

STAFF REPORT (ADDENDUM AUGUST 11, 2023)

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-CZN-814 / 2023-CVR-814
Address: 6419 West 86th Street, 6302, 6360 and 6424 West 79th Street
(Approximate Address)
Location: Pike Township, Council District #1
Petitioner: Cornerstone Companies, Inc. and GCG Investments, LLC, by J. Murray Clark
Requests: Rezoning of 200 acres from the D-A, D-1 and D-2 districts to the C-S classification to provide for a mixed-use development consisting of C-3 permitted uses, limited C-4 permitted uses, Artisan Manufacturing, Light Manufacturing, Research and Development uses, Live-Work units, multi-family dwellings and single-family attached dwellings, two-family dwellings and Triplex or Fourplex uses.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 90-foot tall buildings on the eastern portion of the development (maximum 45-foot tall buildings permitted).

UPDATED ADDENDUM FOR AUGUST 16, 2023, METROPOLITAN DEVELOPMENT COMMISSION

After the staff report was published on August 10, 2023, amended documents were submitted by the petitioner's representative, including an updated C-S Statement (updated conceptual site plan included) and commitments.

C-S Statement amendments include:

- Commercial / Retail acreage increase from 10.2 to 11.8 acres.
- Medical Healthcare (Outpatient) acreage increase from 28.1 to 29.8 acres and an increase in square footage from 200,000 to 250,000 square feet.
- Office / Life Science acreage decrease from 32.0 to 25.0 acres.
- Light Business acreage decrease from 30.0 to 25.0 acres and a decrease in square footage from 600,000 to 400,000 square feet.
- Mixed-Use / Multi-Family acreage reduced from 18.9 to 18.5 acres.
- Active Adult area has been eliminated, with the use included within the multi-family.

Site Plan amendments include:

- Minor reconfiguration of the areas with identified uses.
- Areas Three and Five identified with approximately 15.8 acres designated for Common Park Space and approximately 48.6 acres designated for preservation / buffer area, both of which include existing Forest Alliance woodlands and wetlands.

(Continued)

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Commitments include:

- A list of 28 prohibited uses permitted in the C-3 and C-4 districts.
- An additional list of seven prohibited uses.
- Amendments that include the four requested commitments from staff.
- An increase in the width of the area between the proposed internal street right-of-way and the western property line (southern half of property) from 70 feet to 100 feet, inclusive of tree preservation and drainage plans.
- A limitation on all building heights east of the internal road to no more than four stories, with the permitted height of 45 feet on the area west of the internal road (primarily northern portion of the site).

Staff continues to **recommend approval** of the rezoning and variance requests, subject to the amended documents. The variance request, however, will need to be amended to reduce the 90-foot-tall buildings to no more than four stories east of the proposed internal street. This can be addressed at the hearing.

ADDENDUM FOR AUGUST 16, 2023, METROPOLITAN DEVELOPMENT COMMISSION

These petitions were heard by the Hearing Examiner on July 27, 2023. After a full hearing, the Hearing Examiner recommended approval of the rezoning and the variance requests. Subsequently, the remonstrator filed an appeal of the Hearing Examiner's decision. A memorandum of her recommendation is attached.

July 27, 2023

The Hearing Examiner continued these petitions from the April 13, 2023 hearing, to the May 11, 2023 hearing, to the May 25, 2023 hearing, and to the June 29, 2023 hearing, at the request of staff to provide additional time for the requested Traffic Impact Study (TIS) to be conducted and submitted for review, amendments and finalized.

The Hearing Examiner acknowledged a timely automatic continuance that continued this petition from the June 29, 2023 hearing, to the July 27, 2023 hearing.

RECOMMENDATIONS

Staff **recommends approval** of the rezoning and variance requests, subject to the following commitment being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

1. 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.

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2. A technical assessment shall be conducted prior to the issuance of an Improvement Location Permit to provide for a wetlands delineation to determine the type and quality and how the area could be preserved and integrated into the development as an amenity.
3. All site plans, landscaping plans, and building elevations shall be submitted for Administrator's Approval prior to the issuance of an Improvement Location Permit
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.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

- ◇ This 200-acre site, zoned D-A, D-1, and D-2 is comprised of 12 undeveloped parcels, except for an accessory structure located on the southern portion of the site. It is surrounded by Interstate-465, to the east, zoned D-A, D-1 and D-2; single-family dwellings to the west, zoned D-1; single-family dwellings to the north, across West 86th Street, zoned D-4 and D-6II; and religious uses to the south, across West 79th Street, zoned SU-1.

REZONING

- ◇ This request would rezone the site from the D-A, D-1 and D-2 Districts to the C-S classification to provide for mixed-use. "The C-S District is designed to permit, within a single zoning district, multi-use commercial complexes or land use combinations of commercial and noncommercial uses, or single-use commercial projects. The primary objective of this district is to encourage development which achieves a high degree of excellence in planning, design or function, and can be intermixed, grouped or otherwise uniquely located with maximum cohesiveness and compatibility. The district provides flexibility and procedural economy by permitting the broadest range of land use choices within a single district, while maintaining adequate land use controls. The C-S District can include high-rise or low-rise developments, can be applied to large or small land areas appropriately located throughout the metropolitan area, and can be useful in areas of urban renewal or redevelopment."
- ◇ The Comprehensive Plan recommends rural or estate neighborhood typology. "The Rural or Estate Neighborhood typology applies to both rural or agricultural areas and historic, urban areas with estate-style homes on large lots. In both forms, this typology prioritizes the exceptional natural features – such as rolling hills, high quality woodlands, and wetlands – that make these areas unique. Development in this typology should work with the existing topography as much as possible. Typically, this typology has a residential density of less than one dwelling unit per acre unless housing is clustered to preserve open space."
- ◇ The Pattern Book lays out a land use classification system that guides the orderly development of the county, protects the character of neighborhoods and serves as a policy guide for development or redevelopment of a site.

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- ◇ Recommended land uses for this typology include detached housing, working farms, group homes, bed / breakfast and wind or solar farms.

Overlays

- ◇ This site is located within an overlay, specifically the Environmentally Sensitive overlay (ES). "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.
- ◇ Forest Alliance Woodlands, which are high quality woodlands, are located throughout the site, along with wetland areas.

Tree Preservation / Heritage Tree Conservation

- ◇ There are significant amounts of natural vegetation and trees located throughout the site. Due to their inherent ecological, aesthetic, and buffering qualities, the maximum number of these existing trees should be preserved on the site.
- ◇ All development shall be in a manner that causes the least amount of disruption to the trees.
- ◇ A tree inventory, tree assessment and preservation plan prepared by a certified arborist shall be submitted for Administrator Approval prior to preliminary plat approval and prior to any site preparation activity or disturbance of the site. This plan shall, at a minimum: a) indicate proposed development, b) delineate the location of the existing trees, c) characterize the size and species of such trees, d) indicate the wooded areas to be saved by shading or some other means of indicating tree areas to be preserved and e) identify the method of preservation (e.g. provision of snow fencing or staked straw bales at the individual tree's dripline during construction activity). All trees proposed for removal shall be indicated as such.
- ◇ If any of the trees are heritage trees that would be impacted, then the Ordinance requires that the Administrator, Urban Forester or Director of Public Works determine whether the tree(s) would be preserved or removed and replaced.

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- ◇ The Ordinance defines “heritage tree” as a tree over 18 inches Diameter at Breast Height (DBH) and one of the Heritage tree species. Heritage tree species include: Sugar Maple (*Acer saccharum*), Shagbark Hickory (*Carya ovata*), Hackberry (*Celtis occidentalis*), Yellowwood (*Cladrastus kentukea*), American Beech (*Fagus grandifolia*), Kentucky Coffeetree (*Gymnocladus dioica*), Walnut or Butternut (*Juglans*), Tulip Poplar (*Liriodendron tulipifera*), Sweet Gum (*Liquidambar styraciflua*), Black Gum (*Nyssa sylvatica*), American Sycamore (*Platanus occidentalis*), Eastern Cottonwood (*Populus deltoides*), American Elm (*Ulmus americana*), Red Elm (*Ulmus rubra*) and any oak species (*Quercus*, all spp.)
- ◇ The Ordinance also provides for replacement of heritage trees if a heritage tree is removed or dies within three years of the Improvement Location issuance date. See Exhibit A, Table 744-503-3: Replacement Trees.

Wetland Preservation

- ◇ The aerial indicates two wetland areas located within the wooded areas.
- ◇ The Environmental Protection Agency defines wetlands “as areas where water covers the soil or is present either at or near the surface of the soil all year or for varying periods of time during the year, including during the growing season. Water saturation (hydrology) largely determines how the soil develops and the types of plant and animal communities living in and on the soil. Wetlands may support both aquatic and terrestrial species. The prolonged presence of water creates conditions that favor the growth of specially adapted plants (hydrophytes) and promote the development of characteristic wetland (hydric) soils.”
- ◇ The State of Indiana defines wetlands as “areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include: (1) swamps; (2) marshes; (3) bogs; and (4) similar areas.”
- ◇ Staff believes that a technical assessment that would include a wetlands delineation would determine the type and quality of the wetland based on the presence or absence of wetlands characteristics, as determined with the *Wetlands Delineation Manual, Technical Report Y-81-1* of the United States Army Corps of Engineers.

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.

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◇ 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.

Conceptual Site Plan (See Exhibit B)

- ◇ The conceptual plan, file-dated March 13, 2023, provides for access drives along West 86th Street and West 79th Street, with a proposed dedicated public street bisecting the northern portion of the site and running along the western boundary of the southern portion of the site.
- ◇ The northern portion of the site would have mixed-use consisting of commercial uses fronting on West 86th Street, with a hotel and medical healthcare uses on the eastern portion of the site fronting on Interstate 465 and east of the proposed public street. Residential development would be located within the northern portion of the site and west of the proposed public street.
- ◇ The eastern and southern portion of the site would provide for commercial uses and life science uses along Interstate 465.

C-S Statement (See Exhibit C)

- ◇ The C-S Statement, file-dated March 9, 2023, provides details and features of the development, including permitted uses and accessory / temporary uses throughout the development.
- ◇ The C-S Statement also provides an approximate square footage of the proposed uses.

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Traffic Impact Study (TIS)

- ◇ A draft copy of the TIS, dated April 5, 2023, was submitted for review and comments. A final TIS, dated June 9, 2023, was submitted that responded to comments from the Department of Public Works and the State of Indiana, Department of Transportation (INDOT).
- ◇ See Exhibit D for the Executive summary including findings and recommendations

VARIANCE OF DEVELOPMENT STANDARDS

- ◇ This request would provide for 90-foot-tall buildings on the eastern portion of the development when the Ordinance limits buildings to a maximum of 45 feet.
- ◇ Staff believes that the 90-foot-tall buildings should be limited to those buildings in proximity of the interstate and that any building in proximity of the residential development to the west should be sensitive and step down (even from the permitted 45-foot height) when located near existing residential uses to the west.

Planning Analysis

- ◇ The request would not be consistent with the Comprehensive Plan recommendation of rural or estate neighborhood typology. However, it should be noted that the land use boundaries “recommended” in the Comprehensive Plan are intended to be flexible (rather than along parcel lines) to allow for development that responds to changes in the community’s daily life and their current needs.
- ◇ Staff would also note that development through the years along this western corridor of Interstate 465 has resulted mixed-use on both the eastern and western sides of the interstate. Both north and south of this site, development on either side of the interstate corridor includes commercial, industrial and residential uses, similar to what is proposed with this request. The conceptual site plan provided would be consistent with this type of development adjacent to the interstate and transition into established neighborhoods.
- ◇ As with any C-S zoned district, Administrator Approval will be required for any development within this district, including, site plans, landscaping plans, building elevations, and lighting plans.
- ◇ For these reasons, staff is recommending approval of the rezoning and variance requests with recommended commitments particularly relating to honoring the environmental overlay.

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GENERAL INFORMATION

EXISTING ZONING AND LAND USE

D-A / D-1 / Undeveloped / accessory building

SURROUNDING ZONING AND LAND USE

North -	D-4 / D-6II	Single-family dwellings
South -	SU-1	Religious Uses
East -	D-A / D-1 / D-2	Interstate 465 right-of-way
West -	D-1	Single-family dwellings

COMPREHENSIVE PLAN

The Comprehensive Land Use Plan for Indianapolis and Marion County (2018) recommends rural or estate neighborhood typology.

Marion County Land Use Pattern Book (2019).

THOROUGHFARE PLAN

This portion of West 86th Street is designated in the Marion County Thoroughfare Plan as a primary arterial, with an existing 160-foot right-of-way and under the jurisdiction of Indiana State Department of Transportation (INDOT)

This portion of West 79th Street is designated in the Marion County Thoroughfare Plan as a primary arterial, with a variable existing 80-178-foot right-of-way and a proposed 90-foot right-of-way.

CONTEXT AREA

This site is located within the metro context area.

