



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

July 17, 2024

Case Number: 2024-ZON-014 (Amended)

Property Address: 7125 Wellingshire Boulevard

Location: Perry Township, Council District #22

Petitioner: Wellingshire Partners, LLC by Joseph D. Calderon

Current Zoning: D-P
Rezoning of 57.81 acres from the D-P (FF) (W-1) district to the D-P (FF) (W-1) district to revise the list of permitted uses for Parcel 2 of the Southern Dunes (formerly Wellingshire) Planned Unit Development. Permitted uses would be as follows:

Request: Parcel 2 (7125 Wellingshire Boulevard) Public, Institutional, Religious and Civic Uses, Medical or Dental Offices, Centers or Clinics, Animal Care, Boarding, Veterinarian Services, Artisan Food and Beverage, Farmers Market, Financial and Insurance Services, Hair and Body Care Salon or Service, Bar or Tavern, Eating Establishment or Food Preparation (any type), Indoor Recreation and Entertainment, Hotel, Motel, Offices (Business, Professional or Government), Outdoor Recreation and Entertainment, Grocery Store, Liquor Store, Retail, Light and Heavy General, Automobile and Light Vehicle Wash, Automobile, Motorcycle, Light Vehicle Service or Repair, Vehicle Charging Station and other Accessory Uses.

Current Land Use: Undeveloped land

Staff Recommendations: Approval, except for the proposed Sign Program described in the D-P Statement, file-dated June 26, 2024, and subject to the commitments noted below:

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Metropolitan Development Commission continued this petition, without notice, from the June 26, 2024 hearing, to the July 17, 2024 hearing, at the request of staff to provide additional time to amend the request and finalize the legal description.

The Metropolitan Development Commission acknowledged the automatic continuance filed by a registered neighborhood organization that continued this petition from the May 15, 2024, hearing to the June 26, 2024 hearing.

STAFF RECOMMENDATION

Approval, except for the proposed Sign Program described in the D-P Statement, and subject to the following commitments being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing.

1. Final site plan and elevations shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).
2. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptables provided for the proper disposal of trash and other waste.
3. