park with associated development standard variances. He noted that a timely appeal of the Hearing Examiner's recommendation had been filed on February 27, 2026.

Mr. Patz walked through several addendum items updating the record: an updated plan of operations had been submitted on March 11, 2026, reflecting a reduction in generator numbers and a scaled timeline for bringing generators online; a formal withdrawal of the variance request for building heights exceeding 50 feet within the airspace overlay; and updated findings of fact reflecting both changes. He also clarified exhibit labeling throughout the Staff Report.

Regarding the modification of commitments, Mr. Patz described three principal changes: removal of an alternative site plan, leaving one single site plan; removal of the retail village component, allowing the southwest corner to develop as I-2 uses; and retention of transitional yard buffering, berms, evergreen plantings, and sidewalk dedications. Staff found no objections to these modifications.

Regarding the variance of use, Mr. Patz explained that in October 2025, the Administrator formally determined data centers were not a listed use under Indy Rezone, requiring the Petitioner to either rezone to C-S or seek a variance of use. Staff evaluated the variance against State Code criteria. Staff reviewed the request for the use of a data center technology park and determined that the use operates similarly to a light industrial technology park. Staff proposed enforceable commitments, including a 200-foot minimum transitional yard on the south and east, eight-foot berms with double-staggered evergreen plantings, a required noise study prior to permit issuance to verify the 65-decibel property line limit, no generator testing between 5 P.M. and 7 A.M., 10-foot screening walls around utility yards, and a closed-loop air cooling system. Staff found that with these commitments, the use did not create impacts beyond what I-2 zoning already contemplated. Regarding hardship, Mr. Patz stated the difficulty arose from the absence of data centers as a listed use in the zoning code and that the variance did not create a new zoning district but continued development consistent with prior I-2 approvals. Staff found no material conflict with the Comprehensive Plan beyond what was previously approved. Staff also recommended approval of the reduced parking variance and the outdoor operational yard variance, finding both reflect functional requirements of the data center use given site constraints, including stormwater ponds, transmission easements, and substation acreage. Staff recommended approval of the modification of commitments, variance of use, and all associated development standard variances, subject to the proposed commitments, submitted site plans, and the March 11, 2026, Plan of Operations. Mr. Patz also noted that Staff received over 400 community emails about the Petition, along with letters of support, all provided to the Commission in advance. He advised the Commission that an additional 64 opposition petition signatures from Protect Decatur Township and a letter of support from the Indianapolis Economic Development, Inc. (IEDI) were also submitted and provided to the Commission that morning. He requested that a representative of IEDI speak.

Attorney Doug Brown (111 Monument Circle, Indianapolis, IN 46204) appeared on behalf of Indianapolis Economic Development, Inc. (IEDI) and read a letter of support into the record on their behalf (see Appendix 1).

Commissioner Lyle asked Staff to clarify what the incentives were. Administrator Patz responded that, as planners, Staff was not involved in the incentive component and focused solely on evaluating the land use petition against the Zoning Ordinance and Comprehensive Plan to provide an unbiased recommendation. Commissioner Lyle then asked whether the Zoning Ordinance distinguished between different intensities of I-2 uses or treated all uses similarly regardless of scale or infrastructure demand. Mr. Patz explained that all permitted I-2 uses were regulated under the same general development standards framework, and that mindset applied when a new use was added to a zoning district.

Commissioner Lyle asked how Staff evaluated the injury to the adjacent property standard in this case. Mr. Patz explained that for any variance of use Staff analyzed whether the use can be sufficiently regulated through development standards or commitments to reduce its impact. Where adequate regulation was possible, Staff could be supportive. Where no meaningful regulation or commitments could be imposed, Staff would find the use unsupportable. Commissioner Lyle then asked whether the Staff recommendation was based strictly on Zoning Ordinance compliance or also incorporated qualitative long-term community compatibility. Mr. Patz outlined Staff's four-step evaluation framework: first, determine whether a variance of use was an available vehicle under the Ordinance; second, evaluate I-2 uses and development standards to assess whether the scale and structure were compatible with I-2; third, review the history of prior land use petitions on the site; and fourth, consult the Comprehensive Plan as a

long-term visionary document. Mr. Patz confirmed all four components informed the Staff recommendation.

Commissioner Murphy asked whether Ms. White's characterization of the proposal as spot zoning was accurate. Mr. Patz clarified that the Petition was a variance of use, not a rezoning to a different district, and therefore, the spot zoning definition would not apply.

