

METROPOLITAN DEVELOPMENT COMMISSION

INDIANAPOLIS-MARION COUNTY, INDIANA

July 1, 2026

The regular meeting of the Metropolitan Development Commission (MDC) of Indianapolis-Marion County, IN, was held on Wednesday, July 1, 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
Brandon Herget
Brent Lyle
Daniel Moriarty
Brian P. Murphy, Secretary
Brigid Robinson
Bruce Schumacher, Acting Secretary
Gregg West

The following Commission members were absent:

None

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
Kathy Frazier Battle	Principal Program Manager, Economic Incentives – DMD
Tonya Ellison	Program Manager – Economic Incentives – DMD
Sheri Oor	Principal Program Manager, Incentives Compliance – DMD
Kathleen Blackham	Senior Planner – DMD
Josh Levesque	Senior Planner – DMD
Jeffrey York	Manager, Current Planning – DMD
Bryce Patz	Administrator, 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 1:00 P.M. and led the recitation of the Pledge of Allegiance.

MINUTES

Commissioner Herget made a Motion to adopt the Minutes from the June 17, 2026 meeting; Commissioner Lyle seconded the Motion; the Commission adopted the Minutes by a roll-call vote (7:0:1) as follows:

Ayes: Herget, Lyle, Moriarty, Murphy, Robinson, Schumacher, West
Noes: None
Recusals: President Dillon recused himself from the vote on the June 17, 2026 Minutes, as he was absent from that meeting.

The Minutes from the June 17, 2026 meeting were adopted.

SPECIAL REQUESTS

Tonya Ellison (Program Manager, Economic Incentives, DMD) requested a continuance for **Resolution Nos. 2026-A-028 and 2026-A-029** to the August 5, 2026 meeting, to allow Prysmian time to review the MOA for additional details.

2026-A-028 (For Public Hearing) Final Economic Revitalization Area Resolution for Prysmian Cables & Systems USA, LLC, located at 7950 Rockville Road, Council District #16, Wayne Township. (Recommend approval of seven (7) years real property tax abatement.)

2026-A-029 (For Public Hearing) Final Economic Revitalization Area Resolution for Prysmian Cables & Systems USA, LLC, located at 7950 Rockville Road, Council District #16, Wayne Township. (Recommend approval of seven (7) years personal property tax abatement.)

Hearing no other comments, Commissioner Moriarty made a Motion to continue **Resolution No. 2026-A-028** to the August 5, 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 Resolution No. 2026-A-028 to the August 5, 2026 meeting.

Hearing no other comments, Commissioner West made a Motion to continue **Resolution No. 2026-A-029** to the August 5, 2026 meeting; Commissioner Schumacher 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 Resolution No. and 2026-A-029 to the August 5, 2026 meeting.

Petitioner's attorney, Mindy Westrick Brown (300 North Meridian Street, Suite 2500, Indianapolis, IN), requested a continuance for **Petition Nos. 2026-CVR-815 and 2026-CPL-815** to the July 15, 2026 meeting, citing a significant development that had occurred requiring refinements to the site plan and additional commitments. Ms. Brown noted the changes would result in decreased megawatts, fewer generators, more green space, less square footage, and a non-speculative Phase Two. City-County Councilor Andy Nielsen (Council District #14) confirmed support for the continuance, by the Petitioner and neighborhood representatives.

2026-CVR-815 / 2026-CPL-815 | 305 Fintail Drive

Warren Township, Council District #20

I-3

DCB Indianapolis, LLC, by Mindy Westrick Brown

Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for construction of a data center (not permitted), consisting of up to three buildings, up to a total of 420,000 square feet, with no less than 100 parking spaces (minimum 420 parking spaces required).

Approval of a Subdivision Plat to be known as Replat of Block A of Thunderbird Commerce Center, subdividing 32.406 acres into two lots.

