



Metropolitan Development Commission (November 6, 2024) Meeting Notice

Meeting Details

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

Date: Wednesday, November 06, 2024 **Time:** 1:00 PM

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

Business:

Adoption of Meeting Minutes: October 23, 2024

Policy Resolutions:

REAL ESTATE:

1. 2024-R-023

Resolution authorizing the conveyance of the Arrestee Processing Center and Jail II to 1820 Ventures from Marion County, Council District #18, Center Township.

2. 2024-R-029

Metropolitan Development Commission authorizes DMD to amend a legal services contract with Taft Stettinius & Hollister for legal services related to Towne & Terrace.

ECONOMIC DEVELOPMENT / INCENTIVES:

3. 2024-A-034 (For Public Hearing)

Final Economic Revitalization Area Resolution for Holladay Property Services Midwest, Inc, located at 130 E. Washington Street, Council District #12, Center Township. (Recommend approval of ten (10) years real property tax abatement.)

4. 2024-A-035

Preliminary Economic Resolution for Olson Custom Design LLC, located at 4825 West 79th Street, Council District #36, Pike Township. (Recommend approval of five (5) years personal property tax abatement.)

5. 2024-E-036

Authorizes DMD to enter into an interlocal cooperation agreement using \$2,000,000 from the Airport TIF Area Fund for the purposes of establishing direct overseas flights to Europe from Indianapolis.

6. 2024-E-039

Declaratory resolution and Redevelopment Area Plan for the CSX Redevelopment Area and Allocation Area, Council District #18, center Township.

PLANNING:

7. 2024-P-009

Authorizes DMD to amend the existing Contract with Elizabeth Kennedy by and through EKLA Studio LLC to include overall funding of \$726,000 and to extend the contract term through 2025.

Zoning Petitions:

Special Requests

PETITIONS OF NO APPEAL (RECOMMENDED FOR APPROVAL):

8. 2024-APP-017 | 7979 North Shadeland Avenue

Lawrence Township, Council District #3

HD-2

Community Health Network and Community Health Network Foundation, Inc., by Timothy H. Button

Hospital District Two Approval to provide for a 34,654-square-foot expansion of the existing Cancer Center and additional parking.

9. 2024-MOD-009 | 7710 Johnson Road

Lawrence Township, Council District #3

C-S

7710 Johnson, LLC, by Joseph D. Calderon

Modification of the Commitments, Development Statement and Site Plan related to petitions 99-Z-195, and, as amended with 2006-ZON-810, to provide for display of dumpsters for rent to consumers for home improvement projects.

10. 2023-ZON-080 | 1651 Spann Avenue

Center Township, Council District #18

Jason Blankenship, by Mark and Kim Crouch

Rezoning of 0.09-acre from the C-1 district to the D-5II district to provide for a detached single-family dwelling.

11. 2024-ZON-085 (Amended) | 5640 North Illinois Street

Washington Township, Council District #7

The Riviera Club, by Sonya Seeder

Rezoning of 22.63 acres from the D-2 (FF) district to the SU-16 (FF) district to provide for indoor and / or outdoor recreation.

12. 2024-ZON-108 | 3332 and 3334 West 09th Street

Wayne Township, Council District #12

Ebenezer Akinyele, by Khaleel Ifamimikomi

Rezoning of 0.383 acres from the SU-1 district to the D-5 district to provide for residential uses.

13. 2024-ZON-109 | 2140 Dr Andrew J Brown Avenue

Center Township, Council District #13

Indy Rental Homes 360 III LLC, by Andrew Harrill

Rezoning of 0.13 acres from the I-3 district to the D-8 district to provide for residential uses.

14. 2024-ZON-114 | 1751 South Lawndale Avenue

Wayne Township, Council District #17

Indianapolis Electrical Joint Apprenticeship and Training Trust Fund, by David Kingen and Emily Duncan

Rezoning of 5.31 acres from the I-2, I-3, and SU-46 district to the I-2 district to provide for industrial uses.

15. 2024-CZN-830 | 1330 and 1350 North Emerson Avenue

Center Township, Council District #13
D-5
Indianapolis Fire Department by, Misha Rabinowitch

Rezoning of 0.85-acre from the D-5 district to the SU-9 district for the relocation of Indianapolis Fire Department Station No. 20.

16. 2024-CZN-833 | 1301 East 16th Street, 1503, 1513, and 1517 Columbia Avenue, and 1524 Dr. A. J. Brown Avenue

Center Township, Council District #13
Design and Build Corporation, by Jennifer Milliken and Timothy Ochs

Rezoning of 1.03 acres from the D-8 district to the SU-2 district to provide for educational uses.

17. 2024-CZN-836 | 802 South State Avenue

Center Township, Council District #18
Structure Midwest, LLC, by Russell L. Brown and Elizabeth Bentz Williams

Rezoning of 0.13-acre from the C-3 district to the D-8 district to provide for a triplex residential development.

18. REZONING PETITION RECOMMENDED FOR APPROVAL BY THE INDIANAPOLIS HISTORIC PRESERVATION COMMISSION, NO APPEAL FILED:

2024-ZON-104 | 922 North College Avenue

Center Township, Council District #13
6310 Properties LLC, by Matthew Peyton

Rezoning of 0.26 acres from the C-1 (CAMA) district to the D-8 (CAMA) district to provide for residential uses.

Petitions for Public Hearing

PETITIONS FOR PUBLIC HEARING:

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

2024-ZON-092 | 1770 Kentucky Avenue

Center Township, Council District #18
Multani Holdings, LLC, by Donald W Fisher

Rezoning of 1.62 acres from the I-4 district to the C-5 district to provide for retail use development.

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

2024-ZON-105 | 2852 East County Line Road

Perry Township, Council District #24
Aditi Real Estate 63, LLC by Cassandra A. Nielsen

Rezoning of 6.67 acres from the C-S (TOD) (FW) (FF) district to the I-1 (TOD) (FW) (FF) district to provide for a Self-Storage Facility.

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.

Real Estate
"Jail II" – East Washington
Conveyance/Project Agreement

**METROPOLITAN DEVELOPMENT COMMISSION
OF
MARION COUNTY, INDIANA
Resolution No. 2024-R-023**

WHEREAS, the City of Indianapolis ("City"), Department of Metropolitan Development ("DMD"), by authority of and pursuant to IC 36-7-15.1, is engaging in disposition and redevelopment activities within the Marion County Redevelopment District; and

WHEREAS, pursuant to IC 36-7-15.1-2 and 6, the Metropolitan Development Commission ("MDC") is charged with the responsibility of replanning, redevelopment, and promoting the use of land in the manner that best serves the interest of the City and its inhabitants, both from the standpoint of human needs and economic values ("Purpose"); and

WHEREAS, as the agency responsible for redevelopment, DMD issued a Request for Proposals related to the property known as the Arrestee Processing Center and Jail II ("APC/JAIL II") which includes buildings at 730 E. Washington and 752 E. Market St., parcels ##1027152, 1027151 and 1027149 (collectively, "Property"), and which is currently tax exempt; and

WHEREAS, based on the proposals received, 1820 Ventures, LLC ("Developer") was selected to develop the Property and has negotiated preliminary terms for redevelopment with DMD; and

WHEREAS, as a public facility currently held in the name of Marion County, the Property is no longer being used as a jail, but is subject to transfer by the Mayor of Indianapolis as the executive per I.C. 36-4-5-3; and

WHEREAS, in cooperation with DMD, the Mayor will convey the Property to Developer upon negotiation and execution of a satisfactory Project Agreement between Developer and DMD for redevelopment of the Property ("Project Agreement"), which agreement shall include an affordable housing component and terms and conditions that the MDC considers best for the city and its inhabitants; and

WHEREAS, consistent with its Purpose, the MDC authorizes DMD to enter into such Project Agreement in conjunction with the planned redevelopment of the Property by Developer and on the terms and conditions that the MDC considers best for the City and its inhabitants.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. MDC authorizes the DMD to pursue redevelopment of the Property by 1820 Ventures, LLC in conjunction with an executed Project Agreement consistent with the MDC's Purpose and the terms and conditions of the proposed redevelopment.
2. MDC authorizes the DMD Director or designee to execute all necessary documents related to such redevelopment in accordance with this Resolution and to do all acts and execute all other documents and instruments deemed necessary or appropriate by such official on behalf of the MDC to best accomplish the objectives set forth herein, and all actions heretofore taken by any such official toward the completion thereof are hereby ratified, confirmed and approved.

Approved as to Adequacy & Legal Form

Metropolitan Development Commission

Sheila Kinney, Asst. Corp Counsel

John J. Dillon III, President

Date: _____

Date: _____

Resolution No. 2024-R-023 Authorizes conveyance of the former Arrestee Processing Center and Jail II, on East Washington and Market Streets to 1820 Ventures, LLC for redevelopment.

**METROPOLITAN DEVELOPMENT COMMISSION
MARION COUNTY, INDIANA
RESOLUTION NO. 2024-P-009**

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

WHEREAS, the Commission serves as the Redevelopment Commission of the City of Indianapolis, Indiana (the “City”) under I.C. 36-7-15.1 (the “Redevelopment Act”); and

WHEREAS, in that capacity, the Commission serves as the governing body of the City of Indianapolis Redevelopment District (the “District”); and

WHEREAS, pursuant to its resolutions 2023-P-016, signed on 9/20/23, and 2023-P-021, signed on December 20, 2023, the Commission authorized DMD to accept grant funds, to contribute additional unobligated funds, and to enter into an agreement with respect to the Indiana Avenue Certified Strategic Plan- contract #20773 (“Contract”); and

WHEREAS, DMD wishes to amend the existing Contract with Elizabeth Kennedy by and through EKLA Studio LLC a/k/a Elizabeth Kennedy Landscape Architect, PL for services for related to creation of the Indiana Avenue Certified Strategic Plan to include the previously authorized funding and to extend the term through 2025.

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

1. The Commission authorizes DMD to amend the existing Contract #20773 with Elizabeth Kennedy by and through EKLA Studio LLC to include the previously authorized funding of \$726,700 and to extend the contract term through 2025.
2. The Director of the Department of Metropolitan Development is hereby authorized and directed to take such further actions and execute such documents as she deems necessary or advisable to effectuate the authorizations set forth in this Resolution.
3. This Resolution shall take effect immediately upon adoption by the Commission.