During her rebuttal, Mindy Westrick Brown thanked Councilor Bain and the over 450 project supporters who engaged with the process. She summarized the evidentiary record, noting Sabey submitted site-specific independent expert analysis covering environmental impacts, land use compatibility, infrastructure, acoustics, and economic impact, all documented in an 18-plus page findings of fact document. She walked through each variance criterion briefly, stating that expert opinions specific to the site demonstrated no injurious impact, no substantially adverse effect on property values, a hardship arising from data centers being an unlisted use in every zoning district, no substantial interference with the Comprehensive Plan given the prior I-2 rezoning that was never appealed, and no feasible alternatives to achieve a technology use on this technology park site. She noted that both the planning staff and the Hearing Examiner independently reviewed the evidence and found all criteria met. Ms. Westrick Brown directly rebutted Remonstrators' claims, stating that assertions about public health harm, water contamination, and community endangerment were all addressed with independent expert analysis. She noted the Structurepoint memo showing 92% fewer emissions than the previously approved project and characterized the Remonstrators' diesel combustion numbers as incorrect. She also pushed back on job loss arguments, noting the project far exceeds the previously approved 259 jobs at \$18 per hour, generated 80% less peak truck traffic than the prior I-2 approval from 2021, and addressed noise concerns by pointing to Sabey's track record across six operating facilities. On the Austin fire, she clarified it was an isolated construction fire unrelated to data center operations and involving a battery type no longer in use. She closed by warning that denial would not prevent development of the I-2 zoned site but would simply open the door to other uses potentially generating higher traffic, greater emissions, and more intense industrial activity. She thanked Councilor Bain, community members, unions, elected officials, the Indy Chamber, the tech community, and IEDC, and asked the Commission for approval.

Commissioner Schumacher asked whether the project would proceed if city tax abatements were not obtained. Mr. Casper confirmed the project would move forward regardless, stating Sabey was committed to the billions of dollars of investment the project represented.

Commissioner Lyle asked whether any portion of infrastructure costs would ultimately be borne by taxpayers or nearby residents. Ms. Westrick Brown confirmed that no costs fell outside Sabey's four-category written commitment and no costs would be passed on to customers or ratepayers. Commissioner Lyle then asked whether the pending AES-BlackRock ownership situation was addressed in the commitments. Ms. Westrick Brown confirmed that on March 11th, in response to a Staff inquiry, Sabey immediately updated the commitment language to reference "a local electric utility" rather than naming AES specifically, ensuring the obligation binds whoever serves Indianapolis under any future ownership. Lastly, Commissioner Lyle asked whether Sabey had consulted the neighborhood's Pattern Book in relation to building height and neighborhood compatibility. Ms. Westrick Brown addressed the Comprehensive Plan compatibility and prior zoning approvals. Commissioner Lyle pressed further, noting that a community organized enough to produce a pattern book deserved meaningful engagement from any entity seeking to be a good neighbor, and that ensuring some parallel between the project and community design expectations should be incumbent on Sabey.

During the Remonstrator rebuttal period, Ms. Andrews argued that the site was incompatible with the proposed use, as the variances sought were for heavy industrial development standards, which were not compatible with light industrial zoning. She challenged the Round Rock, Texas, comparisons made throughout the hearing, noting that the Round Rock facility had only one building operating at full capacity of approximately 30 megawatts, which was one-eighth the size of the 250-megawatt Indianapolis proposal, making the direct comparisons misleading. Ms. Andrews also noted the presence of generator chimney stacks 22 feet in the air, rooftop HVAC and fan noise, and ground-level equipment, as well as a transmission line corridor running through the property that could support structures, all of which she argued needed to be factored into any impact evaluation. She then presented detailed diesel combustion health impact data. She described Sabey's 2020 application in Quincy, Washington, for 25 additional generators at 58 megawatts of power. Washington State required Sabey to conduct modeling of the health effects of diesel combustion. The modeling found a projected cancer incidence increase of 5.6 per million at three-quarters of a mile (just below Washington State's allowable maximum of 10 per million). For the Indianapolis proposal, now reduced to approximately 260 megawatts of generator power (down from 434 following the announced generator count reduction), she extrapolated proportionally to estimate a cancer incidence increase of approximately 28 per million at this location (two to three times the level that Washington State allowed). She displayed a plume map, showing diesel exhaust potentially extending 3.6 miles wide and 7.3 miles deep, reaching well into Morgan County and approaching the interchange of I-70 and Ameriplex Parkway in Hendricks County. Ms. Andrews argued that residents had been effectively denied their right to a City-County Council hearing using the modification-of-commitments route rather than a full rezoning petition. She reiterated that the site was shovel-ready for targeted industrial development of the type the State was actively recruiting. She corrected what she characterized as a common misunderstanding about property tax benefits, explaining that even if Sabey paid \$22 million or more in property taxes, it did not increase any taxing units levied, it only decreased the tax rate. Under Indiana's property tax rate caps, residential homeowners would see no direct benefit from Sabey's investment, while nearby homeowners would still face the burden of fighting property value impacts. She closed by asking all those present in opposition to stand, referencing over 1,300 petition signatures in opposition, as well as the Decatur Township Trustee and members of the Decatur Township Advisory Board. [Approximately one half of the audience stood in opposition to the Petitions.]