Hearing no other comments, President Dillon made a Motion to continue **Petition Nos. 2026-CVR-815 and 2026-CPL-815** to the July 15, 2026 meeting; Commissioner Robinson 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 Nos. 2026-CVR-815 and 2026-CPL-815 to the July 15, 2026 meeting.

Kathleen Blackham (Staff) announced that **Petition No. 2025-ZON-114 (Second Amended)** had been withdrawn by email on June 24, 2026.

2025-ZON-114 (Second Amended) | 4005 East Southport Road

Perry Township, Council District #24

Southport Road Development LLC, by David Gilman

Rezoning of 3.67 acres from the D-P (FF) (FW) district to the C-S (FF) (FW) district to provide for all C-4 uses, except adult entertainment, and to permit commercial or building contractors, artisan manufacturing (e-commerce), and warehouse, wholesale, and distribution.

President Dillon acknowledged the withdrawal of Petition No. 2025-ZON-114 (Second Amended).

Jeffrey York (Manager, Current Planning, DMD) requested a continuance for **Petition No. 2026-REG-015** to the August 19, 2026 MDC meeting, without notice.

2026-REG-015 | 412 West McCarty Street, 1717 and 1721 Chadwick Street

Center Township, Council District #18

CBD-2 (RC)

TWG 412 McCarty Street, LLC, by Joseph D. Calderon

Regional Center Approval to provide for a six-story, mixed-use development, consisting of 270 dwelling units, 204 parking spaces within an integrated parking garage, and approximately 6,500 square feet of commercial and retail space.

Hearing no other comments, Commissioner Murphy made a Motion to continue **Petition No. 2026-REG-015** to the August 19, 2026 meeting; Commissioner Lyle 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. 2026-REG-015 to the August 19, 2026 meeting.

Pat Andrews (7631 Reynolds Road, Camby, IN) requested a waiver of the Commission's Rules of Procedure to allow each member of the public two minutes to address Ordinance Amendment 2026-AO-001, given the large number of people present who wished to speak.

President Dillon advised that the Commission had determined to treat 2026-AO-001 as a petition rather than a resolution, and proposed a modified hearing format consisting of a 20-minute block for DMD Staff as Petitioner, followed by a 20-minute block for Remonstrators, followed by testimony from any City-County Council members who wished to speak, and then questions from and discussion among Commission members.

POLICY RESOLUTIONS

Nancy Whitaker (Board Specialist, DMD) read the following Policy Resolutions into the record, noting that Resolution Nos. 2026-A-028 and 2026-A-029 had been continued:

REAL ESTATE:

2026-R-018 Authorizes the Department of Metropolitan Development to cooperate with the Indianapolis Fire Department to acquire and facilitate redevelopment of the Property at 834 East Westfield Boulevard, aka 6330 Guilford Avenue.

ECONOMIC DEVELOPMENT / INCENTIVES:

2026-A-030 (For Public Hearing) Final Economic Revitalization Area Resolution for Aerodyn Engineering, LLC and Aerodyn Real Estate, LLC, located at 1919 South Girls School Road, Council District #17, Wayne Township. (Recommend approval of four (4) years real property tax abatement.)

2026-A-031 (For Public Hearing) Final Economic Revitalization Area Resolution for Aerodyn Engineering, LLC and Aerodyn Real Estate, LLC, located at 1919 South Girls School Road,

Council District #17, Wayne Township. (Recommend approval of four (4) years personal property tax abatement.)

2026-A-032 (For Public Hearing) Final Economic Revitalization Area Resolution for Olson Custom Designs LLC, located at 6803 Coffman Road, Council District #6, Pike Township. (Recommend approval of five (5) years personal property tax abatement.)

2026-A-036 (For Public Hearing) Authorizes amendment to the 2024 Personal Property Tax Abatement approved by Resolution #2024-A-040 at 4825 West 79th Street, Council District #6, Carlos Perkins.