OVERLAY

This site is located within an environmentally sensitive overlay

SITE PLAN

File-dated March 13, 2023

C-S STATEMENT

File-dated March 13, 2023

TRAFFIC IMPACT STUDY (TIS) File-dated June 9, 2023

ZONING HISTORY

2020-ZON-005; 7802 Marsh Road (south of site), requested rezoning of 15.052 acres from the D-1 district to the D-A district, **pending**.

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99-UV1-133; 6424 West 79th Street, requested a variance of use and development standards of the Dwelling Districts Zoning Ordinance to legally establish a historic vehicle museum, having eight detached accessory use structure, creating 21,112 square fee of detached accessory structure or 706% of the main floor area of the primary residence, with total accessory uses being 21,112 square feet, or 204% of the size of the total floor area of the primary resident, **granted**.

97-Z-149 / 97-CV-12; 6302 West 79th Street, requested rezoning of 14.438 acres, being in the D-A district, to the I-1-S classification to provide for restricted industrial suburban uses, and a variance of development standards of the Sign Regulation to provide for the placement of two advertising sign being within 1,500 feet of the intersection of the main travelled way of a freeway and an exit roadway resulting in three sign with one-mile distance and with sign dimension of 14 fee by 48 square feet, **withdrawn**

VICINITY

2017-UV2-001; 7802 Marsh Road (south of site), requested a variance of use to provide for a farmer's market and the temporary use of a mobile construction trailer, **approved**.

97-CP-32Z / 97-CP-32V; 7802 Marsh Road (south of site), requested the rezoning of 49.73 acres from the D-1 (GSB) district to the SU-1 classification, and a variance of use to provide for accessory uses prior to the construction of the primary use, **denied**.

91-Z-81; 6250 West 79th Street (east of site), requested rezoning of 14.324 acres, being in the D-A district, to the SI-7 classification to provide for the construction of an office building for the Lions of Indiana, **withdrawn**.

75-Z-73; 6400 to 7250 West 79th Street (south of site), requested the rezoning of 349 acres from the PK-1 and A-2 districts to the D-1 classification, **approved**.

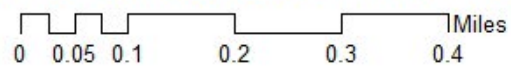
2001-ZON-088, 7853 Marsh Road (south of site), requested the rezoning of 12.5 acres from the D-A district to the SU-1 classification, **approved**.

89-Z-169; 7523 Marsh Road (south of site), requested the rezoning of 81.5 acres from the A-2 district to the D-P classification, **approved**.

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6419 West 86th Street; 6302, 6360 and 6424 West 79th Street



MEMORANDUM OF EXAMINER'S DECISION

2023-CZN/CVR-814

6419 W. 86th St., 6302-6424 W. 79th St.

The petitions request the rezoning of 200 acres from the D-A, D-1, and D-2 districts to the C-S district to allow for a mixed use and life science campus development, with a variance of development standards to permit 90 foot tall buildings on the eastern portion of the development (maximum 45 foot tall buildings permitted).

Your Hearing Examiner visited the site prior to the hearing and noted I-465 abutting the site to the east, with single family residences west of the site. A religious use is south of 79th Street, and a mix of single family and multi family uses are north of 86th Street. It was also noted that many of the residential developments in the area had once been used for agriculture and/or estate residences.

The petitioner's representative explained that the high caliber mixed use development would take about 20 years to develop. The detailed development statement, extensive commitments, and the site plan were shared. The petitioner met with neighborhood groups on numerous occasions. A letter of support was received from a long time resident.

About 200 remonstrators attended the hearing, and multiple letters and petitions of opposition were received. About six remonstrators spoke. Concerns included nonconformance with the Comp Plan, infrastructure impact, drainage, impact on environmentally sensitive areas, traffic, building height, limited concessions from the petitioner, and fear of the unknown.

Staff stated that the Comp Plan is intended to be a recommendation that is flexible, and it is unlikely rural/estate development will occur on this site. Staff also pointed out that mixed uses line both sides of I-465, and that the proposed site plan and C-S development statement limit more intense uses and taller buildings to the portion of the site adjacent to I-465. Staff reiterated that the requested C-S district requires administrator's approval of all plans.

In your Hearing Examiner's opinion, the comprehensive approach to developing these 200 acres will allow preservation of environmentally sensitive areas. The detailed development statement and numerous commitments provide an excellent framework for this campus. Approval of these petitions was recommended.

For Metropolitan Development Commission Hearing on August 16, 2023

C-S STATEMENT / SITE PLAN (AMENDED 8/11/2023)

DETAILED DESCRIPTION OF REQUEST C-S DEVELOPMENT PLAN STATEMENT

The Crossing at Traders Point
Cornerstone Companies, Inc. and GCG Investments, LLC
6419 W. 86th Street, et al.

Filed March 9, 2023
Amended July 12, 2023
Second Amendment August 10, 2023

Request

Cornerstone Companies, Inc. and GCG Investments, LLC respectfully submit their request to rezone approximately 200 +/- acres of real estate located at the southwest quadrant of W. 86th Street and I-465 in Indianapolis, Indiana from the D-A, D-1, and D-2 zoning classifications to the C-S zoning district for a mixed-use and life science campus development to be known as The Crossing at Traders Point ("The Crossing"). The legal description of said real estate is set forth in **Exhibit A** attached hereto and incorporated herein (the "Real Estate").

Vision Statement and Community Benefits

This is an introduction to a new high-end real estate park development where modern new infrastructure meets green spaces and sophisticated design. This unique project will cover approximately 200 +/- acres of land, combining commercial, hotel, retail, and housing spaces in one extraordinary location. The Crossing will open up the unrealized potential of a valuable real property previously bypassed from consideration by highly desired users due to the lack of access and infrastructure. The development will provide a live/work/play element to an area of Marion County that is currently in demand for commercial, hotel, retail and housing uses. The direct access and visibility from I-465 coupled with its exceptional location and easy ingress/egress capabilities will attract quality investment and users to the site. The Crossing development team (the "Development Team") has worked closely with the Department of Metropolitan Development (the "DMD") to ensure a quality development that will provide new location opportunities not currently available on the northwest side of Marion County. The design is also sensitive to existing residential areas with buffering and ample common areas, park space, and trails throughout the development that provide workers, residents, and visitors with ideal space to relax and unwind with nature.

The concept character of The Crossing will feature:

- High-end retail and restaurant uses that will bring desirable brands and amenities to the site;
- State-of-the-art specialty healthcare facilities, both inpatient and outpatient, to serve the greater community;
- New commercial, research and development, and life science uses that are on the cutting edge of their respective industries;
- A unique hotel brand(s) that will provide an experience and accommodations that are not currently found in the northwest corridor of Marion County;

- Quality housing that will attract local talent who desire to live near attractive amenities as well as the growing job opportunities within The Crossing and within this corner of the Indianapolis metropolitan area;
- Substantial greenspace and trails for the park and local community;
- New and updated road infrastructure required for the park and benefiting the current traffic patterns; and
- Substantial new investments, jobs and tax revenue for this large parcel previously used as an old military equipment depository, much of which has been dormant for many years. Total construction investment alone is estimated to exceed \$700 million with real estate taxes well in excess of \$4 million per year.

The Site / Background

The Real Estate is currently undeveloped and consists of approximately 200 acres zoned D-A, D-1, and D-2, as shown in **Exhibit B** (the “Current Zoning”). To the north of the Real Estate, across W. 86th Street, and to the west of the Real Estate are residential neighborhoods. I-465 and the Park 100 industrial commercial center are to the east of the Real Estate, and a church is located south of the Real Estate, across W. 79th Street. Additionally, the INTECH technology park, one of the largest office parks in the region, also abuts I-465 on the west side thereof and is located approximately a mile south of the Real Estate. INTECH Park contains well over one million square feet of office, research and development, and technology space, and like The Crossing sits on approximately 200 +/- acres. The Development Team has been working on this project for over a year and a half. The investigation, study and analysis of the project has involved many meetings with appropriate agencies and public officials. This has included meetings with various city administration officials, the DMD, the Indiana Economic Development Corporation, and the Indiana Department of Transportation (“INDOT”) to name a few. American Structurepoint, Inc. has been retained to provide and review a variety of planning options, engineering details, and requirements.

Development: Overview

The Crossing is proposed to contain commercial/retail, hotel, medical/healthcare (inpatient and outpatient), office/life science, light business, and mixed-use/multi-family residential, as generally shown in **Exhibit C** (the “Conceptual Site Plan”). The Crossing will have approximately 15.8 +/- acres of common park space and approximately 48.6 +/- acres of preservation area. Additionally, approximately 10.0 +/- acres of new public infrastructure would be constructed connecting W. 79th Street and W. 86th Street.

The approximate breakdown of The Crossing (subject to change) is as follows:

<u>Use Block</u>	<u>Acreage</u>	<u>SF / Units</u>
Commercial / Retail	11.8	200,000 sf
Hotel	5.4	100,000 sf / 125 rooms
Medical / Healthcare (Inpatient)	7.0	70,000 sf
Medical / Healthcare (Outpatient)	29.8	250,000 sf
Office / Life Science	25.5	400,000 sf
Light Business	25.0	400,000 sf
Mixed-Use / Multi-Family	18.5	350,000 sf / 350 units

Development: Connectivity and Plan of Operation

Construction of The Crossing is expected to begin in the third quarter of 2024. The new collector street that extends Marsh Road from W. 79th Street to W. 86th Street will be constructed immediately with the first phase of the project. The Development Team has been working with INDOT on the design of this public infrastructure, and a detailed traffic study is currently underway with a scope of work as agreed upon by INDOT officials. The final infrastructure design and improvements will include new interchanges at W. 79th Street and W. 86th Street with adjacent pathways, improved local traffic flow, increased connectivity, and stormwater management and water and sewer extensions. Initial project development will begin primarily on the north portion of the Real Estate, and the projected timeline for the entire development is five to eight years. Upon completion of the first phase of the development, an owner's association will be established to fund and provide professional management of the common and park areas.

Development: Permitted Uses

This C-S zoning district is designed in a fashion that permits and facilitates development of The Crossing. The zoning district's Permitted Uses offers the flexibility needed for this state-of-the-art mixed-use and life science campus. The following uses are permitted uses for the Real Estate in the proposed C-S rezoning, as generally shown on the Conceptual Site Plan:

Primary Uses by Area:

Area 1 - Any Use permitted in the Neighborhood Commercial District (C-3), besides those listed as prohibited in the associated statement of commitments; Hotel; Electric Vehicle Charging Station; Multifamily Dwellings (five or more units); Live/Work Units; Single-Family Attached Dwellings (a/k/a Townhouses or Rowhouses)

Area 2 - Any Use permitted in the Neighborhood Commercial District (C-3), besides those listed as prohibited in the associated statement of commitments; Hospital; Medical or Dental Offices, Centers, or Clinics; Medical or Dental Laboratories; Hotel; Multifamily Dwellings (five or more units); Live/Work Units; Single-Family Attached Dwellings (a/k/a Townhouses or Rowhouses)

Area 3 - Any Use permitted in the Neighborhood Commercial District (C-3), including Office: Business, Professional or Government, besides those listed as prohibited in the associated statement of commitments; Any Use in the Research and Development Land Use Category section; Artisan Manufacturing; Manufacturing, Light; Hotel; Multifamily Dwellings (five or more units); Live/Work Units; Single-Family Attached Dwellings (a/k/a Townhouses or Rowhouses)

Area 4 - Single-Family Attached Dwellings (a/k/a Townhouses or Rowhouses); Multifamily Dwellings (five or more units); Two-Family Dwelling; Triplex or Fourplex; Any Use permitted in the Neighborhood Commercial District (C-3), besides those listed as prohibited in the associated statement of commitments

Area 5 - preservation area, natural common area / buffer

Area 6 - common park space and associated uses, including park benches, picnic tables, trails, etc. Extent of location subject to final drainage design and other site development considerations.

Area 7 - public infrastructure and associated uses

Accessory and Temporary Uses by Area:

Any Accessory and Temporary Uses permitted in the Neighborhood Commercial District (C-3), besides those listed as prohibited in the associated statement of commitments, shall be permitted in *Area 1*, *Area 2*, *Area 3*, and *Area 4*.

Any Accessory and Temporary Uses permitted in Dwelling Districts, besides those listed as prohibited in the associated statement of commitments, shall be permitted in *Area 1*, *Area 2*, *Area 3* and *Area 4*.

Electric Vehicle Charging Stations shall be permitted as Accessory Uses in *Area 1* thru *Area 4*.

Site Development

The Crossing is intended to be developed according to the following subsections.

Conceptual Site Plan Masterplan: The Conceptual Site Plan shall serve as the Preliminary Plan of this C-S Development Plan. The intent of this Preliminary Plan is to demonstrate conceptually how The Crossing is anticipated to be developed.

Streets and Connectivity: Generally, Streets and Connectivity shall be provided in accordance with Sec. 741-303 of the Indianapolis-Marion County Consolidated Zoning and Subdivision Ordinance (the "Ordinance"). Access to the site will primarily be from W. 86th Street, with secondary access from W. 79th Street. (See earlier sections for more details.)

