Department of Metropolitan Development
Division of Planning
Current Planning

METROPOLITAN DEVELOPMENT COMMISSION HEARING EXAMINER

October 29, 2026

Case Number:	2026-MOD-003
Property Address:	8600 Combs Road
Location:	Franklin Township, Council District #25
Petitioner:	Punjab Property, Inc., by Patrick Rooney
Current Zoning:	I-3
Request:	Modification of Commitments related to petition 2005-ZON-160 to include Commitment Number 1, to allow for truck or heavy vehicles sales, rental, or repair (commitment allowed only manufacture, assembly of repair of machinery and machinery components in the I-3-S district); Commitment Number 2 to allow for truck or heavy vehicles sales, rental, or repair (commitment allowed only construction companies, contractors, and home remodeling companies in the I-2-S district); Commitment Number 5 to provide for one building subject to the plans and elevations dated February 10, 2026, (required certain exterior materials on mini-warehouse buildings); Commitment Number 6 to protect and preserve existing trees outside of the construction limits and install landscaping subject to the landscaping plan dated February 10, 2026, (commitment provided for landscaping and exterior building materials related to mini-warehouse development); Commitment Number 11 to provide for parking/storage of trucks and trailers subject to the site plan dated February10, 2026, (identified location of outdoor storage and eliminated outdoor storage of commercial vehicles, semi-truck and trailers); Commitment Number 19 to provide for one building subject to the site plan dated February 10, 2026, (commitment limited building height to 35 feet and not to exceed total of 15,000 square feet); Commitment Number 26 would provide for a perimeter fence and landscaping subject to the site plan dated February 10, 2026, (commitment identified location and materials of fencing); and Commitment Number 17 would be terminated and deleted (commitment limited semi-truck traffic to an average of a total of not more than two trips to and from the site per week).
Current Land Use:	Undeveloped / wetland
Staff Recommendations:	Denial.
Staff Reviewer:	Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner acknowledged a timely automatic continuance filed by a registered neighborhood organization that continued this petition from the April 23, 2026 hearing, to the May 28, 2026 hearing.

The Hearing Examiner continued this petition from the May 28, 2026 hearing, to the July 9, 2026 hearing, at the request of staff, to provide time for the petitioner to amend documents related to development of the site.

The Hearing Examiner continued this petition from the July 9, 2026 hearing, to the August 27, 2026 hearing, and to the October 29, 2026 hearing, at the request of the petitioner's representative to provide time to amend the documents. No new documents have been submitted for review by the petitioner's representative.

On October 12, 2026, the petitioner's representative sent an e-mail **withdrawing this modification request.** The withdrawal will require acknowledgement by the Hearing Examiner.

STAFF RECOMMENDATION

Denial. If approved, staff would request that approval be subject to the following commitments being reduced to writing on the Commission's Exhibit "B" forms at least five business days prior to the MDC hearing:

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

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PETITION OVERVIEW

This 10-acre site, zoned I-3, is undeveloped / wetland. It is surrounded by religious uses to the north, zoned D-P; undeveloped land and wetland to the south, zoned I-3; single-family and multi-family dwellings to the east, across Combs Road, zoned D-P and D-6II, respectively; and undeveloped land to the west, zoned C-S.

Petition 2005-ZON-160 rezoned this site to the I-3 (aka I-3-S) district to provide for construction of a printing equipment repair and maintenance facility and self-storage business. Staff recommended denial but the request was approved.

MODIFICATION

The request would modify eight of the 28 commitments that were negotiated between the neighborhood organization and the petitioner. See Exhibit A.

Staff typically has no recommendation when modifications of commitments resulting from negotiations between the petitioner / petitioner's representative are requested. However, in this situation, staff very strongly believes that the requested modifications are wholly inappropriate given the surrounding land uses and the large existing wetland that, in fact, extends into the adjoining parcels to the south.

The *I-65 / County Line Road Strategic Plan* recommends interchange area mixed-use for the site, which also lies in Critical Area J. See Exhibit B.

One of the goals of the *I-65/County Line Road Strategic Plan*, is to "[i]ncrease the rate and amount of commercial and industrial development relative to residential development." Another goal is to "provide a range of land uses that would permit a variety of residential choices as well as a range of non-residential uses that would encourage industry and job growth for the local community." This request would bring industrial uses to this area but it is much more intense than the plan recommends.

The Plan specifically refers to this "vacant area immediately east of I-65" and makes note of the fact that "approximately half of the previously vacant area is now developed residentially (contrary to the Plan's recommendation), significantly diminishing the area's previously planned industrial potential. Therefore, additional undeveloped agricultural land nearby is now recommended for industrial uses. Light industrial land should have close and direct access to interstate transport." Light industrial uses would fall within the I-1-S and I-2-S Districts. This request would be much more intense and would allow uses such as motor truck terminals, power plants, propane gas storage, recycling facilities, brewing/distillation of liquor/spirits, or manufacturing or major household appliances, construction equipment, furniture, motor vehicles, and etc.

The *I-65/County Line Road Strategic Plan* recommends light industrial for the subject property. This Plan states the light industrial "land use category is designed for those industries which conduct their entire operations within completely enclosed buildings. One purpose of this category is to buffer heavy industrial uses from less intensive uses. Light industrial uses should create minimal impact upon adjacent properties." The Ordinance defines the I-3 classification as medium density. If this modification would be approved, a more intense use would be permitted. This more intense use would not be appropriate for the residential use to the east and religious uses to the north and would negatively impact these existing land uses.

