

METROPOLITAN DEVELOPMENT COMMISSION HEARING EXAMINER

December 19, 2024

Case Number: 2024-ZON-040

Property Address: 6000, 6012, 6020, 6180 and 6206 East 46th Street

Location: Lawrence Township, Council District #9

Petitioner: Indianapolis RE Management LLC, and 600-B East 46th Street, by Emily

Duncan and David Kingen

Current Zoning: C-3 (FF) and C-4 (FF)

Reguest: Rezoning of 35.8 acres from the C-3 (FF) and C-4 (FF) districts to the MU-2

(FF) district.

Current Land Use: Vacant commercial property

Staff

Recommendations: Approval, subject to the commitments noted below.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued this petition from the June 27, 2024 hearing, to the July 25, 2024 hearing, to the August 29, 2024 hearing, and to the September 26, 2024 hearing, at staff's request, to provide additional time for the petitioner's representative to provide additional information and details regarding this request, including a Traffic Impact Study (TIS).

The Hearing Examiner continued this petition from the September 26, 2024 hearing, to the October 24, 2024 hearing, at the request of a neighborhood organization and to the December 19, 2024 hearing, at the request of the petitioner's representative.

Staff is requesting a continuance from the December 19, 2024 hearing, to the January 23, 2025 hearing, to provide time for the petitioner's representative to provide additional detailed information related to redevelopment of the site.

STAFF RECOMMENDATION

Approval, subject to the following commitments being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

 Final site plan, building elevations, landscape plan and a pedestrian connection system / amenities plan shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP). The pedestrian connection system / amenities plan shall include connectivity (and coordination with IndyGo) to any and all of the bus stops along the perimeter of the site.



- 2. A 51-foot half right-of-way shall be dedicated along the frontage of East 46th Street, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).
- 3. Upon request by the DPW the property owner shall construct a west bound, right turn lane at the west access drive along East 46th Street, in accordance with the regulations and standards of the DPW. Such infrastructure improvement shall be completed prior to occupation of any structure on the site.
- 4. Sidewalks within the right-of-way that are disturbed during construction shall be reconstructed with a buffer between the sidewalk and curbs and shall be depicted on the site plan submitted for Administrator Approval.
- 5. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptables provided for the proper disposal of trash and other waste.

PETITION OVERVIEW

This 35.8-acre site, zoned C-3 (FF) and C-4 (FF), is comprised of six parcels and developed with a vacant commercial strip center and associated parking. It is surrounded by educational uses to the north, zoned SU-2; multi-family dwellings and religious uses to the south, zoned D-7 and SU-1, respectively; single-family dwellings to the east, zoned D-3; and multi-family dwellings and religious uses to the west, across North Arlington Avenue, zoned D-7 and SU-1, respectively.

Rezoning

The request would rezone all parcels to the MU-2 (Walkable Neighborhood) (FF) District that is intended to create compact, walkable places at a variety of scales and intensity, appropriate to their contexts. These districts advance their Livability Principles of this code, further the mixed-use intent of the Comp Plan and rely on a connected network of slow or multi-modal streets, and a fine grain of human- scale buildings that line and activate the streetscapes.

"The purpose of the MU-2 district is to meet the daily needs for surrounding neighborhoods and include small social spaces that serve as neighborhood gathering places. The district includes primarily neighborhood-serving businesses and institutions, including a wide range of small-scale retail and service uses that typically do not draw customers from beyond the adjacent neighborhoods, and employment, institutional and residential uses that complement the compact, walkable development pattern. The MU-2 District is implemented as a small node or on busy corridors in the Traditional Neighborhood or City Neighborhood Typologies of the Land Use Pattern Book, or as a Village Mixed Use Typology. The typical size of a district is from 2 to 20 acres (1 to 4 blocks) but depends on the context and what integrates best into surrounding neighborhoods and complimentary zoning districts."



The Comprehensive Plan recommends community commercial typology for the site.

As proposed, the rezoning would generally be consistent with the Plan recommendation of community commercial but would include residential uses that would support the proposed commercial uses.