Easements and Utilities: Generally, Easements and Utilities shall be provided in accordance with Sec. 741-307 and Sec. 741-308 of the Ordinance.

Development Standards General Requirements: Generally, Development Standards Requirements shall be provided in accordance with Sec. 744-100 of the Ordinance.

Lot and Building Dimensions: Generally, Lot and Building Dimensions shall be provided in accordance with Sec. 744-200 of the Ordinance, with the exception of a maximum buildings and structures height variance filed as a companion petition hereto.

Access and Connectivity: Generally, Access and Connectivity shall be provided in accordance with Sec. 744-300 of the Ordinance.

Parking and Loading: Generally, Parking and Loading shall be provided in accordance with Sec. 744-400 of the Ordinance.

Landscaping and Screening: Generally, Landscaping and Screening shall be provided in accordance with Sec. 744-500 of the Ordinance.

Street and Exterior Lighting: Generally, Street and Exterior Lighting shall be provided in accordance with Sec. 744-600 of the Ordinance.

Design Standards: Generally, Designs Standards shall be provided in accordance with Sec. 744-700 of the Ordinance.

Underground Utilities: Generally, Underground Utilities shall be provided in accordance with Sec. 744-800 of the Ordinance.

Sign Regulations: Generally, Signs shall be provided in accordance with Sec. 744-900 of the Ordinance.

Future Plan Approvals

A Preliminary Plan has been prepared and submitted as part of this rezoning. Final site and development plans may be submitted in total or in phases. Such final site and development plans shall be approved by the Administrator of Current Planning at DMD upon the Administrator's findings that the final site and development plans are consistent and in substantial conformity with the Preliminary Plan as approved by the Metropolitan Development Commission.

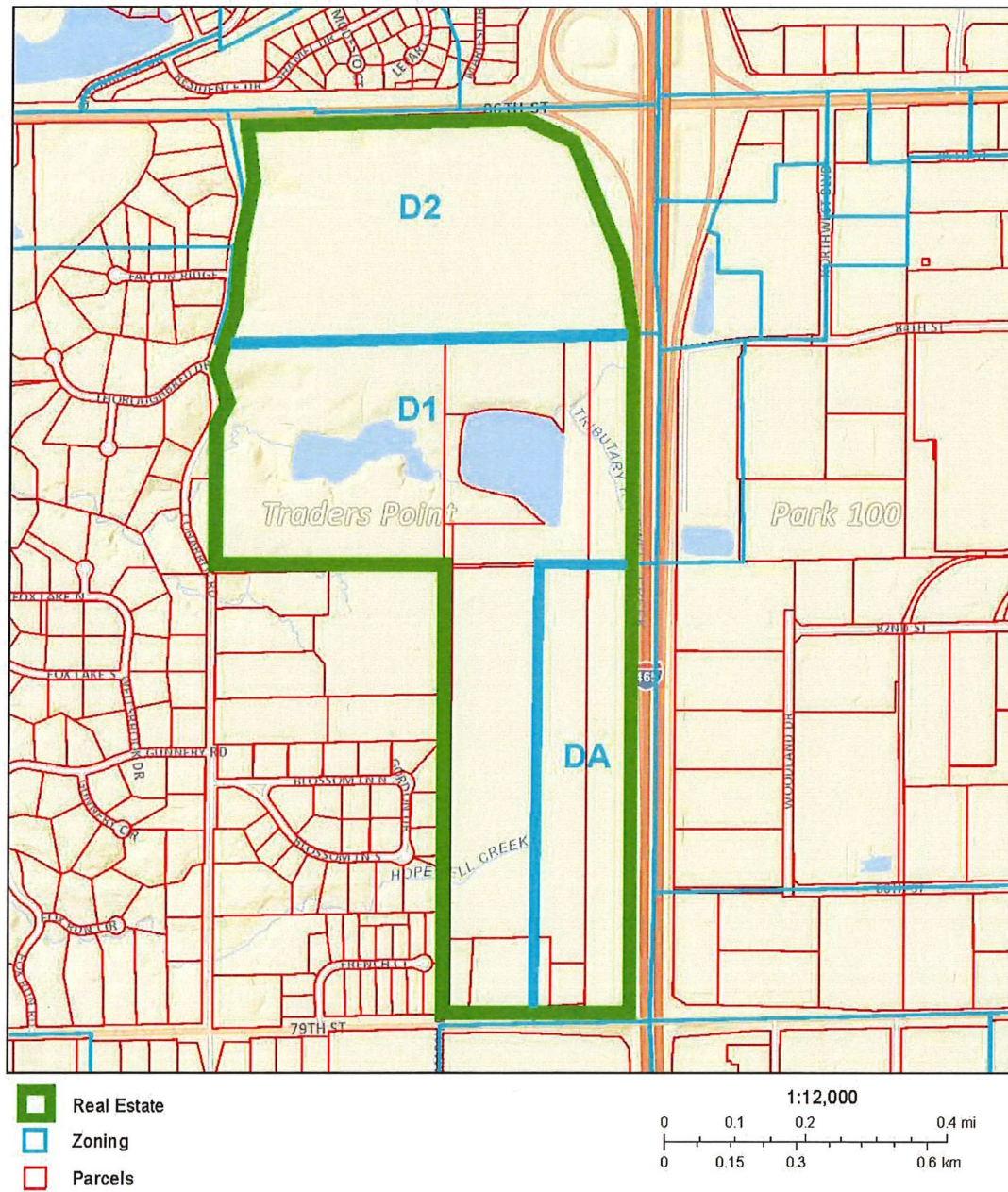
Exhibit A
Real Estate Legal Description

Part of the Southwest and Northwest Quarters of Section 23, Township 17 North, Range 2 East of the Second Principal Meridian, Marion County, Indiana, more particularly described as follows:

Commencing at the southeast corner of said Southwest Quarter; thence South 88 degrees 50 minutes 14 seconds West 1,325.22 feet along the south line of said Southwest Quarter to the southwest corner of the East Half of said Southwest Quarter; thence North 00 degrees 12 minutes 40 seconds East 35.01 feet along the west line of said East Half to the north right-of-way line of 79th Street as defined in Instrument Number 67-33585 in the Office of the Recorder of Marion County, Indiana, which is the POINT OF BEGINNING; thence continue North 00 degrees 12 minutes 40 seconds East 2,595.01 feet along said west line to the southeast corner of the Southwest Quarter of said Northwest Quarter; thence South 88 degrees 46 minutes 13 seconds West 1,323.38 feet along the south line of the Southwest Quarter of said Northwest Quarter to the southwest corner of said Northwest Quarter; thence North 00 degrees 07 minutes 20 seconds East 1,264.98 feet along the west line of said Northwest Quarter to a point on the east line of Thoroughbred Estates, per plat thereof, recorded as Instrument Number 84-68303 in the Office of said Recorder, the following four (4) courses are along said east line; 1)thence Northerly 18.05 feet along a non-tangent curve to the right having a radius of 325.00 feet and subtended by a long chord having a bearing of North 15 degrees 16 minutes 33 seconds East and a length of 18.05 feet; 2)thence North 16 degrees 53 minutes 13 seconds East 34.56 feet; 3)thence North 16 degrees 52 minutes 01 second East 78.07 feet; 4)thence South 73 degrees 52 minutes 01 second West 0.15 feet to the Southeast corner of Falcon Ridge, per plat thereof, recorded as Instrument Number 1979-39199 in the Office of said Recorder, the following nine (9) courses are along the east line thereof; 1)thence North 17 degrees 00 minutes 01 second East 114.18 feet; 2)thence North 09 degrees 24 minutes 01 second East 100.00 feet; 3)thence North 04 degrees 41 minutes 01 second East 234.00 feet; 4)thence North 08 degrees 39 minutes 01 second East 101.00 feet; 5)thence North 12 degrees 23 minutes 01 second East 100.00 feet; 6)thence North 07 degrees 49 minutes 01 second East 100.00 feet; 7)thence North 03 degrees 16 minutes 42 seconds West 57.00 feet; 8)thence North 11 degrees 59 minutes 18 seconds West 98.28 feet; 9)thence North 11 degrees 49 minutes 30 seconds West 315.41 feet; thence North 87 degrees 20 minutes 12 seconds East 160.42 feet so the south right-of-way line of 86th Street per Indiana Highway Commission Right-of-Way Plan, Project No. F-619(21), the following four (4) calls are along said south right-of-way line; 1)thence continue North 87 degrees 20 minutes 12 seconds East 325.10 feet; 2)thence South 88 degrees 57 minutes 45 seconds East 200.16 feet; 3)thence North 86 degrees 35 minutes 57 seconds East 400.28 feet; 4)thence North 88 degrees 44 minutes 49 seconds East 400.00 feet to the western right-of-way line of I-465 and the northwesterly corner of the State of Indiana parcel described in Instrument No. 68-5935 on file in the Office of said Recorder, the following fifteen (15) courses are along the westerly right-of-way line of I-465 and the north right-of-way line of 79th Street as described in said Instrument Number 68-5935 and Instrument Numbers 1993-0191717, 67-33585 and 66-62379, on file in the Office of said Recorder; 1)thence South 79 degrees 56 minutes 35 seconds East 101.98 feet; 2)thence North 88 degrees 44 minutes 49 seconds East 105.00 feet; 3)thence South 68 degrees 42 minutes 35 seconds East 286.92 feet; 4)thence South 26 degrees 37 minutes 04 seconds East 267.41 feet; 5)thence South 19 degrees 04 minutes 10 seconds East 588.91 feet; 6)thence South 07 degrees 56 minutes 16 seconds East 360.62 feet to the south line of the Northeast

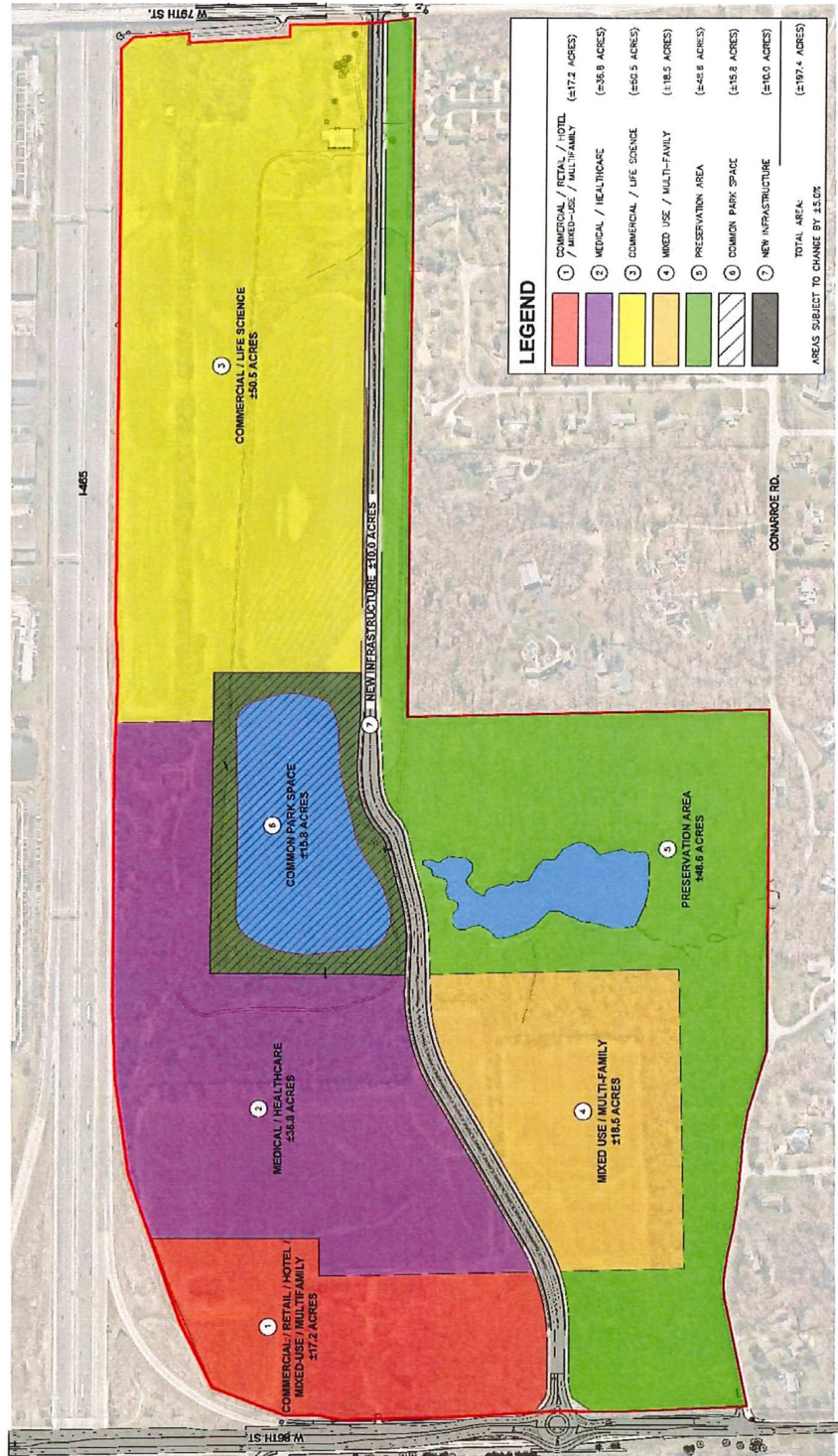
Quarter of said Northwest Quarter; 7)thence South 01 degree 44 minutes 51 seconds East 300.64 feet; 8)thence South 00 degrees 10 minutes 36 seconds West 900.00 feet; 9)thence South 02 degrees 05 minutes 09 seconds West 116.76 feet; 10)thence South 02 degrees 08 minutes 44 seconds West 177.33 feet; 11)thence South 02 degrees 37 minutes 34 seconds East 200.25 feet; 12)thence South 00 degrees 14 minutes 11 seconds West 1,690.15 feet; 13)thence Southerly 436.83 feet along a non-tangent curve to the left having a radius of 28,777.89 feet and subtended by a long chord having a bearing of South 00 degrees 13 minutes 07 seconds East and a length of 436.83 feet; 14)thence South 46 degrees 34 minutes 35 seconds West 62.10 feet; 15)thence South 86 degrees 00 minutes 50 seconds West 203.02 feet to the east line of the parcel conveyed to West 79th Street Associates in Instrument Number 2004-0163796, on file in the Office of said Recorder; thence North 00 degrees 10 minutes 12 seconds East 34.95 feet along said east line to the north right-of-way line of 79th Street described in Cause No. S466 1082 on file in the Office of said Recorder, the following five (5) courses are along the north right-of-way line of 79th Street as defined in said Instrument Number 67-33585; 1)thence South 86 degrees 34 minutes 02 seconds West 198.79 feet; 2)thence South 86 degrees 30 minutes 26 seconds West 173.88 feet; 3)thence South 01 degree 09 minutes 46 seconds East 45.00 feet; 4)thence South 88 degrees 50 minutes 14 seconds West 291.00 feet; 5)thence South 83 degrees 41 minutes 43 seconds West 167.42 feet to the POINT OF BEGINNING. Containing 197.368 acres, more or less.

