



Metropolitan Development Commission (February 19, 2025) 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 19, 2025 **Time:** 1:00 PM

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

Business:

Adoption of Meeting Minutes: February 5, 2025

Election of Officers

Policy Resolutions:

ECONOMIC DEVELOPMENT / INCENTIVES:

1. 2025-A-006 (For Public Hearing)

Final Economic Revitalization Area Resolution for Dallara USA Holdings, Inc., located at 1201 Main Street, Council District #16, Wayne Township. (Recommend approval of six (6) years real property tax abatement.)

2. 2025-A-007 (For Public Hearing)

Final Economic Revitalization area Resolution for Dallara USA Holdings, Inc., located at 1201 Main Street, Council District #16, Wayne Township. (Recommend approval of six (6) years personal property tax abatement.)

3. 2025-A-008 (For Public Hearing)

Final Economic Revitalization Area Resolution for Hydro Vac Services, LLC, d/b/a Groundbreakers, located at 5514 Victory Drive, Council District #24, Franklin Township. (Recommend approval of five (5) years real property tax abatement.)

4. 2025-A-009

Preliminary Economic Revitalization Area Resolution for Monon 21 LLC and Onyx and East LLC, located at 2060 Yandes Street, Council District #13, Center Township. (Recommend approval of ten (10) years real property tax abatement.)

5. 2025-A-010 (For Public Hearing)

Resolution authorizing a hearing regarding termination of the Personal Property Tax Abatement associated with Economic Revitalization Area Resolution 2020-A-078, 2020, True Essences Foods, located at 1125 Brookside Avenue, Council District #13, Center Township.

6. 2025-E-006 (For Public Hearing)

Resolution Pledging Tax Increment Revenues to the Kennedy/Chloe Economic Development Revenue Bonds, District #12, Center Township.

7. 2025-E-007 (For Public Hearing)

Confirmatory Resolution Establishing the Kennedy/Chloe Economic Development Area, District #12, Center Township.

PLANNING:

Zoning Petitions:

Special Requests

PETITIONS OF NO APPEAL (RECOMMENDED FOR APPROVAL):

8. 2024-APP-030 | 8220 Naab Road

Washington Township, Council District #1

HD-2

SPT IVEY 8220 Naab Rd MOB c/o Cornerstone Companies, Inc., by Doug Staley, Jr.

Hospital District-Two Approval to provide for a non-illuminated wall sign on the south elevation of an existing building.

9. 2024-APP-031 | 5700 East 23rd Street

Warren Township, Council District #9

PK-1

City of Indianapolis, Department of Parks and Recreation, by Henry Woodburn

Park District-One Approval to provide for a new playground, sidewalks, a shade structure, parking area, pickleball courts, locations for future improvements, and drainage improvements.

10. 2024-MOD-020 | 431 South Shortridge Road

Warren Township, Council District #20

C-S

Bhullar Deol Properties, Inc., by Justin Kingen and David Kingen

Modification of Commitments related to 2022-CZN-868 to modify Commitment #13 to allow the property to seek a catering hall liquor license for private events (current commitment does not allow for a liquor license to be issued on the site).

11. 2024-MOD-025 | 5244 Shelbyville Road

Franklin Township, Council District #24

D-P

ICJ Homes LLC, by Joseph D. Calderon

Modification of Development Statement of 2021-ZON-047 to remove all references to "Condominium" or "Horizontal Property Regime" in order to construct two-family dwellings and to plat each lot.

12. 2024-ZON-030 (Amended) | 1362 and 1368 North Olney Street

Center Township, Council District #13

Read Investment Trust / Brookside Community Development Corp., by Emily Duncan and David Kingen

Rezoning of 0.29-acre from the C-3 district to the MU-2 district to provide for a mixed-use development.

13. 2024-ZON-132 | 3702-3744 North Keystone Avenue

Center Township, Council District #19

Fortified Group, LLC, by Dale Pruitt

Rezoning of 1.61 acres from the C-3 (TOD) (W-5) and D-5 (TOD) (W-5) districts to the MU-2 (TOD) (W-5) district to provide for a 95-unit multi-family complex and mixed-use development.

14. 2024-ZON-135 | 11700 and 11850 East 38th Street and 4002 North Carroll Road

Lawrence Township, Council District #15

Laibe & Russell Investment LLC, by Mark and Kim Crouch

Rezoning of 46.77 acres from the D-5 (FF) district to the D-4 (FF) district to provide for a single-family detached residential development.

- 15. 2024-CZN-842 (Amended) | 2147 Columbia Avenue (vacant portion only) and 1315 East 22nd Street**
Center Township, Council District #13
Keyon Johnson and K & D Epic Holdings, LLC, by David Gilman

Rezoning of 0.13-acre from the I-3 district to the D-8 district to provide for a four-unit dwelling.

- 16. 2024-CAP-848 | 7511 New Augusta Road**
Pike Township, Council District #1
D-5II and D-6II
Ashton Apartments, LLC, by Elizabeth Bentz Williams, AICP

Modification of commitments related to 2018-ZON-106 commitments 1, 2, 4, 5, 6, 8, 11, 15, and 17 to allow for attached dwellings rather than senior-restricted apartments.

- 17. 2024-CAP-857 | 2025 Dugan Drive**
Washington Township, Council District #1
St. Vincent Hospital and Health, by Kandyn Leach

Hospital District-One Approval to provide for replacement building identification and wayfinding signage for a Donor House.

Petitions for Public Hearing

PETITIONS FOR PUBLIC HEARING:

18. REZONING PETITION RECOMMENDED FOR DENIAL BY HEARING EXAMINER, APPEAL FILED BY PETITIONER:

2024-ZON-050 | 3739 North Kitley Avenue
Franklin Township, Council District #25
Warren Township, Council District #9
Patrium LLC, by Luis Gomez

Rezoning of 1.22 acres from the D-3 (TOD) district to the C-7 (TOD) classification to provide for a commercial contractor.

19. REZONING PETITION RECOMMENDED FOR APPROVAL BY HEARING EXAMINER, APPEAL FILED BY REMONSTRATOR:

2024-ZON-127 | 6018 North Keystone Avenue
Washington Township, Council District #7
Evolution Process Service, LLC, by Rebekah Phillips

Rezoning of 0.219-acre from the D-3 district to the C-1 district to provide for office uses.

20. REZONING PETITIONS RECOMMENDED FOR DENIAL BY HEARING EXAMINER, APPEAL FILED BY PETITIONER:

2024-ZON-073 / 2024-ZON-073B | 2155 Kessler Boulevard, West Drive
Washington Township, Council District #2
Broadmoor Investments, LLC, by Russell L. Brown

Rezoning of 6.01 acres from the SU-34 (FF) district to the D-4 (FF) district to provide for residential uses.

Rezoning of 7.68 acres from the SU-34 district to the D-5II district to provide for residential uses.

****Petitioner request for continuance for cause to March 5, 2025**

21. REZONING PETITION RECOMMENDED FOR APPROVAL BY HEARING EXAMINER, APPEAL FILED BY REMONSTRATOR:

2024-ZON-138 | 7947 Camby Road
Decatur Township, Council District #21
Arbor Homes, by Domonic Dreyer

Rezoning of 22.88 acres from the D-A district to the D-4 district to provide for residential uses.

22. REZONING PETITION SCHEDULED FOR INITIAL HEARING:

2024-ZON-098 | 6200 and 6545 West Southport Road
Decatur Township, Council District #21
Arbor Homes, by Domonic Dreyer

Rezoning of 104.8 acres from the D-A district to the D-P District to provide for a detached single-family residential development of a maximum of 323 dwelling units, with amenities and accessory, temporary and special exception uses permitted in the D-4 district, except for two-family dwellings and group homes, which would be prohibited.

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. Written objections to a proposal are encouraged to be filed via email at planneroncall@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) 327-7093, at least 48 hours prior to the meeting. Department of Metropolitan Development - Current Planning Division.

METROPOLITAN DEVELOPMENT COMMISSION OF
MARION COUNTY, INDIANA
FINAL ECONOMIC REVITALIZATION AREA RESOLUTION
RESOLUTION NO. 2025-A-006
REAL PROPERTY TAX ABATEMENT

Dallara USA Holdings, Inc.
1201 Main Street

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 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 empowers the Commission, at the time an Economic Revitalization Area is designated, to limit the dollar amount of the deduction that will be allowed with respect to a project; 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, the Applicant has requested the Subject Real Estate be designated as an Economic Revitalization Area for the purpose of achieving property tax savings in connection with the Project set forth in the attachment to this Resolution and occurring on the Subject Real Estate; and

WHEREAS, during a preliminary hearing at 1:00 p.m. on Wednesday, February 5, 2025, the Commission received evidence about whether the Subject Real Estate should be designated as an Economic Revitalization Area and recommended the appropriate length of the abatement period for such Area, and the Commission adopted **Preliminary Resolution No. 2025-A-003, ("Preliminary Resolution")** preliminarily designating the Subject Real Estate as an Economic Revitalization Area for an abatement period of six (6) years ("Preliminary Resolution"); and

WHEREAS, a copy of such Preliminary Resolution was properly filed with the Marion County Assessor and proper legal notices were published indicating the adoption and substance of such Preliminary Resolution and stating when and where such final hearing would be held; and

WHEREAS, pursuant to Commission Resolution No. 01-A-041, 2001, the Applicant and the City have entered into a Memorandum of Agreement which shall be utilized to measure compliance with the proposed Project described in the attachment to this Resolution; and

WHEREAS, proper legal notices were published indicating the adoption of such Preliminary Resolution and stating when and where such final public hearing would be held.

NOW, THEREFORE, IT IS RESOLVED:

1. The Commission now confirms, adopts and approves such Preliminary Resolution and thereby finds and establishes the area as an Economic Revitalization Area subject to the conditions that designation as an Economic Revitalization Area allows the abatement of property taxes only relative to the Project and the effectiveness of the designation can be terminated by action of the Commission if:
 - A. The Applicant is unable to secure approval of the necessary variance or rezoning petition to provide for the proposed development.
 - B. Construction on the Subject Real Estate is not in substantial conformance with the Project description contained in the final resolutions as supplemented by information in the application, site plan and elevations; or
 - C. 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.
2. The Economic Revitalization Area designation terminates five (5) years after the date a final resolution is adopted; however, relative to redevelopment or rehabilitation completed before the end of the five (5) year period, this termination does not limit the period of time the Applicant or successor owner is entitled to receive a partial abatement of property taxes to a period of less than **six (6) years**.
3. This Economic Revitalization Area designation is limited to allowing the partial abatement of property taxes attributable to redevelopment or rehabilitation activities: **This designation does not allow abatement of property taxes for installation of new manufacturing equipment under 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 expansion of the current headquarters of not greater than 35,000 square feet of leasable area.
4. The Commission has determined that the Project can be reasonably expected to yield the benefits identified in the attached "statement of benefits" and the "statement of benefits" is sufficient to justify the partial abatement of property taxes requested, based on the following findings:

- A. The estimate of the value of the proposed Project is reasonable for projects of that nature.
- B. The estimate of the number of individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed Project.
- C. The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed Project.
- D. Other benefits about which information was requested are benefits which can reasonably be expected to result from the proposed Project.
- E. The "Totality of Benefits" is sufficient to justify the deduction.

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 Final Economic Revitalization Area Resolution, the Memorandum of Agreement executed by and between the applicant and the City, and/or the statement of benefits form. The Commission may reduce the dollar amount, or rescind the deduction in its entirety, and/or require repayment of all or a portion of the deductions received by the applicant for failure to achieve the benefits identified in the Memorandum of Agreement and/or "statement of benefits", or for failure to respond to the mandatory survey.

6. The Commission directs the Department of Metropolitan Development to survey the Project described in the attachment to this Resolution annually for at least eight (8) years. The dates of the eight (8) surveys shall be *on or about* the following years: 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032.

7. The Subject Real Estate and Project area are approved for an abatement period of **six (6) years**.

8. The six (6) year real property tax abatement shall utilize the following abatement schedule:

YEAR OF DEDUCTION	PERCENTAGE
1 st	100%
2 nd	85%
3 rd	66%
4 th	50%
5 th	34%
6 th	17%

9. 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 12th day of February,
2025.

Sheila Kinney 2/12/2025

Sheila Kinney,
Assistant Corporation Counsel

STAFF ANALYSIS
REAL PROPERTY TAX ABATEMENT

Area Surrounding Subject Real Estate: The site is located in Wayne Township in the town of Speedway, 1/3 of a mile SW of the Indianapolis Motor Speedway and 5 miles from downtown Indianapolis.

Current Zoning:.....SZ1 and SZ2

New Jobs Created:50

Jobs Retained:47

Estimated Cost of proposed project: \$5,000,000.00

STAFF ANALYSIS

Dallara USA Holdings, Inc. has announced plans to invest over \$15 million exclusively in its Speedway Indiana location to expand its current Headquarters. This significant investment is expected to impact the Motorsports, Automotive, and Aerospace & Defense (AS&D) industries within the state. The company will focus on developing specialized engineering services and manufacturing parts for NASCAR, INDYCAR, INDY NXT, and IMSA series, as well as serving major OEMs in the AS&D sectors. The project aims to bring advanced composite carbon fiber manufacturing technologies, increase machining and post-processing capacity, and improve workforce efficiency. A key goal of the initiative is to attract more manufacturing and high-level engineering services from out-of-state and international markets to the Indiana facility. The current and proposed facilities are located within a redevelopment area TIF district established by the Town of Speedway.

The investment includes \$5 million on real property for the expansion of Dallara’s existing facility in Speedway and \$11.7 million in personal property, state-of-the-art equipment. This growth will also support a partnership with Purdue Motorsports, which will move into Dallara’s building on Main Street. In addition to these advancements, Dallara USA has established a new company, Dallara AK E-Sports, in 2024. This venture will strengthen connections with academic institutions and the global software and electronics industries, further broadening the company’s reach and capabilities.

The project will retain forty-seven (47) current jobs with an average wage of \$34.44/hr. and create fifty (50) new positions with an average wage of \$41.55/hr. by December 31, 2028. These figures exclude benefits, and only positions earning more than \$18 per hour are included. Dallara’s investment underscores its commitment to advancing technology and fostering economic growth in Indiana. Dallara is committed to investing 5% of its tax savings toward workforce support programs.

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 six (6) years real property tax abatement.

TOTALITY OF BENEFITS**PETITIONER:**

Dallara USA Holdings, Inc.

INVESTMENT:

Staff estimates that the proposed investment of \$5,000,000.00 should result in an increase to the tax base of approximately \$3,750,000.00 of assessed value. Staff estimates that over the initial six (6) year real property tax abatement period the petitioner will realize savings of approximately \$132,000.00 (an 23% savings). During the abatement period, the petitioner is expected to pay an estimated \$442,656.00 in real property taxes relative to the new investment. This is in addition to the current taxes being paid on the undeveloped property in the approximate amount of \$95,776.00 annually (2024 taxes). After the tax abatement expires, the petitioner can be expected to pay an estimated \$154,052.00 in real property taxes annually on the new improvements, in addition to the annual taxes attributable to the current value of the land, based on tax value assessed in 2024.

EMPLOYMENT:

The petitioner estimates that this project will retain forty- seven (47) jobs at an average wage of \$34.44/hr. and create a minimum of fifty (50) new positions at an average wage of not less than \$41.55/hr. by December 31, 2028. The average wage excludes benefits and only jobs above \$18/hr. are included in these numbers. Staff finds these figures to be reasonable for a project of this nature.

OTHER BENEFITS:

Staff believes this project is significant for Wayne 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.

PROJECT SUMMARY

Applicant: Dallara USA Holdings, Inc.

Subject Real Estate: 1201 Main Street

Wayne Township Parcel Number: 9025164, 9025165, and 9058715

Project Description

Dallara USA Holdings, Inc. has announced plans to invest over \$15 million exclusively in its Speedway Indiana location to expand its current Headquarters. This significant investment is expected to impact the Motorsports, Automotive, and Aerospace & Defense (AS&D) industries within the state. The company will focus on developing specialized engineering services and manufacturing parts for NASCAR, INDYCAR, INDY NXT, and IMSA series, as well as serving major OEMs in the AS&D sectors. The project aims to bring advanced composite carbon fiber manufacturing technologies, increase machining and post-processing capacity, and improve workforce efficiency. A key goal of the initiative is to attract more manufacturing and high-level engineering services from out-of-state and international markets to the Indiana facility. The current and proposed facilities are located within a redevelopment area TIF district established by the Town of Speedway.

The investment includes \$5 million on real property for the expansion of Dallara’s existing facility in Speedway and \$11.7 million in personal property, state-of-the-art equipment. This growth will also support a partnership with Purdue Motorsports, which will move into Dallara’s building on Main Street.

New Jobs Created: 50 at \$41.55/hr.

Jobs Retained: 47 at \$41.55/hr

Estimated Cost of Project: \$5,000,000.00

RECOMMENDATION: Staff recommends approval of six (6) years real property tax abatement.

**METROPOLITAN DEVELOPMENT COMMISSION OF
MARION COUNTY, INDIANA
FINAL ECONOMIC REVITALIZATION AREA RESOLUTION**

Resolution No. 2025-A-007

PERSONAL PROPERTY TAX ABATEMENT

Dallara USA Holdings, Inc.
1201 Main Street

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, 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 deduction schedule during the term of the abatement for such property 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 empowers the Commission, at the time an Economic Revitalization Area is designated, to limit the dollar amount of the deduction that will be allowed with respect to a project; 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 preliminary hearing at 1:00 p.m. on Wednesday, February 5, 2025, the Commission received evidence about whether the Subject Real Estate should be designated as an Economic Revitalization Area and the Commission adopted **Preliminary Resolution No. 2025-A-004 (“Preliminary Resolution”)**, preliminarily designating the Subject Real Estate as an Economic Revitalization Area subject to the adoption of a confirming resolution by the Commission and subject to limiting conditions, and it fixed 1:00 p.m. on Wednesday, February 19, 2025 in the Public Assembly Room of the City-County Building for the public hearing of remonstrances and objections from persons interested in whether the Subject Real Estate should be designated as an Economic Revitalization Area to allow for the installation of the Specified New Equipment; and

WHEREAS, a copy of such Preliminary Resolution was properly filed with the Marion County Assessor and proper legal notices were published indicating the adoption and substance of such Preliminary Resolution and stating when and where such final hearing would be held; and

WHEREAS, pursuant to Commission Resolution No. 01-A-041, 2001, the Applicant and City have entered into a Memorandum of Agreement which shall be utilized to measure compliance with the proposed Project described in the attachment to this resolution; and

WHEREAS, at such final hearing, evidence and testimony, and Assertions 1 through 6 stated on the attachment to the Preliminary Resolution, (along with all written remonstrances and objections previously filed) were considered by the Commission.

NOW, THEREFORE, IT IS RESOLVED:

1. The Commission now amends, confirms, adopts and approves such Preliminary Resolution and thereby designates, finds and establishes the Subject Real Estate as an Economic Revitalization Area. This designation is subject to the conditions that designation allows abatement of property taxes only relative to the installation of the Specified New Equipment on the Subject Real Estate. 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 the Specified New Equipment is filed with the County Assessor.
2. **The Economic Revitalization Area designation terminates December 31, 2030. 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 February 19, 2025, to December 31, 2030.** 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 five (5) years.
3. The partial abatement of property taxes attributable to the installation of the Specified New Equipment is subject to limitations contained in I.C. 6-1.1-12.1-4.5 (c) and (d).

4. 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.
5. The Commission has determined that the Project can reasonably be expected to yield the benefits identified in the attached "Statement of Benefits" and that the "Statement of Benefits" is sufficient to justify the partial abatement of property taxes requested, based on the following findings:
 - A. The estimate of the cost of the Specified New Equipment is reasonable for equipment of that type.
 - B. The estimate of the number of individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed installation of the Specified New Equipment.
 - C. The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed installation of the Specified New Equipment.
 - D. Other benefits about which information was requested are benefits which can reasonably be expected to result from the proposed installation of the Specified New Equipment.
 - E. The "Totality of Benefits" is sufficient to justify the deduction.
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 Final Economic Revitalization Area Resolution, the Memorandum of Agreement executed by and between the Applicant and the City, and/or the Statement of Benefits form. The Commission may reduce the dollar amount, or rescind the deduction in its entirety, and/or require repayment of all or a portion of the deductions received by the applicant for failure to achieve the benefits identified in the attached Memorandum of Agreement and/or "Statement of Benefits" or failure to respond to the mandatory survey.
7. The Commission directs the Department of Metropolitan Development to survey the Project described in the attachment to this resolution annually for eight (8) years. The dates of the eight (8) surveys shall be *on or about* the following years: 2025, 2026, 2027, 2028, 2029, 2030, 2031, and 2032.
8. The Subject Real Estate and Project area are approved for an abatement period of **six (6) years**.

