

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

May 6, 2026

The regular meeting of the Metropolitan Development Commission (MDC) of Indianapolis-Marion County, IN, was held on Wednesday, May 6, 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 5141.5.

ATTENDANCE

The following Commission members were present:

John J. Dillon III, President
Brandon Herget
Brent Lyle
Daniel Moriarty
Brian P. Murphy, Secretary
Brigid Robinson
Bruce Schumacher, Acting Secretary
Gregg West

The following Commission members were absent:

Megan Garver, Vice-President

The following City of Indianapolis employees were present:

Megan Vukusich	Director - DMD
Jennifer Fults	Deputy Director, Strategy and Collaboration - DMD
Tonya Ellison	Program Manager – Economic Incentives - DMD
Lucas Anderson	Chief Financial Officer / Chief Operating Officer
Meg Busch	Administrator - IHPC
Carmen Lethig	Deputy Director, Planning, Preservation and Design - DMD
Kathleen Blackham	Senior Planner - DMD
Robert Uhlenhake	Senior Planner - DMD
Josh Levesque	Senior Planner - DMD
Adrienne Baker	Principal Planner I - DMD
Michael Weigel	Principal Planner I - DMD
Jeffrey York	Manager, Current Planning - 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 1:02 P.M. Auboni Hart (Chief Communications Officer, DMD) led the recitation of the Pledge of Allegiance. President Dillon commended Ms. Hart for her

outstanding service to the Commission and acknowledged with regret that she would be departing the Department.

MINUTES

Commissioner Herget made a Motion to adopt the Minutes from the April 15, 2026 meeting; Commissioner Lyle seconded the Motion; the Commission adopted the Minutes by voice vote (8:0:0) as follows:

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

The Minutes from the April 15, 2026 meeting were adopted.

SPECIAL REQUESTS

The Petitioner's attorney, Joseph Calderon (11 South Meridian Street, Indianapolis, IN), requested a continuance for **Petition No. 2025-ZON-110 (Amended)** to the July 1, 2026 meeting. Mr. Calderon explained that after being engaged on the matter following the initial filing, he discovered that the legal description used in the rezoning petition was incorrect (i.e., it encompassed the entire church-owned property rather than only the portion intended for rezoning). The petitioner had retained a new civil engineering and surveying firm to prepare a corrected legal description, which was expected to be ready within a few weeks. Mr. Calderon had requested a continuance to the June 3, 2026 meeting, but understood that the Commission and Staff might prefer the July 1, 2026 date.

REZONING PETITION RECOMMENDED FOR APPROVAL BY HEARING EXAMINER, NO APPEAL FILED:

2025-ZON-110 (Amended) | 10302 East 38th Street

Lawrence Township, Council District #15

Desmonde Monroe, by Lindsey Wikstrom

Rezoning of 7.726 acres from the SU-1 (FF) district to the D-6 (FF) classification to provide for a multi-family residential development.

President Dillon noted that this was the third time the Petition had been before the Commission and advised Mr. Calderon that the Petition would need to be withdrawn if it was not ready to proceed on July 1, 2026. Mr. Calderon agreed to that condition.

Hearing no other comments, President Dillon made a Motion to continue the Petition to the July 1, 2026 meeting;; Commissioner Murphy seconded the Motion; the Motion was carried by a roll-call vote (8:0:0) as follows:

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

The Commission continued Petition No. 2025-ZON-110 (Amended) to the July 1, 2026 meeting.

POLICY RESOLUTIONS

REAL ESTATE:

2026-R-013 Authorizes the Department of Metropolitan Development to convey title or an option to purchase title of Property to transferee as approved by Vacant to Vibrant Review Committee for the purpose of providing development that will best serve the interest of the City.

ECONOMIC DEVELOPMENT / INCENTIVES:

2026-A-012 (For Public Hearing) Final Economic Revitalization Area Resolution for TAG Midwest Properties, LLC located at 8205, 8215 & 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-013 (For Public Hearing) Final Economic Revitalization Area Resolution for TC Heartland LLC dba Heartland Food Products Group located at 8205, 8215 & 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.)

2026-E-002 Authorizes the Metropolitan Development Commission to reimburse the Department of Public Works for reasonable expenditures associated with improving the alley known as North Alley 3750 behind the United States Postal Office, located at 2830 North Sherman Drive, Indianapolis.

2026-A-018 Preliminary Economic Revitalization Area Resolution for Zima International Inc., located at 6900 English Avenue, Council District #20, Warren Township. (Recommend approval of seven (7) years personal property tax abatement.)

PLANNING:

2026-P-006 Authorizes the Department of Metropolitan Development to negotiate and execute an Agreement with Nelson/ Nygaard Consulting Associates, Inc., for a term through December 31, 2027, for a contractual amount not to exceed \$350,780, to provide an inventory of available parking in various areas.