Conceptual Site Plan

Mixed-use buildings (commercial / residential) are proposed along North Arlington Avenue, with entertainment amenities to the east of these buildings, along with parking associated with the uses.

Apartments and townhomes are proposed in the central portion of the site and fronting on East 46th Street, with public spaces along the eastern portion of the site.

Because the site plan and uses are conceptual with few details, staff would request a commitment that final site plans, landscaping plans and building elevations be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).

Site access would be gained from an existing drive along North Arlington Avenue and two existing drives along East 46th Street.

Traffic Impact Study (TIS)

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

Based upon staff's request for a Traffic Impact Study (TIS), a preliminary Trip Generation Analysis, file-dated July 12, 2024, was submitted. Based upon very preliminary information the Department of Public Works (DPW) staff felt the proposed site would have less traffic than the original shopping center but requested pedestrian and bus connectivity around and through the site. See Exhibit A.

The TIS, file-dated September 9, 2024, was based upon 32 townhomes community recreation center, a business hotel, a daycare center, four food trucks and 51,000 square feet of retail. See Exhibit B.

Intersections that were studied included: North Arlington Avenue at the Driveway, East 46th Street at Arlington Avenue, East 46th Street at West Driveway and East 46th Street at East Driveway.

Capacity analysis occurred for three different scenarios. Scenario One was based on the existing traffic volumes. Scenario Two was based on 2028 Devington Plaza Shopping Center and Scenario Three was based on the 2028 Devington Plaza Mixed-use Development.



Recommended Improvements:

- Scenario One (Existing Conditions) The westbound pedestrian indication for the south cross walk at East 46th Street should be relocated on a separate pole at the southwest corner to improve visibility and retiming the traffic signal would improve operations.
- Scenario Two (Devington Plaza Shopping Center Three driveways should be one lane in and two lanes out with stop sign control for the driveways).
 - A northbound right turn lane is recommended at the North Arlington Avenue Driveway.
 - Retiming the traffic signal would improve operations at the East 46th Street and North Arlington Avenue intersection.
 - A westbound right turn lane is recommended at East 46th Street and West Driveway.
 - No changes are recommended at East 46th Street and East Driveway.
- Scenario Three (Devington Plaza Mixed-Use Development Three driveways should be one lane in and two lanes out with stop sign control for the driveways).
 - No changes are recommended at the North Arlington Avenue Driveway
 - Retiming the traffic signal would improve operations at East 46th Street and Arlington Avenue intersection.
 - A westbound right turn lane is recommended at East 46th Street and West Driveway.
 - No changes are recommended at East 46th Street and the East Driveway.

It was concluded that traffic in the study area should not be unreasonable delayed due to the construction of the mixed-use development and that the mixed-use development would generate less daily and PM peak hour traffic than the shopping center it would replace.

Department of Public Works

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 51-foot half right-of-way along East 46th Street. This dedication would also be consistent with the Marion County Thoroughfare Plan.

Floodway Fringe

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

The designation of the FF District is to guide development in areas subject to potential flood damage, but outside the Floodway (FW) District. Unless otherwise prohibited, all uses permitted in the primary zoning district (MU-2 in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance.



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.

Planning Analysis

As proposed staff supports the rezoning request to the MU-2 district, despite the Comprehensive Plan recommendation of community commercial.

Staff believes the Plan recommendation of community commercial was generally supportive of the existing shopping center use but believes the introduction of residential and entertainment uses as elements of mixed-use redevelopment of this site would bring activity to support the proposed commercial uses. Additionally, proposed uses would expand services to the surrounding residential land uses to the east, west and south.



Because this site is located at the intersection of two primary arterials, staff believes a strong pedestrian connection to the perimeter of the site should be provided. Staff also believes this project should provide a strong pedestrian connection system throughout the site, along with pedestrian amenities (benches, lighting, trash containers, etc.). Staff would also request that landscaping be enhanced that would exceed the minimum Ordinance requirements, along with providing green spaces throughout the site.

This redevelopment project is conceptual at this time and full build out would likely be phased over many years. Staff would anticipate that as development moves forward that the architectural character of the buildings would be harmonious and compatible throughout the site, as well as surrounding development. Staff would also encourage that a sign program be developed in the early stages to maintain sign consistency throughout the site as development occurs.