Exhibit B
Current Zoning



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Exhibit C



0 150"
SCALE: 1"=150'
August 9, 2023

Site Exhibit
86th Street & I-465
Masterplan
Indianapolis, IN



APR 23 12:46
STRUCTUREPOINT
H.C.
2022 00410

PROPOSED COMMITMENTS (AMENDED 8/11/2023)

STATEMENT OF COMMITMENTS

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

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

Legal Description:

See Attachment "B" Legal Description.

Statement of COMMITMENTS:

1. The owner agrees to abide by the Open Occupancy and Equal Employment Opportunity Commitments required by Metropolitan Development Commission Resolution No. 85-R-69, 1985, which commitments are attached hereto and incorporated herein by reference as Attachment "A".
2. See Attachment "C" Vision Statement and Commitments.
3. _____
4. _____
5. _____

These COMMITMENTS shall be binding on the owner, subsequent owners of the real estate and other persons acquiring an interest therein; provided that Commitment #1 (Open Occupancy and Equal Opportunity Commitments) shall not be binding on an owner, subsequent owners or other person acquiring an interest therein if such persons are exempt persons or are engaged in an exempt activity as defined on

Attachment "A" which is attached hereto and incorporated herein by reference. These COMMITMENTS may be modified or terminated by a decision of the Metropolitan Development Commission made at a public hearing after proper notice has been given.

COMMITMENTS contained in this instrument shall be effective upon:

- (a) the adoption of rezoning petition # 2023-CZN-814 by the City-County Council changing the zoning classification of the real estate from a D-A, D-1 and D-2 zoning classification to a C-S zoning classification; or
- (b) the adoption of approval petition # _____ by the Metropolitan Development Commission;

and shall continue in effect for as long as the above-described parcel of real estate remains zoned to the C-S zoning classification or until such other time as may be specified herein.

These COMMITMENTS may be enforced jointly or severally by:

1. The Metropolitan Development Commission;
2. Owners of all parcels of ground adjoining the real estate to a depth of two (2) ownerships, but not exceeding six-hundred-sixty (660) feet from the perimeter of the real estate, and all owners of real estate within the area included in the petition who were not petitioners for the rezoning or approval. Owners of real estate entirely located outside Marion County are not included, however. The identity of owners shall be determined from the records in the offices of the various Township Assessors of Marion County which list the current owners of record. (This paragraph defines the category of persons entitled to receive personal notice of the rezoning or approval under the rules in force at the time the commitment was made);
3. Any person who is aggrieved by a violation of either of the Commitments contained in Commitment #1 (Open Occupancy and Equal Employment Opportunity Commitments); and
4. Pike Township Residents Association, Inc
5. Traders Point Association of Neighborhoods

The undersigned hereby authorizes the Division of Planning of the Department of Metropolitan Development to record this Commitment in the office of the Recorder of Marion County, Indiana, upon final approval of petition #2023-CZN-814.

IN WITNESS WHEREOF, owner has executed this instrument this _____ day of _____, 2023.

Signature: _____
Printed: Matthew G. DeLaruelle
Title / Authorized Representative /
Organization JRT II, LLC; JRT III, LLC; and
Name: West 79th Street Associates, LLC

Signature: _____
Printed: _____
Title / _____
Organization _____
Name: _____

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared Matthew G. DeLaruelle (Authorized Representative / JRT II, LLC; JRT III, LLC; and West 79th Street Associates, LLC) owner(s) (title / organization name) of the real estate who acknowledged the execution of the foregoing instrument and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this
_____ day of _____, 20 _____

Notary Public

Printed Name of Notary Public

My Commission expires: _____

My County of residence: _____

I affirm under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document unless required by law. – J. Murray Clark

This instrument was prepared by J. Murray Clark

ATTACHMENT "A"

OPEN OCCUPANCY AND EQUAL EMPLOYMENT OPPORTUNITY COMMITMENT

- (a.) The owner commits that he shall not discriminate against any person on the basis of race, religion, color, disability, sex, sexual orientation, gender identity, familial status, national origin, ancestry, age United States military service veteran status in the sale, rental, lease or sublease, including negotiations for the sale, rental, lease or sublease, of the real estate or any portion thereof, including, but not limited to:
 - (1) any building, structure, apartment, single room or suite of rooms or other portion of a building, occupied as or designed or intended for occupancy as living quarters by one or more families or a single individual;
 - (2) any building, structure or portion thereof, or any improved or unimproved land utilized or designed or intended for utilization, for business, commercial, industrial or agricultural purposes;
 - (3) any vacant or unimproved land offered for sale or lease for any purpose whatsoever.
- (b.) The owner commits that in the development, sale, rental or other disposition of the real estate or any portion thereof, neither he nor any person engaged by him to develop, sell, rent or otherwise dispose of the real estate, or portion thereof shall discriminate against any employee or applicant for employment, employed or to be employed in the development, sale, rental or other disposition of the real estate, or portion thereof with respect to hire, tenure, conditions or privileges of employment because of race, religion, color, disability, sex, sexual orientation, gender identity, familial status, national origin, ancestry, age United States military service veteran status.

EXEMPT PERSONS AND EXEMPT ACTIVITIES

An exempt person shall mean the following:

- 1. With respect to commitments (a) and (b) above:
 - (a) any not-for-profit corporation or association organized exclusively for fraternal or religious purposes;

- (b) any school, educational, charitable or religious institution owned or conducted by, or affiliated with, a church or religious institution;
- (c) any exclusively social club, corporation or association that is not organized for profit and is not in fact open to the general public;

provided that no such entity shall be exempt with respect to a housing facility owned and operated by it if such a housing facility is open to the general public;

2. With respect to commitment b, a person who employs fewer than six (6) employees within Marion County.

An exempt activity with respect only to commitment (a) shall mean the renting of rooms in a boarding house or rooming house or single-family residential unit; provided, however, the owner of the building unit actually maintains and occupies a unit or room in the building as his residence, and, at the time of the rental the owner intends to continue to so occupy the unit or room therein for an indefinite period subsequent to the rental.

ATTACHMENT "B"

LEGAL DESCRIPTION

Part of the Southwest and Northwest Quarters of Section 23, Township 17 North, Range 2 East of the Second Principal Meridian, Marion County, Indiana, more particularly described as follows:

Commencing at the southeast corner of said Southwest Quarter; thence South 88 degrees 50 minutes 14 seconds West 1,325.22 feet along the south line of said Southwest Quarter to the southwest corner of the East Half of said Southwest Quarter; thence North 00 degrees 12 minutes 40 seconds East 35.01 feet along the west line of said East Half to the north right-of-way line of 79th Street as defined in Instrument Number 67-33585 in the Office of the Recorder of Marion County, Indiana, which is the POINT OF BEGINNING; thence continue North 00 degrees 12 minutes 40 seconds East 2,595.01 feet along said west line to the southeast corner of the Southwest Quarter of said Northwest Quarter; thence South 88 degrees 46 minutes 13 seconds West 1,323.38 feet along the south line of the Southwest Quarter of said Northwest Quarter to the southwest corner of said Northwest Quarter; thence North 00 degrees 07 minutes 20 seconds East 1,264.98 feet along the west line of said Northwest Quarter to a point on the east line of Thoroughbred Estates, per plat thereof, recorded as Instrument Number 84-68303 in the Office of said Recorder, the following four (4) courses are along said east line; 1)thence Northerly 18.05 feet along a non-tangent curve to the right having a radius of 325.00 feet and subtended by a long chord having a bearing of North 15 degrees 16 minutes 33 seconds East and a length of 18.05 feet; 2)thence North 16 degrees 53 minutes 13 seconds East 34.56 feet; 3)thence North 16 degrees 52 minutes 01 second East 78.07 feet; 4)thence South 73 degrees 52 minutes 01 second West 0.15 feet to the Southeast corner of Falcon Ridge, per plat thereof, recorded as Instrument Number 1979-39199 in the Office of said Recorder, the following nine (9) courses are along the east line thereof; 1)thence North 17 degrees 00 minutes 01 second East 114.18 feet; 2)thence North 09 degrees 24 minutes 01 second East 100.00 feet; 3)thence North 04 degrees 41 minutes 01 second East 234.00 feet; 4)thence North 08 degrees 39 minutes 01 second East 101.00 feet; 5)thence North 12 degrees 23 minutes 01 second East 100.00 feet; 6)thence North 07 degrees 49 minutes 01 second East 100.00 feet; 7)thence North 03 degrees 16 minutes 42 seconds West 57.00 feet; 8)thence North 11 degrees 59 minutes 18 seconds West 98.28 feet; 9)thence North 11 degrees 49 minutes 30 seconds West 315.41 feet; thence North 87 degrees 20 minutes 12 seconds East 160.42 feet so the south right-of-way line of 86th Street per Indiana Highway Commission Right-of-Way Plan, Project No. F-619(21), the following four (4) calls are along said south right-of-way line; 1)thence continue North 87 degrees 20 minutes 12 seconds East 325.10 feet; 2)thence South 88 degrees 57 minutes 45 seconds East 200.16 feet; 3)thence North 86 degrees 35 minutes 57 seconds

East 400.28 feet; 4)thence North 88 degrees 44 minutes 49 seconds East 400.00 feet to the western right-of-way line of I-465 and the northwesterly corner of the State of Indiana parcel described in Instrument No. 68-5935 on file in the Office of said Recorder, the following fifteen (15) courses are along the westerly right-of-way line of I-465 and the north right-of-way line of 79th Street as described in said Instrument Number 68-5935 and Instrument Numbers 1993-0191717, 67-33585 and 66-62379, on file in the Office of said Recorder; 1)thence South 79 degrees 56 minutes 35 seconds East 101.98 feet; 2)thence North 88 degrees 44 minutes 49 seconds East 105.00 feet; 3)thence South 68 degrees 42 minutes 35 seconds East 286.92 feet; 4)thence South 26 degrees 37 minutes 04 seconds East 267.41 feet; 5)thence South 19 degrees 04 minutes 10 seconds East 588.91 feet; 6)thence South 07 degrees 56 minutes 16 seconds East 360.62 feet to the south line of the Northeast Quarter of said Northwest Quarter; 7)thence South 01 degree 44 minutes 51 seconds East 300.64 feet; 8)thence South 00 degrees 10 minutes 36 seconds West 900.00 feet; 9)thence South 02 degrees 05 minutes 09 seconds West 116.76 feet; 10)thence South 02 degrees 08 minutes 44 seconds West 177.33 feet; 11)thence South 02 degrees 37 minutes 34 seconds East 200.25 feet; 12)thence South 00 degrees 14 minutes 11 seconds West 1,690.15 feet; 13)thence Southerly 436.83 feet along a non-tangent curve to the left having a radius of 28,777.89 feet and subtended by a long chord having a bearing of South 00 degrees 13 minutes 07 seconds East and a length of 436.83 feet; 14)thence South 46 degrees 34 minutes 35 seconds West 62.10 feet; 15)thence South 86 degrees 00 minutes 50 seconds West 203.02 feet to the east line of the parcel conveyed to West 79th Street Associates in Instrument Number 2004-0163796, on file in the Office of said Recorder; thence North 00 degrees 10 minutes 12 seconds East 34.95 feet along said east line to the north right-of-way line of 79th Street described in Cause No. S466 1082 on file in the Office of said Recorder, the following five (5) courses are along the north right-of-way line of 79th Street as defined in said Instrument Number 67-33585; 1)thence South 86 degrees 34 minutes 02 seconds West 198.79 feet; 2)thence South 86 degrees 30 minutes 26 seconds West 173.88 feet; 3)thence South 01 degree 09 minutes 46 seconds East 45.00 feet; 4)thence South 88 degrees 50 minutes 14 seconds West 291.00 feet; 5)thence South 83 degrees 41 minutes 43 seconds West 167.42 feet to the POINT OF BEGINNING. Containing 197.368 acres, more or less.