HISTORIC PRESERVATION:

2026-HP-001 (For Public Hearing) Adopts the "Circle Tower Historic Area Plan - 45" into the Comprehensive Plan for Indianapolis-Marion County. The Plan maps out two interior spaces that make up the historic area located at 55 Monument Circle and provides preservation guidelines and recommendations based on the historic, architectural, and cultural significance of the two interior spaces, which include the first-floor lobby and the second-floor 1930's historic barber shop.

President Dillon noted that **Resolution Nos. 2026-R-013, 2026-E-002, 2026-A-018, and 2026-P-006** did not stand for public hearing.

Hearing no comments or questions from the Commission, Commissioner Schumacher made a Motion to approve the Resolutions which did not stand for public hearing [**Resolution Nos. 2026-R-013** (8:0:0), **2026-E-002** (8:0:0), **2026-A-018** (8:0:0), and **2026-P-006** (8:0:0)]; Commissioner Robinson seconded the Motion; the Motion was carried by a roll-call vote as follows:

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

The Commission approved Resolution Nos. 2026-R-013, 2026-E-002, 2026-A-018, and 2026-P-006.

President Dillon then announced **Resolution No. 2026-A-012**, which stood for public hearing.

ECONOMIC DEVELOPMENT / INCENTIVES:

2026-A-012 (For Public Hearing) Final Economic Revitalization Area Resolution for TAG Midwest Properties, LLC, located at 8205, 8215 & 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.)

Tonya Ellison (Program Manager, Economic Incentives, DMD) presented Resolution Nos. 2026-A-012 and 2026-A-013 together, noting they were companion resolutions for the expansion of an existing Indianapolis facility. Ms. Ellison explained that the resolutions requested a six-year real and personal property tax abatement with a total investment of \$91 million. The project would retain 832 jobs, of which 73 percent were currently held by Marion County residents. Thirty new positions, all above the average wage of \$28.75 per hour, would be created. The project was located within the Dow Elanco TIF Allocation Area and received approval of the SB-1 from the City-County Council on May 4, 2026. Staff recommended approval of both resolutions. President Dillon noted for the record that both resolutions had been presented in detail to the Commission at the MDC Pre-Meeting.

Hearing no comments or questions from the Commission or from the public, Commissioner Schumacher made a Motion to approve **Resolution No. 2026-A-012**; Commissioner Moriarty seconded the Motion; the Motion was carried by a roll-call vote (8:0:0) as follows:

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

The Commission approved Resolution No. 2026-A-012.

President Dillon then announced **Resolution No. 2026-A-013**, which also stood for public hearing and dovetailed with Resolution No. 2026-A-012.

ECONOMIC DEVELOPMENT / INCENTIVES:

2026-A-013 (For Public Hearing) Final Economic Revitalization Area Resolution for TC Heartland LLC d/b/a Heartland Food Products Group, located at 8205, 8215 & 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.)

Tonya Ellison (Program Manager, Economic Incentives, DMD) confirmed that Staff recommended approval of **Resolution No. 2026-A-012** and **2026-A-013**.

Hearing no comments or questions from the Commission or from the public, Commissioner Lyle made a Motion to approve **Resolution No. 2026-A-013**; Commissioner Murphy seconded the Motion; the Motion was carried by a roll-call vote (8:0:0) as follows:

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

The Commission approved Resolution No. 2026-A-013.

President Dillon then announced **Resolution No. 2026-HP-001**, which stood for public hearing.

HISTORIC PRESERVATION:

2026-HP-001 (For Public Hearing) Adopts the "Circle Tower Historic Area Plan – 45" into the Comprehensive Plan for Indianapolis-Marion County. The Plan maps out two interior spaces that make up the historic area located at 55 Monument Circle and provides preservation guidelines and recommendations based on the historic, architectural, and cultural significance of the two interior spaces, which include the first-floor lobby and the second-floor 1930s historic barber shop.

Meg Bush, Administrator of the Indianapolis Historic Preservation Commission (IHPC), appeared on behalf of the IHPC and the Department of Metropolitan Development and requested the Commission's adoption of Historic Area Plan No. 45 for the two interior spaces of Circle Tower into the Comprehensive Plan. President Dillon noted for the record that the Commission had engaged in extensive discussion of this resolution and how it was developed during the MDC Pre-Meeting.

Hearing no comments or questions from the Commission or from the public, Commissioner Robinson made a Motion to approve **Resolution No. 2026-HP-001**; Commissioner Lyle seconded the Motion; the Motion was carried by a roll-call vote (5:3:0) as follows:

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

The Commission approved Resolution No. 2026-HP-001.

