



# Metropolitan Development Commission (February 21, 2024) Meeting Notice

## Meeting Details

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

**Date:** Wednesday, February 21, 2024      **Time:** 1:00 PM

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

## Business:

**Adoption of Meeting Minutes: 2-7-2024**

## Policy Resolutions:

### REAL ESTATE:

**1. 2024-R-004**

Authorizes the Metropolitan Development Commission / Department of Metropolitan Development to accept the intergovernmental transfer of certain real property located at 2605 E. 25th Street

**2. 2024-R-005**

Authorizes DMD to cooperate with the Indianapolis Fire Department to acquire a site in the Center Township area for construction of a new fire station to address public safety needs.

### ECONOMIC DEVELOPMENT / INCENTIVES:

**3. 2024-E-011**

Metropolitan Development Commission authorizes DMD to contract with Crowe LLP for services related to data-tracking software.

**4. 2024-A-003**

Preliminary Economic Revitalization Area Resolution, and waiver of requirement to file a deduction application prior to initiating the development, for Republic Polymers II LLC, located at 1002 West Hanna Avenue, Council District #9, Perry Township. (Recommend approval of ten (10) years real property tax abatement and requested waiver.)

**5. 2024-A-004**

Preliminary Economic Revitalization Area Resolution for Republic Polymers II LLC, located at 1002 West Hanna Avenue, Council District #9, Perry Township. (Recommend approval of ten (10) years personal property tax abatement.)

**6. 2024-A-005**

Preliminary Economic Revitalization Area Resolution, and waiver of requirement to file a deduction application prior to initiating the development, for Blue Polymers LLC, located at 1010 West Hanna Avenue, Council District #9, Perry Township. (Recommend approval of ten (10) years real property tax abatement and requested waiver.)

**7. 2024-A-006**

Preliminary Economic Revitalization Area Resolution for Blue Polymers LLC, located at 1010 West Hanna Avenue, Council District #9, Perry Township. (Recommend approval of ten (10) years personal property tax abatement.)

**8. 2024-A-008 (For Public Hearing)**

Resolution authorizes a waiver of the 2023 pay 2024 deduction application filing deadlines for the tax abatement approved by Resolution 2019-A-019 for IMH Products, Inc, at 1925 Columbia Avenue , Council District #17, Center Township.

**PLANNING:**

**9. 2024-P-004**

Establishes and approves a budget of two hundred seventy five thousand dollars (\$275,000) for the Groundwater Protection Fund and authorizes the Department of Metropolitan Development to administer the Fund for the purposes of developing and operating education and voluntary business registration programs through the Marion County Wellfield Education Corporation (MCWEC), and administering the Wellfield Protection Secondary Zoning Districts.

**10. 2024-P-005**

Authorizes the Department of Metropolitan Development to assess the public water supply systems of Marion County two hundred seventy five thousand dollars (\$275,000) for the purpose of funding the Groundwater Protection Fund for 2024.

**Zoning Petitions:**

**Special Requests**

**PETITIONS OF NO APPEAL (RECOMMENDED FOR APPROVAL):**

**11. 2023-MOD-022 | 5151 East 82nd Street**

Washington Township, Council District #3

C-S

LMR II – Clearwater Springs, LLC, by Joseph D. Calderon

Modification of Commitments related to rezoning petition 95-Z-171, as amended by petitions 2007-ZON-833 and 2007-APP-833, to amend Commitment #9 (B) to allow a retail store that sells second-hand goods (current commitment lists second-hand store as a prohibited use).

**12. 2023-ZON-101 | 3905 East Raymond Street and 3820 and 3912 Bethel Avenue**

Center Township, Council District #21

Malwa Truck & Tire Repair Shop, LLC, by David Gilman

Rezoning of 17.25 acres from the D-3 (FW) (FF), C-7 (FF) and I-3 districts to the C-7 (FW) (FF) district to provide for heavy commercial uses.

**13. 2023-ZON-105 | 5935 West 86th Street**

Pike Township, Council District #1

Ragin McQuade - Bohler Engineering

Rezoning of 1.345 acres from the C-3 district to the C-4 district to provide for a car wash.

**14. 2023-ZON-122 | 530 West 41st Street**

Washington Township, Council District #7

Melissa Iannucci

Rezoning of 0.06 acre from D-5 District to the D-5II District to provide for a single-family detached dwelling.

**15. 2023-CZN-858 | 7338 Five Points Road**

Franklin Township, Council District #25  
Narinder Sodhi, by Joseph D. Calderon

Rezoning of 5.45 acres from the D-A district to the D-2 district to provide for five single-family detached dwellings.

**16. 2023-CZN-863 / 2023-CAP-863 | 1228, 1232, 1302 and 1306 East 10th Street**

Center Township, Council District #17  
Structure Midwest, LLC, by Russell L. Brown and Elizabeth Bentz Williams

Rezoning of 0.41 acres from the MU-1 and D-8 districts to the D-8 district.

Termination of Commitments related to 2019-CZN/CVR-821 to provide for a new two-family dwelling development (previous commitments required four-foot side setbacks for single-family detached dwellings).

**17. 2023-CZN-865 | 9665 Southeastern Avenue**

Franklin Township, Council District #25  
D-A (D-S pending) and C-5  
Star Group Investments, LLC, by Raymond Basile

Rezoning of 1.809 acres from the D-A to the D-S district to provide for a single-family dwelling lot.

Approval of a Subdivision Plat, to be known as Star-Southeastern Development, dividing 3.225 acres into two lots.

**18. 2023-REG-106 | 730 East Washington Street and 752 East Market Street**

Center Township, Council District #17  
CBD-2 (RC)  
Indianapolis – Marion County Building Authority, by Jeremy Stephenson

Regional Center Approval to provide for the demolition of the eastern portion of the south building (a four-story building at 730 East Washington Street).

## Petitions for Public Hearing

### PETITIONS FOR PUBLIC HEARING:

**19. REZONING PETITION RECOMMENDED FOR DENIAL BY THE HEARING EXAMINER, APPEAL FILED BY PETITIONER:**

**2023-ZON-114 | 2307 Post Drive**

Warren Township, Council District #19  
Indy 70, LLC, by Bill Niemier

Rezoning of 1.714 acres from the C-4 district to the I-3 district to provide for truck parking.

**20. COMPANION PETITIONS RECOMMENDED FOR DENIAL BY THE HEARING EXAMINER, APPEAL FILED BY PETITIONER:**

**2023-CAP-856 / 2023-CVR-856 (Amended) | 6333 and 6345 West Thompson Road**

Decatur Township, Council District #20  
C-1

Derrick S. Emmons & Sue Ann Emmons and Kentucky Avenue Holdings, LLC, by William T. Niemier

Modification of Commitment, related to 2003-ZON-119, to modify Commitment #2 to allow for a painting business office with no more than four business vehicles, of which no more than two business vehicles may be parked overnight on the property (previous commitment limited the number of trucks parking overnight to one).

Variance of use of the Consolidated Zoning and Subdivision Ordinance to legally establish a painting business and a truck rental business (not permitted).

21. REZONING PETITION SCHEDULED FOR INITIAL HEARING:

**2023-ZON-117 | 11015 and 11127 East 46th Street**

Lawrence Township, Council District #15

Arbor Homes, by Julie Smith

Rezoning of 75.65 acres from the D-A (FF) district to the D-P (FF) district to provide for a subdivision with up to 249 single-family detached lots.

**Additional Business:**

\*\*The addresses of the proposals listed above are approximate and should be confirmed with the Division of Planning. Copies of the proposals are available for examination prior to the hearing by emailing [planneroncall@indy.gov](mailto:planneroncall@indy.gov). Written objections to a proposal are encouraged to be filed via email at [dmdpubliccomments@indy.gov](mailto:dmdpubliccomments@indy.gov) before the hearing and such objections will be considered. At the hearing, all interested persons will be given an opportunity to be heard in reference to the matters contained in said proposals. The hearing may be continued from time to time as may be found necessary. For accommodations needed by persons with disabilities planning to attend this public hearing, please call the Office of Disability Affairs at (317) 327-5654, at least 48 hours prior to the meeting. Department of Metropolitan Development - Current Planning Division.

Real Estate 2605 E. 25<sup>th</sup> Street  
 Intergovernmental transfer  
 2605 E. 25<sup>th</sup> Street/ 37 Place

**METROPOLITAN DEVELOPMENT COMMISSION  
 OF  
 MARION COUNTY, INDIANA  
 Resolution No. 2022-R-004**

WHEREAS, the Consolidated City of Indianapolis and Marion County (“City”) Department of Metropolitan Development, (“DMD”), by authority of and pursuant to I.C. 36-7-15.1, engages in redevelopment activities in the Marion County Redevelopment District (“Project Area”); and

WHEREAS, pursuant to IC 36-7-15.1-6, the Metropolitan Development Commission (“MDC”) is charged with the responsibility of promoting the use of land in the manner that best serves the interest of the City and its inhabitants, both from the standpoint of human needs and economic values and cooperating with other agencies of the City in the manner that best serves its purposes; and

WHEREAS, City owns real property situated in Indianapolis, Marion County, Indiana: at 2605 E. 25<sup>th</sup> Street and commonly known as 37 Place ( “Real Estate”); and

WHEREAS, in carrying out its responsibilities, the MDC has the authority pursuant to I.C. 36-7-15.1-7 to, among other things, acquire, hold and convey real property located within the redevelopment district for redevelopment purposes on the terms and conditions that the MDC considers best for the City and its inhabitants; and

WHEREAS, IC 36-1-11-8 authorizes governmental entities to transfer property between them upon terms and conditions agreed upon by the entities as evidenced by adoption of substantially identical resolutions by each entity; and

WHEREAS, at its meeting held on February 5, 2024, the City County Council passed Resolution No. 2, 2024/Proposal No.9, 2024, finding that it is in the public interest for the City to transfer the Real Estate to the MDC at zero cost as a gift pursuant to IC 36-7-15.1-12 ; and

WHEREAS, the intent of such intergovernmental transfer to the MDC is to facilitate transfer and beneficial redevelopment of the Real Estate;

WHEREAS, accordingly, City desires to accept ownership and transfer the Real Estate to the MDC a to serve the public interest and facilitate redevelopment of areas needing redevelopment on the terms and conditions that the MDC considers best for the City and its inhabitants, with the Real Estate to be held in the name of the “City of Indianapolis for the use and benefit of its Department of Metropolitan Development” per IC 36-7-15.1-12.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The MDC is hereby authorized to accept transfer of the Real Estate at no cost as described above in order to facilitate beneficial redevelopment.
2. The DMD Director is hereby authorized to execute the necessary documents for the conveyance of the Real Estate as described above in accordance with this Resolution and all actions heretofore taken by any such official toward the completion thereof are hereby ratified, confirmed and approved, for the conveyance of said Real Estate in accordance with this Resolution.

Approved as to Adequacy & Legal Form

Metropolitan Development Commission

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Sheila Kinney, Asst. Corp Counsel

Date: \_\_\_\_\_

\_\_\_\_\_

John J. Dillon III, President

Date: \_\_\_\_\_

Real Estate  
 Acquisition/Disposition of Property  
 Center Twp- N. Emerson Ave  
 IFD/DMD

**METROPOLITAN DEVELOPMENT COMMISSION  
 OF  
 MARION COUNTY, INDIANA  
 Resolution No. 2024-R-005**

WHEREAS, the Department of Metropolitan Development (“DMD”) is engaging in acquisition, disposition and redevelopment activities within the Marion County Redevelopment District (“District”); and

WHEREAS, pursuant to I.C. 36-7-15.1-2, 6 and 7, the Metropolitan Development Commission (“Commission”) is charged with the purpose and responsibilities of replanning and redevelopment to benefit public health and safety and to promote the use of land in the manner that best serves the interest of the Consolidated City of Indianapolis (“City”) and its inhabitants, and of cooperating other City departments in so doing; and

WHEREAS, the Indianapolis Fire Department (“IFD”) has a need to construct a new fire station to address public health and safety, and IFD has determined and communicated to DMD that the real property located at 1330 N. Emerson Ave, Indianapolis, IN 46219 (Local Parcel #1072752) (“Property”) is appropriate to best serve the public health and safety interests of the City and its inhabitants; and

WHEREAS, IFD represents that it will pursue all necessary approvals for the fire station to be located at the Property; and

WHEREAS, pursuant to I.C. 36-7-15.1-6 (4) and in accordance with I.C. 36-7-15.1- 7, 12, the Commission wants to cooperate with the IFD to acquire/hold/convey the Property for the City of Indianapolis in order to facilitate timely construction of a new fire station. Such acquisition shall be subject to terms and conditions negotiated to be best for the City and its inhabitants including a satisfactory purchase price, timely and satisfactory results of all appropriate environmental inquiries, holding title in the name of the appropriate City entity, and satisfaction of all other contingencies necessary to the successful execution of IFD’s plans.

WHEREAS, IFD has communicated to the Commission its considerations for fire station sites, which limit suitable locations. These include:

- Timely implementation of Special Ordinance No. 11, 2022 , which acknowledged (among other projects) the need of the City of Indianapolis to “...proceed with the acquisition, design, planning, enabling work, site-work, construction, installation, equipping and/or financing...” necessary to complete certain public projects including acquisition of real estate for the construction of a new fire station for the Indianapolis Fire Department Ladder 20
- Site criteria relevant to emergency response time, close proximity to schools, ingress/egress for fire trucks (corner/square lot preferred), minimal clearing required (no existing structures, mature trees,)

which may require payment of a premium to secure IFD’s preferred location; and

WHEREAS, the Commission defers to IFD’s judgment and specifically authorizes IFD to negotiate a purchase price, which may exceed the appraised price up to a maximum of \$160,000, to address IFD’s unique needs.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Subject to the requirements above, the Director of the DMD is hereby authorized to acquire the Property and to convey title to the Property to the name of the appropriate City entity for use by IFD, and for construction of a fire station to meet the public safety needs of the City and its inhabitants in accordance with I.C. 36-7-15.1, provided IFD covers all expenses associated with such transactions.
2. If required to meet IFD’s needs, DMD and IFD are specifically authorized to agree to a purchase price that exceeds the average of two (2) independent appraisals of fair market value up to a maximum of \$160,000.
3. The Director of the DMD is hereby further authorized to execute all necessary documents related to acquisition and disposition in accordance with this Resolution and thereafter to do all acts and execute all other documents and instruments deemed necessary or appropriate by such official to best accomplish the objectives set forth herein, and all actions heretofore taken by any such official toward the completion thereof are hereby ratified, confirmed and approved.

Approved as to Adequacy of Legal Form:

Metropolitan Development Commission:

By: Sheila Kinney sek  
 Sheila Kinney, Asst. Corporation Counsel

\_\_\_\_\_  
 John J. Dillon III., Presiding Officer

Date: 2/14/2024

Date: \_\_\_\_\_



**METROPOLITAN DEVELOPMENT COMMISSION  
MARION COUNTY, INDIANA  
RESOLUTION NO. 2024-E-011**

**WHEREAS**, the Metropolitan Development Commission of Marion County (“MDC”) is authorized to approve the employment of all persons engaged by contract to render professional or consulting services for the City of Indianapolis, Indiana (“City”) Department of Metropolitan Development (“DMD”); and

**WHEREAS**, DMD is in need of professional services related to data-tracking software (“Services”) to support the administration and compliance of economic incentives projects and has identified **Crowe LLP** as a firm with the requisite skills and expertise to perform such Services; and

**WHEREAS**, DMD desires to contract for Services with Crowe LLP either through existing City contracts or a new contract with DMD for a not-to exceed amount of amount \$18,000 for such Services payable from all sources of funding available.

**NOW, THEREFORE, BE IT RESOLVED** by the Metropolitan Development Commission of Marion County as follows:

1. The MDC hereby authorizes DMD to contract with Crowe LLP for Services as described above in an amount not to exceed \$18,000.
2. The Director of the Department of Metropolitan Development is hereby authorized and directed to take such further actions and execute such documents as deemed necessary or advisable to effectuate the authorizations set forth in this Resolution.
3. This Resolution shall take effect immediately upon adoption by the Commission.

Approved as to Adequacy & Legal Form

Metropolitan Development Commission

Sheila Kinney *sek*

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Sheila Kinney, Asst. Corp Counsel

John J. Dillon III, President

Date: 2/14/2024

Date: \_\_\_\_\_

**METROPOLITAN DEVELOPMENT COMMISSION OF**

**MARION COUNTY, INDIANA**

**PRELIMINARY ECONOMIC REVITALIZATION AREA RESOLUTION**

**Resolution No. 2024-A-003**

**REAL PROPERTY TAX ABATEMENT**

**Republic Polymers II LLC**

1002 West Hanna Avenue a/k/a Hanna Avenue Business Park, Lot 2

**WHEREAS, I.C. 6-1.1-12.1** allows a partial abatement of property taxes attributable to "redevelopment or rehabilitation" activities (hereinafter "Project") in "Economic Revitalization Areas"; and

**WHEREAS, I.C. 6-1.1-12.1** empowers the Metropolitan Development Commission (hereinafter "Commission") to designate Economic Revitalization Areas and determine the length of the abatement period and annual abatement schedule during the term of the abatement for such property and to limit the dollar amount of the deduction that will be allowed with respect to a Project, by following a procedure involving adoption of a preliminary resolution, provision of public notice, conducting of a public hearing, and adoption of a resolution confirming the preliminary resolution or a modified version of the preliminary resolution; and

**WHEREAS,** the Commission has established in Resolution No. 01-A-041, 2001, certain standards and procedures for the designation of Economic Revitalization Areas for the partial abatement of property taxes attributable to redevelopment or rehabilitation activities; and

**WHEREAS, I.C. 6-1.1-12.1** requires an applicant for Economic Revitalization Area designation to provide a statement of benefits and requires the Commission, before it makes a decision to designate such an area as an Economic Revitalization Area, to determine that the Project can be reasonably expected to yield the benefits identified in the statement of benefits and determine that the totality of benefits arising from the Project is sufficient to justify Economic Revitalization Area designation; and

**WHEREAS,** a business (hereinafter "Applicant") named in the attachment to this Resolution, which is incorporated herein by reference, has an ownership interest in the geographical area (hereinafter "Subject Real Estate") described in such attachment; and

**WHEREAS, I.C. 6-1.1-12.1-11.3** empowers the Commission, by resolution and following a public hearing, to waive the requirement that an area be designated as an economic revitalization area before initiation of the redevelopment; and

**WHEREAS,** the Applicant is requesting, pursuant to the provisions of I.C. 6-1.1-12.1-11.3, that the Commission waive the requirement that an area be designated as an economic revitalization area before the initiation of the redevelopment (the "Waiver"); and

**WHEREAS**, a public hearing upon the Waiver is fixed for Wednesday, March 6, 2024, in the Public Assembly Room of the City-County Building for the receiving of remonstrances and objections from persons interested in or affected by the Waiver; and

**WHEREAS**, during a hearing at 1:00 p.m. on Wednesday, February 21, 2024, the Commission received evidence about whether the Subject Real Estate should be designated as an Economic Revitalization Area, and sufficient evidence was provided which established Assertion 1 and some evidence was provided which tended to establish Assertions 2, 3, 4, 5, and 6 stated on the attachment to this Resolution.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Subject Real Estate is preliminarily designated as an Economic Revitalization Area for an abatement period of ten (10) years with a proposed abatement schedule as shown on the attachment to this Preliminary Resolution. Final designation as an Economic Revitalization Area does not occur unless a resolution confirming this Preliminary Resolution is adopted in accordance with the governing statute.
2. Designation as an Economic Revitalization Area allows abatement of property taxes, for the period indicated, only relative to the Project and **the effectiveness of the designation can be terminated by action of the Commission if:**
  - A. Construction on the Subject Real Estate is not in substantial conformance with the Project description contained in a final resolution as supplemented by information in the application, site plans, and elevations; or
  - B. Construction of the Project is not initiated within one (1) year of the date a final resolution designating the Subject Real Estate as an Economic Revitalization Area is adopted.
3. The Economic Revitalization Area designation terminates two (2) years after the date a final resolution is adopted; however, relative to redevelopment or rehabilitation completed before the end of the two (2) year period, this termination does not limit the period of time the Applicant or successor owner is entitled to receive an abatement of property taxes to a period of less than (10) years.
4. This Economic Revitalization Area (ERA) designation is limited to allowing the abatement of property taxes attributable to redevelopment or rehabilitation activities: **This designation does not allow abatement of property taxes for new manufacturing equipment pursuant to I.C. 6-1.1-12.1-4.5.** Pursuant to IC 6-1.1-12.1-2 (i), the Commission hereby limits the dollar amount of the deduction that will be allowed, with respect to redevelopment and rehabilitation activities occurring in the ERA, to those respective tax savings attributable to the development of a 159,500 square foot Polymer Plastics Recycling facility within the proposed 287,000 square foot Polymer Recycling Complex.
5. Under the authority of I.C. 6-1.1-12.1, the Commission directs the Department of Metropolitan Development to survey projects receiving Economic Revitalization Area designation for compliance with job creation/retention figures, salaries associated with these figures and investment figures contained in the Applicant's approved statement of benefits form. The annual date of survey shall be contained in a final resolution designating the property as an Economic Revitalization Area.
6. The Commission fixes 1:00 p.m. on Wednesday, March 6, 2024, in the Public Assembly Room of the City-County Building for the public hearing of remonstrances and objections from persons interested in the Project and directs the publication of notice of public hearing in accordance with the governing

statute. At this hearing, the Commission will take action relative to this Preliminary Resolution and waiver and determine whether the Subject Real Estate should be designated as an Economic Revitalization Area, fix the length of the abatement period at ten (10) years and establish an abatement schedule and consider the Waiver.

- 7. A copy of this Resolution shall be filed with the Marion County Assessor.

METROPOLITAN DEVELOPMENT COMMISSION

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John J. Dillon III, President

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Date

Approved as to Legal Form  
and Adequacy this 9th day  
of February, 2024

Sheila Kinney sek  
Sheila Kinney,  
Asst. Corporation Council

**ATTACHMENT TO**  
**METROPOLITAN DEVELOPMENT COMMISSION RESOLUTION**  
**REAL PROPERTY TAX ABATEMENT**

**FACTUAL INFORMATION**

Applicant: Republic Polymers II LLC

Subject Real Estate: 1002 West Hanna Avenue  
a/k/a Hanna Avenue Business Park, Lot 2

Perry Township Parcel Numbers: A portion of 5002696, 5003002, and 5003003

**PROJECT DESCRIPTION**

Republic Services Inc. was formed in 1996, and through a 2008 merger with Allied Waste has emerged as a waste management industry leader. Republic currently operates 50 facilities with 700 trucks in Indiana. The company currently employs 346 Marion County residents.

Republic Polymers II LLC, a subsidiary of Republic Services Inc. proposes a \$24,600,000.00 million construction investment in a 159,500 sq ft Polymer Center which is akin to a plastics recycling center. The Polymer Center will sort plastics into bales to be transported for additional processing to Blue Polymer's facility, also located within the Complex. Republic plans to open the Midwest's first Polymer Complex by 4<sup>th</sup> Quarter 2024. Republic will be retaining 346 positions and adding 64 new jobs by 2027 with an average hourly wage of \$28.00/hr. This reflects their commitment to employees, community, and environmental responsibility.

Given the project's initiation before the Statement of Benefits submission, a Waiver is requested, aligning with the City's incentives policy on industrial development. Staff recommends approval, recognizing Republic's good-faith efforts and alignment with city objectives.

**FACTUAL ASSERTIONS**

1. The Subject Real Estate:
  - A.  Is in a planned area which has a tax abatement policy as a part of its plan, or
  - B.  is in a planned area which has a tax abatement policy as part of its plan, but such plan does not contain a recommendation for Economic Revitalization Area designation and the recommended length of abatement, or
  - C.  is not located in a planned area with a tax abatement policy.
2.  The Subject Real Estate and the surrounding area are undesirable for normal development.

3. The project is allowed by zoning restrictions applicable to the subject real estate, or the necessary variance, rezoning or approval petitions are on file at the time of this application, and have final approval prior to a final hearing on this resolution.
- A.  Current zoning allows project.
  - B.  Appropriate petition is on file.
  - C.  Final approval for variance, rezoning or approval petition has been granted.
4. A.  The application for Economic Revitalization Area designation was filed before a building permit was obtained or construction work was initiated on the property, or
- B.  substantial evidence has been provided supporting that work was started under the following appropriate exception: Waiver Requested.
5. A.  The subject real estate is governed by Metropolitan Development Commission Resolution No. 01-A-041, 2001 Real Property Tax Abatement Policy for Commercial Projects, which allows up to ten years of abatement for qualifying development, or
- B.  The project is eligible to receive ten (10) years tax abatement due to the following recognized exceptional circumstances which justify the longer deduction period:
6. The Subject Real Estate is:
- A.  Located outside of a previously established allocation area as defined in I.C. 36-7-15.1-26, or
  - B.  Located in an allocation area, but has been determined by the Commission to be acceptable for real property tax abatement.

**PROPOSED ABATEMENT SCHEDULE**  
**Republic Polymers II LLC**  
**REAL PROPERTY TAX ABATEMENT**

YEAR OF DEDUCTION	PERCENTAGE
1 <sup>st</sup>	100%
2 <sup>nd</sup>	95%
3 <sup>rd</sup>	80%
4 <sup>th</sup>	65%
5 <sup>th</sup>	50%
6 <sup>th</sup>	40%
7 <sup>th</sup>	30%
8 <sup>th</sup>	20%
9 <sup>th</sup>	10%
10 <sup>th</sup>	5%

**STAFF ANALYSIS**  
**REAL PROPERTY TAX ABATEMENT**

Area Surrounding Subject Real Estate: The site is located in Perry Township just North of Hanna Avenue, South of Sumner Avenue and West of Harding Street. The complex will abut a rail line operated by the Indiana Railroad Company.

Current Zoning:.....I-3

Qualified New Jobs Created:.....64

Qualified Jobs Retained:.....346

Estimated Cost of Proposed Project: .....\$24,600,000.00

**STAFF ANALYSIS**

Republic Polymers II proposes to construct and operate a 159,500 sq ft Plastics Recycling Polymer Center that will be located within a 287,000 sq ft, two building, Polymer Recycling Complex. The complex will consist of a plastics recycling facility (this proposal), and an additional Polymer manufacturing facility (Blue Polymers) to be located on the south side of Indianapolis. The petitioner will invest \$24,600,000.00 towards real property improvements to construct the Polymer Center.

The project focuses on transforming post-consumer plastic waste into color-sorted olefin bales to promote sustainability. The recycled plastics will be used in various consumer-packaged goods, emphasizing plastic circularity to maximize material use efficiency and achieve sustainability goals. Republic commits to retaining three-hundred and forty-six (346) current jobs with an average wage of \$27.70/hr and create sixty-four (64) new jobs at an average wage of \$28.00/hr by 2027. The proposed use and the planned real estate investments will result in net benefits for Marion County.

The petitioner will be investing five percent of its estimated abatement savings to support Employ Indy’s workforce development programs, specifically; the Indy Achieves Completion Grant and a Youth Apprenticeship. The 5% commitment, totaling at least \$245,922.82, includes amounts owed for tax abatements on both real and personal property.

The applicant is requesting tax abatement to assist in off-setting the high costs of investment associated with this proposed project. The granting of property tax abatement will assist the petitioner in making this project more economically feasible by phasing in the increased tax liability resulting from the investments. In staff’s opinion, a project such as this would not be economically feasible without the tax abatement incentive. Staff believes that the use of tax abatement is an appropriate tool to assist with this project and support continued development within Marion County. For these reasons, staff believes tax abatement to be an appropriate tool for development.

Staff believes this project does comply with the requirements of Metropolitan Development Commission Resolution No. 01-A-041, 2001 concerning the granting of property tax abatement.

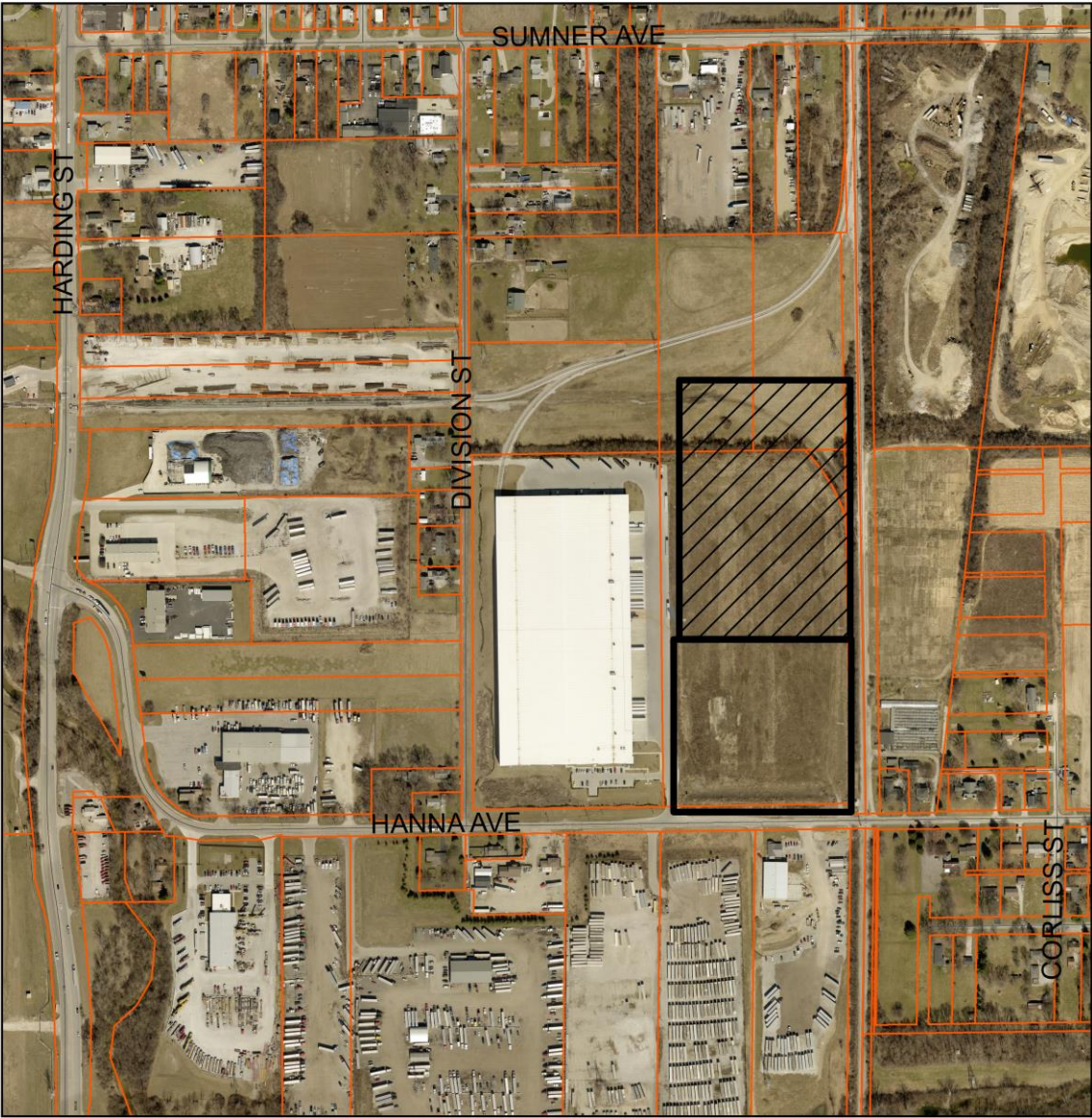
**RECOMMENDATION:** Staff recommends approval of ten (10) years real property tax abatement and the requested waiver.