ATTACHMENT “C”

VISION STATEMENT AND COMMITMENTS

6419 West 86th Street, 6302, 6360 and 6424 West 79th Street
Cornerstone Companies, Inc. and GCG Investments, LLC

Vision Statement

The proposed development that the petitioner envisions at the site, more commonly known as The Crossing at Traders Point, and located between 79th Street and 86th Street along I-465, will provide a live/work/play element to northwest Marion County that is currently sought after by commercial users. The Petitioner understands the importance of a site of this caliber in Marion County and has high expectations for what the site can be. High-end restaurant and retail coupled with quality housing, state of the art healthcare, hotel, life sciences, office and substantial greenspace and trails for the community are all part of the overall vision for the project. As the Petitioner moves further down the road with the design of a spine road that will act as a vital extension of Marsh Road throughout the site, more detailed information regarding the layout and positioning of the infrastructure will be presented to all city and state agencies, as well as the neighborhoods surrounding the site. As part of its commitments at this stage in the process, the Petitioner has agreed to limiting approved uses, defining non-disturbance areas, and other assurances that can be referenced in the Petitioner’s Statement of Commitments.

Commitments

1. The following commitments related to approved uses within the development:
 - a. Language limiting approved uses – Prohibited uses in the development shall include any facility whose primary function is a distribution center, which shall mean a warehouse that is used to primarily receive, store, and distribute finished products.
 - b. Language limiting approved uses – Multifamily developments within the development must adhere to the Fair Housing Act which limits occupancy within a single unit.

2. Prohibited Uses. The following uses in Table 743-1: Use Table, of the Consolidated Zoning and Subdivision Ordinance, C-3 and C-4 districts, shall be prohibited.

- a. Emergency Shelter, Daily
- b. Group Home
- c. Nursing Home
- d. Club or Lodge – could be acceptable if alcohol permits were prohibited
- e. Community Center
- f. Methadone Clinic or Treatment Facility
- g. Plasma (Blood) Center
- h. Substance Abuse Treatment Facility
- i. Check Cashing or Validation Service
- j. Crematorium
- k. Laundromats
- l. Tattoo Parlor
- m. Adult Entertainment Business
- n. Night Club or Cabaret
- o. Adult Entertainment Business: Retail
- p. Department Store
- q. Firearm Sales
- r. Fireworks Sales, On-going or Temporary/Seasonal
- s. Pawn Shop
- t. Power Generating Facility, Local
- u. Substations and Utility Distribution Nodes
- v. Automobile and Light Vehicle Wash
- w. Automobile Fueling Station
- x. Automobile, Motorcycle, and Light Vehicle Service or Repair
- y. Parking Lot, Commercial
- z. Parking Garage, Commercial
- aa. Transit Center
- bb. Recycling Station

3. Other Prohibited Uses. While not specifically identified in Table 743-1: Use Table, the following uses shall be prohibited:
 - a. Retail providers whose primary purpose of business is the following: smoke or CBD shop, bail bonds, cash advance or payday lenders.
 - b. Free standing cellular mono-poles or other free standing cellular towers
 - c. Massage Parlors
 - d. Firearm Shooting Ranges
 - e. Short-term residential rentals of less than 30 days
 - f. Vape retailers
 - g. Free standing restaurants with a drive thru that do not offer table services. This prohibited use does not include a coffee concept operation (i.e. Starbucks, Dunkin Donuts).
4. Assistance to Community with INDOT. Commitment to assisting neighborhood groups in approaching INDOT to request that I-465 interchange is included in their overall redesign studies of I-465/865 traffic flow in an effort to address backups during rush hour at 86th Street.
5. 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.
6. A technical assessment shall be conducted prior to the issuance of an Improvement Location Permit to provide for a wetlands delineation to determine the type and quality and how the area could be preserved and integrated into the development as an amenity.
7. All site plans, landscaping plans, and building elevations shall be submitted for Administrator's Approval prior to the issuance of an Improvement Location Permit.

8. 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.
9. Preservation Areas. The Crossing at Traders Point will include over 48 acres of preservation area (the "Preservation Area") as depicted in the conceptual site plan attached hereto. Except as noted immediately below, no construction or development shall occur in or on the Preservation Area. The Owner shall preserve and not remove the trees within the Preservation Area, except as follows:
 - a. The clearing of underbrush and dead or invasive trees shall be allowed;
 - b. The removal of trees necessary for the installation of utilities, drainage improvements and infrastructure, road infrastructure, and trails shall be allowed;
 - c. The removal of trees at the 86th Street entry point to The Crossing at Traders Point development for the purpose of creating appropriate space for wayfaring and identification signage shall be allowed; and
 - d. The removal of trees for public health and safety shall be allowed.

In addition, there will be a 6' walking path that will be continuous from 79th Street to 86th Street and through the park area. This path can connect to the adjacent neighborhoods if desired and will be located outside of the Common area within the public ROW and park area.

10. Buffering; Transitional Yard. The area between the new internal road right-of-way and the western property line along the southern half of the property will be approximately 100 feet wide. This transitional yard currently consists of a tree line generally meandering along both sides of the property line and in most cases, a very dense tree and brush line on the development side of the property line. Upon approval of the traffic study, preliminary road, and drainage design as well as an updated survey containing a tree inventory, the intent is to design this area in a way that best deals with the physical details along the area. This will include a tree preservation plan, and drainage design that incorporates addressing the current flooding occurring at the neighbors to the west. There will also be landscaping added that meets or exceeds the current ordinance requirements in areas where existing vegetation is removed.
11. No Direct Access to Gordon Acres. The internal roadway proposed for the project will not include direct access to Gordon Drive nor Blossom Lane in the Gordon Acres subdivision.

12. Roundabouts. Subject to necessary governmental approvals as to design and location, there will be a Roundabout at 86th Street generally consistent with the Conceptual Site Plan associated with a grant of the Rezoning matter. Additionally, the Petitioner supports and recommends a Roundabout at 79th Street and Marsh Road.
13. Community Review of Future Development. Prior to obtaining an Administrator's Approval required by the terms of the approval of the subject rezoning and variance cases (2023-CZN-814 / 2023-CVR-814) or acquisition of an Improvement Location Permit (ILP) related to development of the Property, Petitioner agrees to provide the Pike Township Residents Association, Inc. (PTRA) and the W86th Homeowners' Association (W86) for their review all development plans related to said approvals or ILP. No Administrator Approval or ILP shall be issued earlier than seven (7) days subsequent to provision of the development plans to PTRA and W86 as set forth above.
14. Loading Docks. With the exception of life sciences, research and development, and motorsports facilities, no building developed or constructed on the Property shall have more than three (3) truck docks without Administrator's Approval. Life sciences, research and development, and motorsports facilities shall have a maximum of one (1) truck dock per 10,000 square feet. No facility whose primary function is a distribution center or transhipper shall be permitted. A distribution center shall mean a warehouse that is used primarily to receive, store, and distribute finished products.
15. Outdoor Storage. Outdoor storage shall not be permitted throughout development.
16. Hotels. Any hotel located on the Property shall have a high quality of physical attributes, amenities, and level of comfort provided consistent with no less than a three-diamond rating issued by AAA.
17. Maximum Heights; Variance. All buildings east of the internal road (pursuant to the grant of companion variance 2022-CVR-814) shall be limited to no more than four (4) stories in height.
18. Fee Simple Ownership. A minimum of ten (10) acres within the development shall be fee simple ownership properties (i.e. occupant owned townhomes, condominium units, or independent living units).

19. Security. All commercial, mixed use or multi-family residential buildings developed on the Property shall have exterior security cameras on the exterior thereof.
20. Retail Hours of Operations. All retail operations shall limit hours of operation to no later than 11:00 PM Sunday through Thursday and no later than midnight Friday and Saturday.
21. Low-Income Housing. Low-income housing shall not be permitted. Petitioner agrees not to apply for or receive federal housing grants, tax incentives or City bonds for Section 8 or Section 42 low-income housing.
22. Development Standards. Development Standard Requirements shall be provided in accordance with Sec. 744-100 of the Zoning Ordinance for Marion County, Indiana, as amended (the "Ordinance"), which states that all development shall be subject to the development standards in Chapter 744 unless specifically excluded by a provision of the Ordinance or other regulation of the City of Indianapolis.
23. Lot and Building Dimensions. Lot and Building Dimensions shall be provided in accordance with Sec. 744-200 of the Ordinance, with the exception that a height variance to a maximum of 90' only applies to portions of the site East of the "spine road".
24. Access and Connectivity. Access and Connectivity shall be provided in accordance with Sec. 744-300 of the Ordinance.
25. Parking, Loading, and Drive-Through. Parking, Loading, and Drive-Throughs shall be provided in accordance with Sec. 744-400 of the Ordinance, which states that all off-street parking, loading, and drive-through stacking areas for motor vehicles and bicycles areas shall be provided in accordance with the Ordinance regulations.
26. Landscaping and Screening. Landscaping and Screening shall be provided in accordance with Sec. 744-500 of the Ordinance, and the above additional commitments.
27. Street and Exterior Lighting. Street and Exterior Lighting shall be provided in accordance with Sec. 744-600 of the Ordinance. Additionally, the lighting in the parking lot, upon the exterior of any building and along any driveway within the real estate shall be designed and installed so as to minimize spillover upon adjacent residential areas. Illumination beyond parking and building areas

shall be controlled by fixture height, location, type and use of down lighting. In no event shall any free-standing lighting structures located within one hundred fifty feet of any adjacent residential areas exceed twenty feet in height.

28. Design Standards. Designs Standards shall be provided in accordance with Sec. 744-700 of the Ordinance.
29. Underground Utilities. Underground Utilities shall be provided in accordance with Sec. 744-800 of the Ordinance.
30. Signs. Signs shall be provided in accordance with Sec. 744-900 of the Ordinance, which states that no sign or sign structure, or part thereof, shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated except in conformity with the regulations of the Ordinance. Additionally, Outdoor Advertising Off-Premises Signs (also known as billboards) shall not be permitted. This restriction shall not include signs identifying the development or temporary marketing signs.

Exhibit A

Heritage Tree Conservation

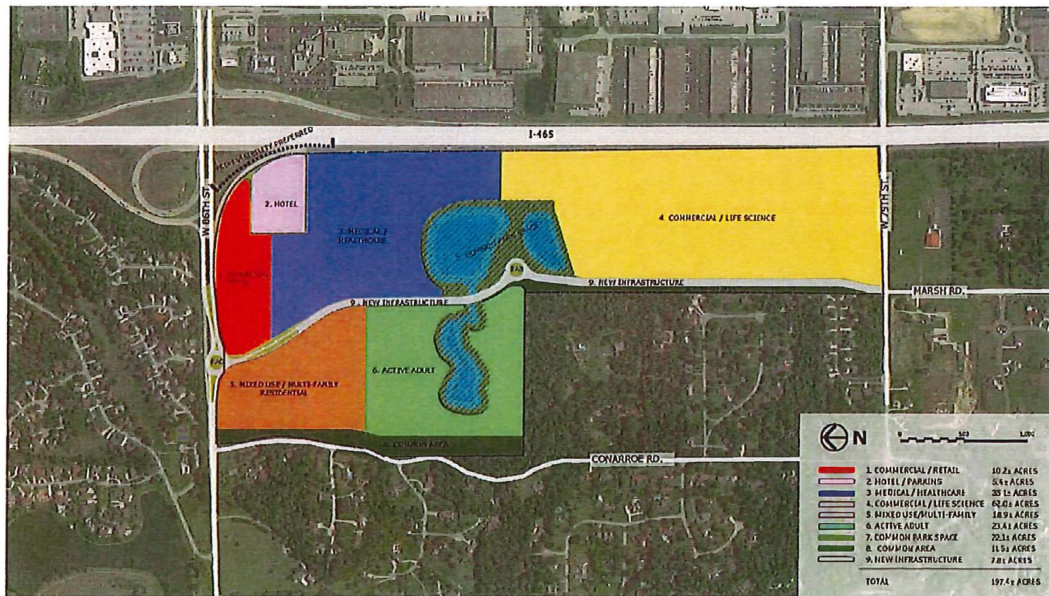
Removal of any Heritage Tree is prohibited unless any of the following determinations are made before removal:

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

Exhibit B

Conceptual Site Plan



Site Plan | 86th St and I-465 Masterplan
Indianapolis, IN
2022.02.10

Exhibit C

DETAILED DESCRIPTION OF REQUEST C-S DEVELOPMENT PLAN STATEMENT

The Crossing at Traders Point
Cornerstone Companies, Inc. and GCG Investments, LLC
6419 W. 86th Street, et al.