The proposed use represents a major deviation from the Plan that would not be acceptable. Additionally, when the D-P rezoning to the north was approved, it eliminated what would have been an office buffer to the north of this site and makes this current request even more critical as it relates to minimizing the impact of industrial uses on adjacent protected districts. If the current trend of residential development were to continue, residential dwellings would surround this site. The introduction of this intense industrial use would have a detrimental effect upon property values in the area and encourage similar intrusions that would disrupt the implementation of the Plan.

A more appropriate land use pattern would place low intensity uses near protected districts, such as an office buffer, with incremental increases in intensity from light industrial uses to medium industrial uses, to heavy industrial uses. This modification jumps from residential and religious uses to medium industrial uses without the benefits of gradual transition from residential to more intense industrial uses.

Wetland Preservation

The aerial indicates a portion of a large wetland is located within this site and extends to the abutting parcels to the south.

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 should be conducted that would include a wetlands delineation and 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.

Department of Public Works

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

Dedication of right-of-way was included in the 2005 rezoning as commitment, but that dedication has not occurred.

Staff believes that Combs Road cannot appropriately accommodate truck traffic due to the width of the right-of-way and width of the pavement (approximately 26 feet). The increase and maneuverability of truck traffic in this situation would have a negative and detrimental impact on the surrounding land uses and the current infrastructure.

Staff has requested a Traffic Operations Analysis (TOA) that would include truck turning movements at the intersections of Combs Road / Stop 11 Road and Combs Road / County Line Road. This request was forwarded to the petitioner's representative on August 11, 2026, but no response has been received.

If this modification request is recommended for approval and / or appealed, staff would request that the TOA be conducted and reviewed prior to being heard by the Metropolitan Development Commission and any recommended infrastructure improvements be constructed prior to operation of the business.

Environmental Public Nuisances

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

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

Environmental public nuisance means:

1. Vegetation on private or governmental property that is abandoned, neglected, disregarded or not cut, mown, or otherwise removed and that has attained a height of twelve (12) inches or more;

2. Vegetation, trees or woody growth on private property that, due to its proximity to any governmental property, right-of-way or easement, interferes with the public safety or lawful use of the governmental property, right-of-way or easement or that has been allowed to become a health or safety hazard;

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

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

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

GENERAL INFORMATION

Existing Zoning	I-3	
Existing Land Use	Undeveloped land / wetland	
Comprehensive Plan	Light Industrial Uses / Interchange Area Mixed-Use	
Surrounding Context	**Zoning**	**Land Use**
North:	D-P	Religious uses
South:	I-3	Undeveloped land / wetland
East:	D-P / D-6II	Single-family / multi-family dwellings
West:	C-S	Undeveloped land
Thoroughfare Plan		
Combs Road	Primary Collector	Existing 53-foot right-of-way and proposed 80-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	February 2, 2026	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

Not Applicable to the Site.

Pattern Book / Land Use Plan

Not Applicable to the Site.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

I-65/County Line Road Strategic Plan (2008).

This plan recommends Interchange Area Mixed Use category. This category provides for a wide range of uses appropriate to the vicinity of Interstate interchanges where substantial developable land remains. Uses in this area should be either employee-dense, customer-dense, or both. Ideally intensity of use should be greatest closest to the interchange and taper off as the distance from the interchange increases.

Uses in this area should be either employee-dense, customer-dense, or both. Ideally intensity of use should be greatest closest to the interchange and taper off as the distance from the interchange increases.

Appropriate uses include, but are not limited to:

- Employee-dense light industrial uses
- Medium- to large-scale regional commercial uses
- Employee-dense office uses (multi-story office buildings such as corporate headquarters)
- Apartments or condominiums (residential density of 8 or more units per acre)
- Hospitals
- Hotels and conference centers

Inappropriate uses include low intensity uses or uses that are not employee- or customer-dense are inappropriate in this category. Some examples of inappropriate uses are:

- Single-family residence
- Cemetery
- Schools (K-12)
- Churches
- Self-storage
- Warehousing
- New or used vehicle sales or rentals
- Salvage yards
- Athletic fields/golf driving ranges
- Seasonal uses

This category is by nature traffic intense. Development in this category should promote efficiency of traffic movement, particularly on arterials connecting to the interstate interchange. Development within the area should have a high degree of vehicular connectivity among land uses to give motorists choices of routes and not force motorists onto arterials for trips among sites within the area.

Infill Housing Guidelines

Not Applicable to the Site.