**TOTALITY OF BENEFITS**

- PETITIONER:** Republic Polymers II LLC
- INVESTMENT:** Staff estimates that the proposed investment of \$24,600,000.00 should result in an increase to the tax base of approximately \$18,450,000.00 of assessed value. Staff estimates that over the ten (10) year real property tax abatement period the petitioner will realize savings of approximately \$2,559,270.53 (a 50% savings). During the abatement period, the petitioner is expected to pay an estimated \$2,561,094.95 in real property taxes relative to the new investment. This is in addition to the current taxes being paid on this portion of the property in the amount of approximately \$18,513.00 annually (pay 2024 taxes). After the tax abatement expires, the petitioner can be expected to pay an estimated \$535,537.35 in real property taxes annually on the new improvements, in addition to the annual taxes attributable to the value of the existing improvements and land.
- EMPLOYMENT:** The petitioner estimates that this project will retain three-hundred and forty-six (346) positions at an average wage of \$27.70/hr. and will create sixty-four (64) new positions at an average wage of \$28.00/hr. Staff finds these figures to be reasonable for a project of this nature.
- OTHER BENEFITS:** Staff believes this project is significant for Perry Township in terms of new taxes and potential job creation and retention. Furthermore, staff believes the petitioner's project will lead to continued future investment and development in Marion County.
- STAFF COMMENT:** Staff believes the "Totality of Benefits" arising from the project are sufficient to justify the granting of the tax abatement.

Republic Polymers II LLC - Hanna Avenue Business Park  
1002 West Hanna Avenue, Lot 2



**Legend**

- IndyGo Transit Routes
- Parcels
- Project Site



Produced by: DMD REED January 18, 2024



**INDY POLYMER**  
INDIANAPOLIS, IN | JULY, 2023  
Preliminary Plan – Subject to Change

Logos for project partners: REPUBLIC SERVICES, LAUTH (HOME. TRUST. EVIDENCE.), and LA PIP (design group, llc). LA PIP is listed as CONSULTING ENGINEERS, LANDSCAPE ARCHITECTURE, DEVELOPMENT DESIGNER, and PLANNING PROFESSIONALS.

**Schneider**  
 2800 NORTH MERIDIAN BLVD  
 INDIANAPOLIS, INDIANA 46218  
 (317) 776-2344

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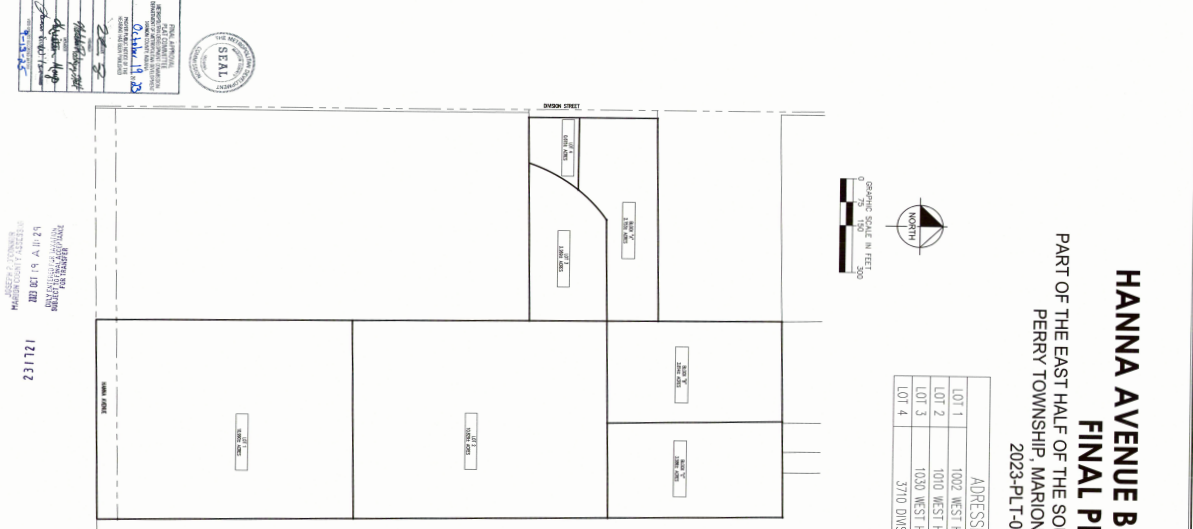
SECTION 27  
 LOT 1  
 LOT 2  
 LOT 3  
 LOT 4

ADDRESSSES  
 1002 WEST HANNA AVENUE  
 1010 WEST HANNA AVENUE  
 1030 WEST HANNA AVENUE  
 3710 DUNSON STREET

MONUMENTATION  
 0 1/4" = 1'-0" SCALE  
 1/4" = 1'-0" SCALE  
 1/8" = 1'-0" SCALE  
 1/16" = 1'-0" SCALE

SEAL

REVIEWED AND APPROVED  
 MARION COUNTY ASSESSOR  
 OCT 19 2023  
 MARY BERTHELETT, CLERK



**HANNA AVENUE BUSINESS PARK**  
**FINAL PLAT**

PART OF THE EAST HALF OF THE SOUTHEAST 1/4 OF SECTION 27  
 PERRY TOWNSHIP, MARION COUNTY, INDIANA  
 2023-PL-I-070

GRAPHER SCALE IN FEET  
 1" = 100'

THE SUBMISSION CHANGES TO A LOT, NUMBERED 1-4, AND 2 BLOCK, LOTS 1, 2, 3, 4, AND C, THE SIZE OF LOTS AND SHOW M, LINES AND SOCIAL MAPS THEREBY GROUP IDENTIFIED IN REFERRED TO AS A CERTAIN PLAT.

THE SUBMISSION CHANGES TO A LOT, NUMBERED 1-4, AND 2 BLOCK, LOTS 1, 2, 3, 4, AND C, THE SIZE OF LOTS AND SHOW M, LINES AND SOCIAL MAPS THEREBY GROUP IDENTIFIED IN REFERRED TO AS A CERTAIN PLAT.

THE APPLICANT'S LEGAL INTEREST IN THE PROPERTY IS A FULL AND UNRESTRICTED AND UNENCUMBERED INTEREST IN THE PROPERTY AS SHOWN ON THE MAPS AND PLATS FILED FOR RECORD IN THE PUBLIC RECORDS OF MARION COUNTY, INDIANA, IN 2023. THE APPLICANT'S LEGAL INTEREST IN THE PROPERTY IS A FULL AND UNRESTRICTED AND UNENCUMBERED INTEREST IN THE PROPERTY AS SHOWN ON THE MAPS AND PLATS FILED FOR RECORD IN THE PUBLIC RECORDS OF MARION COUNTY, INDIANA, IN 2023.

STATE OF INDIANA  
 COUNTY OF MARION

APPLICANT: Hanna Avenue Business Park, LLC  
 ATTORNEY: Sarah M. Hinkle, Esq.  
 PREPARED BY: Sarah M. Hinkle, Esq.  
 DATE: February 24, 2024

STATE OF INDIANA  
 COUNTY OF MARION

APPLICANT: Hanna Avenue Business Park, LLC  
 ATTORNEY: Sarah M. Hinkle, Esq.  
 PREPARED BY: Sarah M. Hinkle, Esq.  
 DATE: February 24, 2024

STATE OF INDIANA  
 COUNTY OF MARION

APPLICANT: Hanna Avenue Business Park, LLC  
 ATTORNEY: Sarah M. Hinkle, Esq.  
 PREPARED BY: Sarah M. Hinkle, Esq.  
 DATE: February 24, 2024

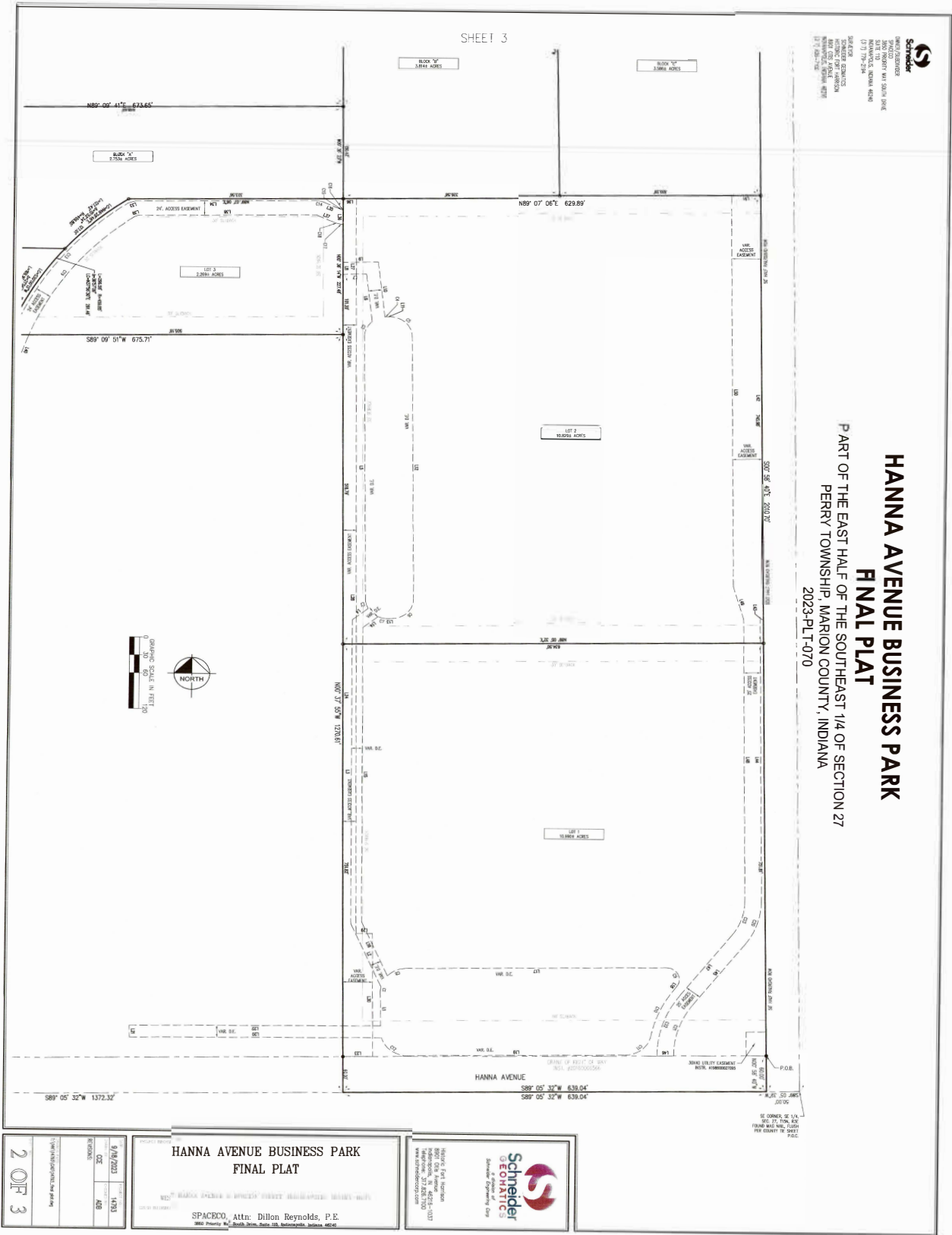
**HANNA AVENUE BUSINESS PARK**  
**FINAL PLAT**

WEST HANNA AVENUE & DUNSON STREET, INDIANAPOLIS, INDIANA 46207

SPACEDCO, Attn: Dillon Reynolds, P.E.

9/7/2023 1433

1 OF 3

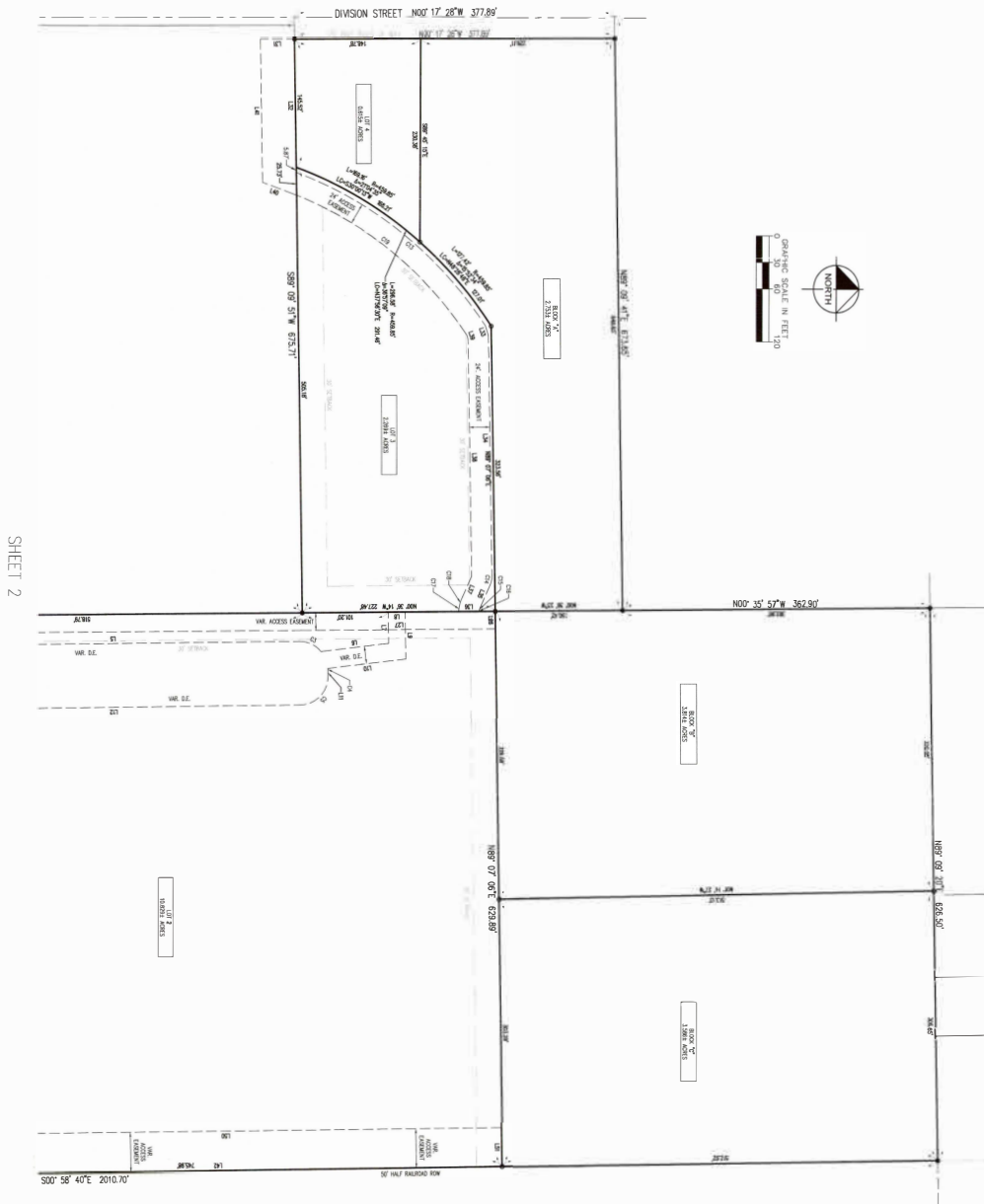


**Schneider**  
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 8001 Old American  
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 FAX: (317) 297-7201  
 www.schneidercorp.com  
 SCHNEIDER ENGINEERING  
 A PROFESSIONAL ENGINEERING FIRM  
 LICENSE NO. 12163-IC-00000000  
 (01/19/2023)

Lot #	Area	Dimensions	Volume
104	100.00	100.00	100.00
105	100.00	100.00	100.00
106	100.00	100.00	100.00
107	100.00	100.00	100.00
108	100.00	100.00	100.00
109	100.00	100.00	100.00
110	100.00	100.00	100.00
111	100.00	100.00	100.00
112	100.00	100.00	100.00
113	100.00	100.00	100.00
114	100.00	100.00	100.00
115	100.00	100.00	100.00
116	100.00	100.00	100.00
117	100.00	100.00	100.00
118	100.00	100.00	100.00
119	100.00	100.00	100.00
120	100.00	100.00	100.00
121	100.00	100.00	100.00
122	100.00	100.00	100.00
123	100.00	100.00	100.00
124	100.00	100.00	100.00

Curve #	Length	Radius	Chord Bearing	Chord Distance
C1	8.962	13.000	N07°25'30"E	8.714
C2	16.846	13.000	N07°16'30"W	16.473
C3	28.767	13.000	S24°06'46"E	27.837
C4	1.986	13.000	N07°27'10"E	1.989
C5	51.936	13.000	S42°34'30"E	46.617
C6	14.648	13.000	S08°07'33"W	14.451
C7	13.119	13.000	N05°46'54"E	13.786
C8	41.121	13.000	S35°49'14"E	37.588
C9	48.121	13.000	S25°49'14"E	43.588
C10	68.121	13.000	S23°36'22"W	61.588
C11	24.789	42.000	S49°51'08"W	25.811
C12	32.717	42.000	N53.09.08"W	35.811
C13	28.028	42.000	N57°49'14"E	28.274
C14	8.996	20.000	S98°18'31"E	8.713
C15	3.298	15.000	S72°00'33"E	3.293
C16	1.006	15.000	S06°15'47"E	1.011
C17	6.813	31.000	N07°50'18"W	6.718
C18	8.819	31.000	N77°07'33"W	8.718
C19	286.424	400.000	S37°35'27"W	284.609
C20	80.296	100.000	N48°10'46"E	78.811
C21	31.170	142.000	N48°24'36"E	30.203
C22	110.427	167.000	S18°22'46"W	108.444
C23	61.629	83.000	S18°22'46"W	60.461

**HANNA AVENUE BUSINESS PARK  
 FINAL PLAT**  
 PART OF THE EAST HALF OF THE SOUTHEAST 1/4 OF SECTION 27  
 PERRY TOWNSHIP, MARION COUNTY, INDIANA  
 2023-PLT-070



SHEET 2

<p><b>3 OF 3</b></p>	<p>DATE: 9/14/2023                  TIME: 11:33</p>	<p>HANNA AVENUE BUSINESS PARK                  FINAL PLAT</p>	<p>SPACECO, Attn: Dillon Reynolds, P.E.                  3050 Priority Pk South Drive, Suite 110, Indianapolis, Indiana, 46240</p>	<p><b>Schneider</b>                  ENGINEERING                  8001 Old American                  Indianapolis, Indiana 46240                  Telephone: 317.297.7200                  www.schneidercorp.com</p>
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**METROPOLITAN DEVELOPMENT COMMISSION OF**

**MARION COUNTY, INDIANA**

**PRELIMINARY ECONOMIC REVITALIZATION AREA RESOLUTION**

**Resolution No. 2024-A-004**

**PERSONAL PROPERTY TAX ABATEMENT**

**Republic Polymers II LLC**

1002 West Hanna Avenue a/k/a Hanna Avenue Business Park, Lot 2

**WHEREAS, I.C. 6-1.1-12.1** allows a partial abatement of property taxes attributable to the installation of Equipment (hereinafter the "Project") in Economic Revitalization Areas; and

**WHEREAS, I.C. 6-1.1-12.1** empowers the Metropolitan Development Commission (hereinafter "Commission") to designate Economic Revitalization Areas, determine the length of the abatement period and annual abatement schedule during the term of the abatement for such property and to limit the dollar amount of the deduction that will be allowed with respect to a Project, by following a procedure involving adoption of a preliminary resolution, provision of public notice, conducting of a public hearing, and adoption of a resolution confirming the preliminary resolution or a modified version of the preliminary resolution; and

**WHEREAS,** the Commission has established in Resolution No. 01-A-041, 2001, certain standards and procedures for the designation of Economic Revitalization Areas for the partial abatement of property taxes attributable to the installation of new equipment; and

**WHEREAS, I.C. 6-1.1-12.1** requires an applicant for Economic Revitalization Area designation to provide a statement of benefits and requires the Commission, before it makes a decision to designate such an area as an Economic Revitalization Area, to determine that the Project can be reasonably expected to yield the benefits identified in the statement of benefits and determine that the totality of benefits arising from the Project is sufficient to justify Economic Revitalization Area designation; and

**WHEREAS,** a business (hereinafter "Applicant") named in the attachment to this Resolution, which attachment is hereby incorporated by reference, has an ownership interest in the geographical area (hereinafter "Subject Real Estate") described in such attachment; and

**WHEREAS,** the Applicant has requested that the Subject Real Estate be designated as an Economic Revitalization Area for the purpose of achieving property tax savings in connection with the installation on the Subject Real Estate of certain new manufacturing, logistical distribution, information technology, and/or research and development equipment (hereinafter "Specified New Equipment"); and

**WHEREAS,** during a hearing at 1:00 p.m. on Wednesday, February 21, 2024, the Commission received evidence about whether the Subject Real Estate should be designated as an Economic Revitalization Area and sufficient evidence was provided which tended to establish Assertions 1, 2, 3, 4, 5 and 6 stated on the attachment to this Resolution.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Subject Real Estate is preliminarily designated as an Economic Revitalization Area for an abatement period of ten (10) years with a proposed abatement schedule as shown on the attachment to this Preliminary Resolution. Final designation as an Economic Revitalization Area does not occur unless a resolution confirming this Preliminary Resolution is adopted in accordance with the governing statute.
2. Designation as an Economic Revitalization Area allows a partial abatement of property taxes only relative to Specified New Equipment. However, on the written request of the Applicant, the Director of the Department of Metropolitan Development is allowed to authorize in writing, substitutions, modifications and additions which are not substantial in nature to the specified New Equipment, prior to March 1 of the year in which the initial certified deduction application for new equipment is filed with the Indiana Department of Local Government Finance.
3. **The Economic Revitalization Area designation terminates December 31, 2026. Accordingly, partial abatement of property taxes is allowed relative to Specified New Equipment installed and in operation on the Subject Real Estate during the period March 6, 2024, to December 31, 2026.** However, termination of this designation does not limit the time the Applicant or successor owner is entitled to receive a partial abatement of property taxes, relative to Specified New Equipment installed on the subject real estate before termination of such designation, to a period of less than ten (10) years. Pursuant to IC 6-1.1-12.1-2 (i), the Commission hereby limits the dollar amount of the deduction that will be allowed, with respect to installation of specified new equipment in the ERA, to those respective tax savings attributable to an equipment investment of not greater than \$46,400,000.00.
4. The partial abatement of property taxes attributable to the installation of Specified New Equipment is subject to limitations contained in I.C. 6-1.1-12.1-4.5 (c) and (d).
5. This Economic Revitalization Area designation is limited to allowing partial abatement of property taxes attributable to the installation of the Specified New Equipment on the Subject Real Estate and does not allow the abatement of real property taxes attributable to redevelopment or rehabilitation activities under I.C. 6-1.1-12.1-3.
6. Under the authority of I.C. 6-1.1-12.1, the Commission directs the Department of Metropolitan Development to survey projects receiving Economic Revitalization Area designation for compliance with job creation/retention figures, salaries associated with these figures and investment figures contained in the applicant's approved statement of benefits form. The annual date of survey shall be contained in a final resolution designating the property as an Economic Revitalization Area.
7. The Commission fixes 1:00 p.m. on Wednesday, March 6, 2024, in the Public Assembly Room of the City-County Building for the public hearing of remonstrances and objections from persons interested in the Project and directs the publication of notice of public hearing in accordance with the governing statute. At this hearing, the Commission will take action relative to this Preliminary Resolution and determine whether the Subject Real Estate should be designated as an Economic Revitalization Area and fix the length of the abatement period at ten (10) years.
8. A copy of this Resolution shall be filed with the Marion County Assessor.



**METROPOLITAN DEVELOPMENT COMMISSION**

\_\_\_\_\_  
John J. Dillon III, President

\_\_\_\_\_  
Date

Approved as to Legal Form  
and Adequacy this 9<sup>th</sup> day  
of February, 2024

Sheila Kinney *sek*  
\_\_\_\_\_  
Sheila Kinney,  
Asst. Corporation Council

**ATTACHMENT TO**

**METROPOLITAN DEVELOPMENT COMMISSION RESOLUTION**

**PERSONAL PROPERTY TAX ABATEMENT**

**FACTUAL INFORMATION**

Applicant: Republic Polymer II LLC

Subject Real Estate: 1002 W Hanna Avenue  
a/k/a Hanna Avenue Business Park, Lot 2

Perry Township Parcel Numbers: A portion of 5002696, 5003002, 5003003

**PROJECT DESCRIPTION**

Republic Services Inc. was formed in 1996, and through a 2008 merger with Allied Waste has emerged as a waste management industry leader. Republic currently operates 50 facilities with 700 trucks in Indiana. The company currently employs 348 Marion County residents.

Republic Polymers II LLC, a subsidiary of Republic services Inc. proposes a \$46,400,000.00 million personal property investment in a 159,500 sq ft Polymer Center which is akin to a plastic recycling center. The Polymer Center will sort plastics into bales to be transported for additional processing to Blue Polymer's facility, also located within the Complex. Republic plans to open the Midwest's first Polymer Complex by 4<sup>th</sup> Quarter 2024.

Republic will be retaining three-hundred and forty-six (346) positions and adding sixty-four (64) new jobs by 2027 with an average hourly wage of \$28.00/hr. This reflects Republic's commitment to employees, community, and environmental responsibility.

**FACTUAL ASSERTIONS**

1. The application was filed with the Department of Metropolitan Development prior to the New Equipment being installed.
2. The specified New Equipment meets the definition of "New Manufacturing Equipment", "New Logistical Distribution Equipment", "New Information Technology Equipment", and/or "New Research and Development Equipment" found in I.C. 6-1.1-12.1, as interpreted by the Indiana Department of Local Government Finance.
3. The specified New Equipment will be installed on the Subject Real Estate in one of the following types of facilities:
  - Existing facility
  - Expanded facility

- New facility
- Vacated or converted facility

4. The facility meets the appropriate requirements:

A. of an existing, expanded, or vacated or converted facility, and

- the area in which the facility is located has become "undesirable for normal development" (as defined in Metropolitan Development Commission Resolution No. 01-A-041, 2001), or
- the operation in the facility is a distressed business (as defined in Resolution No. 97-A-110, 1997), and
- the specified new equipment is being installed to relieve the conditions causing the business to be distressed, and
- the facility is technologically, economically, or energy obsolete, continued obsolescence of which may lead to a decline in employment and tax revenues.

B. of a new facility, and

- the area in which the facility is located has become "undesirable for normal development" (as defined in Metropolitan Development Commission Resolution No. 01-A-041, 2001), or
- the operation in the facility is a distressed business (as defined in Resolution No. 97-A-110, 1997), and
- the specified new equipment is being installed to relieve the conditions causing the business to be distressed, and
- the facility is technologically, economically, or energy obsolete, continued obsolescence of which may lead to a decline in employment and tax revenues.

5. The facility will benefit Marion County by creating or retaining permanent jobs, increasing the property tax base, avoiding environmental harm, securing the attraction, retention, or expansion of targeted businesses.

6. The Subject Real Estate on which the facility is or will be located

- outside an Allocation Area as defined in I.C. 36-7-15.1-26; or
- inside an Allocation Area but has been determined by the Commission to be acceptable for personal property tax abatement.

**PROPOSED ABATEMENT SCHEDULE**  
**PERSONAL PROPERTY TAX ABATEMENT**

YEAR OF DEDUCTION	PERCENTAGE
1 <sup>st</sup>	100%
2 <sup>nd</sup>	90%
3 <sup>rd</sup>	80%
4 <sup>th</sup>	70%
5 <sup>th</sup>	60%
6 <sup>th</sup>	50%
7 <sup>th</sup>	40%
8 <sup>th</sup>	30%
9 <sup>th</sup>	20%
10 <sup>th</sup>	10%

**STAFF COMMENT**  
**PERSONAL PROPERTY TAX ABATEMENT**

Street Address: ..... 1002 West Hanna Avenue, a/k/a Hanna Avenue Business Park, Lot 2

New Jobs Created ..... 64

Jobs Retained: ..... 346

Estimated Cost of Equipment: \$46,400,000.00

**STAFF ANALYSIS**

Republic Polymers II proposes to construct and operate a 159,500 sq ft Plastics Recycling Polymer Center that will be located within a 287,000 sq ft, two building Polymers Recycling Complex. The complex will consist of a plastics recycling facility (this proposal) and a manufacturing facility (Blue Polymers) to be located on the south side of Indianapolis. The applicant will invest \$46,400,000.00 towards personal property for this project.

The project focuses on transforming post-consumer plastic waste into color-sorted olefin bales to promote sustainability. The recycled plastics will be used in various consumer-packaged goods, emphasizing plastic circularity to maximize material use efficiency and achieve sustainability goals. Republic commits to retaining three-hundred and forty-six (346) current jobs with an average wage of \$29.00/hr and create sixty-four (64) new jobs at an average wage of \$28.00/hr by 2027. The proposed use and the planned real estate investments will result in net benefits for Marion County.

The petitioner will be investing five percent of its estimated abatement savings to support Employ Indy’s workforce development programs, specifically; the Indy Achieves Completion Grant and a Youth Apprenticeship. The 5% commitment, totaling at least \$245,922.82, includes amounts owed for tax abatements on both real and personal property.

The applicant is requesting tax abatement to assist in off-setting the high costs of investment associated with this proposed project. The granting of property tax abatement will assist the petitioner in making this project more economically feasible by phasing in the increased tax liability resulting from the investments. In staff’s opinion, a project such as this would not be economically feasible without the tax abatement incentive. Staff believes that the use of tax abatement is an appropriate tool to assist with this project and support continued development within Marion County. For these reasons, staff believes tax abatement to be an appropriate tool for development.

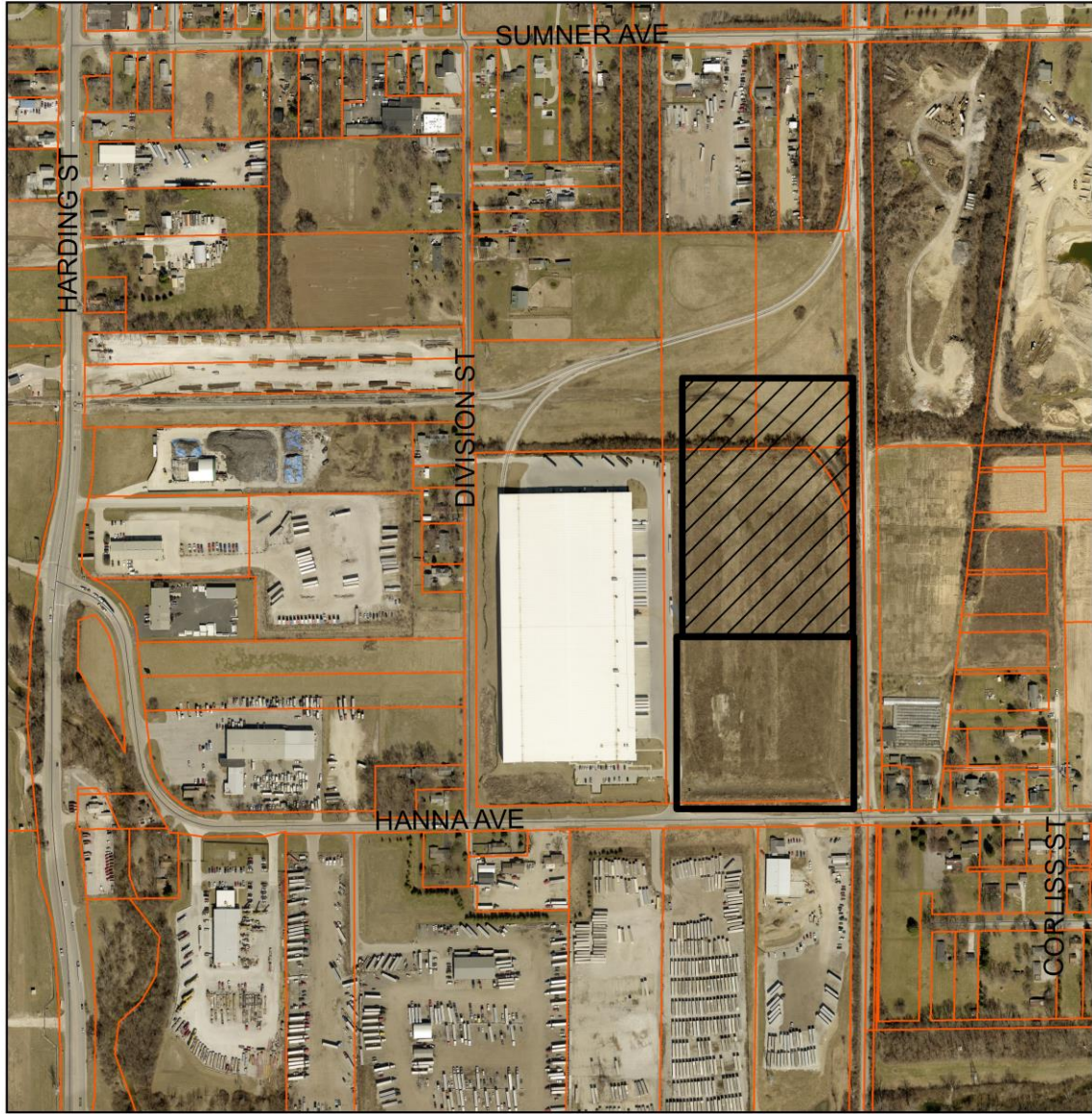
Staff believes this project does comply with the requirements of Metropolitan Development Commission Resolution No. 01-A-041, 2001 concerning the granting of property tax abatement.