PETITIONS OF NO APPEAL

Petitions Recommended for Approval by the Hearing Examiner:

2026-APP-005 | 4600 Sunset Avenue

Washington Township, Council District #7

UQ-1

Butler University, by Brian J. Touhy

University Quarter One Approval to provide for a 16,000 square-foot ballroom that will connect to the existing Clowes Memorial Hall and the Schrott Center for the Arts.

2026-APP-006 | 1702 & 1706 Ruckle Street and 516 East 17th Street

Center Township, Council District #13

PK-2

Holly Mate Holdings LLC, by Matthew Peyton

Park District-Two Approval to provide for a 5-unit townhome structure with attached garages accessed from the alley to the west.

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

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.

2026-ZON-003 | 951 South White River Parkway West Drive

Center Township, Council District #18

951 White River Parkway LLC, by Justin Kingen

Rezoning of 0.99-acre from the SU-2 (RC) district to the CS (RC) district to provide for a surface parking lot.

2026-ZON-012 | 2946, 2950, 2954 McPherson Street

Center Township, Council District #8

Arcadia 1 Development LLC, by Jynell Berkshire

Rezoning of 0.37-acre from the D-5 district to the D-8 district for residential development.

2026-ZON-013 | 2910 McPherson Street

Center Township, Council District #8

Arcadia 1 Development LLC, by Jynell Berkshire

Rezoning of 0.13-acre from the D-5 district to the D-8 district to provide for residential development.

2026-ZON-019 | 1714 West Minnesota Street

Center Township, Council District #18

Habitat for Humanity of Greater Indianapolis Inc., by Chris Barnett

Rezoning of 0.104-acre from the C-1 district to the D-8 district to provide for residential uses.

Hearing no other questions or comments, Commissioner West made a Motion to approve the above-listed **Petitions of No Appeal [Petition Nos. 2026-APP-005 (8:0:0), 2026-APP-006 (8:0:0), 2025-ZON-112 Amended (7:0:1), 2026-ZON-003 (8:0:0), 2026-ZON-012 (8:0:0), 2026-ZON-013 (8:0:0), and 2026-ZON-019 (8:0:0)]** that the MDC Hearing Examiner recommended for approval;

Commissioner Schumacher seconded the Motion; the Motion was carried by a roll-call vote as follows:

Ayes: Dillon, Herget, Lyle, Moriarty, Murphy, Robinson, Schumacher, West (Commissioner Lyle recused himself from the vote on Petition No. 2025-ZON-112 (Amended))

Noes: None

Recusals: Commissioner Lyle recused himself from the vote on Petition No. 2025-ZON-112 (Amended).

The Commission approved Petition Nos. Petition Nos. 2026-APP-005, 2026-APP-006, 2025-ZON-112 (Amended), 2026-ZON-003, 2026-ZON-012, 2026-ZON-013, and 2026-ZON-019.

PETITIONS FOR PUBLIC HEARING

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.

President Dillon explained the Rules governing the hearing and noted that a Remonstrator was present. No City-County Council member appeared.

Jay Sandifur testified on behalf of Jade Investments GMA, LLC. Mr. Sandifur explained that the property at 5736 Madison Avenue had been his grandmother's home for approximately 80 years and was now owned by him and his sister. The property was under two acres, which included a retention pond to the rear, and featured a 3,000-square-foot residence set well back from Madison Avenue, with two access points from the road and a drive encircling the house with parking in the rear. The Petition originally sought C-3 zoning for boutique or bistro-type uses but had since been amended to C-1. The daycare component had also been fully withdrawn. The Petitioner now sought only simple office uses (e.g., medical office or tax assistance business) with no physical changes to the structure or site improvements. He stated the property was connected to city water and city sewer, and that neighbors had signed statements of approval. He described the surrounding context, which includes apartments across Madison Avenue, a bus stop in front of the property, and a Kroger-anchored commercial strip to the south. During questioning by President Dillon, Mr. Sandifur confirmed that the daycare use had been permanently removed from the request. Upon questioning by President Dillon, Ms. Blackham explained that the use would be limited to office uses in the C-1 zoning district, and the daycare use would no longer be allowed. Mr. Sandifur also confirmed that he owned the pond on the property. Ms. Blackham (Staff) interjected that a fence was not required by Ordinance. Upon questioning by President Dillon and discussions with Ms. Blackham, Mr. Sandifur then agreed to a commitment to install a chain link fence, at least three feet in height, around the pond within two months of approval if the petition were granted.

Remonstrator Dale Raber (5626 Laurel Street, Indianapolis, IN) testified that he lived approximately one block from the subject property and owned four houses within two blocks of it. He raised concerns about commercial encroachment into a suburban residential neighborhood situated between the Epler/Madison and Edgewood/Madison commercial nodes. He questioned whether city water was available to the specific address and noted that no site plan had been submitted to show what would occupy the property. Mr. Raber cited the Hearing Examiner's recommendation of denial and raised concerns about flooding from the adjacent creek, the wetlands, and the need for landscaping. He urged the Commission to uphold the denial.