President Dillon noted that **Resolution No. 2026-R-018** did not stand for public hearing, describing the property as a former Broad Ripple fire station that had been relocated to a new facility and would be put out for RFP for DMD to determine the best use in consultation with the Broad Ripple community. Hearing no comments or questions, Commissioner Schumacher made a Motion to approve **Resolution No. 2026-R-018** Commissioner Robinson 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-R-018.

President Dillon announced **Resolution No. 2026-A-030**, which stood for public hearing.

ECONOMIC DEVELOPMENT / INCENTIVES:

2026-A-030 (For Public Hearing) Final Economic Revitalization Area Resolution for Aerodyn Engineering, LLC and Aerodyn Real Estate, LLC located at 1919 South Girls School Road, Council District #17, Wayne Township. (Recommend approval of four (4) years real property tax abatement.)

Tonya Ellison (Program Manager, Economic Incentives, DMD) presented Resolution Nos. 2026-A-030 and 2026-A-031 together as companion resolutions, noting that both pertained to an expansion of the company's existing Indianapolis location. Ms. Ellison explained that the resolutions requested a four-year real and personal property tax abatement with a total investment of \$13.4 million. The project would retain 65 jobs and create 25 new positions, all above the wage of \$40 per hour. The estimated tax savings would be approximately \$570,000. A letter was submitted and placed on the record outlining proposed steps to increase the number of jobs in Marion County. Staff recommended approval of both resolutions.

Hearing no comments or questions from the Commission or from the public, Commissioner West made a Motion to approve **Resolution No. 2026-A-026**; Commissioner Robinson 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-030.

President Dillon announced **Resolution No. 2026-A-031 (For Public Hearing)**, which also stood for public hearing and was a companion to Resolution No. 2026-A-030.

ECONOMIC DEVELOPMENT / INCENTIVES:

2026-A-031 (For Public Hearing) Final Economic Revitalization Area Resolution for Aerodyn Engineering, LLC and Aerodyn Real Estate, LLC, located at 1919 South Girls School Road, Council District #17, Wayne Township. (Recommend approval of four (4) years personal property tax abatement.)

Tonya Ellison (Staff) confirmed that Staff recommended approval of Resolution No. 2026-A-031, noting that the letter regarding Marion County jobs would also be placed in the record for this resolution.

Hearing no comments or questions from the Commission or from the public, Commissioner Moriarty made a Motion to approve **Resolution No. 2026-A-031**; Commissioner Lyle 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-031.

President Dillon announced **Resolution No. 2026-A-032**, which stood for public hearing.

ECONOMIC DEVELOPMENT / INCENTIVES:

2026-A-032 (For Public Hearing) Final Economic Revitalization Area Resolution for Olson Custom Designs LLC, located at 6803 Coffman Road, Council District #6, Pike Township. (Recommend approval of five (5) years personal property tax abatement.)

Kathy Frazier Battle (Principal Program Manager, Economic Incentives, DMD) explained that Olson Custom Designs LLC was expanding its CNC manufacturing operation to 6803 Coffman Road as a Phase Two project, having exceeded all commitments from its 2024 abatement approval. The resolution requested a five-year personal property tax abatement with a total investment of \$15 million. The estimated tax savings would be \$467,000, with approximately \$298,000 paid in taxes over the abatement period. Five percent of the tax savings, approximately \$23,000, would go toward the Indy Achieves grant. Staff recommended approval.

Hearing no comments or questions from the Commission or from the public, Commissioner Lyle made a Motion to approve **Resolution No. 2026-A-032**; Commissioner Herget 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-032.

President Dillon announced **Resolution No. 2026-A-036**, which stood for public hearing and was a companion to Resolution No. 2026-A-032.

ECONOMIC DEVELOPMENT / INCENTIVES:

2026-A-036 (For Public Hearing) Authorizes amendment to the 2024 Personal Property Tax Abatement approved by Resolution #2024-A-040 at 4825 West 79th Street, Council District #6, Carlos Perkins.