**RECOMMENDATION:** Staff recommends approval of ten (10) years personal property tax abatement.

**TOTALITY OF BENEFITS**

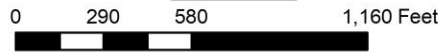
- PETITIONER:** Republic Polymer II LLC.
- INVESTMENT:** Staff estimates that the proposed investment of \$46,400,000.00 should result in an increase to the tax base of approximately \$18,560,000.00 of assessed value in the first year of operation. Staff estimates that over the ten (10) year personal property tax abatement period the petitioner will realize savings of approximately \$2,359,185.91 (a 51.8% savings). During the abatement period, the petitioner is expected to pay an estimated \$2,191,749.29 in personal property taxes related to the new equipment. After the tax abatement expires, the petitioner can be expected to pay an estimated \$390,080.16 in personal property taxes annually related to the new equipment.
- EMPLOYMENT:** The petitioner estimates that this project will retain three-hundred forty-eight (348) positions at an average wage of \$29.00/hr. and will create sixty-four (64) new positions at an average wage of \$28.00/hr. Staff finds these figures to be reasonable for a project of this nature.
- OTHER BENEFITS:** Staff believes this project is significant for Perry Township in terms of new taxes and potential job creation and retention. Furthermore, staff believes the petitioner's project will lead to continued future investment in Marion County.
- STAFF COMMENT:** Staff believes the "Totality of Benefits" arising from the project are sufficient to justify the granting of the tax abatement.

Republic Polymers II LLC - Hanna Avenue Business Park  
1002 West Hanna Avenue, Lot 2

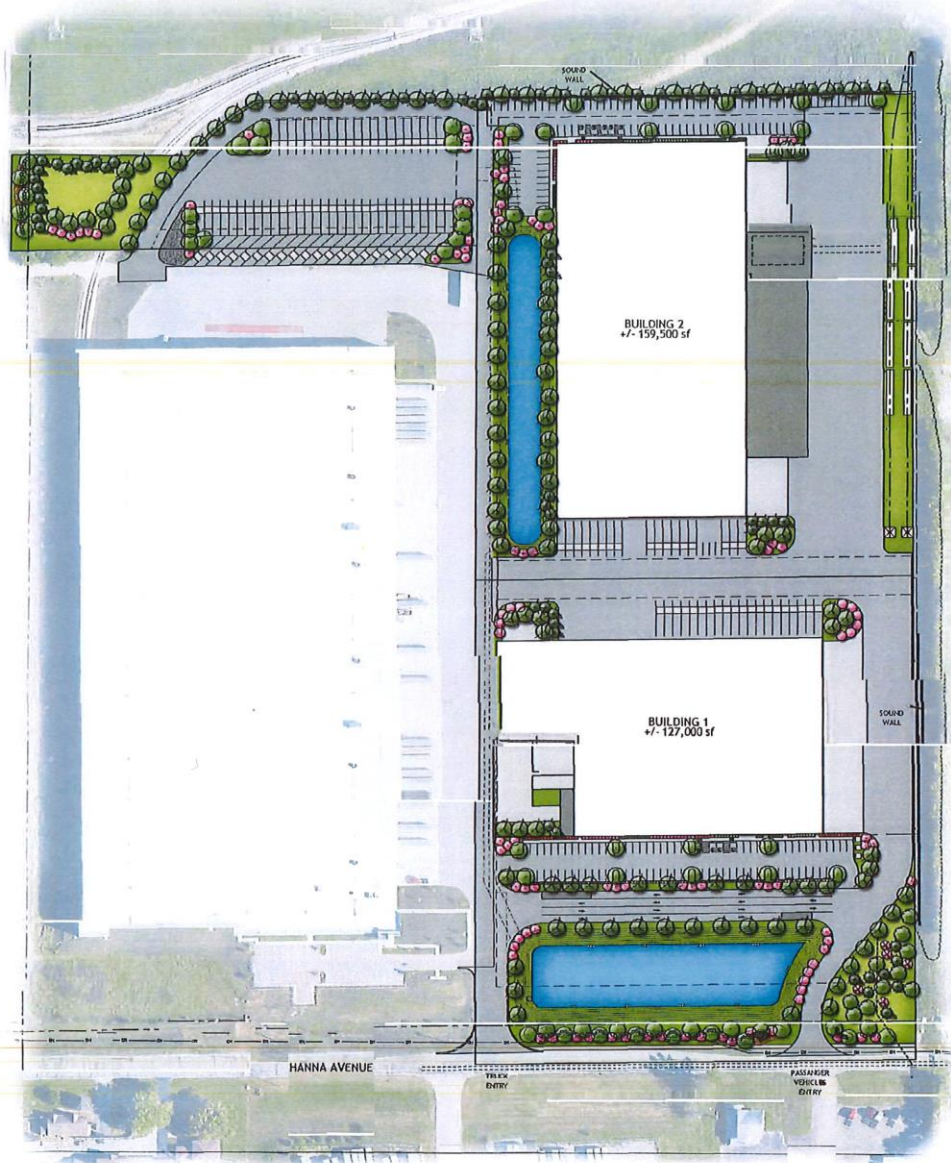


**Legend**

-  IndyGo Transit Routes
-  Parcels
-  Project Site



Produced by: DMD REED January 18, 2024



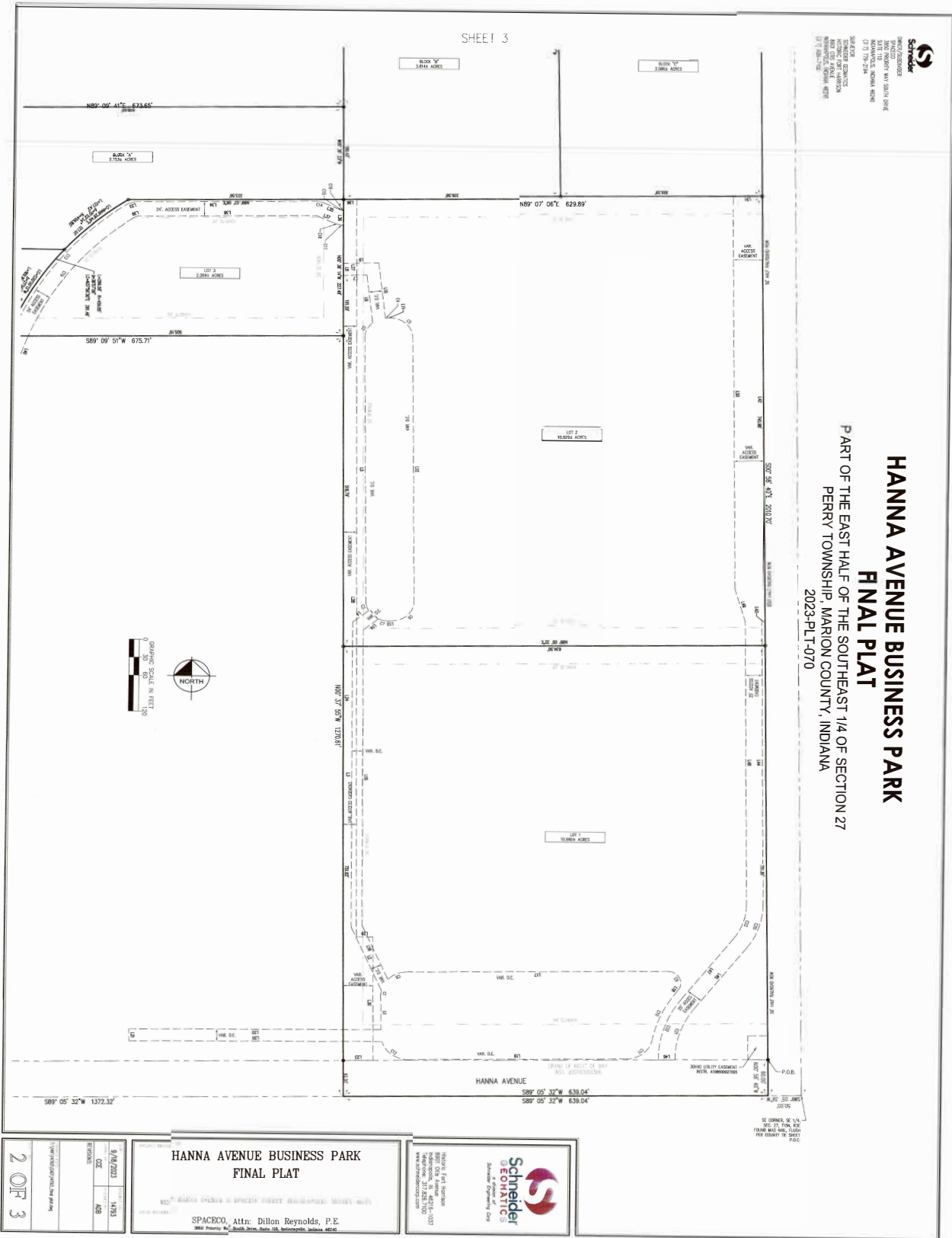
**INDY POLYMER**  
INDIANAPOLIS, IN | JULY, 2023

Preliminary Plan – Subject to Change



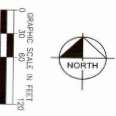






SCHNEIDER  
 GEOMATICS  
 1000 W. 10TH AVENUE  
 SUITE 100  
 DENVER, CO 80202  
 (303) 733-1100  
 WWW.SCHNEIDER-GEOMATICS.COM

**HANNA AVENUE BUSINESS PARK  
 FINAL PLAT**  
 PART OF THE EAST HALF OF THE SOUTHEAST 1/4 OF SECTION 27  
 PERRY TOWNSHIP, MARION COUNTY, INDIANA  
 2023-PLT-070



2 OF 3	DATE	9/19/2023
	DATE	11/23/23
	DATE	08/23/24
DRAWN BY: [Name]		
CHECKED BY: [Name]		
APPROVED BY: [Name]		

**HANNA AVENUE BUSINESS PARK  
 FINAL PLAT**

SPACEDCO, Attn: Dillon Reynolds, P.E.  
 8887 Perryville Rd., South Haven, Suite 105, Southport, Indiana 46340

**Schneider  
 GEOMATICS**  
 Surveying & Engineering Firm

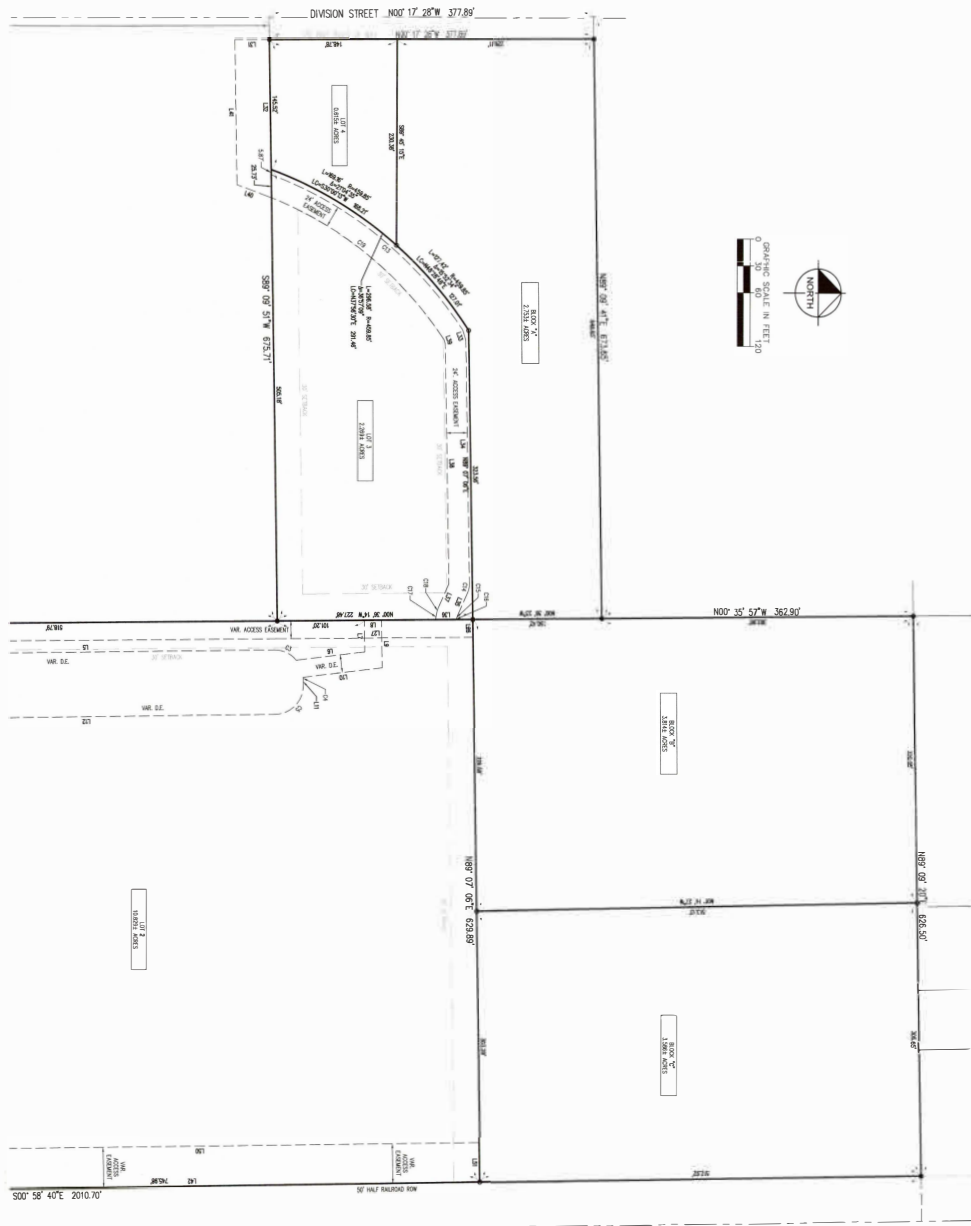
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**HANNA AVENUE BUSINESS PARK  
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 PERRY TOWNSHIP, MARION COUNTY, INDIANA  
 2023-PLT-070

Lot #	Area	Dimensions	Area	Dimensions
104	100.00	100.00' x 100.00'	100.00	100.00' x 100.00'
105	100.00	100.00' x 100.00'	100.00	100.00' x 100.00'
106	100.00	100.00' x 100.00'	100.00	100.00' x 100.00'
107	100.00	100.00' x 100.00'	100.00	100.00' x 100.00'
108	100.00	100.00' x 100.00'	100.00	100.00' x 100.00'
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110	100.00	100.00' x 100.00'	100.00	100.00' x 100.00'
111	100.00	100.00' x 100.00'	100.00	100.00' x 100.00'
112	100.00	100.00' x 100.00'	100.00	100.00' x 100.00'
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114	100.00	100.00' x 100.00'	100.00	100.00' x 100.00'
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120	100.00	100.00' x 100.00'	100.00	100.00' x 100.00'
121	100.00	100.00' x 100.00'	100.00	100.00' x 100.00'
122	100.00	100.00' x 100.00'	100.00	100.00' x 100.00'
123	100.00	100.00' x 100.00'	100.00	100.00' x 100.00'
124	100.00	100.00' x 100.00'	100.00	100.00' x 100.00'



<p><b>HANNA AVENUE BUSINESS PARK                  FINAL PLAT</b></p>	
<p>DATE: 9/14/2023</p>	<p>1:17313</p>
<p>REVISIONS:</p>	<p>4/20</p>
<p>3 OF 3</p>	

**METROPOLITAN DEVELOPMENT COMMISSION OF**

**MARION COUNTY, INDIANA**

**PRELIMINARY ECONOMIC REVITALIZATION AREA RESOLUTION**

**Resolution No. 2024-A-005**

**REAL PROPERTY TAX ABATEMENT**

**Blue Polymers LLC**

1010 West Hanna Avenue a/k/a Hanna Avenue Business Park, Lot 1

**WHEREAS, I.C. 6-1.1-12.1** allows a partial abatement of property taxes attributable to "redevelopment or rehabilitation" activities (hereinafter "Project") in "Economic Revitalization Areas"; and

**WHEREAS, I.C. 6-1.1-12.1** empowers the Metropolitan Development Commission (hereinafter "Commission") to designate Economic Revitalization Areas and determine the length of the abatement period and annual abatement schedule during the term of the abatement for such property and to limit the dollar amount of the deduction that will be allowed with respect to a Project, by following a procedure involving adoption of a preliminary resolution, provision of public notice, conducting of a public hearing, and adoption of a resolution confirming the preliminary resolution or a modified version of the preliminary resolution; and

**WHEREAS,** the Commission has established in Resolution No. 01-A-041, 2001, certain standards and procedures for the designation of Economic Revitalization Areas for the partial abatement of property taxes attributable to redevelopment or rehabilitation activities; and

**WHEREAS, I.C. 6-1.1-12.1** requires an applicant for Economic Revitalization Area designation to provide a statement of benefits and requires the Commission, before it makes a decision to designate such an area as an Economic Revitalization Area, to determine that the Project can be reasonably expected to yield the benefits identified in the statement of benefits and determine that the totality of benefits arising from the Project is sufficient to justify Economic Revitalization Area designation; and

**WHEREAS,** a business (hereinafter "Applicant") named in the attachment to this Resolution, which is incorporated herein by reference, has an ownership interest in the geographical area (hereinafter "Subject Real Estate") described in such attachment; and

**WHEREAS, I.C. 6-1.1-12.1-11.3** empowers the Commission, by resolution and following a public hearing, to waive the requirement that an area be designated as an economic revitalization area before initiation of the redevelopment; and

**WHEREAS,** the Applicant is requesting, pursuant to the provisions of I.C. 6-1.1-12.1-11.3, that the Commission waive the requirement that an area be designated as an economic revitalization area before the initiation of the redevelopment (the "Waiver"); and

**WHEREAS**, a public hearing upon the Waiver is fixed for Wednesday, March 6, 2024, in the Public Assembly Room of the City-County Building for the receiving of remonstrances and objections from persons interested in or affected by the Waiver; and

**WHEREAS**, during a hearing at 1:00 p.m. on Wednesday, February 21, 2024, the Commission received evidence about whether the Subject Real Estate should be designated as an Economic Revitalization Area, and sufficient evidence was provided which established Assertion 1 and some evidence was provided which tended to establish Assertions 2, 3, 4, 5, and 6 stated on the attachment to this Resolution.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Subject Real Estate is preliminarily designated as an Economic Revitalization Area for an abatement period of ten (10) years with a proposed abatement schedule as shown on the attachment to this Preliminary Resolution. Final designation as an Economic Revitalization Area does not occur unless a resolution confirming this Preliminary Resolution is adopted in accordance with the governing statute.
2. Designation as an Economic Revitalization Area allows abatement of property taxes, for the period indicated, only relative to the Project and **the effectiveness of the designation can be terminated by action of the Commission if:**
  - A. Construction on the Subject Real Estate is not in substantial conformance with the Project description contained in a final resolution as supplemented by information in the application, site plans, and elevations; or
  - B. Construction of the Project is not initiated within one (1) year of the date a final resolution designating the Subject Real Estate as an Economic Revitalization Area is adopted.
3. The Economic Revitalization Area designation terminates two (2) years after the date a final resolution is adopted; however, relative to redevelopment or rehabilitation completed before the end of the two (2) year period, this termination does not limit the period of time the Applicant or successor owner is entitled to receive an abatement of property taxes to a period of less than ten (10) years.
4. This Economic Revitalization Area (ERA) designation is limited to allowing the abatement of property taxes attributable to redevelopment or rehabilitation activities: **This designation does not allow abatement of property taxes for new manufacturing equipment pursuant to I.C. 6-1.1-12.1-4.5.** Pursuant to IC 6-1.1-12.1-2 (i), the Commission hereby limits the dollar amount of the deduction that will be allowed, with respect to redevelopment and rehabilitation activities occurring in the ERA, to those respective tax savings attributable to the redevelopment of a 127,000 square foot Industrial Manufacturing Building within the 287,000 square foot Polymer Recycling complex.
5. Under the authority of I.C. 6-1.1-12.1, the Commission directs the Department of Metropolitan Development to survey projects receiving Economic Revitalization Area designation for compliance with job creation/retention figures, salaries associated with these figures and investment figures contained in the Applicant's approved statement of benefits form. The annual date of survey shall be contained in a final resolution designating the property as an Economic Revitalization Area.
6. The Commission fixes 1:00 p.m. on Wednesday, March 6, 2024, in the Public Assembly Room of the City-County Building for the public hearing of remonstrances and objections from persons interested in the Project and directs the publication of notice of public hearing in accordance with the governing statute. At this hearing, the Commission will take action relative to this Preliminary Resolution and Waiver and determine whether the Subject Real Estate should be designated as an Economic

Revitalization Area, fix the length of the abatement period at ten (10) years, establish an abatement schedule, and consider the Waiver.

- 7. A copy of this Resolution shall be filed with the Marion County Assessor.

METROPOLITAN DEVELOPMENT COMMISSION

\_\_\_\_\_  
John J. Dillon III, President

\_\_\_\_\_  
Date

Approved as to Legal Form  
and Adequacy this 9th day  
of February, 2024

Sheila Kinney sek  
Sheila Kinney,  
Asst. Corporation Council

**ATTACHMENT TO**

**METROPOLITAN DEVELOPMENT COMMISSION RESOLUTION**

**REAL PROPERTY TAX ABATEMENT**

**FACTUAL INFORMATION**

Applicant: Blue Polymers II LLC

Subject Real Estate: 1010 West Hanna Avenue a/k/a  
Hanna Avenue Business Park, Lot 1

Perry Township Parcel Number: A portion of 5002696

**PROJECT DESCRIPTION**

Blue Polymers LLC, a collaboration between Republic Services Inc. and Ravago Manufacturing Americas LLC, is planning a \$23,700,000.00 investment in the construction of a 127,000 sq ft recycling manufacturing building. This project will be one of two buildings located within the proposed 287,000 sq ft Polymer Recycling Complex on the south side of the city.

The project aims to recycle post-consumer plastic waste into resin pellets for sale and will supply recycled plastics to consumer-packaged goods for beverage containers, detergent bottles, and other durable/non-durable applications. Blue Polymers is committed to the concept of circularity, with a focus on more than 300 million pounds of plastic entering and re-entering the circular economy annually.

Blue Polymers anticipates opening the Midwest's first Polymer Complex by the 4<sup>th</sup> quarter of 2024. They are committed to creating sixty (60) new jobs with an average wage of \$25.00/hr. in 2027. This aligns with their commitment to local economic growth and sustainable practices in the plastics industry.

Since the project was initiated prior to the submittal of the Statement of Benefits, a Waiver is required. Staff recommends approval of the Waiver, as we believe Blue Polymers began the project in good faith, and the project was, and is aligned with the City's incentives policy on industrial development.

**FACTUAL ASSERTIONS**

1. The Subject Real Estate:
  - A.  Is in a planned area which has a tax abatement policy as a part of its plan, or
  - B.  is in a planned area which has a tax abatement policy as part of its plan, but such plan does not contain a recommendation for Economic Revitalization Area designation and the recommended length of abatement, or
  - C.  is not located in a planned area with a tax abatement policy.

2.  The Subject Real Estate and the surrounding area are undesirable for normal development.
3. The project is allowed by zoning restrictions applicable to the subject real estate, or the necessary variance, rezoning or approval petitions are on file at the time of this application, and have final approval prior to a final hearing on this resolution.
- A.  Current zoning allows project.
- B.  Appropriate petition is on file.
- C.  Final approval for variance, rezoning or approval petition has been granted.
4. A.  The application for Economic Revitalization Area designation was filed before a building permit was obtained or construction work was initiated on the property, or
- B.  substantial evidence has been provided supporting that work was started under the following appropriate exception: Waiver Requested.
5. A.  The subject real estate is governed by Metropolitan Development Commission Resolution No. 01-A-041, 2001 Real Property Tax Abatement Policy for Commercial Projects, which allows up to ten years of abatement for qualifying development, or
- B.  The project is eligible to receive ten (10) years tax abatement due to the following recognized exceptional circumstances which justify the longer deduction period:
6. The Subject Real Estate is:
- A.  Located outside of a previously established allocation area as defined in I.C. 36-7-15.1-26, or
- B.  Located in an allocation area, but has been determined by the Commission to be acceptable for real property tax abatement.



**PROPOSED ABATEMENT SCHEDULE**  
**Blue Polymers LLC**  
**REAL PROPERTY TAX ABATEMENT**

YEAR OF DEDUCTION	PERCENTAGE
1 <sup>st</sup>	100%
2 <sup>nd</sup>	95%
3 <sup>rd</sup>	80%
4 <sup>th</sup>	65%
5 <sup>th</sup>	50%
6 <sup>th</sup>	40%
7 <sup>th</sup>	30%
8 <sup>th</sup>	20%
9 <sup>th</sup>	10%
10 <sup>th</sup>	5%

**STAFF ANALYSIS**  
**REAL PROPERTY TAX ABATEMENT**

Area Surrounding Subject Real Estate: The site is located in Perry Township, a part of the Hanna Avenue Business Park, just North of Hanna Avenue, South of Sumner Avenue, and West of Harding Street abutting the Indiana Railroad Company.

Current Zoning:.....I-3

Qualified New Jobs Created:.....60

Qualified Jobs Retained:.....0

Estimated Cost of Proposed Project: .....\$23,700,000.00

**STAFF ANALYSIS**

Blue Polymers proposes to construct and operate a 127,000 sq ft recycling manufacturing facility that will be located within a 287,000 sq ft, two building Polymers Recycling Complex. The complex will consist of a manufacturing facility (this proposal) and a plastics recycling/office building (Republic Polymers II) and will be located on the south side of Indianapolis. The applicant will invest \$23,700,000.00 towards real property improvements to construct the manufacturing facility.

Blue Polymers goes beyond traditional recycling by incorporating advanced technology to create more sustainable products. Its recycled resins are formulated to meet individual customers' sustainability objectives, catering to a diverse range of applications such as food trays, milk jugs, detergent containers, and more. The company has embraced a commitment to sustainable practices in the plastics industry and local economic growth.

This project commits to create sixty (60) new jobs at an average wage of \$25.00/hr by 2027. The proposed use and the planned real estate investments will result in net benefits for Marion County. The petitioner will be investing five percent of its estimated abatement savings to support Employ Indy’s workforce development programs, specifically; the Indy Achieves Completion Grant and a Youth Apprenticeship. The 5% commitment, totaling at least \$255,477.70, includes amounts owed for tax abatements on both real and personal property.

The applicant is requesting tax abatement to assist in off-setting the high costs of investment associated with this proposed project. The granting of property tax abatement will assist the petitioner in making this project more economically feasible by phasing in the increased tax liability resulting from the investments. In staff’s opinion, a project such as this would not be economically feasible without the tax abatement incentive. Staff believes that the use of tax abatement is an appropriate tool to assist with this project and support continued development within Marion County. For these reasons, staff believes tax abatement to be an appropriate tool for development.

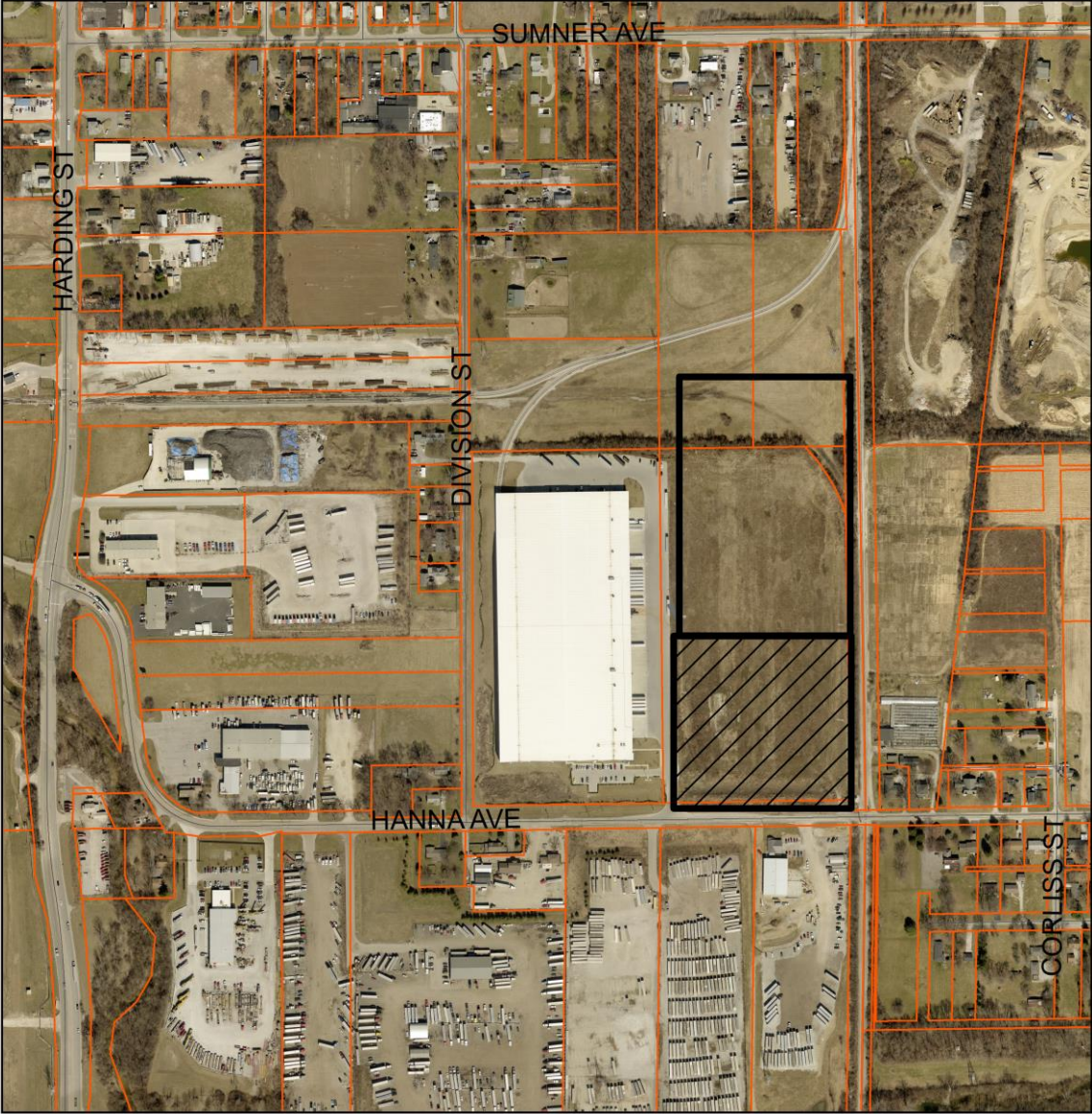
Staff believes this project does comply with the requirements of Metropolitan Development Commission Resolution No. 01-A-041, 2001 concerning the granting of property tax abatement.