Approved as to Legal Form and Adequacy:

Sheila Kinney

Sheila Kinney, Asst. Corp. Counsel

Metropolitan Development Commission

John J. Dillon III, President

Date: 10/28/2024

Date: _____

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

RESOLUTION NO. 2024-A-034

REAL PROPERTY TAX ABATEMENT

**Holladay Property Services Midwest, Inc.
130 East Washington 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, and to limit the dollar amount of the deduction that will be allowed with respect to a project, by following a procedure involving adoption of a preliminary resolution, provision of public notice, conducting of a public hearing, and adoption of a resolution confirming the preliminary resolution or a modified version of the preliminary resolution; and

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

WHEREAS, I.C. 6-1.1-12.1 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, October 2, 2024, 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. 2024-A-030**, preliminarily designating the Subject Real Estate as an Economic Revitalization Area for an abatement period of up to ten (10) years

("Preliminary Resolution"); and it fixed 1:00 p.m. on Wednesday, **November 6, 2024**, 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; 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 IC 6-1.1-12.1-2(k), a statement of benefits for property located within an allocation area, as defined by IC 36-7-15.1-26, may not be approved unless the City-County Council of Indianapolis and Marion County, Indiana (hereinafter referred to as "City-County Council") adopts a resolution approving the statement of benefits; 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 Factual Assertions 1 through 6 stated on the attachment to the Preliminary Resolution were considered by the Commission.

NOW, THEREFORE, IT IS RESOLVED:

1. The Commission now confirms, adopts, amends, 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 two (2) years after the date a final resolution is adopted (hereinafter the "ERA") designation terminates December 31, 2026; however, relative to redevelopment or rehabilitation completed before the end of the ERA (2) 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 **ten (10) 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 redevelopment of the Subject Real Estate, as described in this Resolution and as depicted in the Site Plan and Conceptual Elevations attached hereto.
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 agreement to this Resolution annually for at least twelve (12) years and three (3) additional for housing compliance for a total of fifteen (15) annual housing reports. The dates of the initial twelve (12) surveys shall be on or about the following dates: 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, and 2041.
8. The Subject Real Estate and Project area are approved for an abatement period of **ten (10) years**.
9. The real property tax abatement shall utilize the following abatement schedule:

REAL PROPERTY TAX ABATEMENT

YEAR OF DEDUCTION	PERCENTAGE
1 st	95%
2 nd	95%
3 rd	95%
4 th	95%
5 th	95%
6 th	95%
7 th	95%
8 th	95%
9 th	95%
10 th	95%

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

[Reminder left intentionally blank; Signatures to follow]

METROPOLITAN DEVELOPMENT COMMISSION

John J. Dillon III, President

Date

Approved as to Legal Form
and Adequacy this 8th day
of October 2024.

Sheila Kinney

Sheila Kinney,
Assistant Corporation Counsel

STAFF ANALYSIS
REAL PROPERTY TAX ABATEMENT

Area Surrounding Subject Real Estate: The site is located on the north side of East Washington Street between Delaware and Pennsylvania Streets.

Current Zoning:.....CBD-1

New Jobs Created:Two at \$26.44 per hour.

Jobs Retained:None.

Estimated Cost of proposed project: \$21,400,000.00

STAFF ANALYSIS

Holladay Properties was founded in 1952 in South Bend, Indiana, originally as a small development company that over the years expanded its operations and evolved into a full-scale, fully integrated real estate company known for its expertise in land development, design/build services, and property management. Holladay has established itself as a leader in the Midwest, particularly in Indianapolis. The company has worked on a variety of projects, from commercial and industrial spaces to residential communities, making a significant impact on the real estate landscape in the region.

One of Holladay's most recent projects is a \$21,400,000.00 investment for a proposed conversion of the former 236,288 square-foot Angi office building located at 130 East Washington Street into a residential development. This project will transform the existing office space into 180 residential units, including 12% affordable housing. Specifically, 22 of the 180 units will be reserved for residents earning 60% of the area median income (AMI), adhering to the Indiana Housing and Community Development Authority (IHCDA) federal program rent and income limits for a minimum 15-year period.

This project highlights Holladay’s commitment to addressing the growing need for affordable housing while contributing to the urban revitalization of downtown Indianapolis. The project will create 2 new jobs with an average wage of \$26.44 per hour. Holladay also commits to working with a local artist to establish a mural on the back alley of the building if approval is granted and if not approved will make a minimum donation of \$15,000.00 to the Public Art for Neighborhoods Fund as outlined in the agreement.

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:** Holladay Property Services Midwest, Inc.
- INVESTMENT:** Staff estimates that the proposed investment of \$21,400,000.00 should result in an increase to the tax base of approximately \$28,565,800.00 of assessed value. Staff estimates that over the ten (10) year real property tax abatement period the petitioner will realize savings of \$4,243,557.81 (an 62.6% savings). During the abatement period, the petitioner is expected to pay an estimated \$223,345.15 in real property taxes on the project. This is in addition to the current taxes being paid on the property in the amount of \$446,690.30 annually (pay 2024 taxes). After the tax abatement expires, the petitioner can be expected to pay an estimated \$677,580.78 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 two (2) positions at an average wage of \$26.44 per hour 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.

PROJECT SUMMARY

FACTUAL INFORMATION

Applicant: Holladay Property Services Midwest, Inc.

Subject Real Estate: 130 East Washington Street

Center Township Parcel Number: 1076486

PROJECT DESCRIPTION

Holladay Property Services Midwest, Inc. will invest \$21,400,000.00 in real property for the development of a 236,288-office building conversion located at 130 East Washington Street into a residential development. This project will transform the existing office space into 180 residential units, including 12% affordable housing units. Specifically, 22 of the 180 units will be reserved for residents earning 60% of the area median income (AMI), adhering to the Indiana Housing and Community Development Authority (IHCDA) federal rent and income limits for a minimum 15-year period. The project will create 2 new jobs with an average wage of \$26.44 per hour.

As part of the Workforce Support Commitments, Holladay commits to set aside 12% of the apartment units as affordable to households earning 60% AMI for a 15-year period. Holladay also commits to installing a mural on the back alley of the building with approval from the National Park Services. In the event approval is not granted a minimum of \$15,000.00 will be donated to the Public Arts for Neighborhoods Fund as established in section 271 15 of the revised code of the Consolidated City of Indianapolis – Marion County.

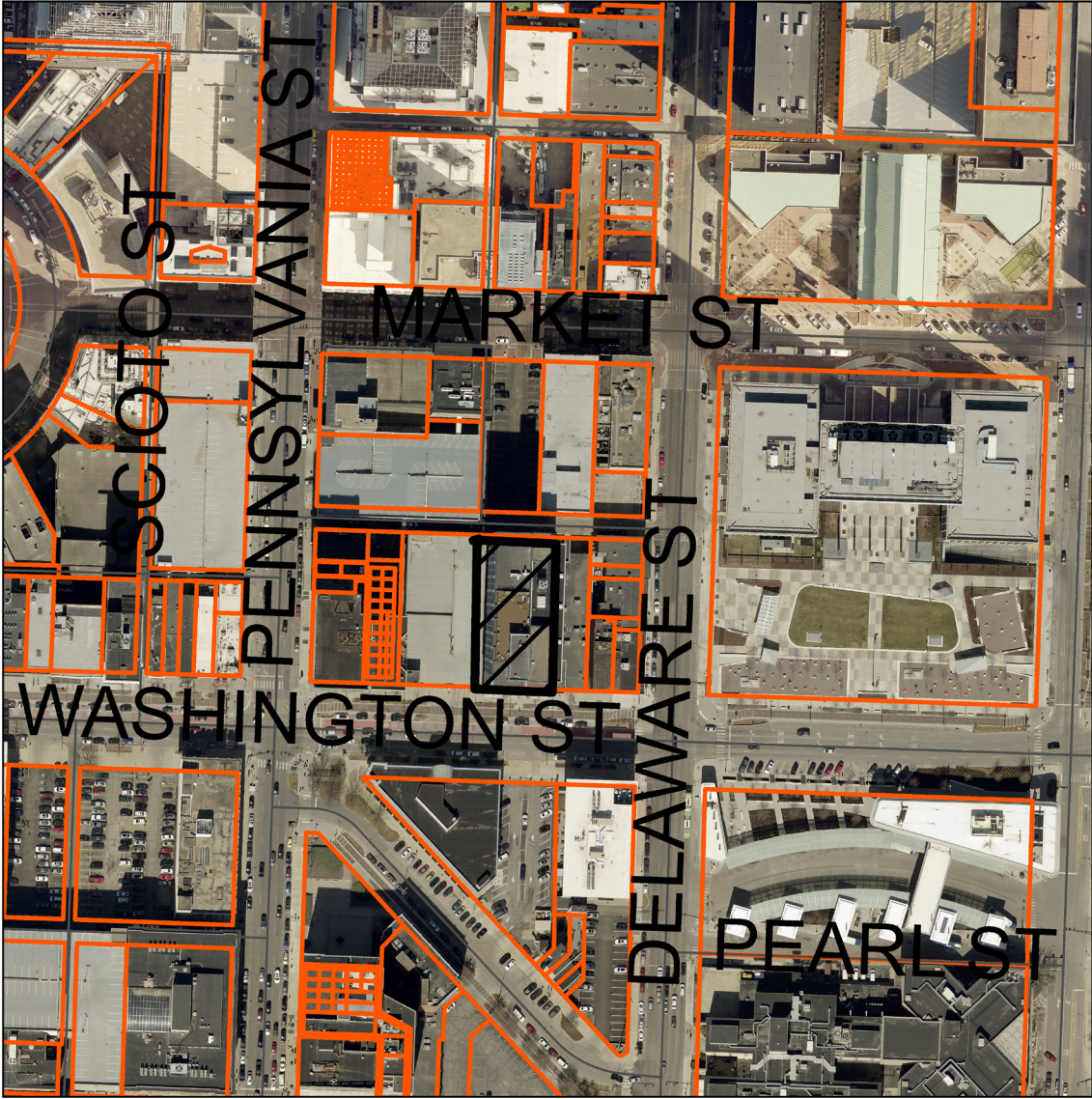
New Jobs Created: 2 at \$26.00/hr.

Jobs Retained: None.