Sheri Oor (Principal Program Manager, Incentives Compliance, DMD) explained that Olson Custom Designs received a five-year personal property tax abatement in 2024 at 4825 West 79th Street and had exceeded its workforce development and investment commitments. The amendment would add \$3 million in personal property investment and nine additional new jobs to the company's goals, all within the original commitment timeframe of December 31, 2029. Staff recommended approval of the amendment.

Hearing no comments or questions from the Commission or from the public, Commissioner Moriarty made a Motion to approve **Resolution No. 2026-A-036**; 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-036.

PETITIONS OF NO APPEAL

Nancy Whitaker (Board Specialist, DMD) read the following Petitions into the record, noting that Petition No. 2026-REG-015 had been continued.

Petitions Recommended for Approval by the MDC Hearing Examiner:

2026-ZON-035 | 7323 South Mooresville Road

Decatur Township, Council District #21

Redwood Apartment Neighborhoods, by Clark Quinn Law

Rezoning of 21.66 acres from the D-A (FW) (FF) district to the D-6 (FW) (FF) district to provide for residential uses.

2026-ZON-040 | 2422 & 2430 Prospect Street

Center Township, Council District #18

Terra Resources, LLC, by Antonio Amaryllis aka Jonathan Padilla

Rezoning of 0.23-acre (total across two noncontiguous lots) from the I-3 district to the D-5 district to provide for residential uses.

2026-CZN-823 | 4240 Bluff Road

Perry Township, Council District #22

SU-7

Otis James & Tonya Haines, by David Gilman

Rezoning of 1.14 acres from the SU-7 district to the D-1 district to provide for residential uses.

2025-REG-036 | 222 East Market Street

Center Township, Council District #12

CBD-2 (RC) (TOD)

City of Indianapolis, by Alex Kelley

Regional Center Approval to provide for a new public plaza west of City Market.

2026-REG-035 | 17 West 22nd Street

Center Township, Council District #12

MU-2 (RC)

M22 Housing, LP, by Camden Roembke

Regional Center Approval to provide for a four-story, 48-unit residential development.

Hearing no other questions or comments, Commissioner Schumacher made a Motion to approve the above-listed **Petitions of No Appeal [Petition Nos. 2026-ZON-035 (8:0:0), 2026-ZON-040 (8:0:0), 2026-CZN-823 (8:0:0), 2025-REG-036 (8:0:0), and 2026-REG-035 (8:0:0)]** that the Hearing Examiner recommended for approval; 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 Petition Nos. 2026-ZON-035, 2026-ZON-040, 2026-CZN-823, 2025-REG-036, and 2026-REG-035.

PETITIONS FOR PUBLIC HEARING

PROPOSAL TO AMEND THE ZONING AND SUBDIVISION CONTROL ORDINANCE OF INDIANAPOLIS-MARION COUNTY, INDIANA:

2026-AO-001

A proposal for a General Ordinance to amend Chapter 740-202 (Definitions) and 742-109 (Special Use Districts), pertaining to data center development, of the Consolidated Zoning and Subdivision Control Ordinance for Indianapolis-Marion County.

President Dillon made a Motion to modify the Commission's Rules of Procedure for this hearing on the Ordinance Amendment only to conform to the following format: a 20-minute block for DMD Staff and supporters to speak, followed by questions from the Commission; this would be followed by a 20-minute block for Remonstrators, followed by questions from the Commission; any City-County Council members who wished to testify would be allowed to speak, and then Commissioners would have an opportunity to offer questions and amendments.

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 the modified Rules of Procedure for the public hearing on Ordinance Amendment No. 2026-AO-001.

DMD Staff Presentation:

While referring to an electronic presentation, Megan Vukusich (Director, DMD) presented the proposed Ordinance Amendment on behalf of the Department of Metropolitan Development. Director Vukusich provided background on data centers, explaining that they are specialized buildings housing computer systems, servers, networking equipment, power infrastructure, cooling systems, and security and fire suppression systems. She described the proposed definition to be included in the zoning ordinance, clarifying that the definition would not include incidental IT services, hospitals, telecommunications facilities, or internet service provider head-end facilities.