**RECOMMENDATION:** Staff recommends approval of ten (10) years real property tax abatement and requested waiver.

**TOTALITY OF BENEFITS**

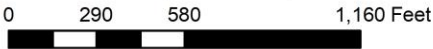

- PETITIONER:** Blue Polymers LLC
- INVESTMENT:** Staff estimates that the proposed investment of \$23,700,000.00 should result in an increase to the tax base of approximately \$17,775,000.00 of assessed value. Staff estimates that over the ten (10) year real property tax abatement period the petitioner will realize savings of approximately \$2,465,638.68 (a 50.1% savings). During the abatement period, the petitioner is expected to pay an estimated \$2,458,359.41 in real property taxes relative to the new investment. This is in addition to the current taxes being paid on this portion of the property in the amount of approximately \$21,189.90 annually (pay 2024 taxes). After the tax abatement expires, the petitioner can be expected to pay an estimated \$519,298.73 in real property taxes annually on the new improvements, in addition to the annual taxes attributable to the value of the existing improvements and land.
- EMPLOYMENT:** The petitioner estimates that this project will create sixty (60) new positions at an average wage of \$25.00/hr. Staff finds these figures to be reasonable for a project of this nature.
- OTHER BENEFITS:** Staff believes this project is significant for Perry Township in terms of new taxes and potential job creation and retention. Furthermore, staff believes the petitioner's project will lead to continued future investment and development in Marion County.
- STAFF COMMENT:** Staff believes the "Totality of Benefits" arising from the project are sufficient to justify the granting of the tax abatement.

Blue Polymers LLC  
1010 West Hanna Avenue - Hanna Avenue Business Park, Lot 1

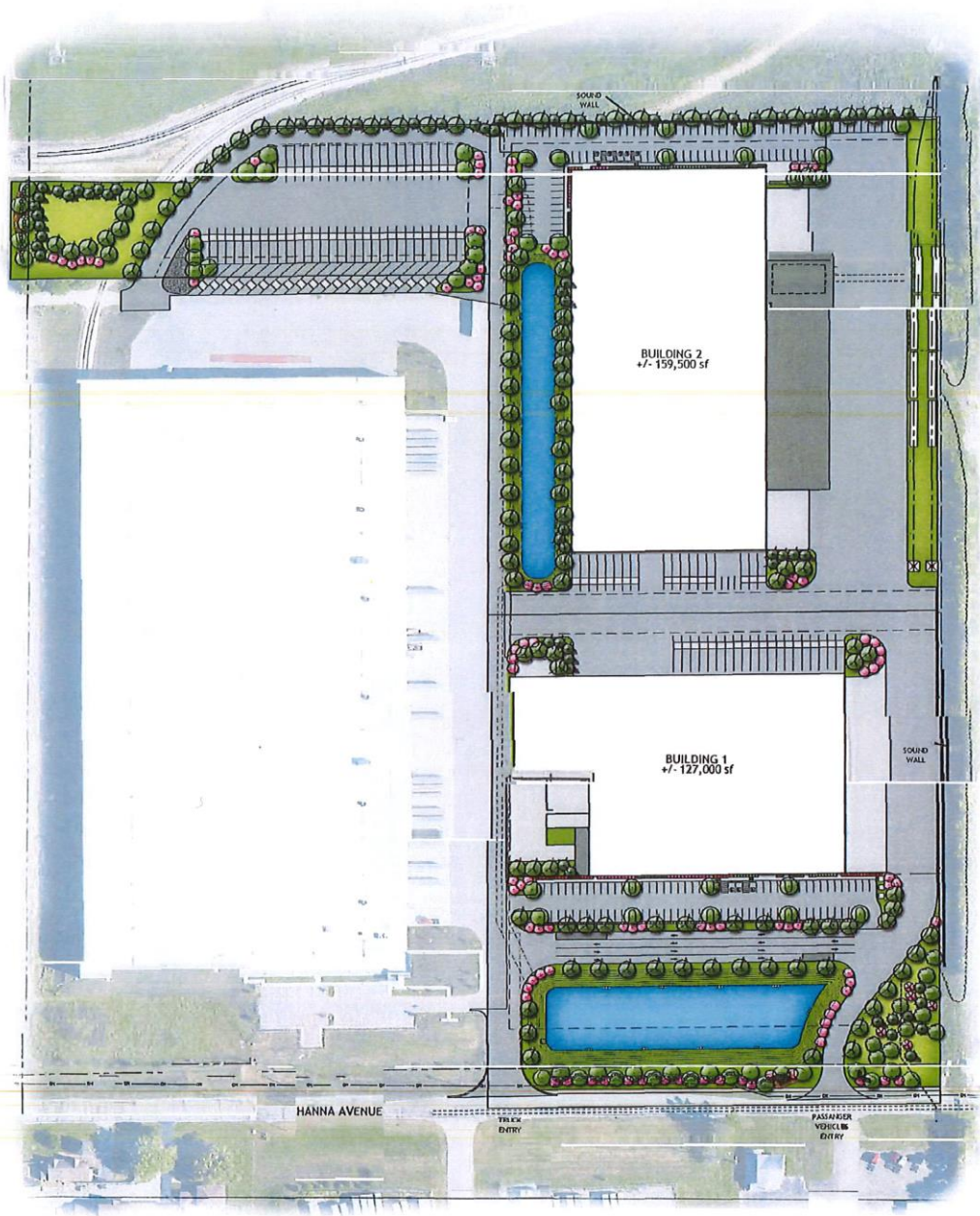


**Legend**

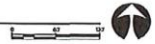
- IndyGo Transit Routes
- Parcels
- Project Site



Produced by: DMD REED January 18, 2024

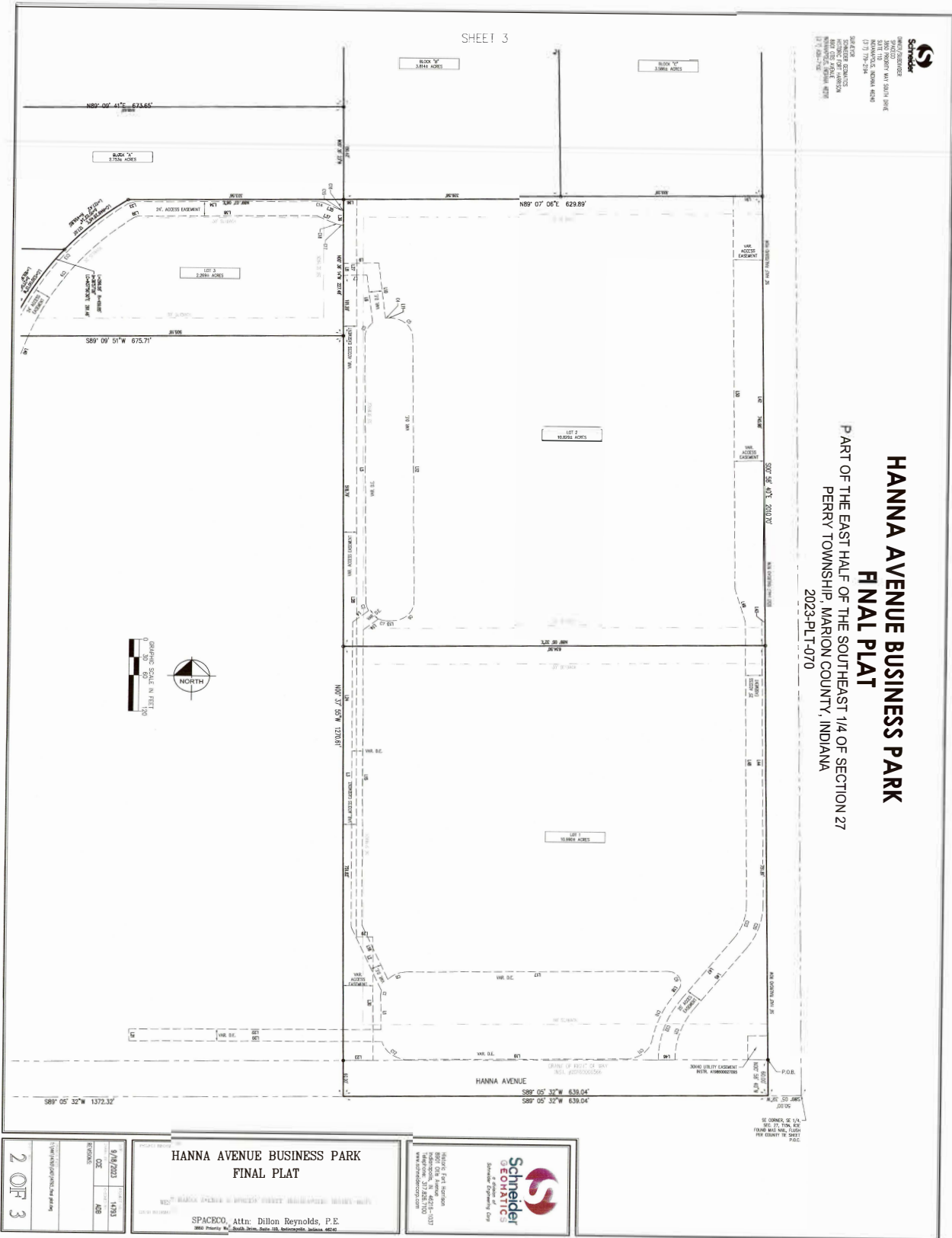


**INDY POLYMER**  
INDIANAPOLIS, IN | JULY, 2023  
Preliminary Plan – Subject to Change



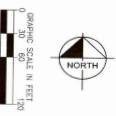
Logos for the project partners: Republic Services (a red star logo), LIA PIP design-group, Inc. (a logo with 'S' and 'P' in a square), and Lauth (a logo with 'LAUTH' and 'PROFESSIONAL SERVICE' below it).





**S**  
 SCHNEIDER  
 GEOMATICS  
 2000 S. 20th Avenue  
 Indianapolis, IN 46216-1333  
 Phone: 317.576.4400  
 Fax: 317.576.4401  
 www.schneidergeom.com

**HANNA AVENUE BUSINESS PARK  
 FINAL PLAT**  
 PART OF THE EAST HALF OF THE SOUTHEAST 1/4 OF SECTION 27  
 PERRY TOWNSHIP, MARION COUNTY, INDIANA  
 2023-PLT-070



DATE	9/19/2023	14753
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PROJECT	HANNA AVENUE BUSINESS PARK	
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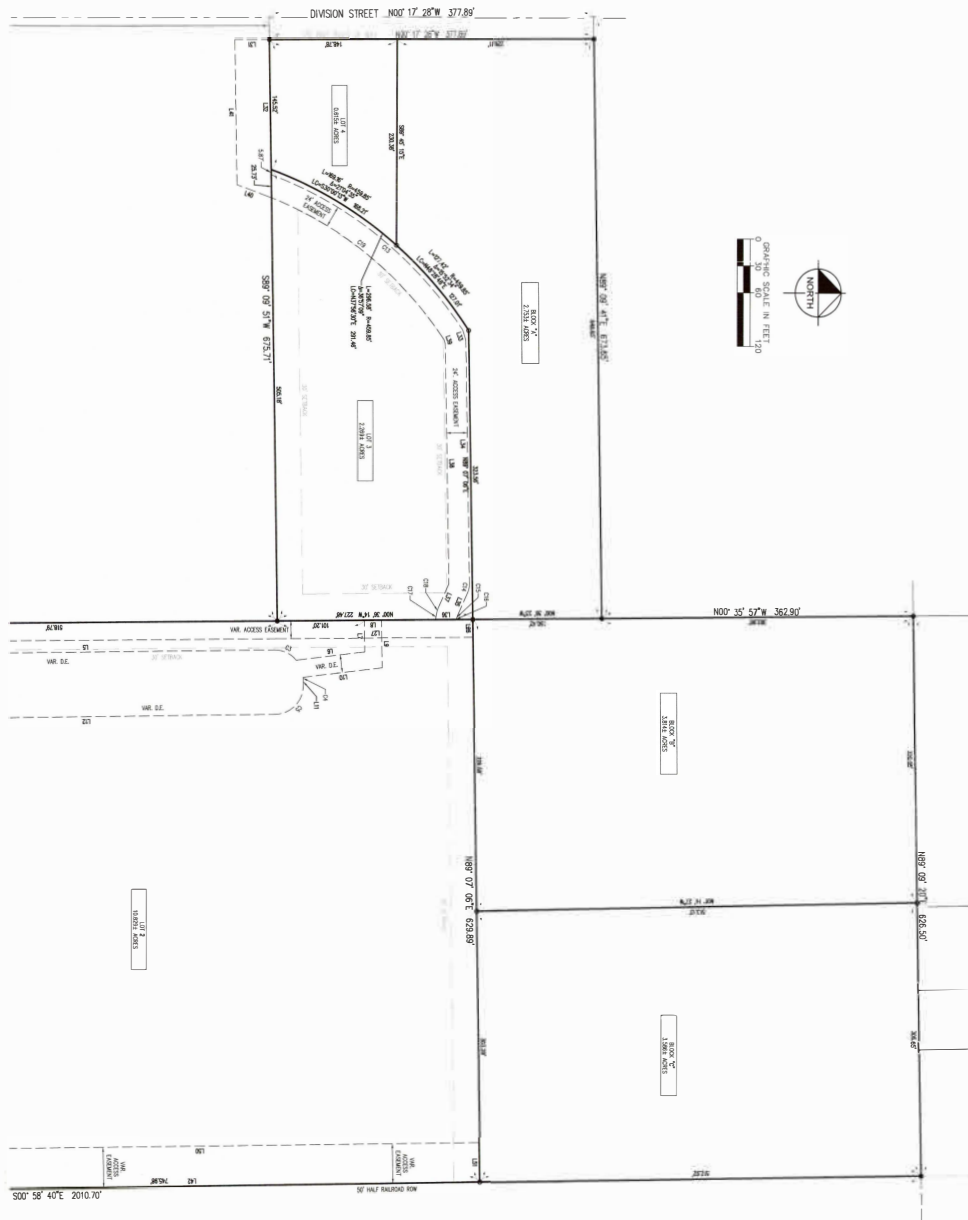
**HANNA AVENUE BUSINESS PARK  
 FINAL PLAT**  
 SPACEDCO, Attn: Dillon Reynolds, P.E.  
 8880 Perryway Rd., South Haven, Suite 100, Southport, Indiana 46288

**S**  
 Schneider  
 GEOMATICS  
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 PART OF THE EAST HALF OF THE SOUTHEAST 1/4 OF SECTION 27  
 PERRY TOWNSHIP, MARION COUNTY, INDIANA  
 2023-PLT-070

Lot #	Area	Dimensions	Area	Dimensions
124	1.00	100' 0" x 100' 0"	1.00	100' 0" x 100' 0"
123	1.00	100' 0" x 100' 0"	1.00	100' 0" x 100' 0"
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8	1.00	100' 0" x 100' 0"	1.00	100' 0" x 100' 0"
7	1.00	100' 0" x 100' 0"	1.00	100' 0" x 100' 0"
6	1.00	100' 0" x 100' 0"	1.00	100' 0" x 100' 0"
5	1.00	100' 0" x 100' 0"	1.00	100' 0" x 100' 0"
4	1.00	100' 0" x 100' 0"	1.00	100' 0" x 100' 0"
3	1.00	100' 0" x 100' 0"	1.00	100' 0" x 100' 0"
2	1.00	100' 0" x 100' 0"	1.00	100' 0" x 100' 0"
1	1.00	100' 0" x 100' 0"	1.00	100' 0" x 100' 0"



3 OF 3

**HANNA AVENUE BUSINESS PARK  
 FINAL PLAT**  
 SPACECO, Attn: Dillon Reynolds, P.E.  
 3000 Priority Pk South Drive, Suite 110, Indianapolis, Indiana, 46240

**Schneider**  
 ENGINEERING  
 8001 Old American Road  
 Indianapolis, Indiana 46240  
 (317) 297-7200  
 www.schneiderind.com



**METROPOLITAN DEVELOPMENT COMMISSION OF  
MARION COUNTY, INDIANA**

**PRELIMINARY ECONOMIC REVITALIZATION AREA RESOLUTION**

**Resolution No. 2024-A-006**

**PERSONAL PROPERTY TAX ABATEMENT**

**Blue Polymers LLC**  
1010 West Hanna Avenue  
a/k/a Hanna Avenue Business Park, Lot 1

**WHEREAS, I.C. 6-1.1-12.1** allows a partial abatement of property taxes attributable to the installation of Equipment (hereinafter the "Project") in Economic Revitalization Areas; and

**WHEREAS, I.C. 6-1.1-12.1** empowers the Metropolitan Development Commission (hereinafter "Commission") to designate Economic Revitalization Areas, determine the length of the abatement period and annual abatement schedule during the term of the abatement for such property and to limit the dollar amount of the deduction that will be allowed with respect to a Project, by following a procedure involving adoption of a preliminary resolution, provision of public notice, conducting of a public hearing, and adoption of a resolution confirming the preliminary resolution or a modified version of the preliminary resolution; and

**WHEREAS,** the Commission has established in Resolution No. 01-A-041, 2001, certain standards and procedures for the designation of Economic Revitalization Areas for the partial abatement of property taxes attributable to the installation of new equipment; and

**WHEREAS, I.C. 6-1.1-12.1** requires an applicant for Economic Revitalization Area designation to provide a statement of benefits and requires the Commission, before it makes a decision to designate such an area as an Economic Revitalization Area, to determine that the Project can be reasonably expected to yield the benefits identified in the statement of benefits and determine that the totality of benefits arising from the Project is sufficient to justify Economic Revitalization Area designation; and

**WHEREAS,** a business (hereinafter "Applicant") named in the attachment to this Resolution, which attachment is hereby incorporated by reference, has an ownership interest in the geographical area (hereinafter "Subject Real Estate") described in such attachment; and

**WHEREAS,** the Applicant has requested that the Subject Real Estate be designated as an Economic Revitalization Area for the purpose of achieving property tax savings in connection with the installation on the Subject Real Estate of certain new manufacturing, logistical distribution, information technology, and/or research and development equipment (hereinafter "Specified New Equipment"); and

**WHEREAS**, during a hearing at 1:00 p.m. on Wednesday, February 21, 2024, the Commission received evidence about whether the Subject Real Estate should be designated as an Economic Revitalization Area and sufficient evidence was provided which tended to establish Assertions 1, 2, 3, 4, 5 and 6 stated on the attachment to this Resolution.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Subject Real Estate is preliminarily designated as an Economic Revitalization Area for an abatement period of ten (10) years with a proposed abatement schedule as shown on the attachment to this Preliminary Resolution. Final designation as an Economic Revitalization Area does not occur unless a resolution confirming this Preliminary Resolution is adopted in accordance with the governing statute.
2. Designation as an Economic Revitalization Area allows a partial abatement of property taxes only relative to Specified New Equipment. However, on the written request of the Applicant, the Director of the Department of Metropolitan Development is allowed to authorize in writing, substitutions, modifications and additions which are not substantial in nature to the specified New Equipment, prior to March 1 of the year in which the initial certified deduction application for new equipment is filed with the Indiana Department of Local Government Finance.
3. **The Economic Revitalization Area designation terminates December 31, 2026. Accordingly, partial abatement of property taxes is allowed relative to Specified New Equipment installed and in operation on the Subject Real Estate during the period March 6, 2024, to December 31, 2026.** However, termination of this designation does not limit the time the Applicant or successor owner is entitled to receive a partial abatement of property taxes, relative to Specified New Equipment installed on the subject real estate before termination of such designation, to a period of less than ten (10) years. Pursuant to IC 6-1.1-12.1-2 (i), the Commission hereby limits the dollar amount of the deduction that will be allowed, with respect to installation of specified new equipment in the ERA, to those respective tax savings attributable to an equipment investment of not greater than \$52,000,000.00.
4. The partial abatement of property taxes attributable to the installation of Specified New Equipment is subject to limitations contained in I.C. 6-1.1-12.1-4.5 (c) and (d).
5. This Economic Revitalization Area designation is limited to allowing partial abatement of property taxes attributable to the installation of the Specified New Equipment on the Subject Real Estate and does not allow the abatement of real property taxes attributable to redevelopment or rehabilitation activities under I.C. 6-1.1-12.1-3.
6. Under the authority of I.C. 6-1.1-12.1, the Commission directs the Department of Metropolitan Development to survey projects receiving Economic Revitalization Area designation for compliance with job creation/retention figures, salaries associated with these figures and investment figures contained in the applicant's approved statement of benefits form. The annual date of survey shall be contained in a final resolution designating the property as an Economic Revitalization Area.

- 7. The Commission fixes 1:00 p.m. on Wednesday, March 6, 2024, in the Public Assembly Room of the City-County Building for the public hearing of remonstrances and objections from persons interested in the Project and directs the publication of notice of public hearing in accordance with the governing statute. At this hearing, the Commission will take action relative to this Preliminary Resolution and determine whether the Subject Real Estate should be designated as an Economic Revitalization Area and fix the length of the abatement period at ten (10) years.
  
- 8. A copy of this Resolution shall be filed with the Marion County Assessor.

**METROPOLITAN DEVELOPMENT COMMISSION**

\_\_\_\_\_  
John J. Dillon III, President

\_\_\_\_\_  
Date

Approved as to Legal Form  
and Adequacy this 9<sup>th</sup> day  
of February, 2024

Sheila Kinney      *sek*  
\_\_\_\_\_  
Sheila Kinney,  
Asst. Corporation Council

**ATTACHMENT TO**

**METROPOLITAN DEVELOPMENT COMMISSION RESOLUTION**

**PERSONAL PROPERTY TAX ABATEMENT**

**FACTUAL INFORMATION**

Applicant: Blue Polymers LLC

Subject Real Estate: 1010 West Hanna Avenue a/k/a  
Hanna Avenue Business Park, Lot 1

Perry Township Parcel Numbers: A portion of 5002696

**PROJECT DESCRIPTION**

Blue Polymers LLC, a collaboration between Republic Services Inc. and Ravago Manufacturing Americas LLC, is planning a \$52,000,000.00 investment in the equipment and personal property of a 127,000 sq ft recycling manufacturing building. This project will be one of two buildings located within a proposed 287,000 sq ft Polymer Recycling Complex on the south side of the city.

The project aims to recycle post-consumer plastic waste into resin pellets for sale and will supply recycled plastics to consumer-packaged goods for beverage containers, detergent bottles, and other durable/non-durable applications. Blue Polymers is committed to the concept of circularity, with a focus on more than 300 million pounds of plastic entering and re-entering the circular economy annually.

Blue Polymers, anticipates opening the Midwest's first Polymer Complex by the 4<sup>th</sup> quarter of 2024. They are committed to creating sixty (60) new jobs with an average wage of \$25.00/hr. by 2027. This aligns with their commitment to local economic growth and sustainable practices in the plastics industry.

**FACTUAL ASSERTIONS**

1. The application was filed with the Department of Metropolitan Development prior to the New Equipment being installed.
2. The specified New Equipment meets the definition of "New Manufacturing Equipment", "New Logistical Distribution Equipment", "New Information Technology Equipment", and/or "New Research and Development Equipment" found in I.C. 6-1.1-12.1, as interpreted by the Indiana Department of Local Government Finance.
3. The specified New Equipment will be installed on the Subject Real Estate in one of the following types of facilities:

- Existing facility
- Expanded facility
- New facility
- Vacated or converted facility

4. The facility meets the appropriate requirements:

A. of an existing, expanded, or vacated or converted facility, and

- the area in which the facility is located has become "undesirable for normal development" (as defined in Metropolitan Development Commission Resolution No. 01-A-041, 2001), or
- the operation in the facility is a distressed business (as defined in Resolution No. 97-A-110, 1997), and
- the specified new equipment is being installed to relieve the conditions causing the business to be distressed, and
- the facility is technologically, economically, or energy obsolete, continued obsolescence of which may lead to a decline in employment and tax revenues.

B. of a new facility, and

- the area in which the facility is located has become "undesirable for normal development" (as defined in Metropolitan Development Commission Resolution No. 01-A-041, 2001), or
- the operation in the facility is a distressed business (as defined in Resolution No. 97-A-110, 1997), and
- the specified new equipment is being installed to relieve the conditions causing the business to be distressed, and
- the facility is technologically, economically, or energy obsolete, continued obsolescence of which may lead to a decline in employment and tax revenues.

5. The facility will benefit Marion County by creating or retaining permanent jobs, increasing the property tax base, avoiding environmental harm, securing the attraction, retention, or expansion of targeted businesses.

6. The Subject Real Estate on which the facility is or will be located

- outside an Allocation Area as defined in I.C. 36-7-15.1-26; or
- inside an Allocation Area but has been determined by the Commission to be acceptable for personal property tax abatement.

**PROPOSED ABATEMENT SCHEDULE**  
**PERSONAL PROPERTY TAX ABATEMENT**

YEAR OF DEDUCTION	PERCENTAGE
1 <sup>st</sup>	100%
2 <sup>nd</sup>	90%
3 <sup>rd</sup>	80%
4 <sup>th</sup>	70%
5 <sup>th</sup>	60%
6 <sup>th</sup>	50%
7 <sup>th</sup>	40%
8 <sup>th</sup>	30%
9 <sup>th</sup>	20%
10 <sup>th</sup>	10%

**STAFF COMMENT**  
**PERSONAL PROPERTY TAX ABATEMENT**

Street Address:..... 1010 West Hanna Avenue (aka) Hanna Avenue Business Park, Lot 1

New Jobs Created:.....60

Jobs Retained:.....0

Estimated Cost of Equipment: \$52,000,000.00

**STAFF ANALYSIS**

Blue Polymers proposes to construct and operate a 127,000 sq ft recycling manufacturing facility that will be located within a 287,000 sq ft, two building Polymers Recycling Complex. The complex will consist of a manufacturing facility (this proposal) and an plastics recycling/office building (Republic Polymers II) and will be located on the south side of Indianapolis. The applicant will invest \$52,000,000.00 towards real property improvements to construct the manufacturing facility.

Blue Polymers goes beyond traditional recycling by incorporating advanced technology to create more sustainable products. Its recycled resins are formulated to meet individual customers' sustainability objectives, catering to a diverse range of applications such as food trays, milk jugs, detergent containers, and more. The company has embraced a commitment to sustainable practices in the plastics industry and local economic growth.

This project commits to create sixty (60) new jobs at an average wage of \$25.00/hr by 2027. The proposed use and the planned real estate investments will result in net benefits for Marion County. The petitioner will be investing five percent of its estimated abatement savings to support Employ Indy's workforce development programs, specifically; the Indy Achieves Completion Grant and a Youth Apprenticeship. The 5% commitment, totaling at least \$255,477.70, includes amounts owed for tax abatements on both real and personal property.

The applicant is requesting tax abatement to assist in off-setting the high costs of investment associated with this proposed project. The granting of property tax abatement will assist the petitioner in making this project more economically feasible by phasing in the increased tax liability resulting from the investments. In staff's opinion, a project such as this would not be economically feasible without the tax abatement incentive. Staff believes that the use of tax abatement is an appropriate tool to assist with this project and support continued development within Marion County. For these reasons, staff believes tax abatement to be an appropriate tool for development.

Staff believes this project does comply with the requirements of Metropolitan Development Commission Resolution No. 01-A-041, 2001 concerning the granting of property tax abatement.

**RECOMMENDATION:** Staff recommends approval of ten (10) years personal property tax abatement.



**TOTALITY OF BENEFITS**

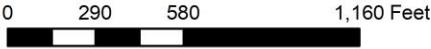
- PETITIONER:** Blue Polymers LLC.
- INVESTMENT:** Staff estimates that the proposed investment of \$52,000,000.00 should result in an increase to the tax base of approximately \$20,800,000.00 of assessed value in the first year of operation. Staff estimates that over the ten (10) year personal property tax abatement period the petitioner will realize savings of approximately \$2,643,915.25 (a 51.8% savings). During the abatement period, the petitioner is expected to pay an estimated \$2,456,270.75 in personal property taxes related to the new equipment. After the tax abatement expires, the petitioner can be expected to pay an estimated \$437,158.80 in personal property taxes annually related to the new equipment.
- EMPLOYMENT:** The petitioner estimates that this project will create sixty (60) new positions at an average wage of \$25.00/hr. Staff finds these figures to be reasonable for a project of this nature.
- OTHER BENEFITS:** Staff believes this project is significant for Perry Township in terms of new taxes and potential job creation and retention. Furthermore, staff believes the petitioner's project will lead to continued future investment in Marion County.
- STAFF COMMENT:** Staff believes the "Totality of Benefits" arising from the project are sufficient to justify the granting of the tax abatement.

Blue Polymers LLC  
1010 West Hanna Avenue - Hanna Avenue Business Park, Lot 1

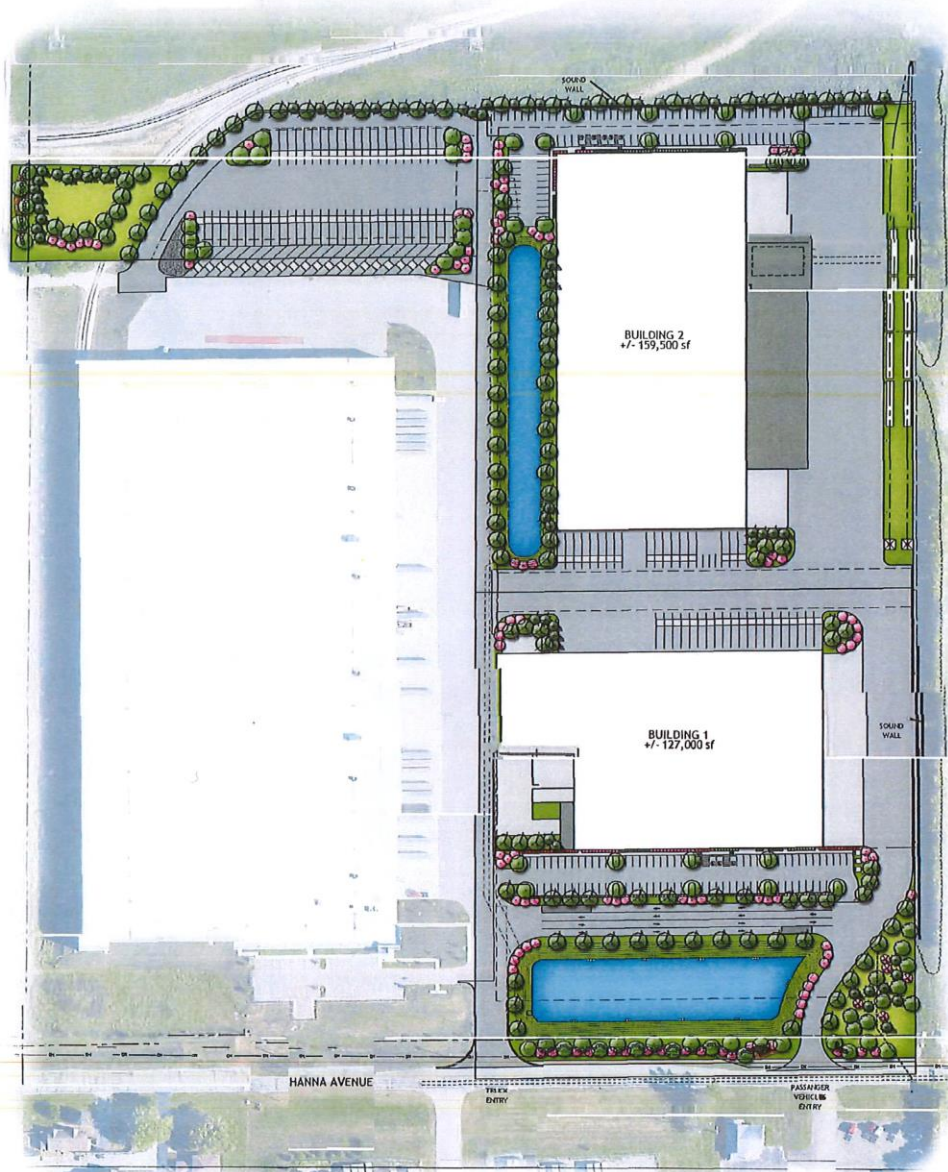


**Legend**

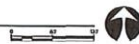
-  IndyGo Transit Routes
-  Parcels
-  Project Site



Produced by: DMD REED January 18, 2024



**INDY POLYMER**  
INDIANAPOLIS, IN | JULY, 2023  
Preliminary Plan – Subject to Change



**REPUBLIC SERVICES**  
**LAUTH** HOME. TRUST. EXPERIENCE.  
**SPRUELLCO INC.** CONSULTING ENGINEERS  
**LA PIP** design group, llc landscape architecture planning professionals



COMMERCIAL ZONING  
2000 PERRYWAY WEST SOUTH SIDE  
INDIANAPOLIS, INDIANA 46201  
(317) 776-2344

STANDARD SPECIFICATIONS  
FOR RECORD DRAWINGS  
INDIANAPOLIS, INDIANA 46201  
(317) 586-2300

LEADER	LOT NUMBER	ADDRESS
B-1	BEARING BRIDGE LANE	LOT 1 1002 WEST HANNA AVENUE
B-2	BRANIFF & FLINTY EXHIBIT	LOT 2 1010 WEST HANNA AVENUE
B-3	BRANIFF TRACT EXHIBIT	LOT 3 1030 WEST HANNA AVENUE
B-4	DAINTY EXHIBIT	LOT 4 3710 DUNSON STREET
B-5	PORT OF MARY	
B-6	WINDMILL	
B-7	THE WINDMILL EXHIBIT	
B-8	LANDSCAPE ARCHITECTURE ACCESS EXHIBIT	
B-9	DRAINAGE DITCH & SANDPIT SAND EXHIBIT	

MONUMENTATION
<input type="checkbox"/> RECORD THIS MONUMENT TO THE RECORD DRAWING. THE MONUMENT SHALL BE PLACED IN THE FIELD OF THE LOT OR EXHIBIT TO WHICH IT APPLIES. THE MONUMENT SHALL BE PLACED IN THE FIELD OF THE LOT OR EXHIBIT TO WHICH IT APPLIES. THE MONUMENT SHALL BE PLACED IN THE FIELD OF THE LOT OR EXHIBIT TO WHICH IT APPLIES.
<input type="checkbox"/> DO NOT RECORD THIS MONUMENT TO THE RECORD DRAWING. THE MONUMENT SHALL BE PLACED IN THE FIELD OF THE LOT OR EXHIBIT TO WHICH IT APPLIES. THE MONUMENT SHALL BE PLACED IN THE FIELD OF THE LOT OR EXHIBIT TO WHICH IT APPLIES. THE MONUMENT SHALL BE PLACED IN THE FIELD OF THE LOT OR EXHIBIT TO WHICH IT APPLIES.