Estimated Cost of Project: \$21,400,000.00

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

Holladay Property Services Midwest, Inc.
130 East Washington Street



Legend

- Parcels
- Project Site

N

0 112.5 225 450 Feet

Produced by: DMD BATTLE Sept 9, 2024

METROPOLITAN DEVELOPMENT COMMISSION OF

MARION COUNTY, INDIANA

PRELIMINARY ECONOMIC REVITALIZATION AREA RESOLUTION

Resolution No. 2024-A-035

PERSONAL PROPERTY TAX ABATEMENT

Olson Custom Designs LLC

4825 West 79th Street

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED:

1. The Subject Real Estate is preliminarily designated as an Economic Revitalization Area for an abatement period of five (5) years with a proposed abatement schedule as shown on the attachment to this Preliminary Resolution. Final designation as an Economic Revitalization Area does not occur unless a resolution confirming this Preliminary Resolution is adopted in accordance with the governing statute.
2. Designation as an Economic Revitalization Area allows a partial abatement of property taxes only relative to Specified New Equipment. However, on the written request of the Applicant, the Director of the Department of Metropolitan Development is allowed to authorize in writing, substitutions, modifications and additions which are not substantial in nature to the specified New Equipment, prior to March 1 of the year in which the initial certified deduction application for new equipment is filed with the Indiana Department of Local Government Finance.
3. **The Economic Revitalization Area designation terminates December 31, 2029. 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 December 4, 2024, to December 31, 2029.** 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. Pursuant to IC 6-1.1-12.1-2 (i), the Commission hereby limits the dollar amount of the deduction that will be allowed, with respect to installation of specified new equipment in the ERA, to those respective tax savings attributable to an equipment investment of not greater than \$5,050,000.00.
4. The partial abatement of property taxes attributable to the installation of Specified New Equipment is subject to limitations contained in I.C. 6-1.1-12.1-4.5 (c) and (d).
5. This Economic Revitalization Area designation is limited to allowing partial abatement of property taxes attributable to the installation of the Specified New Equipment on the Subject Real Estate and does not allow the abatement of real property taxes attributable to redevelopment or rehabilitation activities under I.C. 6-1.1-12.1-3.
6. Under the authority of I.C. 6-1.1-12.1, the Commission directs the Department of Metropolitan Development to survey projects receiving Economic Revitalization Area designation for compliance with job creation/retention figures, salaries associated with these figures and investment figures contained in the applicant's approved statement of benefits form. The annual date of survey shall be contained in a final resolution designating the property as an Economic Revitalization Area.
7. The Commission fixes 1:00 p.m. on Wednesday November 20, 2024, in the Public Assembly Room of the City-County Building for the public hearing of remonstrances and objections from persons interested in the Project and directs the publication of notice of public hearing in accordance with the governing statute. At this hearing, the Commission will take action relative to this Preliminary Resolution and determine whether the Subject Real Estate should be designated as an Economic Revitalization Area and fix the length of the abatement period at five (5) years.
8. A copy of this Resolution shall be filed with the Marion County Assessor.

METROPOLITAN DEVELOPMENT COMMISSION

John J. Dillon III, President

Date

Approved as to Legal Form
and Adequacy this ~~28th~~^{28th}
of October, 2024

Sheila Kinney

Sheila Kinney
Asst Corporation Counsel

ATTACHMENT TO

METROPOLITAN DEVELOPMENT COMMISSION RESOLUTION

PERSONAL PROPERTY TAX ABATEMENT

FACTUAL INFORMATION

Applicant: Olson Custom Design LLC

Subject Real Estate: 4825 West 79th Street

Pike Township Parcel Number: 6002575

PROJECT DESCRIPTION

Olson Custom Designs, LLC, a precision CNC (Computer Numerical Control) manufacturer located at 4825 West 79th Street in Indianapolis, Indiana, is a reputable custom design and construction company that was founded in 2014. Initially a small, family-owned business, the company has since grown into a trusted name in custom residential and commercial design, known for high-quality craftsmanship, attention to detail, and personalized service.

After being awarded new contracts in the medical, defense, and aerospace fields, Olson proposes to expand its current headquarters and manufacturing facility to include a \$5,000,000.00 investment in personal property to include CNC, Robotics, and IT equipment. This project will retain fifty-six (56) current jobs at \$28.00/hr. and create thirty (30) new jobs at \$28.00/hr. over the 5-year period. Olson will donate 5% of its savings toward a youth apprenticeship program in partnership with Pike High School.

FACTUAL ASSERTIONS

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

4. The facility meets the appropriate requirements:
- A. of an existing, expanded, or vacated or converted facility, and
- the area in which the facility is located has become "undesirable for normal development" (as defined in Metropolitan Development Commission Resolution No. 01-A-041, 2001), or
 - the operation in the facility is a distressed business (as defined in Resolution No. 97-A-110, 1997), and
 - the specified new equipment is being installed to relieve the conditions causing the business to be distressed, and
 - the facility is technologically, economically, or energy obsolete, continued obsolescence of which may lead to a decline in employment and tax revenues.
- B. of a new facility, and
- the area in which the facility is located has become "undesirable for normal development" (as defined in Metropolitan Development Commission Resolution No. 01-A-041, 2001), or
 - the operation in the facility is a distressed business (as defined in Resolution No. 97-A-110, 1997), and
 - the specified new equipment is being installed to relieve the conditions causing the business to be distressed, and
 - the facility is technologically, economically, or energy obsolete, continued obsolescence of which may lead to a decline in employment and tax revenues.
5. The facility will benefit Marion County by creating or retaining permanent jobs, increasing the property tax base, avoiding environmental harm, securing the attraction, retention, or expansion of targeted businesses.
6. The Subject Real Estate on which the facility is or will be located
- outside an Allocation Area as defined in I.C. 36-7-15.1-26; or
 - inside an Allocation Area but has been determined by the Commission to be acceptable for personal property tax abatement.

PROPOSED ABATEMENT SCHEDULE
PERSONAL PROPERTY TAX ABATEMENT

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

STAFF COMMENT
PERSONAL PROPERTY TAX ABATEMENT

Street Address:..... 4825 West 79th Street

New Jobs Created..... 30

Jobs Retained: 56

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

STAFF ANALYSIS

Olson Custom Designs, LLC, located at 4825 West 79th Street in Indianapolis, Indiana, is a reputable and precision CNC (Computer Numerical Control) manufacturer, providing contract manufacturing solutions for the aerospace, medical, and defense industries. The company was founded in 2014. Initially a small, family-owned business, the company has since grown into a trusted name in custom residential and commercial design, known for high-quality craftsmanship, attention to detail, and personalized service.

Olson offers a wide range of services, including architectural planning, interior design, custom cabinetry, and project management, specializing in tailored projects that reflect the unique vision of each client. Olson Custom Designs is recognized for using the finest materials and innovative techniques to exceed client expectations.

After being awarded new contracts in the medical, defense, and aerospace fields, Olson would like to expand its current headquarters and manufacturing facility to include a \$5,000,000.00 investment in personal property to include CNC, Robotics, and IT equipment. This project will retain 56 current jobs at \$28.00/hr. and create 30 new jobs at \$28.00/hr., over the 5-year period. Olson will donate 5% of its savings toward a youth apprenticeship program in partnership with Pike High School. The project is estimated to begin 1st quarter 2025 and be completed by 4th quarter 2029.

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.

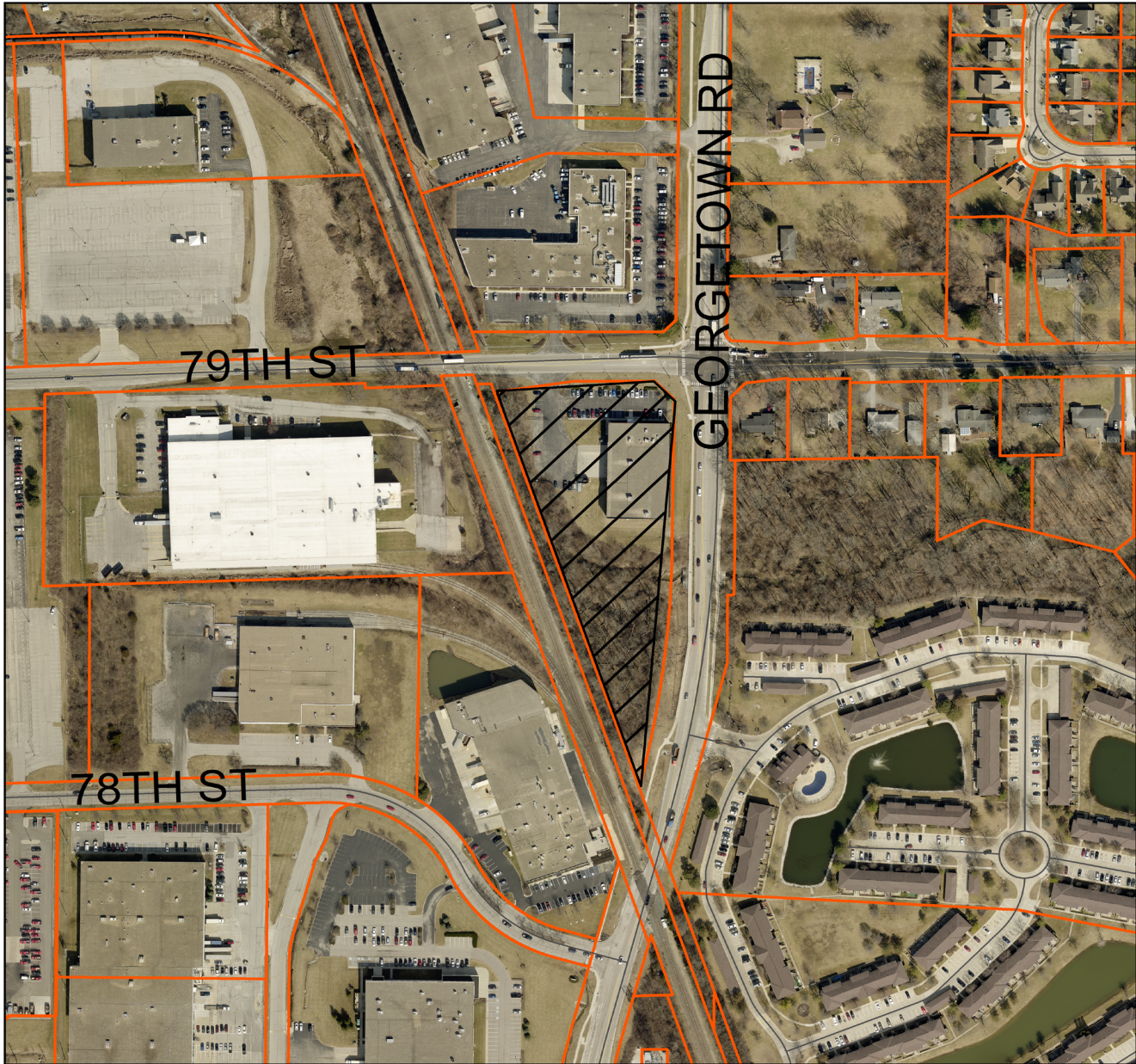
Staff believes this project does comply with the requirements of Metropolitan Development Commission Resolution No. 01-A-041, 2001 concerning the granting of property tax abatement.