Filed March 9, 2023

Request

Cornerstone Companies, Inc. and GCG Investments, LLC respectfully submit their request to rezone approximately 200 +/- acres of real estate located at the southwest quadrant of W. 86th Street and I-465 in Indianapolis, Indiana from the D-A, D-1, and D-2 zoning classifications to the C-S zoning district for a mixed-use and life science campus development to be known as The Crossing at Traders Point ("The Crossing"). The legal description of said real estate is set forth in **Exhibit A** attached hereto and incorporated herein (the "Real Estate").

Vision Statement and Community Benefits

This is an introduction to a new high-end real estate park development where modern new infrastructure meets green spaces and sophisticated design. This unique project will cover approximately 200 +/- acres of land, combining commercial, hotel, retail, and housing spaces in one extraordinary location. The Crossing will open up the unrealized potential of a valuable real property previously bypassed from consideration by highly desired users due to the lack of access and infrastructure. The development will provide a live/work/play element to an area of Marion County that is currently in demand for commercial, hotel, retail and housing uses. The direct access and visibility from I-465 coupled with its exceptional location and easy ingress/egress capabilities will attract quality investment and users to the site. The Crossing development team (the "Development Team") has worked closely with the Department of Metropolitan Development (the "DMD") to ensure a quality development that will provide new location opportunities not currently available on the northwest side of Marion County. The design is also sensitive to existing residential areas with buffering and ample common areas, park space, and trails throughout the development that provide workers, residents, and visitors with ideal space to relax and unwind with nature.

The concept character of The Crossing will feature:

- High-end retail and restaurant uses that will bring desirable brands and amenities to the site;
- State-of-the-art specialty healthcare facilities, both inpatient and outpatient, to serve the greater community;
- New commercial, research and development, and life science uses that are on the cutting edge of their respective industries;
- A unique hotel brand(s) that will provide an experience and accommodations that are not currently found in the northwest corridor of Marion County;
- Quality housing that will attract local talent who desire to live near attractive amenities as well as the growing job opportunities within The Crossing and within this corner of the Indianapolis metropolitan area;
- Substantial greenspace and trails for the park and local community;

- New and updated road infrastructure required for the park and benefiting the current traffic patterns; and
- Substantial new investments, jobs and tax revenue for this large parcel previously used as an old military equipment depository, much of which has been dormant for many years. Total construction investment alone is estimated to exceed \$700 million with real estate taxes well in excess of \$4 million per year.

The Site / Background

The Real Estate is currently undeveloped and consists of approximately 200 acres zoned D-A, D-1, and D-2, as shown in **Exhibit B** (the “Current Zoning”). To the north of the Real Estate, across W. 86th Street, and to the west of the Real Estate are residential neighborhoods. I-465 and the Park 100 industrial commercial center are to the east of the Real Estate, and a church is located south of the Real Estate, across W. 79th Street. Additionally, the INTECH technology park, one of the largest office parks in the region, also abuts I-465 on the west side thereof and is located approximately a mile south of the Real Estate. INTECH Park contains well over one million square feet of office, research and development, and technology space, and like The Crossing sits on approximately 200 +/- acres. The Development Team has been working on this project for approximately a year and a half. The investigation, study and analysis of the project has involved many meetings with appropriate agencies and public officials. This has included meetings with various city administration officials, the DMD, the Indiana Economic Development Corporation, and the Indiana Department of Transportation (“INDOT”) to name a few. American Structurepoint, Inc. has been retained to provide and review a variety of planning options, engineering details, and requirements.

Development: Overview

The Crossing is proposed to contain commercial/retail, hotel, medical/healthcare (inpatient and outpatient), office/life science, light business, mixed-use/multi-family residential, and active adult residential uses, as generally shown in **Exhibit C** (the “Conceptual Site Plan”). The Crossing will have approximately 22.1 +/- acres of common park space and approximately 11.5 +/- acres of other common area. Additionally, approximately 7.8 +/- acres of new public infrastructure would be constructed connecting W. 79th Street and W. 86th Street.

The approximate breakdown of The Crossing (subject to change) is as follows:

<u>Use Block</u>	<u>Acreage</u>	<u>SF / Units</u>
Commercial / Retail	10.2	200,000 sf
Hotel	5.4	100,000 sf / 125 rooms
Medical / Healthcare (Inpatient)	7.0	70,000 sf
Medical / Healthcare (Outpatient)	28.1	200,000 sf
Office / Life Science	32.0	400,000 sf
Light Business	30.0	600,000 sf
Mixed-Use / Multi-Family	18.9	350,000 sf / 350 units
Active Adult	23.4	200,000 sf / 200 units

Development: Connectivity and Plan of Operation

Construction of The Crossing is expected to begin in the third quarter of 2024. The new collector street that extends Marsh Road from W. 79th Street to W. 86th Street will be constructed immediately with the first phase of the project. The Development Team has been working with INDOT on the design of this public infrastructure, and a detailed traffic study is currently underway with a scope of work as agreed upon by INDOT officials. The final infrastructure design and improvements will include new interchanges at W. 79th Street and W. 86th Street with adjacent pathways, improved local traffic flow, increased connectivity, and stormwater management and water and sewer extensions. Initial project development will begin primarily on the north portion of the Real Estate, and the projected timeline for the entire development is five to eight years. Upon completion of the first phase of the development, an owner's association will be established to fund and provide professional management of the common and park areas.

Development: Permitted Uses

This C-S zoning district is designed in a fashion that permits and facilitates development of The Crossing. The zoning district's Permitted Uses offers the flexibility needed for this state-of-the-art mixed-use and life science campus. The following uses are permitted uses for the Real Estate in the proposed C-S rezoning, as generally shown on the Conceptual Site Plan:

Primary Uses by Area:

Area 1 - Any Use permitted in the Neighborhood Commercial District (C-3); Hotel; Multifamily Dwellings (five or more units); Live/Work Units; Single-Family Attached Dwellings (a/k/a Townhouses or Rowhouses)

Area 2 - Any Use permitted in the Neighborhood Commercial District (C-3); Hotel; Automobile and Light Vehicle Wash; Automobile Fueling Station; Electric Vehicle Charging Station; Multifamily Dwellings (five or more units); Live/Work Units; Single-Family Attached Dwellings (a/k/a Townhouses or Rowhouses)

Area 3 - Any Use permitted in the Neighborhood Commercial District (C-3); Hospital; Medical or Dental Offices, Centers, or Clinics; Medical or Dental Laboratories; Hotel; Multifamily Dwellings (five or more units); Live/Work Units; Single-Family Attached Dwellings (a/k/a Townhouses or Rowhouses)

Area 4 - Any Use permitted in the Neighborhood Commercial District (C-3), including Office: Business, Professional or Government; Any Use in the Research and Development Land Use Category section; Artisan Manufacturing; Manufacturing, Light; Hotel; Multifamily Dwellings (five or more units); Live/Work Units; Single-Family Attached Dwellings (a/k/a Townhouses or Rowhouses)

Area 5 - Single-Family Attached Dwellings (a/k/a Townhouses or Rowhouses); Multifamily Dwellings (five or more units); Any Use permitted in the Neighborhood Commercial District (C-3) - within 500' of the W. 86th Street right-of-way.

Area 6 - Two-Family Dwelling; Triplex or Fourplex; Single-Family Attached Dwellings (a/k/a Townhouses or Rowhouses); Multifamily Dwellings (five or more units)

Area 7 - common park space and associated uses, including park benches, picnic tables, trails, etc. Extent of location subject to final drainage design and other site development considerations.

Area 8 - natural common area / buffer

Area 9 - public infrastructure and associated uses

Accessory and Temporary Uses by Area:

Any Accessory and Temporary Uses permitted in the Neighborhood Commercial District (C-3) shall be permitted in *Area 1*, *Area 2*, *Area 3*, and *Area 4*.

Any Accessory and Temporary Uses permitted in Dwelling Districts shall be permitted in *Area 5* and *Area 6*.

Electric Vehicle Charging Stations shall be permitted as Accessory Uses in *Area 1* thru *Area 6*.

Site Development

The Crossing is intended to be developed according to the following subsections.

Conceptual Site Plan Masterplan:

The Conceptual Site Plan shall serve as the Preliminary Plan of this C-S Development Plan. The intent of this Preliminary Plan is to demonstrate conceptually how The Crossing is anticipated to be developed.

Streets and Connectivity: Generally, Streets and Connectivity shall be provided in accordance with Sec. 741-303 of the Indianapolis-Marion County Consolidated Zoning and Subdivision Ordinance (the "Ordinance"). Access to the site will primarily be from W. 86th Street, with secondary access from W. 79th Street. (See earlier sections for more details.)

Easements and Utilities: Generally, Easements and Utilities shall be provided in accordance with Sec. 741-307 and Sec. 741-308 of the Ordinance.

Development Standards General Requirements: Generally, Development Standards Requirements shall be provided in accordance with Sec. 744-100 of the Ordinance.

Lot and Building Dimensions: Generally, Lot and Building Dimensions shall be provided in accordance with Sec. 744-200 of the Ordinance, with the exception of a maximum buildings and structures height variance filed as a companion petition hereto.

Access and Connectivity: Generally, Access and Connectivity shall be provided in accordance with Sec. 744-300 of the Ordinance.

Parking and Loading: Generally, Parking and Loading shall be provided in accordance with Sec. 744-400 of the Ordinance.

Landscaping and Screening: Generally, Landscaping and Screening shall be provided in accordance with Sec. 744-500 of the Ordinance.

Street and Exterior Lighting: Generally, Street and Exterior Lighting shall be provided in accordance with Sec. 744-600 of the Ordinance.

Design Standards: Generally, Designs Standards shall be provided in accordance with Sec. 744-700 of the Ordinance.

Underground Utilities: Generally, Underground Utilities shall be provided in accordance with Sec. 744-800 of the Ordinance.

Sign Regulations: Generally, Signs shall be provided in accordance with Sec. 744-900 of the Ordinance.

Future Plan Approvals

A Preliminary Plan has been prepared and submitted as part of this rezoning. Final site and development plans may be submitted in total or in phases. Such final site and development plans shall be approved by the Administrator of Current Planning at DMD upon the Administrator's findings that the final site and development plans are consistent and in substantial conformity with the Preliminary Plan as approved by the Metropolitan Development Commission.

Exhibit A
Real Estate Legal Description

Part of the Southwest and Northwest Quarters of Section 23, Township 17 North, Range 2 East of the Second Principal Meridian, Marion County, Indiana, more particularly described as follows:

Commencing at the southeast corner of said Southwest Quarter; thence South 88 degrees 50 minutes 14 seconds West 1,325.22 feet along the south line of said Southwest Quarter to the southwest corner of the East Half of said Southwest Quarter; thence North 00 degrees 12 minutes 40 seconds East 35.01 feet along the west line of said East Half to the north right-of-way line of 79th Street as defined in Instrument Number 67-33585 in the Office of the Recorder of Marion County, Indiana, which is the POINT OF BEGINNING; thence continue North 00 degrees 12 minutes 40 seconds East 2,595.01 feet along said west line to the southeast corner of the Southwest Quarter of said Northwest Quarter; thence South 88 degrees 46 minutes 13 seconds West 1,323.38 feet along the south line of the Southwest Quarter of said Northwest Quarter to the southwest corner of said Northwest Quarter; thence North 00 degrees 07 minutes 20 seconds East 1,264.98 feet along the west line of said Northwest Quarter to a point on the east line of Thoroughbred Estates, per plat thereof, recorded as Instrument Number 84-68303 in the Office of said Recorder, the following four (4) courses are along said east line; 1)thence Northerly 18.05 feet along a non-tangent curve to the right having a radius of 325.00 feet and subtended by a long chord having a bearing of North 15 degrees 16 minutes 33 seconds East and a length of 18.05 feet; 2)thence North 16 degrees 53 minutes 13 seconds East 34.56 feet; 3)thence North 16 degrees 52 minutes 01 second East 78.07 feet; 4)thence South 73 degrees 52 minutes 01 second West 0.15 feet to the Southeast corner of Falcon Ridge, per plat thereof, recorded as Instrument Number 1979-39199 in the Office of said Recorder, the following nine (9) courses are along the east line thereof; 1)thence North 17 degrees 00 minutes 01 second East 114.18 feet; 2)thence North 09 degrees 24 minutes 01 second East 100.00 feet; 3)thence North 04 degrees 41 minutes 01 second East 234.00 feet; 4)thence North 08 degrees 39 minutes 01 second East 101.00 feet; 5)thence North 12 degrees 23 minutes 01 second East 100.00 feet; 6)thence North 07 degrees 49 minutes 01 second East 100.00 feet; 7)thence North 03 degrees 16 minutes 42 seconds West 57.00 feet; 8)thence North 11 degrees 59 minutes 18 seconds West 98.28 feet; 9)thence North 11 degrees 49 minutes 30 seconds West 315.41 feet; thence North 87 degrees 20 minutes 12 seconds East 160.42 feet so the south right-of-way line of 86th Street per Indiana Highway Commission Right-of-Way Plan, Project No. F-619(21), the following four (4) calls are along said south right-of-way line; 1)thence continue North 87 degrees 20 minutes 12 seconds East 325.10 feet; 2)thence South 88 degrees 57 minutes 45 seconds East 200.16 feet; 3)thence North 86 degrees 35 minutes 57 seconds East 400.28 feet; 4)thence North 88 degrees 44 minutes 49 seconds East 400.00 feet to the western right-of-way line of I-465 and the northwesterly corner of the State of Indiana parcel described in Instrument No. 68-5935 on file in the Office of said Recorder, the following fifteen (15) courses are along the westerly right-of-way line of I-465 and the north right-of-way line of 79th Street as described in said Instrument Number 68-5935 and Instrument Numbers 1993-0191717, 67-33585 and 66-62379, on file in the Office of said Recorder; 1)thence South 79 degrees 56 minutes 35 seconds East 101.98 feet; 2)thence North 88 degrees 44 minutes 49 seconds East 105.00 feet; 3)thence South 68 degrees 42 minutes 35 seconds East 286.92 feet; 4)thence South 26 degrees 37 minutes 04 seconds East 267.41 feet; 5)thence South 19 degrees 04 minutes 10 seconds East 588.91 feet; 6)thence South 07 degrees 56 minutes 16 seconds East 360.62 feet to the south line of the Northeast