9. The six (6) year personal property tax abatement shall utilize the following deduction schedule:

YEAR OF DEDUCTION	PERCENTAGE
1 st	100%
2 nd	85%
3 rd	66%
4 th	50%
5 th	34%
6 th	25%

10. A copy of this Resolution shall be filed with the Marion County Auditor.

METROPOLITAN DEVELOPMENT COMMISSION

John J. Dillion III, President

Date

Approved as to Legal Form and Adequacy
this 12th day of February 2025.

Sheila Kinney

Sheila Kinney,
Assistant Corporation Counsel

STAFF COMMENT
PERSONAL PROPERTY TAX ABATEMENT

Street Address:..... 1201 Main Street

New Jobs Created: 50

Jobs Retained: 47

Estimated Cost of Equipment: \$11,750,000.00

STAFF ANALYSIS

Dallara USA Holdings, Inc. has announced plans to invest over \$15 million exclusively in its Speedway Indiana location to expand its current Headquarters. This significant investment is expected to impact the Motorsports, Automotive, and Aerospace & Defense (AS&D) industries within the state. The company will focus on developing specialized engineering services and manufacturing parts for NASCAR, INDYCAR, INDY NXT, and IMSA series, as well as serving major OEMs in the AS&D sectors. The project aims to bring advanced composite carbon fiber manufacturing technologies, increase machining and post-processing capacity, and improve workforce efficiency. A key goal of the initiative is to attract more manufacturing and high-level engineering services from out-of-state and international markets to the Indiana facility. The current and proposed facilities are located within a redevelopment area TIF district established by the Town of Speedway.

The investment includes \$5 million on real property for the expansion of Dallara’s existing facility in Speedway and \$11.7 million in personal property, state-of-the-art equipment. This growth will also support a partnership with Purdue Motorsports, which will move into Dallara’s building on Main Street.

In addition to these advancements, Dallara USA has established a new company, Dallara AK E-Sports, in 2024. This venture will strengthen connections with academic institutions and the global software and electronics industries, further broadening the company's reach and capabilities.

The project will retain forty-seven (47) current jobs with an average wage of \$34.44/hr. and create fifty (50) new positions with an average wage of \$41.55/hr. by December 31, 2028. These figures exclude benefits, and only positions earning more than \$18 per hour are included. Dallara’s investment underscores its commitment to advancing technology and fostering economic growth in Indiana. Dallara is committed to investing 5% of its tax savings toward workforce support programs.

The proposed use and the planned real estate investments will result in net benefits for the area and the County. The petitioner will be donating five percent of its estimated abatement savings to support workforce development projects through Employ Indy.

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 six (6) years personal property tax abatement.

[Remainder left intentionally blank]

TOTALITY OF BENEFITS

PETITIONER: **Dallara USA Holdings, Inc.**

INVESTMENT: Staff estimates that the proposed investment of \$11,750,000.00 should result in an increase to the tax base of approximately \$4,700,000.00 of assessed value in the first year of operation. Staff estimates that over the six (6) year personal property tax abatement period the petitioner will realize savings of approximately \$166,286.00 (a 56.7% savings). During the abatement period, the petitioner is expected to pay an estimated \$126,990.00 in personal property taxes related to the new equipment. After the tax abatement expires, the petitioner can be expected to pay an estimated \$93,526.00 in personal property taxes annually related to the new equipment.

EMPLOYMENT: The petitioner estimates that this project will retain forty- seven (47) jobs at an average wage of \$34.44/hr. and create a minimum of fifty (50) new positions at an average wage of not less than \$41.55/hr. by December 31, 2028. The average wage excludes benefits and only jobs above \$18/hr. are included in these numbers. Staff finds these figures to be reasonable for a project of this nature.

OTHER BENEFITS: Staff believes this project is significant for Wayne 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.

PROJECT SUMMARY

Applicant: Dallara USA Holdings, Inc.
Subject Real Estate: 1201 Main Street
Wayne Township Parcel Number: 9025164,9025165, and 9058715

Project Description:

Dallara USA Holdings, Inc. has announced plans to invest over \$15 million exclusively in its Speedway Indiana location to expand its current Headquarters. This significant investment is expected to impact the Motorsports, Automotive, and Aerospace & Defense (AS&D) industries within the state. The company will focus on developing specialized engineering services and manufacturing parts for NASCAR, INDYCAR, INDY NXT, and IMSA series, as well as serving major OEMs in the AS&D sectors. The project aims to bring advanced composite carbon fiber manufacturing technologies, increase machining and post-processing capacity, and improve workforce efficiency. A key goal of the initiative is to attract more manufacturing and high-level engineering services from out-of-state and international markets to the Indiana facility. The current and proposed facilities are located within a redevelopment area TIF district established by the Town of Speedway.

The investment includes \$5 million on real property for the expansion of Dallara's existing facility in Speedway and \$11.7 million in personal property, state-of-the-art equipment. This growth will also support a partnership with Purdue Motorsports, which will move into Dallara's building on Main Street.

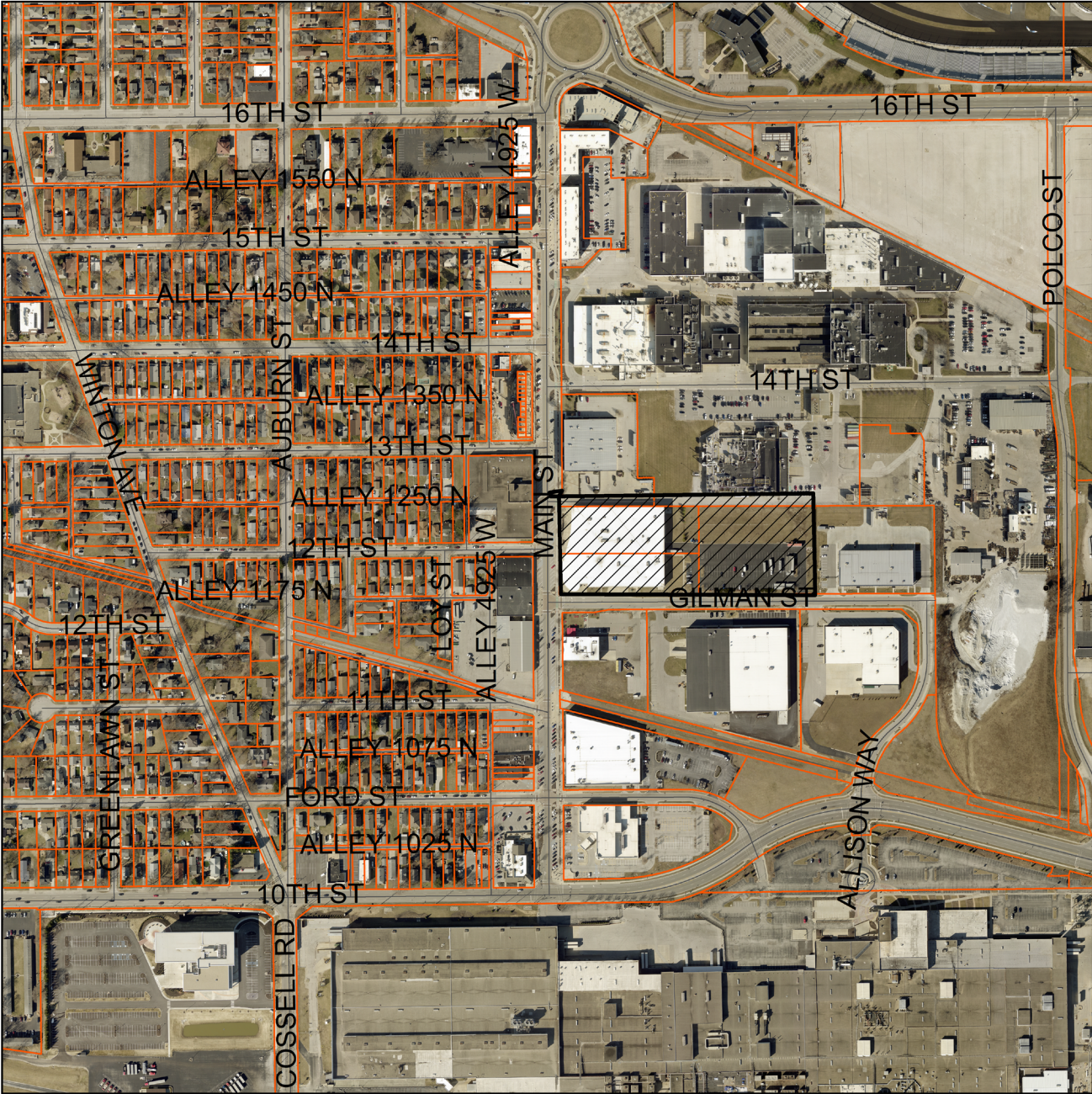
New Jobs Created: 50 at \$41.55/hr.

Job Retained: 47 at \$34.44/hr.

Estimated Cost of Project: \$11,750,000.00

RECOMMENDATION: Staff recommends approval of six (6) years personal property tax abatement.

Dallara USA Holdings, Inc.
1201 Main Street (Speedway)



Legend

- Parcels
- Project Site

Produced by: DMD - BATTLE 01/2025

**METROPOLITAN DEVELOPMENT COMMISSION OF
MARION COUNTY, INDIANA
FINAL ECONOMIC REVITALIZATION AREA RESOLUTION
RESOLUTION NO. 2025-A-008
REAL PROPERTY TAX ABATEMENT**

**Hydro Vac Services LLC d/b/a GroundBreakers
5514, 5532, and 5550 Victory Drive**

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, annual abatement schedule and deduction limit during the term of the abatement for such property 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 empowers the Commission, at the time an Economic Revitalization Area is designated, to limit the dollar amount of the deduction that will be allowed with respect to a project; 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, the Applicant has requested the Subject Real Estate be designated as an Economic Revitalization Area for the purpose of achieving property tax savings in connection with the Project set forth in the attachment to this Resolution and occurring on the Subject Real Estate; and

WHEREAS, during a preliminary hearing at 1:00 p.m. on Wednesday, February 5, 2025, the Commission received evidence about whether the Subject Real Estate should be designated as an Economic Revitalization Area and recommended the appropriate length of the abatement period for such Area, and the Commission adopted **Preliminary Resolution No. 2025-A-005**, preliminarily designating the Subject Real Estate as an Economic Revitalization Area for an abatement period of five (5) years ("Preliminary Resolution"); and

WHEREAS, pursuant to Commission Resolution No. 01-A-041, 2001, the Applicant and the City have entered into a Memorandum of Agreement which shall be utilized to measure compliance with the proposed Project described in the attachment to this Resolution; and

WHEREAS, proper legal notices were published indicating the adoption of such Preliminary Resolution and stating when and where such final public hearing would be held.

NOW, THEREFORE, IT IS RESOLVED:

1. The Commission now amends, confirms, adopts and approves such Preliminary Resolution and thereby finds and establishes the area as an Economic Revitalization Area subject to the conditions that designation as an Economic Revitalization Area allows the abatement of property taxes only relative to the Project and the effectiveness of the designation can be terminated by action of the Commission if:
 - A. The Applicant is unable to secure approval of the necessary variance or rezoning petition to provide for the proposed development.
 - B. Construction on the Subject Real Estate is not in substantial conformance with the Project description contained in the final resolutions as supplemented by information in the application, site plan and elevations; or
 - C. 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.
2. The Economic Revitalization Area (ERA) 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 ERA period, this termination does not limit the period of time the Applicant or successor owner is entitled to receive a partial abatement of property taxes to a period of not less than five (5) years.
3. In the event the investment period, as identified on the Statement of Benefits form, covers more than one assessment cycle, it is the intention of the Commission that Marion County Auditor shall treat each year of partial assessment as the first year of the abatement deduction schedule outlined in this abatement resolution. Each new increment of assessment that occurs during the approved investment period will trigger its own deduction schedule, ensuring that the Applicant is eligible to receive the full, intended abatement savings associated with its forecasted investment, provided that the Applicant timely files with Marion County a separate deduction application (State Forms CF-1 and 322/RE) for each new increment of assessment for which it seeks an abatement deduction.
4. This Economic Revitalization Area designation is limited to allowing the partial abatement of property taxes attributable to redevelopment or rehabilitation activities: **This designation does not allow abatement of property taxes for installation of new manufacturing equipment under 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 in the ERA, to those respective tax savings attributable to the development of a building not greater than 29,000 square feet of leasable area.
5. The Commission has determined that the Project can be reasonably expected to yield the benefits identified in the attached "statement of benefits" and the "statement of benefits" is sufficient to justify the partial abatement of property taxes requested, based on the following findings:

- A. The estimate of the value of the proposed Project is reasonable for projects of that nature.
 - B. The estimate of the number of individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed Project.
 - C. The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed Project.
 - D. Other benefits about which information was requested are benefits which can reasonably be expected to result from the proposed Project.
 - E. The "Totality of Benefits" is sufficient to justify the deduction.
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, Workforce Support Commitments and investment figures contained in the applicant's approved Final Economic Revitalization Area Resolution, the Memorandum of Agreement executed by and between the applicant and the City, and/or the statement of benefits form. The Commission may reduce the dollar amount, or rescind the deduction in its entirety, and/or require repayment of all or a portion of the deductions received by the applicant for failure to achieve the benefits identified in the Memorandum of Agreement and/or "statement of benefits", or for failure to respond to the mandatory survey.
 7. The Commission directs the Department of Metropolitan Development to survey the Project described in the attachment to this Resolution annually for at least eight (8) years. The dates of the initial seven (7) surveys shall be on or about the following dates: 2026, 2027, 2028, 2029, 2030, 2031, and 2032.
 8. The Subject Real Estate and Project area are approved for an abatement period of **five (5) years**.
 9. The real property tax abatement shall utilize the following abatement schedule:

REAL PROPERTY TAX ABATEMENT SCHEDULE

YEAR OF DEDUCTION	PERCENTAGE
1 st	100%
2 nd	80%
3 rd	60%
4 th	40%
5 th	20%

10. 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 12th day of February 2025.

Sheila Kinney 2/12/2025

Sheila Kinney,
Assistant Corporation Counsel

STAFF ANALYSIS
REAL PROPERTY TAX ABATEMENT

Area Surrounding Subject Real Estate: The site is located in Franklin Township just south of I-465, north of East Thompson Rd., east of South Emerson Ave., and west of South Arlington Ave.

T

Current Zoning: C-S

Qualified New Jobs Created: 60

Qualified Jobs Retained: 63

Estimated Cost of proposed project: \$5,922,673.00

STAFF ANALYSIS

GroundBreakers a subsidiary of Hydro Vac Services Inc., founded in 2011, is a veteran and woman-owned utility management services company headquartered in Indianapolis, Indiana, with operations in Ohio, Kentucky, and Illinois. The company specializes in hydro-excavation, jetting, CCTV inspection, and private locating services, catering to construction, utilities, municipalities, and telecommunications industries. Recognized for its rapid growth, GroundBreakers has been named a Fast25 company by the Indiana Business Journal for two consecutive years. To meet increasing customer demand, the company is investing \$5,922,673.00 in real property and plans to build a 28,500-square-foot headquarters facility by the end of 2025, which will house offices, truck storage, maintenance, and training spaces.

With over a decade of expertise, GroundBreakers is known for its precise and non-destructive hydro-excavation services. Its primary focus is on safely and effectively excavating soil around buried utilities and underground structures, ensuring high-quality results for clients. The company employs state-of-the-art equipment and highly trained operators to deliver reliable solutions. This dedication enables GroundBreakers to handle numerous projects annually across various sectors, emphasizing cleanliness, security, and accuracy in all operations.

Groundbreakers collaborates with Local 120 Laborer's Union and Local 103 Operators Engineering Union and is committed to supporting local employment and union partnerships in Marion County. The company will retain 63 union jobs at a rate of \$42.75/hr., County residents, and create 60 new union jobs at \$42.75/hr. Additionally, GroundBreakers will donate 5% of its tax savings in partnering with EmployIndy, the Indiana Construction Roundtable Foundation, and Indiana Constructors Inc. to support workforce pathways into union careers.

The petitioner is requesting the 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 five (5) years real property tax abatement.

TOTALITY OF BENEFITS

PETITIONER: Hydro Vac Services, LLC d/b/a GoundBreakers

INVESTMENT: Staff estimates that the proposed investment of \$5,922,673.00 should result in an increase to the tax base of approximately \$4,442,004.75 of assessed value. Staff estimates that over the initial five (5) year real property tax abatement period the petitioner will realize savings of approximately \$328,752.77 (a 57.3% savings). During the abatement period, the petitioner is expected to pay an estimated \$244,603.28 in real property taxes relative to the new investment. This is in addition to the current taxes being paid on the undeveloped property in the approximate amount of \$5,086.95 annually (2025 taxes). After the tax abatement expires, the petitioner can be expected to pay an estimated \$114,671.21 in real property taxes annually on the new improvements, in addition to the annual taxes attributable to the current value of the land.

EMPLOYMENT: The petitioner estimates that this project will retain sixty-three 63 jobs at an average wage of \$42.75/hr. and create a minimum of sixty (60) new positions at an average wage of not less than \$42.75/hr. Staff finds these figures to be reasonable for a project of this nature.

OTHER BENEFITS: Staff believes this project is significant for Franklin 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.

PROJECT SUMMARY

Applicant: Hydro Vac Services, LLC d/b/a GoundBreakers

Subject Real Estate: 5514, 5533, and 5550 Victory Drive.

Center Township Parcel Numbers: 3002965,3003335, and 3003809

Project Description:

GroundBreakers, a subsidiary of Hydro Vac Services Inc., founded in 2011, is a veteran and woman-owned utility management services company headquartered in Indianapolis, Indiana, with operations in Ohio, Kentucky, and Illinois. The company specializes in hydro-excavation, jetting, CCTV inspection, and private locating services, catering to construction, utilities, municipalities, and telecommunications industries. Recognized for its rapid growth, GroundBreakers has been named a Fast25 company by the Indiana Business Journal for two consecutive years. To meet increasing customer demand, the company is investing \$5,922,673.00 in real property and plans to build a 28,500-square-foot headquarters facility by the end of 2025, which will house offices, truck storage, maintenance, and training spaces.

Groundbreakers collaborates with Local 120 Laborer's Union and Local 103 Operators Engineering Union and is committed to supporting local employment and union partnerships in Marion County. The company will retain 63 union jobs at a rate of \$42.75/hr., and create 60 new union jobs at \$42.75/hr. Additionally, GroundBreakers will donate 5% of its tax savings in partnering with EmployIndy, the Indiana Construction Roundtable Foundation, and Indiana Constructors Inc. to support workforce pathways into union careers.

New Jobs Created: 60 at \$42.75/hr.

Jobs Retained: 63 at \$42.75/hr.

Estimated Cost of Project: \$5,922,673.00

RECOMMENDATION: Staff recommends approval of five (5) years real property tax abatement.

Hydro-Vac Services d/b/a GroundBreakers 5514, 5532, and 5550 Victory Drive



Legend

- Parcels (orange outline)
- Project Site (black grid pattern)

Scale: 0, 280, 560, 1,120 Feet

North Arrow: N

Produced by: DMD - BATTLE 12/2024

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

PRELIMINARY ECONOMIC REVITALIZATION AREA RESOLUTION

Resolution No. 2025-A-009

REAL PROPERTY TAX ABATEMENT

Monon 21 LLC and Onxy and East LLC
2060 Yandes Street

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, the annual abatement schedule during the term of the abatement and the abatement deduction limit for such property 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, during a hearing at 1:00 p.m. on Wednesday, February 19, 2025, 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 (hereinafter the “ERA”) designation terminates three (3) years after the date a final resolution is adopted however, relative to redevelopment or rehabilitation completed before the ERA 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 not less than ten (10) years.
4. This Economic Revitalization Area 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.**
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 5, 2025, 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, fix the length of the abatement period at ten (10) years, and establish an abatement schedule.
7. A copy of this Resolution shall be filed with the Marion County Assessor.

{ Remainder left intentionally blank, signature page to follow }

METROPOLITAN DEVELOPMENT COMMISSION

John Dillon, III President

Date

Approved as to Legal
Form and Adequacy this
12th day February 2025.

Sheila Kinney 2/12/2025

Sheila Kinney, Asst. Corp. Counsel
Office of Corporation Counsel

ATTACHMENT TO

METROPOLITAN DEVELOPMENT COMMISSION RESOLUTION

REAL PROPERTY TAX ABATEMENT

FACTUAL INFORMATION

Applicant: Monon 21 LLC and Onyx and East LLC

Subject Real Estate: 2060 Yandes Street

Center Township Parcel Number: 1053907

PROJECT DESCRIPTION

Monon 21 LLC, a single-purpose entity of Onyx and East LLC, is an Indianapolis-based development firm focused on residential projects along the Monon Trail. The Monon 21 project is located on the near north side of Indianapolis at 2060 Yandes Street in Center Township. This project will include over 50 townhouses and four single-family homes adjacent to the Monon Trail. Onyx and East LLC will be investing more than \$17 million in its development.

A total of 53 townhome units and four single-family units will be constructed as part of this project. Thirteen percent of the units will be designated as affordable housing at sixty (60%) of the Area Median Income (AMI), maintaining affordability for a period of no less than 10 years. During this time, Monon 21 will adhere to the Indiana Housing and Community Development Authority (IHCDA) federal income and rent limits for Marion County.