President Dillon thanked both sides for their professional conduct. He noted that he had personally traveled to southern Indiana to tour a data center under construction and had also toured an operational data center in central Indiana, specifically to gain firsthand familiarity with the community concerns raised in this proceeding. He noted that the MDC had thoroughly heard and reviewed the concerns of the Remonstrators, the Petitioner's commitments, expert testimony, and the DMD staff position. President Dillon directed Commissioners to vote by written ballot, noting that a "yes" vote passed the Petition and a "no" vote defeated it.

President Dillon directed the Commission to mark their ballots for the two Petitions. The ballots for **Petition No. 2025-CAP-856** were marked as follows (7:1:0):

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

**The Commission approved Petition No. 2025-CAP-856, subject to the commitments referenced during the hearing.**

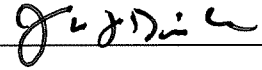
The ballots for **Petition No. 2025-CVR-856 (Amended)** were marked as follows (6:2:0):  
Ayes: Dillon, Garver, Herget, Murphy, Robinson, West  
Noes: Lyle, Schumacher  
Recusal: None

**The Commission approved Petition No. 2025-CVR-856, subject to the commitments referenced during the hearing.**

---

**ADDITIONAL BUSINESS**

Seeing no additional business. President Dillon adjourned the meeting at 3:38 PM.



President

Metropolitan Development Commission

Attest:

  
MDC Secretary

Date:

April 1, 2026

## Appendix 1



Attn: Commissioners of the Metropolitan Development Commission

March 17, 2026

Dear Esteemed Commissioners:

Indy Economic Development, Inc. (IEDI) is responsible for attracting high-growth, long-term businesses and industries to the City of Indianapolis. Our work focuses on strengthening the city's tax base, supporting the creation of high-paying and future-resilient jobs, and building a best-in-class economic ecosystem—while ensuring that communities directly benefit from the growth occurring around them.

As part of our standard process, we evaluate each project across a range of factors, including its economic impact, infrastructure demands, workforce implications, and alignment with target industries. This due diligence occurs as projects seek to confirm their land-use status. We respect this process and are prepared to provide a comprehensive and well-researched assessment in partnership with the Department of Metropolitan Development (DMD) should a project move forward in pursuit of city incentives.

In the case of the Sabey Data Center project, IEDI has conducted preliminary evaluations of anticipated tax benefits, utility and infrastructure impacts, workforce considerations, projected community benefits, and alignment with city and state incentive criteria. This has also included a site visit to a comparable facility built and operated by Sabey.

Based on this initial evaluation of the company meeting these economic development standards, IEDI has issued preliminary terms, with estimates currently being refined. Throughout the due diligence process, the company has demonstrated responsiveness and a willingness to engage constructively. Should this project move forward, these terms will be shared and considered through the standard, public approval process.

IEDI's decision to extend an incentive offer was based on several key factors:

1. A high projected assessed value, resulting in significant potential increases in tax revenue for the site
2. Strong project viability, supported by substantial financial investment and access to near-term power resources
3. A corporate approach focused on harnessing current industrial or commerce-focused sites
4. A commitment to utilizing a local workforce and providing high wages

Appendix 1  
(concluded)



5. A commitment to covering all related infrastructure project costs, including power costs
6. A demonstrated commitment to meet and discuss the project with city and township stakeholders
7. A commitment to meeting and exceeding inclusivity standards for community projects

As always, the granting of incentives remains contingent upon the approval of appropriate land-use designations. As the development process continues, IEDI looks forward to participating in the Metropolitan Development Commission (MDC) incentive review process, where additional information will be shared and discussed.

We remain committed to working closely with our city partners to ensure that any company receiving city support makes good on its commitments in a way that is measurable, enforceable, and beneficial to the surrounding community.

We look forward to continued engagement with the community, project stakeholders, and city leadership as this process advances.

Respectfully,

Indy Economic Development, Inc.