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

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

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

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

ZONING HISTORY

2005-ZON-160/ 8600 Combs Road, requested rezoning 10.0 acres from the D-A district to the I-3-S classification to provide for construction of a printing equipment repair and maintenance facility and self-storage business**, approved.**

VICINITY

2022-ZON-060 / 2022-VAR-006; 8615, 8640, 8721, 8814, 8816, 8840, 8914, 8950 South Arlington Avenue, 5624, 5740, 6000, 6200, 6336, 6376 East County Line Road, and 8700 Combs Road (west and south of site), requested Rezoning of 208.24 acres from the C-S, C-4 and D-A districts to the C-S district to provide for a commercial and industrial development with limited I-1, I-2 and C-4 uses; modification of petition 2019-ZON-069 (Commitments recorded at Instrument #2020-00073675) to terminate the C-S Statement, C-S Site Plan and Commitments and replace them with those filed with this petition; and a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for loading areas between the front building lines and front lot lines, **approved and granted.**

2005-ZON-817 (2005-DP-009) / 2005-PLT-817, 8511 and 8516 South Arlington Avenue (west of site), requested the rezoning of 40 acres, being in the D-A District, to the D-P classification to provide for a single-family subdivision for adults only, and a church; and subdivision approval dividing 23.63 acres into 50 lots, **approved.**

95-Z-195, 8188 Combs Road (south of site), requested the rezoning of 79.0 acres from the D-A(FF) to D-3(FF) to provide for residential development, **approved.**

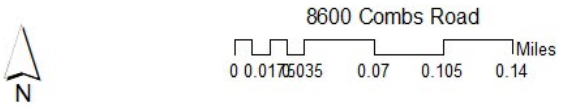
91-Z-143, 6510 East Stop Eleven Road (north of site), requested rezoning of 33.4 acres, being in the D-A District to the D-3 classification to provide for residential development, **approved.**

83-Z-200, 7350 Combs Road (south of site), requested the rezoning of 62.79 acres, being in the A-2 District to the D-3 classification to provide for residential development, **approved.**

7801 South Arlington Avenue and 7602 Five Points Road (west of site), requested rezoning of 269.35 acres, being in the A-2 District, to the D-3 classification to provide for residential development**. Approved.**

EXHIBITS

D4
DP
D3
SILVERADO DR
AMARILLO DR
LONESTAR DR
CROSSE RD
HERITAGE HILL DR
DP
SMITHFIELD DR
DA
DP
COMBS RD
JARVIS DR
I3
8600 Combs Road
GREENWICH DR
CAPRICORN DR
D6II
CS
DA
TROPIC CT
Sources: Esri, HERE, Garmin, FAO, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri Thailand, (NGCC), (c) OpenStreetMap contributors, and the GIS User Community