Kathleen Blackham (Staff) recommended denial of the Petition. She explained that the Comprehensive Plan designated the area as suburban neighborhood, and the Pattern Book that accompanied the Comprehensive Plan specified that small commercial nodes in the suburban neighborhood typology should be located only at the intersections of two arterials. The nearest appropriate commercial node was at the intersection of Madison Avenue and Edgewood Avenue, approximately 200 feet to the south. The Pattern Book also called for no less than one mile of separation between commercial nodes, while the subject property was only 200 feet from the nearest node. The property was surrounded on multiple sides by residential uses, and Staff did not believe mid-block commercial development was appropriate at this location. If the Petition were approved over Staff's recommendation, Staff requested four commitments: (1) delineation of the wetland on the

property; (2) dedication of right-of-way along Madison Avenue per the thoroughfare plan; (3) maintenance and cleanliness of the site; and (4) installation of a fence around the retention pond. Commissioner West noted concerns about the shared driveway and mailbox arrangement, which Ms. Blackham confirmed were also concerns that DPW would evaluate for access and safety implications. After discussions between President Dillon, Ms. Blackham, and Mr. Sandifur, the fourth commitment was further defined to require the installation of a secure, chain link fence, a minimum of three feet in height, and the installation to be completed within two months of approval of the Petition. Mr. Sandifur agreed to the fence commitment as defined.

During the rebuttal, Mr. Sandifur noted that the shared mailbox could be moved to his site. He addressed the water service question, noting that the property was connected to city water, though not necessarily listed under the specific address due to the multiple-parcel configuration. He emphasized that no site plan was submitted because nothing about the structure or site improvements was changing. He reiterated that surrounding neighbors had approved the plan and that he and his sister take personal pride in the property, which had already been significantly improved.

Commissioner Murphy confirmed through Ms. Blackham (Staff) that the file contained no letters of support from neighboring property owners. He further noted that the Hearing Examiner's record showed letters of opposition submitted by two individual property owners and by the Thompson-Edgewood Residential Association and asked whether any of those had been rescinded. Mr. Sandifur confirmed none had been formally rescinded as he had not reached out to the individuals subsequently and acknowledged that the Association's president was among those who had submitted an opposition letter and that the Association has not subsequently submitted a letter of support. Commissioner Lyle asked whether there had been any substantive discussion with the neighborhood association about the project's inconsistency with the Pattern Book; Mr. Sandifur replied that no such discussion had taken place. Upon questioning by President Dillon, Mr. Sandifur confirmed the facility had water and Ms. Blackham promised President Dillon that she would investigate the claim.

During his rebuttal, Mr. Raber questioned why none of the neighbors who purportedly supported the petition had appeared at the hearing, and reiterated concerns about the absence of a site plan and landscaping plans and the issues surrounding the wetlands and the shared driveway. As someone who had invested heavily in the neighborhood, he urged the Commission to keep this stretch of Madison Avenue between Epler and Edgewood as a suburban residential neighborhood consistent with the Comprehensive Plan. Commissioner Murphy then again confirmed with Ms. Blackham (Staff) that the file contained no letters of support from neighboring property owners.

President Dillon directed the Commissioners to mark their ballots. The ballots for **Petition No. 2025-ZON-132 (Amended)** were marked as follows (2:6:0):

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

The Commission denied Petition No. 2025-ZON-132 (Amended).

Note: Commissioner Schumacher departed the meeting room and was no longer present for the remainder of the meeting.

REZONING PETITION RECOMMENDED FOR DENIAL BY HEARING EXAMINER, APPEAL FILED
PETITIONER:
2025-ZON-084 | 4001 South Keystone Avenue

Perry Township, Council District #19

Aman LLC, by Tyler Ochs

Rezoning of 1.075 acres from the C-4 district to the C-S district to provide for all C-3 uses and an automobile fueling station.

President Dillon moved this Petition forward on the agenda to accommodate the presence of the district City-County Councilor. President Dillon then explained the Rules governing the hearing. A Remonstrator was present, represented by counsel.