Director Vukusich provided a background on the current state of zoning related to data centers, noting that Staff began research in March 2025 when a large-scale Google data center was first proposed, and that four new data centers had since been requested, including Google, Metrobloks, Savvy, and DC BLOX. She described the current economic landscape, including state tax incentives making Indiana attractive for data center development, and outlined the distinction between zoning regulations and tax incentive tools. Director Vukusich explained that the proposed regulations would create a new Special Use District, SU-47, with the I-3 medium industrial district as the base zoning district. All new data centers would be required to rezone to SU-47 and to obtain administrative approval before any building permits were issued.

Director Vukusich summarized the proposed SU-47 requirements, including: a noise limit of 55 decibels at or beyond the property line, supported by a required noise study; a 400-foot setback from any protected district; landscaping and screening standards consistent with I-3, with an 8-foot berm and evergreen trees required adjacent to protected districts; a detailed operations plan to be submitted with any rezone request; and an annual compliance report and public-facing dashboard to be maintained by the property owner and operator.

Bryce Patz (Administrator, Current Planning, DMD) then read into the record the proposed amendments to the ordinance based on stakeholder engagement and public comment, including: a minimum 400-foot separation from protected districts; a maximum sound level of 55 decibels at or beyond the property line; a prohibition on generator testing between 5:00 P.M. and 7:00 A.M. and on no-zone-action days; required 24-hour emergency contact signage at facility entrances; enhanced water management plan requirements, including identification of average and peak water use for both initial and full build-out; a noise study and mitigation plan detailing ambient measurements, projected sound levels under normal and peak conditions, and proposed mitigation measures; a clarified decommissioning plan including removal of all equipment, building code compliance, and environmental remediation; adequate water supply verification language; and new minimum commitment requirements including annual reporting, a public-facing online dashboard within six months of operation, and resubmittal of water management and electricity capacity plans if operations change beyond original submitted values. Mr. Patz also read the required contents of the annual report and the public dashboard into the record.

Commission Questions of Staff:

Commissioner Murphy asked a series of questions regarding the proposed ordinance. Director Vukusich confirmed that the SU-47 district would be available to any currently zoned property

regardless of existing zoning, that the I-3 reference served as the applicable development standards template rather than a limitation on eligibility, and that a single base district was required because referencing multiple districts would create conflicting standards that would be impossible to apply. Mr. Patz confirmed that prior data center approvals in Marion County had generally been through industrial zoning with variances, and that under the proposed ordinance a data center petitioner would be required to rezone to SU-47 for any primary data center use, though individual development standards within I-3 could still be subject to variance requests. Commissioner Murphy also questioned the sound level reduction from 65 to 55 decibels, the basis for the 400-foot setback, and the decommissioning plan requirements, with Mr. Patz responding to each inquiry.

Commissioner Lyle asked Mr. Patz to clarify that SU-47 would function as a development type; Mr. Patz confirmed that any petition proposing a primary data center use would be directed to file a rezone petition to the SU-47 special use district, rather than to any other industrial or commercial district. Commissioner Lyle also asked about low-frequency noise and whether dBC measurements had been considered. Mr. Patz indicated that low-frequency measurement remained difficult to regulate, that no peer communities had yet established enforceable dBC standards, and that Staff was continuing to monitor other communities for developments in this area. Commissioner Lyle expressed support for increasing the setback distance beyond 400 feet, noting that I-3 already permitted some uses requiring 600-foot separations. Commissioner Lyle also noted that the public dashboard should reflect the status of any community benefits agreements, not merely operational metrics; Mr. Patz acknowledged the comment and noted that the dashboard requirements were limited to what zoning could regulate.