Administrator Approval should be required as development occurs that would include site plans, landscaping plans, photometric plans and building elevations. Staff would also request Administrator Approval for a pedestrian / amenity plan.

GENERAL INFORMATION

Existing Zoning	C-3 (FF) / C-4 (FF)			
Existing Land Use	Vacant commercial uses / park	king lot		
Comprehensive Plan	Community Commercial			
Surrounding Context	Zoning	Land Use		
North:	SU-2	School		
South:	D-7 / SU-1	Multi-family dwellings / religious uses		
East:	D-3	Single-family dwellings		
West:	SU-1 / D-7 Religious uses / multi-family dwellings			
Thoroughfare Plan		unaminge		
North Arlington Avenue	Primary arterial	Existing 90-foot right-of-way and proposed 102-foot right-of-way.		
East 46th Street	Primary arterial	Existing 90-foot right-of-way and proposed 102-foot right-of-way.		
Context Area	Metro			
Floodway / Floodway Fringe	Yes, unregulated 500-year floo	odplain		
Overlay	No			
Wellfield Protection Area	No			
Site Plan	May 27, 2024			
Site Plan (Amended)	August 8, 2024			
Elevations	N/A			
Elevations (Amended)	N/A			



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

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

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

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

- Conditions for All Land Use Types Community Commercial Typology
 - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
 - All development should include sidewalks along the street frontage.
- Small-Scale Offices, Retailing, and Personal or Professional Services (defined as Commercial uses with minimal outdoor operations, storage, or display on lots of less than 1.5 acres and a height of less than 35 feet.)



- Outdoor display of merchandise should be limited.
- If adjacent to residential uses or a Living Typology, outdoor display of merchandise is not recommended.
- Should be located along an arterial or collector street.
- If proposed within one-half mile along an adjoining street of an existing or approved
 residential development, then connecting, continuous pedestrian infrastructure between
 the proposed site and the residential development (sidewalk, greenway, or off-street path)
 should be in place or provided.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

• Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indv 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.
 - o Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
 - Set requirements for preserving the right-of-way (ROW)
 - o Identify roadways for planned expansions or new terrain roadways
 - Coordinate modal plans into a single linear network through its GIS database



ZONING HISTORY

2002-ZON-807 / **2002-VAR-807**; **4825 North Arlington Avenue (north of site)**, requested rezoning of 23.572 acres from the D-3 district to the SU-2 classification to legally establish educational uses and a variance of use and development standards of the Sign Regulations to provide for a 23-foot-tall, 156-square-foot pylon sign, with 36 square feet devoted to an electronic variable message board located 110 feet from a protected district, approved and granted.

90-UV3-44; **6010** East **46**th Street (south of site), requested a variance of use of the Commercial Zoning Ordinance to provide for the rental of six panel trucks, **granted**.

88-UV3-135; **4570 North Arlington Avenue (south of site),** requested a variance of use of the Dwelling Districts Zoning Ordinance to provide for the conversion of a single-family residence into a real estate office, **denied.**

86-V1-135; **5930** Laurel Hall Drive (north of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a garage addition to a single-family residence located at 3 feet, 8 inches from the side property line (7 feet required), **denied**.

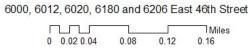
60-V-12; **4825 North Arlington Avenue (north of site)**, requested a variance of use to provide for a school, **granted**.