8600 Combs Road
Miles
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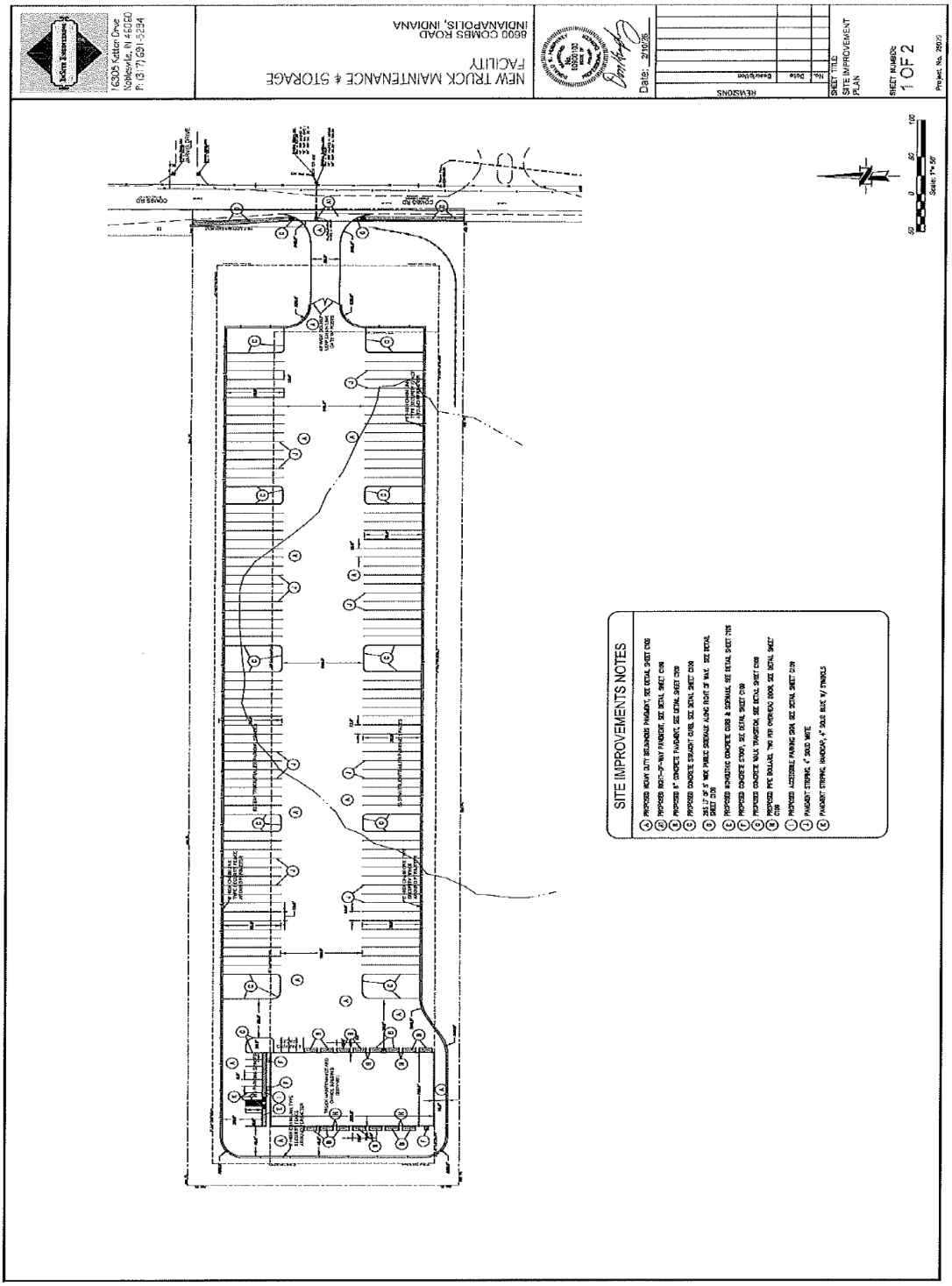
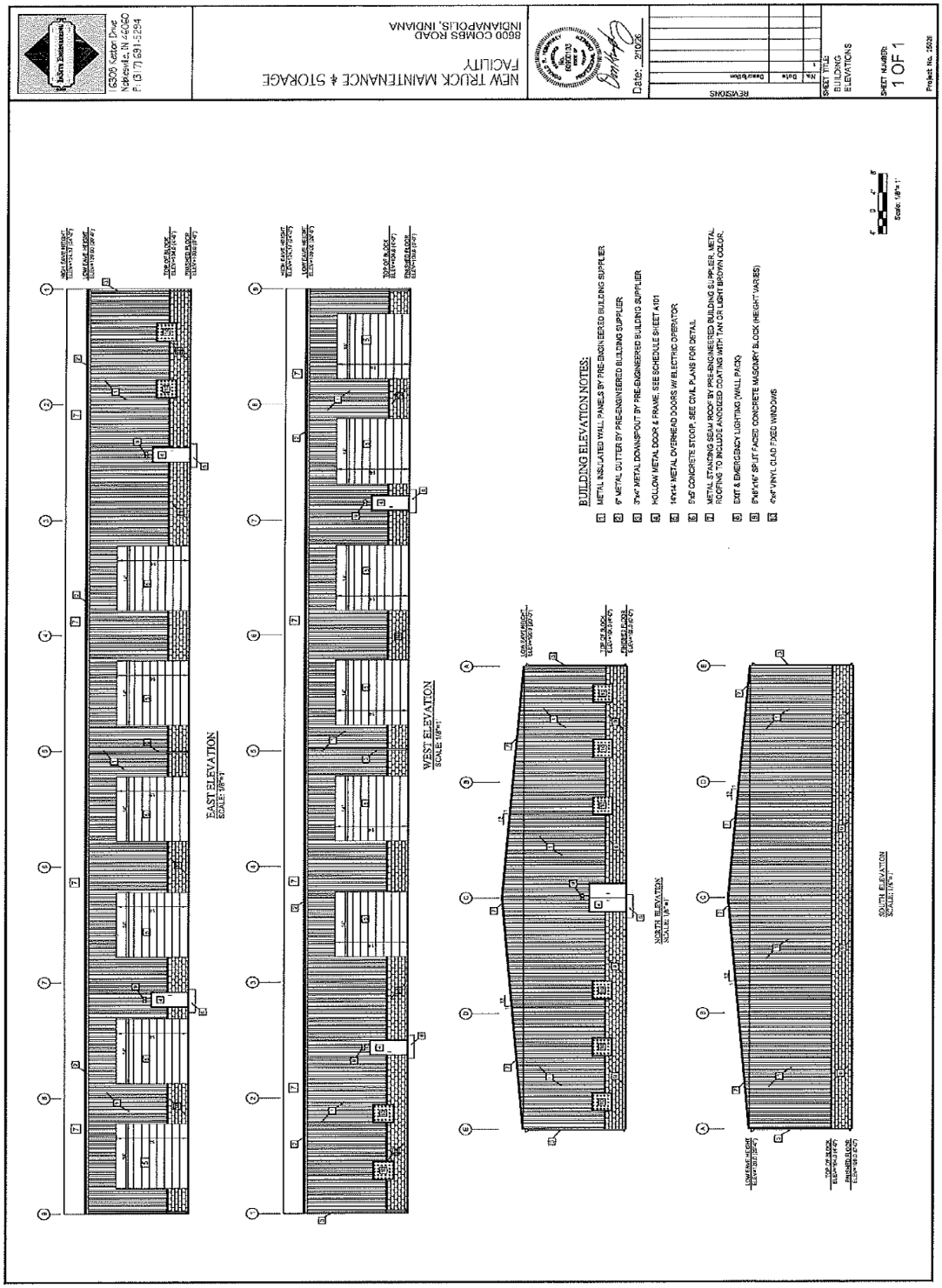
DMD INDY
DEPARTMENT OF METROPOLITAN DEVELOPMENT
DIVISION OF PLANNING | CURRENT PLANNING