The project is scheduled to begin in late Q1 2025 and is expected to be completed by Q4 2027.

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:
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 Applicant's statement of benefits has been submitted to the legislative body for its approval as required by I.C.6-1.1-12.1-2(k)

PROPOSED ABATEMENT SCHEDULE
REAL PROPERTY TAX ABATEMENT
Monon 21, LLC and Onyx and East LLC

YEAR OF DEDUCTION	PERCENTAGE
1 st	80%
2 nd	80%
3 rd	80%
4 th	80%
5 th	80%
6 th	80%
7 th	80%
8 th	80%
9 th	80%
10 th	80%

STAFF ANALYSIS
REAL PROPERTY TAX ABATEMENT

Area Surrounding Subject Real Estate: The site is located in the Hillside/Martindale-Brightwood area off Yandes abutting the Monon Trail.

Current Zoning:.....DP and D8

New Jobs Created: One at \$28.84/hr.

Jobs Retained:None.

Estimated Cost of proposed project: \$17,455,955.00

STAFF ANALYSIS

Monon 21 LLC, a single-purpose entity of Onyx and East LLC, is an Indianapolis-based development firm focused on residential projects along the Monon Trail. The Monon 21 project is located on the near north side of Indianapolis at 2060 Yandes Street in Center Township. This project will include over 50 townhouses and four single-family homes adjacent to the Monon Trail. Onyx and East LLC will be investing more than \$17 million in the 92,000 sq ft development along 3.5 acres of the Monon Trail. Included in the development will be the addition of public infrastructure within 1 acre of dedicated ROW to extend and connect Alvord to Yandes Street with an estimated investment of \$1.5MM.

A total of 53 townhome units and four single-family units will be constructed as part of this project. Thirteen percent of the units will be designated as affordable housing at sixty (60%) of the Area Median Income (AMI), maintaining affordability for a period of no less than 10 years. During this time, Monon 21 will adhere to the Indiana Housing and Community Development Authority (IHCDA) federal income and rent limits for Marion County. The project will create one (1) new position at a minimum salary of \$28.84/hr.

These initiatives reflect Monon 21 LLC's and Onyx and East LLC's commitment to enhancing residential options along the Monon Trail and contributing to the development and revitalization of Indianapolis. The company's name reflects its philosophy, with "Onyx" symbolizing resilience and beauty, and "East" representing dependability. With developments in Indiana, Ohio, and Florida, the company focuses on creating vibrant, walkable neighborhoods that promote connected lifestyles.

The project is scheduled to begin in late Q1 2025 and is expected to be completed by Q4 2027.

The petitioner is requesting the 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.

TOTALITY OF BENEFITS

PETITIONER: **Monon 21, LLC and Onyx and East LLC**

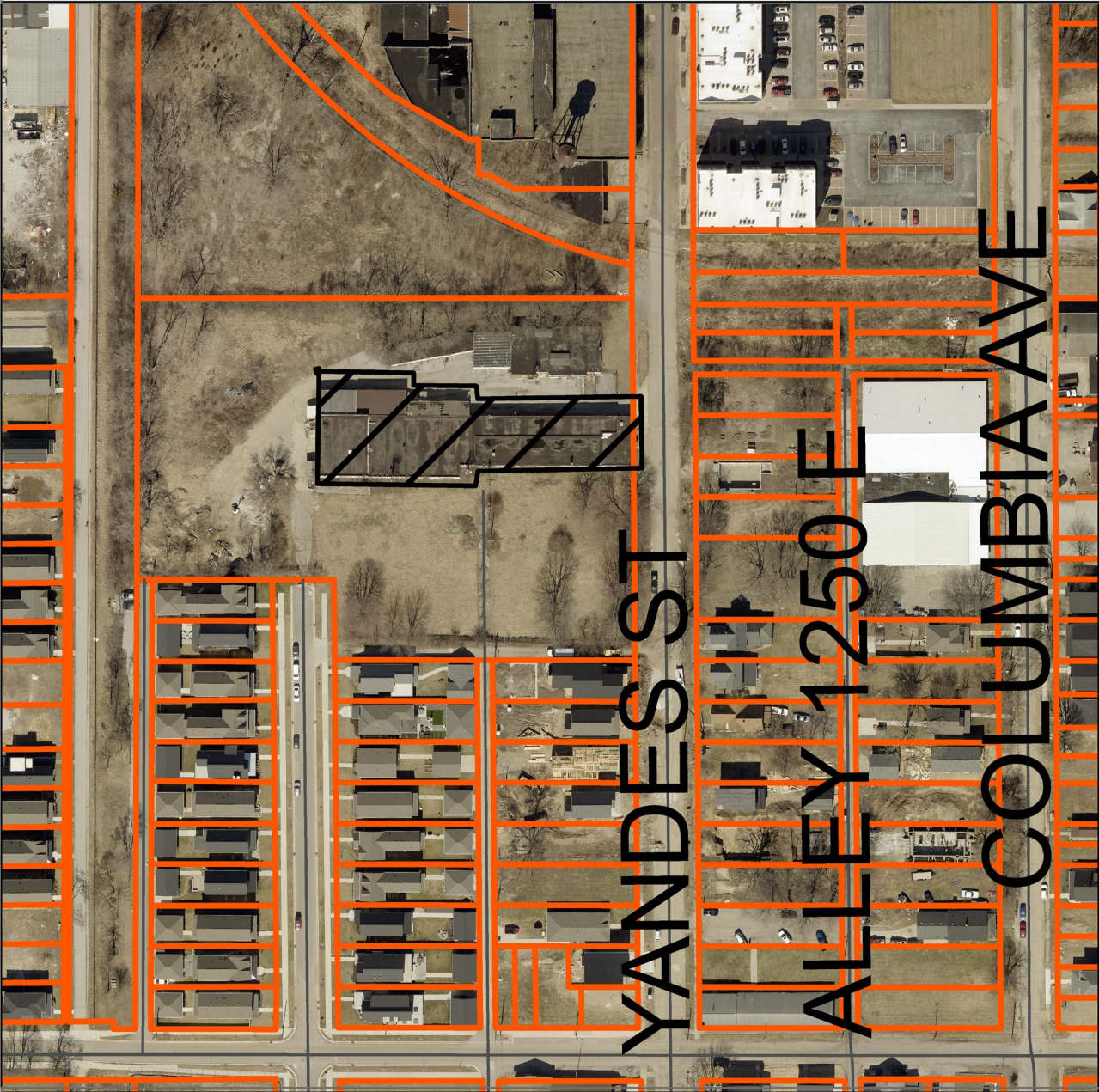
INVESTMENT: Staff estimates that the proposed investment of \$17,455,955.00 should result in an increase to the tax base of approximately \$11,963,500.00 of assessed value. Staff estimates that over the ten (10) year real property tax abatement period the petitioner will realize savings of \$2,070,204.00 (an 73% savings). During the abatement period, the petitioner is expected to pay an estimated \$767,538.20 in real property taxes on the project. This is in addition to the current taxes being paid on the property in the amount of \$14,722.34 annually (pay 2025 taxes). After the tax abatement expires, the petitioner can be expected to pay an estimated \$283,774.22 in real property taxes annually on the new improvements, in addition to the annual taxes attributable to the current value of the property.

EMPLOYMENT: The petitioner estimates that this project will create at least one (1) position at an average wage of \$28.84.00/hr. Staff finds these figures to be reasonable for a project of this nature.

OTHER BENEFITS: Staff believes this project is significant for Center 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.

Monon 21 LLC - Onyx and East LLC
2060 Yandes Street



 Project Site

Produced by: DMD - BATTLE 02/2025

0 280 560 1,120 Feet



**METROPOLITAN DEVELOPMENT COMMISSION OF
MARION COUNTY, INDIANA
RESOLUTION TO
TERMINATE FIVE (5) YEAR PERSONAL PROPERTY TAX ABATEMENT FOR**

**True Essences Foods and Trade Secret Chocolates LLC d/b/a Sochatti
1125 Brookside Avenue**

Resolution No. 2025-A-010

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

WHEREAS, I.C. 6-1.1-12.1 pursuant to I.C. 6-1.1-12.1, Trade Secrets Chocolates, LLC. (hereinafter "Applicant") filed a designation application requesting that the subject real estate at 1125 Brookside Avenue (the "Subject Real Estate") be designated as an Economic Revitalization Area for the purpose of achieving property tax savings in connection with the proposed installation of new eligible personal property (hereinafter "Project"). Subsequently, Trade Secret Chocolates LLC d/b/a Sochatti changed its name to True Essences Foods; and

WHEREAS, on Wednesday, December 19th, 2019 the Metropolitan Development Commission (hereinafter "Commission") adopted Preliminary Economic Revitalization Area Resolution No. 2019-A-077, 2019 preliminarily designating the Subject Real Estate as an Economic Revitalization Area; and

WHEREAS, on Wednesday, January 2nd, 2020, after conducting a public hearing, the Commission adopted Final Economic Revitalization Area Resolution No. 2020-A-078, 2020 (the "Resolution"), confirming designation of the Subject Real Estate as an Economic Revitalization Area for the purpose of receiving five (5) years personal property tax abatement (the "Abatement"); and

WHEREAS, in the Statement of Benefits Form contained in the Resolutions and the Memorandum of Agreement (hereinafter the "MOA") executed by and between the Applicant and the City of Indianapolis (hereinafter referred to as the "City"), the Applicant indicated that \$2,390,000 in personal property investments would be made at the Subject Real Estate, and that 4 retained positions at an average hourly wage of not less than \$33.61, and and 30 new full-time permanent positions would be created at an average wage of \$23.30 per hour as a result of the Project (collectively the "Commitments") and in consideration thereof, the Commission approved the Resolutions and the Applicant accepted the terms and conditions of the Resolutions by accepting the benefits thereof; and

WHEREAS, the Resolution directed the Department of Metropolitan Development ("DMD") to survey the Applicant's Project annually for seven (7) years and the Commission reserved its rights to reduce the dollar amount, or rescind in its entirety, the deduction being received by the Applicant for failure to achieve and maintain the benefits described in the Statement of Benefits and/or the MOA or for failure to respond to the mandatory survey; and

WHEREAS, the Applicant has met some but not all the requirement under the MOA and acknowledges that it is not in full compliance with its terms. Specifically, the applicant was non-compliant, as of December 31st, 2021, 2022, 2023 and 2024, with the MOA due to the Applicant's failure to achieve and maintain the new jobs commitment of 30 and \$23.30 per hour as set forth in the MOA; and

WHEREAS, the Applicant has realized a tax savings of \$71,100.44 to date due to the Abatement; and

WHEREAS, the Department of Metropolitan Development, on behalf of the Commission and in agreement with the Applicant, determined that the Abatement should be terminated, and the Applicant will pay damages to the amount of \$11,438.57 of tax savings received by the Applicant, and subsequently they set 1:00 p.m. on Wednesday, February 19, 2025, for the public hearing of remonstrances and objections from persons interested in whether the Personal Property Tax Abatement for the Project should be terminated, and payment of the damages should be reimbursed to the City; and

WHEREAS, proper legal notices were published stating when and where such final hearing would be held; and

WHEREAS, at such final hearing, evidence and testimony (along with all written remonstrances and objections previously filed) were considered by the Commission; and

WHEREAS, the DMD and The City of Indianapolis have satisfied all other conditions precedent to termination of the Economic Revitalization Area designations and associated tax abatement deductions.

NOW, THEREFORE, IT IS RESOLVED:

1. The Commission hereby confirms DMD's preliminary finding that the Applicant has not substantially complied with the Statement of Benefits contained in the Resolutions or met and maintain the Commitments contained in the MOA.
2. The Commission now hereby determines that the Applicant has failed to or will be unable to substantially comply with the Commitments (as identified and agreed upon in the Statement of Benefits form contained in the attachments to the Resolutions and/or the MOA), entitling DMD to terminate, through the Commission, the tax abatement deductions regarding the Personal Property Tax Abatement for the Project-and relative to the Project and Resolutions and authorizes the Director of DMD to sign the Termination Agreement.
3. The Commission hereby acknowledges the termination of the above-described tax abatement, and the Applicant is required to repay the damages, as authorized by this Termination Resolution.
4. The Commission determines that the MOA for the Personal Property Tax Abatement for the Project shall be terminated upon adoption of this Termination Resolution.
5. The Commission hereby directs that the Applicant shall pay to the City of Indianapolis damages in the amount of \$11,438.57, within 60 days of the adoption of this Termination Resolution and authorizes the Director of the Department of Metropolitan Development to take such action as is necessary to recover said damages should they not be timely remitted. Upon repayment of said damages, the Commission shall release Applicant from any and all other liabilities related to the Abatement or the termination of the Abatement.
6. A copy of this Final Resolution shall be filed with the Marion County Auditor and Marion County Assessor.

METROPOLITAN DEVELOPMENT COMMISSION

John J. Dillion III, President

Dated

Approved as to Legal Form
and Adequacy this 6th day
of February 2025

Sheila Kinsey

Approved for Legal Form and Adequacy
Office of Corporation Counsel

RESOLUTION NO. 2025-E-006

RESOLUTION OF THE METROPOLITAN DEVELOPMENT COMMISSION OF MARION COUNTY, INDIANA, ACTING AS THE REDEVELOPMENT COMMISSION OF THE CITY OF INDIANAPOLIS, INDIANA, PLEDGING CERTAIN TAX INCREMENT REVENUES TO THE PAYMENT OF CERTAIN ECONOMIC DEVELOPMENT REVENUE BONDS OF THE CITY OF INDIANAPOLIS, INDIANA

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the “Commission”), governing body of the City of Indianapolis Redevelopment District (the “District”), has previously created the Kennedy/Chloe Economic Development Area (the “Area”), has designated the entirety of the Area as the Kennedy/Chloe Allocation Area (the “Allocation Area”) for purposes of the allocation and distribution of property taxes under IC 36-7-15.1-26, and has created the Kennedy/Chloe Allocation Fund (the “Allocation Fund”) pursuant to IC 36-7-15.1-26; and

WHEREAS, the City of Indianapolis Economic Development Commission and the City-County Council of the City of Indianapolis and of Marion County, Indiana have approved the issuance, in one or more series, of the City of Indianapolis, Indiana, Economic Development Tax Increment Revenue Bonds, Series 2025 (with such further or different series designation as may be necessary, desirable or appropriate, including such series designation to indicate the year in which the bonds are issued) (the “Series 2025 Bonds”), pursuant to a Trust Indenture, to be dated as of the first day of the month in which the Series 2025 Bonds are issued (the “Indenture”), between the City of Indianapolis, Indiana (the “City”) and a trustee to be selected by the City, as trustee (the “Trustee”), the proceeds of which will be used by the Company (as defined herein) to provide for a portion of the costs of the Project (as defined herein); and

WHEREAS, KTKF Holdings, LLC, and/or one or more subsidiaries, affiliates or joint ventures thereof (collectively, the “Company”) desires to finance, refinance and/or reimburse the costs of certain projects, additions or improvements within the City, including all or any portion of: (a) the design, construction, improvement and/or equipping of: (i) a new multi-family development containing 16 units with approximately 14,855 sq. ft. of residential space, located at or near 806-826 Dr. MLK Jr. Street, Indianapolis, IN 46202, which will include approximately 16 parking spaces and two 2-story quads and a 3-story building (the “Kennedy”), and (ii) a new multi-family development containing 36 units with approximately 39,162 sq. ft. of residential space, located at or near 1341-1401 Dr. MLK Jr. Street, Indianapolis, IN 46204, which will include approximately 21 parking spaces and a 3-story building (the “Chloe”); together with any related sidewalk and streetscape projects and other infrastructure improvements, and (b) all utility relocation, acquisition, construction, demolition, renovation, remediation, improvement, excavation, site work preparation and/or equipping projects related to the projects described in clauses (a) and any and all costs functionally related thereto (clauses (a) through and including (b), collectively, the “Project”) that will create approximately 76 construction jobs during the construction period and 1 new full-time equivalent job in the City; and

WHEREAS, in order to secure funds for the Project and as an inducement to the Company to locate the Project in the City, the Commission has agreed to pledge a portion of the tax increment revenues generated from the Allocation Area to secure the payment of the Series 2025 Bonds.

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana, as follows:

1. There are hereby created within the Allocation Fund the following accounts: (a) the Series 2025 Bond Account (the “Bond Account”), and (b) the General Account (the “General Account”). Eighty percent (80%) of the real property tax increment revenues generated from the Allocation Area and deposited in the Allocation Fund pursuant to IC 36-7-15.1-26 (such portion, the “Pledged TIF Revenues”) shall be set aside and used only as set forth in this Resolution. The remaining twenty percent (20%) of the real property tax increment revenues generated from the Allocation Area and deposited in the Allocation Fund pursuant to IC 36-7-15.1-26 shall be deposited in the General Account and may be used by the Commission for any purpose permitted by law.

2. On each January 15 and July 15, beginning no sooner than the next January 15 or July 15 after closing on the Bonds, any and all Pledged TIF Revenues in the Bond Account shall be immediately transferred to the Trustee for deposit into the funds and accounts and application in accordance with the terms of the Indenture.

3. Pursuant to IC 36-7-15.1-26(b)(3)(D) and IC 5-1-14-4, the Commission hereby pledges the Pledged TIF Revenues to the payment of the Series 2025 Bonds for a term of years equal to the term of the Series 2025 Bonds. Any amounts deposited in the Bond Account, when so deposited therein, are hereby irrevocably pledged by the District to the payment of the Series 2025 Bonds, such pledge being effective as set forth in IC 5-1-14-4 without the necessity of filing or recording this Resolution or any instrument except in the records of the Commission.

4. Upon the defeasance of the Series 2025 Bonds, the Bond Account of the Allocation Fund shall be automatically dissolved without any further action required by the Commission, and any moneys remaining in such account shall remain in the Allocation Fund and may be used by the Commission for any purpose permitted by law.

5. In connection with the Project, the Commission hereby authorizes and directs the Mayor, the City Controller, the officers of the Commission, and the Director of the DMD, both collectively and in their individual capacities, to take such further actions and execute such documents as they deem necessary or advisable to effectuate the authorizations set forth in this Resolution, including, without limitation, entering into one or more project agreements, with the Company, in form and substance and on terms and conditions acceptable to such officer of the City, the Commission or DMD executing the same, together with any and all changes as may be necessary, desirable or appropriate, which such approval of the form and substance and any changes thereto conclusively evidenced by such officer’s execution thereof.

6. This resolution shall take effect immediately upon adoption by the Commission.

ADOPTED AND APPROVED at a meeting of the Metropolitan Development Commission of Marion County, Indiana, held on February 19, 2025, at the City-County Building, 2nd floor, Public Assembly Room (Room 230), Indianapolis, Indiana

METROPOLITAN DEVELOPMENT
COMMISSION OF MARION COUNTY,
INDIANA, acting as the Redevelopment
Commission of the City of Indianapolis, Indiana

John J. Dillon III, President

Lena Hackett, Secretary

This Resolution was prepared by Bradley J. Bingham, Esq.
Barnes & Thornburg LLP
11 South Meridian Street
Indianapolis, Indiana 46204

RESOLUTION NO. 2025-E-007**RESOLUTION OF THE METROPOLITAN DEVELOPMENT COMMISSION OF MARION COUNTY, INDIANA, ACTING AS THE REDEVELOPMENT COMMISSION OF THE CITY OF INDIANAPOLIS, INDIANA, CONFIRMING A RESOLUTION ESTABLISHING THE KENNEDY/CHLOE ECONOMIC DEVELOPMENT AREA AND APPROVING AN ECONOMIC DEVELOPMENT PLAN FOR SAID AREA**

WHEREAS, on December 4, 2024, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the “Commission”), adopted its Resolution No. 2024-E-040 (the “Declaratory Resolution”) which (i) removed an area of the City of Indianapolis (the “City”) from the Consolidated/Harding Street Redevelopment Area and the Northwest Allocation Area (the “Removed Area”), (ii) declared an area of the City, including, in part, the Removed Area, known as the “Kennedy/Chloe Economic Development Area” (the “Area”), to be an “economic development area” within the meaning of IC 36-7-15.1, as amended (the “Act”), (iii) approved a development plan for the Area (the “Plan”), and (iv) designated the entirety of the Area as an “allocation area” pursuant to Section 26 of the Act (the “Allocation Area”); and

WHEREAS, on February 3, 2025, the City-County Council for the City of Indianapolis and for Marion County, Indiana (the “City-County Council”), adopted its General Resolution No. ___, 2025, which approved the Declaratory Resolution and the Plan pursuant to Section 9 of the Act and approved the determination that the Area is an “economic development area” pursuant to Section 29 of the Act; and

WHEREAS, pursuant to Sections 10(a) and 10(b) of the Act, the Commission caused to be published and filed a Notice of Public Hearing with respect to the Declaratory Resolution; and

WHEREAS, at the hearing (the “Public Hearing”) held by the Commission on February 19, 2025, the Commission heard all persons interested in the proceedings and considered any written remonstrances that were filed and all evidence presented; and

WHEREAS, the Commission now desires to take final action determining the public utility and benefit of the proposed projects set forth in the Plan and other actions to be taken under the Declaratory Resolution, and confirming the Declaratory Resolution, in accordance with Section 10 of the Act.