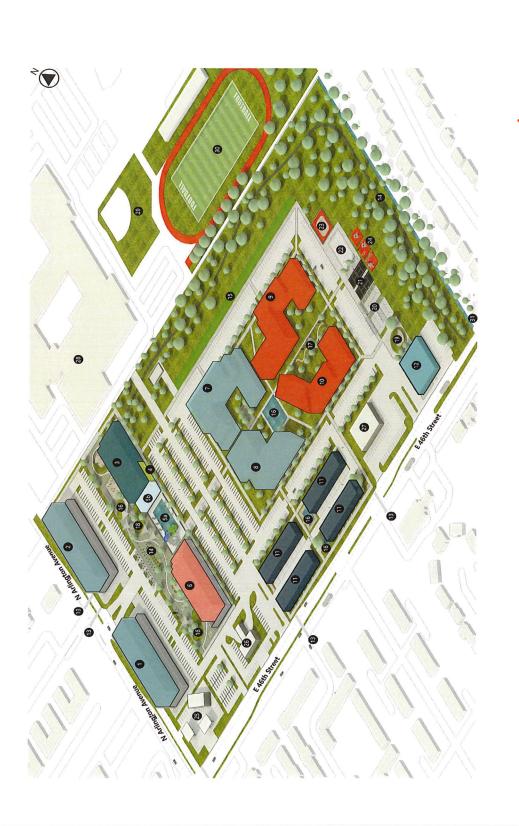


EXHIBITS















COMMERCIAL DEVELOPMENT BUILDINGS

ŧ	TYPE	LEVELS	SQFI	UNITS	NOTES
6	MIYED IICE	1	17,000 SF	17,000 SF 7 UNITS (2500 EA.)	Commercial (2500 SF ea.)
)	100 000	2-5		60 APT. UNITS	Units accessible from front & rear
•	MIXED IISE	1	17,000 SF	17,000 SF s UNITS (2500 EA.)	New Childcare (5000 SF)
•		2-5	2	60 APT. UNITS	Units accessible from front & rear
•	ESPORTS	-	27,000 SF	ì	LOUNGE / EVENT / CLASSES
4	ROLLER RINK	-	12,000 SF		EVENT CENTER / CLASSES
•	a. POOL	-	12,000 SF		Hotel or Not for Profit Operator
•	b. BATH HOUSE		2,500 SF		Hotel or Not for Profit Operator
9	RETAIL/RESTAURANT	1	17,000 SF	17,000 SF 7 UNITS (2500 EA.)	Commercial (2500 SF ea.)
	HOTEL	2-5		60 ROOM	Units accessible from Plaza & rear

PUBLIC SPACE / CONNECTIVITY

#	INFRASIRUCIURE	SQFI	
13	CROSS WALKS		NEW -TRAFFIC
2	WALKING TRIAL	a ·	WATERWA'
9	RAIN GARDEN		WATER SOF
2	NEW DEVINGTON PLAZA		PUBLIC I

CALMING STRATEGY

IMITED HOURS

NOT IN SCOPE







NOT IN SCOPE

Department of Metropolitan Development Division of Planning Current Planning

HOUSING & AMENITIES

COMMERCIAL DEVELOPMENT BUILDINGS

#	INFRASTRUCTURE TYPE	LEVELS SQFT UNITS	SQFI	UNITS
-	APARTMENTS	FIVE	N/A	100 UNITS
8	APARTMENTS	FIVE	N/A	100 UNITS
	APARTMENTS (TAX CREDIT)	FOUR	N/A	100 UNITS
9	APARTMENTS (TAX CREDIT)	FOUR	N/A	100 UNITS
A	TOWN HOMES (8)	OWI	8,320 SF	1
[2]	FUTURE DEVELOPMENT	ONE	8,500 SF	

PUBLIC SPACE / CONNECTIVITY

	/ / 10 0 11	
#	INFRASTRUCTURE TYPE	NOTES AND PROFILE OF
13	CROSSWALK	NAMMA
4	WALKING TRAIL	PUBLIC LIMITED HOURS
15	WATER RETENTION SYSTEM	
16	RAIN GARDEN	
17	PLAY GROUND	PRIVATE (RESIDENT ONLY)
19	AMPHITHEATER	PUBLIC LIMITED HOURS
20	COMMUNITY GARDEN	PUBLIC LIMITED HOURS
21	TENNIS COURTS	PUBLIC LIMITED HOURS
22	BASKETBALL COURT	PUBLIC LIMITED HOURS
23	DOG PARK	PUBLIC LIMITED HOURS
24	PLAY GROUND	PUBLIC LIMITED HOURS

INFRASIRUCIURE ITPE	JIMMYS AUTO SERVICES	AUTO ZONE PARTS	ARLINGTON MIDDLE SCHOOL	ARLINGTON FOOTBALL FIELD	ARLINGTON BASEBALL FIELD	DEVON CREEK
#	25	(2)	28	29	8	3