The Petitioner's representative, Tyler Ochs, Bose McKinney & Evans (1111 Monument Circle, Suite 2700, Indianapolis, IN), appeared with Greg Hahn (Bose McKinney & Evans), on behalf of Aman LLC, and thanked Councilor Mascari for his support. Mr. Ochs provided a site history, noting that the property at the southeast corner of Keystone Avenue and Hanna Avenue was rezoned in 2016 from C-3 to C-4 for a planned relocation of a 21st Amendment liquor store that never occurred. Two separate petitions in 2022 and 2024 to modify an existing commitment prohibiting an automobile fueling station were each denied at the Hearing Examiner level and, on appeal, before the Commission. The current petition requested rezoning to C-S, which would reduce the overall intensity of the property from C-4 to C-3, with the C-4 use being requested for an automobile fueling station. The site had operated as a convenience store for approximately one to two years. The property was at the southeast corner of Keystone and Hanna Avenues, both major arterials carrying approximately 14,500 vehicles per day (a 15-20 percent increase since 2022). Mr. Ochs argued that the traffic volume distinguished the site from typical village mixed-use areas and that the fueling station was needed to sustain the economic viability of the convenience store. The property had sat vacant for five years before the Petitioner invested in and improved it. If approved, the Petitioner agreed to two commitments: dedication of right-of-way along Keystone Avenue (if not already completed) and maintenance of the site.

Greg Zubek (10475 Crosspoint Boulevard, Indianapolis, IN), attorney for Remonstrator Keystone Food Mart and its proprietor Mike Singh (located catty-corner from the subject property), introduced additional Remonstrators present: owners and operators of the Conoco Station at 2202 East Hanna Avenue and the operators of the liquor store at 3939 South Keystone Avenue, all in opposition. Mr. Zubek noted that this was the sixth public hearing related to the introduction of an automobile fueling station at this property, spanning hearings before the Hearing Examiner and this Commission in 2022, 2024, and 2026. He presented a packet of seven paper exhibits, including: (1) documentation of the purchase of the property by Aman LLC in February 2022 for \$199,999; (2) the 2017 commitment expressly prohibiting an automobile fueling station; (3) a map identifying five existing fueling stations within seven-tenths of a mile of the subject property; (4) information regarding a recently approved C-4 rezoning at 3565 South Keystone Avenue that could yield a sixth nearby fueling station; (5) photographs of the existing convenience store; (6) records of zoning enforcement actions related to signage violations at the site in 2025; and (7) a letter from the Conoco Station operator in opposition, along with pages of signed remonstrance petitions. Mr. Zubek played a brief recording of testimony from the 2024 hearing before this Commission in which the Petitioner's principal stated he would not open the convenience store if denied, noting that the store opened shortly thereafter. He argued that the Comprehensive Plan's village mixed-use designation expressly excluded automotive uses such as gas stations and drive-throughs; that the 2019 Pattern Book embodied the planning commitment; and that the C-S zoning district was not an appropriate tool for the request. He urged denial of the Petition.

City-County Councilor Mascari (CD #19) testified in support of the Petition. He noted that he grew up on the south side of Indianapolis, remembered the site from decades past, and acknowledged the significant improvement the Petitioner had made to a previously troubled site. He stated that the only Remonstrators were the competition, that additional gas station competition would benefit the

neighborhood given current fuel prices, and that neighborhood residents support the project. President Dillon thanked the Councilor for his support of the Commission.

Kathleen Blackham (Staff) recommended denial of the Petition. She explained that the property was already zoned C-4, which permitted 59 primary uses and 26 accessory uses; the C-S rezoning was not, in Staff's view, an appropriate tool for this situation. The Comprehensive Plan's village mixed-use designation did not support gas stations or drive-through automotive uses, and Staff did not believe the C-S district's five purposes had been met. Staff had recommended denial at all prior hearings on this site and maintained that position. In response to Commissioner Robinson's inquiry, Ms. Blackham confirmed that if approved over Staff's recommendation, two commitments would be requested: dedication of right-of-way (if not already completed) and maintenance of the site. Mr. Ochs said the Petitioner agreed to the two commitments, but he understood that the right-of-way had already been dedicated. President Dillon and Ms. Blackham both acknowledged the significant improvement made to the property from its prior blighted condition.

During rebuttal, Mr. Ochs stated that competition among businesses was not an appropriate planning consideration. He emphasized that the convenience store had been integrated into the community and characterized the fueling station as an accessory use that was needed to sustain the store for the long-term. He argued that C-S zoning was appropriate given the property's unique configuration, dual access points, and the need for maximum adaptability, pointing to Purpose No. 5 of the C-S district.

During the Remonstrator rebuttal period, Mr. Zubek noted that the Remonstrators included not only competing businesses but also area property owners and residents. He observed that the Petitioner had received what it needed (a successful convenience store permitted under existing C-4 zoning) and urged the Commission to deny the Petition for the sixth time.

President Dillon directed the Commissioners to mark their ballots. The ballots for **Petition No. 2025-ZON-084** were marked as follows (3:4:0):

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

The Commission denied Petition No. 2025-ZON-084.

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

2025-MOD-024 | 5601 and 5621 Madison Avenue and 1525 East Dudley

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).

President Dillon noted that the Rules of engagement from the prior hearing applied.