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

TOTALITY OF BENEFITS

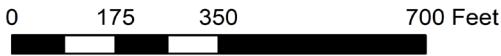
- PETITIONER:** Olson Custom Designs LLC
- INVESTMENT:** Staff estimates that the proposed investment of \$5,000,000.00 should result in an increase to the tax base of approximately \$2,000,000.00 of assessed value in the first year of operation. Staff estimates that over the five (5) year personal property tax abatement period the petitioner will realize savings of approximately \$150,225.88 (a 64.4% savings). During the abatement period, the petitioner is expected to pay an estimated \$83,044.12 in personal property taxes related to the new equipment. After the tax abatement expires, the petitioner can be expected to pay an estimated \$34,990.50 in personal property taxes annually related to the new equipment.
- EMPLOYMENT:** The petitioner estimates that this project will retain fifty-six (56) current positions at an average hourly wage of \$28.00/hr and will create thirty (30) new positions at an average wage of \$28.00/hr. Staff finds these figures to be reasonable for a project of this nature.
- OTHER BENEFITS:** Staff believes this project is significant for Pike 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.

Olson Custom Designs LLC
4825 West 79th Street



Legend

-  Parcels
-  Project Site



Produced by: DMD - BATTLE 10/22/2024

**METROPOLITAN DEVELOPMENT COMMISSION
MARION COUNTY, INDIANA
RESOLUTION NO. 2024-E-036**

**RESOLUTION APPROPRIATING EXPENDITURE
OF TAX INCREMENT FINANCE REVENUE FUNDS**

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana (“MDC”) serves as the Redevelopment Commission (“Commission”) established within the Consolidated City of Indianapolis and Marion County, Indiana (“City”) under IC 36-7-15.1 (“Redevelopment Act”); and

WHEREAS, in that capacity the Commission serves as the governing body of the City Redevelopment District (“District”); and

WHEREAS, The City Department of Metropolitan Development (“DMD”), engages in economic development activities within the District; and

WHEREAS, under IC 36-7-15.1-2 and 6, the MDC is charged with the responsibility of replanning, redevelopment, and promoting the use of land in the manner that best serves the interest of the City and its inhabitants, both from the standpoint of human needs and economic values and in cooperation with other public bodies created by state law; and

WHEREAS, the Indiana Economic Development Corporation (“IEDC”) was created by state law IC 5-28-1-1 to encourage economic development and to improve the quality of life for citizens, which purposes are consistent with MDC’s responsibilities; and

WHEREAS, the Redevelopment Act permits the Commission to designate allocation areas in the District for the purposes of capturing and allocating property taxes commonly known as tax increment finance revenues (“TIF Revenues”); and

WHEREAS, the Commission has previously established the consolidated Airport Economic Development Project Area (“Airport Project Area”), has designated the Airport Project Area as an allocation area (“Airport TIF Area”) for the purposes of capturing TIF Revenues, has created an allocation fund (the “Airport TIF Area Fund”) for the Airport Project Area into which the TIF Revenues are deposited, and has approved the Airport Economic Development Area plan, (“Airport Plan”); and

WHEREAS, DMD desires to enter into an interlocal cooperation agreement under IC 36-1-7 with IEDC or another eligible entity to promote international travel between Indianapolis and Europe to further their respective purposes; and

WHEREAS, per IC 36-9-41-1.5, an “**eligible efficiency project**” is defined as a project necessary or useful to carrying out an interlocal cooperation agreement entered into by two (2) or more political subdivisions or governmental entities; and

WHEREAS, IC 36-7-15.1-26 (b) (3) (J) authorizes payment of the costs of carrying out an eligible efficiency project within the unit that established the Commission as long as the property tax proceeds exceed the amount

necessary to pay for required reimbursements, expenses, and debt service reserve per IC 36-7-15.1-26 (“Conditions”); and

WHEREAS, DMD has identified \$2,000,000 to fund the eligible efficiency project and desires to enter into an interlocal cooperation agreement under IC 36-1-7 with IEDC or another eligible entity in furtherance of a mutual goal of establishing direct overseas flights to Europe from Indianapolis to benefit the City and Airport TIF Area.

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. The Commission hereby authorizes the Director of DMD to utilize \$2,000,000 in TIF Revenues from the Airport TIF Area Fund to enter into an interlocal cooperation agreement with the IEDC or another eligible entity to carry out the **eligible efficiency project** as described above for the purposes of establishing direct overseas flights to Europe from Indianapolis. The Director of the Department of Metropolitan Development is hereby authorized to execute the necessary documents in accordance with this Resolution.
2. The City Controller is hereby authorized to disburse moneys from the Airport TIF Area Fund for the eligible efficiency project.
3. This Resolution shall take effect immediately upon adoption by the Commission.

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

John J. Dillon III, President

Date

Approved as to Legal Form and Adequacy this 30th day of October, 2024.

Sheila Kinney

Sheila Kinney,
Assistant Corporation Counsel

Approved as the Availability of Funding

_____, Controller

Date

RESOLUTION NO. 2024-E-039**RESOLUTION OF THE METROPOLITAN DEVELOPMENT COMMISSION OF
MARION COUNTY, INDIANA DECLARING AN AREA IN THE CITY OF
INDIANAPOLIS, INDIANA A REDEVELOPMENT PROJECT AREA AND
APPROVING A REDEVELOPMENT PLAN FOR THE
REDEVELOPMENT PROJECT AREA**

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the “Commission”), has investigated, studied and surveyed those areas within the consolidated city boundaries of the City of Indianapolis, County of Marion, Indiana (the “City”) that may be areas needing redevelopment pursuant to the provisions of Indiana Code 36-7-15.1, as amended (the “Act”); and

WHEREAS, the Commission has determined that there exists in the City an area needing redevelopment (the “Area”) to be redeveloped pursuant to the Act; and

WHEREAS, the Commission finds that normal development and occupancy of the Area is undesirable or impossible because of lack of development, cessation of growth, deterioration of improvements, environmental contamination, character of occupancy, age, obsolescence, substandard buildings, and other factors that impair the values or prevent the normal use or development of the Area; and

WHEREAS, the Commission has prepared a redevelopment plan (the “Plan”) for the Area, which Plan is attached to and incorporated by reference in this resolution; and

WHEREAS, the Commission has caused to be prepared:

(1) Maps and plats showing:

- (A) the boundaries of the area in which property would be acquired for, or otherwise affected by, the establishment of an redevelopment area;
- (B) the location of the various parcels of property, streets, alleys, and other features affecting the acquisition, clearance, remediation, replatting, replanning, rezoning, or redevelopment of the area, and any parcels of property to be excluded from the acquisition or otherwise excluded from the effects of the establishment of the Area;
- (C) the parts of the Area acquired, if any, that are to be devoted to public ways, levees, sewerage, parks, playgrounds, and other public purposes under the Plan (as defined herein); and

(2) Lists of the owners of the various parcels of property proposed to be acquired, if any;

(3) An estimate of the cost of acquisition, redevelopment and economic development.

WHEREAS, the Plan and supporting data were reviewed and considered by the Commission at this meeting; and

WHEREAS, Section 26 of the Act permits the creation of “allocation areas” to provide for the allocation and distribution of property taxes for the purposes and in the manner provided in said section;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION THAT:

1. The Commission hereby finds that the Area is an “area needing redevelopment” pursuant to the provisions of the Act. The Commission hereby designates as the “CSX Redevelopment Project Area” (the “Area”), which Area is described in Exhibit A attached hereto and incorporated herein by reference.

2. The Commission finds that the Area is a menace to the social and economic interest of the City and its inhabitants, and that it will be of public utility and benefit to redevelop the Area pursuant to the Act.

3. The Commission finds that the Plan cannot be achieved by regulatory processes or by the ordinary operation of private enterprise without resort to the powers allowed the Commission under Indiana Code 36-7-15.1 because of:

- a. The lack of local public improvement necessary to achieve the level of quality of development described in the Plan;
- b. Existence of improvements or conditions that lower the value of the land below that of nearby land;
- c. Multiple ownership of land; and
- d. Other similar conditions, specifically, challenges resulting from existing private party easements and other land conditions.

4. The Commission finds that the accomplishment of the Plan will be of public utility and benefit as measured by:

- a. The attraction of construction and retention of permanent jobs;
- b. An increase in the property tax base;
- c. Improved diversity of the economic base; and
- d. Other similar benefits that specifically serve as a basis for making future public capital expenditures.

5. The Plan for the Area attached hereto as Exhibit B conforms to other development and redevelopment plans for the City.

6. The Commission estimates that the cost of implementing the Plan will not exceed \$40,600,000.

7. The Commission finds that no residents of the Area will be displaced by any project resulting from the Plan and, therefore, the Commission finds that it does not need to give consideration to transitional and permanent provisions for adequate housing for the residents.

8. In support of the findings and determinations set forth in Section 1 through 7 above, the Commission hereby adopts the specific findings set forth in the Plan.

9. The Commission does not at this time propose to acquire any specific parcel of land or interests in land within the boundaries of the Area. If at any time the Commission proposes to acquire specific parcels of land, the required procedures for amending the Plan under the Act will be followed, including notice by publication and to affected property owners and a public hearing.

10. The entire Area described in Exhibit A is hereby designated as an “allocation area” pursuant to Section 26 of the Act to be known as the “CSX Allocation Area” (herein, the “CSX Allocation Area”) for purposes of the allocation and distribution of property taxes for the purposes and in the manner provided by Section 26 of the Act. Any taxes imposed under Indiana Code 6-1.1 on real property subsequently levied by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in the CSX Allocation Area shall be allocated and distributed in accordance with Section 26 of the Act as follows:

Except as otherwise provided in Section 26, the proceeds of taxes attributable to the lesser of the assessed value of the property for the assessment date with respect to which the allocation and distribution is made, or the base assessed value, shall be allocated to and when collected paid into the funds of the respective taxing units. Except as otherwise provided in said Section 26, property tax proceeds in excess of those described in the previous sentence shall be allocated to the redevelopment district and when collected paid into an allocation fund for the CSX Allocation Area hereby designated as the “CSX Allocation Fund” and may be used by the redevelopment district to do one or more of the things specified in Section 26(b)(3) of the Act, as the same may be amended from time to time. Said allocation fund may not be used for operating expenses of this Commission. Except as otherwise provided in the Act, before June 15 of each year, the Commission shall take the actions set forth in Section 26(b)(4) of the Act.

The base assessment date for property in the CSX Allocation Area shall be January 1, 2024.