		2		
AUTO ZONE PARTS	ARLINGTON MIDDLE SCHOOL	ARLINGTON FOOTBALL FIELD	ARLINGTON BASEBALL FIELD	DEVON CREEK
	88	62	8	(E)
			amond de	N. WHITTEN







Tag	Function	Level	Square Footage or	Min Oil-Street Venicle Parking	Darking Spaces Dermitted	Proposed Off-Street Vehicle	Location (Refer to drawing)
			Cilia	naumhau saanda	r aiville spaces r cillillica	r di Milig Spaces	
Н	Commercial	Н	17,000	64	88	49	Mixed Use Parking
	(All retail Sales uses)			(1 per 350 sf if under 200,000 sf)	(1 per 200 sf)	-	9,000,000
•	Market Rental Housing	2245	G	45		37	
•	(Multifamily dwellings 5 or more)	0,1,0,1	3	0.75 (if over 3 stories)	None	£	Mixed Use Parking
c	Commercial	,	10 000	29	50		
1	(All retail Sales uses)	1	70,000	(1 per 350 sf if under 200,000 sf)	(1 per 200 sf)	53	Mixed Use Parking
	Daycare	,		18	35		
7	(Daycare Center or Nursery School)	Н	7,000	(1 per 400 sf)	(1 per 200 sf)	18	Mixed Use Parking
·	Market Rental Housing			45			
7	(Multifamily dwellings 5 or more)	2,3,4,5	00	0.75 (if over 3 stories)	None	45	Mixed Use Parking
ď	Esports	,	33 000	83	165		
0	(Community Center)	7,4	000,00	(1 per 400 sf)	(1 per 200 sf)	83	Mixed Use Parking
-	Rollerskating	,	000	13	25	;	
t	(Indoor recreation & Entertainment)	7	non'e	(1 per 400 st)	(1 per 250 sf)	13	Mixed Use Parking
ư	Swimming Pool	,	14 500	36	72.5		
0	(Recreational Facility)	-	14,300	(1 per 400 st)	(1 per 250 sf)	36	Mixed Use Parking
ú	Commercial	,	11 000	49	85	:	
0	(All retail Sales uses)	-	17,000	(1 per 350 sf if under 200,000 sf)	(1 per 200 sf)	49	Mixed Use Parking
u	Hotel	2 6 6	8	09	06	:	
Þ	(Lodging - Hotel)	2,0,4,0	00	(1 per guest room)	(1.5 per guest room)	09	Mixed Use Parking
				424	809	424	Mixed Use Parking (120+32+272)
7	Market Rental Housing (Multifamily dwellings 5 or more)	1,2,3,4,5	100	75 0.75 (if over 3 stories)	- None	75	Residential Parking
	Market Rental Housing			75			
œ	(Multifamily dwellings 5 or more)	1,2,3,4,5	100	0.75 (if over 3 stories)	None	75	Residential Parking
თ	Tax Credit Housing	1.2.3.4	100	75		አ	Docidontial Datring
	(Multifamily dwellings 5 or more)	. (2424)		0.75 (if over 3 stories)	None	2	nesinelliat ratkling
6	Tax Credit Housing		700	75		1	
OT	(Multifamily dwellings 5 or more)	1,2,3,4	100	0.75 (if over 3 stories)	None	75	Residential Parking
				300		300	Residential Parking (300)
11	Townhouses	1.2	α	80		٥	20000
	(Single family Attached Dwellings)	761	,	(1 per dwelling Unit)	None	0	Indoor Garage
5	Future Development	,		24	43		
77	(Office)	4	0,000	(1 per 350 sf)	(1 per 200 sf)	24	Future Development Parking
				24	43	24	



EXHIBIT A



1 Cor. 10:31 ...whatever you do, do it all for the glory of God.

Clark Katz Principal Skysoar Capital Partners, LLC 400 Rella Blvd, Suite 100 Montebello, NY, 10901

July 11, 2024

Re: Trip Generation Comparison

Devington Plaza 6000 East 46th Street

Indianapolis, Indiana 46226

Yarger Engineering Job Number: 20240702

Dear Mr. Katz;

Per your request, we have estimated the trips generated by Devington Plaza, before as a shopping center, and after as mixed-use. As can be seen in the tables below, the before case had more daily and afternoon traffic. Since many businesses in shopping centers are typically not open in the morning peak periods between 7:00 and 9:00 AM, the morning before traffic is lower than the after case with the mixed-uses, which includes uses with more balanced traffic through-out the day. The second and third tables contain the individual land uses.