Quarter of said Northwest Quarter; 7)thence South 01 degree 44 minutes 51 seconds East 300.64 feet; 8)thence South 00 degrees 10 minutes 36 seconds West 900.00 feet; 9)thence South 02 degrees 05 minutes 09 seconds West 116.76 feet; 10)thence South 02 degrees 08 minutes 44 seconds West 177.33 feet; 11)thence South 02 degrees 37 minutes 34 seconds East 200.25 feet; 12)thence South 00 degrees 14 minutes 11 seconds West 1,690.15 feet; 13)thence Southerly 436.83 feet along a non-tangent curve to the left having a radius of 28,777.89 feet and subtended by a long chord having a bearing of South 00 degrees 13 minutes 07 seconds East and a length of 436.83 feet; 14)thence South 46 degrees 34 minutes 35 seconds West 62.10 feet; 15)thence South 86 degrees 00 minutes 50 seconds West 203.02 feet to the east line of the parcel conveyed to West 79th Street Associates in Instrument Number 2004-0163796, on file in the Office of said Recorder; thence North 00 degrees 10 minutes 12 seconds East 34.95 feet along said east line to the north right-of-way line of 79th Street described in Cause No. S466 1082 on file in the Office of said Recorder, the following five (5) courses are along the north right-of-way line of 79th Street as defined in said Instrument Number 67-33585; 1)thence South 86 degrees 34 minutes 02 seconds West 198.79 feet; 2)thence South 86 degrees 30 minutes 26 seconds West 173.88 feet; 3)thence South 01 degree 09 minutes 46 seconds East 45.00 feet; 4)thence South 88 degrees 50 minutes 14 seconds West 291.00 feet; 5)thence South 83 degrees 41 minutes 43 seconds West 167.42 feet to the POINT OF BEGINNING. Containing 197.368 acres, more or less.

Exhibit B
Current Zoning

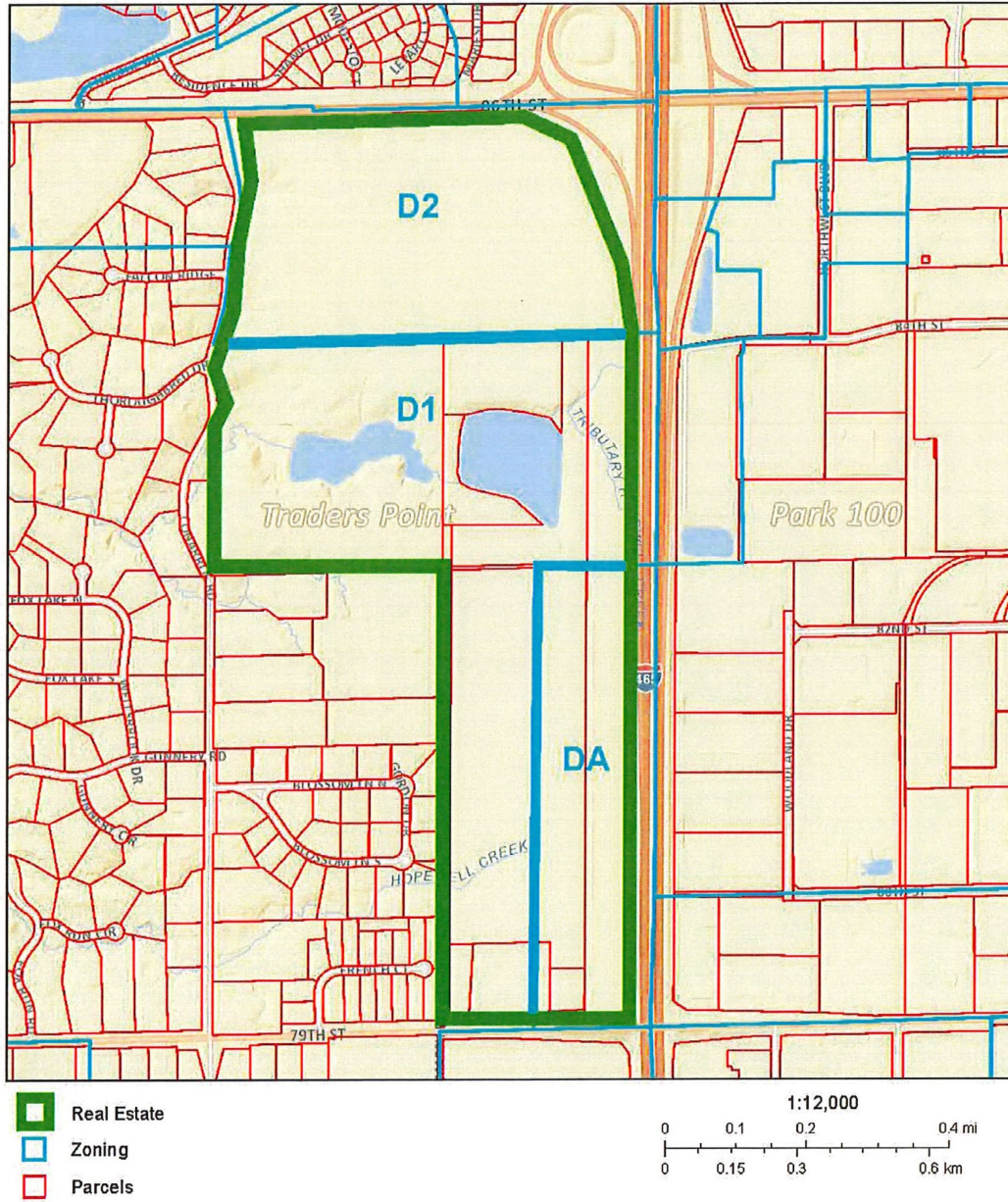
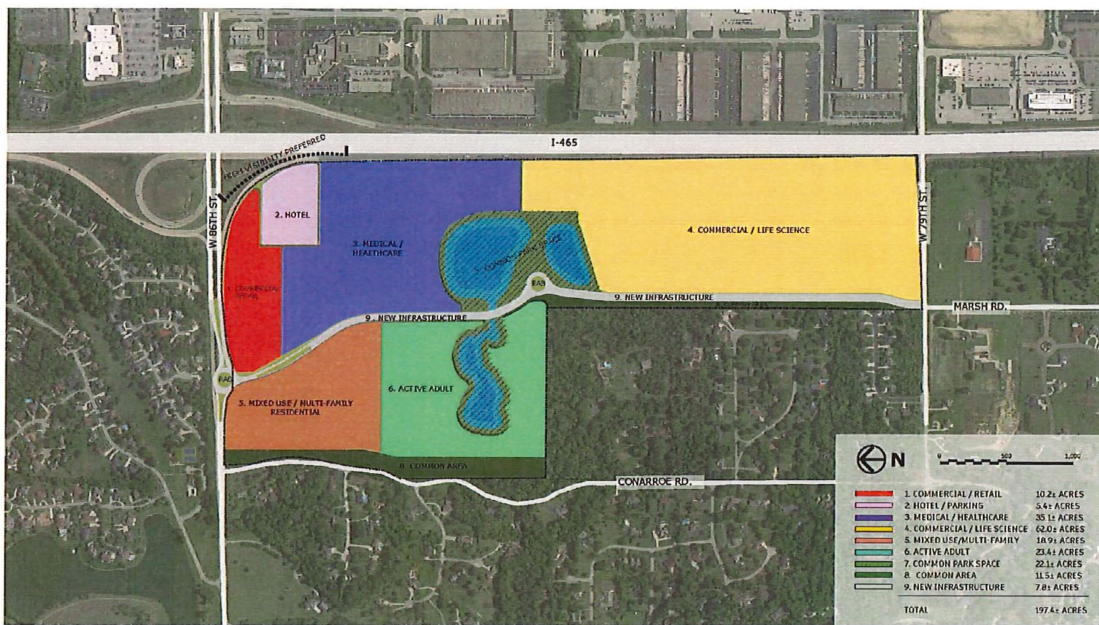


Exhibit C
Conceptual Site Plan



Site Plan | 86th St and I-465 Masterplan
Indianapolis, IN
2022.02.19

Executive Summary

Study Purpose and Scope

The purpose of this Traffic Impact Study (TIS) is to determine the operational impacts of The Crossing at Traders Point mixed-use site (proposed development) on the surrounding roadway network in Indianapolis, Indiana. This study will assess the adequacy of the existing roadway network under opening year and horizon year no-build and build traffic conditions, and determine necessary roadway and intersection improvements to accommodate the generated traffic volumes.

Background Information

The proposed development is to be located at the southwest quadrant of 86th Street & I-465 interchange in northwest Indianapolis. This site is anticipated to consist of commercial/retail, office, hotel, medical/health care, multi-family residential, active adult and common park space totaling approximately 200 acres.

The various land-use parcels within this site will be developed according to the 86th Street and I-465 Master Plan and are expected to be constructed in phases. The first phase consists of approximately 30-acre medical facility which is scheduled to open by the year 2025 (opening year). The remaining parcels, including approximately a 15-acre commercial/retail facility, a 6-acre hotel/parking facility, a 59-acre commercial/life science facility, a 20-acre active adult facility, a 23-acre common park space and an 18-acre common area, are anticipated to be completed in the next 10 years. For the purposes of traffic analysis, the horizon year for this study is considered to be 2045 (20 years from opening).

Vehicular access to the proposed development will be provided via 86th Street (just east of existing Conarroe Road) and 79th Street at the existing Marsh Road intersection. Additionally, a new frontage road parallel to I-465 will be constructed to connect the two ingress/egress points of the site.

Traffic Forecast

Traffic projections have been forecasted by determining the base year traffic volumes using turning movement traffic counts collected by American Structurepoint in January 2023, then applying an annual compound background traffic growth rate of 0.7% to produce opening year (2025) and horizon year (2045) background traffic volumes. Finally, the site trips attributed to the proposed development under phase 1 and full-build were added to obtain the opening year (2025) and horizon year (2045) total traffic volumes, respectively.

Turn Lane Warrant Analysis

A turn lane warrant analysis was performed at the two (2) proposed site access points using horizon year (2045) total traffic volumes per the guidelines published in the *Indiana Design Manual (IDM)*. Based on the warrants, an eastbound left turn lane and a westbound right turn lane is warranted at the intersection of 79th Street & Marsh Road. Additionally, an eastbound right turn lane and dual westbound left turn lanes are warranted at the intersection of 86th Street & Proposed Frontage Road.

Capacity Analysis

A capacity analysis has been performed at all study intersections based on the scenarios listed in the following table. The capacity analysis of signalized and unsignalized intersections was performed using Synchro (Version 11.1). All analyses were reported using the methodology outlined in the *Highway Capacity Manual (HCM)* 6th Edition except where not supported, in which case, HCM 2000 was used. The capacity

analysis of roundabout control intersections was performed using Sidra Intersection (Version 9.1) using the Sidra standard capacity method and Highway Capacity Manual. The operating conditions of intersections were considered to be acceptable if found to operate at LOS D or better for the overall intersection, and with no approach or movement operating worse than LOS E. Capacity improvements were identified for the locations not meeting the criteria.