11. The provisions of this resolution shall be subject in all respects to the Act and any amendments hereto and the allocation provision herein relating to the CSX Allocation Area shall expire on the date that is twenty-five (25) years after the date on which the first obligation is incurred to pay principal and interest on bonds or lease rentals on leases payable from tax increment revenues derived in the CSX Allocation Area. The Commission shall notify the Indiana Department of Local Government Finance of the designation of the Area as an allocation area.

12. The Commission shall cause to be prepared a statement disclosing the impact of the CSX Allocation Area, including the following:

A. The estimated economic benefit and costs incurred by the CSX Allocation Area, as measured by increased employment and anticipated growth of real property, personal property and inventory assessed values; and

B. The anticipated impact on tax revenues of each taxing unit that is either wholly or partly located within the CSX Allocation Area. A copy of this statement shall be forwarded to each such taxing unit with a copy of the notice required under Section 10 of the Act at least ten (10) days before the date of the public hearing described in Section 15 of this resolution.

13. This resolution and the Plan shall be submitted to the City-County Council of the City of Indianapolis and of Marion County, Indiana (the "City-County Council") for its approval of the establishment of the Area as provided in the Act.

14. The Commission hereby directs the presiding officer of the Commission, after receipt of approval by the City-County Council, to publish notice of the adoption and substance of this resolution in accordance with Indiana Code 5-3-1-4 and to file notice with the office of the Commission, board of zoning appeals, works board, park board, and any other departments, bodies or officers of the City having to do with planning, zoning variances, land use or the issuance of building permits. The notice must state that maps and plats have been prepared and can be inspected at the office of the City's department of redevelopment and must establish a date when the Commission will receive and hear remonstrances and objections from persons interested in or affected by the proceedings pertaining to the proposed project and will determine the public utility and benefit of the proposed project.

ADOPTED AND APPROVED at a meeting of the Metropolitan Development Commission of Marion County, Indiana, held on November 6, 2024, 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, Chairperson

EXHIBIT A**DESCRIPTION AND MAP OF CSX REDEVELOPMENT
PROJECT AREA AND ALLOCATION AREA**

Description:

The Area is located downtown at 230, 238 and 240 South Pennsylvania Street and includes local parcel numbers 1016729, 1045784 and 1045785. The Area is bounded on the north by West Georgia Street, on the east by Pennsylvania Street, on the south by the southern boundary of parcel 1045785 and on the west by South Scioto Street.

Parcels:

1016729
1045784
1045785

A map of the Area follows on the next page.

Map of Area



**** The Area is bounded in solid red on the map above****

EXHIBIT B

REDEVELOPMENT PLAN FOR THE CSX REDEVELOPMENT PROJECT AREA

Purpose and Introduction

The Metropolitan Development Commission of Marion City, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the “Commission”) proposes to designate and declare an area needing redevelopment area within the City of Indianapolis, Indiana (the “City”) to be known as the “CSX Redevelopment Project Area” (the “Area”). This document is the plan for the Area (the “Plan”), provided that this Plan may be amended in the future as provided in Indiana Code 36-7-15.1, as amended from time to time (the “Act”), and in this Plan.

Pursuant to the Act, the Plan must be approved by the Commission and the City-City Council of the City of Indianapolis and of Marion City, Indiana (the “City-City Council”). Upon such approvals, the Commission will hold a public hearing on the Plan as required under Section 10 of the Act, before confirming (or modifying and confirming) the designation of the Area and the approval of the Plan.

The Commission also proposes that pursuant to the provisions of Section 26 of the Act, the Area shall constitute a tax increment financing “allocation area” for purposes of the Act. Such allocation area shall be designated as the “CSX Allocation Area” (hereinafter referred to as the “Allocation Area”) for purposes of distribution and allocation of taxes on real property in the Allocation Area.

Project Objectives

The purposes of the Plan are, through the redevelopment of the Area, to benefit the public health, safety, morals and welfare of the citizens of the City; increase the economic well-being of the City and the State of Indiana; and serve to protect and increase property values in the City and the State of Indiana. The Commission has identified the Area as an area needing redevelopment pursuant to the Act. The Plan is designed to redevelopment the Area which is in need of redevelopment because of (i) lack of development, (ii) cessation of growth, (iii) deteriorating improvements and (iv) other factors that impair the normal use or development of the Area. The Commission anticipates the Plan will (i) promote significant opportunities for the gainful employment of citizens of the City, (ii) assist in the attraction of major new business enterprises to the City, (iii) provide for local public improvements in the Area, (iv) attract and retain jobs, (v) increase the property tax base, and (vi) improve the diversity of the economic base of the City.

Description of the Area

The Area is located downtown at 230, 238 and 240 South Pennsylvania Street and includes local parcel numbers 1016729, 1045784 and 1045785. The Area is bounded on the north by West Georgia Street, on the east by Pennsylvania Street, on the south by the southern boundary of parcel 1045785 and on the west by South Scioto Street.

Project Description

The project consists of the demolition of the existing CSX building and the construction of a new mixed use development including (i) a 13 story boutique hotel with approximately 170 keys (236,300 square feet), (ii) a live music venue with a 4,000 person capacity (83,300 square feet/back of house 10,100 square feet), (iii) retail (18,700 square feet), (iv) parking garage with approximately 253 spaces (104,900 square feet), and (v) a pedestrian bridge connecting the hotel to Gainbridge Fieldhouse. The project will result in a \$312,203,370 redevelopment of a functionally obsolete property into a new mixed-use project of completely new construction with uses that will engage and activate the last undeveloped building in the neighborhood, including a live music venue, an upscale boutique hotel, street level retail, a restaurant and a pedestrian bridge connecting the project to Gainbridge Fieldhouse. The completion date of the project is estimated to occur by December 31, 2027.

Acquisition List

In connection with the accomplishment of the Plan, the Commission has no present plans to acquire any interests in real property. In the event the Commission determines to acquire interests in real property in the future, it shall follow procedures set forth in Section 12 of the Act.

Estimate of the Cost of Acquisition and Redevelopment

Because the Commission does not intend to acquire property for the project, the Commission will not incur any costs of acquisition. However, the Commission will incur certain costs in connection with the development of the project. The estimated cost of the project to be supported by the Commission is \$40,600,000 to provide funding for a portion of the costs of the project. The project is expected to result in the following public and community benefits, among others:

- Will activate a previously inactive area through the demolition of the CSX building
- Will provide density and commercial activity to the neighborhood
- Will strengthen downtown as a livable neighborhood, destination and place for business
- Will serve as a bridge between Gainbridge Fieldhouse and the proposed hotel
- Will support a preliminary estimated 379 temporary full-time construction jobs during the development of the Project and a preliminary estimated 210 permanent jobs upon completion of the Project
- Will incorporate public art, per Public Art for Neighborhoods Ordinance

Disposal of Property

The Commission may dispose of any real property acquired in the future by sale or lease to the public pursuant to procedures set forth in Section 15 of the Act.

Statutory Findings

The Plan for the Area meets the following required findings under the Act:

1. The Plan for the Area promotes significant opportunities for the gainful employment of the citizens of the City, attracts a major new business enterprise to the City, retains or expands a significant business enterprise existing in the City, or meets other purposes of the Act.

Implementing the Plan and constructing the project will have significant benefit to the surrounding community in terms of the redevelopment of the existing site, including aesthetic improvement, and improvements to the surrounding infrastructure that will foster and promote future development. The total investment in the project is estimated to be \$312,203,370 with completion of the project by December 31, 2027. The project will redevelop a functionally obsolete property into a new mixed-use project of completely new construction with uses that will engage and activate the last undeveloped building in the neighborhood, including a live music venue, an upscale boutique hotel, street level retail, a restaurant and a pedestrian bridge to connect the project to Gainbridge Fieldhouse.

The project is expected to:

- Activate a previously inactive area through the demolition of the CSX building
- Provide density and commercial activity to the neighborhood
- Strengthen downtown as a livable neighborhood, destination and place for business
- Serve as a bridge between Gainbridge Fieldhouse and the proposed hotel
- Support a preliminary estimated 379 temporary full-time construction jobs during the development of the Project and a preliminary estimated 210 permanent jobs upon completion of the Project
- incorporate public art, per Public Art for Neighborhoods Ordinance

Additionally, the project investment creates redevelopment, economic development, job growth, and will increase the property tax base of the City. The estimated assessed value of the project is \$70,057,804 and the estimated annual tax increment revenue is approximately \$1,573,199 based upon the project and financial analysis prepared by Crowe LLP as municipal advisers to the City.

2. The Plan for the Area cannot be achieved by regulatory processes or by the ordinary operation of private enterprise without resort to the powers allowed under the Act because of a lack of local public improvements, the existence of improvements or conditions that lower the value of the land below that of nearby land, multiple ownership of land, or other similar conditions.

The use of tax increment financing from the Allocation Area is necessary to construct the local public improvements that comprise the project. The project could not occur without the availability of tax increment revenues.

3. The public health and welfare will be benefited by accomplishment of the Plan for the Area.

Implementing the Plan and constructing the project will attract a major new business enterprise to the City and create redevelopment, economic development, job growth, and will increase the tax base of the City. But for such development, the Area would continue to have a depressed assessed value and provide little opportunity to create economic development and job growth.

4. The accomplishment of the Plan for the Area will be a public utility and benefit as measured by the attraction or retention of permanent jobs, an increase in the property tax base, improved diversity of the economic base, or other similar public benefits.

As noted above, the project will bring new jobs to the City and will increase the tax base of the City. The Plan will improve the diversity of the economic base of the City and spur development in the Area.

5. The Plan for the Area conforms to other development and redevelopment plans for the City.

The Plan conforms to the goals of the other development and redevelopment plans for the City in that it is designed to enhance the economic well-being of the City and its citizens.

Financing of the Project

It will be necessary to issue bonds to raise money for the completion of the project in the Area. The Commission intends to pledge incremental *ad valorem* property taxes allocated under Indiana Code 36-7-15.1-26 to support the issuance of bond anticipation notes or bonds, which may be issued by either the Commission or the Indianapolis Economic Development Commission (the "EDC"). The amount of these bonds may not exceed the total, as estimated by the Commission or the EDC, of all expenses reasonably incurred in connection with the Project, including:

- (1) The total cost of all land, rights-of-way, and other property to be acquired and developed;
- (2) All reasonable and necessary architectural, engineering, construction, equipment, legal, financing, accounting, advertising, bond discount and supervisory expenses related to the acquisition and development of the project or the issuance of bonds;

(3) Interest on the bonds (not to exceed five (5) years from the date of issuance) and a debt service reserve for the bonds to the extent that the Commission determines that a reserve is reasonably required; and

(4) Expenses that the Commission is required or permitted to pay under Indiana Code 36-7-15.1.