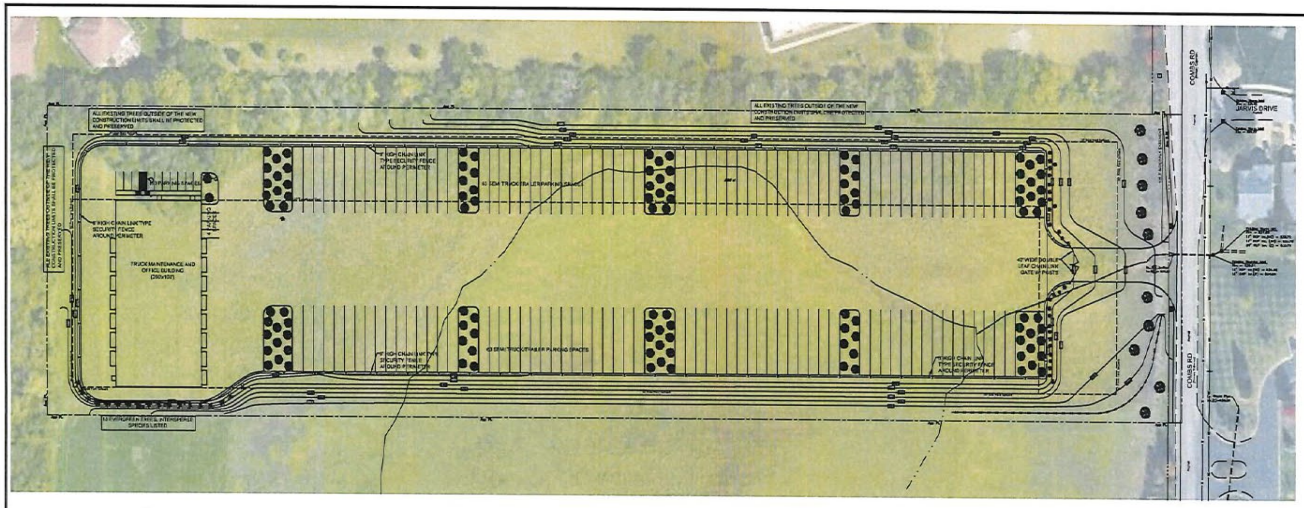
Department of Metropolitan Development
Division of Planning
Current Planning

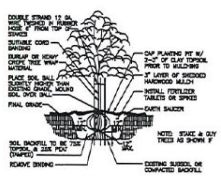



NEW TRUCK MAINTENANCE & STORAGE FACILITY
8600 COMBS ROAD
INDIANAPOLIS, INDIANA
16305 Kelton Drive
Noblesville, IN 46060
P: (317) 691-5294
Date: 2/10/26
REVISIONS
SHEET TITLE: BUILDING ELEVATIONS
SHEET NUMBER: 1 OF 1
Project No. 15028
EAST ELEVATION
WEST ELEVATION
NORTH ELEVATION
SOUTH ELEVATION
BUILDING ELEVATION NOTES:
1 METAL INSULATED WALL PANELS BY PRE-ENGINEERED BUILDING SUPPLIER
2 6" METAL GUTTER BY PRE-ENGINEERED BUILDING SUPPLIER
3 3"x4" METAL DOWNSPOUT BY PRE-ENGINEERED BUILDING SUPPLIER
4 HOLLOW METAL DOOR & FRAME, SEE SCHEDULE SHEET A101
5 14'x14' METAL OVERHEAD DOORS W/ ELECTRIC OPERATOR
6 5x5 CONCRETE STOOP, SEE CIVIL PLANS FOR DETAIL
7 METAL STANDING SEAM ROOF BY PRE-ENGINEERED BUILDING SUPPLIER, METAL ROOFING TO INCLUDE ANODIZED COATING WITH TAN OR LIGHT BROWN COLOR.
8 EXIT & EMERGENCY LIGHTING (WALL PACK)
9 8"x8"x16" SPLIT FACED CONCRETE MASONRY BLOCK (HEIGHT VARIES)
10 4"x4" VINYL CLAD FIXED WINDOWS

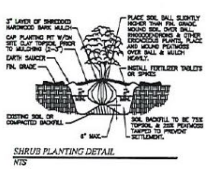
DMD INDY
DEPARTMENT OF METROPOLITAN DEVELOPMENT
DIVISION OF PLANNING | CURRENT PLANNING

Department of Metropolitan Development
Division of Planning
Current Planning

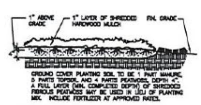




TREE PLANTING DETAIL
NTS



SHRUB PLANTING DETAIL
NTS



GROUND COVER OR FLOWER BED DETAIL

PLANT SCHEDULE

PLANT SCHEDULE

Quantity	Symbol	Botanical Name	Common Name	Size	Container	Notes	Plant Schedule
Trees							
30	Til-a	Tilia tomentosa 'Sterling Silver'	Silver Linden 'Sterling Silver'	2.5"	B&B	Matched, Full	Understory Tree
30	Que-r	Quercus rubra	Northern Red Oak	2.5"	B&B	Matched, Full	Understory Tree
30	Ace-c	Acer campestre	Hedge maple	2.5"	B&B	Matched, Full	Shade Tree
31	Car-b	Carpinus betulus	European Hornbeam	2.5"	B&B	Matched, Full	Shade Tree

Quantity	Symbol	Botanical Name	Common Name	Size	Container	Notes
Evergreen Trees						
9	Thu-o	Thuja occidentalis	American arborvitae	6' High Min.	B&B	Matched, Full
9	Thu-p	Thuja plicata	Green Giant arborvitae	6' High Min.	B&B	Matched, Full

Quantity	Symbol	Botanical Name	Common Name	Size	Container	Notes
Shrubs						
5	Ile-v	Ilex verticillata	Winterberry Holly	2.5 Qt	Container	See note below regarding plant height
5	Tax-C	Taxus Cuspidata	Japanese Yew	2.5 Qt	Container	See note below regarding plant height
9	Bux-s	Buxus sempervirens	Common Boxwood	2.5 Qt	Container	See note below regarding plant height
4	Vib-D	Viburnum Dentatum	Southern Arrowood	2.5 Qt	Container	See note below regarding plant height
6	Jun-c	Juniperus communis	Common Juniper	2.5 Qt	Container	See note below regarding plant height

Bushes along parking lot east perimeter shall be classified as "small" bushes with a minimum of 18" height at planting.