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana, as follows:

1. After considering the evidence presented at the Public Hearing, the Commission hereby confirms the findings, determinations, designations and approving and adopting actions contained in the Declaratory Resolution.

2. After considering the evidence presented at the Public Hearing, the Commission hereby finds and determines that it will be of public utility and benefit to proceed with the proposed projects set forth in the Plan and other actions to be taken under the Declaratory Resolution, and the Plan is hereby approved in all respects.

3. The Declaratory Resolution is hereby confirmed in all respects.

4. This Resolution constitutes final action, pursuant to Section 10(d) of the Act, by the Commission determining the public utility and benefit of the Declaratory Resolution and Plan, and confirming the Declaratory Resolution. The Secretary of the Commission is directed to record the final action taken by the Commission pursuant to the requirements of Sections 10(d) of the Act.

5. This resolution shall take effect immediately upon its adoption by the Commission.

ADOPTED AND APPROVED at a meeting of the Metropolitan Development Commission of Marion County, Indiana, held on February 19, 2025, at the City-County Building, 2nd floor, Public Assembly Room (Room 230), Indianapolis, Indiana.

METROPOLITAN DEVELOPMENT
COMMISSION OF MARION COUNTY,
INDIANA, acting as the Redevelopment
Commission of the City of Indianapolis,
Indiana

John J. Dillon III, President

Lena Hackett, Secretary

This Resolution was prepared by Bradley J. Bingham, Esq.
Barnes & Thornburg LLP
11 South Meridian Street
Indianapolis, Indiana 46204



METROPOLITAN DEVELOPMENT COMMISSION **February 19, 2025**

Case Number: 2024-ZON-050
Property Address: 3739 North Kitley Avenue
Location: Warren Township, Council District #9
Petitioner: Patrium LLC, by Luis Gomez
Current Zoning: D-3 (TOD)
Request: Rezoning of 1.22 acres from the D-3 (TOD) district to the C-7 (TOD) classification to provide for a commercial contractor.
Current Land Use: Undeveloped
Staff Recommendations: Denial
Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

ADDENDUM FOR FEBRUARY 19, 2025, METROPOLITAN DEVELOPMENT COMMISSION

This petition was appealed by the petitioner and continued for cause from the January 2, 2025 hearing to the February 19, 2025 hearing at the request of the petitioner.

As proposed, staff continues to **recommend denial**.

Staff **would recommend approval of the rezoning** 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. A 40-foot transitional yard shall be proposed along the southern property boundary and a 30-foot transitional yard shall be proposed along the eastern property boundary that abuts the protected district.
2. The proposed building shall be relocated to the southwest corner of the side adjacent to the 40-foot transitional yard.
3. All development standards of the C-7 district shall be met.
4. A final landscape plan shall be submitted for Administrative Approval prior to the issuance of an Improvement Location Permit that shows all landscape requirements to be met in addition to the increased transitional yards as requested by staff and that increased evergreen landscaping be installed in the transitional yards.



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ADDENDUM FOR JANUARY 2, 2025, METROPOLITAN DEVELOPMENT COMMISSION

This petition was heard by the Hearing Examiner on December 12, 2024. After a full hearing, the Hearing Examiner recommended denial of the request. Subsequently, the petitioner filed an appeal of the Hearing Examiner's decision. A memorandum of her recommendation is attached.

ADDENDUM FOR DECEMBER 12, 2024 HEARING EXAMINER

This petition was continued from the November 14, 2024 hearing to the December 12, 2024 hearing at the request of the staff due to the petitioner's absence at the hearing. If the petitioner fails to attend the next hearing, then staff will request that the petition be dismissed by the Hearing Examiner.

As proposed, staff continues to **recommend denial**.

Staff **would recommend approval of the rezoning** 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. A 40-foot transitional yard shall be proposed along the southern property boundary and a 30-foot transitional yard shall be proposed along the eastern property boundary that abuts the protected district.
2. The proposed building shall be relocated to the southwest corner of the side adjacent to the 40-foot transitional yard.
3. All development standards of the C-7 district shall be met.
4. A final landscape plan shall be submitted for Administrative Approval prior to the issuance of an Improvement Location Permit that shows all landscape requirements to be met in addition to the increased transitional yards as requested by staff and that increased evergreen landscaping be installed in the transitional yards.

ADDENDUM FOR NOVEMBER 14, 2024 HEARING EXAMINER

This petition was continued from the October 24, 2024 hearing to the November 14, 2024 hearing at the request of the petitioner. As suggested by the Hearing Examiner on September 12th, a site plan was submitted to staff for review on October 24, 2024. As proposed, staff would continue to recommend denial.

Staff still has concerns with the commercial use encroaching closer to the dwellings than currently exists. However, if the transitional yards were increased to 40 feet on the south side and 30 feet on the east site, with the office building relocated to the southwest portion of the site adjacent to a 40-foot south transitional yard to act as a buffer from the outdoor storage that would be relocated along the northern portion of the site, then the request could be supportable.

Staff would not support any variances for the proposed C-7 zoning district which means all development standards such as lighting, landscaping including Green Factor, and transparency requirements would need to be met.

Staff **would recommend approval of the rezoning** 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:



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1. A 40-foot transitional yard shall be proposed along the southern property boundary and a 30-foot transitional yard shall be proposed along the eastern property boundary that abuts the protected district.
2. The proposed building shall be relocated to the southwest corner of the side adjacent to the 40-foot transitional yard.
3. All development standards of the C-7 district shall be met.
4. A final landscape plan shall be submitted for Administrative Approval prior to the issuance of an Improvement Location Permit that shows all landscape requirements to be met in addition to the increased transitional yards as requested by staff and that increased evergreen landscaping be installed in the transitional yards.

ADDENDUM FOR OCTOBER 24, 2024 HEARING EXAMINER

This petition was continued from the September 12, 2024 hearing to the October 24, 2024 hearing at the request of the petitioner. No new information was provided to the case file.

ADDENDUM FOR SEPTEMBER 12, 2024 HEARING EXAMINER

This petition was continued from the August 29, 2024 hearing to the September 12, 2024 hearing at the request of the petitioner to allow additional time to work with a registered neighborhood organization.

August 29, 2024

This petition was continued from the July 11, 2024 hearing to the July 25, 2024 hearing at the request of the petitioner to provide sufficient time to meet the mailing notice requirement.

Staff did not have an objection to this first continuance request by the petitioner.

This petition was automatically continued from the July 25, 2024 hearing, to the August 29, 2024 hearing at the request of a registered neighborhood organization.

STAFF RECOMMENDATION

Staff **recommends denial** of the request.

PETITION OVERVIEW

LAND USE

The 1.22-acre subject site is comprised of two undeveloped parcels that are bordered to the east with a single-family dwelling, zoned D-3, to the south by single-family dwellings, zoned D-3, to the west across Kitley Avenue with a concrete contractor business, zoned I-4 and I-2, and a drywall contractor business to the north, zoned C-7.



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REZONING

The request would rezone the site from the D-3 (TOD) district to the C-7 (TOD) classification to provide for a commercial contractor.

The D-3 district provides for low to medium intensity residential development. Land in this district should have good thoroughfare access, be relatively flat in topography, and be afforded pedestrian linkages to community and neighborhood services and facilities (schools, parks, shopping areas, etc.). Recreational facilities developed for the neighborhood complement the treed yards on the individual lots. Predominantly single-family detached dwellings are envisioned with two-family dwellings on corner lots in this district. The D-3 district has a typical density of 2.6 units per gross acre. This district fulfills the low-density residential classification of the Comprehensive General Land Use Plan. All public utilities and facilities must be present. Development plans, which may include the use of clustering, should incorporate, and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site considerations, including vegetation, topography, drainage, and wildlife.

The C-7 District is designed to provide specific areas for commercial uses which have unusually incompatible features relative to other commercial uses, such as major outdoor storage or display of sizeable merchandise and the outdoor parking and storage of trucks, materials, or equipment essential to the operation of these uses. Many of these uses generally are not visited by customers, but rather involve service operations from headquarters with some on-site fabrication of parts. The nature of operation or appearance are more compatible with industrial than retail commercial activities. Because of the character and intensity of these uses, this district should be appropriately located on major commercial arterial thoroughfares and near interstate freeways, but not in close association with those commercial activities involving shopping goods, professional services, restaurants, food merchandising, and the like. Due to the intensity of uses, location of this district should never be adjacent to protected districts.

Staff Analysis

Staff determined that the proposed C-7 district and use of a commercial contractor would not be appropriate at this location with two of the boundaries bordering single-family dwellings that should be protected from intense uses and the zoning districts as proposed.

Additionally, the C-7 zoning district would not align with the suburban neighborhood recommendation of the Comprehensive Plan. The subject site is different from the concrete contractor to the west which is recommended for light industrial development and the drywall contractor to the north recommended for community commercial development.

There are concerns with the potential outdoor storage of materials and vehicles on site that would be permitted if rezoned. The impact of exterior lighting that would likely be installed to assist with the video surveillance is also incompatible with the area recommendation.



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Instead, approval of the rezoning would be a commercial encroachment into the residential area since the site could be developed with a single-family dwelling having significant separation from the heavy commercial district to the north. This would ensure some protection from the commercial use and would not negatively affect three other residential properties that border this site.

Given the negative impact the commercial district could have on the abutting dwellings, staff is recommending denial of the request.

GENERAL INFORMATION

Existing Zoning	D-3	
Existing Land Use	Undeveloped	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Land Use
North:	C-7	Drywall Contractor Business
South:	D-3	Residential (Single-family dwelling)
East:	C-7 / D-3	Residential (Single-family dwelling)
West:	I-2 / D-3	Concrete Contractor Business
Thoroughfare Plan		
Kitley Avenue	Local Street	48-foot proposed right-of-way and 90-foot existing right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	Yes	
Wellfield Protection Area	No	
Site Plan	April 17, 2024	
Site Plan (Amended)	October 24, 2024	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)
- Purple Line Transit-Oriented Development Strategic Plan (2021)



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Pattern Book / Land Use Plan

- The subject site is recommended for suburban neighborhood development by the Comprehensive Plan.
- 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.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- The subject site falls within the Purple Line Transit-Oriented Development Strategic Plan (2021).
- The closest station is within a ½ mile northeast of the site at the 38th Street and Shadeland Avenue intersection.
- The station is classified as the District Center Typology that would have a dense mixed-use hub for multiple neighborhoods with tall buildings, minimum 3 stories at core with no front or side setbacks, multi-family housing with a minimum of 5 units, and with structured parking only with an active first floor.

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.



ZONING HISTORY

Zoning History - Vicinity

2022-CZN-857A; 3766 North Kitley Avenue (west of site), Rezoning from the I-2 (TOD) and D-3(TOD) Districts to the I-4 (TOD) District, **approved.**

2022-CZN-857B; 3766 North Kitley Avenue and 6490, 6520 & 6522 Massachusetts Avenue (west of site), Rezoning to the I-2 (TOD) District, **approved.**

2022-CVR-857; 3766 North Kitley Avenue (west of site), Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for a cement batching plant (not permitted within 500 feet of a protected district), **approved.**

2022-CZN-857B; 3730, 3740 & 3766 North Kitley Avenue and 6490, 6520 & 6522 Massachusetts Avenue (west of site)

93-Z-46; 3730 North Kitley Avenue (west of site) Rezoning of 5.3 acres from the D-3 district to the I-2-S district, **approved.**

76-UV1-39; 3724 North Kitley Avenue (southwest of site), Variance of use and Development Standards to modify previous variance granted for general vehicle repair, as per plans filed, off-street parking provided, **denied.**



HEARING EXAMINER'S MEMO

MEMORANDUM OF EXAMINER'S DECISION

2024-ZON-050

3739 North Kitley Avenue

The petition requests the rezoning of 1.22 acres from the D-3 (TOD) district to the C-7 (TOD) district to provide for a commercial contractor.

Your Hearing Examiner visited the site prior to the hearing and noted residential use abutting it on the south and on the east. There are several contractor businesses west and north of the site.

The petitioner's representative explained that he had worked with Warren Township Development Association and neighbors, and both groups supported the petition with the building being located at the northwest corner of the site. The representative questioned why staff recommended that the building be located at the southwest corner of the site with setbacks more than required by the C-7 district along the south and east property lines.

Staff stated that C-7 allows uses that typically have major outdoor storage and/or parking, and it should not be adjacent to protected districts. Although staff suggested locating the building at the southwest corner of the site and doubling the transitional yards along the south and east boundaries as a way to lessen impact on the adjacent protected districts, staff firmly opposed C-7.

In your Hearing Examiner's opinion, the requested C-7 district is not appropriate adjacent to the protected districts, and heavy commercial use is not the highest and best use of the site. Denial of this petition was recommended.

For Metropolitan Development Commission Hearing on January 2, 2025

PATRIUM

Design-build | General Contracting | Construction Management | PM

Patrium LLC Plan of Operation for 3739 N. Kitley Avenue Rezoning

- **Workforce.** Indicate the number of employees or volunteers associated with the business or be gleaned from a solid business plan. Therefore, an applicant should also consider & identify the potential for growth. Do they work on-site? When do they work? How do they get to the work-site? If they drive, where do they park? What form of security is utilized?
 - ❖ 3739 N. Kitley Avenue is a vacant lot located adjacent to the Specialty Contractor (Framing and Drywall) and two (2) residential dwellings. The site at 3739 N Kitley Ave will be used in conjunction with the office space at 3749 N Kitley Ave.
 - ❖ Patrium LLC is a construction management company. The employees drive to work and are able to park in the office parking lot located at 3749 N. Kitley Avenue. The staff works on-site and sometimes off-site with varying hours, usually Monday through Saturday from 7:00 am until 6:00 pm.
 - ❖ The property is currently under audio and video surveillance, with plans to add fencing across the front of the property to enclose all four sides.
- **Clients & Customers.** Indicate who are typical customers and clients. Do they come to the site? If so, when and how many? Where do they park?
 - ❖ The site at 3739 N Kitley does not have regular visits from clients or customers; they are usually hosted at the office at 3749 N Kitley Ave.
- **Processes conducted on Site.** Describe what is actually done by the business or organization, on-site and off-site. What happens outside? What are the safety & security measures taken by the business or organization?
 - ❖ Patrium LLC is a construction management company with daily operations to include but not limited to ensuring construction projects stay on schedule, quality standards are met, safety protocols are followed, and material/equipment is at correct offsite locations. On-site duties include managing the above listed items.
- **Materials Used.** List the types of materials used for the operation. Are any hazardous materials used? Indicate the applicable safety & security measures. Shipping & Receiving. How are materials shipped or received? Size of vehicle? What time of day? Frequency?
 - ❖ Patrium LLC will be using the site at 3739 N Kitley to house and store equipment, and construction materials.



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PATRIUM

Design-build | General Contracting | Construction Management | PM

- ❖ Materials will be shipped by various material suppliers, such as Ferguson Supply or OldCastle-Northfield. They are received by staff on site during regular business hours.
- ❖ Safety and Security measures will include audio and video surveillance 24/7.
- Waste. Indicate the types of waste generated. How is it handled? By whom? Is hazardous waste generated? Is a recycling program implemented?
 - ❖ We generate general office and light construction waste: eg. paper, food, wood trim, drywall scrap. These items will be disposed of in a dumpster that would be placed on the property at 3739 N. Kitley Ave. which would be picked up by Waste Management Inc.
 - ❖ There would not be any hazardous waste generated.
 - ❖ We do use a recycling program for any e-waste we may have.





PROPOSED COMMITMENTS

STATEMENT OF COMMITMENTS

COMMITMENTS CONCERNING THE USE OR DEVELOPMENT OF REAL ESTATE
MADE IN CONNECTION WITH A REZONING OF PROPERTY OR PLAN APPROVAL

In accordance with I.C. 36-7-4-1015, the owner of the real estate located in Marion County, Indiana, which is described below, makes the following COMMITMENTS concerning the use and development of that parcel of real estate:

Legal Description: 3739 N. Kitley Avenue

Land Description ALL OF LOTS NUMBER 41 AND 42 IN VERNON ACRES, FIRST SECTION, AN ADDITION TO THE CITY OF INDIANAPOLIS, THE PLAT OF WHICH IS RECORDED IN PLAT BOOK 22, PAGE 55, IN THE OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA. TOGETHER WITH A PART OF LOT 40 IN SAID VERNON ACRES, FIRST SECTION, AN ADDITION TO THE CITY OF INDIANAPOLIS, BEING DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF LOT #40 IN VERNON ACRES, 1ST SECTION, SAID POINT OF BEGINNING BEING 48.4 FEET NORTH OF THE SOUTHWEST CORNER OF SAID LOT #40; THENCE EAST 7.14 FEET PARALLEL WITH THE SOUTH LINE OF SAID LOT #40; THENCE NORTH 4.00 FEET PARALLEL WITH THE WEST LINE OF SAID LOT #40; THENCE EAST 12.1 FEET PARALLEL WITH THE SOUTH LINE OF SAID LOT #40; THENCE NORTH 34.20 FEET PARALLEL WITH THE WEST LINE OF SAID LOT #40; THENCE WEST 11.52 FEET PARALLEL WITH THE SOUTH LINE OF SAID LOT #40; THENCE NORTH 22.5 FEET PARALLEL WITH THE WEST LINE OF SAID LOT #40; THENCE WEST 7.72 FEET PARALLEL WITH THE SOUTH LINE OF SAID LOT #40 TO A POINT ON THE WEST LINE OF SAID LOT #40; THENCE SOUTH 60.70 FEET TO THE POINT OF BEGINNING. ALSO THAT PART OF KITLEY AVENUE VACATED BY DECLARATORY RESOLUTION 97-VAC-28 (AMENDED) DATED OCTOBER 2, 1997 AND RECORDED OCTOBER 3, 1997, AS INSTRUMENT NO. 1997-014495 AND BY DECLARATORY RESOLUTION 97-VAC-28 (AMENDED) DATED JUNE 17, 1998 AND RECORDED JUNE 17, 1998 AS INSTRUMENT NO. 1998-0102356, ALL IN THE OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA.
ALSO, LOTS NUMBERED THIRTY-SEVEN (37) AND THIRTY-EIGHT (38) IN VERNON ACRES, FIRST SECTION, AN ADDITION TO THE CITY OF INDIANAPOLIS,



Statement of COMMITMENTS:

1. The owner agrees to abide by the Open Occupancy and Equal Employment Opportunity Commitments required by Metropolitan Development Commission Resolution No. 85-R-69, 1985, which commitments are attached hereto and incorporated herein by reference as Attachment "A".
2. That a 40-foot transitional yard shall be proposed along the southern property boundary and a 30-foot transitional yard shall be proposed along the eastern property boundary that abuts the protected district.

3. The proposed building shall be relocated to the southwest corner of the side adjacent to the 40-foot transitional yard.

4. All development standards of the C-7 district shall be met.

5. A final landscape plan shall be submitted for Administrative Approval prior to the issuance of an Improvement Location Permit that shows all landscape requirements to be met in addition to the increased transitional yards as requested by staff and that increased evergreen landscaping be installed in the transitional yards.

These COMMITMENTS shall be binding on the owner, subsequent owners of the real estate and other persons acquiring an interest therein; provided that Commitment #1 (Open Occupancy and Equal Opportunity Commitments) shall not be binding on an owner, subsequent owners or other person acquiring an interest therein if such persons are exempt persons or are engaged in an exempt activity as defined on Attachment "A" which is attached hereto and incorporated herein by reference. These COMMITMENTS may be modified or terminated by a decision of the Metropolitan Development Commission made at a public hearing after proper notice has been given.



Northern property boundary of the subject site looking east.



Photo of the subject site looking east.



Photo of the subject site looking east.



Southern property boundary of the subject site looking east.



Photo of the subject site street frontage looking northeast.



Photo of a single-family dwelling south of the site.



Photo of single-family dwellings southwest of the site.



Photo of the concrete contractor business looking north.



Photo of the concrete contractor business looking northwest.



Photo of the concrete contractor business to the west.



Photo of the drywall contractor business to the north.



METROPOLITAN DEVELOPMENT COMMISSION **February 19, 2025**

Case Number: 2024-ZON-127

Property Address: 6018 North Keystone Avenue (approximate addresses)

Location: Washington Township, Council District #7

Petitioner: Evolution Process Service, LLC, by Rebekah Phillips

Current Zoning: D-3

Request: Rezoning of 0.219 acres from the D-3 district to the C-1 district, to provide for office uses.

Current Land Use: Office

Staff Recommendations: Approval with a commitment.

Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

ADDENDUM FOR FEBRUARY 19, 2025, METROPOLITAN DEVELOPMENT COMMISSION

This petition was continued for cause from the January 15, 2025 hearing to the February 19, 2025 hearing at the request of a remonstrator.

ADDENDUM FOR JANUARY 15, 2025, METROPOLITAN DEVELOPMENT COMMISSION

This petition was continued for cause from the January 2, 2025 hearing to the January 15, 2025 hearing at the request of staff to allow for additional time to meet the posted notice requirement.