In the issuance of bonds, the Commission will comply with IC 36-7-15.1. In addition to issuing bonds to support the project, the Commission anticipates providing a forgivable loan in the amount not to exceed \$25,000,000 to support legally eligible expenses of the project from legally available funds on hand of the Commission.

Amendment of the Plan

This Plan may be amended by following the procedures described in Section 36-7-15.1-8 of the Act.

**METROPOLITAN DEVELOPMENT COMMISSION
MARION COUNTY, INDIANA
RESOLUTION NO. 2024-P-009**

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

WHEREAS, the Commission serves as the Redevelopment Commission of the City of Indianapolis, Indiana (the “City”) under I.C. 36-7-15.1 (the “Redevelopment Act”); and

WHEREAS, in that capacity, the Commission serves as the governing body of the City of Indianapolis Redevelopment District (the “District”); and

WHEREAS, pursuant to its resolutions 2023-P-016, signed on 9/20/23, and 2023-P-021, signed on December 20, 2023, the Commission authorized DMD to accept grant funds, to contribute additional unobligated funds, and to enter into an agreement with respect to the Indiana Avenue Certified Strategic Plan- contract #20773 (“Contract”); and

WHEREAS, DMD wishes to amend the existing Contract with Elizabeth Kennedy by and through EKLA Studio LLC a/k/a Elizabeth Kennedy Landscape Architect, PL for services for related to creation of the Indiana Avenue Certified Strategic Plan to include the previously authorized funding and to extend the term through 2025.

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

1. The Commission authorizes DMD to amend the existing Contract #20773 with Elizabeth Kennedy by and through EKLA Studio LLC to include the previously authorized funding of \$726,700 and to extend the contract term through 2025.
2. The Director of the Department of Metropolitan Development is hereby authorized and directed to take such further actions and execute such documents as she deems necessary or advisable to effectuate the authorizations set forth in this Resolution.
3. This Resolution shall take effect immediately upon adoption by the Commission.

Approved as to Legal Form and Adequacy:

Sheila Kinney

Sheila Kinney, Asst. Corp. Counsel

Metropolitan Development Commission

John J. Dillon III, President

Date: 10/28/2024

Date: _____



METROPOLITAN DEVELOPMENT COMMISSION **November 6, 2024**

Case Number: 2024-ZON-092

Property Address: 1770 Kentucky Avenue

Location: Center Township, Council District #18

Petitioner: Multani Holdings, LLC, by Donald W. Fisher

Current Zoning: I-4

Request: Rezoning of 1.62 acres from the I-4 district to the C-5 district to provide for retail use development.

Current Land Use: Commercial use

Staff Recommendations: Denial

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This petition was heard by the Hearing Examiner on October 10, 2024. After a full hearing, the Hearing Examiner recommended denial of the rezoning. Subsequently, the petitioner’s representative filed an appeal of the Hearing Examiner’s decision. A memorandum of her recommendation is attached.

On October 25, 2024, the petitioner’s representative sent an e-mail indicating that Outdoor Recreation and Entertainment; Agricultural Sciences R&D; Clean Energy R&D; and Life Sciences R&D would be excluded uses in addition to their previous commitment to exclude Automobile, Motorcycle, and Light Vehicle Sales or Rental. The elimination of these uses does little to address staff’s concern for the proposed commercial intensification of the site. Staff continues to recommend denial.

The Hearing Examiner continued this petition from the September 12, 2024 hearing, to the October 10, 2024 hearing, at the request of a neighborhood organization.

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. Automobile, motorcycle and light vehicle sales or rental shall be prohibited. Additional prohibited uses would include outdoor recreation and entertainment, agricultural sciences R&D, clean energy R&D, and life sciences R&D.
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.



PETITION OVERVIEW

This 1.62-acre site, zoned I-4, is comprised of three parcels developed with a liquor store and associated parking. It is surrounded by a single-family dwelling and industrial uses to the north, across Minnesota Street, zoned C-1 and I-4, respectively; industrial uses to the south, across Kentucky Avenue, zoned I-4; industrial uses to the east, across the intersection of Kentucky Avenue and Harding Street, zoned I-4; and industrial uses to the west, across Minnesota Way, zoned I-4.

Petition 91-UV3-13 provided for a liquor store. Petitions 86-UV1-17 and 83-UV1-86 provided for automobile sales.

The request would rezone both parcels to the C-5 (General Commercial) District. “The C-5 District is designed to provide areas for those retail sales and service functions whose operations are typically characterized by automobiles, outdoor display, or sales of merchandise; by major repair of motor vehicles; by outdoor commercial amusement and recreational activities; or by activities or operations conducted in buildings or structures not completely enclosed. The types of uses found in this district tend to be outdoor functions, brightly lit, noisy, etc. Therefore, to provide a location where such uses can operate in harmony with the vicinity, the C-5 district should be located on select heavy commercial thoroughfares and should avoid locating adjacent to protected districts.”

The Comprehensive Plan recommends community commercial typology for this site.

As proposed, this request would not be consistent with either of the Comprehensive Plan recommendations. Community commercial typology is contemplated to be consistent with the C-3 (neighborhood commercial) or the C-4 (community-regional) zoning districts, depending upon the location and the surrounding land uses.

The C-5 district is a more intense commercial land use that should not be located adjacent to the residential neighborhood to the north. It is staff’s understanding that the site would be developed with a fueling station / convenience store which would be objectionable in such proximity to residential uses due to the nature of the use (noise, trash, lighting), with primarily outdoor operations 24 hours per day, 365 days per year. Providing a gas station, especially with a 24-hour convenience store would be detrimental to the stability of the adjacent residential uses.

Staff would note that the petitioner has submitted commitments that would prohibit automobile, motorcycle and light vehicle sales or rental.



Environmental Public Nuisances

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

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

Environmental public nuisance means:

1. Vegetation on private or governmental property that is abandoned, neglected, disregarded or not cut, mown, or otherwise removed and that has attained a height of twelve (12) inches or more;
2. Vegetation, trees or woody growth on private property that, due to its proximity to any governmental property, right-of-way or easement, interferes with the public safety or lawful use of the governmental property, right-of-way or easement or that has been allowed to become a health or safety hazard;
3. A drainage or stormwater management facility as defined in Chapter 561 of this Code on private or governmental property, which facility has not been maintained as required by that chapter; or
4. Property that has accumulated litter or waste products, unless specifically authorized under existing laws and regulations, or that has otherwise been allowed to become a health or safety hazard.

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

GENERAL INFORMATION

Existing Zoning	I-4	
Existing Land Use	Commercial uses (liquor store)	
Comprehensive Plan	Community Commercial	
Surrounding Context	Zoning	Land Use
North:	C-1 / I-4	Single-family dwelling / Industrial uses
South:	I-4	Industrial uses
East:	I-4	Industrial uses
West:	I-4	Industrial uses



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Thoroughfare Plan		
Kentucky Avenue	Primary Arterial	Existing 126-foot right-of-way and proposed 88-foot right-of-way.
Minnesota Street	Local Street	Existing 60-foot right-of-way and proposed 58-foot right-of-way.
Minnesota Way	Primary Collector	Existing 90-foot right-of-way and proposed 56-foot right-of-way.
Context Area	Metro	
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

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

Pattern Book / Land Use Plan

The Comprehensive Plan consists of two components that include The Marion County Land Use Pattern Book (2019) and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.



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The Pattern Book serves as a policy guide as development occurs. Below are the relevant policies related to this request:

- *Conditions for All Land Use Types – Community Commercial Typology*
 - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
 - All development should include sidewalks along the street frontage.
- *Large-Scale Offices, Retailing, and Personal or Professional Services (defined as Commercial uses with minimal outdoor operations, storage, or display on lots of more than 1.5 acres and a height of more than 35 feet.)*
 - Should be located along an arterial street.
 - Outdoor display of merchandise should be limited.
 - If adjacent to residential uses or a Living Typology, outdoor display of merchandise is not recommended.
 - 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.
 - Should be no larger than 25 acres with 125,000 square feet of floor space and no more than three out lots.

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.



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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.”

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

91-UV3-13; 1770 Kentucky Avenue, requested a variance of use of the Industrial Zoning Ordinance to permit a liquor store within an existing building, **granted**.

86-UV2-147; 1620 Kentucky Avenue, requested a variance of use and development standards of the Industrial Zoning Ordinance to provide for the continued operation of an automobile sales lot with outside storage and display and without the required setbacks, **granted**.

83-UV1-86; 1620 Kentucky Avenue, requested a variance of use and development standards to provide for the outdoor display and sales of automobiles, **granted (three-year period)**.

VICINITY

94-UV1-106; 1555 South Reisner Street (north of site), requested a variance of use and development standards to legally establish an existing residence with an above-ground pool and a six-foot tall fence with a zero-foot setback from Minnesota Street, **granted**.



EXHIBITS

MEMORANDUM OF EXAMINER'S DECISION

2024-ZON-092

1770 Kentucky Avenue

The petition requests the rezoning of 1.62 acres from the I-4 district to the C-5 district to provide for retail uses.

Your Hearing Examiner visited the site prior to the hearing and noted that it is surrounded primarily by industrial uses.

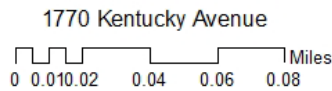
The petitioner's representative explained that the site has been used as a liquor store for over 30 years, as per a variance petition. The rezoning is being requested to allow the addition of a convenience store and storage space. The representative opined that, due to the large setbacks required by the existing I-4 district, redevelopment of the site for industrial use is unlikely. The representative also stated that the convenience store would provide a grocery option for the neighborhood.

Two remonstrators attended the hearing and expressed concerns including the selection of food and merchandise offered by the petitioner at a nearby location, the number of convenience stores in the area, and the lack of input sought from the community. A letter of remonstrance was also submitted.

Staff explained that, based on the Comp Plan recommendation of community commercial use, a C-3 or C-4 zoning district request would be more appropriate. Staff also stated that the C-5 district would allow uses too intense for the site.

In your Hearing Examiner's opinion, the requested C-5 district is not appropriate or compatible with the area and does not conform with the Comp Plan. Denial of this petition was recommended.