Tree and Bush species shall be interspersed to provide variety at the discretion of the landscaper.

Front Yard Landscape Requirements

Total Front Yard Footage= 330 L.F.
Required Trees: 1 shade tree per 35' of front yard
330 LF/35 = 9.4 Trees
Provided Trees: 10
Minimum of 20% of front yard to be landscaped with bushes or grasses

Parking Lot Landscape Requirements(Street Frontage)

Total Parking Lot Frontage = 240 L.F.
Required Trees: 240 LF/35 = 6.9 Trees
Required Shrubs: 240 LF/25 x 3 Shrubs = 28.8 Shrubs)
Provided Trees: Included in Street Frontage Trees
Provided Shrubs: 29

Parking Lot Landscape Requirements(Interior)

Total Number of Parking Space (Passenger Car) = 14
Total Spaces is less than 15, therefore no interior landscape islands are required.
Provided Trees: 1
Parking Area (Semi-Trailers) = 220,000 SF
Required interior landscaping area @ 9% = 19,800 SF
Interior Landscaping Area Provided = 20,300 SF
Required Trees: 113
Provided Trees: 113

Transitional Yard Landscape Requirements

Transitional Yard Exists along residential lots at northwest corner only
Transitional Yard Length = 200 L.F.

OPTION 1
Required Evergreen Trees: 200 LF/25 = 8 Trees
Required Large Shrubs: 200 LF/25 x 4 Shrubs = 32 Shrubs
Provided Evergreen Trees: 8
Provided Large Shrubs: 32

PROPOSED LANDSCAPING
The entire north and west property lines are heavily wooded by existing trees and underbrush which provides adequate screening of the property to meet the required Option 1 buffer yard landscaping above. All existing trees outside of the new construction area will be preserved.

50 0 50 100
Scale: 1"= 40'

InSite Engineering
16308 Ketton Drive
Noblesville, IN 46060
P: (317) 691-5294

NEW TRUCK MAINTENANCE & STORAGE FACILITY
8600 COMBS ROAD
INDIANAPOLIS, INDIANA

DONALD R. HUMPHREY
No. 60900103
STATE OF INDIANA
PROFESSIONAL ENGINEER

Date: 2/10/26

REVISIONS

No.	Date	Description

SHEET TITLE:
LANDSCAPING PLAN

SHEET NUMBER:
2 of 2

Project No. 25029

EXHIBIT A

Attachment "C"

Zoning Commitments – Final (12-15-05)
#2005-ZON-160 - 8600 Combs Road (Approx)

1. With the exception of the use described as "Manufacture, Assembly or Repair, of Machinery and Machinery Components", which said use includes the proposed printing equipment repair and maintenance operation, no other I-3-S uses shall be permitted on the site.

2. With the exception of "Construction Companies, Contractors, and Home Remodeling Companies", those several uses listed under the general category Manufacture, Assembly and Repair, of", and "Upholstering Shop", no other I-2-S uses shall be permitted on the site.

3. All I-1-S uses shall be permitted on the site with the exception of "Heliports", "Outdoor Advertising Signs" or "Railroad or Other Mass Transportation Rights of Way and Trackage".

4 Any building constructed on the site which includes at least one wall which is located within 250 feet of the centerline of Combs Road shall be covered with brick on:

A. Not less than 95% of the exterior of the front elevation (defined as the wall facing Combs Road), with the exception of doors, windows, utility panels, architectural features and the like.

B. Not less than 95% of the exterior of each of the two sides from the top of the foundation up to the bottom of the applicable roof gable, with the exception of doors, windows, utility panels, architectural features and the like.

5. If the proposed mini-warehouse buildings are constructed on the site and are oriented primarily East/West, then the East end wall of each such building for which said East end is located within 450 feet of the centerline of Combs Road, shall be covered on not less than 95% of the exterior of said East wall with brick, with the exception of doors, windows, utility panels, architectural features and the like.

6. If the proposed mini-warehouse buildings are constructed on the site and are oriented primarily North/South, then the East wall of the first building(s) located West of the centerline of Combs Road shall either: (A) be covered on not less than 95% of the exterior with brick, with the exception of doors, windows, utility panels, architectural features and the like, or (B) substantially screened from view from the East by the installation of a row of spruce or fir trees not less than twenty (20) feet apart (not less than six (6) feet in height at the time of planting) East of each such building, with the additional provision that said row of trees, if applicable, must be planted no more than One hundred (100) feet East of the easternmost wall(s) of the affected building(s).