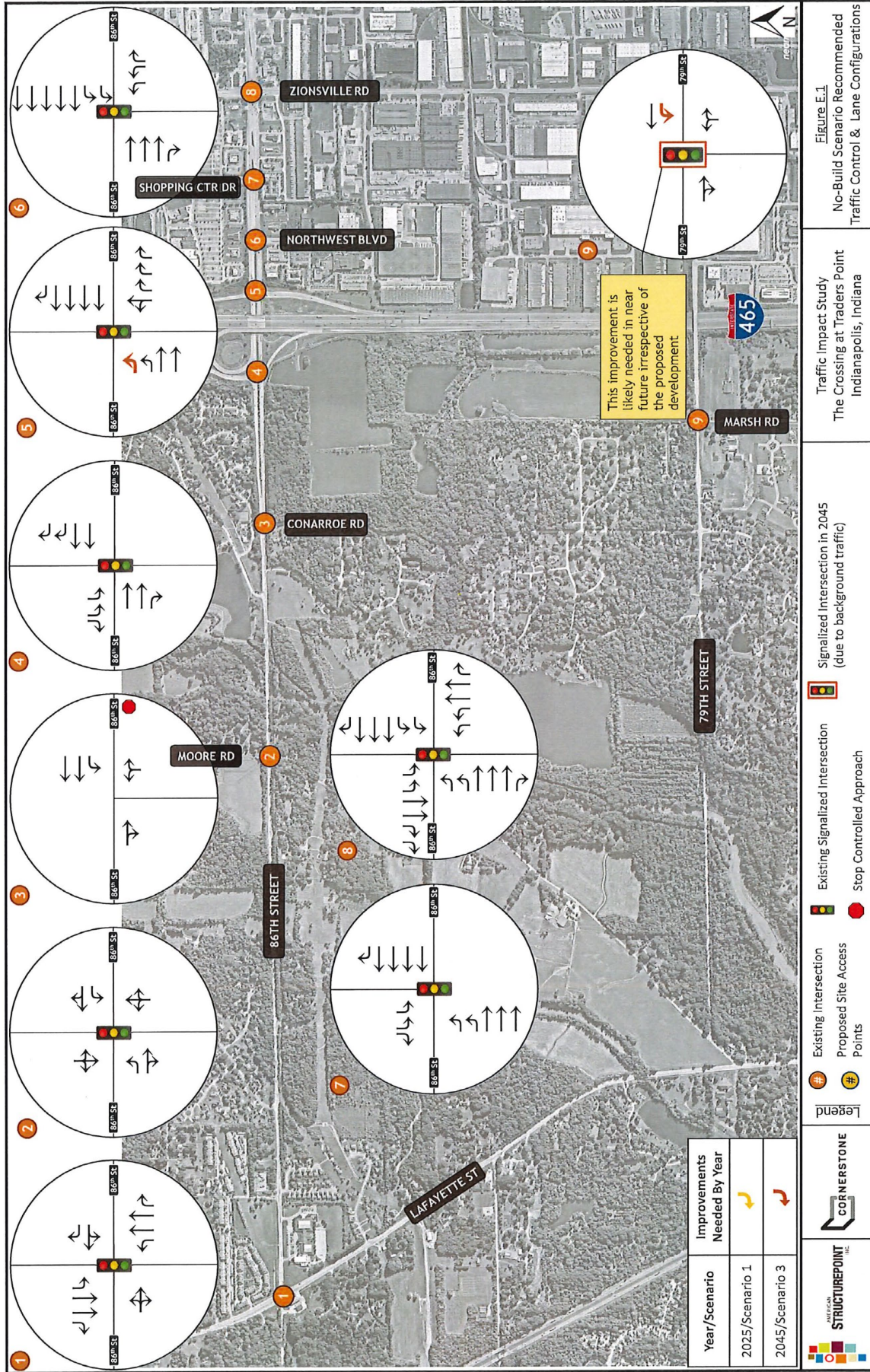
Scenario	Analysis Year	Description
1	2025	Opening Year No-Build Conditions
2	2025	Opening Year (Phase 1 Build) Conditions
3	2045	Horizon Year (No-Build) Conditions
4	2045	Horizon Year (Full-Build) Conditions
4A	2045	Horizon Year (Full-Build) Conditions – 86 th Street access from Conarroe Road*

**Note: This access is not feasible and was only evaluated in this TIS at the request of INDOT for comparison purposes.*

Findings and Recommendations

The findings and recommendations were based on field review, turn lane warrant analysis and capacity analysis conducted for the proposed site. **Table 6.1** and summarizes the intersection improvements recommended at the study intersections in opening year (2025) and horizon year (2045). The proposed improvements are graphically illustrated in **Figure E.1** for the no-build scenarios for the opening year (2025) and the horizon year (2045) as well as in **Figure E.2** for the build scenarios for the opening year (2025) and the horizon year (2045).

A review meeting was held on May 16, 2023 with Indiana Department of Transportation (INDOT), City of Indianapolis Department of Public Works (DPW), Department of Metropolitan Development (DMD), and the developer client to discuss the comments and questions received from INDOT and DPW on the Draft TIS Report. Final meeting minutes and comment-response log are provided in **Appendix F**.



Year/Scenario	Improvements Needed By Year
2025/Scenario 1	
2045/Scenario 3	

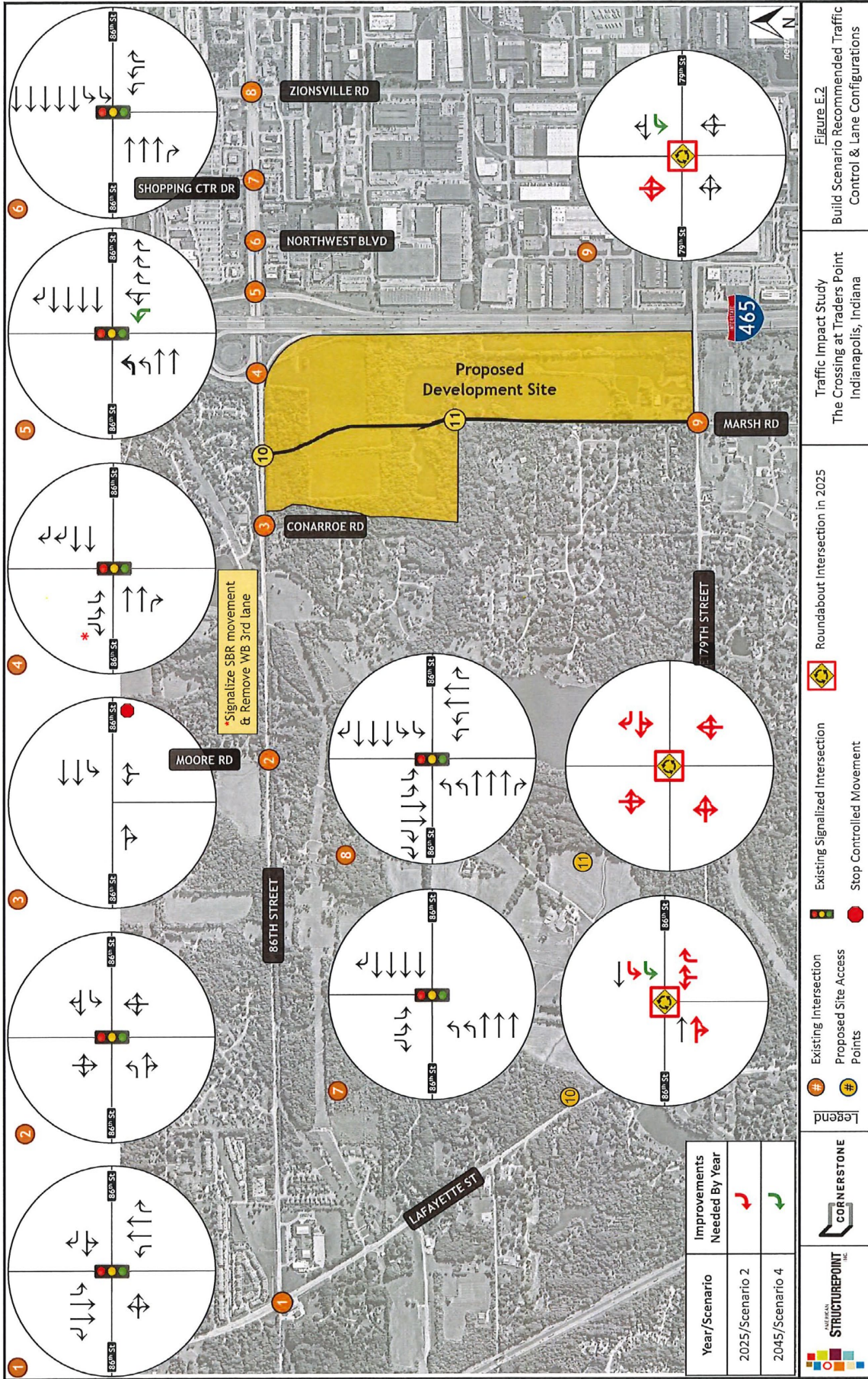
Legend

Existing Intersection
 Proposed Site Access
 Stop Controlled Approach

Traffic Impact Study
The Crossing at Traders Point
Indianapolis, Indiana

Signalized Intersection in 2045
(due to background traffic)

Figure E.1
No-Build Scenario Recommended
Traffic Control & Lane Configurations



Petition Number _____

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:

The variance of development standards to provide for maximum 90 foot Buildings and Structures Height will allow the property to develop as a mixed-use and life science campus which will be a benefit to the community. The 90 foot height will be limited to areas closest to the adjacent Interstate highway where taller height Buildings and Structures would fit well.

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

The variance would be limited to the east side of the property closest to the adjacent Interstate highway. Any Buildings and Structures built on the west side of the property, closest to the existing residential, would still be required to meet the maximum Height as permitted by the Indianapolis-Marion County Consolidated Zoning and Subdivision Ordinance.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:

The property would not be able to develop in its highest and best use as a mixed-use and life science campus that would benefit the community by providing a live/work/play element to an area of Marion County that is currently in demand for commercial, hotel, retail, and housing uses without the grant of the requested variance.

DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this _____ day of _____, 20 ____



View looking west along West 86th Street



View looking east along West 86th Street



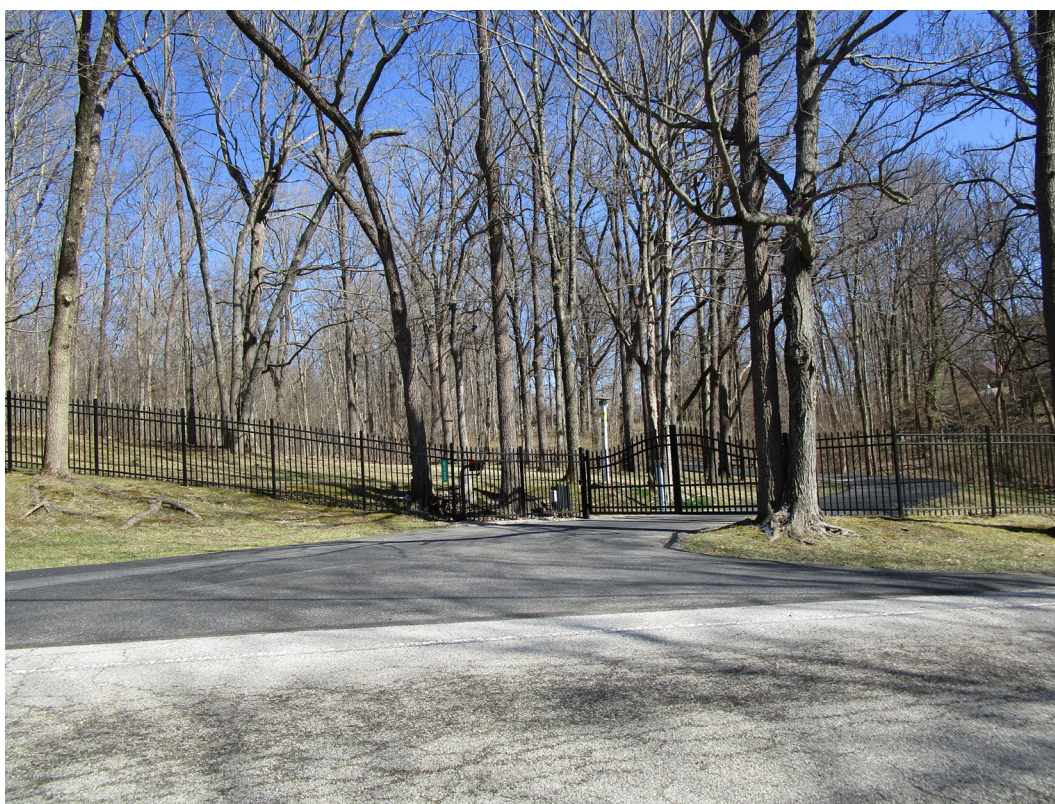
View of site looking east across Conarro Road



View of site looking east across Conarro Road



View of site looking east across Conarroe Road



View looking east across Conarroe Road of adjacent property to the west of site



View looking east across Conarroe Road of adjacent property to the west of site



View looking southeast at intersection of West 79th Street and Conarroe Road



View looking east along West 79th Street



View looking west along West 79th Street



View of site looking north across West 79th Street



View of site looking north across West 79th Street



View of site looking north across West 79th Street



View of site looking north across West 79th Streetp