For Metropolitan Development Commission Hearing on November 6, 2024





View looking north along Kentucky Avenue



View looking south along Kentucky Avenue



View looking east along West Minnesota Street



View looking west along West Minnesota Street



View of site looking north



View of site looking north



View of site looking northeast



View of site looking east



View from site looking northwest across Reisner Street



View from site looking west across Minnesota Way



View of site looking west across Minnesota Way



View from site looking southeast across Kentucky Avenue



View of site looking east across Minnesota Way



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METROPOLITAN DEVELOPMENT COMMISSION

November 6, 2024

Case Number:	2024-ZON-105
Property Address:	2852 East County Line Road
Location:	Perry Township, Council District #24
Petitioner:	Aditi Real Estate 63, LLC, by Cassandra A. Nielsen
Current Zoning:	C-S
Request:	Rezoning of 6.67 acres from the C-S (TOD) (FW) (FF) district to the I-1 (TOD) (FW) (FF) district to provide for a self-storage facility.
Current Land Use:	Undeveloped land
Staff Recommendations:	Denial.
Staff Reviewer:	Kathleen Blackham, Senior Planner

PETITION HISTORY

This petition was heard by the Hearing Examiner on October 10, 2024. After a full hearing, the Hearing Examiner recommended denial of the rezoning. Subsequently, the petitioner's representative filed an appeal of the Hearing Examiner's decision. A memorandum of her recommendation is attached.

The Hearing Examiner continued this petition, at staff's request, from the September 26, 2024 hearing, to the October 10, 2024 hearing, for additional time to provide required written notice to the property owners in Johnson County.

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. A 51-foot half right-of-way shall be dedicated along the frontage of East County Line 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).



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Current Planning**

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. 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 / receptables provided for the proper disposal of trash and other waste.

PETITION OVERVIEW

This 6.67-acre site, zoned C-S (TOD) (FW) (FF), is undeveloped and surrounded by floodway / floodplain of Pleasant Run Creek, to the north, zoned D-A (TOD) (FW) (FF); single-family dwellings to the south across East County Line Road (Johnson County); railroad right-of way to the east, zoned D-6II; and floodway / floodplain of Pleasant Run Creek to the west, zoned D-A (TOD) (FW) (FF) and C-S (TOD) (FW) (FF).

This site was included in petition 90-ZON-191 that rezoned a 12-acre site to the C-4 district to provide for an integrated commercial center with integrated building design, access, and signs.

The request would rezone the site to the I-1 (Restricted Industrial) District. "The I-1 district is designed for those industries that present the least risk to the public. In the I-1 district, uses carry on their entire operation within a completely enclosed building in such a manner that no nuisance factor is created or emitted outside the enclosed building. No storage of raw materials, manufactured products, or any other materials is permitted in the open space around the buildings. Loading and unloading berths are completely enclosed or shielded by solid screening. This district has strict controls on the intensity of land use providing protection of each industry from the encroachment of other industries. It is usually located adjacent to protected districts and may serve as a buffer between heavier industrial districts and business or protected districts."

The Comprehensive Plan recommends suburban neighborhood typology and floodway, a non-typology land use.

Floodway / Floodway Fringe

This site has a secondary zoning classification of a Floodway (FW) and Floodway Fringe (FF). The Floodway (FW) is the channel of a river or stream, and those portions of the floodplains adjoin the channels which are reasonably required to efficiently carry and discharge the peak flood flow of the base flood of any river or stream. The Floodway Fringe (FF) 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.



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Current Planning**

The purpose of the floodway district is to guide development in areas identified as a floodway. The Indiana Department of Natural Resources (IDNR) exercises primary jurisdiction in the floodway district under the authority of IC 14-28-1.

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 (I-1 in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance.

Except for a small area at the southwest corner along the railroad right-of-way, the site lies within the 100-year floodplain.

Overlays

This site is 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 ES overlay for this site is related to the floodway and floodway fringe.

In addition to the floodplain, the perimeter of the entire site is lined with woodlands, both of which would be negatively impacted by the proposed development.

This site is also located within a second overlay, specifically the Transit Oriented Development (TOD).

The Transit-Oriented Development (TOD) overlay is intended for areas within walking distance of a transit station. The purpose of this overlay is to promote pedestrian connectivity and a higher density than the surrounding area.

Tree Preservation / Heritage Tree Conservation

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



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Division of Planning
Current Planning**

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

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

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

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

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

Department of Public Works

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 51-foot half right-of-way along East County Line Road. This dedication would also be consistent with the Marion County Thoroughfare Plan.

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.



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

Environmental public nuisance means:

1. Vegetation on private or governmental property that is abandoned, neglected, disregarded or not cut, mown, or otherwise removed and that has attained a height of twelve (12) inches or more;
2. Vegetation, trees or woody growth on private property that, due to its proximity to any governmental property, right-of-way or easement, interferes with the public safety or lawful use of the governmental property, right-of-way or easement or that has been allowed to become a health or safety hazard;
3. A drainage or stormwater management facility as defined in Chapter 561 of this Code on private or governmental property, which facility has not been maintained as required by that chapter; or
4. Property that has accumulated litter or waste products, unless specifically authorized under existing laws and regulations, or that has otherwise been allowed to become a health or safety hazard.

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

Planning Analysis

As proposed, this request would not be consistent with the Comprehensive Plan recommendation of suburban neighborhood. Furthermore, the floodway land use category delineates areas that exhibit a great potential for property loss and damage from severe flooding, or for water quality degradation. No development should occur within the floodway. Nonconforming uses currently within a floodway should not be expanded or altered.

Staff believes the proposed rezoning is an example of spot zoning which is defined as the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area for the benefit of the owner of such property and to the detriment of other owners. Zoning in the surrounding area is primarily commercial and residential. There is no industrial zoning district nearby.

This site is located with two overlays (Environmentally Sensitive and Transit Oriented Development). Because industrial uses are not a recommended land use in the suburban neighborhood typology or these overlays, the introduction of industrial uses would be detrimental to protecting the surrounding land uses and compromise the purpose and intent of these overlays.



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Current Planning**

Self-storage facilities are permitted in the highest intense commercial district (C-7) and all of the industrial districts (I-1 through I-4), all of which have larger side transitional setbacks. The C-7 District requires a 40-foot side transitional yard; the I-1 and I-2 Districts require a 50-foot side transitional yard; the I-3 District requires a 100-foot transitional yard; and the I-4 District requires a 150-foot side transitional yard. The required setbacks are a strong indication of the impact of this use on surrounding land uses.

The purpose of setbacks is to minimize and mitigate impact and provide a buffer between varying intensity of land uses. Setbacks, in this case, are between residential uses and high intensity commercial and industrial uses.

Staff would note that to mitigate the impact of self-storage facilities the Ordinance provides for the following use specific standards:

1. All storage shall be within enclosed buildings except in the C-7, I-3 and I-4 districts.
2. Security fencing shall not include razor wire or barbed wire within 10 feet of a front lot line or transitional yard.
3. Doors to individual storage units shall not face any abutting street frontage, or if the site is located on a corner parcel, shall not face the primary street frontage.
4. A landscape or naturally vegetated buffer at least 50 feet in width shall be provided along any lot line that abuts a protected district.
5. Exterior access to any storage units within 100 feet, measured in any direction of any dwelling district, shall be limited to the period between 6:00 a.m. and 10:00 p.m.

A self-storage facility at this location would be wholly inappropriate for this site because it would introduce an intense use into an area with a much less intense commercial node / corridor and dwelling district and would be totally out of character with the existing commercial and residential uses in the immediate area.

GENERAL INFORMATION

Existing Zoning	C-S (TOD) (FW) (FF)	
Existing Land Use	Undeveloped land/ floodplain	
Comprehensive Plan	Floodway / Suburban Neighborhood	
Surrounding Context	Zoning	Land Use
North:	C-S (TOD) (FW) (FF) / D-A (TOD) (FW) (FF)	Floodway / Floodway Fringe
South:	Johnson County	Single-family dwellings
East:	D-6II	Railroad right-of-way / single-family dwelling
West:	C-S (TOD) (FW) (FF) / DA (TOD) (FW) (FF)	Floodway
Thoroughfare Plan		
East County Line Road	Primary arterial	Existing 92-foot right-of-way and proposed 102-foot right-of-way.



Department of Metropolitan Development
 Division of Planning
 Current Planning

Context Area	Metro
Floodway / Floodway Fringe	Yes.
Overlay	Yes. Environmentally Sensitive / Transit Oriented Development
Wellfield Protection Area	No
Site Plan	August 21, 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 Suburban Neighborhood typology. “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.”
- The floodway land use is a non-typology that is mapped outside of the typology system due to their scale or the nature of their use.

Pattern Book / Land Use Plan

The Comprehensive Plan consists of two components that include The Marion County Land Use Pattern Book (2019) and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.



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Division of Planning
Current Planning**

The Pattern Book serves as a policy guide as development occurs. Industrial uses are not a recommended land use for the suburban neighborhood typology. Recommended land uses in this typology include, detached housing, attached housing, multi-family housing, assisted living facilities / nursing homes, group homes, bed / breakfast, small-scale offices / retailing / personal services / professional services, small scale schools / places of worship / neighborhood-serving institutions and infrastructure / places of assembly, large scale schools / places of worship / neighborhood-serving institutions and infrastructure / places of assembly, small scale parks and community farms / gardens.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- The Red Line Transit-Oriented Development Strategic Plan (2021).
- The Transit-Oriented Development (TOD) overlay is intended for areas within walking distance of a transit station. The purpose of this overlay is to promote pedestrian connectivity and a higher density than the surrounding area.
- This site is located within a ½ mile walk of a proposed transit stop located along East County Line Road and Greenwood Park Mall, with a District Center typology.
- District Center stations are located at the center of regionally significant districts with several blocks of retail or office at their core. Development opportunities include infill and redevelopment, dense residential, employment near transit stations, neighborhood retail and a focus on walkability and placemaking.
- Characteristics of the District Center typology are:
 - A dense mixed-use hub for multiple neighborhoods with tall buildings
 - Minimum of 3 stories at core with no front or side setbacks
 - Multi-family housing with a minimum of 5 units
 - Structured parking only with active first floor

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.



Department of Metropolitan Development
Division of Planning
Current Planning

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.”
- 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



Department of Metropolitan Development
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Current Planning

ZONING HISTORY

90-Z-191; 2910 East County Line Road, requested rezoning of 12 acres, being in the D-A / FP district, to the C-4 / FP classification to provide for commercial development, **approved**.

VICINITY

70-Z-107; 8900 block of Madison Avenue (west of site), required rezoning of 6.36 acres, being in the A-2 district, to the C-4 classification to provide for office uses, **approved**.

68-V4-227; 3030 East County Line Road (north of site), requested a variance of use, setbacks, and floor area to provide for apartments, **granted**.