**SEAL**

**REVIEWED AND APPROVED**  
MARIION COUNTY ASSESSOR  
OCT 13 2023  
MARIION COUNTY CLERK

**RECEIVED**  
OCT 13 2023  
MARIION COUNTY CLERK

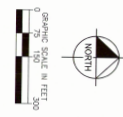
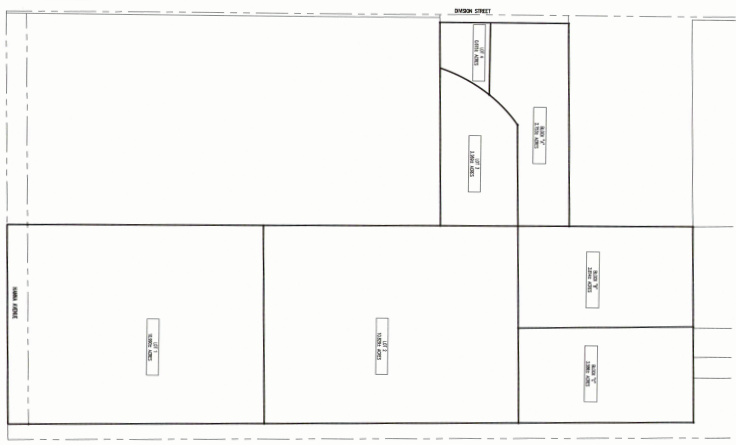
**SEAL**

**RECEIVED**  
OCT 13 2023  
MARIION COUNTY CLERK

# HANNA AVENUE BUSINESS PARK FINAL PLAT

PART OF THE EAST HALF OF THE SOUTHEAST 1/4 OF SECTION 27  
PERRY TOWNSHIP, MARION COUNTY, INDIANA  
2023-PL-I-070

ADDRESSES
LOT 1 1002 WEST HANNA AVENUE
LOT 2 1010 WEST HANNA AVENUE
LOT 3 1030 WEST HANNA AVENUE
LOT 4 3710 DUNSON STREET



PREPARED BY:  
MARIION COUNTY CLERK  
121112

## HANNA AVENUE BUSINESS PARK LEGAL DESCRIPTION

A PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 15 NORTH, RANGE 11 EAST, MARION COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

CONTAINING 11.16 ACRES OF LAND, BEING THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 15 NORTH, RANGE 11 EAST, MARION COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

WHEREAS SAID QUARTER SECTION 27, TOWNSHIP 15 NORTH, RANGE 11 EAST, MARION COUNTY, INDIANA, WAS DIVIDED INTO FOUR (4) QUARTERS BY DEED DATED AND RECORDED IN MARION COUNTY RECORDS AS FOLLOWS:

1. THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 15 NORTH, RANGE 11 EAST, MARION COUNTY, INDIANA, WAS DIVIDED INTO FOUR (4) QUARTERS BY DEED DATED AND RECORDED IN MARION COUNTY RECORDS AS FOLLOWS:

1. THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 15 NORTH, RANGE 11 EAST, MARION COUNTY, INDIANA, WAS DIVIDED INTO FOUR (4) QUARTERS BY DEED DATED AND RECORDED IN MARION COUNTY RECORDS AS FOLLOWS:

1. THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 15 NORTH, RANGE 11 EAST, MARION COUNTY, INDIANA, WAS DIVIDED INTO FOUR (4) QUARTERS BY DEED DATED AND RECORDED IN MARION COUNTY RECORDS AS FOLLOWS:



STATE OF INDIANA )  
COUNTY OF MARION )  
I, Andrew J. Brinkley, Notary Public for Marion County, Indiana, do hereby certify that the foregoing is a true and correct copy of the original instrument presented to me for recording, and that the instrument was duly recorded in the office of the Recorder of Deeds for Marion County, Indiana, on this 13th day of October, 2023.

Andrew J. Brinkley  
Notary Public for Marion County, Indiana

STATE OF INDIANA )  
COUNTY OF MARION )  
I, Sarah M. Thomas, Notary Public for Marion County, Indiana, do hereby certify that the foregoing is a true and correct copy of the original instrument presented to me for recording, and that the instrument was duly recorded in the office of the Recorder of Deeds for Marion County, Indiana, on this 13th day of October, 2023.

Sarah M. Thomas  
Notary Public for Marion County, Indiana

STATE OF INDIANA )  
COUNTY OF MARION )  
I, Nicholas H. Brinkley, Notary Public for Marion County, Indiana, do hereby certify that the foregoing is a true and correct copy of the original instrument presented to me for recording, and that the instrument was duly recorded in the office of the Recorder of Deeds for Marion County, Indiana, on this 13th day of October, 2023.

Nicholas H. Brinkley  
Notary Public for Marion County, Indiana

STATE OF INDIANA )  
COUNTY OF MARION )  
I, Matthew J. Brinkley, Notary Public for Marion County, Indiana, do hereby certify that the foregoing is a true and correct copy of the original instrument presented to me for recording, and that the instrument was duly recorded in the office of the Recorder of Deeds for Marion County, Indiana, on this 13th day of October, 2023.

Matthew J. Brinkley  
Notary Public for Marion County, Indiana

**HANNA AVENUE BUSINESS PARK  
FINAL PLAT**

WEST HANNA AVENUE & DIVISION STREET, INDIANAPOLIS, INDIANA 46207

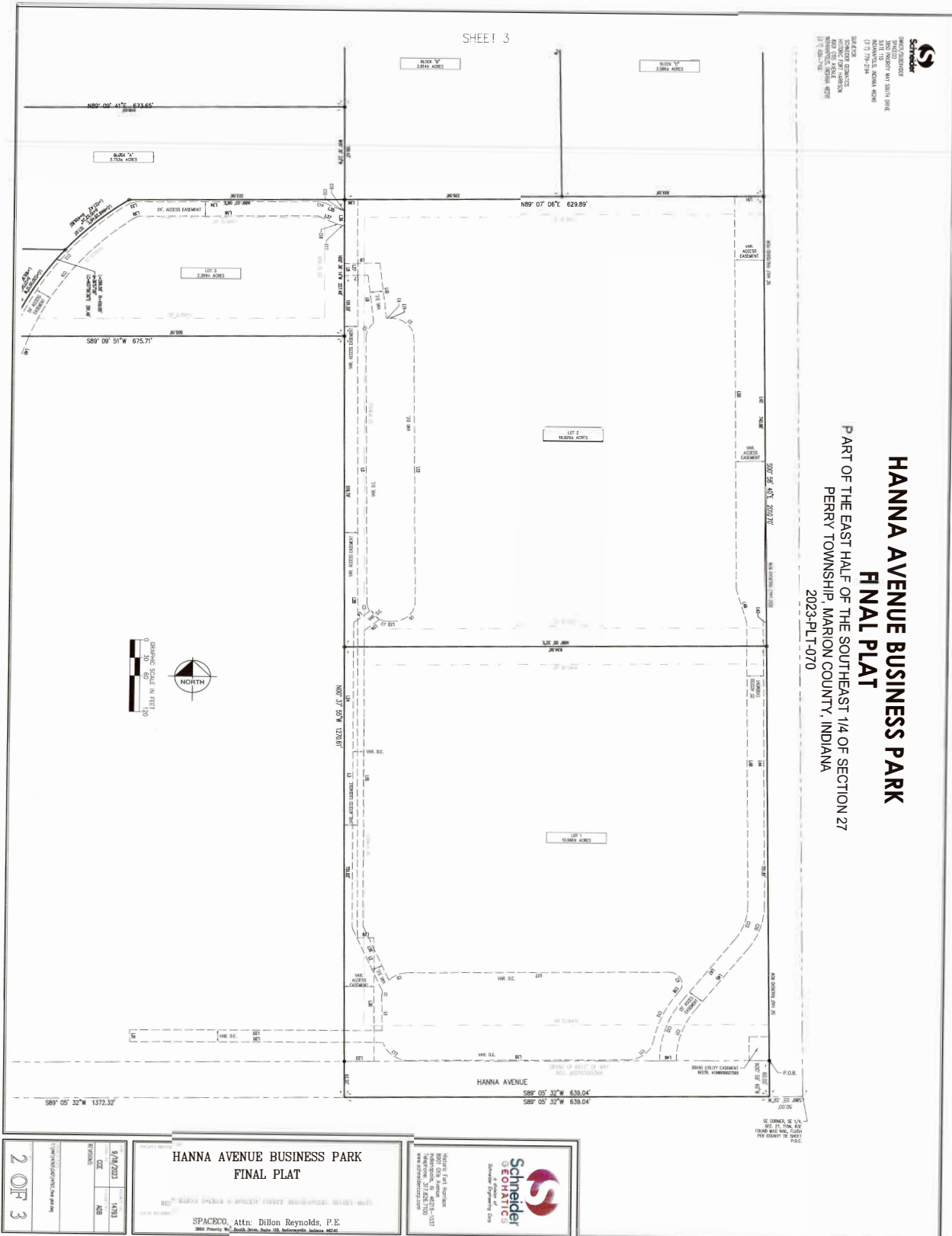
SPACEDCO, Attn: Dillon Reynolds, P.E.  
1000 Perryway West, Suite 200  
Indianapolis, IN 46201  
www.spacedco.com

9/7/2023 1433  
CSC A08

1 OF 3

**Schneider  
EONATICS**

3000 Perryway West, Suite 200  
Indianapolis, IN 46201  
www.schneidercorp.com



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Lot #	Area	Dimensions	Volume
101	100.00	100.00	100.00
102	100.00	100.00	100.00
103	100.00	100.00	100.00
104	100.00	100.00	100.00
105	100.00	100.00	100.00
106	100.00	100.00	100.00
107	100.00	100.00	100.00
108	100.00	100.00	100.00
109	100.00	100.00	100.00
110	100.00	100.00	100.00
111	100.00	100.00	100.00
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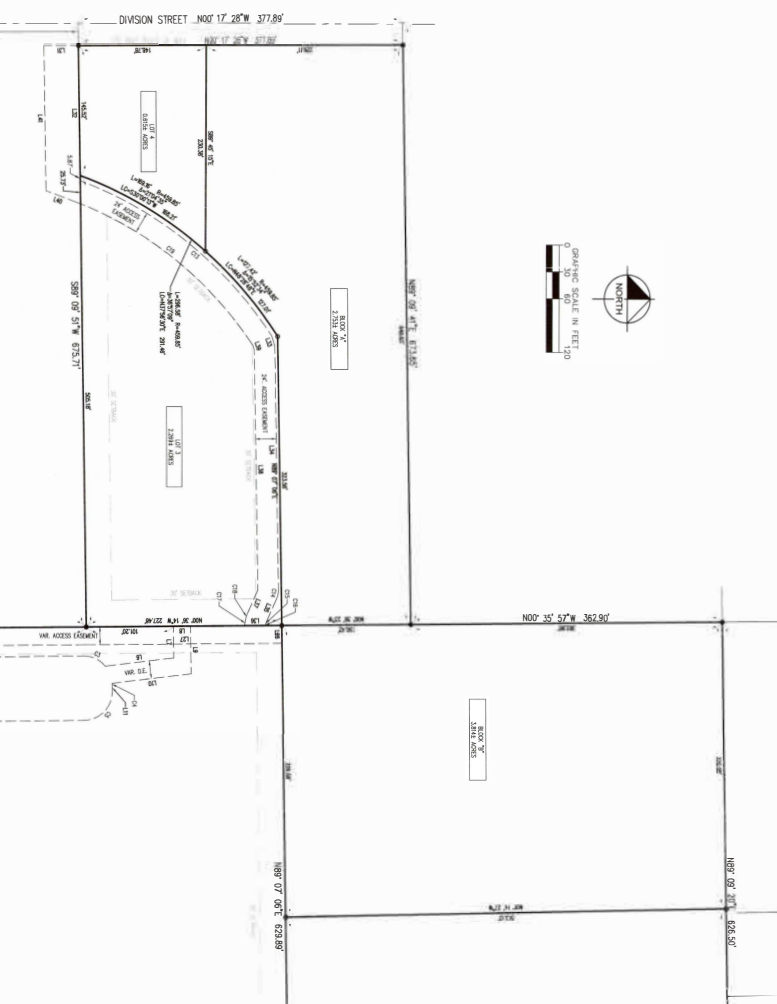
Lot #	Area	Dimensions	Volume
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133	100.00	100.00	100.00
134	100.00	100.00	100.00
135	100.00	100.00	100.00
136	100.00	100.00	100.00
137	100.00	100.00	100.00
138	100.00	100.00	100.00
139	100.00	100.00	100.00
140	100.00	100.00	100.00

Lot #	Area	Dimensions	Volume
141	100.00	100.00	100.00
142	100.00	100.00	100.00
143	100.00	100.00	100.00
144	100.00	100.00	100.00
145	100.00	100.00	100.00
146	100.00	100.00	100.00
147	100.00	100.00	100.00
148	100.00	100.00	100.00
149	100.00	100.00	100.00
150	100.00	100.00	100.00
151	100.00	100.00	100.00
152	100.00	100.00	100.00
153	100.00	100.00	100.00
154	100.00	100.00	100.00
155	100.00	100.00	100.00

Lot #	Area	Dimensions	Volume
156	100.00	100.00	100.00
157	100.00	100.00	100.00
158	100.00	100.00	100.00
159	100.00	100.00	100.00
160	100.00	100.00	100.00
161	100.00	100.00	100.00
162	100.00	100.00	100.00
163	100.00	100.00	100.00
164	100.00	100.00	100.00
165	100.00	100.00	100.00
166	100.00	100.00	100.00
167	100.00	100.00	100.00
168	100.00	100.00	100.00
169	100.00	100.00	100.00
170	100.00	100.00	100.00

Lot #	Area	Dimensions	Volume
171	100.00	100.00	100.00
172	100.00	100.00	100.00
173	100.00	100.00	100.00
174	100.00	100.00	100.00
175	100.00	100.00	100.00
176	100.00	100.00	100.00
177	100.00	100.00	100.00
178	100.00	100.00	100.00
179	100.00	100.00	100.00
180	100.00	100.00	100.00
181	100.00	100.00	100.00
182	100.00	100.00	100.00
183	100.00	100.00	100.00
184	100.00	100.00	100.00
185	100.00	100.00	100.00

Lot #	Area	Dimensions	Volume
186	100.00	100.00	100.00
187	100.00	100.00	100.00
188	100.00	100.00	100.00
189	100.00	100.00	100.00
190	100.00	100.00	100.00
191	100.00	100.00	100.00
192	100.00	100.00	100.00
193	100.00	100.00	100.00
194	100.00	100.00	100.00
195	100.00	100.00	100.00
196	100.00	100.00	100.00
197	100.00	100.00	100.00
198	100.00	100.00	100.00
199	100.00	100.00	100.00
200	100.00	100.00	100.00



**HANNA AVENUE BUSINESS PARK  
 FINAL PLAT**

PART OF THE EAST HALF OF THE SOUTHEAST 1/4 OF SECTION 27  
 PERRY TOWNSHIP, MARION COUNTY, INDIANA  
 2023-PLT-070

**Schneider**  
 ENGINEERING  
 8001 Old American Road  
 Indianapolis, Indiana 46240  
 (317) 297-7200  
 FAX: (317) 297-7201  
 www.schneidercorp.com

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**HANNA AVENUE BUSINESS PARK  
 FINAL PLAT**

SPACECO, Attn: Dillon Reynolds, P.E.  
 3000 Priority Pk South Drive, Suite 110, Indianapolis, Indiana, 46240

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 Indianapolis, Indiana 46240  
 (317) 297-7200  
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3 OF 3

**METROPOLITAN DEVELOPMENT COMMISSION OF  
MARION COUNTY, INDIANA**

**RESOLUTION WAIVING CERTAIN FILING REQUIREMENTS OF THE ECONOMIC  
REVITALIZATION AREA DESIGNATION APPROVED BY RESOLUTION  
2019-A-019,**

**RESOLUTION NO. 2024-A-008**

**PERSONAL PROPERTY TAX ABATEMENT**

**IMH Products, Inc.**

1925 Columbia Avenue

**WHEREAS, I.C. 6-1.1-12.1** allows a partial abatement of property taxes attributable to the installation of new equipment (hereinafter the "Project") in Economic Revitalization Areas; and

**WHEREAS,** on Wednesday, March 6<sup>th</sup>, 2019 the Metropolitan Development Commission (hereinafter "Commission") adopted Preliminary Economic Revitalization Area Resolution No. 2019-A-013, 2019 preliminarily designating 1925 Columbia Avenue, Indianapolis, Indiana (the "Subject Real Estate") as an Economic Revitalization Area; and

**WHEREAS,** on Wednesday, March 20<sup>th</sup>, 2019 after conducting a public hearing, the Commission adopted Final Economic Revitalization Area Resolution No. 2019-A-019, 2019 (hereinafter, the "Resolution"), designating the Subject Real Estate as an Economic Revitalization Area for the purpose of receiving nine (9) years personal property tax abatement for the benefit of IMH Products, Inc. achieving property tax savings in connection with the installation on the Subject Real Estate of certain new manufacturing, logistical distribution, information technology, and/or research and development equipment (hereinafter "Applicant" and the "Abatement"); and

**WHEREAS, I.C. 6-1.1-12.1-5** requires an Applicant for Economic Revitalization Area designation to annually file with the personal property return a certified deduction schedule, including forms known as the Compliance with a Statement of Benefits Real Estate Improvements Property, or Form CF1/Personal Property (hereinafter "CF-1"), (hereinafter the "Deduction Application") with the Marion County Assessor (hereinafter "Assessor"); and

**WHEREAS,** on September 22, 2023, Applicant filed the 2023 and 2024 CF-1 forms with Department of Metropolitan Development, as staff to the Commission, which indicated Applicant has exceeded the job commitment of 30 new positions, was compliant with retained positions and new and retained wage commitments, and has meet the Personal Property Investment commitment per the Memorandum of Agreement, signed in consideration of the Abatement; and

**WHEREAS, I.C. 6-1.1-12.1-11.3(a)(5)** allows the Commission to waive non-compliance for certain filing requirements of the statutory abatement process, including the filing deadline for the certified deduction applications, provided that the Commission holds a public hearing and adopts a resolution approving such waivers (hereinafter "the Waivers"); and

**WHEREAS,** the Assessor, without the Commission's adoption of the Waivers, is legally prohibited from accepting the Applicant's deduction applications due to the untimeliness of the filing; and

**WHEREAS**, the Commission fixed 1:00 p.m. on February 21<sup>st</sup>, 2024 in the Public Assembly Room of the City-County Building for public hearing regarding the Waivers of Applicant’s noncompliance relative to the 2023 Pay 2024 deduction application filing dates (hereinafter, the “Public Hearing”); and

**WHEREAS**, such Public Hearing shall only consider the specified Waiver relative to the Applicant’s deduction filing and shall not constitute any other waiver of non-compliance of any other requirements of the Project pursuant to the Resolution and the executed Memorandum of Agreement, including but not limited to the Applicant’s commitments regarding the number and deadline dates for job creation and retention, wages and salaries of Applicant’s employees, and capital investment in the Project; and

**WHEREAS**, the Department of Metropolitan Development published proper legal notices for the Public Hearing stating the time, date, and location that the Commission would hear remonstrances and public input concerning the Waiver of Applicant’s noncompliance with the filing deadline for the 2023 Pay 2024 Abatement deduction applications.

**NOW, THEREFORE, IT IS RESOLVED:**

- 1. Following the Public Hearing and after consideration of all public input and the facts presented to the Commission, the Commission now confirms, adopts and approves the Waiver of Applicant’s failure to file, in a timely manner, the 2023 deduction applications, for which Applicant desires to claim deductions for taxes payable in 2024 under I.C. 6-1.1-12.1 *et seq.*, and the Commission finds and confirms all such noncompliance relative to the 2023 Pay 2024 deduction application filing deadline is hereby waived.
- 2. A copy of this resolution shall be filed with the Marion County Auditor.

METROPOLITAN DEVELOPMENT COMMISSION

\_\_\_\_\_  
John J. Dillon III, President

\_\_\_\_\_  
Date

Approved as to Legal Form  
and Adequacy this 21<sup>st</sup> day  
of February 2024.

Sheila Kinney *sek*  
\_\_\_\_\_  
Approved for Legal Form and Adequacy  
Office of Corporation Counsel



**METROPOLITAN DEVELOPMENT COMMISSION  
OF  
MARION COUNTY, INDIANA**

**RESOLUTION NO. 2024-P-004**

Resolution 2024-P-004 determines that the 2024 annual fee to be paid by the public water supply systems of Marion County for the purpose of funding the Groundwater Protection Fund shall be an aggregate amount of \$275,000 and determines that the individual public water utility systems shall pay the following respective amounts: Citizens Energy Group \$259,270, Lawrence Water Company \$12,293, and Speedway Water Works \$3,437.

WHEREAS, the Wellfield Protection Secondary Zoning Districts Ordinance of Marion County establishes a Groundwater Protection Fund to be used to fund certain matters related to Wellfield Protection; and

WHEREAS, the Wellfield Protection Secondary Zoning Districts Ordinance further provides that each public water supply system that pumps groundwater from one or more wells located within a W-1 or W-5 Wellfield Protection Secondary Zoning District shall pay an annual fee into the Groundwater Protection Fund; and

WHEREAS, the Wellfield Protection Secondary Zoning Districts Ordinance further provides that the annual fee to be paid by each public water supply system shall be determined by the Metropolitan Development Commission based on the approved groundwater protection fund budget (Exhibit A, attached) and a percentage determined by dividing the number of customers served by the individual public water supply system at the end of the calendar year by the total number of customers served at the end of the calendar year by all public water supply systems that pump from one or more wells within a W-1 or W-5 District; and

WHEREAS, the Department of Metropolitan Development has calculated the annual fee for 2024 for each of the water supply systems as shown on Exhibit A attached hereto;

NOW THEREFORE BE IT RESOLVED that the Metropolitan Development Commission hereby determines that the 2024 annual groundwater protection fee for each affected water utility is as follows:

<b>Public Water Utility System</b>	<b>2024 Groundwater Protection Fee</b>
Citizens Energy Group	\$259,270
Lawrence Water Company	\$12,293
Speedway Water Works	\$3,437
<b>TOTAL</b>	<b>\$275,000</b>

Dated: \_\_\_\_\_

\_\_\_\_\_  
John J. Dillon III, President  
Metropolitan Development Commission

Approved as to Legal Form this \_\_\_\_\_ day of February 2024.

\_\_\_\_\_  
Christopher Steinmetz  
Assistant Corporation Counsel

**EXHIBIT A**  
**Resolution 2024-P-004**

**2024 GROUNDWATER PROTECTION FEE**

Section 742-204, the Wellfield Protection Secondary Zoning Districts Ordinance, states that *“Each public water supply system that pumps groundwater from one or more wells located within a W-1 or W-5 Wellfield Protection district shall pay into the groundwater protection fund a percentage of the annual fee assessed by the Commission, such percentage to be determined by dividing the number of customers served by the water supply system at the end of the calendar year by the total number of customers served at the end of the calendar year by all public water supply systems that pump from one or more wells within a W-1 or W-5 Wellfield Protection district.”*

The following table breaks down the Groundwater Protection Fee due from each supplier based on the number of customers each supplier served on December 31, 2023.

<b>Public Water Utility System</b>	<b>Number of Customers (as of 12-31-23)</b>	<b>Percent of Total Customers</b>	<b>2023 Groundwater Protection Fee</b>
Citizens Energy Group	323,213	94.28%	\$259,270
Lawrence Water Company	15,347	4.47%	\$12,293
Speedway Water Works	4,288	1.25%	\$3,437
<b>TOTAL</b>	<b>342,848</b>	<b>100.00%</b>	<b>\$275,000</b>

**METROPOLITAN DEVELOPMENT COMMISSION  
OF  
MARION COUNTY, INDIANA**

**RESOLUTION NO. 2024-P-005**

RESOLUTION 2024-P-005 establishes and approves a budget of \$275,000 for the Groundwater Protection Fund and authorizes the Department of Metropolitan Development to continue administrating the Fund for the purposes of education and voluntary business registration efforts through the Marion County Wellfield Education Corporation (MCWEC) and implementation of the Wellfield Protection Secondary Zoning District section of the Indianapolis Consolidated Zoning and Subdivision Ordinance.

WHEREAS, the Indianapolis Consolidated Zoning and Subdivision Ordinance of Marion County establishes a Groundwater Protection Fund to cover the costs incurred in establishing and maintaining a Wellfield Protection program; and

WHEREAS, the Marion County Wellfield Education Corporation has been authorized by the City-County Council to develop and implement a Wellfield Education and Registration program for Marion County; and

WHEREAS, a Technically Qualified Person is required to review petitions within the wellfield protection areas of Marion County; and

NOW THEREFORE BE IT RESOLVED that the Metropolitan Development Commission hereby approves the 2024 budget of \$275,000 for the Groundwater Protection Fund in Marion County.

Dated: \_\_\_\_\_  
John J. Dillon III, President  
Metropolitan Development Commission

Approved as to Legal Form this \_\_\_\_\_ day of February 2024.

\_\_\_\_\_  
Christopher Steinmetz  
Assistant Corporation Counsel



**METROPOLITAN DEVELOPMENT COMMISSION** **February 21, 2024**

**Case Number:** 2023-ZON-114

**Property Address:** 2307 Post Drive

**Location:** Warren Township; Council District #19

**Petitioner:** Indy 70, LLC, by Bill Niemier

**Current Zoning:** C-4

**Request:** Rezoning of 1.714 acres from the C-4 district to the I-3 district to provide for truck parking.

**Current Land Use:** Vacant land

**Staff Recommendations:** Recommends Denial

**Staff Reviewer:** Kathleen Blackham, Senior Planner

**PETITION HISTORY**

The Hearing Examiner acknowledged the timely automatic continuance filed by a registered neighborhood organization that continued this petition from the December 28, 2023 hearing, to the January 25, 2024 hearing.

This petition was heard by the Hearing Examiner on January 25, 2024. After a full hearing, the Hearing Examiner recommended denial of the rezoning. Subsequently, the petitioner’s representative filed an appeal of the Hearing Examiner’s decision. A memorandum of her recommendation is attached.

**STAFF RECOMMENDATION**

Denial. If approved staff requests that approval be subject to the following commitments being reduced to writing on the Commission’s Exhibit “B” forms at least three days prior to the MDC hearing:

1. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptacles provided for the proper disposal of trash and other waste.
2. A final site plan shall be submitted for Administrator Approval prior to any disturbance on the site and prior to the issuance of an Improvement Location Permit (ILP).

**PETITION OVERVIEW**



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

This 1.714-acre site, zoned C-4, is vacant land surrounded by industrial uses to the north, zoned I-2; Interstate 70 right-of-way to the south, zoned C-4 / SU-9; commercial uses to the east, zoned C-4; and an extended-stay hotel to the west, zoned C-4.

### Rezoning

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

As proposed, the rezoning request would not be consistent with the Comprehensive Plan recommendation of community commercial, which would contemplate either C-3 (Neighborhood Commercial) or C-4 (Community-Regional), depending upon the surrounding land uses.

Staff believes the introduction of more intense industrial uses would not be appropriate and would be detrimental to the surrounding land uses.

Furthermore, the grant of a Special Exception for this use would be required in accordance with the Ordinance, along with all development standards.

No site plan for the proposed use has been submitted but because this site has been cleared, staff believes there are no encumbrances that would prevent redevelopment of the site that would comply with all development standards. In other words, staff would not support any requested variances as final plans are prepared if this is approved.

### Environmental Public Nuisances

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

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

Environmental public nuisance means:

1. Vegetation on private or governmental property that is abandoned, neglected, disregarded or not cut, mown, or otherwise removed and that has attained a height of twelve (12) inches or more;
2. Vegetation, trees or woody growth on private property that, due to its proximity to any governmental property, right-of-way or easement, interferes with the public safety or lawful



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

use of the governmental property, right-of-way or easement or that has been allowed to become a health or safety hazard;

3. A drainage or stormwater management facility as defined in Chapter 561 of this Code on private or governmental property, which facility has not been maintained as required by that chapter; or

4. Property that has accumulated litter or waste products, unless specifically authorized under existing laws and regulations, or that has otherwise been allowed to become a health or safety hazard.

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

## GENERAL INFORMATION

<b>Existing Zoning</b>	C-4	
<b>Existing Land Use</b>	Commercial uses (vacant)	
<b>Comprehensive Plan</b>	Office Commercial	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
North:	I-2	Industrial uses
South:	C-4 / SU-9	Interstate 70 right-of-way
East:	C-4	Commercial uses
West:	C-4	Extended stay hotel
<b>Thoroughfare Plan</b>		
Post Drive	Marion County Thoroughfare Plan (2019)	This portion of Post Drive is a private street with a 52-foot right-of-way.
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	This site is not located within a floodway / floodway fringe.	
<b>Overlay</b>	This site is not located within an overlay.	
<b>Wellfield Protection Area</b>	This site is not located within a wellfield protection area.	
<b>Site Plan</b>	N/A	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	N/A	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	N/A	

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

- The Comprehensive Land Use Plan for Indianapolis and Marion County (2018) recommends community commercial typology for the site.
- The Community Commercial typology provides for low-intensity commercial, and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small, integrated centers. Examples include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.

**Pattern Book / Land Use Plan**

- The Pattern Book lays out a land use classification system that guides the orderly development of the county, protects the character of neighborhoods, and serves as a policy guide for development or redevelopment of a site.
- The following elements of the Pattern Book apply to this site:

*Conditions for All Land Use Types*

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

*Large-Scale Offices, Retailing, And Personal or Professional Services (defined as commercial uses with minimal outdoor operations, storage, or display on lots of more than 1.5 acres and a height of more than 35 feet.)*

- Should be located along an arterial street.
  - Outdoor display of merchandise should be limited.
  - If adjacent to residential uses or a Living Typology, outdoor display of merchandise is not recommended.
  - If proposed within one-half mile along an adjoining street of an existing or approved residential development, then connecting, continuous pedestrian infrastructure between the proposed site and the residential development (sidewalk, greenway, or off-street path) should be in place or provided.
  - Should be no larger than 25 acres with 125,000 square feet of floor space and no more than three out lots.
- Industrial uses are not included as a recommended land use by The Pattern Book.