Commissioner West questioned Staff as to how a maximum sound level of 55 decibels at or beyond the property line was decided upon, and Mr. Patz responded to the questions. He also inquired about the dBA versus dBC distinction in the sound level requirements, describing his personal measurements at an existing data center site where ambient levels ranged from 60 to 65 dBA, with traffic reaching 72 to 75 dBA, and raising the question of what would constitute compliance when proposed facility noise approached existing ambient levels. Mr. Patz confirmed that the noise study requirement was designed to capture baseline ambient conditions so they could be distinguished from new facility-generated noise. Director Vukusich added that the noise study and mitigation plan be submitted up front so the existing noise levels be identified and measured so new noise generated by any new facility could be delineated from existing noise levels. Staff had also received live noise measurement data through commitments in prior land use petitions, which was informing the proposed standards. Commissioner West also noted that a 3 dBA increase represents a doubling of sound pressure level and expressed concern about the practical achievability of a 55 dBA limit. He indicated he would be more inclined to recommend 65 dBA, while also suggesting that dBC measurement should be explored to address low-frequency concerns. Director Vukusich said Staff would take whatever direction the board would like to provide.

President Dillon asked Mr. Patz whether the SU-47 requirements would apply to expansions of existing data centers in Marion County; Mr. Patz advised that any expansion of an existing data center would require a rezone to SU-47, as the facility would become a legal nonconforming use upon enactment. President Dillon asked Staff to develop a grandfather provision for existing, constructed, or previously approved data centers. President Dillon also asked why I-3 rather than I-2 was selected as the base district; Mr. Patz explained that I-3 development standards better regulated the scale of data center development through transitional yard requirements and building height limits, and that I-3 zoned parcels within the city were more compatible with the scale of these developments. President Dillon raised the question of whether petitioners

could elect I-2 standards rather than I-3 under SU-47; Mr. Patz indicated this would be a novel provision for the zoning ordinance requiring further legal review before it could be recommended. President Dillon then returned to the question of the 400-foot setback, noting that prior individual data center approvals had been at 200 feet and that separation requests from the public had ranged widely, from 200 feet to two miles. He asked Mr. Patz to explain how Staff arrived at 400 feet. Mr. Patz responded that 200 feet had been the standard DMD had been requiring as a commitment condition for data center land use petitions prior to this ordinance, and that Staff sought to be consistent with that baseline while responding to stakeholder feedback. He noted that public comment on separation had been extremely varied, with some requesting over 1,500 to 1,800 feet and others arguing 200 feet was too much, and that Staff landed at 400 feet based on the scale of the development, I-3 development standards, and a review of peer communities' regulations. President Dillon then asked Mr. Patz about the removal of the "dBA" designation from the ordinance, noting it had been changed to simply "dB," and asked whether that meant no decibel standards could be found elsewhere in the state. Mr. Patz clarified that no enforceable standards for low-frequency sound had been found in peer communities, and that Staff was focused on matching the existing nuisance ordinance, which referenced 65 dBA as the standard for industrial-type uses. President Dillon pressed Mr. Patz on whether 55 dBA was achievable for a data center in his professional opinion; Mr. Patz acknowledged that stakeholder feedback indicated there would be difficulty meeting that threshold. President Dillon then asked why the lower standard was being proposed if 65 dBA had been the accepted standard, and Mr. Patz explained that Staff was attempting to balance community requests for lower decibel limits with what was achievable in practice, and also noted that a lower threshold could serve as a tool to regulate the scale of development, since smaller facilities would find it easier to comply. Commissioner West followed up, stating that if the Commission were voting on amendments that day he would be inclined to propose 65 dBA rather than 55 dBA. Drawing on his experience as a sound engineer, Commissioner West cautioned the Commission about proposing a specific dBC limit without expert guidance, explaining that dBA measures what the human ear perceives while dBC captures a wider spectrum including low frequencies. He noted that dBC limits are typically set higher than dBA limits and that setting a dBC limit without proper analysis could produce unintended results. Commissioner West stated he was comfortable recommending 65 dBA and that the question of a dBC standard should be studied further before any specific number was adopted.