Jay Sandifur (5601 South Madison Avenue, Indianapolis, IN) appeared on behalf of Jade Investments of Indy Inc. He explained that the property was currently used for automotive sales and office space. He addressed the two commitments at issue. Regarding the landscaping, Mr. Sandifur said that trees had been planted per the original commitment at the time of approval, but that some had died and were not timely replaced, and that a formal Administrator Approval landscaping plan had never been submitted. The trees had since been replanted. Regarding the mobile office, he explained that the original trailer had been removed by the commitment, but a replacement trailer was subsequently brought in by the tenant, which he believed was permitted because the commitment referenced the original trailer specifically. He acknowledged this was a misunderstanding. Mr. Sandifur agreed to all proposed commitments, including the removal of the replacement trailer. Mr. Sandifur stated that all the neighbors had signed a petition supporting the petition. A permanent structure will be placed in the location of the trailer once the trailer is removed.

Commissioner Lyle noted that the 2015 commitment clearly required that the mobile office be removed within 24 months and not replaced and asked whether documentation existed showing the replacement trailer had received proper permits. Mr. Sandifur acknowledged he could not confirm this, as the tenant had managed the permitting. President Dillon observed that the effective answer was "no" to the question about obtaining permits, and Ms. Blackham confirmed this statement. Commissioner Murphy asked about the use of both structures on the site; Mr. Sandifur confirmed that both the permanent building (the converted former house used as office space) and the replacement trailer are currently occupied by the same auto sales tenant.

Dale Raber (5626 Laurel Street) testified as Remonstrator. He raised concerns about a new parcel depicted on the updated site plan without a parcel identification number. Drawing on his experience owning property in the area, he argued that there was no city sewer service east of Madison Avenue on Dudley, Whalen, or Gilbert Streets, and that the property had to rely on two shared septic systems. He also argued that without a legal septic or sewer connection, the replacement mobile office could be in violation. Mr. Raber also noted that the original commitment required the removal of the trailer and objected to granting additional time.

Kathleen Blackham (Staff) stated that, although Staff had originally recommended denial, Staff now recommended approval of the modification petition, subject to revised commitments. Her recent site visit confirmed: (a) no Administrator Approval had been submitted for the landscaping plan; (b) the existing landscaping did not meet ordinance requirements; (c) the replacement mobile office was introduced without clear authorization, as the commitment required removal without replacement; and (d) a portion of the site along the Whalen Avenue frontage was not paved as required. Staff proposed replacing the original Commitment No. 5 with revised language: the mobile home structure indicated on the site plan filed March 23, 2026, shall be permitted to remain on site for a specified period after approval of the modification; thereafter it shall be removed and no other mobile home or temporary structure shall be permitted on the site; and any new structure or changes to the site plan shall be submitted for Administrator's Approval before the issuance of an Improvement Location Permit or any land disturbance.

Commissioner West asked Staff to clarify the effect of a "yes" and "no" vote. Ms. Blackham confirmed that a "yes" vote would approve the modification subject to the revised commitments, providing a path to bring the site into compliance; a "no" vote would leave the original 2015 commitments in place, which already require removal of the mobile office. Commissioner Herget asked how decade-old commitments could be enforced; Staff confirmed the mechanism was filing a complaint with the Department of Business and Neighborhood Services and asking for a zoning inspection.

During rebuttal, Mr. Sandifur commented that he would correct the issues with the landscaping. He noted that there was sewer access across Madison Avenue and the property currently had two existing septic systems. Upon questioning by President Dillon, Mr. Sandifur affirmed his agreement with all five commitments as revised.

President Dillon stated for the record that he intended to send a formal letter to the permitting department requesting a review of the site conditions (including the septic and sewer questions raised by the Remonstrator), regardless of the outcome of the vote.

During rebuttal, Mr. Raber argued that he did not believe there was a septic system hooked up to the trailer and could not understand how this could be approved without a sewer connection.

Commissioner West, through discussion with the Remonstrator and Staff, explored whether the mobile office, if lacking a proper septic or sewer connection, could be subject to code enforcement action. Kathleen Blackham (Staff) responded that if commercial use existed and city sewer was available in the area, the structure must be connected to the sewer, and that such a violation would be a matter for the Department of Health. Commissioner West questioned how the Commission could allow 24 months to pass before removal of such a structure if such a violation was true.

Commissioner Murphy made a Motion to reduce the timeframe in the revised Commitment No. 5 from 24 months to 12 months for the removal of the mobile home structure. The Petitioner agreed to the 12-month timeframe. Staff confirmed the change. President Dillon confirmed for the record that the revised Commitment No. 5 would read that the mobile home structure shall be permitted to remain on site for 12 months after approval of the modification, after which it shall be removed and no other mobile home or temporary structure shall be permitted on the site, and that any new structure or changes in the site plan shall be submitted for Administrator's Approval before the issuance of an Improvement Location Permit or any land disturbance. The Petitioner confirmed agreement with all five commitments as revised.