It is staff’s understanding that a remonstrator will be requesting a **continuance for cause from the January 15, 2025 hearing to the February 19, 2025 hearing date**. Staff would have no objection to a final continuance request but will be prepared to go forward.

ADDENDUM FOR JANUARY 2, 2025, METROPOLITAN DEVELOPMENT COMMISSION

This petition was heard by the Hearing Examiner on December 12, 2024. After a full hearing, the Hearing Examiner recommended approval of the request. Subsequently, a remonstrator filed an appeal of the Hearing Examiner’s decision. A memorandum of her recommendation is attached.

ADDENDUM FOR DECEMBER 12, 2024 HEARING EXAMINER

This petition was continued for cause from the November 14, 2024 hearing to the December 12, 2024 hearing at the request of a remonstrator.

November 14, 2024

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff **recommends approval** of the rezoning 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. A 52-foot half right-of-way shall be dedicated along the frontage of Keystone Avenue, 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).

PETITION OVERVIEW

LAND USE

The 0.219-acre site is developed with a single-family attached dwelling that was historically approved multiple times for office uses by multiple use variances. The site was recently split from the single-family attached dwelling to the south which was also historically used for commercial offices and rezoned recently to the C-1 district.

This site is in the block southwest of the Glendale Mall in the Broad Ripple Neighborhood.

REZONING

The request would rezone the property from the D-3 district to the C-1 district to provide for office uses.

The D-3 district provides for low or medium intensity residential development. Land in this district should have good thoroughfare access, be relatively flat in topography, and be afforded pedestrian linkages to community and neighborhood services and facilities (schools, parks, shopping areas, etc.). Recreational facilities developed for the neighborhood complement the treed yards on the individual lots. Predominantly single-family detached dwellings are envisioned with two-family dwellings on corner lots in this district. The D-3 district has a typical density of 2.6 units per gross acre. This district fulfills the low-density residential classification of the Comprehensive General Land Use Plan. All public utilities and facilities must be present. Development plans, which may include the use of clustering, should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site considerations, including vegetation, topography, drainage and wildlife.

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



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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.

DEPARTMENT OF PUBLIC WORKS

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 52-foot half right-of-way along Keystone Avenue. This dedication would also be consistent with the Marion County Thoroughfare Plan.

STAFF ANALYSIS

The subject site has been used for offices since it was granted a use variance in 1987. Rezoning to the C-1 district would align the zoning to the existing use and allow for site development without additional variances so long as new development complies with C-1 standards.

The Comprehensive Plan recommendation for this site is office commercial uses. The C-1 district is the office buffer district, which is appropriate for transitions between residential and commercial districts. Therefore, staff is supportive of the rezoning to C-1.

GENERAL INFORMATION

Existing Zoning	D-3	
Existing Land Use	Office	
Comprehensive Plan	Office Commercial	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
	North:	D-3 Commercial
	South:	C-1 Commercial
	East:	SU-2 School
	West:	D-3 Residential (Single-family dwellings)
Thoroughfare Plan		
Keystone Avenue	Primary Arterial	100-foot existing right-of-way and 104-foot proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	N/A	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	



C-S/D-P Statement

N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book (2019) recommends office commercial development of the site.
- The Office Commercial typology provides for single and multi-tenant office buildings. It is often a buffer between higher intensity land uses and lower intensity land uses. Office commercial development can range from a small freestanding office to a major employment center. This typology is intended to facilitate establishments such as medical and dental facilities, education services, insurance, real estate, financial institutions, design firms, legal services, and hair and body care salons.
- **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.
 - Master-planned developments in excess of 2 acres should include pedestrian amenities for passive and active recreation internal to the development.
- **Small-Scale Offices, Retailing, and Personal or Professional Services**
 - Appropriate as a primary use only in major employment centers.
 - Outdoor display of merchandise should be limited.
 - If adjacent to residential uses or a Living Typology, outdoor display of merchandise is not recommended.
 - Should be located along an arterial or collector street.
 - 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.
- The request would align with this recommendation.

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.



ZONING HISTORY

Zoning History - Site

2022-CPL-851; 6008 North Keystone Avenue (subject site), approval of a plat to be known as Replat of a Part of Lot 25 and Lot 26 in Kesslerwood, dividing 0.56-acre into two lots, **approved**.

2022-CVR-851; 6008 North Keystone Avenue (subject site), Variance to provide for two 64-foot-wide lots, **approved**.

2022-PLT-050; 6008 North Keystone Avenue (subject site), Approval of a Subdivision Plat to be known as Replat of a Part of Lot 25 and of Lot 26 in Kesslerwood, dividing 0.56-acre into two lots, **withdrawn**.

2009-SE1-002; 6018 North Keystone Avenue (subject site), Special exception to provide for religious uses with a ground sign in the D-3 district, **granted**.

87-UV2-46; 6008 North Keystone Avenue (subject site), Variance to provide for office uses with parking and signs, **approved**.

87-Z-16; 5930 – 6048 North Keystone Avenue (subject site), Rezoning of 3.7 acres from the D-3 and C-1 district to the C-3 district, **denied**.

81-UV2-24; 6008 North Keystone Avenue (subject site), Variance of use to provide for continued use of offices, **granted for temporary period, expiring August 8, 1986**.

78-UV1-89; 6008 North Keystone Avenue (subject site), Variance of use to provide for continued use of offices, **granted for temporary period, expiring August 8, 1981**.

74-UV2-135; 6008 North Keystone Avenue (subject site), Variance of use to provide for continued use of offices, **granted for temporary period, expiring October 15, 1977**.

Zoning History - Vicinity

2024-DV2-029; 6008 North Keystone Avenue (south of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the erection of an externally illuminated monument sign (illumination disallowed within 50 feet of a protected district) with a seven-foot north transitional yard setback (10-foot transitional yard required), **granted**.

2023-ZON-113; 6008 North Keystone Avenue (south of site), Rezoning of 0.33 acre from the D-3 district to the C-1 district to provide for office uses, **approved**.

2023-UV2-013; 6008 North Keystone Avenue (south of site), Variance to permit a seven-foot-tall, 32-square foot monument sign, **withdrawn**.



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2018-ZON-011; 6038 North Keystone Avenue (north of site), Rezoning of 0.24 acre from the D-3 and C-1 districts to the C-1 district, **approved.**

2011-UV1-026; 5944 North Keystone Avenue (south of site), Variance to provide for a salon and beauty spa, with massage and with accessory retail sales of beauty and hair care products, **approved.**

2010-ZON-070; 2424 Kessler Boulevard East Drive (east of site), Rezoning of 9.62 acres from the D-3 district to the SU-2 district, **approved.**

2010-ZON-037; 5944 North Keystone Avenue (south of site), Rezoning of 0.29 acre from the D-3 district to the C-1 district, **approved.**

2006-ZON-094; 5950 North Keystone Avenue (south of site), Rezoning of 0.2858 acre, from the D-3 District, to the C-1 district, **approved.**

2003-UV1-024; 6028 North Keystone Avenue (north of site), Variance to legally establish a real estate and insurance office, a parking lot with a zero-foot south side yard setback and a 9.7-foot north side yard setback, and a three-foot by twelve-foot ground sign, **approved.**

94-UV2-103; 5936 North Keystone Avenue (south of site), Variance of use of the Commercial Zoning Ordinance to provide for the construction of a two-story, 14-unit apartment building (not permitted), **granted.**

91-Z-36; 5910 – 5944 North Keystone Avenue (south of site), Rezoning of 1.39 acres, being in the D-3 District, to the C-1 classification to provide for office uses, **approved.**

88-UV1-153; 6038 North Keystone Avenue (north of site), Variance to provide for an existing building to be used for a security office and travel agency office and one pole sign, **approved.**

88-UV1-56; 5944 North Keystone Avenue (southeast of site), Variance of use of the Dwelling Districts Zoning Ordinance to provide for the conversion of an existing house for use of an office and a variance of development standards of the Sign Regulations to provide for a double-faced pole sign for identification, **granted.**

88-V2-118; 5950 North Keystone Avenue (south of site), Variance to provide for four-foot-tall shingle sign for a home occupation, **approved.**

84-Z-74; 6048 North Keystone Avenue (north of site), Rezoning of 0.26 acre from the D-3 district to the C-1 district, **approved.**

EXHIBITS





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HEARING EXAMINER'S MEMO

MEMORANDUM OF EXAMINER'S DECISION

2024-ZON-127

6018 North Keystone Avenue

The petition requests the rezoning of 0.219 acre from the D-3 district to the C-1 district to provide for office uses.

Your Hearing Examiner visited the site prior to the hearing and noted the mixture of office buffer uses along the west side of Keystone Avenue. A school is east of Keystone Avenue, and residences are west of the site.

The petitioner's representative recounted that the site has been used as office buffer uses for about 50 years. Although a curb cut is shared with the pest control business to the south, the office on the subject site is not related to that business. The representative said that the requested C-1 district is consistent with other businesses in the area and conforms with the Comp Plan.

A remonstrator submitted a letter and attended the hearing remotely via Zoom. As a property owner adjacent to the west, the remonstrator expressed concern with a lack of buffer, the mural on the front of the building, the potential for weapons on the site, and the increase of strangers in the area.

Staff opined that the requested C-1 district is consistent with the predominant zoning along the west side of this corridor and complies with the Comp Plan recommendation of office commercial use.

In your Hearing Examiner's opinion, the requested C-1 district allows uses similar to adjacent uses and is consistent with the use of the site for the last 50 years. It is an appropriate buffer between the residential uses to the west and the busy Keystone corridor. Approval of this petition was recommended.

For Metropolitan Development Commission Hearing on January 2, 2025

- PLAN OF OPERATION -

Petitioner, J&C Gregory Real Estate, LLC f/k/a Evolution Process Service, LLC, submits the following plan of operation in support of its rezoning petition with respect to the property commonly known as 6018 N. Keystone Ave., Indianapolis, Indiana 46220.

Business:

The office building is owned by J&C Gregory Real Estate LLC f/k/a Evolution Process Service, LLC (“Owner”). Owner currently rents the Property to Deposition Solutions, LLC d/b/a Lexitas (“Lexitas”), who operates a process service company out of the building.

Workforce:

Approximately 3 employees work at the building at a time. Employees use the parking lot on the property while at the building.

Clients and Customers:

Clients of Lexitas are residents and business owners in the greater Indianapolis area who are in need of a process server. Clients very rarely visit the building in person.

Processes Conducted on Site:

The employees use the facility to run the operations of Lexitas.

Materials Used:

Lexitas uses typical office supplies and office furniture to operate the business.

Shipping and Receiving:

Very minimal shipping and receiving occurs. Lexitas occasionally receives office supply deliveries.

Waste:

Standard trash for an office is disposed of appropriately.



Photo of the subject site looking west onto the site.



Photo of the site's street frontage along Kessler Avenue looking south.



Photo of the rear yard of the subject site looking west.



Photo of the rear yard of the subject site looking south.



Photo of the commercial property south of the site.



Photo of the residential property north of the site.



Photo of the school across Keystone Avenue to the east.



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

January 23, 2025

Case Number:	2024-ZON-073 and 2024-ZON-073B
Property Address:	2155 Kessler Boulevard, West Drive
Location:	Washington Township, Council District #2
Petitioner:	Broadmoor Investments, LLC, Russell L. Brown
Current Zoning:	SU-34 (FF)
Request:	Rezoning of 6.01 acres from the SU-34 (FF) district to the D-4 (FF) district and B. Rezoning of 7.68 Acres from the SU-34 district to the D-5II district to provide for residential uses.
Current Land Use:	Undeveloped land
Staff Recommendations:	Denial.
Staff Reviewer:	Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner acknowledged a timely automatic continuance by a City-County Councilor that continued these petitions from the July 25, 2024 hearing, to the August 29, 2024 hearing.

The Hearing Examiner acknowledged a timely automatic continuance filed by the petitioner's representative that continued these petitions from the August 29, 2024 hearing, to the September 26, 2024 hearing.

Based upon updated information from the petitioner's representative, staff determined that a Traffic Impact Study (TIS) would be warranted. Consequently, the Hearing Examiner continued these petitions from the September 26, 2024 hearing, to the December 12, 2024 hearing, and to the January 9, 2025 hearing, to provide additional time for the TIS to be conducted, submitted to the file and reviewed by staff.

The Hearing Examiner continued these petitions from the January 9, 2025 hearing, to the January 23, 2025 hearing, at the request of the petitioner's representative.

These petitions were heard by the Hearing Examiner on January 23, 2025. 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.

The petitioner's representative has requested a **continuance from the February 19, 2025 hearing, to the March 5, 2025 hearing**. Staff would have no objection to the continuance and staff understands that remonstrators have been advised of the continuance and do not object.



STAFF RECOMMENDATION

Denial. If approved, staff would request 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. Final site plan and elevations shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).
2. 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.
3. 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.
4. A 59.5-foot half right-of-way shall be dedicated along the frontage of 2155 Kessler Boulevard West Drive and a 45-foot half right-of-way along the frontage of Knollton 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).

PETITION OVERVIEW

This 13.69-acre site, zoned SU-34 (Club rooms, fraternal rooms / fraternity and lodge and public ballroom) (FF), is undeveloped and surrounded by a driving range to the north, zoned SU-34; single-family dwellings to the south, zoned D-S; single-family dwellings to the east, across Knollton Road, zoned D-S; and a country club to the west, zoned SU-34.

The request would rezone the southern portion of the site to the D-4 (FF) and the northern portion of the site to the D-5II district. "The D-4 district is intended for low or medium intensity single-family and two-family residential development. Land in this district needs good thoroughfare access, relatively flat topography, and nearby community and neighborhood services and facilities with pedestrian linkages. Provisions for recreational facilities serving the neighborhood within walking distance are vitally important. Trees fulfill an important cooling and drainage role for the individual lots in this district. The D-4 district has a typical density of 4.2 units per gross acre. This district fulfills the low-density residential classification of the Comprehensive General Land Use Plan. All public utilities and facilities must be present. Development plans, which may include the use of clustering, 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.



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The D-5II district is intended for small-lot housing formats, primarily for small, detached houses, but also including a mix of small-scale multi-unit building types. This district can be used for new, walkable suburban neighborhoods or for infill situations in established urban areas, including both low density and medium density residential recommendations of the Comprehensive Plan, and the Suburban Neighborhood or Traditional Neighborhood Typologies of the Land Use Pattern Book.

“The D-5II district is also considered to be a walkable neighborhood whose purpose is to advance the Livability Principles of this Code, the D-5, D-5II, D-8, D9 and D-10 districts implement walkable, compact neighborhoods within a well-connected street network and block structure, using slow neighborhood streets, walkable connectors, and multi-mode thoroughfares. Access to parks and recreation, transit and neighborhood services within walking distance is important. Street trees, landscape and trees along private frontages, and an active amenity zone create comfortable walking environment and add appeal to neighborhoods. These districts require urban public and community facilities and services to be available. These districts may be used in combination to supply critical mass of residents to support nearby commercial and transit investments.”

The Comprehensive Plan recommends the non-typology land use of regional special use.

As proposed, this request would not be consistent with the Comprehensive Plan recommendation of regional special use because the recommended land use serves as a specific and stable institutional purpose for a portion of the population.

Overlays

This site is also located within an overlay, specifically the Environmentally Sensitive Areas (ES) Overlay. “Overlays are used in places where the land uses that are allowed in a typology need to be adjusted. They may be needed because an area is environmentally sensitive, near an airport, or because a certain type of development should be promoted. Overlays can add uses, remove uses, or modify the conditions that are applied to uses in a typology.”

The Environmentally Sensitive Areas (ES) Overlay is intended for areas containing high quality woodlands, wetlands, or other natural resources that should be protected. The purpose of this overlay is to prevent or mitigate potential damage to these resources caused by development. This overlay is also appropriate for areas that present an opportunity to create a new environmental asset. This overlay is not intended for the preservation of open space.

The entire site is covered by high quality woodlands, specifically identified as Forest Alliance Woodlands.

Tree Preservation / Heritage Tree Conservation

There are significant amounts of natural vegetation and trees covering 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.



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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 Permit issuance date. See Exhibit A, Table 744-503-3: Replacement Trees.

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-4 and D-5II in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance.

The southeast corner of the site is located within the unregulated 500-year floodplain.

Department of Public Works

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 59.5-foot half right-of-way along Kessler Boulevard West Drive and a 45-foot half right-of-way along Knollton Road. This dedication would also be consistent with the Marion County Thoroughfare Plan.



Traffic Impact Study (TIS)

The parameter used to evaluate traffic operation conditions is referred to as the level-of-service (LOS). There are six LOS (A through F) categories, which relate to driving conditions from best to worst, respectively. LOS directly relates to driver discomfort, frustration, fuel consumption and lost travel time. Traffic operating conditions at intersections are acceptable if found to operate at LOS D or better.

The TIS, file dated November 25, 2024, studied baseline existing conditions; impact of proposed development (trip generation, directional distribution diverted trips / site access); 2024 forecasted conditions; and 2034 forecasted conditions.

Four intersections were studied:

- Kessler Boulevard and Broadmoor Country Club
- Kessler Boulevard and West 56th Street
- Kessler Boulevard and Knollton Road
- West 56th Street and Knollton Road

Analysis was conducted for two scenarios. Scenario One – Access to the Broadmoor Country Club along Kessler Boulevard would be removed and relocated to Knollton Road access that would also serve the proposed residential development. Scenario Two – Access to the Broadmoor Country Club would remain along Kessler Boulevard and the access drive along Knollton Road would serve only the proposed residential development.

Recommendations:

- A westbound left-turn lane is recommended at the intersection of Kessler Boulevard and Knollton Road.

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;



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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 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.

If approved, 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.

Planning Analysis

The proposed development of approximately 13.7 acres is part of a 200-acre country club development that has existed for at least 87 years. The 1937 aerial is the earliest aerial that depicts development of the golf course and club buildings.

Staff believes that the proposed residential development would not be supportable on this site that has a Comprehensive Plan recommendation of regional special use that is a land use that does not contemplate residential uses.

The density of the proposed D-4 district (approximately six acres) would be 2.5 units per acre. The density of the proposed D-5II district (approximately 7.5 acres) would be 4.6 units per acres.

Very low density (D-S) is adjacent to the site to east and south and described as “intended for suburban areas of extreme topography, areas conducive to estate development, or areas where it is desirable to permit only low-density development (such as adjacent to floodplains, aquifers, urban conservation areas, within the extended alignment of airport runways, etc.). Generous front yards with trees along roadways that follow the natural terrain of the land are envisioned for the D-S district. Estate development in a natural setting is the typical realization of the district. The D-S district provides for single-family residential lots consisting of at least one acre. A typical density for the D-S district is 0.4 units per gross acre. This district fulfills the lowest density residential classification of the Comprehensive General Land Use Plan. Development plans would likely use the cluster option when subdividing and should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site considerations, including vegetation, topography, drainage and wildlife.”



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This area did not develop in a manner that would allow for this dense of housing. The proposal would also create or encourage a disjointed pattern of residential development that would not be compatible with the existing residential land uses and could have a destabilizing impact on the neighborhood.

The proposed site plan depicts an access drive along Knollton Road that could also serve as a primary entrance to the country club. There would be a detention pond and 10 attached dwellings (townhomes) north of the access drive. Development south of the access drive would include 18 attached dwellings (townhomes) and 15 detached single-family dwellings.

Street A and Street B would likely be private streets, with gates installed at the western boundary of the site and the intersection of Street A and Street B.

GENERAL INFORMATION

Existing Zoning	SU-34 (FF)	
Existing Land Use	Undeveloped	
Comprehensive Plan	Regional Special Use	
Surrounding Context	Zoning	Land Use
North:	SU-34	Golf driving range
South:	D-S (FF)	Single-family dwellings
East:	D-S (FF)	Single-family dwellings
West:	SU-34	Country club buildings
Thoroughfare Plan		
Kessler Boulevard, West Drive	Primary Arterial	Existing 100-foot right-of-way and proposed 119-foot right-of-way.
Knollton Road	Primary Collector	Existing 60-foot right-of-way and proposed 90-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	Yes, unregulated 500-year floodplain	
Overlay	Yes, Environmentally Sensitive	
Wellfield Protection Area	No	
Site Plan	June 20, 2024	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	



Findings of Fact	N/A
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends the non-typology land use of regional special use. This category provides for public, semi-public and private land uses that serve a specific institutional purpose for a significant portion of the county. Examples are large-scale, generally stable institutional uses such as cemeteries, hospitals, universities, high schools, government complexes, large museums, the Indiana State Fairgrounds, and the Indianapolis Motor Speedway.

The non-typology land uses are stand-alone uses that are outside the typology system due to their scale or the nature of their use.

Pattern Book / Land Use Plan

- Not Applicable to the Site.

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)

The Marion County Thoroughfare Plan (2019) “is a long-range plan that identifies the locations classifications and different infrastructure elements of roadways within a defined area.”