7. For any building which contains any wall which is located within 250 feet of the centerline of Combs Road and which is constructed with a metal roof, said metal roof shall be a light pastel or light earth-tone shade in color, unless otherwise approved in writing by the Franklin Township Civic League.

8. With the exception of any building which is covered by the preceding Commitment, for those building(s) whose North wall is located within One Hundred (100) feet of the North line of the site, and which are constructed with a metal roof, said metal roof shall either be an earth-tone (green, brown, tan, or similar) color, or shall substantially match the roof of the building(s) covered by the preceding Commitment, unless otherwise approved in writing by representatives of The Community Church of Southport, Inc. and Abbey Road Development, LLC.

9. The site shall be landscaped in accordance with a final landscape plan subject to Administrator's Approval. At a minimum, if the Petitioner elects to reduce the transitional yard along the North line of the site to any distance less than 100 feet (as a part of the extra landscaping required by Section 2.04A(6)(Exception 1) as described in Section 2.11E(3), said landscaping shall specifically be designed so that the plantings include a row of evergreen trees, not less than six (6) feet in height at the time of planting, planted directly North of each building, with each tree planted not more than 12 1/2 feet apart on center. The landscaping of the front transitional yard, and the landscaping associated with the Easternmost building on the site, shall not be lesser in quality and numbers of plantings than the landscaping for those areas which is shown in the Landscape Plan file dated December 15, 2005. The landscape plan(s) shall be submitted prior to the issuance of an ILP.

The landscaping shall be installed within one year of the issuance date of the ILP and shall be well maintained by the property owner thereafter. The proposed landscape plan shall be provided to the Franklin Township Civic League Land Use Committee at the same time said plan is submitted to the City for review.

10. All loading and unloading associated with the use of any building containing a wall which is located within 250 feet of Combs Road, shall only be conducted in the areas which are behind (West of) the building. The dock associated with any such building shall be located only on the West wall of the building(s).

11. As a part of the services offered by the self-storage facility, licensed vehicles, boats, trailers and the like which are owned by tenants may be stored outdoors, but such outdoor vehicle/trailer storage area shall be limited only to the westernmost 33% of the site and in any case shall not be not located within 50 feet of the North and/or West property lines of the site. In addition, no vehicle/trailer used for commercial purposes shall be stored on the site; and no semi-trucks/trailers shall be stored on the site.

12. With the exception of the activities permitted by either of the two preceding Commitments, and the loading and unloading activity related to any other business located on the site, there shall be no outdoor business operations conducted on the site.

13. Any sign(s) located within 250 feet of the centerline of Combs Road shall either be non-illuminated or shall be externally illuminated. If the sign is externally illuminated, the lights shall be primarily focused on the sign face/structure so as to minimize light bleed into the sky.

14. The site shall be designed and developed as an integrated center, meaning that there shall be one shared entrance onto Combs Road, and one shared sign structure along Combs Road.

15. Information identifying the types and quantities of any hazardous chemicals to be used on the site (if any) shall be submitted for review prior to the issuance of an ILP.

16. Any hazardous chemicals used or stored on site shall be used and/or stored as required by the applicable state or federal regulations, including the use of dikes to contain any spills if required by such regulations.

17. Semi-truck traffic to the site shall be limited to an average of a total of not more than two (2) trips to and from the site per week.

18. No trucks over one (1) ton in size which are associated with any business activity on the site shall be permitted to drive into the Smithfield subdivision to the East of the site.

19. The building(s) associated with the development of the front (easternmost) parcel currently proposed for the printing equipment repair and maintenance business shall not exceed 35 feet in height; and the total square footage of the foundation of all buildings constructed on said front parcel (as said parcel is illustrated on the Landscape Plan file dated December 15, 2005) shall not exceed 15,000 square feet.

20. The dumpster(s) on the site shall only be serviced between the hours of 7:00 A.M. and 10:00 P.M.; and any dumpster located within 250 feet of Combs Road shall be located behind the building (i.e, behind the West wall of said building and between the North and South walls of said building, extended), and located within a fenced enclosure which is at least six feet tall and otherwise fully in compliance with the applicable ordinance.

21. Any parking area pole lighting shall be limited to no more than twenty four (24) feet in height; and shall be designed and installed to direct light primarily downward, including the use of fixtures which include a solid top and four sides (box style). In addition, glare screening will be installed extending below the sides of the fixture as required to eliminate an unscreened direct line of sight to the bulb(s) in such parking lot fixtures from a window in any residence located in the Smithfield subdivision located on the East side of Combs Road, which is also within 500 feet of the fixture in question. Such lighting shall also comply with Section 2.10 (I) of the Commercial Districts Zoning Ordinance; including but not limited to the requirement that the light emitted thereby, as measured at the center line of Combs Road (as applicable) shall not exceed an intensity of One (1) foot candle.

22. With the exception of signage and security lighting, any light fixture which is attached to the exterior of the building shall be designed to direct the light primarily downward. All lighting attached to the exterior of a building will be

screened as necessary so there is not a direct line of sight between the bulb in said fixture and a window on any residence located in the Smithfield subdivision which is also within 500 feet of the fixture in question.

23. All litter and debris accumulating on the parking lot and the other exterior areas on the site shall be picked up as necessary to reasonably contain such litter and debris upon the site, and in any case shall be picked up no less than once per week.