EXHIBITS

MEMORANDUM OF EXAMINER'S DECISION

2024-ZON-105

2852 E. County Line Road

The petition requests the rezoning of 6.67 acres from the C-S (TOD)(FW)(FF) district to the I-1 (TOD)(FW)(FF) district to provide for a self storage facility.

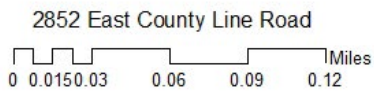
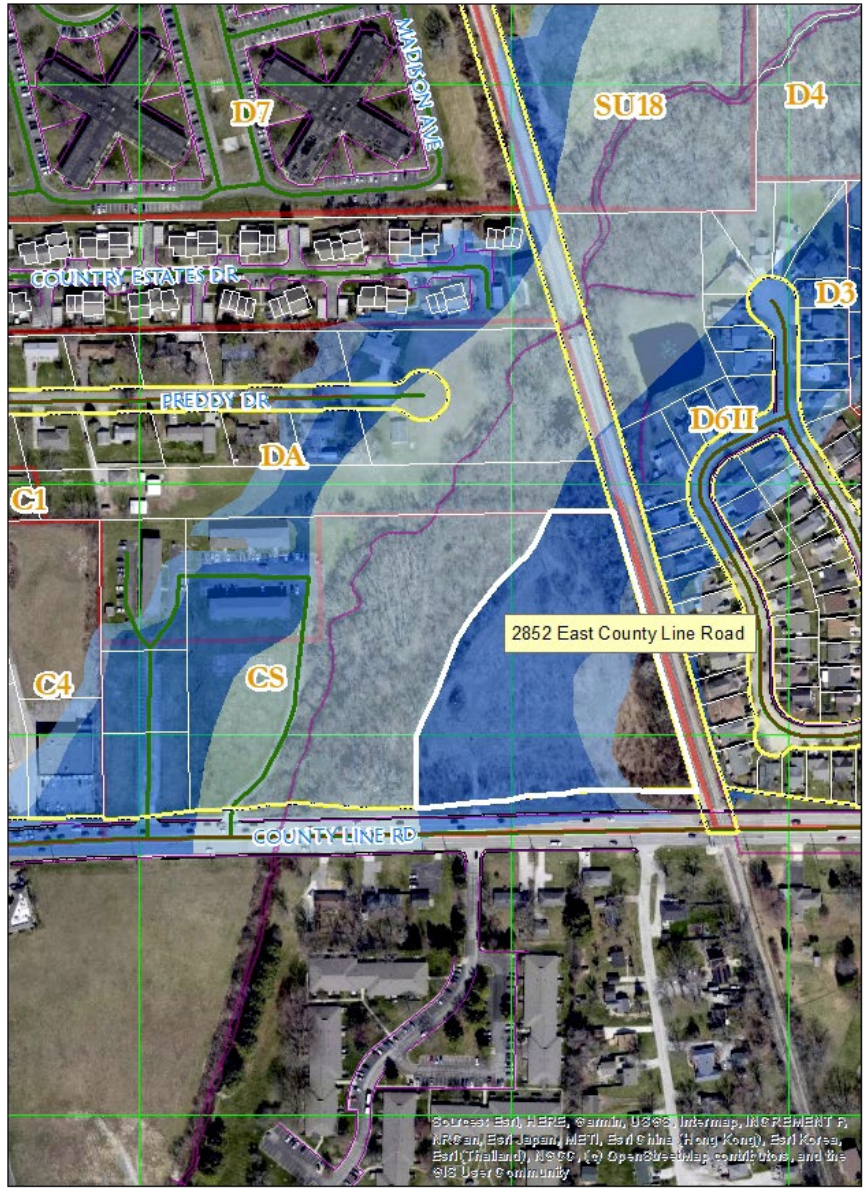
Your Hearing Examiner visited the unimproved site prior to the hearing and noted that it is abutted by a floodway on the west and north (Pleasant Run Creek). Residential uses are east and south of it.

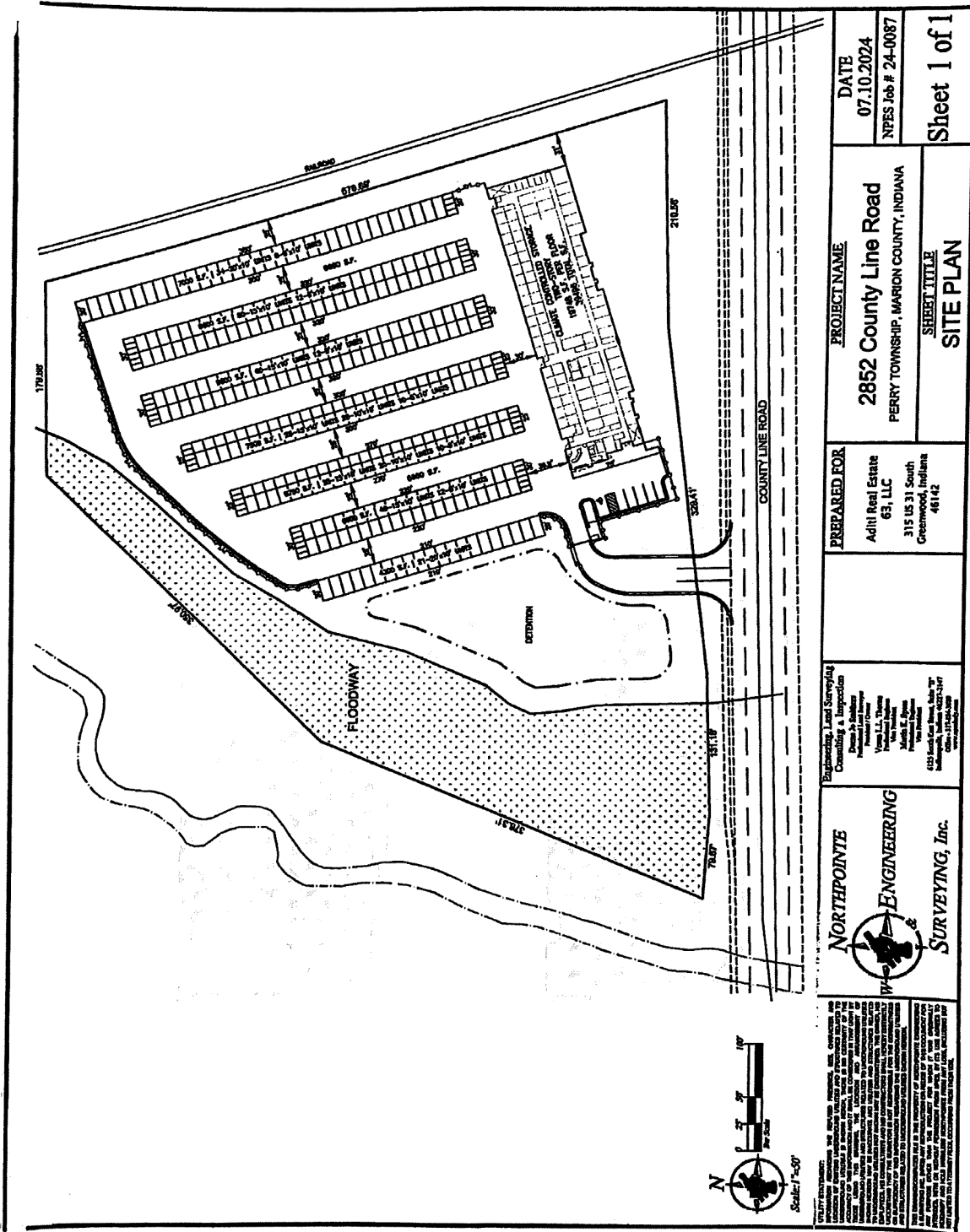
The petitioner's representative explained that the self storage would be indoors, which is required by the I-S district. The representative opined that the proposed development would increase property values and the tax base, and stated that the requested I-1 district is better than the C-7 district, which also allows self storage.

Staff stated that the Comp Plan recommendation of suburban neighborhood does not contemplate self storage, and that the proposed use would have a negative impact on the residences in the area. Staff also stated that there are no other industrial uses in the area, and suggested that the request would be spot zoning. Staff also stated that industrial uses are not recommended in the Environmentally Sensitive or Transit Oriented Development overlay districts.

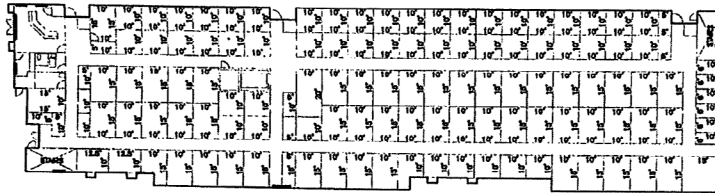
In your Hearing Examiner's opinion, the requested I-1 district is spot zoning, and would not be compatible in this area. The I-1 district, in general, and the proposed self storage, in particular, would not be appropriate in the two overlay districts that envelope this site. Denial of this petition was recommended.

For Metropolitan Development Commission Hearing on November 6, 2024

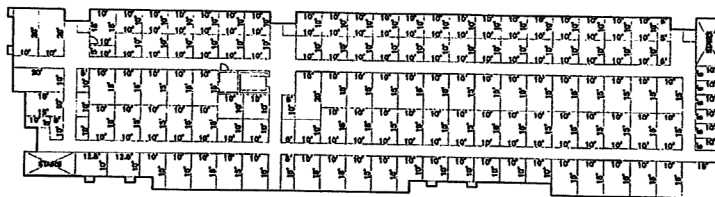




DATE 07.10.2024 NPES Job # 24-0087	
PROJECT NAME 2852 County Line Road PERRY TOWNSHIP, MARION COUNTY, INDIANA	
SHEET TITLE SITE PLAN	
PREPARED FOR Aditi Real Estate 63, LLC 315 US 31 South Greenwood, Indiana 46142	
ENGINEERING & SURVEYING NORTHPOINTE ENGINEERING & SURVEYING, Inc.	
REGISTERED LAND SURVEYING ENGINEERING & INSPECTION William L. Taylor Professional Engineer License No. 12000 William L. Taylor Professional Surveyor License No. 12000 4133 South Oak Street, Suite 300 Indianapolis, Indiana 46217-2417 Phone: 317-546-1200 Fax: 317-546-1201 Email: info@northpointe.com	
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CLIMATE CONTROLLED STORAGE
TWO-STORY
FIRST FLOOR | 19748 S.F.



CLIMATE CONTROLLED STORAGE
TWO-STORY
SECOND FLOOR | 19748 S.F.



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



View looking west along west County Line Road



View looking east along east County Line Road



View of site looking northeast across East County Line Road



View of site looking northeast across East County Line Road



View of site looking northeast across East County Line Road