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The following listed items describe the purpose, policies and tools:

- Classify roadways based on their location, purpose in the overall network and what land use they serve.
- Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
- Set requirements for preserving the right-of-way (ROW)
- Identify roadways for planned expansions or new terrain roadways
- Coordinate modal plans into a single linear network through its GIS database



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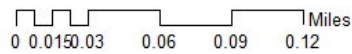
ZONING HISTORY

None.

EXHIBITS



2155 Kessler Boulevard West Drive





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EXHIBIT A

Heritage Tree Conservation

Removal of any Heritage Tree is prohibited unless any of the following determinations are made before removal:

1. The Administrator or the city's Urban Forester determines that the tree is dead, significantly and terminally diseased, a threat to public health or safety, or is of an undesirable or nuisance species.
2. The Director of the Department of Public Works determines that the tree interferes with the provision of public services or is a hazard to traffic.
3. The Administrator determines that the location of the tree is preventing development or redevelopment that cannot be physically designed to protect the tree.
4. The site from which the tree is removed is zoned D-A and the tree is harvested as timber or similar forestry product.

Table 744-503-3: Replacement Trees		
Size of tree removed or dead (inches)	Number of Trees to be planted to replace a Heritage Tree	Number of Trees to be planted to replace an existing tree
Over 36 DBH	15	10
25.5 to 36 DBH	11	8
13 to 25 DBH	8	6
10.5 to 12.5 DBH	6	4
8.5 to 10 DBH	5	4
6.5 to 8	3	2
4 to 6	2	2
2.5 to 3.5	1	1



MEMORANDUM OF EXAMINER'S DECISION

2024-ZON-073/073B

2155 Kessler Blvd, West Drive

The petitions requests the rezoning of 6.01 acres from the SU-34(FF) district to the D-4(FF) district and the rezoning of 7.68 acres from the SU-34 district to the D-5ll district to provide for residential uses.

Your Hearing Examiner visited the heavily wooded site prior to the hearing and noted the established homes on large lots along both sides of Knollton Road south and east of the site, and a subdivision with large lots south of it. Broadmoor County Club is north and west of the site.

The petitioner's representative described the proposed infill development as a way to maintain the country club, which has been in existence for over 100 years. The density would increase from south to north, and all residents would be required to have a country club membership. Because the existing access to the country club from Kessler Boulevard is not ideal, the primary access to this site, and to the country club, would be from Knollton Road. It was also suggested that the proposed development would help meet demand for housing in Washington Township, and that the proposed density is not out of character for the larger area.

More than 30 remonstrators attended the hearing, and a petition of opposition was presented with more than 50 signatures. Several remonstrators spoke, and the primary reasons of opposition were the proposed density, inconsistency of the requested zoning districts with surrounding zoning districts, access from Knollton Road, and clearing of trees.

Staff explained that, while the Comp Plan recommended regional special use because of the current zoning of SU-34, very low density residential development would be appropriate for this site. Staff expressed concern that the request would introduce a disjointed pattern of development, and that clear cutting of trees on the site would happen.



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In your Hearing Examiner's opinion, the requested zoning districts and proposed development are completely out of character with this area. While a special use needs some flexibility in order to maintain its place in a neighborhood, it should not be to the detriment of the neighborhood. Your Hearing Examiner is also concerned with the proposed access on Knollton Road, and the impact the development would have on the high quality woodlands covering the site. Denial of these petitions was recommended.

For Metropolitan Development Commission Hearing on February 19, 2025



View of site looking west across Knollton Road



View of site looking west across Knollton Road



View of site looking west across Knollton Road



View of site looking west across Knollton Road



View of site looking west across Knollton Road



View of site looking east across existing driving range



View of site looking south along drive that abuts the western site boundary



View of site looking north along drive that abuts the western site boundary



METROPOLITAN DEVELOPMENT COMMISSION **February 19, 2025**

Case Number: 2024-ZON-138

Property Address: 7947 Camby Road (Approximate Address)

Location: Decatur Township, Council District #21

Petitioner: Arbor Homes, by Domonic Dreyer

Current Zoning: D-A

Request: Rezoning of 22.88 acre from the D-A district to the D-4 classification to provide for residential uses.

Current Land Use: Undeveloped

Staff Recommendations: Approval with commitments.

Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

ADDENDUM FOR FEBRUARY 19, 2025, METROPOLITAN DEVELOPMENT COMMISSION

This petition was heard by the Hearing Examiner on January 23, 2025. After a full hearing, the Hearing Examiner recommended approval of the request. Subsequently, a remonstrator filed an appeal of the Hearing Examiner’s decision. A memorandum of her recommendation is attached.

January 23, 2025

This petition was automatically continued from the December 19, 2024 hearing to the January 23, 2025 hearing at the request of a registered neighborhood organization.

STAFF RECOMMENDATION

Staff **recommends approval** 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. A 40-foot half right-of-way shall be dedicated along the frontage of Camby 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).
2. A traffic calming measure per the Department of Public Works standards shall be met.



PETITION OVERVIEW

LAND USE

The 22.88-acre subject site is mostly undeveloped but contains a large barn.

The site is surrounded by undeveloped land to the north, zoned I-2, single-family dwellings and agricultural land to the east, zoned D-A, undeveloped land to the south, zoned D-2, and single-family dwellings to the west, zoned D-A and D-3.

REZONING

The grant of the request would rezone the site from the D-A district to the D-4 district to allow for residential development.

The D-A district holds the agricultural lands of Marion County and provides for a variety of agricultural uses. It is intended to provide for animal and poultry husbandry, farming, cultivation of crops, dairying, pasturage, floriculture, horticulture, viticulture, apiaries, aquaculture, hydroponics, together with necessary, accompanying accessory uses, buildings, or structures for housing, packing, treating, or storing said products; or lands devoted to a soil conservation or forestry management program. A single-family dwelling is intended to be permitted as a part of such agricultural uses. A secondary provision of this district is large estate development of single-family dwellings. This district fulfills the very low-density residential classification of the Comprehensive General Land Use Plan. This district does not require public water and sewer facilities.

The D-4 district is intended for low or medium intensity single-family and two-family residential development. Land in this district needs good thoroughfare access, relatively flat topography, and nearby community and neighborhood services and facilities with pedestrian linkages. Provisions for recreational facilities serving the neighborhood within walking distance are vitally important. Trees fulfill an important cooling and drainage role for the individual lots in this district. The D-4 district has a typical density of 4.2 units per gross acre. This district fulfills the low-density residential classification of the Comprehensive General Land Use Plan. All public utilities and facilities must be present. Development plans, which may include the use of clustering, 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.

DEPARTMENT OF PUBLIC WORKS

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 40-foot half right-of-way along Camby Road. This dedication would also be consistent with the Marion County Thoroughfare Plan.



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STAFF ANALYSIS

The request would allow the rezoning to the D-4 district to allow for a residential development that would consist of an approximate 50 single-family lots with a multi-purpose path, preserved landscaping area, and entrance landscaping to the development.

Based on the conceptual site plan submitted, staff will be requesting a commitment that a traffic calming measure for the proposed north to south street meet the standards for the Department of Public Works in addition to ensuring the right-of-way dedication request is adhered to.

Per Table 741-302-1: Maximum Block Length, the D-4 district in the Metro Context Area has a 950-foot block length limitation that can only be exceeded if the following are demonstrated:

- a. There are pedestrian ways, provided as an improved pedestrian easement, at intervals of 400 feet or less, bisecting the block from street to street; and
- b. Adequate traffic calming provisions are made; and
- c. The proposed Block must be greater than that shown in Table 741-302-1 because of physical conditions of the land including, but not limited to, topography or the existence of natural resource areas such as jurisdictional wetlands, floodways, wildlife habitat areas, steep slopes or woodlands.

Staff is recommending approval of the rezoning request to the D-4 district since the proposed residential development would align with the suburban neighborhood recommendation of the Comprehensive Plan. Additionally, the two commitments would allow the necessary infrastructure on site and future public infrastructure to be installed.

GENERAL INFORMATION

Existing Zoning	D-A	
Existing Land Use	Undeveloped	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
	North:	I-2 Undeveloped
	South:	D-2 Undeveloped
	East:	D-A Residential (Single-family Dwellings) / Agricultural land
	West:	D-A / D-3 Residential (Single-family dwellings)
Thoroughfare Plan		
Camby Road	Primary Arterial Street	80-foot proposed right-of-way and 30-foot existing right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	



Wellfield Protection Area	No
Site Plan	November 18, 2024
Site Plan (Amended)	N/A
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	N/A
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)
- Indy Moves Transportation Integration Plan (2018)

Pattern Book / Land Use Plan

- The Comprehensive Plan recommends suburban neighborhood development of the site.
- 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.
- **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.
 - Hydrological patterns should be preserved wherever possible.
 - Curvilinear streets should be used with discretion and should maintain the same general direction.
 - In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.



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• **Conditions for All Housing**

- A mix of housing types is encouraged.
- Developments of more than 30 housing units must have access to at least one arterial street of 3 or more continuous travel lanes between the intersections of two intersecting arterial streets.
- Should be within a one-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly accessible recreational or cultural amenity that is available at no cost to the user.
- Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.
- Developments with densities higher than 5 dwelling units per acre should have design character compatible with adjacent properties. Density intensification should be incremental with higher density housing types located closer to frequent transit lines, greenways or parks.

• **Detached Housing**

- The house should extend beyond the front of the garage.
- Lots should be no more than 1.5 times the size (larger or smaller) of adjacent/surrounding lots, except in cases where lots abut existing residential lots of one acre or more in size. In those cases, lots should be no smaller than 10,000 square feet and no larger than 1.5 times the size of the abutting lot.

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)

- The site falls within the Indy Moves Transportation Integration Plan (2018). More specifically, IndyMoves Pedallndy 2018 proposes an on-street bike land along Camby Road from Raceway Road to Mooresville Road.



ZONING HISTORY

Zoning History – Vicinity

2020-CZN-834 / 2020-CVR-834; 6400, 6449, 6455, 6500, 6559, 6565, 6600 and 6833 Kentucky Avenue; 6700, 7924, 7944, 8002, 8032 and 8210 Camby Road (north of site), Rezoning of 131.87 acres from the D-A, C-1, C-3 and C-5 districts to the I-2 district and variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for C-3 uses; vocational, technical or industrial school or training facility; hotel, motel or hostel; and heavy general retail (not permitted), **approved**.

2019-ZON-122 / 2020-VAR-001; 6400, 6449, 6455, 6500, 6559, 6565, 6600 and 6833 Kentucky Avenue; 6700, 7700, 7924, 7944, 8002, 8032 and 8210 Camby Road (north of site), Rezoning of 172.94 acres from the D-A, D-3, D-6II, C-1, C-3 and C-5 districts to the I-2 classification and a variance of use to provide for C-3 uses: vocation, technical or industrial school or training facility; hotel, motel or hostel; and heavy general retail, **withdrawn**.

2018-ZON-057; 8133 Camby Road (west of site), Rezoning of 45.6 acres from the D-A district to the D-3 (cluster) classification, **approved**.

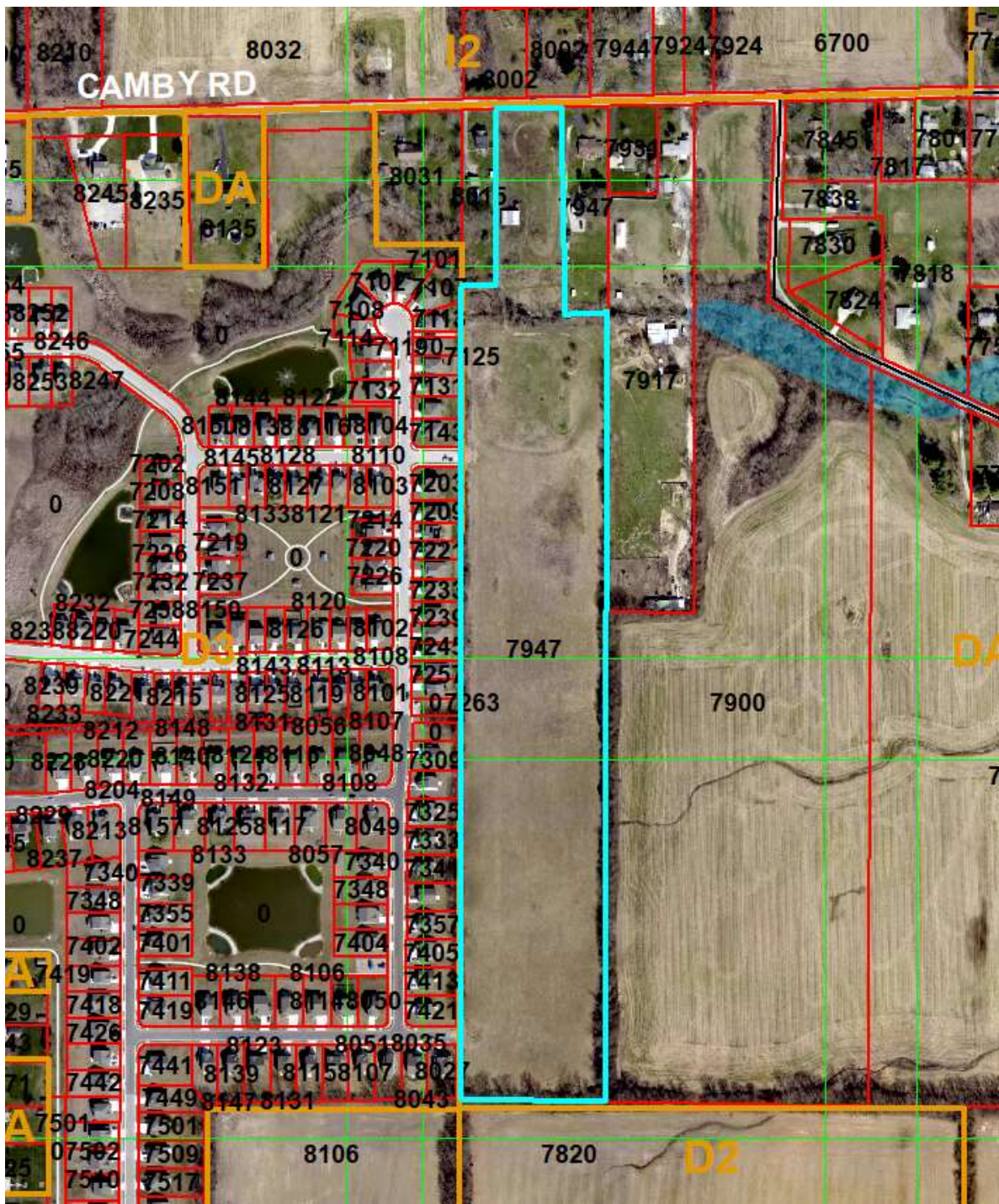
2015-ZON-035; 6400, 6449, 6455, 6500, 6545 and 6565 Kentucky Avenue, 6700, 7700, 7924 and 8032 Camby Road and 6503 Mendenhall Road (northwest of site), Rezoning of 155.03 acres from the D-A, D-3, D-5, D-6II, C-1, C-3 and C-5 districts to the I-2-S classification, **denied**.

2005-ZON-186; 6600 and 6833 Kentucky Avenue and 8032 and 8210 Camby Road (northwest of site), Rezoning of 43.5 acres from the D-A district to the C-5 classification, **approved**.

92-Z-84; 7902 Mooresville Road (south of site), Rezoning of 80-acres, being in the D-A district, to the D-2 classification to provide for residential development, **approved**.

92-Z-35; 7409 Trotter Road (west of site), Rezoning of 55.0 acres, being in the D-A district, to the D-3 classification to provide for single-family residential development, **approved**.

EXHIBITS





HEARING EXAMINER'S MEMO

MEMORANDUM OF EXAMINER'S DECISION

2024-ZON-138

7947 Camby Road

The petition requests the rezoning of 22.88 acres from the D-A district to the D-4 district to provide for residential uses.

Your Hearing Examiner visited the undeveloped site prior to the hearing and noted scattered residences on large lots west, north, and east of the northern part of the site and undeveloped land abutting the site on the east and south. Two subdivisions abut the site on the west, and they each have a street stubbing into it.

The petitioner's representative described the conceptual proposal to develop 50 lots for a density of 2.19 units per acre. The two stub streets from the subdivisions to the west would be extended into this site, and a gathering amenity would be developed at the north end of the site.

A representative from the Decatur Township Civic Council appeared and stated that the group voted to oppose the rezoning petition, primarily because access is not proposed from Camby Road. A township official also expressed concern that the lack of access from Camby Road is a safety concern in event of an emergency.

Staff explained that the request is at the lower end of the Comp Plan recommendation of suburban neighborhood, and petitioner has agreed to commitments. Staff stated that site access would be reviewed during the platting process.

In your Hearing Examiner's opinion, the D-4 district is compatible with development in the area and is in conformance with the Comp Plan. The site layout is conceptual, and access will be addressed during the platting process. Approval of this petition was recommended.

For Metropolitan Development Commission Hearing on February 19, 2025

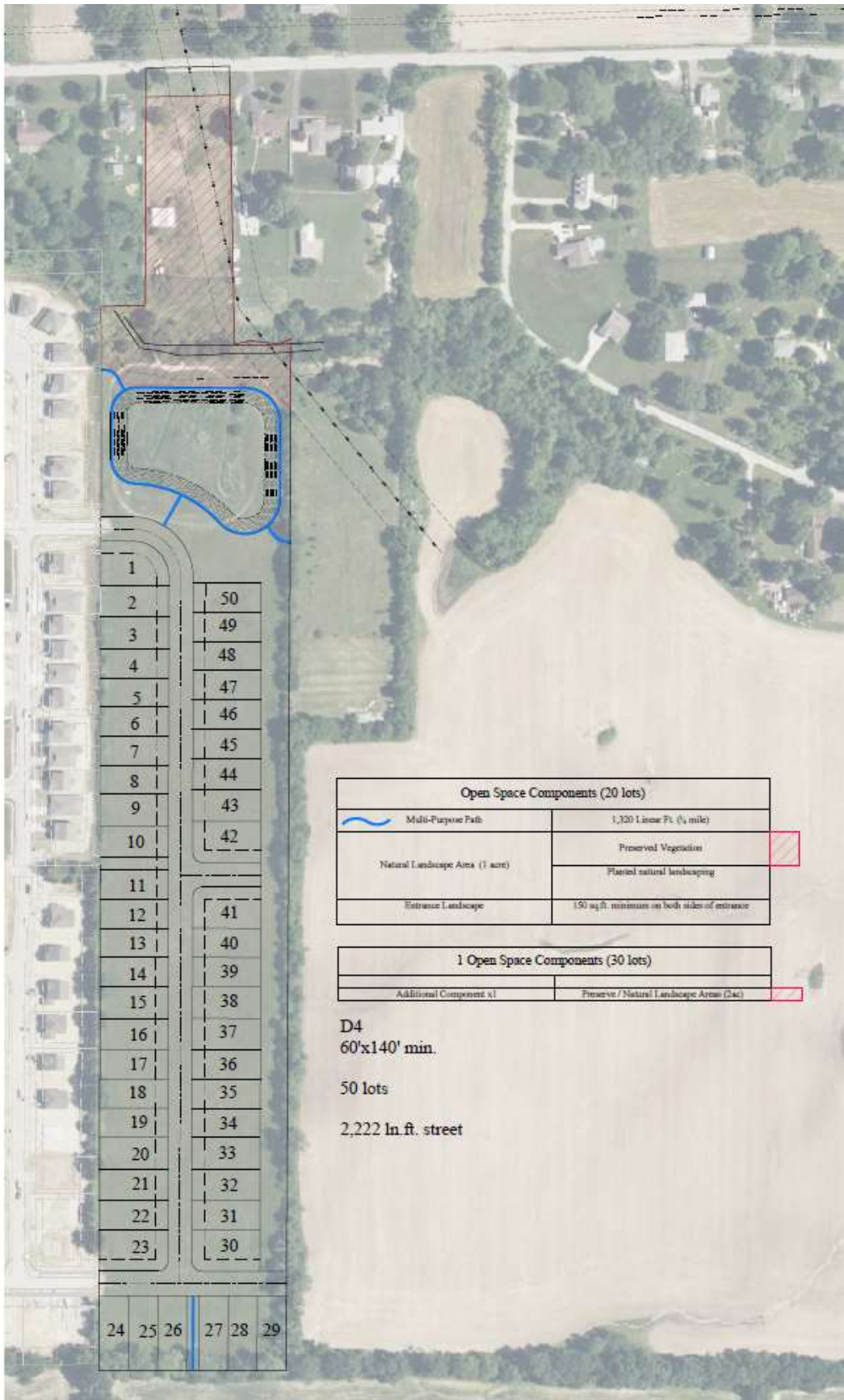




Photo of the subject site looking south from Camby Road and the single-family dwelling to the east.



Photo of the subject site looking south from Camby Road and the single-family dwelling to the west.



Undeveloped industrial land north of the site.



Undeveloped industrial land north of the site.



Single family dwellings west of the site at the Red Board Drive stub.



Photo of the Red Board Drive stub looking east onto the site.