President Dillon restated that he was committed to sending a formal letter to Business and Neighborhood Services to inspect the site within a week.

President Dillon directed the Commissioners to mark their ballots. The ballots for **Petition No. 2025-MOD-024** were marked as follows (5:2:0):

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

The Commission approved Petition No. 2025-MOD-024, subject to the five commitments referenced and discussed during the hearing, with Commitment No. 5 modified to require removal of the mobile home structure within 12 months of the approval of the modification.

COMPANION PETITIONS TRANSFERRED BY HEARING EXAMINER FOR INITIAL HEARING:
2026-CZN-808 / 2026-CVR-808 | 8450 Westfield Boulevard

Washington Township, Council District #2

C-3 (TOD) and SU-38 (TOD)

Black Panther Athletica, LLC, by Michael Rabinowitch

Rezoning of 6.16 acres from C-3 (TOD) and SU-38 (TOD) to SU-16 (TOD) to provide for an indoor and outdoor recreational facility, with accessory uses including daycare, a restaurant, and retail.

Variance of Development Standard of the Consolidated Zoning and Subdivision Ordinance to provide for development with a 6.5-foot north side transitional yard setback (minimum 20-foot side transitional yard required), a five-foot rear yard setback (minimum 10-foot rear yard setback required), a zero-foot south side yard setback (minimum 10-foot side yard setback required), a building height of 64 feet along a transitional yard (maximum 18-foot height permitted), a front building line 94 feet from the property line and 51% of the lot width (range of 0-20 feet and 60% required), a single primary entry feature (3 required), 254 parking spaces (minimum 363 parking spaces required), a driveway with 32 feet in width (maximum 24-foot width), and front-yard parking with a 20-foot setback (25-foot setback required), and to provide for a pylon sign with an Electronic Variable Messaging Sign (EVMS) component (pylon sign within 600 feet of a protected district not permitted, EVMS not permitted).

President Dillon explained the Rules governing the hearing and noted that no Remonstrators were present. He clarified the voting procedure: the Commission would vote first on the rezoning petition (2026-CZN-808) and then on all requested variances under the variance petition (2026-CVR-808) together. If the Petitioner wished to withdraw the electronic sign variance before the vote, it could do so; otherwise, all variances, including the EVMS variance, would be voted upon as submitted. The Petitioner's attorney noted that the individual variances were filed separately but consolidated under one petition number by the City's filing system.

Michael Rabinowitch (1 Indiana Square, Suite 1800, Indianapolis, IN) appeared on behalf of Black Panther Athletica, LLC, whose principal is Bill Bastian. Mr. Rabinowitch described the project as a proposed indoor tennis and recreational facility on 6.16 acres at 8450 Westfield Boulevard, just north of the Jordan YMCA and just south of the Notch Apartments, in the Nora neighborhood. Bill Bastian, a North Central High School graduate with a long association with the Washington Township Tennis Program, purchased the property, demolished the existing building in 2025, and now sought zoning approval to build the facility. The project was developed in partnership with the Indianapolis Tennis Education Foundation and the Washington Township Tennis and Education Foundation, among other stakeholders. Letters of support were submitted by: City-County Councilor Brienne Delaney (specifically endorsing the electronic sign component), the YMCA (neighbor to the south), the Notch Apartments (neighbor to the north), Washington Township Schools, and the Indianapolis Community Tennis Program. The Nora Community Council (NCC), after three months of meetings, provided a letter of no opposition.

The primary use of the facility would be 10 indoor tennis courts and 4 padel courts on the first floor, with ancillary uses including a small retail component, a daycare center, locker rooms, a second-floor restaurant and viewing area, and additional office space. The building footprint was approximately 110,000 square feet, with total area of approximately 175,000 square feet across three stories. Total development cost was estimated at \$50 million. No city tax abatement or other city incentives had been requested. The project would be rezoned to SU-16 (TOD) (the same classification as the YMCA) at Staff's suggestion. The project eliminated two existing Westfield Boulevard curb cuts, replacing them with shared access drives in cooperation with the YMCA to the south and the Notch Apartments to the north, reducing congestion along the boulevard.

Mr. Rabinowitch explained that most of the variances arose because the C-1 development standards applied to the SU-16 district were designed for office buildings and do not accommodate the naturally established building line, setbacks, and parking rationale for a large recreational facility. With respect to parking, the ordinance calculates required spaces based on total building area; however, a tennis court accommodates only a small number of players at one time relative to its footprint, which was why a significant parking variance was required. The Petitioner has arranged shared parking with the YMCA's northern lot to address spillover needs.