**Red Line / Blue Line / Purple Line TOD Strategic Plan**

- Not Applicable to the Site.

**Neighborhood / Area Specific Plan**

- Not Applicable to the Site.

**Infill Housing Guidelines**

- Not Applicable to the Site.

**Indy Moves**

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

- Not Applicable to the Site.





Department of Metropolitan Development  
Division of Planning  
Current Planning

## ZONING HISTORY

**97-Z-177; 2301 Post Drive (west of site)**, requested rezoning of 4.15 acres from the I-2-S district to the C-4 classification to provide for commercial uses, **approved**.

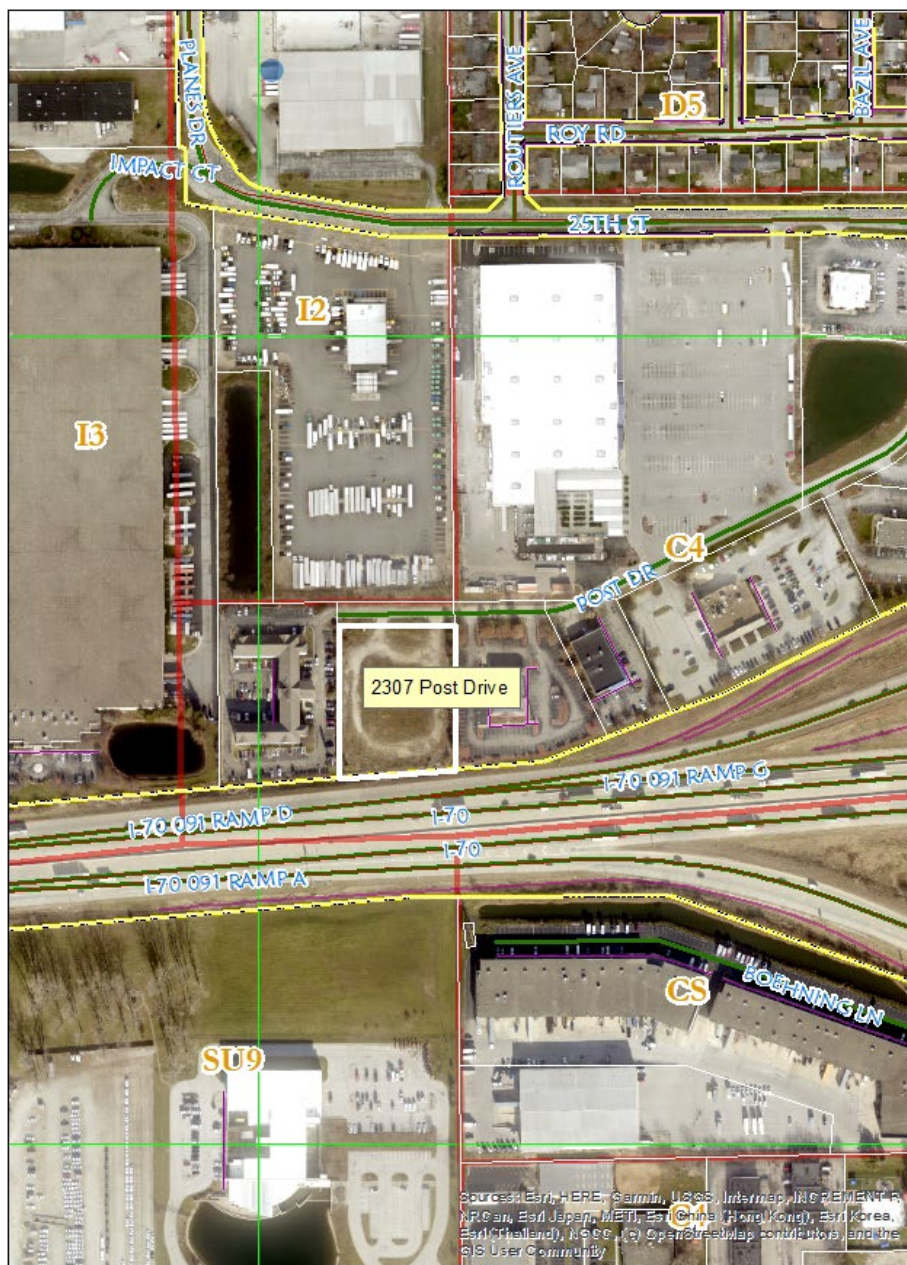
**89-Z-240 A, B, and C; 2490 North Post Road (east of site)**, requested rezoning of 15.86 acres, being in the D-7, C-4, and C-1 districts to the C-4, C-3 and C-6 classification, **approved**.

**87-Z-26; 2502 North Post Road (east of site)**, requested rezoning of 98.35 acres, being in the I-2-S, I-3-S, D-7, C-1 and C-4 districts to the C-S classification to provide for a mixed-use complex consisting of a water park, outdoor recreation, offices, restaurants, motels, neighborhood retail uses, light industrial use and office-warehouse, **withdrawn**.

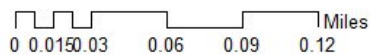
**87-Z-25; 2450 Tobey Drive (north of site)**, requested rezoning of 18 acres, being in the I-3-S district to the SU-16 classification, **withdrawn**.

kb

EXHIBITS



2307 Post Drive





Department of Metropolitan Development  
Division of Planning  
Current Planning

## MEMORANDUM OF EXAMINER'S DECISION

**2023-ZON-114**

**2307 Post Drive**

The petition requests the rezoning of 1.71 acres from the C-4 district to the I-3 district to provide for truck parking.

Your Hearing Examiner visited the undeveloped site prior to the hearing and noted the extended stay hotel west of it and the commercial uses east of it. Interstate 70 abuts the site on the south, and light industrial uses are north of it.

The petitioner's representative said that the petitioner bought the site about 5 years ago, and no interest had been shown in it, other than for truck parking. The representative explained that the site had become blighted and a place for dumping and homeless camps, and suggested that truck parking was better than these uses.

The new City-County Councilor for this district appeared in opposition, there was a letter of opposition from the Councilor for the adjacent district, and it was shared that Warren Township Development Association also opposed the petition. It was mentioned that numerous truck parking facilities are trying to locate in Warren Township.

Staff opined that the existing C-4 district is appropriate for this site, and I-3 is not. Staff stated that truck parking on this site does not fit in with existing uses, especially given its characteristic of operating all hours every day. Staff reiterated that a Special Exception would be required to allow truck parking, and that petition was not filed.

In your Hearing Examiner's opinion, it is the property owner's responsibility to keep this site clean and secure. The requested I-3 district is inconsistent with surrounding zoning districts and inappropriate for this area. Denial of this petition was recommended.

For Metropolitan Development Commission Hearing on February 21, 2024



View looking east along Post Drive



View looking west along Post Drive



View of site looking south across Post Drive



View of site looking south across Post Drive



View of site looking south across Post Drive



View of site looking east from adjacent property to the west



View from site looking west from adjacent property to the east



View of site looking west from adjacent property to the east



View from site looking northwest at adjacent use to the west



View from site looking northwest





View from site looking north across Post Road



View from site looking north across Post Drive



View from site looking north across Post Drive



View from site looking northwest across Post Drive



View from site looking north across Post Drive



View from site looking northeast across Post Drive

STAFF REPORT

Department of Metropolitan Development  
Division of Planning  
Current Planning Section

**Case Number:** 2023-CAP-856 / 2023-CVR-856 (Amended)  
**Address:** 6333 and 6345 West Thompson Road (approximate address)  
**Location:** Decatur Township, Council District #20  
**Zoning:** C-1  
**Petitioner:** Derrick S. Emmons & Sue Ann Emmons and Kentucky Avenue Holdings, LLC, by William T. Niemier  
**Request:** Modification of Commitment, related to 2003-ZON-119, to modify Commitment #2 to allow for a painting business office with no more than four business vehicles of which no more than two business vehicles may be parked overnight on the property (previous commitment limited the number of trucks parking overnight to one).

Variance of use of the Consolidated Zoning and Subdivision Ordinance to legally establish a painting business and a truck rental business (not permitted).

**ADDENDUM FOR FEBRUARY 21, 2024, METROPOLITAN DEVELOPMENT COMMISSION**

This petition was continued from the January 17, 2024 hearing to the February 21, 2024 hearing by the petitioner to allow additional time to amend the request, provide an updated plan of operation, and mail new notices.

It is staff’s understanding that the variance of use will be withdrawn since it is no longer needed.

**Amendment:** The petitioner amended the request to only modify commitment #2 related to 2003-ZON-119 to allow a maximum of two business vehicles to be parked overnight, where only one was previously permitted. A final plan of operation was submitted on February 9, 2024 confirming this proposal.

Staff is now **recommending approval of the modification request as amended.**

**ADDENDUM FOR JANUARY 17, 2024, METROPOLITAN DEVELOPMENT COMMISSION**

This petition was continued from the December 6, 2023 hearing to the January 17, 2024 hearing by the petitioner to allow additional time to amend the request and provide an updated plan of operation.

The petitioner submitted a revised Plan of Operation on January 10, 2024 that removed the truck rental business and would only propose the office use for a painting business. It also notes that a total of four business vehicles will be on site, which will weigh less than one ton each. Therefore, the variance of use, 2023-CVR-856, to legally establish a painting business and a truck rental business will need to be withdrawn since the office use would be permitted in the C-1 district and the truck rental business is no longer proposed.

Per the January 10, 2024 file-dated Plan of Operation and confirmation from the petitioner that only one vehicle will be left overnight at 6345 West Thompson Road to not violate the existing limit of one truck parked overnight, there will not be any modifications to the existing commitments as previously proposed. Therefore, the entire petition can be with **withdrawn**.

**ADDENDUM FOR DECEMBER 6, 2023, METROPOLITAN DEVELOPMENT COMMISSION**

This petition was heard by the Hearing Examiner on November 9, 2023. After a full hearing, the Hearing Examiner recommended denial of the modification and variance of use requests. Subsequently, the petitioner filed an appeal of the Hearing Examiner’s decision. A memorandum of her recommendation is attached.

**November 9, 2023**

This petition was automatically continued from the October 12, 2023 hearing, to the November 9, 2023 hearing at the request of a registered neighborhood organization.

**RECOMMENDATIONS**

Staff **recommends denial** of the modification request.

Staff **recommends denial** of the variance of use request.

**SUMMARY OF ISSUES**

**LAND USE**

- ◇ The subject site consists of two parcels, zoned C-1, that are developed with single-family dwellings and detached accessory structures. The single-family dwelling at 6345 West Thompson Road was converted into an office. The single-family dwelling at 6333 West Thompson Road appeared to be vacant when staff visited the site, but numerous vehicles were present.
- ◇ The property is bordered to the west by an automobile machine shop to the west, zoned C-1, a single-family dwelling to the east, zoned D-3, a fast-food restaurant to the north, zoned C-4, and single-family dwelling and a vacant parcel, zoned D-3 and D-A, to the south.
- ◇ The property at 6333 West Thompson Road was rezoned from the D-3 district to the C-1 district in 1980. The property at 6345 West Thompson Road was granted a variance of use for a floral shop in 1995. The property was then rezoned from the D-3 District to the C-1 District in 2003. Variance of use requests for a heating and cooling contractors office and construction of a 2,800-square foot pole barn were denied in 2003 and 2006. A variance of use to legally establish a truck rental business was withdrawn due to the commitments that were in place, which needed to be modified based on the request.

**MODIFICATION**

- ◇ The request would modify Commitments #1, #2 and #6 to allow for a painting business and truck rental business related to rezone petition 2003-ZON-119 at 6345 Thompson Road. The previous commitments prohibited trucks heavier than a one-ton truck, limited the number of trucks parking overnight to one, and limited the permitted uses to C-1 uses.
- ◇ Instead, the plan of operation notes that 6345 and 6333 West Thompson Road would operate a commercial and residential painting business in addition to a truck rental business which were not permitted by the commitment limitation for C-1 uses.
- ◇ The maximum number of trucks to be on site would be eight where only one truck was allowed to be parked overnight.
- ◇ Lastly, the trucks on site would likely weigh more than the one-ton truck weight limitation.

**VARIANCE OF USE**

- ◇ The grant of the request would allow for the operation of a painting business and a truck rental business in the C-1 district.
- ◇ The C-1 District is designed to perform two functions: act as a buffer between uses, and provide for a freestanding area that office uses, compatible office-type uses, such as medical and dental facilities, education services, and certain public and semipublic uses may be developed with the assurance that retail and other heavier commercial uses with incompatible characteristics will not impede or disrupt. Since the buildings for office, office-type and public and semipublic uses are typically much less commercial in appearance, landscaped more fully and architecturally more harmonious with residential structures, this district can serve as a buffer between protected districts and more intense commercial or industrial areas/districts - if designed accordingly. This district, with its offices and other buffer type uses, may also be used along certain thoroughfares where a gradual and reasonable transition from existing residential use should occur.
- ◇ The operation of a painting business is categorized as a Commercial and Building Contractors use which is only permitted by right in the C-5 and C-7 district and by Special Exception in the C-4 district. The truck rental business is categorized as a Truck or Heavy Vehicle Sales, Rental, or Repair use, which is only permitted in the C-7 district. Neither use is permitted in the existing C-1 district because they are more intense, and typically require outside display of vehicles or materials.
- ◇ The Comprehensive Plan recommends community commercial development along the northern half of the property and recommends suburban neighborhood development along the southern half.
- ◇ The Community Commercial typology provides for low-intensity commercial, and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small, integrated centers. Examples include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.

(Continued)

◇ The Suburban Neighborhood typology is predominantly made up of single-family housing but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-serving businesses, institutions, and amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for development. Streets should be well-connected, and amenities should be treated as landmarks that enhance navigability of the development. This typology generally has a residential density of 1 to 5 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.

**Staff Analysis**

- ◇ Based on the split Comprehensive Plan recommendations and the existing residential uses east and south of the site, staff determined that the use limitations of the C-1 district are in line with the Comprehensive Plan.
- ◇ More intense commercial uses would be inappropriate and should not be proposed where the addition of said uses could cause the use or value of the area adjacent to the property to be affected in a substantially adverse manner because the proposed use could decrease the desirability of the area for potential residents, largely due to the location of a heavy commercial use next door.
- ◇ The variance request does not arise from a condition peculiar to the property involved because the parcels could be used for any of the permitted C-1 uses without the need for a variance or modification of commitments.
- ◇ The strict application of the terms of the zoning ordinance would not constitute an unusual and unnecessary hardship if applied to the property for which the variance is sought because the site is appropriately zoned to be in line with the Comprehensive Plan and could be used as such.
- ◇ Staff would not support the request for the modification of the commitments or variance of use.

**GENERAL INFORMATION**

**EXISTING ZONING AND LAND USE**

C-1	Metro	Truck Rental Business / Painting Business
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**SURROUNDING ZONING AND LAND USE**

North	C-4	Commercial (Fast Food Restaurant)
South	D-3 / D-A	Residential (Single-Family Dwelling) / Undeveloped.
East	D-3	Residential (Single-Family Dwelling)
West	C-1	Commercial (Automobile Machine Shop)

**COMPREHENSIVE PLAN**

The Comprehensive Plan recommends community commercial development for the northern portion and suburban neighborhood development for the southern portion.

(Continued)

THOROUGHFARE PLAN	Thompson Road is classified in the Official Thoroughfare Plan for Marion County, Indiana as a primary collector street, with a 33-foot existing right-of-way and an 80-foot proposed right-of-way.
FLOODWAY / FLOODWAY FRINGE	This site is not located within a floodway or floodway fringe.
WELLFIELD PROTECTION DISTRICT	This site is not located within a wellfield protection district.
SITE PLAN	File-dated September 5, 2023.
PLAN OF OPERATION	File-dated September 5, 2023.
REVISED PLAN OF OPERATION	File-dated January 10, 2024.
FINAL PLAN OF OPERATION	File-dated February 9, 2024.

**ZONING HISTORY – SITE**

**EXISTING VIOLATIONS**

**1. VIO22-000949; 6345 West Thompson Road**

- a. *The conduct of any activity in a zoning district, not specifically enumerated as a permitted primary or accessory use in that zoning district; (Table 743-1: - Vehicle rental is not a permitted accessory use for a C-1 zoning district).*
- b. *The location, erection, or maintenance of any sign not specifically permitted by the Zoning Ordinance; (744-903. G.1. - Signs in the public Right-of-Way are prohibited).*
- c. *Failure to comply with use-specific standards and zoning district development standards for the C-1 district; (744-404. D.7.a. - The parking spaces lack 4-inch durable painted lines, curbs or signage).*
- d. *Failure to comply with use-specific standards and zoning district development standards for the C-1 district; (Table 744-402-1: - Failure to provide the required off-street parking spaces for a painting contractor...5 off-street parking spaces are required).*
- e. *Failure to comply with use-specific standards and zoning district development standards for the C-1 district; (Table 744-402-2: - Failure to provide the required ADA parking...1 handicap parking space required).*
- f. *The conduct of any activity in a zoning district, not specifically enumerated as a permitted primary or accessory use in that zoning district; (Table 743-1: - Recreational vehicle storage is not a permitted primary use in a C-1 zoning district).*

**PREVIOUS CASES**

**2022-UV2-014; 6333 and 6345 West Thompson Road** (subject site), Variance of use of the Consolidated Zoning and Subdivision Ordinance to legally establish a truck rental business (not permitted), **withdrawn.**

**2006-UV1-008; 6345 West Thompson Road** (subject site), Variance of Use of the Commercial Zoning Ordinance to legally establish a heating and cooling contractor business in an existing building and to provide for the construction of a one-story, 2,800 square-foot storage building (not permitted), **denied.**

(Continued)



**2003-AP1-002, 6345 West Thompson Road** (subject site), Waiver of the refiling rule to allow filing of a rezoning request within twelve months of a variance denial, **granted**.

**2003-UV1-025, 6345 West Thompson Road** (subject site), Variance of use and variance of development standards of the Dwelling Districts Zoning Ordinance and the Sign Regulations to provide for a heating and cooling contractors office (not permitted) with a 24 square foot illuminated wall sign and a 2,800 square foot pole barn with a five-foot side yard setback (commercial uses not permitted in a dwelling district, minimum 6-foot, 16-foot aggregate side yard setback required), and legally establish a 511.56 square foot garage with a 3.5 foot side yard setback (minimum 6-foot, 16-foot aggregate side yard setback required) resulting in 3312.30 square feet of accessory structure area or 243.98% of the main floor area of the primary building (accessory structure area may not exceed 75 percent of the total main floor area of the primary dwelling) and 3669.62 square feet of accessory use area or 270.30% of the total floor area of the primary building (accessory use area may not exceed 99.99 percent of the total floor area of the primary dwelling); **denied**.

**2003-ZON-119; 6345 West Thompson Road** (subject site), Rezoning of 0.50 acre, being in the D-3 District, to the C-1 classification, **approved**.

**2002-HOV-022;** (subject site), Variance of development standards of the sign regulations to provide for the placement of a five-foot tall sign; **approved**.

**95-UV1-52; 6345 West Thompson Road** (subject site), variance of use of the Dwelling Districts Zoning Ordinance to provide for a floral shop in an existing structure and one free standing sign, **granted**.

**80-Z-195; 6333 West Thompson Road** (subject site), Rezoning of 0.85 acre, being in the D-3 district, to the C-1 classification, to provide for a dental office, **approved**.

**ZONING HISTORY – VICINITY**

**2019-UV1-008; 4905 Kentucky Avenue** (north of site), Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for an outdoor freezer (outdoor storage not permitted), and to legally establish a trash container in the front yard of Mooresville Road (not permitted), **granted**.

**2014-ZON-083; 6322 West Thompson Road** (northeast of site), Rezoning of 0.517 acre from the D-3 and C-4 classifications to the C-4 classification to provide for commercial development, **approved**.

**2008-ZON-047; 4919 Kentucky Avenue** (west of site), Rezoning of 0.65 acre, being in the D-3 District, to the C-3 classification to provide for neighborhood commercial development, **approved**.

**2002-UV1-014; 6403 West Thompson Road** (west of site), Variance of use to provide for a welding facility in a 6,000-square foot commercial building, **granted**.

**96-UV2-85; 4902 High School Road** (east of site), Variance of use to legalize an asbestos business with the construction of a 24 by 24-foot detached storage building, **denied**.

**88-Z-273; 5021 Kentucky Avenue** (southwest of site), Rezoning of 1.22 acres from SU-18 to C-3, **approved**.

(Continued)

**87-Z-51, 87-Z-50, 87-Z-44; 6316, 6310, 6312 West Thompson Road 87-Z-50, 87-Z-44; 6316, 6310, 6312 West Thompson Road** (northeast of site), Rezoning from the D-3 district to the C-1 district to provide for office uses, **approved**.

**79-Z-100; 5011 Kentucky Avenue** (southwest of site), Rezoning of 0.38 acre from SU-18 to SU-42 to provide for a natural gas regulating station, **approved**.

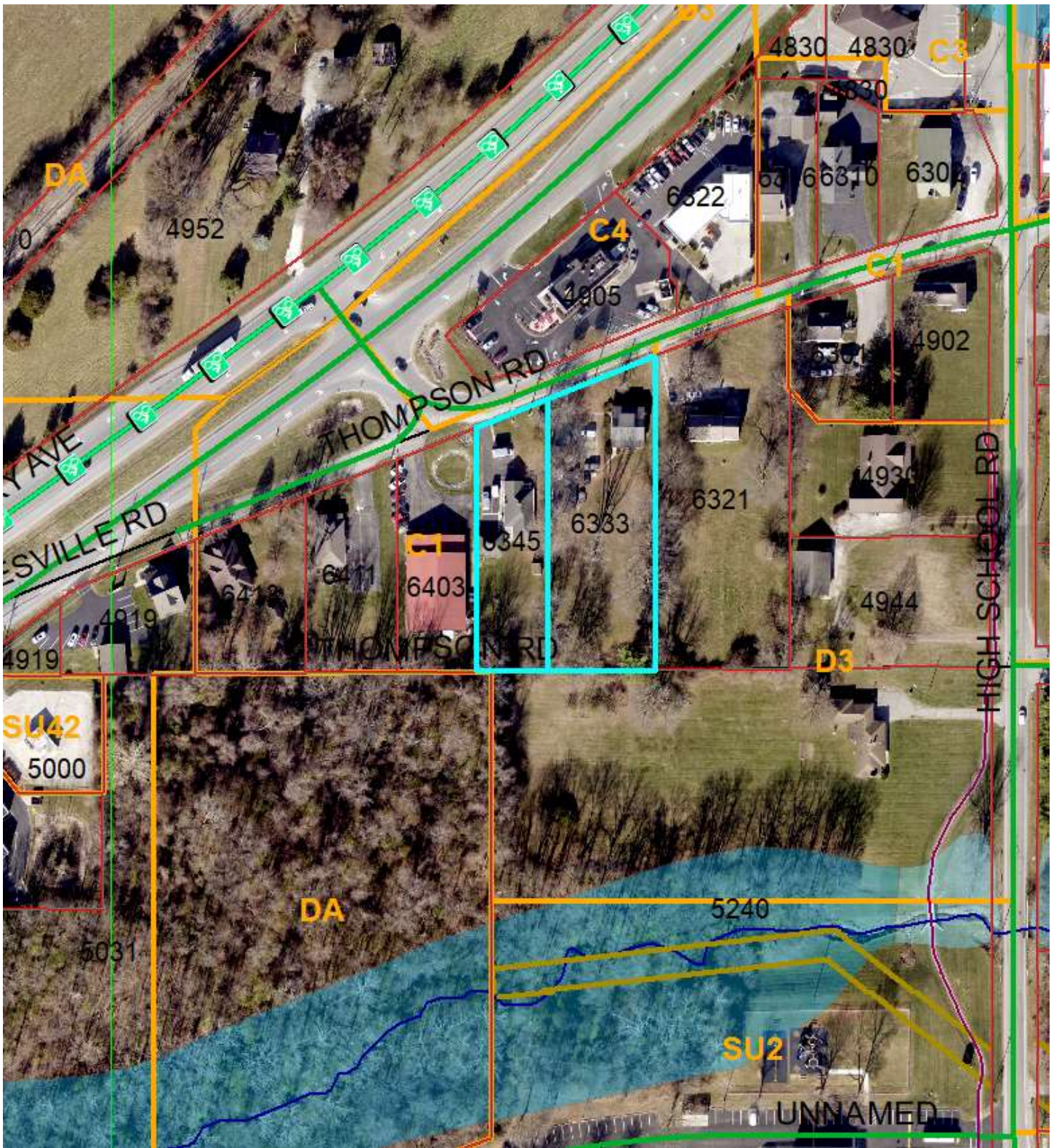
**79-Z-105; 4904 South High School Road and 6301 West Thompson Road** (east of site), Rezoning of 1.30 acres, being in the D-3 district, to C-4 classification, to permit office use, **approved**.

**79-Z-114; 6405, 6411, and 6415 West Thompson Road** (west of site), Rezoning of 1.5 acres, being in the D-3 district, to C-1 classification, to provide for buffer between residential and commercial areas, **approved**.

**77-UV1-42; 6322 West Thompson Road** (northeast of site), requests a variance of use to provide for a medical office, **granted**.

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**MEMORANDUM OF EXAMINER'S DECISION**

**2023-CAP/CVR-856**

**6333 and 6345 W. Thompson Road**

The petitions request a modification of commitments for 2003-ZON-119 to allow for a painting business and a truck rental business (uses currently restricted to C-1 uses with no trucks heavier than one ton and no more than one truck permitted to park overnight) and a variance of use to legally establish a painting business and truck rental business.

Your Hearing Examiner visited the site prior to the hearing and noted multiple rental trucks located on the western portion of it. While a machine shop is west of the site, most of the commercial uses in the area are neighborhood commercial uses, and residential uses are south and east of the site.

The petitioner's representative described the requests as being only for office use and parking, as has been done since 2020. According to the revised plan of operation, there are four employees, and no more than eight trucks and/or trailers would be stored on the site. The representative characterized the area as transitioning from residential to commercial. The City-County Councillor submitted a letter of support.

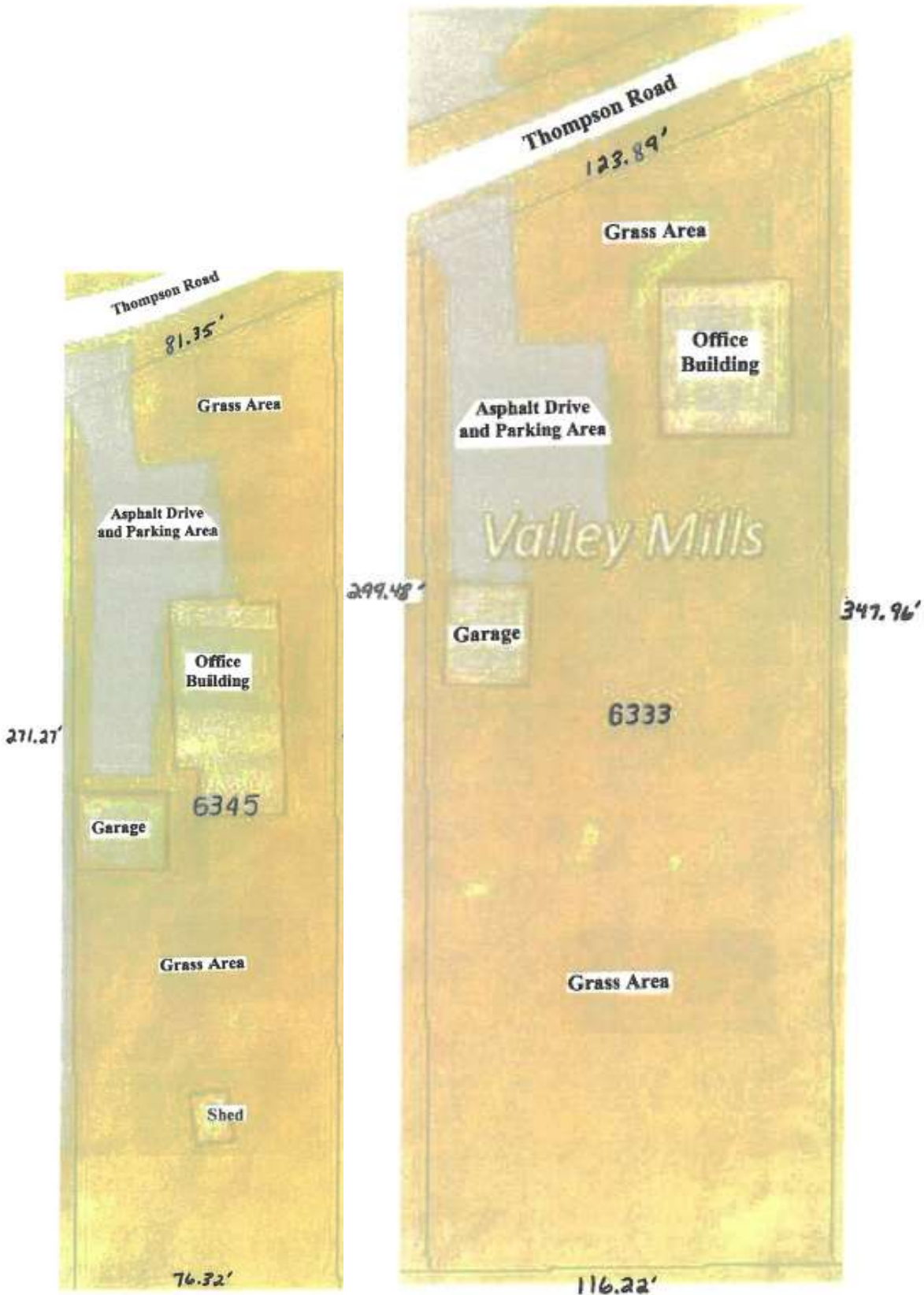
The Decatur Township Civic Council (DTCC) remonstrated. Numerous zoning violations were cited over the last several years, along with action by City Legal. DTCC opined that heavy commercial uses should have direct access to Kentucky Avenue rather than Thompson Road, and discussed the negative impact of these uses on residents in the area.

Staff stated that the current C-1 zoning district allows office use, which is an appropriate buffer between commercial uses to the west and residential uses to the east and south. Staff also stated that truck rental is considered a C-5 or C-7 use.

In your Hearing Examiner's opinion, uses permitted in the current C-1 district would be an appropriate buffer. Truck rental on the site is not compatible with residences in the area, and the proposed modification of commitments would have a negative impact on the residences. Denial of these petitions was recommended.

For Metropolitan Development Commission Hearing on December 6, 2023

# SITE PLAN



Scale  
1 = 30

PLAN OF OPERATION

6345 West Thompson Road and 6333 West Thompson Road

The primary use of the property at 6345 West Thompson Road is, and will continue to be, the operation of a commercial and residential painting business. We currently have ten (10) employees. In order to allow for additional office space and area for both painting related vehicles and equipment and U-Haul trucks and trailers, we have leased the adjoining property at 6333 W. Thompson Road. We offer and provide painting services throughout the greater Indianapolis area. We are seeking approval to offer U-Haul trucks and trailers in order to generate additional business income to supplement our painting business. Our target customer base for U-Haul trucks and trailers is the immediate surrounding neighborhood. We are requesting approval to offer U-Haul trucks and trailers at both of these properties (6345 West Thompson Road and 6333 West Thompson Road). We will have no more than a total of eight (8) trucks and/or trailers at both of these properties.

We anticipate that no additional employees will be needed due to also being able to offer U-Haul trucks and trailers for rent at these two properties because the U-Haul truck and trailer business is only being offered on a low level that is an auxiliary use of these properties to the main use, which is our painting business. Our normal business hours are from 10:00 AM to 4:00 PM, Monday through Friday. We are closed on Saturdays and Sundays.