Photo of the site looking north from the Red Board Drive stub.



Photo of the site looking north from the Red Board Drive stub.



Photo of the Wagman Street stub looking east onto the site.



Single family dwellings west of the site at the Wagman Street stub.



METROPOLITAN DEVELOPMENT COMMISSION

February 19, 2025

Case Number:	2024-ZON-098
Property Address:	6200 and 6545 West Southport Road (Approximate Addresses)
Location:	Decatur Township, Council District #21
Petitioner:	Arbor Homes, by Domonic Dreyer
Current Zoning:	D-A
Request:	Rezoning of 104.8 acres from the D-A district to the D-P District to provide for a detached single-family residential development of a maximum of 323 dwelling units, with amenities and accessory, temporary and special exception uses permitted in the D-4 district, except for two-family dwellings and group homes, which would be prohibited.
Current Land Use:	Agricultural Land
Staff Recommendations:	Approval with commitments.
Staff Reviewer:	Marleny Iraheta, Senior Planner

PETITION HISTORY

Staff requested a continuance for cause from the December 18, 2024 hearing to the January 15, 2025 hearing to allow additional time for discussions between the petitioner, staff and DPW in addition to allowing sufficient time for new legal notices to be mailed to all required parties since staff was made aware of a deficient mailing list provided to the petitioner.

This petition was automatically continued from the January 15, 2025 hearing to the February 19, 2025 hearing at the request of a registered neighborhood organization.

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. Approval shall be subject to final infrastructure approval by DPW prior to the issuance of any permit that either provides for the complete installation of the recommendations set forth in the Traffic Impact Study, but most importantly a separate left-turn and right-turn lane at the Southport Road and Mooresville Road westbound approach and the conversion of the Mooresville Road and Mills Road intersection into a single-lane roundabout, or that an agreement is made for partial development (50% or less) of the site with infrastructure improvements approved by DPW that would support the partial development. The complete development of the site would only occur if all recommendations of the Traffic Impact Study as approved by DPW are met.



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2. A 40-foot half right-of-way shall be dedicated along the frontage of Southport 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).
3. The Department of Public works request that an eastbound right-turn lane shall be installed at Southport Road and Proposed East Access Drive per the traffic impact study results.

PETITION OVERVIEW

LAND USE

The 104.8 -acre subject site is zoned D-A and is agricultural land with some wooded areas and Swamp Creek running along the northeast corner of the site. The property is in the West Newton neighborhood.

REZONING

The request would rezone the site from the D-A district to the D-P classification to provide for a detached single-family residential development of a maximum of 323 dwelling units.

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.



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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. The site has one perimeter street which is Southport Road and will have two entrances.

The trails, amenities, ponds and natural preservation areas would be evenly distributed throughout the development. Additionally, the two product types and lot sizes would be mixed within the northern half of the development.

The Ordinance provides for a Stream Protection Corridor 100 feet in width as measured back from the top of each bank along Swamp Creek, which runs through the northeast 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.

TREE PRESERVATION

There are areas on site where natural vegetation and trees are located and are planned to remain. 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.

The D-P Statement notes a Natural Preservation Area where the Development will preserve approximately eighteen (18) acres of existing vegetation area. The location of the Preservation Areas is depicted on Exhibit C.

This area is predominantly comprised of the stream protection corridor of Swamp Creek that runs along the northeastern corner of the site, but also includes a wooded area that cuts through an east to west section that runs along the southern boundary at 6545 West Southport Road and continues east along an unnamed drainage ditch that feeds into Swamp Creek. The wooded area that runs along the southern half perimeter of 6200 West Southport Road is also included.

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.



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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.

D-P STATEMENT

The D-P Statement, file-dated January 24, 2025, describes the project as a residential neighborhood with a mixture of two lot types and home products within the Development.

The Arbor Series would include detached single-family dwellings consisting of one- story and two-story homes on individual deeded lots. There would be no more than 217 homes within the Development and would generally adhere to the homesite placement as shown on Exhibit C.

The Genesis Series would include detached single-family dwellings consisting of two-story and three-story homes on individual deeded lots. There would be no more than 97 homes within the Development and generally adhere to the homesite placement as shown Exhibit C.

The D-P Statement addresses development standards, an anti-monotony standard that would prevent the same front elevation or exact color scheme from being immediately adjacent and across the street, architectural standards, lighting, signage, and landscaping.

Landscaping includes minimum open space, landscaping proposed at both entrances, buffer yards would be proposed adjacent to West Southport Road and along the west side of the development where natural vegetation and trees do not currently exist.

Amenities would include a pool and pool house, three playgrounds, gazebo gathering area, bocce ball courts, a disc golf course within the stream protection corridor, approximately one mile of multipurpose path, three picnic/BBQ areas, and approximately 18 acres of preserved natural vegetation.

The development also proposes covered school bus shelters to be placed throughout the neighborhood in common areas once direction from the school district on quantity and location is gathered.

All permitted, accessory, temporary, and special exception uses permitted in the Dwelling District Four (D-4) zoning district shall be permitted except for two-family dwellings and group homes.

If any development standard is not set forth in the Preliminary Plan and DP Statement, the D-4 zoning district standards shall apply.



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TRAFFIC IMPACT STUDY

The Department of Public Works reviewed the submitted the traffic impact study submitted on September 3, 2024.

The scope of work included the following intersections between the hours of 6:30 A.M to 9:00 A.M. and 3:30 P.M. to 6:30 P.M.:

- Southport Road & Mooresville Road
- Southport Road & Mann Road
- Mooresville Road & Camby Road
- Mooresville Road & Mills Road

The study estimated the 2029 background traffic volumes by applying a 1% per year growth rate to the existing traffic volumes, estimated the number of peak hour trips that will be generated by the proposed developments, assigned and distributed the generated traffic volumes from the proposed developments to the study intersections, and prepared a capacity analysis, level of service analysis, and turn lane analysis at the study intersections for the existing traffic volumes, year 2024 background traffic volumes, and year 2029 proposed development traffic volumes.

The study area was defined to include the four intersections noted above and the following:

- Southport Road & Proposed West Access Drive
- Southport Road & Proposed East Access Drive

DPW noted that although the study did not provide a passing blister analysis, two passing blisters are needed at the West Access, east bound and East Access, west bound. In addition, an eastbound right-turn lane is warranted at the Southport Road and Proposed East Access Drive. The eastbound right-turn lane will be requested as a commitment for the approval since the installation of two passing blisters were agreed to as a commitment for another rezoning petition to the north, 2024-ZON-097.

The Southport and Mooresville intersection results are concerning to DPW with a Level-of-Service (LOS) of F even when turn lanes are added, but the bridge proximity makes turn lanes difficult to construct. The report did not provide a suitable solution for this intersection.

Mooresville and Mills intersection resulted in LOS F and recommendation of a roundabout. It is unclear whether the petitioner is prepared to construct a roundabout at this location, but DPW is willing to discuss this further.

DEPARTMENT OF PUBLIC WORKS

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 40-foot half right-of-way along Southport Road. This dedication would also be consistent with the Marion County Thoroughfare Plan.



STAFF ANALYSIS

Based on the Concept Plan, the two lot types and home products would be integrated throughout the layout of the subdivision as recommended by staff instead of separated as originally proposed. Although the request notes a maximum of 323 dwelling units, the D-P Statement would limit the development of the site to no more than 314 dwelling units or a maximum approximate gross density of 3.0 units per acre.

A significant number of changes were made by the petitioner in working with staff to address the expectations set for a D-P development, which were incorporated with the latest Concept Plan. This included more amenity features such as trail location, landscaping, increased amenities, and passive recreation opportunities. Heritage trees should be preserved in the amenity spaces, especially when determining the location of the proposed trails and disc golf course within the stream protection corridor.

The greatest concern to be addressed will be the lack of infrastructure improvements and traffic impact to occur with the proposal. For this reason, staff is recommending that approval be subject to final infrastructure approval by DPW prior to the issuance of any permit that either provides for the complete installation of the recommendations set forth in the Traffic Impact Study, but most importantly a separate left-turn and right-turn lane at the Southport Road and Mooresville Road westbound approach and the conversion of the Mooresville Road and Mills Road intersection into a single-lane roundabout, or that an agreement is made for partial development (50% or less) of the site with infrastructure improvements approved by DPW that would support the partial development. The complete development of the site would only occur if all recommendations of the Traffic Impact Study as approved by DPW are met.

This commitment would allow for the rezoning of the site, while also ensuring that approval of the development would not create a disservice to the community. Ultimately, the development would not be able to be developed unless infrastructure improvements are made and approved by DPW.

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 along Southport Road.

For all these reasons, staff supports the rezoning request, subject to the D-P Statement, conceptual site plan, TIS recommendations and proposed staff commitments.

GENERAL INFORMATION

Existing Zoning	D-A	
Existing Land Use	Agricultural Land	
Comprehensive Plan	Suburban Neighborhood and Rural or Estate Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-4 / D-A	Residential / Agricultural Land
South:	D-A	Agricultural Land
East:	D-A	Residential and Agricultural Land
West:	D-A	Residential and Agricultural Land



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Thoroughfare Plan		
Southport Road	Primary Collector Street	80-foot proposed right-of-way and 40-foot existing right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	August 11, 2024	
Site Plan (Amended)	January 24, 2025	
Elevations	January 24, 2025	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	January 24, 2025	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)

Pattern Book / Land Use Plan

- The Comprehensive Plan recommends suburban neighborhood development for most of the site and rural or estate neighborhood development east of Swamp Creek on the northeast corner of the site.
- 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.
- **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.
 - Hydrological patterns should be preserved wherever possible.



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- Curvilinear streets should be used with discretion and should maintain the same general direction.
- In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.
- **Conditions for All Housing**
 - A mix of housing types is encouraged.
 - Developments of more than 30 housing units must have access to at least one arterial street of 3 or more continuous travel lanes between the intersections of two intersecting arterial streets.
 - Should be within a one-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly accessible recreational or cultural amenity that is available at no cost to the user.
 - Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.
 - Developments with densities higher than 5 dwelling units per acre should have design character compatible with adjacent properties. Density intensification should be incremental with higher density housing types located closer to frequent transit lines, greenways or parks.
- **Detached Housing**
 - The house should extend beyond the front of the garage.
 - Lots should be no more than 1.5 times the size (larger or smaller) of adjacent/surrounding lots, except in cases where lots abut existing residential lots of one acre or more in size. In those cases, lots should be no smaller than 10,000 square feet and no larger than 1.5 times the size of the abutting lot.
- The Rural or Estate Neighborhood typology applies to both rural or agricultural areas and historic, urban areas with estate-style homes on large lots. In both forms, this typology prioritizes the exceptional natural features – such as rolling hills, high quality woodlands, and wetlands – that make these areas unique. Development in this typology should work with the existing topography as much as possible. Typically, this typology has a residential density of less than one dwelling unit per acre unless housing is clustered to preserve open space.
- **Detached Housing**
 - Should preserve open space.
 - In older, established historic areas, lots should be deep and narrow with deep setbacks. This allows for city services such as streets and sewer lines to be used more efficiently. Mature trees should be preserved whenever possible.
 - In more rural areas, the protection of open space is even more critical. Lots should be both deep and wide.
 - Denser development is appropriate only if the houses are clustered together and public open space is provided.
 - “Flag lots” (lots that are behind other lots, buildings, or otherwise not visible from the road) should be avoided.
 - Lots should be no larger than one and a half times the adjacent lots.



- 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.



ZONING HISTORY

Zoning History - Vicinity

2024-ZON-097; 6402 West Southport Road and 7300 South Mooresville Road (south of site), Rezoning of 48.4 acres from the D-A district to the D-4 district for a residential development, **approved**.

2020-ZON-032; 6007 West Southport Road (east of site), Rezoning of 4.78 acres from the D-A district to the D-S district, **withdrawn**.

2012-UV3-018; 5901 West Southport Road (east of site), Variance of use and development standards of the Dwelling Districts Zoning Ordinance to provide for a photovoltaic renewable project / Solar Farm with a 6.5-foot-tall perimeter fence topped with one-foot of security wire, **granted**.

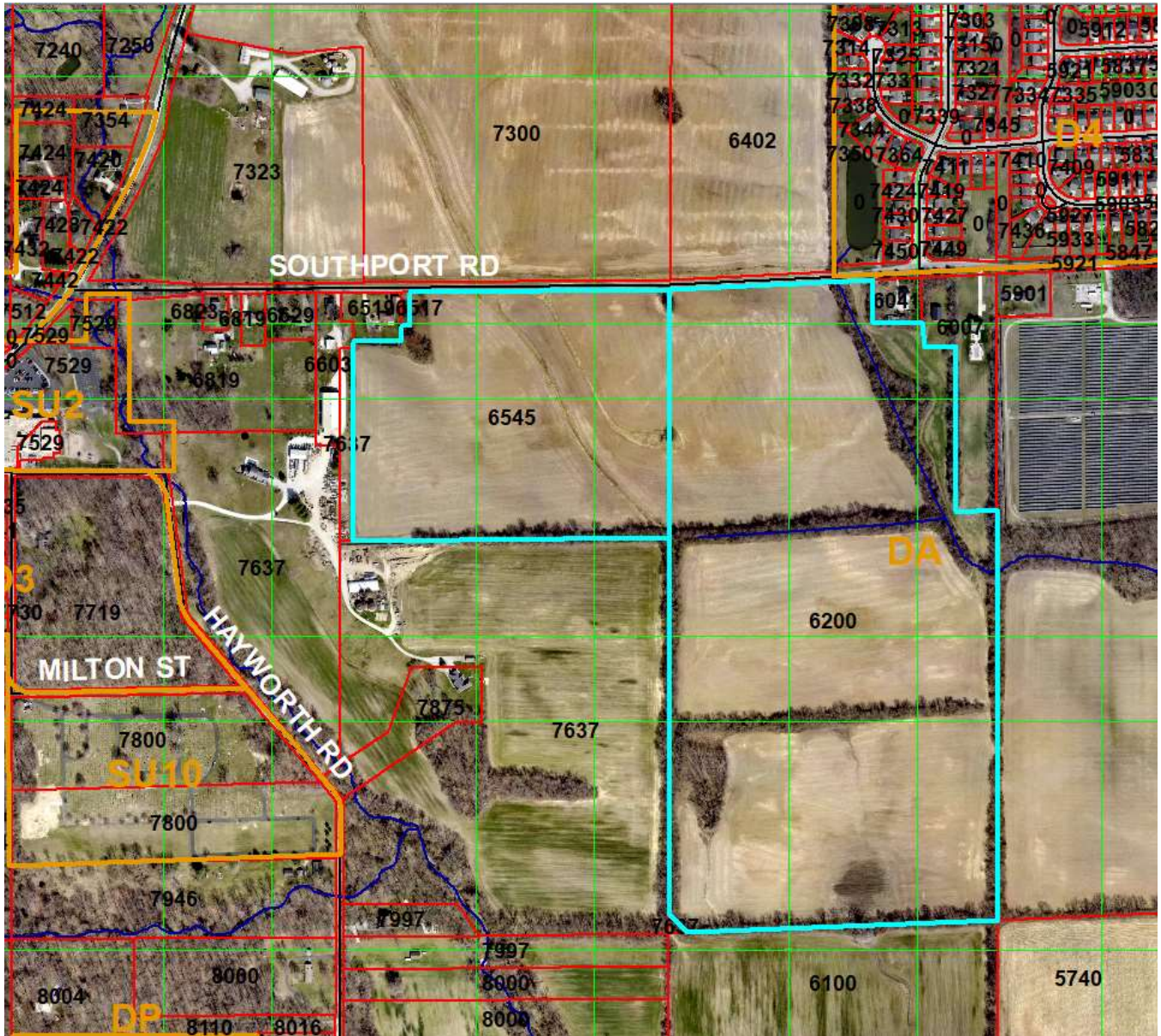
94-Z-51; 5630 West Southport Road (northeast of site), Rezoning of 80 acres, being in the D-A District, to the D-4 classification to provide for single-family residential subdivision, **approved**.

90-Z-15; 6649 Milton Street (west of site), Rezoning of 9 acres, being in the A-2 District, to the SU-10 classification, to permit the expansion of an existing cemetery, **approved**.



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EXHIBITS





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PRELIMINARY PLAN
AND DP STATEMENT

FOR
WEST NEWTON

January 24, 2025

Developer:

Arbor Homes
9225 Harrison Park Court
Indianapolis, IN 46216



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Arbor Lots Development and Architectural Standards	4
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Exhibits:

Area Map - Exhibit A

Legal Description - Exhibit B

Concept Plan - Exhibit C

Illustrative Architectural Exhibit (Arbor Lots) - Exhibit D

Illustrative Architectural Exhibit (Genesis Lots) - Exhibit E

Illustrative Examples of Development's Amenities - Exhibit F

Landscaping Exhibit - Exhibit G



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

Location & Surrounding Area: The proposed West Newton D-P (the “Development”) is located in Decatur Township and consists of approximately 105 acres on the south side of West Southport 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, residential parcels, and a solar field.

Proposed Development. Petitioner proposes to develop a residential neighborhood with a mixture of two lot types and home products within the Development. The description of the homes is detailed below and the general location and distribution of these lot types will be as depicted on **Exhibit C**:

1. **Arbor Series** shall include detached single-family dwellings consisting of one- story and two-story homes on individual deeded lots. There shall be no more than 217 homes within the Development. The Arbor Series shall generally adhere to the homesite placement as shown on the attached **Exhibit C**.
2. **Genesis Series** shall include detached single-family dwellings consisting of two-story and three-story homes on individual deeded lots. There shall be no more than 97 homes within the Development. The Genesis Series shall generally adhere to the homesite placement as shown on the attached **Exhibit C**.

Density. There shall be no more than 314 dwelling units or a maximum approximate gross density of approximately 3.0 units per acre.

Minimum Open Space. The minimum amount of permanent open space shall be approximately 35 acres or approximately 33% of the total land area.

Amenities. Community Amenities installed within the Development are depicted in **Exhibit C** and shall include the following:

- a) a pool and pool house;
- b) three (3) playgrounds;
- c) gazebo gathering area;
- d) bocce ball courts;
- e) a disc golf course;
- f) approximately 1 mile of multipurpose path;
- g) three (3) picnic/BBQ areas;
- h) and approximately 18 acres of preserved natural vegetation.

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

School Bus Shelters. Covered school bus shelters will be placed throughout the neighborhood in common areas. Direction from the school district on quantity and location



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will be sought.

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.

East Entrance Landscaping. The East entrance to the neighborhood shall include, at a minimum, an entry monument and a 150 square foot landscape bed that will be substantially covered with a variety of planting types such as groundcover, perennials, shrubs, and ornamental trees.

West Entrance Landscaping. The West entrance to the neighborhood shall be designed as a boulevard entrance and include, at a minimum, an entry monument landscaped bed that will be substantially covered with a variety of planting types such as groundcover, perennials, shrubs, and ornamental trees.

Buffer Zones. A buffer yard shall be placed adjacent to West Southport Road and along the West Side of the Development in the general areas shown on **Exhibit C, Concept Plan.** The buffer yard along West Southport Road shall include an undulated mound and have three (3) shade trees, three (3) evergreens, and ten (10) shrubs every 100 lineal feet. The buffer yard located along the West perimeter shall have three (3) shade trees, three (3) evergreens, and ten (10) shrubs every 100 lineal feet.

Natural Preservation Area. The Development will preserve approximately eighteen (18) acres of existing vegetation area. The location of the Preservation Areas is depicted on **Exhibit C.**

Homeowners' Association/Covenants. The maintenance and upkeep of the Common Areas as approximately shown on the attached **Exhibit C** including detention ponds, open space, and amenities within the Development 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 Development.

The Covenants shall include language requiring an initial two (2) year owner-occupied residency requirement prior to allowing rental use unless renting to immediate family or in case of financial hardship that is approved by the Homeowner's Association (HOA), or unless otherwise required by the terms of a federally insured mortgage encumbering a home or if invalidated by Local, State, or Federal Law.

The Covenants shall include language prohibiting Accessory Dwelling Units (ADUs) and other Accessory Structures such as sheds, detached garages, and storage structures.

Anti-Monotony Standard. A subject lot shall not have the same front elevation or exact color scheme with the homes immediately adjacent to the subject lot and as the home immediately across the street from the subject lot.

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 District 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 and Group Home.

Arbor Lots Development and Architectural Standards

I. Intent

The Development will permit up to two hundred seventeen (217) detached, single-family dwellings with the development standards listed below. The dwellings will be designed as one-story and two-story homes on individual deeded lots having underground utilities, centralized water and centralized sewer facilities. The homes will reflect the character as shown on the attached **Exhibit E, Arbor Character Exhibit**. These Character Exhibits are incorporated as a compilation of images designed to capture the intended quality of structures to be constructed on the Arbor Lots in this Development.