24. With the exception of office type operations, the hours of operation for any business located in a building which contains any wall which is located within 250 feet of the centerline of Combs Road, shall be limited to 7:00 A.M. to 7:00 P.M. Monday through Friday, 7:00 A.M. to 6:00 P.M. on Saturday, and closed on Sunday barring occasional emergency customer requirements.

25. Any "mini-warehouse" business on the site will typically be manned by an employee on site in the office at least Seven (7) hours per day, five days a week, excepting holidays; and will be secured with an automated gate system permitting access only to tenants of the facility.

26. The entire portion of the site West of the proposed printing equipment repair and maintenance business (located on the Easternmost approximately as shown on the Landscaping Plan file dated December 15, 2005, will be fenced with either a black vinyl wrapped chain link, or (as to portions of the East end of said area) with the decorative brick and wrought iron type fencing as shown on the Landscape Plan file dated December 15, 2005.

27. Subject to the approval of the Franklin Township Fire Department, any retention ponds on the site shall be fenced with a vinyl coated chain link fence not less than six feet in height.

28. A 35-foot half right-of-way shall be dedicated along Combs Road as per the request of the Department of Public Works (DPW). Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the City. The DPW has requested that the right-of-way be granted within 60 days of approval.

EXHIBIT B

Critical Area J

Location: County Line Road from I-65 to Combs Road.

Current situation: Largely agricultural area in proximity to the I-65/County Line Road interchange. Contains some unplatted residential properties.

Recommended land use: Large-scale developments are recommended for the interchange area. Large sites in proximity to interchanges are scarce and should be reserved for uses that need the combination of a large site and immediate interstate access. Examples are large industrial uses, large-scale shopping centers or corporate headquarters. Although small-scale outlot development may be appropriate along some streets or at certain intersections, small- to medium-scale uses should not be sited in ways that preclude large-scale development.

Uses adjacent to protected districts (residences, churches, schools, parks) should be less intense and smaller in scale than those uses in the heart of the interchange area. Transitional areas should be wide enough to provide appropriate buffering and should be well landscaped. The width of the buffer and the opacity of the landscaping should increase as the difference in intensity of the neighboring uses increases. Variety in the landscape treatment of the transitional areas is desirable. Examples include variation in type, size and species of the trees and shrubs, inclusion of natural areas, variation in topography such as berms and inclusion of passive recreation features such as walking paths where appropriate.

Lighting should be designed to shield the light source from any protected district or right-of-way. The lighting design should also minimize overflow light into the night sky, provide adequate light for safety, and prohibit hazardous glare perceptible from any point beyond the lot lines.

I-65 at County Line Road is the most heavily traveled entry point into Indianapolis and Marion County from the south. It is important that a good first impression is made. The following design considerations are important in proximity to the interstate.

- Materials - buildings visible to the interstate should be constructed of high quality, durable and aesthetically-pleasing materials. Examples include such materials as brick, stone, pre-cast concrete panels, tile, decorative block, wood lap siding, ceramic and glass.
- Finished sides - buildings should have the same materials, or those that are architecturally harmonious, used for all building walls and other exterior building components wholly or partly visible from public rights-of-way.
- Blank walls - walls visible from the interstate should be articulated with openings, changes in materials, or architectural ornamentation.
- Landscaping - landscaping along the I-65 frontage should be balanced between providing a lush landscape with a variety of vegetation heights, colors and textures and providing reasonable visibility of structures and signs.

• Trash receptacles and refuse areas - trash receptacles and refuse areas should not be located where visible from I-65 and other public rights-of-way.
• Signs - Signs should be architecturally compatible with and accentuate the buildings and landscaping on the site in terms of colors, materials, and style. Examples of appropriate types of signs are ground signs, awning signs, wall signs, projecting signs, suspended signs, and window signs. Types of signs that are inappropriate are animated signs, roof signs, marquee signs, message centers, digital signs and electronic variable message signs. An excessive number of signs and excessively large signs are discouraged.
• Billboards - Off premises advertising should be restricted from the gateway area.

Pedestrian connectivity within the area and pedestrian connectivity with the surrounding development is important. Sidewalks should be provided along all public streets except Interstate 65. Within Critical Area J walkways and bike paths should be provided to form a walkway system that functionally connects all of the buildings' main front entrances with the sidewalks located along the public streets. Provisions should be made for adequate bicycle and scooter parking.

Streetscapes and the interiors of parking lots in the Critical Area should be well landscaped to provide a lush landscape with a variety of vegetation heights, colors and textures while providing reasonable visibility of structures and signs. Trees should be planted extensively to cool paved surfaces and intercept stormwater.

During this Critical Area's transition from relatively undeveloped to fully developed, the homes within this Critical Area should be adequately buffered from the new development surrounding them.

The Interchange Area Mixed-Use designation for this area allows for flexibility in development of industrial, commercial and multi-family residential projects. However the mix of these uses within the Critical Area should not be haphazard or indiscriminate. Traffic generation, truck traffic, compatibility of uses, integration of uses, and building heights and mass should all be evaluated when considering siting of uses within the Critical Area.

View looking north along Combs Road

View looking south along Combs Road

View of site looking west across Combs Road

View of site looking west across Combs Road

View of site looking northwest across Combs Road

View of northern portion of site and adjacent land looking west across Combs Road

View of site looking southwest across Combs Road