Trip Before and	Generati After Co		
Land Use	Daily	AM Street Peak	PM Street Peak
Before – Shopping Center	12,801	368	1,063
After – Mixed-Use	7,880	491	681

The second and third tables contain the individual land uses.

	В		rip Ge e - Sho		on Center	
Land Use	ITE Code	Size	Units	Daily	AM Street Peak	PM Street Peak
Shopping Center	820	178	KSFT	10,519	239	856
Liquor Store	899	1.5	KSFT	161	1	60
Gas with Convenience Market, 2 – 4 KSFT	945	8	Fueling Positions	2,121	128	147
Total				12,801	368	1,063



Mr. Katz July 11, 2024 Page 2

Trip Generation Mixed-Use						
Land Use	ITE Code	Size	Units	Daily	AM Street Peak	PM Street Peak
Townhomes	215	32	Dwelling Units	193	11	15
Mid-Rise Apartments	221	520	Dwelling Units	2,434	217	203
Business Hotel	312	38	Rooms	326	25	25
Community Center	495	60	KSFT	1,150	73	95
Day Care	565	7	KSFT	333	77	78
Shopping Plaza Without Supermarket	821	51	KSFT	3,444	88	265
Total				7,880	491	681

The Esports, roller skating rink, and pool were calculated using the recreational community center as the closest fit for the land use in the ITE Trip Generation Manual.

If you have any questions or comments, please call me at (317) 475-1100. You may also email me at bwyarger@yargerengineering.com.

NO. 8802967 STATE OF STATE OF STATE OF

Sincerely,

Yarger Engineering, Inc.

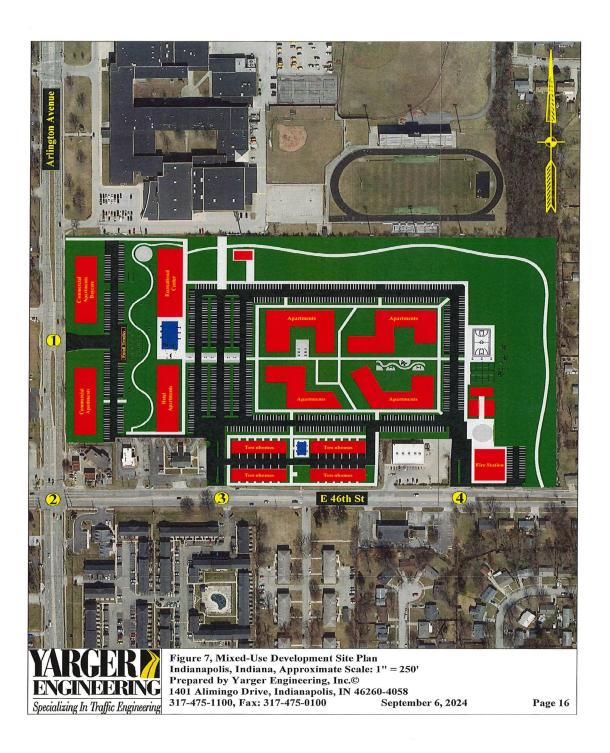
Bradley William Yarger, P.E.

President

BWY/bwy



EXHIBIT B









View looking north along North Arlington Avenue



View looking east along East 46th Street





View looking west along East 46th Street



View of site looking north





View of site looking east along existing structure



View of site looking north





View from site looking east at adjacent property



View of site looking southeast





View of site looking east



View from site looking south





View from site looking south



From site looking west along southern boundary





View from site looking west across North Arlington Avenue



View from site looking northwest across North Arlington Avenue