Mr. Rabinowitch addressed the sign. The Petitioner sought an 11-foot pylon sign (smaller than the 15-foot maximum otherwise permitted) with a four-foot by eight-foot EVMS component at the top. The EVMS would display only static (non-animated), black-and-white messages related to on-site activities (e.g., tournament schedules, open court availability, childcare schedule changes, clinic registration, and public safety notices) with automatic dimming at dusk, a nightly curfew, and no commercial advertising. Mr. Rabinowitch referenced the EVMS sign approved for North Central High School along 86th Street as a comparable precedent.

Bill Bastian (8450 Westfield Boulevard, Indianapolis, IN) spoke to the project's mission and the operational parameters of the proposed sign. He described the 15-year effort to establish this type of facility. He elaborated on the sign's intended display protocols and uses, including real-time notification of open court availability, tournament scheduling, and public safety messages.

President Dillon questioned Mr. Bastian regarding the YMCA's shared parking arrangement, the sign's orientation (two-sided, visible to traffic traveling both directions on Westfield Boulevard), and the dimensions of the EVMS component (four feet by eight feet at the top of the 11-foot pylon). Commissioner Murphy confirmed the building's total square footage, development cost, and absence of any city incentive request. Commissioner Lyle raised a concern about consistency between the proposed commitment (white text on black background only) and the renderings, which depicted school logos in color on the EVMS portion, and asked for clarity on what the sign would display. Mr. Bastian acknowledged the inconsistency and expressed willingness to limit and define any logos by size.

Michael Weigel (Senior Planner, DMD) presented Staff's position. Staff recommended approval of the rezoning and all variances except the EVMS component of the sign. He explained that the ordinance disallowed EVMS signs in SU zoning districts entirely and prohibited pylon signs within 600 feet of a residential (protected) district. The rationale included driver safety and protecting residential uses from the negative externalities of electronic signage. Apartment units in a DP zoning district directly abut the property to the north. Two letters of opposition to the sign were submitted by Clark Kahlo and Elizabeth Mahoney of the River Park Neighborhood Association. Mr. Weigel noted that comparable institutional uses nearby advertise successfully without digital elements, and that a manually changeable-copy sign could serve a similar purpose. Staff found that the Petitioner had not demonstrated site-specific practical difficulty sufficient to justify the EVMS variance. If the Commission were inclined to approve the EVMS variance over Staff's recommendation, Staff requested that commitments reflecting the operational parameters described during testimony be recorded with the petition.

President Dillon expressed strong support for the electronic sign, noting that he drives by the site daily, that the area was well-controlled with a traffic signal at the YMCA, and that Northview Middle School (previously located across the street) had relocated to 91st Street, with the former site now serving as a bus facility. He questioned why Staff opposed a sign that the Petitioner needed to operate this facility. Commissioner West noted that the proposed black-and-white sign did not carry the characteristics of a typical electronic billboard and did not think he would notice any changes on this type of sign. Jeffrey York (Manager, DMD) noted that the proposed sign (black background, white text) was different in character from the EVMS signs that Staff typically opposed. Mr. Weigel acknowledged this point but noted that because the sign could be updated remotely, it was classified as EVMS under the Ordinance.

During the rebuttal, Mr. Rabinowitch noted that this was a 50-million-dollar project and the issue with the sign was due to the site being zoned to an SU district. He reiterated that the project had the full support of all adjacent neighbors, the Nora Community Council, and Councilor Delaney. He made a

commitment that any advertising would be limited to activities occurring on site; (2) the digital component of the sign shall be white text on black background only; and (3) any school logos incorporating color shall be limited to no more than 18 inches by 18 inches. He agreed to work with Staff to finalize the commitment language.

Commissioner Lyle urged that if the Commission were to approve the sign, the commitment language be precise and consistent with what was presented at the hearing, noting the discrepancy between the "white text on black background only" language and the colored logos shown in the renderings. President Dillon directed the Petitioner to work with Staff to finalize commitment language that accurately reflects what was agreed upon at the hearing. Mr. Rabinowitch confirmed that agreement.

President Dillon directed the Commissioners to their ballots. The ballots for **Petition No. 2026-CZN-808** were marked as follows (7:0:0):

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

The Commission approved Petition No. 2026-CZN-808.

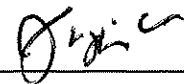
The ballots for **Petition No. 2026-CVR-808** were marked as follows (7:0:0):

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

The Commission approved Petition No. 2026-CVR-808, subject to the commitments referenced and discussed during the hearing, including the commitment that the Petitioner work with Staff to finalize the language governing the Electronic Variable Messaging Sign component of the pylon sign.

ADDITIONAL BUSINESS

Seeing no additional business. President Dillon asked for a Motion to adjourn. Commissioner Murphy made a Motion to adjourn. Hearing no objections, President Dillon adjourned the meeting at 4:08 P.M.



President

Metropolitan Development Commission

Attest: _____



MDC Secretary

Date: _____

May 20, 2026