Remonstrance:

Ashley Hooley (7115 Mendenhall Road, Camby, IN) presented prepared remarks on behalf of a collaborative of organizations and individuals opposed to the proposed ordinance in its current form. She argued the ordinance failed to distinguish between different-sized data centers, urging the Commission to adopt size classifications (small, medium, large, and campus) similar to those used in Nashville, Tennessee, with setbacks proportional to size. She requested an increase in the setback requirement from 400 feet to a minimum of 1,500 feet for hyperscale data centers, arguing that the 400-foot buffer did not prevent placement of diesel generators adjacent to residential properties. Ms. Hooley added that concern remained even with the sound level were to be set at 55 dBA. She also noted that low-frequency noise measured in dBC was not addressed in the ordinance, citing testimony from Dr. Jamie Banks of the American Public Health Association that dBA measurement excludes frequencies that can cause cellular and tissue damage. She raised concerns about fossil fuel-powered operations in conflict with the City's Thrive Plan carbon neutrality goals, arguing that Tier 4 generator standards should be required rather than Tier 2. She further noted the absence of fire emergency response planning criteria for firefighters, citing a 2024 two-alarm fire at a data center in Round Rock, Texas, and called for enhanced public engagement requirements similar

to those in Aurora, Illinois. She closed by calling for a temporary moratorium on data center approvals, noting that 22 Indiana communities had enacted moratoriums and citing a DMD staff report passage suggesting a moratorium if further community outreach was determined to be necessary.

Julie Goldsberry (2804 Davis Road, Indianapolis, IN) testified that the ordinance language remained weak even as amended. She expressed concern about the use of the Delphi technique in the public engagement process, which she characterized as structured and controlled rather than open. She urged the Commission to include community members who had participated in data center remonstrance proceedings in the drafting of the next version of SU-47, and to hire impartial technical experts for matters such as noise regulation rather than relying on DMD staff or industry insiders.

Robin Heldman (8824 Combs Road, Indianapolis, IN), President of the Gateway Community Alliance, expressed appreciation for the improvements made to the ordinance, including stronger setbacks, lower noise limits, enhanced site planning, water management requirements, and annual reporting. Ms. Heldman requested five additional considerations: (1) avoidance and preservation of existing wetlands when practical, not merely identification; (2) financial assurance for decommissioning, such as a performance bond or escrow, to protect taxpayers in the event of facility abandonment; (3) an e-waste management plan given that data center equipment is replaced on average every two years; (4) building height transition standards near residential areas; and (5) a host community agreement as a condition of every SU-47 rezoning approval to ensure enforceable infrastructure, traffic, environmental, emergency, and community benefit commitments.

Pat Andrews (7631 Reynolds Road, Camby, IN), representing the Decatur Township Civic Council and the Marion County Alliance of Neighborhood Associations, stated that both organizations supported a moratorium pending a more vigorous public process. Ms. Andrews noted that diesel exhaust health impacts were not addressed by the ordinance and that the separation from protected districts remained insufficient. She corrected Commissioner West's characterization of decibel increases, noting that a 10-decibel change represents a doubling of perceived sound to human ears, and noted that the Gravel, Sand, and Barrow District in Indianapolis already required both dBA and dBC measurement, from which low-frequency sound could be derived.

William Smith (1120 North Berwick Avenue, Indianapolis, IN) testified that he was autistic and that a 55-decibel noise level near his property could force him from the city. He raised concerns about the lack of provisions for special needs residents near data centers, the heat generated by data center operations, and the absence of diesel emission regulations. He supported a moratorium and enhanced public participation.

Alex McFarland (71 South West Street, Bargersville, IN) testified as a frequent visitor to the Irvington neighborhood, where he had volunteered since his 2016 graduation. He expressed personal concern about data center impacts on Irvington and was unable to complete his testimony within the allotted time.