This is primarily a service type operation and is not a product driven business, therefore no regular shipping and receiving occurs at these properties. We obtain materials from off-site vendors on an as needed basis. Waste produced by our business is no greater than that generated by typical office operations and standard weekly trash removal is adequate to avoid the accumulation of any trash or debris at these properties. We maintain general business liability insurance on our equipment and real estate.

**REVISED PLAN OF OPERATION**

2023-CAP-856 and 2023-CVR-856

6345 West Thompson Road and 6333 West Thompson Road

The primary use of the property at 6345 West Thompson Road is, and will continue to be, the operation of a commercial and residential painting business. We currently have four (4) employees. In order to allow for additional office space we have leased the adjoining property at 6333 W. Thompson Road. We intend to continue to use both properties for office space related to our painting business. We offer and provide painting services throughout the greater Indianapolis area. We have agreed to discontinue offering U-Haul trucks and trailers at these properties. We will have no more than a total of four (4) business vehicles at both of these properties. These four business vehicles consist of standard pickup trucks and do not include box trucks or any type of vehicle in excess of one ton. There are seven stiped parking spaces at each of these two properties, for a total of fourteen parking spaces. We anticipate that no additional employees will be needed at this time. Our normal business hours are from 10:00 AM to 4:00 PM, Monday through Friday. We are closed on Saturdays and Sundays.

This is primarily a service type operation and is not a product driven business, therefore no regular shipping and receiving occurs at these properties. We obtain materials from off-site vendors on an as needed basis. Waste produced by our business is no greater than that generated by typical office operations and standard weekly trash removal is adequate to avoid the accumulation of any trash or debris at these properties. We maintain general business liability insurance on our equipment and real estate.

**SECOND REVISED PLAN OF OPERATION**

2023-CAP-856 and 2023-CVR-856

6345 West Thompson Road and 6333 West Thompson Road

The primary use of the property at 6345 West Thompson Road is, and will continue to be, the operation of a commercial and residential painting business. We currently have four (4) employees. In order to allow for additional office space we have leased the adjoining property at 6333 W. Thompson Road. We intend to continue to use both properties for office space related to our painting business. We offer and provide painting services throughout the greater Indianapolis area. We have agreed to discontinue offering U-Haul trucks and trailers at these properties. We will have no more than a total of four (4) business vehicles at both of these properties. These four business vehicles consist of standard pickup trucks and do not include box trucks or any type of vehicle in excess of one ton. No more than two business vehicles will be parked overnight at 6345 West Thompson Road. There are seven stiped parking spaces at each of these two properties, for a total of fourteen parking spaces. We anticipate that no additional employees will be needed at this time. Our normal business hours are from 10:00 AM to 4:00 PM, Monday through Friday. We are closed on Saturdays and Sundays.

This is primarily a service type operation and is not a product driven business, therefore no regular shipping and receiving occurs at these properties. We obtain materials from off-site vendors on an as needed basis. Waste produced by our business is no greater than that generated by typical office operations and standard weekly trash removal is adequate to avoid the accumulation of any trash or debris at these properties. We maintain general business liability insurance on our equipment and real estate.



**2023-CAP-856 / 2023-CVR-856; Previous Commitments to be Modified****ATTACHMENT "C"**

**Petitioner commits to the following:**

- 1. No trucks heavier than a one ton truck will be parked on the premises**
- 2. No more than one truck will be parked overnight on the premises**
- 3. The proposed wall sign will be constructed of wood or wood appearing material and of a size of four (4) feet by six (6) feet mounted on the gable of the structure and will not be internally lighted; yet a timer will permit the sign to be lighted from lights shining onto the sign except between the hours of 11pm and 6 am daily. When Temperature Control Specialists vacates the premises, all future signs will be ground signs similar to others found further east on West Thompson Road**
- 4. The area between the existing parking area and the edge of pavement of West Thompson Road will not be expanded from the existing paved area and will be landscaped with suitable shrubbery.**
- 5. The exterior of the existing building will not be altered and will be maintained to give a more residential appearance.**
- 6. The one man barber shop will cease operation when the present operator (Fred Schmidt) vacates the building, and the owner (Jeff Malone) commits to only have C-1 Uses on the property thereafter**

Petition Number \_\_\_\_\_

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER  
METROPOLITAN BOARD OF ZONING APPEALS, Division \_\_\_\_\_  
OF MARION COUNTY, INDIANA**

**PETITION FOR VARIANCE OF USE**

**FINDINGS OF FACT**

**1. THE GRANT WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY BECAUSE**

commercial uses are already in the area and the requested uses, an office space for a painting business and the auxiliary use of having no more than 8 U-Haul trucks and trailers on this and the adjoining property at 6333 W. Thompson Road are consistent with surrounding commercial uses.

**2. THE USE AND VALUE OF THE AREA ADJACENT TO THE PROPERTY INCLUDED IN THE VARIANCE WILL NOT BE AFFECTED IN A SUBSTANTIALLY ADVERSE MANNER BECAUSE**

any action that increases the business activity in this area will increase, not impair, the value of adjacent properties.

**3. THE NEED FOR THE VARIANCE ARISES FROM SOME CONDITION PECULIAR TO THE PROPERTY INVOLVED BECAUSE**

the requested uses as a office space for a painting business and the incidental use of renting U-Haul trucks and trailers are not allowed in a C-1 zoning classification without Use Variances.

**4. THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE CONSTITUTES AN UNUSUAL AND UNNECESSARY HARDSHIP IF APPLIED TO THE PROPERTY FOR WHICH THE VARIANCE IS SOUGHT BECAUSE**

various commercial uses are allowed at this property and this neighborhood is transitioning from residential to commercial and retail uses. The requested two uses are only allowed with Use Variances.

**5. THE GRANT DOES NOT INTERFERE SUBSTANTIALLY WITH THE COMPREHENSIVE PLAN BECAUSE**

the requested uses of office space related to a painting business and rental of U-Haul trucks and trailers is allowed in a C-1 zoning classification upon the granting of Use Variances for these two specific uses.



Photo looking south across Thompson Road at 6345 West Thompson Road.



Photo looking south across Thompson Road at 6333 West Thompson Road.



Photo looking south across Thompson Road to subject site and adjacent single-family dwelling east



Photo of the western office façade.



Photo of the existing garage on site.



Photo of the outdoor storage of commercial vehicles on site.



Photo looking west towards the adjacent property.



Photo of the property at 6345 West Thompson Road looking north.



Photo of the property at 6333 West Thompson Road looking north.



Photo of the commercial property west of the site.



Photo looking north across Thompson Road at the commercial property.



**METROPOLITAN DEVELOPMENT COMMISSION** **February 21, 2024**

**Case Number:** 2023-ZON-117

**Property Address:** 11015 and 11127 East 46th Street (Approximate Addresses)

**Location:** Lawrence Township, Council District #14 (#15 Beginning 2024)

**Petitioner:** Arbor Homes, by Julie Smith

**Current Zoning:** D-A (FF)

**Request:** Rezoning of 75.65 acres from the D-A (FF) district to the D-P (FF) district to provide for a subdivision with up to 249 single-family detached lots.

**Current Land Use:** Residential (Single-family dwelling) and Vacant Land

**Staff Recommendations:** Approval with Commitments

**Staff Reviewer:** Marleny Iraheta, Senior Planner

**PETITION HISTORY**

This is the first hearing for this petition.

**STAFF RECOMMENDATION**

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

1. 40-foot half right-of-way shall be dedicated along the frontage of 42nd Street, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).
2. A 40-foot half right-of-way shall be dedicated along the frontage of 46th Street, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).
3. A 59.5-foot half right-of-way shall be dedicated along the frontage of German Church Road, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).





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

4. A southbound left-turn lane shall be added to German Church Road at the entrance to the site.
5. Perimeter sidewalks shall be provided along the full lengths of German Church Road and 42nd and 46th streets.
6. A public greenways trail shall be provided along the north side of Indian Creek connecting 42nd Street to the trail paralleling Indian Creek in the adjacent Parks at Winding Ridge neighborhood. Said trail shall have an access easement for trail users.
7. A final green factor calculation sheet shall be submitted for Administrator's Approval.
8. A tree inventory, tree assessment and preservation plan prepared by a certified arborist shall be submitted for Administrator Approval prior to any site preparation activity or disturbance of the site. This plan shall, at a minimum: a) indicate proposed development; b) delineate the location of the existing trees, c) characterize the size and species of such trees, d) indicate the wooded areas to be saved by shading or some other means of indicating tree areas to be preserved and e) identify the method of preservation (e.g. provision of snow fencing or staked straw bales at the individual tree's dripline during construction activity). All trees proposed for removal shall be indicated as such.

## PETITION OVERVIEW

### LAND USE

The 75.65-acre subject site is zoned D-A (FF) and is agricultural land with several wooded areas and Indian Creek running through the southeast corner of the site. By the early 1970s, single-family dwellings had been built along 42nd and 46th streets. Platted single-family neighborhoods to the east and south and west were constructed in the mid-1990s through the mid-2010s.

The East 38th Street Corridor Plan (2012) recommends 1.75 to 3.5 residential units per acre for the northern two-thirds of the site and 3.5 to 5 residential units per acre for the southern one-third of the site. A linear park is recommended along Indian Creek. The request proposes 249 lots, which calculates to 3.29 units per acre for the total site.

The Ordinance provides for a Stream Protection Corridor 100 feet in width as measured back from the top of each bank along Indian Creek, which runs through the southeast corner of the site. Development is generally not permitted within these corridors and any tree or vegetation removal must be replaced with trees and shrubs at a rate of one shade tree and four large shrubs for 1000 square feet of disturbed area. Per the conceptual site plan, the stream protection corridor would be preserved for Indian Creek.



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## ZONING

The request would rezone the site from the D-A (FF) district to the D-P (FF) classification to provide up to 249 single-family detached lots.

The established purpose of the D-P District follows:

1. To encourage a more creative approach in land and building site planning.
2. To encourage and efficient, aesthetic, and desirable use of open space.
3. To encourage variety in physical development pattern.
4. To promote street layout and design that increases connectivity in a neighborhood and improves the directness of routes for vehicles, bicycles, pedestrians, and transit on an open street and multi-modal network providing multiple routes to and from destinations.
5. To achieve flexibility and incentives for residential, non-residential, and mixed-use developments which will create a wider range of housing types as well as amenities to meet the ever-changing needs of the community.
6. To encourage renewal of older areas in the metropolitan region where new development and restoration are needed to revitalize areas.
7. To permit special consideration of property with outstanding features, including but not limited to historical significance, unusual topography, environmentally sensitive areas and landscape amenities.
8. To provide for a comprehensive review and processing of development proposals for developers and the Metropolitan Development Commission by providing for concurrent review of land use, subdivision, public improvements, and siting considerations.
9. To accommodate new site treatments not contemplated in other kinds of districts.

“Development plans should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site conditions, including vegetation, topography, drainage, and wildlife.

Densities and development of a D-P are regulated and reviewed by the Metropolitan Development Commission. Creative site planning, variety in physical development, and imaginative uses of open space are objectives to be achieved in a D-P district. The D-P district is envisioned as a predominantly residential district, but it may include supportive commercial and/or industrial development.”

## DESIGN / LAYOUT

The Subdivision Control Ordinance provides for a logical street layout in relation to topography, public convenience, safety, multi-modal use, and land use. For each approximately 40-acre area that is defined by a network of arterial and collector streets, at least one local street shall be provided to every perimeter street unless there is a physical obstacle. By this standard, the 75-acre subject site should have connections to 46th Street, German Church Road, and 42nd Street. The conceptual site plan shows connections to 46th Street and German Church Road, but no connection to 42nd Street.



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Division of Planning  
Current Planning**

Instead, the existing creek that runs along the southeast corner along 42<sup>nd</sup> Street would have a proposed greenway trail that would connect and extend to the existing trail to the east of the site. This would require an access easement to be proposed.

A green factor calculation sheet was submitted to show that the proposed landscaping would exceed the minimum requirements, but an amended green factor calculation sheet will need to be provided prior to development of any individual lots to confirm the final score.

### **TREE PRESERVATION / HERITAGE TREE CONSERVATION**

There are significant amounts of natural vegetation and trees located on the site. Due to their inherent ecological, aesthetic, and buffering qualities, the maximum number of these existing trees should be preserved on the site.

All development shall be in a manner that causes the least amount of disruption to the trees.

A tree inventory, tree assessment and preservation plan prepared by a certified arborist shall be submitted for Administrator Approval prior to preliminary plat approval and prior to any site preparation activity or disturbance of the site. This plan shall, at a minimum: a) indicate proposed development, b) delineate the location of the existing trees, c) characterize the size and species of such trees, d) indicate the wooded areas to be saved by shading or some other means of indicating tree areas to be preserved and e) identify the method of preservation (e.g., provision of snow fencing or staked straw bales at the individual tree's dripline during construction activity). All trees proposed for removal shall be indicated as such.

If any of the trees are heritage trees that would be impacted, then the Ordinance requires that the Administrator, Urban Forester or Director of Public Works determine whether the tree(s) would be preserved or removed and replaced.

The Ordinance defines "heritage tree" as a tree over 18 inches Diameter at Breast Height (DBH) and one of the Heritage tree species. Heritage tree species include: Sugar Maple (*Acer saccharum*), Shagbark Hickory (*Carya ovata*), Hackberry (*Celtis occidentalis*), Yellowwood (*Cladrastus kentukea*), American Beech (*Fagus grandifolia*), Kentucky Coffeetree (*Gymnocladus dioica*), Walnut or Butternut (*Juglans*), Tulip Poplar (*Liriodendron tulipifera*), Sweet Gum (*Liquidambar styraciflua*), Black Gum (*Nyssa sylvatica*), American Sycamore (*Platanus occidentalis*), Eastern Cottonwood (*Populus deltoides*), American Elm (*Ulmus americana*), Red Elm (*Ulmus rubra*) and any oak species (*Quercus*, all spp.)

The Ordinance also provides for replacement of heritage trees if a heritage tree is removed or dies within three years of the Improvement Location issuance date. See Staff Exhibit 1 for Table 744- 503-3: Replacement Trees.



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## D-P STATEMENT

The D-P Statement, file-dated February 1, 2024, describes the project as residential neighborhood with a mixture of types of residential uses within two distinct districts, Arbor Homes and Genesis, within the development.

Arbor Homes District shall include detached single-family dwellings consisting of one-story and two-story homes on individual deeded lots. There would be no more than 80 homes within the Arbor Homes District that would consist of approximately 33 acres on the southern portion of the site.

Genesis District shall include detached single-family dwellings consisting of two-story and three-story homes on individual deeded lots. There would be no more than 169 homes within the Genesis District that would consist of approximately 40 acres on the northern portion of the site.

The Statement also addresses development standards, architectural standards, signage, lighting, and landscaping.

Amenities would include approximately 1/4 mile multipurpose path, 3,500 square-foot play area with play equipment, a 5,000 square-foot pocket park with a plaza, fire pit, 2 benches, 4 shade trees, and butterfly garden, a 15' x 15' picnic shelter with picnic table, and 19 acres of preserved landscaping. Heritage trees will be preserved in the amenity spaces, specially when determining the location of the proposed trail.

## FLOODWAY FRINGE

This site has a secondary zoning classification of a Floodway Fringe (FF), which is the portion of the regulatory floodplain that is not required to convey the 100-year frequency flood peak discharge and lies outside of the floodway.

The designation of the FF District is to guide development in areas subject to potential flood damage, but outside the Floodway (FW) District. Unless otherwise prohibited, all uses permitted in the primary zoning district (D-P in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance.

The southern property boundary of the site is within floodway fringe. This is the area where water is likely to sit during a flood of such intensity that there is a 1% chance of it occurring in any given year. This compares to the floodway where floodwater would flow during a flood of the same intensity. Generally, buildings are not permitted in the floodway, while, with exception of certain land uses, they are permitted in the floodway fringe, but must be constructed at least two feet above the base flood elevation.



**TRAFFIC IMPACT STUDY**

The petitioner conducted a traffic impact study (TIS) that looked at the subject site in relation to a previous Traffic Impact Study on the site that was conducted in May 2022 and additional traffic generators such as a 1% per year non-compounded growth rate was applied to the existing year 2022 traffic volumes, a proposed 167 dwelling unit single-family development on the near-by Haines property and an approved single-family development called Loudoun Place. The TIS has been reviewed by the Department of Public Works. The purpose of the study is to determine the impact that the traffic generated by the proposed developments would have on the existing roadway system.

The study concentrated on nine nearby intersections, which were:

- o German Church Road & 46th Street
- o German Church Road & 42nd Street
- o Carroll Road (County Road 880W) & 46th Street
- o Carroll Road (County Road 880W) & 42nd Street
- o 46th Street & Lyman Lane/Middleton Access Drive
- o 46th Street & Birmingham Drive
- o 42nd Street & Winding Park Drive
- o 42nd Street & Benicia Lane
- o German Church Road & Middleton Access Drive

The TIS estimates that the proposed development would add 168 vehicles to the road system during the morning peak hour and 230 vehicles during the evening peak hour.

The TIS calculates the current level of service for each intersection on a scale of Level A to Level F. The levels of service are then estimated for the year 2027. The additional traffic would not negatively affect the intersections' functionality to the point where roadway improvements would be needed except for the German Church Road and Middleton Access Drive.

The study looked at the functionality of the access drives and determined that in order to provide an adequate level of service at the access drive from the subject site to German Church Road, the access drive should be built with at least one inbound lane and two outbound lanes. A southbound left-turn lane should be added to German Church Road.

The study also looked to see if provisions should be made for safe turning maneuvers at the site's access drives. The study finds that a left turn lane is warranted at the German Church Road entry to the site.

**STAFF ANALYSIS**

The updated TIS concludes that the proposed development would not have a significant negative impact on adjacent intersections.



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Division of Planning  
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The proposed D-P district would promote a mix of single-family dwelling options, provide a variety of amenities for the residents, preserve existing wooded areas, and promote connectivity and accessibility within the subdivision and the surrounding residential developments.

For all these reasons, staff supports the rezoning request, subject to the D-P Statement, conceptual site plan, TIS recommendations and proposed staff commitments regarding sidewalks, trail access easement, and tree preservation and conservation plan.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	D-A	
<b>Existing Land Use</b>	Undeveloped	
<b>Comprehensive Plan</b>	3.5 to 5 residential units per acre	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
	North:	D-A Residential (Single-family dwellings)
	South:	D-A / D-5II Residential (Single-family dwellings)
	East:	D-P Residential (Single-family dwellings)
	West:	D-A / SU-34 / C-3 Agricultural land /Cemetery / Church / Vacant
<b>Thoroughfare Plan</b>		
46 <sup>th</sup> Street		80-foot proposed and a 30-foot to 100-foot existing right-of-way.
German Church Road	Marion County Thoroughfare Plan (2019)	119-foot proposed and a 90-foot to 121-foot existing right-of-way.
42 <sup>nd</sup> Street		80-foot proposed and a 32-foot to 90-foot existing right-of-way.
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	Yes	
<b>Overlay</b>	Yes	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	November 30, 2023	
<b>Site Plan (Amended)</b>	February 1, 2024	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	N/A	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	February 1, 2024	

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

- East 38<sup>th</sup> Street Corridor Plan (2012)
- Indy Greenways Full Circle Master Plan

**Pattern Book / Land Use Plan**

- Not Applicable to the Site. Please see Neighborhood / Area Specific Plan below.

**Red Line / Blue Line / Purple Line TOD Strategic Plan**

- Not Applicable to the Site.

**Neighborhood / Area Specific Plan**

- The East 38<sup>th</sup> Street Corridor Plan (2012) recommends 1.75 to 3.5 residential units per acre for the northern two-thirds of the site and 3.5 to 5 residential units per acre for the southern one-third of the site. Linear Park is recommended along Indian Creek to the south of the site.

**Infill Housing Guidelines**

- Not Applicable to the Site.

**Indy Moves**  
(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- The Indianapolis Greenways Plan recommends a greenways trail along Indian Creek. The proposed trail would connect 42nd Street to the trail paralleling Indian Creek in the adjacent Parks at Winding Ridge neighborhood.



## ZONING HISTORY

### PREVIOUS CASES

**2022-ZON-066; 11015 and 11127 East 46th Street** (subject site), Rezoning of 77.86 acres from the D-A (FF) district to the D-4 (FF) district to provide for residential uses, **withdrawn**.

**2021-ZON-088A; 11015 and 11127 East 46th Street** (subject site), Rezoning of 40.4 acres from the D-A district to the D-5 district. **dismissed**.

**2021-ZON-088B; 11015 and 11127 East 46th Street** (subject site), Rezoning of 37.7 acres from the D-A (FF) district to the D-5II (FF) district, **dismissed**.

### ZONING HISTORY – VICINITY

**2013-ZON-076; 10940 East 42nd Street** (west of site), Rezoning of 33 acres from the D-A district to the C-3 district, **approved**.

**2012-ZON-076; 4724 North German Church Road** (northwest of site), rezoning of 18.7 acres from the D-A district to the C-3 district, **approved**.

**2004-ZON-070; 4310 N Carroll Road, 11440 & 11717 East 42nd Street** (east of site), Rezoning of 193 acres from the D-A district to the D-P district to provide for 600 dwelling units at a density of 3.11 units per acre, **approved**.

**98-Z-132; 4102 North German Church Road** (southwest of site), Rezone 98 acres from the D-A (FW) (FF) to D-5II (FW) (FF), **approved**.

**96-Z-124; 11750 & 11501 East 46th Street and 5201 North German Church Road** (east of site), rezoning of 857 acres from the D-A district to the D-P district, **approved**.

**93-Z-115; 11102 East 38th Street** (south of site), Rezoning of 49.7 acres from the D-2, D-P, D-7, and C-4 districts to the D-5II district, **approved**.

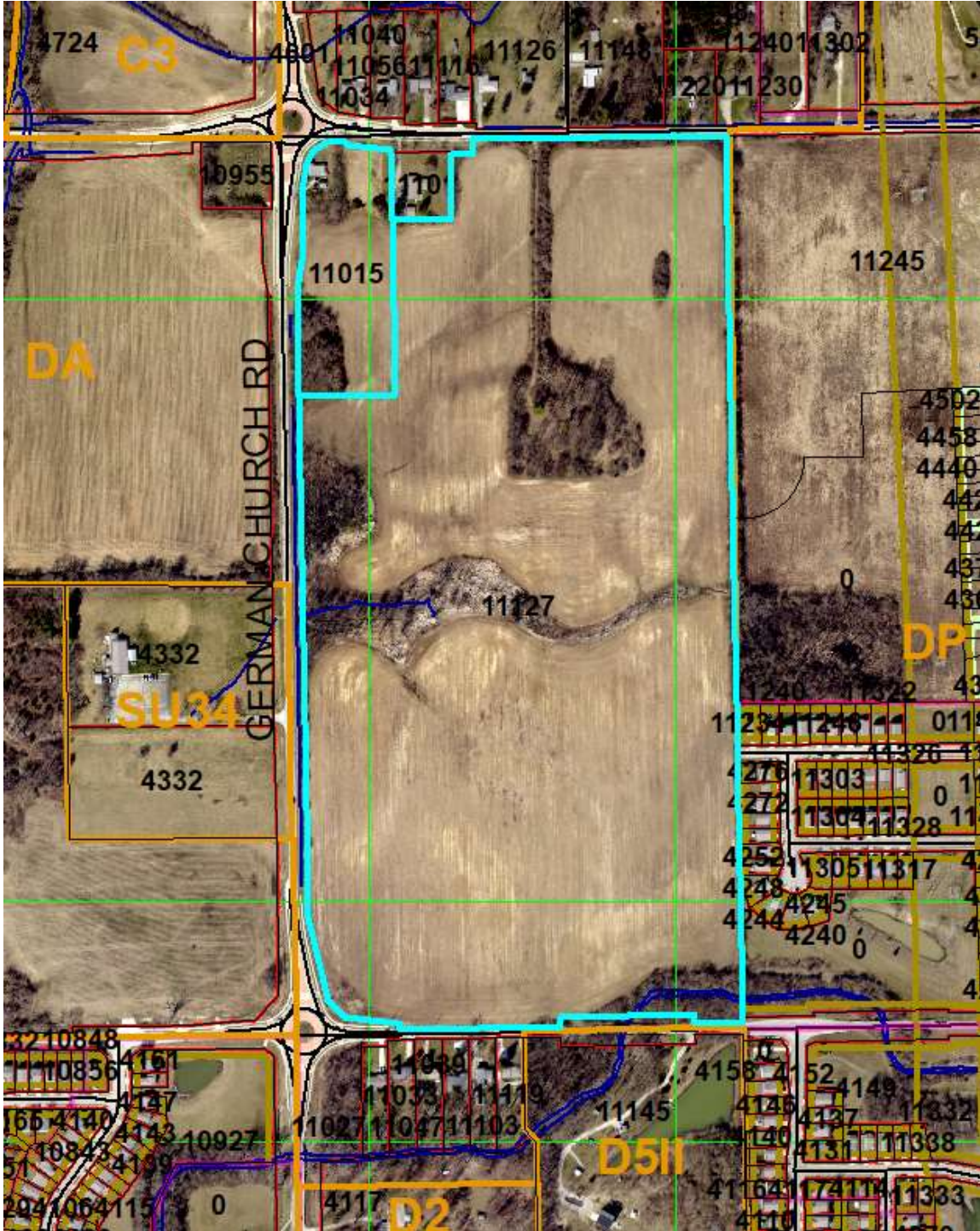
**64-Z-51; 4200 North German Church Road** (west of site), Rezoning of 5 acres from the A-2 district to the SU-34 district, **approved**.

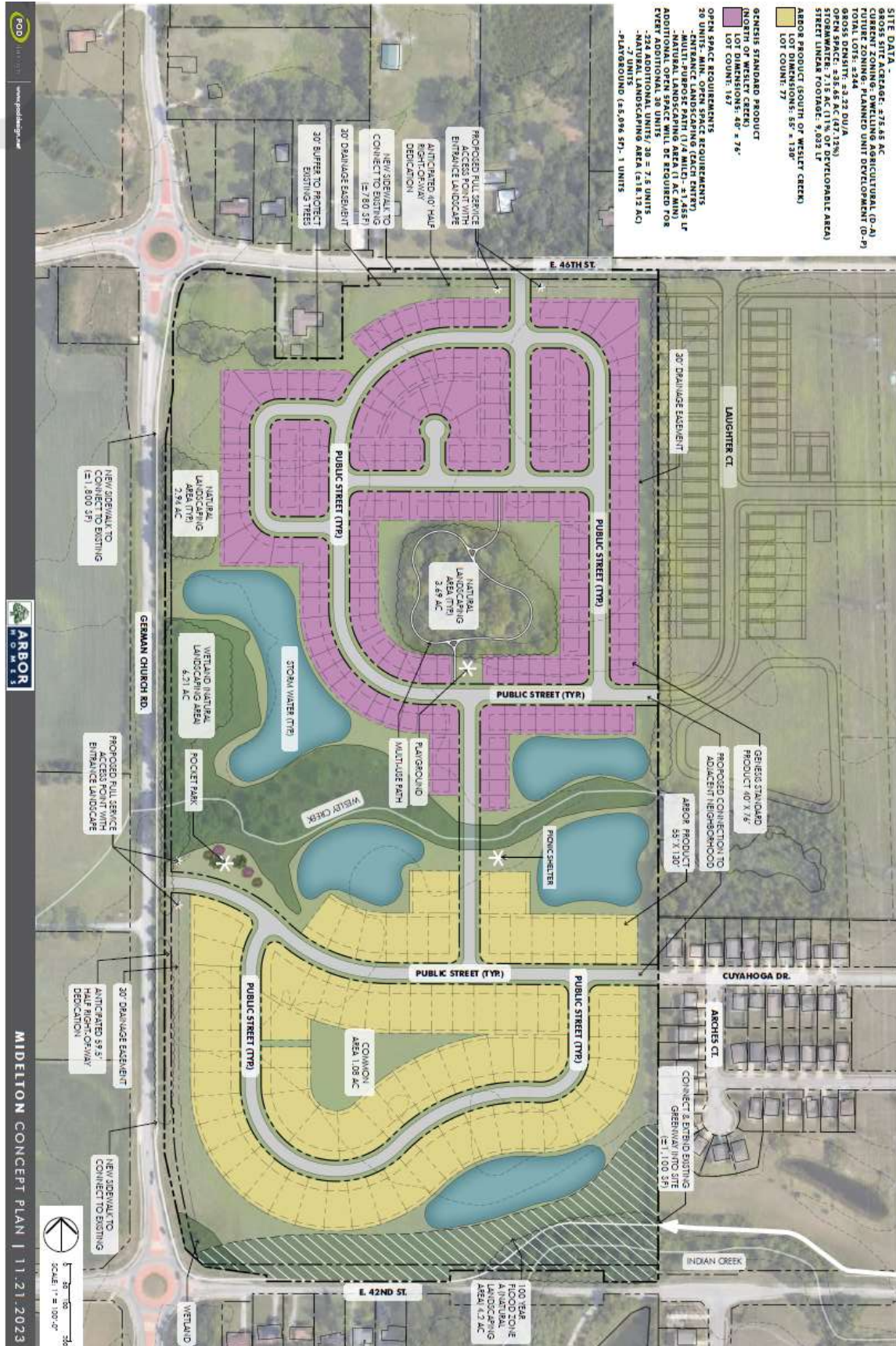
**66-Z-43; 4332 North German Church Road** (west of site), Rezoning of 5.2 acres from the A-2 district to the S-34 district, **approved**.



**EXHIBITS**

Enter any photographs or site plans







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PRELIMINARY PLAN  
AND DP STATEMENT

FOR

MIDELTON

FEBRUARY 1, 2024

Developer:

Arbor Homes  
9225 Harrison Park Court  
Indianapolis, IN 46216



INDEX

	<u>Page</u>
Overview of Proposed Development and General Development Standards.....	2
Arbor Homes District Development and Architectural Standards.....	3
Genesis District Development and Architectural Standards.....	5

Exhibits:

- Area Map (Exhibit A)
- Legal Description (Exhibit B)
- District Designation (Exhibit C)
- Concept Plan (Exhibit D)



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**Overview of Proposed Development  
and General Development Standards**

**Location & Surrounding Area:** The proposed Midelton D-P (the “Development”) is located in Lawrence Township and consists of approximately 75.6 acres on the southeast corner of E 46<sup>th</sup> Street and German Church Road as depicted on the attached **Exhibit A** and more particularly described on the attached **Exhibit B** (the “Site”). The Site is bordered by agricultural fields, Iglesia Fiesta Pentecostal Church, and the residential communities of The Parks at Winding Ridge, Loudoun Place, Royal Oaks, and Orchard Valley Farms.

**Proposed Development.** Petitioner proposes to develop a residential neighborhood with a mixture of types of residential uses. There shall be two distinct districts within the Development and depicted on the attached **Exhibit C**:

1. **Arbor Homes District** shall include detached single-family dwellings consisting of one-story and two-story homes on individual deeded lots. There shall be no more than 80 homes within the Arbor Homes District. The Arbor Homes District shall consist of approximately 33 acres as shown on the Concept Plan attached as **Exhibit D**.
2. **Genesis District** shall include detached single-family dwellings consisting of two-story and three-story homes on individual deeded lots. There shall be no more than 169 homes within the Genesis District. The Genesis District shall consist of approximately 40 acres as shown on the Concept Plan attached as **Exhibit D**.

**Density.** There shall be no more than 249 dwelling units or a maximum approximate gross density of approximately 3.3 units per acre.

**Minimum Open Space.** The minimum amount of permanent open space shall be approximately 30 acres or approximately 40% of the total land area.

**Amenities.** Amenities depicted in **Exhibit D** include approximately 1/4 mile multipurpose path, 3,500 SF play area with play equipment, a 5,000 SF pocket park with a plaza, fire pit, 2 benches, 4 shade trees, and butterfly garden, a 15' x 15' picnic shelter with picnic table, and 19 acres of preserved landscaping. Heritage trees will be preserved in the amenity spaces, specially when determining the location of the proposed trail.