II. Development Standards

Maximum Dwelling Units	217
Minimum Lot Area	6,500 sq. ft.*
Minimum Lot Width	50’*
* A minimum of 43 lots within the Arbor Homes District shall have a minimum lot area of 7,800 sq. ft. and a minimum lot width of 60’	
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)	10’

III. Architectural Standards

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

1. Vinyl siding shall be .044 gauge with ¾" 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 width of the home shall not exceed 50% of the front façade width. This does not apply when a 3rd car garage is installed.
10. Windows shall be required on all sides of the home that are adjacent to a street or common area.
11. All homes in the Arbor District shall have a minimum of a 24-inch masonry wainscot on the front elevation.

Character Exhibits: Character exhibits, attached hereto as **Exhibit E**, are incorporated as a compilation of images designed to capture the intended quality of structures to be constructed in the Arbor District. Although the exhibits do not necessarily represent final design or specify a required architectural style or element, they do hereby establish a benchmark for the quality and appearance of structures that are required to be constructed and that



contribute to the Arbor District’s intent and vision. It is not the intent to limit the architectural styles shown in Exhibit E, but to encourage diversity in architectural styles of Dwellings within the Arbor District.

Genesis Lots Development and Architectural Standards

II. Intent

The Development will permit up to one hundred seven (97) detached, single-family dwellings. The dwellings will be designed as two-story and three-story homes on individual deeded lots having underground utilities, centralized water and centralized sewer facilities. The homes will reflect the character as shown on the attached **Exhibit F, Genesis Character Exhibit**. These Character Exhibits are incorporated as a compilation of images designed to capture the intended quality of structures to be constructed on the Genesis Lots in this Development.

III. Development Standards

Maximum Dwelling Units	97
Minimum Lot Area	4,000 sq. ft.
Minimum Lot Width	40’
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’

* Minimum Main Floor Living Area may be less than 550 SF provided that total Finished Floor Area is as least 1,900 SF

IV. Architectural Standards

The following architectural standards shall apply to the Genesis Lots:

1. Vinyl siding shall be .044 gauge with ¾” 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.
7. All homes shall have fully sodded front yards installed by the home builder. The rear and side yards shall be seeded by the builder.
8. There shall be one dusk to dawn lights on the front of each garage.
9. All homes shall have dimensional or architectural grade shingles.
10. The garage door width of the home shall not exceed 55% of the front façade width..
11. Character Exhibits: Character exhibits, attached hereto as **Exhibit F**, are incorporated as a compilation of images designed to capture the intended quality of structures to be constructed on the identified Genesis Lots. Although the exhibits do not necessarily represent final design or specify a required architectural style or element, they do hereby establish a benchmark for the quality and appearance of structures that are required to be constructed and that contribute to the intent and vision of the Genesis homes. It is not the intent to limit the architectural styles shown in **Exhibit F**, but to encourage diversity in architectural styles of the homes on the Genesis Lots.

Exhibit A
Area Map





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Exhibit B

Legal Description

The Land referred to herein below is situated in the County of Marion, State of Indiana, and is described as follows:
(Tract 1 / Parcel Nos. 49-13-14-109-003.000-200 & 49-13-14-109-002.000-200)

Thirty-two (32) acres off of the North end of the East one-half (1/2) of the Southeast quarter of Section Fourteen (14) North, Township Fourteen (14), Range Two (2) East,

EXCEPT:

Part of the East half of the Southeast quarter of Section 14, Township 14 North, Range 2 East of Marion County, Indiana, more particularly bounded and described as follows, to-wit: Beginning 4.0 feet east of the northwest corner on the north line of said east half, run thence southerly and parallel to the east line of said East half for (138.0) feet; run thence easterly and parallel to the north line of said East half for (50) feet; run thence south and parallel to the east line of the east half for (80) feet; run thence easterly and parallel to the north line of the east half for (194.0) feet; run thence northerly and parallel to the east line of the east half for (218.0) feet to the north line of the east half; run thence westerly on said north line in Southport County Road for (244.0) feet to the place of beginning, containing (1.129) acres, more or less, and subject to all legal easements and rights-of-way of record.

ALSO EXCEPT:

Part of the East half of the Southeast quarter of Section 14, Township 14 North, Range 2 East, Marion County, Indiana, more particularly bounded and described as follows, to wit: Beginning at the northwest corner of said east half, run thence southerly and parallel to the east line thereof for (138.0) feet; run thence easterly parallel to the north line of the east half for (4.0) feet; run thence northerly parallel to the east line of the east half for (138.0) feet to the north line thereof; run thence westerly on said north line for (4.0) feet to the place of beginning, containing (620 square feet), more or less, and subject to all legal easements and rights-of-way of record.

ALSO EXCEPT:

Part of the East half of the Southeast quarter of Section 14, Township 14 North, Range 2 East, Marion County, Indiana, more particularly bounded and described as follows, to-wit: Beginning (138.0) feet south of the northwest corner of said east half, and on the east line of a (1.3) acre tract; run thence easterly parallel to the north line of the east half for (54.0) feet; run thence southerly parallel to the east line of the east half and the east line of said (1.3) acre tract for (110.0) feet; run thence westerly parallel to the north line of the east half (54.0) feet to the east line of said (1.3) acre tract; run thence northerly on the east line of said (1.3) acre tract (110.0) feet to the place of beginning. Containing (5940.0 feet) or (.14) acre, more or less, and subject to all legal easements and rights-of-way of record.

ALSO EXCEPT that portion conveyed by Warranty Deed by and between West Newton Land Company, LLC and Greenwald Enterprises, Inc., recorded March 10, 2015 as Instrument No. 201500020907 and re-recorded June 9, 2015 as Instrument No. [201500054285](#), in the Office of the recorder of Marion County, Indiana, more particularly described as follows:

That portion of the East Half of the Southeast Quarter of Section 14, Township 14 North, Range 2 East of the Second Principal Meridian in Decatur Township, Marion County, Indiana, described as follows:

Commencing at the Northwest corner of said East Half; thence South 00 degrees 04 minutes 44 seconds West (assumed bearing) along the West line thereof 248.00 feet to a 5/8 inch rebar with "Banning Eng Firm #0060" cap (herein referred to as "rebar") set at the POINT OF BEGINNING, said point being the Southwest corner of a 54.0 foot by 110.0 foot parcel described in the deed for Mills recorded as Instrument Number 20080023650 in the Office of the Recorder of said County; thence continue South 00 degrees 04 minutes 44 seconds West along said West line 786.80 feet to a rebar set at the Southwest corner of the land of West Newton Land Company LLC as described in Instrument Number 201200140811 in said County records; thence North 89 degrees 44 minutes 18 seconds East along the South line of said land 54.00 feet to a rebar set; thence North 00 degrees 04 minutes 44 seconds East parallel with said West line 786.80 feet to a rebar set at the Southeast corner of the said Mills parcel; thence South 89 degrees 44



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Division of Planning
Current Planning**

minutes 18 seconds West along the South line of said parcel 54.00 feet to the POINT OF BEGINNING, containing 0.975 acres, more or less.

(Tract 2 / Parcel No. 49-13-13-110-001.000-200)

The West one-half of the Southwest quarter Section 13, Township 14 North, Range 2 East, containing Eighty (80) acres more or less, in Marion County, Indiana. (Also known as the Yeager farm.) Recorded as Instrument #36833, July 8, 1947.

EXCEPT:

Part of the West half of the Southwest quarter of Section 13, Township 14 North, Range 2 East, Marion County, Indiana, more particularly described as follows:

Beginning at a point on the North line of said half quarter section, distant 317.80 feet West of the northeast corner thereof; running thence West along said north line 190 feet; thence south making an interior angle of 92 degrees 26 minutes a distance of 200 feet; thence east making an interior angle of 89 degrees 11 minutes a distance of 201.30 feet; thence north making an interior angle of 87 degrees 37 minutes a distance of 205.50 feet to the Point of Beginning, containing in all 0.91 acres, more or less.

ALSO EXCEPT that portion conveyed by Warranty Deed by and between West Newton Land Company, LLC and Greenwald Enterprises, Inc., recorded March 10, 2015 as Instrument No. 201500020907 and re-recorded June 9, 2015 as Instrument No. [201500054285](#), in the Office of the recorder of Marion County, Indiana, more particularly described as follows:

That portion of the West Half of the Southwest Quarter of Section 13, Township 14 North, Range 2 East of the Second Principal Meridian in Decatur Township, Marion County, Indiana, described as follows:

BEGINNING at a Harrison monument found marking the Southwest corner of said West Half; thence North 00 degrees 04 minutes 58 seconds East (bearings per record survey under Instrument No. 201400091750) along the West line thereof 80.00 feet to a 5/8 inch rebar with "Banning Eng Firm #0060" cap set; thence South 46 degrees 08 minutes 21 seconds East 110.70 feet to a 5/8 inch rebar with "Banning Eng Firm #0060" cap set on the South line of said West Half; thence South 87 degrees 38 minutes 21 seconds West along said South line 80.00 feet to the POINT OF BEGINNING, containing 3197 square feet more or less.

ALSO EXCEPT that portion conveyed by Special Warranty Deed by and between West Newton Land Company LLC and Drees Premier Homes, Inc., recorded October 22, 2014 as Instrument No. 201400102011 and re-recorded June 4, 2015 as Instrument No. [201500052365](#), in the Office of the Recorder of Marion County, Indiana, more particularly described as follows:

That portion of the West Half of the Southwest Quarter of Section 13, Township 14 North, Range 2 East of the Second Principal Meridian in Decatur Township, Marion County, Indiana, described as follows:

BEGINNING at a Mag nail with "Firm #0066" tag found marking the Northeast corner of said West Half; thence South 00 degrees 06 minutes 50 seconds West (assumed bearing) along the East line thereof 986.02 feet to 5/8 inch rebar with "Banning Eng Firm #0060" cap set; thence South 87 degrees 10 minutes 46 seconds West parallel with the North line of said Southwest Quarter 166.96 feet to a 5/8 inch rebar with "Banning Eng Firm #0060" cap set on the Southerly extension of an existing woven wire fence; thence North 00 degrees 03 minutes 45 seconds West along said fence and its Southerly extension 680.02 feet to a rebar set; thence South 87 degrees 10 minutes 46 seconds West parallel with said North line 128.99 feet to a rebar set on the Southerly extension of the East line of the land of Murphy as described in Instrument Number 1997-0189579 in the Office of the Recorder of said county; thence North 03 degrees 35 minutes 14 seconds West along said East line and its Southerly extension 305.52 feet to a Mag nail with "Banning Eng #0060" tag set on said North line; thence North 87 degrees 10 minutes 46 seconds East along said North line 317.80 feet to the POINT OF BEGINNING, containing 4.779 acres, more or less.

Exhibit C - Concept Plan



Exhibit D - Illustrative Architectural Exhibit (Arbor Lots)





Exhibit E - Illustrative Architectural Exhibit (Genesis Lots)

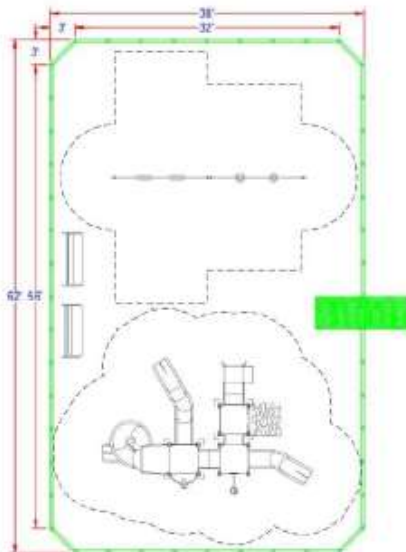


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Exhibit F – Illustrative Examples of Development’s Amenities



Three Playgrounds will be installed throughout the Development and will be accessed by sidewalk and/or the internal trail system. Illustrative examples shown are to show the character of the playground equipment that will be installed at each playground site. General location of each playground will adhere to Exhibit C.



Three Picnic/BBQ areas will be installed throughout the Development in easily accessible locations. Each distinct area will be a minimum of 2,000 SF and feature a shelter, seating and grill similar to the areas shown as illustrative examples. In addition, a Gazebo gathering area will be installed near the northwestern most pond in the Development. The general locations of each Picnic/BBQ area and Gazebo will adhere to Exhibit C.





A Pool and Pool House amenity will be located near the East entrance to the Development. The general location of the Pool and Pool House will adhere to Exhibit C.





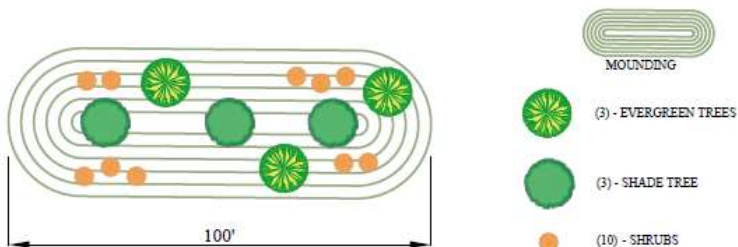
Active Play amenities will be included in the Development and located in the area east of Swamp Creek (see Exhibit C). At a minimum, four bocce courts with bench seating will be installed and will be of similar character to the illustrative example provided. A four-hole Disc Golf Course will be installed in the Development. Signs marking each tee off area as well as baskets will be installed.



Exhibit G - Landscaping Exhibit

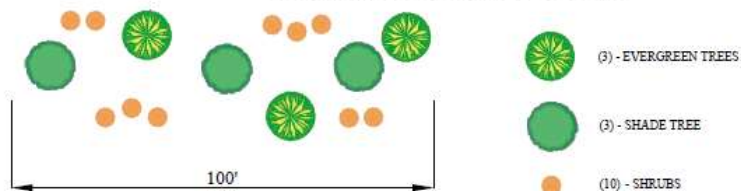
LANDSCAPE & MOUNDING

WEST SOUTHPORT ROAD



LANDSCAPE

NORTHWEST PORTION OF SITE



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TRAFFIC IMPACT STUDY

PROPOSED RESIDENTIAL DEVELOPMENTS
“WEST NEWTON” AND “GOOSE CREEK FARMS”

MOORESVILLE ROAD & SOUTHPORT ROAD
DECATUR TOWNSHIP, INDIANA

PREPARED FOR



ARBOR

H O M E S

JUNE 2024



WEST NEWTON & GOOSE CREEK FARMS
DECATUR TOWNSHIP, INDIANA

INTRODUCTION

This **TRAFFIC IMPACT STUDY**, prepared on behalf of Arbor Homes, is for two proposed residential developments known as “Goose Creek Farms” and “West Newton” that will be located to the north and south of Southport Road, between Mooresville Road and Mann Road in Decatur Township, Indiana.

PURPOSE

The purpose of this analysis is to determine what impact the traffic generated by the proposed developments will have on the existing adjacent roadway system. This analysis will identify any existing roadway deficiencies or ones that may occur when this site is developed.

Conclusions will be reached that will determine if the roadway system can accommodate the anticipated traffic volumes or will determine the modifications that will be required to the system if there are identified deficiencies.

Recommendations will be made that will address the conclusions resulting from this analysis. These recommendations will address feasible roadway system improvements to provide safe ingress and egress, to and from the proposed developments, with minimal interference to traffic on the public street system.

SCOPE OF WORK

The scope of work for this analysis is as follows:

First, obtain turning movement traffic volume counts between the hours of 6:30 A.M. to 9:00 A.M. and 3:30 P.M. to 6:30 P.M. during a typical weekday while school was in session in April 2024 at the following intersections:

- Southport Road & Mooresville Road
- Southport Road & Mann Road
- Mooresville Road & Camby Road
- Mooresville Road & Mills Road

Second, estimate the year 2029 background traffic volumes by applying a 1% per year growth rate to the existing traffic volumes.

Third, estimate the number of peak hour trips that will be generated by the proposed developments.

Fourth, assign and distribute the generated traffic volumes from the proposed developments to the study intersections.

Fifth, prepare a capacity analysis, level of service analysis, and turn lane analysis at the study intersections for each of the following scenarios:

Scenario 1: Existing Traffic Volumes – Based on existing peak hour traffic volumes.

Scenario 2: Year 2029 Background Traffic Volumes – Based on applying a 1.0% per year annual growth rate to the existing traffic volumes.

Scenario 3: Year 2029 Proposed Developments Traffic Volumes – Based on the sum of year 2029 background traffic volumes and generated traffic volumes from the proposed developments.

Sixth, prepare recommendations for the roadway geometrics that will be needed to accommodate the total traffic volumes once the proposed developments are constructed.

Finally, prepare a **TRAFFIC IMPACT STUDY** report documenting all data, analyses, conclusions and recommendations to provide for the safe and efficient movement of traffic through the study area.

DESCRIPTION OF THE PROPOSED DEVELOPMENTS

The subject sites are located to the north and south of Southport Road between Mooresville Road and Mann Road in Decatur Township, Indiana. “Goose Creek Farms”, on the north side of Southport Road, will consist of 133 single-family homes. “West Newton”, on the south side of Southport Road will consist of 292 single-family homes. Both the developments will be served by two full access drives along Southport Road. **Figure 1** is an area map showing the location and general layout of the site.

STUDY AREA

The study area for this analysis has been defined to include the following intersections:

- Southport Road & Mooresville Road
- Southport Road & Mann Road
- Mooresville Road & Camby Road
- Mooresville Road & Mills Road
- Southport Road & Proposed West Access Drive
- Southport Road & Proposed East Access Drive

Figure 2 shows the existing intersection geometrics at the existing study intersections.



WEST NEWTON & GOOSE CREEK FARMS
DECATUR TOWNSHIP, INDIANA

TURN LANE ANALYSIS

The year 2029 background traffic volumes were combined with the generated traffic volumes from the proposed developments to determine if right-turn or left-turn lanes would be required along Southport Road at the proposed access drive locations. This analysis was done in accordance with the INDOT *Driveway Permit Manual*². The results are summarized in the following table.

TABLE 3 – TURN LANE WARRANT ANALYSIS SUMMARY

LOCATION	SCENARIO	EASTBOUND		WESTBOUND	
		RIGHT-TURN LANE	LEFT-TURN LANE	RIGHT-TURN LANE	LEFT-TURN LANE
Southport Road & Proposed West Access Drive	Total Year 2029 Traffic Volumes + Generated Traffic Volumes	X	X	X	X
Southport Road & Proposed East Access Drive	Total Year 2029 Traffic Volumes + Generated Traffic Volumes	✓	X	X	X

✓ = Turn Lane warranted; X = Turn Lane not warranted

Where turn lanes are not shown to be warranted, it should be noted that turn lanes could be required based on local standards. The graphs that show the turn lane warrant criteria are shown in the Appendix.

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 each of the study intersections, a capacity analysis has been made using the recognized computer program *Synchro/SimTraffic*³. This program allows intersections to be analyzed and optimized using the capacity calculation methods outlined within the *Highway Capacity Manual (HCM 7th Edition)*⁴. The following list shows the delays related to the levels of service for unsignalized intersections:

² INDOT *Driveway Permit Manual*, Indiana Department of Transportation, 2018

³ *Synchro/SimTraffic 12*, Cubic Transportation Systems, 2023.

⁴ *Highway Capacity Manual (HCM), 7th Edition* Transportation Research Board, The National Academies of Sciences, Washington, DC, 2022.



WEST NEWTON & GOOSE CREEK FARMS
DECATUR TOWNSHIP, INDIANA

CONCLUSIONS & RECOMMENDATIONS

The conclusions that follow are based on the data and analyses presented in this study and a field review conducted at the site. Based on the analysis and the resulting conclusions of this study, recommendations are formulated to ensure that the roadway system will accommodate future traffic volumes.

SOUTHPORT ROAD & MOORESVILLE ROAD

Capacity analyses have shown that the westbound approach at this intersection will operate with increased delays during the PM peak hour when the proposed developments traffic volumes are added to the roadway network. These delays can be substantially reduced if separate left-turn and right-turn lanes are constructed along the westbound approach. However, the presence of the bridge over Goose Creek substantially limits feasible improvements on this approach.

SOUTHPORT ROAD & MANN ROAD

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

MOORESVILLE ROAD & CAMBY ROAD

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

MOORESVILLE ROAD & MILLS ROAD

Capacity analyses have shown that this intersection will operate below acceptable levels of service when the proposed developments traffic volumes are added to the roadway network. Further analyses have shown that this intersection will operate at acceptable levels of service if converted to a single-lane roundabout.

SOUTHPORT ROAD & PROPOSED WEST 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 proposed full access drive with one inbound and at least one outbound lane on each side of Southport Road.
- The intersection should be stop-controlled with the access drive stopping for Southport Road.

SOUTHPORT ROAD & PROPOSED EAST 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 proposed full access drive with one inbound and at least one outbound lane on each side of Southport Road.
- Construction of eastbound right-turn lane along Southport Road.
- The intersection should be stop-controlled with the access drive stopping for Southport Road.

DRAFT



Looking west on Southport Road with the subject site on the left.



Looking east on Southport Road with the subject site on the right at the northeast corner of the site.



Eastern boundary along Swamp Creek that falls within the stream protection corridor.



Photo of the subject site looking southwest.



Looking west on Southport Road with the subject site on the left.



Looking east on Southport Road with the subject site on the right.



Western property boundary of the subject site looking south.



Photo of the single-family dwelling west of the subject site.



Single-family dwelling east of Swamp Creek at the northeast corner of the site.