City-County Council Testimony:

City-County Councilor Jesse Brown, CD #13 (2022 North Riley Avenue, Indianapolis, IN), testified that a broad framework of constituent distrust of government at federal, state, and local levels existed and stated that many of his constituents believed the MDC was not responsive to

the public's clear opposition to data centers. He referenced the City-County Council's unanimous resolution in May calling for a pause on data center activity, the failure to provide adequate public notice for the ordinance hearing, and what he characterized as selective enforcement of procedural rules. He called on the Commission to adopt a moratorium and to require DMD to engage in meaningful public outreach in every township before bringing a revised ordinance.

Commissioner Lyle asked to be provided with a copy of the comments made by the public to be provided. President Dillon acknowledged the request and asked Ms. Hooley to submit her written remarks.

Commission Discussion and Amendments:

Commissioner West asked for guidance on how to make various Motions related to the process of approving the Ordinance Amendment by the Commission. Per the request of President Dillon, Director Vukusich re-summarized the legislative schedule required for the approval of the Ordinance Amendment. President Dillon said that Commission amendments to the Ordinance Amendment would now be considered.

Commissioner West described proposed amendments to the ordinance (regarding establishing setbacks relative to the size of the data center; sound limits; generator tier; and a decommissioning plan). President Dillon formulated and made each motion; Commissioner Murphy seconded each Motion. The Commission voted on each amendment by roll-call vote as follows:

First Amendment | Sound Level: Commissioner West described his proposed amendment to change the maximum permitted operational sound level from 55 dB to 65 dBA, measured at or beyond the property line, while expressing a desire for further study of dBC measurement for low-frequency noise. President Dillon made a Motion to amend the Ordinance to change the maximum permitted sound level from 55 dB to 65 dBA, measured at or beyond the property line; Commissioner Murphy seconded the Motion. The Motion was carried by a roll-call vote (5:3:0) as follows:

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

The Commission approved the First Amendment to change the maximum permitted sound level from 55 dB to 65 dBA.

Second Amendment | Decommissioning Plan: President Dillon made a Motion to amend the Ordinance by deleting the decommissioning plan subsection in its entirety, removing all references to decommissioning obligations, facility restoration plans, and inventory removal plans; Commissioner Murphy seconded the Motion. The Motion was carried by a roll-call vote (1:7:0) as follows:

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

The Commission denied the Second Amendment to delete the decommissioning plan subsection.

President Dillon noted that there was not enough good information to offer a change to the proposed 400-foot setback requirement at this time.

Third Amendment | Grandfather Clause for Existing Data Centers: President Dillon asked Bryce Patz (Staff) to read the following proposed amendment language into the record: "Existing, constructed, or previously approved uses that fall underneath the definition of a data center facility from the adoption ordinance effective date shall remain in compliance with their existing base zoning district." President Dillon made the Motion; Commissioner Murphy seconded. The Motion was carried by a roll-call vote (7:1:0) as follows:

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

The Commission approved the Third Amendment adding a grandfather clause for existing data centers.

Commissioner Lyle made a Motion to table the matter to allow Staff to incorporate all suggestions from the hearing before presenting a revised draft of the Ordinance Amendment. President Dillon advised that the matter had been scheduled in coordination with the City-County Council, which was awaiting the MDC's recommendation, and noted that the Council retained full authority to amend, reject, or further delay action. Hearing no further discussion, President Dillon called the Commission to proceed to a ballot vote on the proposed ordinance amendment as amended.

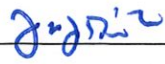
President Dillon directed the Commissioners to mark their ballots. The ballots for **Ordinance Amendment No. 2026-AO-001, as amended**, were marked as follows (5:3:0):

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

The Commission approved Ordinance Amendment No. 2026-AO-001, as amended, and forwarded a recommendation of approval to the City-County Council.

ADDITIONAL BUSINESS

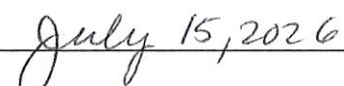
Seeing no additional business, President Dillon adjourned the meeting at 3:04 P.M.



President
Metropolitan Development Commission

Attest: 

MDC Secretary

Date: 

July 15, 2026