**Streets.** The streets within the Development shall be built to the Indianapolis Department of Public Work's current specifications.

**Street Lights.** The Development shall have uniform street lights at each intersection and the Development's entryway shall be lighted. Such street lights shall conform with the standards of the current Marion County Subdivision Control Ordinance (“Subdivision Ordinance”).

**Signage.** Signage within the Development, including neighborhood entrance identification signage, directional signage, and any amenity area signage shall conform with the standards of the current Dwelling District Sign Regulations.

**Arbor Homes Lots Development and Architectural Standards**

**I. Intent**

The purpose of the Arbor Homes Lots is to permit up to eighty (80) detached single family dwellings designed as one-story and two-story homes on individual deeded lots having underground utilities, centralized water and centralized sewer facilities.

**II. Permitted Uses and Underlying Zoning District**

All permitted, accessory, temporary, and special exception uses permitted in the Dwelling District Four (D-4) zoning district set forth in the Zoning Ordinance for Marion County, Indiana in effect at the time this Development is approved by the City-County Council (the “Zoning Ordinance”) shall be permitted on the Arbor Homes Lots, except as specified below. If any development standard is not set forth in this Preliminary Plan and DP Statement (“DP Statement”), the D-4 zoning district standards shall apply.

Prohibited Uses

- Two-Family Dwelling
- Group Home

**III. Development Standards**

Maximum Dwelling Units	80
Minimum Lot Area	7,150 sq. ft.
Minimum Lot Width	55'
Minimum Lot Depth	130'
Minimum Living Area (sq. ft.)	
One-Story Homes	1,200 sq. ft.
Two-Story Homes	1,600 sq.ft.
Minimum Main Floor Area (sq. ft.)	800
Minimum Open Space	55%
Maximum Building Height	35'
Minimum Front Yard Building Setback	25'
Minimum Side Yard Setback	5'
Minimum Rear Yard Setback	20'
Minimum Width of Side Yard (Aggregate)	13'

**IV. Homeowners' Association/Covenants**

The maintenance and upkeep of the Common Areas as approximately shown on the attached Exhibit D including detention ponds, open space, and amenities within the Arbor Homes District shall be the responsibility of a mandatory homeowners'

association ("HOA"), to be established pursuant to the terms of a Declaration of Covenants, Conditions and Restrictions ("Covenants") to be recorded prior to final plat approval for the Development. The Covenants shall apply to all real estate within the Arbor Homes District.

**V. Architectural Standards**

The following architectural standards shall apply to the Arbor Homes Lots:

1. Vinyl siding shall be .044 gauge with ¼" butt.
1. The roof pitch over the main body of each house shall be a minimum of 6/12 and each house shall have a minimum of a 12" overhang on all sides measured from the frame of the house. Dormer, shed or porch roofs may be a different pitch.
2. The driveways shall be at least 16' wide and a minimum of approximately 25' in length measured from the leading edge of the garage to the sidewalk.
3. Each dwelling shall have an attached 2-car attached garage, at minimum. An offset or separate garage bay shall be required for all homes with a three-car garage.
4. A 5' wide grass strip shall be maintained between the curbs and sidewalks.
5. Each lot shall contain a minimum of 2 trees and 5 shrubs.
6. All homes shall have fully sodded front yards installed by the home builder. This includes the five (5') foot wide grass strip in front of every home. The rear and side yards shall be seeded by the builder.
7. There shall be one dusk to dawn lights on the front of each garage.
8. All homes shall have dimensional or architectural grade shingles.
9. The garage door of the home shall not exceed 50% of the front façade width. This does not apply when a 3<sup>rd</sup> car garage is installed.
10. Windows shall be required on all sides of the home that are adjacent to a street or common area.

**Genesis Lots Development and Architectural Standards**

**II. Intent**

The purpose of the Genesis Lots are to permit up to one hundred sixty-nine (169) detached single family dwellings designed as two-story and three-story homes on individual deeded lots having underground utilities, centralized water and centralized sewer facilities.

**III. Permitted Uses and Underlying Zoning District**

All permitted, accessory, temporary, and special exception uses permitted in the Dwelling District Four (D-4) zoning district set forth in the Zoning Ordinance for Marion County, Indiana in effect at the time this Development is approved by the City-County Council (the “Zoning Ordinance”) shall be permitted on the Arbor Homes Lots, except as specified below. If any development standard is not set forth in this Preliminary Plan and DP Statement (“DP Statement”), the D-4 zoning district standards shall apply.

Prohibited Uses

- Two-Family Dwelling
- Group Home

**IV. Development Standards**

Maximum Dwelling Units	169
Minimum Lot Area	3,040 sq. ft.
Minimum Lot Width	40'
Minimum Lot Depth	76'
Minimum Living Area (sq. ft.)	
Two-Story Homes	1,100 sq. ft.
Three-Story Homes	1,800 sq.ft.
Minimum Main Floor Area (sq. ft.)	550*
Minimum Open Space	60%
Maximum Building Height	35'
Minimum Front Yard Building Setback	20'
Minimum Side Yard Setback	5'
Minimum Rear Yard Setback	10'
Minimum Width of Side Yard (Aggregate)	10'

\* 20% of lots are permitted a minimum main floor area of 150 square feet.

**V. Homeowners' Association/Covenants**

The maintenance and upkeep of the Common Areas as approximately shown on the attached Exhibit D including detention ponds, open space, and amenities within the Genesis District shall be the responsibility of a mandatory homeowners' association (“HOA”), to be established pursuant to the terms of a Declaration of



Covenants, Conditions and Restrictions (“Covenants”) to be recorded prior to final plat approval for the Development. The Covenants shall apply to all real estate within the Genesis District.

**VI. Architectural Standards**

The following architectural standards shall apply to the Genesis Lots:

1. Vinyl siding shall be .044 gauge with ¼” butt.
2. The roof pitch over the main body of each house shall be a minimum of 5/12 and each house shall have a minimum of a 12” overhang on the front elevation measured from the frame of the house. Dormer, shed or porch roofs may be a different pitch.
3. The driveways shall be at least 16’ wide and a minimum of approximately 20’ in length measured from the leading edge of the garage to the sidewalk.
4. Each dwelling shall have an attached 2-car attached garage.
5. A 5’ wide grass strip shall be maintained between the curbs and sidewalks for lots adjacent to public street.
6. Each lot shall contain a minimum of 1 tree and 3 shrubs.
11. All homes shall have fully sodded front yards installed by the home builder. The rear and side yards shall be seeded by the builder.
7. There shall be one dusk to dawn lights on the front of each garage.
8. All homes shall have dimensional or architectural grade shingles.

Exhibit A

Area Map





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**Exhibit B**

**Legal Description**

(Property 1: Parcel No. 4001106)

Part of the West Half of the Northwest Quarter of Section 15, Township 16 North, Range 5 East, described as follows:

Commencing at a brass plug at the Northwest corner of said Northwest Quarter; thence South 89 degrees 46 minutes 29 seconds East along the North line thereof distance of 505.00 feet to a railroad spike at the point of beginning; thence continuing South 89 degrees 46 minutes 29 seconds East along said North line a distance of 821.84 feet to a railroad spike at the Northeast corner of said half line of said Half-Quarter Section a distance of 2665.17 feet to a railroad spike at the Southeast corner thereof; thence North 89 degrees 55 minutes 06 seconds West along the South line of said Half-Quarter Section a distance of 1326.4 feet to a brass plug at the Southwest corner thereof; thence North 00 degrees 00 minutes 00 seconds East along the West line of said Half-Quarter Section a distance of 1909.50 feet to a railroad spike distant 759 feet South of the Northwest corner thereof; thence South 89 degrees 46 minutes 29 seconds East parallel with the North line of said Half-Quarter Section a distance of 330 feet to a 5/8 inch rebar with yellow cap marked "Schneider Engr. Corp."; thence North 00 degrees 00 minutes 00 seconds East parallel with the West line of said Half-Quarter Section a distance of 510.08 feet to a 5/8 inch rebar with yellow cap marked "Schneider Engr. Corp."; thence South 89 degrees 46 minutes 29 seconds East parallel with the North line of said Half-Quarter Section a distance of 175 feet to a 5/8 inch rebar with yellow cap marked "Schneider Engr. Corp."; thence North 00 degrees 00 minutes 00 seconds East parallel with the West line of said Half-Quarter Section a distance of 248.92 feet to the Point of Beginning, containing 74.468 acres more or less.

(Property 2: Parcel No. 4005413)

A part of the West Half of the Northwest Quarter of Section 15, Township 16 North, Range 5 East, in Marion County, Indiana, and being described as follows:

Beginning at a brass plug at the Northwest corner of said Northwest Quarter; thence South 89 degrees 46 minutes 29 seconds East (basis of bearings is from Instrument #89-106910 Office of the Marion County Recorder) along the North line thereof a distance of 330.00 feet to a flush aluminum monument; thence South 00 degrees 00 minutes 00 seconds West parallel with the West line of said Quarter a distance of 759.00 feet to a flush 5/8 inch rebar with yellow cap; thence North 89 degrees 46 minutes 29 seconds West parallel with the North line of said Quarter a distance of 330.00 feet to a railroad spike on the West line of said Quarter; thence North 00 degrees 00 minutes 00 seconds East along said West line a distance of 759.00 feet to the Point of Beginning.

EXCEPTING therefrom properties 1 & 2 mentioned above that part conveyed to the



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Division of Planning  
Current Planning

Consolidated City of Indianapolis, Marion County, through its Department of Public Works, by Warranty Deed recorded December 18, 2013 as Instrument No. 201300151855, in the Office of the Recorder of Marion County, Indiana, more particularly described as follows:

A part of the West Half of the Northwest Quarter of Section 15, Township 16 North, Range 5 East of the Second Principal Meridian in Lawrence Township, Marion County, Indiana, more particularly described as follows:

Beginning at the Southwest corner of said Half Quarter Section; thence along the West line thereof North 01 degrees 04 minutes 08 seconds West (basis of bearings is the West line of said Half Quarter Section as shown on a certain Location Control Route Survey Plat recorded as Instrument Number A201200073963) 609.96 feet; thence North 88 degrees 55 minutes 52 seconds East 45.00 feet; thence South 01 degrees 04 minutes 08 seconds East 260.00 feet; thence South 13 degrees 28 minutes 35 seconds East 255.98 feet; thence South 48 degrees 20 minutes 00 seconds East 68.00 feet; thence South 83 degrees 15 minutes 43 seconds East 156.06 feet; thence North 89 degrees 00 minutes 17 seconds East 6.36 feet; thence South 00 degrees 59 minutes 43 seconds East 33.00 feet to the South line of said Half Quarter Section; thence along said South line South 89 degrees 00 minutes 17 seconds West 310.88 feet to the POINT OF BEGINNING, and containing 1.162 acres, more or less, inclusive of existing right of way which contains 0.219 acres, more or less, under pavement, for a net additional taking of 0.043 acres, more or less.

ALSO EXCEPTING

A part of the West Half of the Northwest Quarter of Section 15, Township 16 North, Range 5 East of the Second Principal Meridian in Lawrence Township, Marion County, Indiana, more particularly described as follows:

Beginning at the Northwest corner of said Half Quarter Section; thence along the North line thereof North 89 degrees 08 minutes 59 seconds East (basis of bearings is the North line of said Half Quarter Section as shown on a certain Location control Route Survey Plat recorded as Instrument Number A201200073962) 330.00 feet to the Northeast corner; thence along the East line thereof South 01 degrees 04 minutes 08 seconds East 40.00 feet; thence North 85 degrees 13 minutes 40 seconds West 132.69 feet; thence North 01 degrees 04 minutes 08 seconds West 9.00 feet; thence South 89 degrees 08 minutes 59 seconds West 58.61 feet; thence South 56 degrees 56 minutes 37 seconds West 51.16 feet; thence South 21 degrees 33 minutes 03 seconds West 39.00 feet; thence South 10 degrees 25 minutes 26 seconds West 85.32 feet; thence South 01 degrees 04 minutes 08 seconds East 168.39 feet; thence South 07 degrees 30 minutes 23 seconds West 127.42 feet; thence South 01 degrees 04 minutes 08 seconds East 91.00 feet; thence South 88 degrees 55 minutes 52 seconds West 45.00 feet to the West line of said Half Quarter Section; thence along said West line North 01 degrees 04 minutes 08 seconds West 550.63 feet to the POINT OF BEGINNING, and containing 0.969 acres more or less, inclusive of existing right of way which contains 0.253 acres, more or less, under pavement, for a net additional taking of 0.716 acres, more or less.



Department of Metropolitan Development  
Division of Planning  
Current Planning

ALSO EXCEPTING

A part of the West Half of the Northwest Quarter of Section 15, Township 16 North, Range 5 East of the Second Principal Meridian in Lawrence Township, Marion County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of said Half Quarter Section; thence along the North line thereof North 89 degrees 08 minutes 59 seconds East (basis of bearings is the North line of said Half Quarter Section as shown on a certain Location control Route Survey Plat recorded as Instrument Number A201200073962) 505.00 feet to the Northwest corner of said grantor and the POINT OF BEGINNING; thence continuing along said North line North 89 degrees 08 minutes 59 seconds East 67.00 feet; thence South 00 degrees 51 minutes 01 seconds East 50.00 feet; thence parallel with said North line South 89 degrees 08 minutes 59 seconds West 66.27 feet to the West line of said grantor; thence along said West line North 01 degrees 04 minutes 08 seconds West 50.00 feet to the POINT OF BEGINNING, and containing 0.076 acres, more or less, inclusive of existing right of way which contains 0.023 acres, more or less, under pavement, for a net additional taking of 0.053 acres, more or less.

Exhibit C

District Designation



Exhibit D

Concept Plan



Table 744-509-1: Green Factor Calculation				
Project Name or Address:		Midleton - 11015 and 11127 East 46th Street		
Column A	Column B	Column C	Column D	Column E
Type of Area or Element	Number of Plants	Measured Area or Area Equivalent in Sq. Ft.	Multiplier	Score
Parcel Size		3,295,314		
<b>Landscaped areas with uncompacted soil depth less than 24 inches</b>				
Area of lawn, grass pavers, ground covers, or other plants typically less than 3 ft tall at maturity		1,288,219	0.2	257,644
Large shrubs or ornamental grasses [1]		16 sq. ft. per	0.3	-
<b>Landscaped areas with uncompacted soil depth of 24 in. or more</b>				
Required Yards with mulch, ground covers, grass pavers, or other plants typically less than 3 ft tall at maturity			1.0	-
Areas other than required yards with mulch, ground covers, grass pavers, or other plants typically less than 3 ft tall at maturity			0.7	-
Large shrubs or ornamental grasses [1]	886	16 sq. ft. per	0.3	4,253
Small trees [2]	77	50 sq. ft. per	0.3	1,155
Medium trees [3]	224	100 sq. ft. per	0.4	8,960
Large trees [4]		200 sq. ft. per	0.4	-
<b>Undisturbed Areas [5]</b>				
Undisturbed areas less than 10,000 sf			0.8	-
Undisturbed contiguous areas 10,000 sf or more		832,867	1.5	1,249,301
Significant Trees over 10 in. DBH preserved		250 sq. ft. per	0.5	-
Heritage Tree over 8 in. DBH preserved		250 sq. ft. per	0.5	-
Tree Preservation Credits as per Sec. 503.L for preserved Significant or Heritage Trees		250 sq. ft. per	0.5	-
<b>Building or Structural Features</b>				
Permeable paving for walkways, parking lots, etc			1.2	-
Photocatalytic pavement or building exterior			1.5	-
White roof area			0.1	-
Vegetated walls - area of wall covered			0.7	-
Infiltration areas, underground chambers or surface, such as sand filters			1.5	-
<b>Green roofs</b>				
Area of green roof with less than 2 in. but not more than 4 in. growing depth			1.2	-
Area of green roof with over 4 in. growing depth			1.4	-
<b>Off-site improvements</b>				
Tree credit to the Tree Fund [6]		100 sq. ft. per	0.4	-
<b>Bonuses applied to factors above</b>				
Bioretention areas such as rain gardens, stormwater planters, and bioretention swales			1.5	-
Landscaping that consists entirely of drought-tolerant or native species, as defined by the Administrator			0.4	-
Landscaped areas where at least 50% of annual irrigation needs are met through the use of harvested rainwater or grey water			0.2	-
Landscaping visible to passersby (adjoining & up to 85 ft depth)			0.1	-
Landscaping to be maintained in food cultivation			0.2	-
Landscape area utilizing structural soil			0.4	-
<b>Total Green Factor Score</b>				<b>0.4617</b>





Department of Metropolitan Development  
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Table 744-509-1: Green Factor Calculation				
Project Name or Address:		Midelton - 11015 and 11127 East 46th Street		
Column A	Column B	Column C	Column D	Column E
Type of Area or Element	Number of Plants	Measured Area or Area Equivalent in Sq. Ft.	Multiplier	Score
<p>Notes for Green Factor</p> <p>[1] Large shrubs or ornamental grasses are those that reach 3 ft or more in height at maturity.</p> <p>[2] Small trees are trees that have a canopy spread less than 16 ft at maturity.</p> <p>[3] Medium trees are trees that have a canopy spread of 16 ft to 24 ft at maturity.</p> <p>[4] Large trees are trees that have a canopy spread of 25 ft or greater at maturity.</p> <p>[5] Undisturbed Area is a land area that is not affected by the construction activity; the land area must be stable and include established vegetation as evidenced by the presence of mature trees, understory plants or grasses other than turfgrass.</p> <p>[6] Contribution in lieu of a tree may be made for additional trees that are not required in a required yard. No more than 50% of the site's credited trees may be tree credits. Contribution method and amount to be established by the Metropolitan Development Commission.</p>				
Indicate the Tree species in each size category:				
Small trees species = 77				
Medium tree species = 244				
Large tree species = 0				



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MEMORANDUM

DATE: 12/19/2023  
TO: Jill Palmer  
Project Manager – Multi-Modal  
Indianapolis DPW – Engineering  
FROM: R. Matt Brown, PE / PTOE  
Vice President  
A&F Engineering Co., LLC  
RE: Midelton Development (Fogle Property)



On behalf of Arbor Homes, A&F Engineering has prepared the following analysis to identify if improvements would be necessary at the following intersections based on a proposed 244 dwelling unit single-family development proposed by Arbor homes on the Fogle property called Midelton.

- German Church Road & 46th Street
- German Church Road & 42nd Street
- CR 800 W & 46th Street
- CR 800 W & 42nd Street
- 46th Street & Lyman Lane
- 46th Street & Birmingham Drive
- 42nd Street & Winding Park Drive
- 42nd Street & Benicia Lane

Previous Study

In May 2022, A&F Engineering conducted a Traffic Impact Study for Lennar which included a proposed 194 dwelling unit single-family development on the Fogle property. In addition, the following additional traffic generators within the study area were considered to formulate total year 2027 traffic volumes:

- A.) A 1% per year non-compounded growth rate was applied to the existing year 2022 traffic volumes.
- B.) A proposed 167 dwelling unit single-family development on the near-by Haines property.
- C.) An approved single-family development called Loudoun Place.

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Since submission of this report to the Indianapolis Department of Public Works, Lennar has abandoned plans to develop the Fogle property and Arbor Homes has proposed that the site be developed with 244 single-family dwelling units. While the proposed Arbor plan is slightly more intense than the previous Lennar plan, the new site plan will be served by a similar access scheme (number and location) as previously studied.

In order to determine the traffic impact of the proposed Arbor Midelton development on the study intersections, the traffic volumes from the original Lennar project were subtracted from the previously submitted traffic study and the following steps were taken to add traffic from the proposed Arbor development into the study.

Trip Generation Comparison

Peak hour traffic volume estimates for the proposed Arbor project were calculated using the ITE *Trip Generation Manual*<sup>1</sup> these trip estimates are shown in Table 1, along with the previous trip estimates for the original Lennar project.

TABLE 1- TRIP GENERATION RESULTS

DEVELOPMENT	ITE CODE	SIZE	GENERATED TRIPS			
			AM PEAK		PM PEAK	
			ENTER	EXIT	ENTER	EXIT
ORIGINAL LENNAR	210	194 DU	35	101	117	68
PROPOSED ARBOR	210	244 DU	42	126	145	85
DIFFERENCE			7	25	28	17

Assignment & Distribution of Generated Trips

The generated traffic volumes from the proposed Arbor project (shown above) were assigned and distributed to the study intersections considered for this analysis. The assignment and distribution of generated trips for the Arbor project was identical to the percentages used in the previous Traffic Impact Study. For reference, a figure showing the assignment and distribution of generated trips for this property is attached.

Generated Traffic Volumes Added to the Roadway Network

The assignment and distribution percentages (shown on Figure 1) were applied to the Arbor generated trips (shown in Table 1) to yield the total generated trips from the proposed Arbor project at each of the study intersections. These generated trips are shown on Figure 2. For comparison, Figure 3 shows

<sup>1</sup> *Trip Generation Manual*, Institute of Transportation Engineers, Eleventh Edition, 2021.



Department of Metropolitan Development  
 Division of Planning  
 Current Planning

the generated trip difference at each of the study intersections between the proposed Midelton development and the original Lennar development. Finally, the Total Year 2027 Traffic Volumes which include the generated traffic volumes from the proposed Midelton development are shown on Figure 4.

Turn Lane Analysis

A turn lane warrant analysis was conducted to determine if turn lanes would be required along 46<sup>th</sup> Street and/or German Church Road at the proposed access drives for the proposed Midelton development. This analysis was done in accordance with the INDOT *Driveway Permit Manual*<sup>2</sup> using the “Total Year 2027 Traffic Volumes” and the results are summarized below.

TABLE 2 – TURN LANE WARRANT RESULTS

LOCATION	RIGHT-TURN LANE	LEFT-TURN LANE
46TH STREET & LYMAN LANE/MIDELTON ACCESS DRIVE	X	X
GERMAN CHURCH ROAD & MIDELTON ACCESS DRIVE	X	✓

✓ = TURN LANE WARRANTED; X = TURN LANE NOT WARRANTED

It should be noted that these turn lane analysis results are identical to those documented in the original Traffic Impact Study submitted in May 2022.

Capacity Analysis

The “efficiency” of an intersection is based on its ability to accommodate the traffic volumes that approach the intersection. It is defined by the Level-of-Service (LOS) of the intersection. The LOS is determined by a series of calculations commonly called a “capacity analysis”. Input data into a capacity analysis include traffic volumes, intersection geometry, and number and use of lanes. To determine the LOS at the study intersection, a capacity analysis has been made using the recognized computer program *Synchro/SimTraffic*<sup>3</sup>. This program allows intersections to be analyzed and optimized using the capacity calculation methods outlined within the *Highway Capacity Manual (HCM 6<sup>th</sup> Edition)*<sup>4</sup>. The following list shows the delays related to the levels of service for signalized and unsignalized intersections:

<sup>2</sup> INDOT *Driveway Permit Manual*, Indiana Department of Transportation, 2018

<sup>3</sup> *Synchro/SimTraffic 11*, Trafficware, 2020.

<sup>4</sup> *Highway Capacity Manual (HCM), 6<sup>th</sup> Edition* Transportation Research Board, National Research Council, Washington, DC, 2016.



Department of Metropolitan Development  
 Division of Planning  
 Current Planning

LEVEL OF SERVICE	CONTROL DELAY (SECONDS/VEHICLE)	
	UNSIGNALIZED	SIGNALIZED
A	LESS THAN OR EQUAL TO 10	LESS THAN OR EQUAL TO 10
B	BETWEEN 10.1 AND 15	BETWEEN 10.1 AND 20
C	BETWEEN 15.1 AND 25	BETWEEN 20.1 AND 35
D	BETWEEN 25.1 AND 35	BETWEEN 35.1 AND 55
E	BETWEEN 35.1 AND 50	BETWEEN 55.1 AND 80
F	GREATER THAN 50	GREATER THAN 80

The following tables summarize the level of service results at each of the study intersections considered for this analysis and the *Synchro* intersection reports illustrating these results are attached.

TABLE 3 – LOS SUMMARY: GERMAN CHURCH ROAD & 46TH STREET

APPROACH	AM PEAK HOUR	PM PEAK HOUR
NORTHBOUND APPROACH	C	B
SOUTHBOUND APPROACH	B	B
EASTBOUND APPROACH	A	B
WESTBOUND APPROACH	C	A
INTERSECTION	C	B

TABLE 4 – LOS SUMMARY: GERMAN CHURCH ROAD & 42ND STREET

APPROACH	AM PEAK HOUR	PM PEAK HOUR
NORTHBOUND APPROACH	B	B
SOUTHBOUND APPROACH	B	C
EASTBOUND APPROACH	A	B
WESTBOUND APPROACH	B	B
INTERSECTION	B	B

TABLE 5 – LOS SUMMARY: CR 800 W & 46TH STREET

APPROACH	AM PEAK HOUR	PM PEAK HOUR
EASTBOUND APPROACH	C	B
NORTHBOUND LEFT-TURN	A	A



Department of Metropolitan Development  
 Division of Planning  
 Current Planning

TABLE 6 – LOS SUMMARY: CR 800 W & 42ND STREET

APPROACH	AM PEAK HOUR	PM PEAK HOUR
NORTHBOUND APPROACH	B	B
SOUTHBOUND APPROACH	B	B
EASTBOUND APPROACH	B	B
WESTBOUND APPROACH	A	B
INTERSECTION	B	B

TABLE 7 – LOS SUMMARY: 46TH STREET & LYMAN LANE/MIDELTON ACCESS DRIVE

APPROACH	AM PEAK HOUR	PM PEAK HOUR
NORTHBOUND APPROACH	C	B
SOUTHBOUND APPROACH	B	B
EASTBOUND LEFT-TURN	A	A
WESTBOUND LEFT-TURN	A	A

Note: Analysis considers the construction of the Northbound access drive with at least one inbound and one outbound lane that will stop for 46th Street.

TABLE 8 – LOS SUMMARY: 46TH ST. & BIRMINGHAM DRIVE/HOVENWEEP WAY (E. LOUDOUN PLACE ACCESS DR.)

APPROACH	AM PEAK HOUR	PM PEAK HOUR
NORTHBOUND APPROACH	C	B
SOUTHBOUND APPROACH	C	A
EASTBOUND LEFT-TURN	A	A
WESTBOUND LEFT-TURN	A	A

Note: Analysis considers the construction of the Northbound access drive with at least one inbound and one outbound lane that will stop for 46th Street.

TABLE 9 – LOS SUMMARY: 42ND ST. & WINDING PARK DR./WEST HAINES PROPERTY ACCESS DR.

APPROACH	AM PEAK HOUR	PM PEAK HOUR
NORTHBOUND APPROACH	B	B
SOUTHBOUND APPROACH	A	A
EASTBOUND LEFT-TURN	A	A
WESTBOUND LEFT-TURN	A	A

Note: Analysis considers the construction of the Southbound access drive with at least one inbound and one outbound lane that will stop for 42nd Street.

TABLE 10 – LOS SUMMARY: 42ND ST. & BENICIA LANE/ EAST HAINES PROPERTY ACCESS DR.

APPROACH	AM PEAK HOUR	PM PEAK HOUR
NORTHBOUND APPROACH	B	B
SOUTHBOUND APPROACH	A	B
EASTBOUND LEFT-TURN	A	A
WESTBOUND LEFT-TURN	A	A

Note: Analysis considers the construction of the Southbound access drive with at least one inbound and one outbound lane that will stop for 42nd Street.

TABLE 11 – LOS SUMMARY: GERMAN CHURCH ROAD & MIDELTON ACCESS DRIVE

APPROACH	AM PEAK HOUR	PM PEAK HOUR
WESTBOUND APPROACH	C	D
SOUTHBOUND LEFT-TURN	A	A

Note: Analysis considers the construction of the Westbound access drive with at least one inbound and two outbound lanes that will stop for German Church Road, and the construction of an exclusive Southbound left-turn lane along German Church Road.

Conclusions and Recommendations

Based on the data and analysis, the following conclusions and recommendations are formulated. It should be noted that these are unchanged from the conclusions and recommendations documented in the previously submitted Traffic Impact Study.

GERMAN CHURCH ROAD & 46<sup>TH</sup> STREET

Capacity analyses for all traffic volume scenarios have shown this intersection currently operates and will continue to operate at acceptable levels of service during the AM and PM peak hours with existing intersection conditions. Therefore, no improvements are recommended at this location.

GERMAN CHURCH ROAD & 42<sup>ND</sup> STREET

Capacity analyses for all traffic volume scenarios have shown this intersection currently operates and will continue to operate at acceptable levels of service during the AM and PM peak hours with existing intersection conditions. Therefore, no improvements are recommended at this location.

CR 800 W & 46<sup>TH</sup> STREET

Capacity analyses have shown that all approaches to this intersection currently operate and will continue to operate at acceptable levels of service during both AM and PM peak hours for all traffic scenarios. Therefore, no improvements are recommended at this location.



Department of Metropolitan Development  
Division of Planning  
Current Planning

CR 800 W & 42<sup>ND</sup> STREET

Capacity analyses for all traffic volume scenarios have shown this intersection currently operates and will continue to operate at acceptable levels of service during the AM and PM peak hours with existing intersection conditions. Therefore, no improvements are recommended at this location.

46<sup>TH</sup> STREET & LYMAN LANE/MIDELTON ACCESS DRIVE

Capacity analyses have shown that all approaches to this intersection will operate at acceptable levels of service during the AM and PM peak hours with the following intersection conditions:

- Construction of the Northbound access drive with at least one inbound lane and one outbound lane.
- This intersection should be stop controlled with the access drive stopping for 46<sup>th</sup> Street.

46<sup>TH</sup> STREET & BIRMINGHAM DRIVE/HOVENWEEP WAY (EAST LOUDOUN PLACE ACCESS DRIVE)

Capacity analyses have shown that all approaches to this intersection will operate at acceptable levels of service during the AM and PM peak hours with the following intersection conditions:

- Construction of the Northbound access drive with at least one inbound lane and one outbound lane.
- This intersection should be stop controlled with the access drive stopping for 46<sup>th</sup> Street.

42<sup>ND</sup> STREET & WINDING PARK DRIVE/WEST HAINES PROPERTY ACCESS DRIVE

Capacity analyses have shown that all approaches to this intersection will operate at acceptable levels of service during the AM and PM peak hours with the following intersection conditions:

- Construction of the Southbound access drive with at least one inbound lane and one outbound lane.
- This intersection should be stop controlled with the access drive stopping for 42<sup>nd</sup> Street.

42<sup>ND</sup> STREET & BENICIA LANE/ EAST HAINES PROPERTY ACCESS DRIVE

Capacity analyses have shown that all approaches to this intersection will operate at acceptable levels of service during the AM and PM peak hours with the following intersection conditions:

- Construction of the Southbound access drive with at least one inbound lane and one outbound lane.
- This intersection should be stop controlled with the access drive stopping for 42<sup>nd</sup> Street.





Department of Metropolitan Development  
Division of Planning  
Current Planning

GERMAN CHURCH ROAD & MIDELTON ACCESS DRIVE

Capacity analyses have shown that all approaches to this intersection will operate at acceptable levels of service during the AM and PM peak hours with the following intersection conditions:

- Construction of the Westbound access drive with at least one inbound lane and two outbound lanes.
- This intersection should be stop controlled with the access drive stopping for German Church Road.
- Construction of Southbound left-turn lane along German Church Road.



Photo looking south on to the subject site from 46<sup>th</sup> Street.



Photo looking south on to the subject site from 46<sup>th</sup> Street.



Photo looking east where the sidewalk ends along 46th Street.



Photo looking east across German Church Road to the corner subject site. Buildings to be removed .



Photo looking east at the subject site from German Church Road.



Photo looking southeast at the subject site from German Church Road.



Photo looking east at the subject site from the church on German Church Road.



Photo looking north at the southern property boundary along 42<sup>nd</sup> Street.



Photo of the adjacent residential neighborhood where the street connection will take place.



Photo of the subject site looking north from the eastern property boundary.



Photo of the subject site looking west from the eastern property boundary.



Photo of the subject site looking south from the eastern property boundary.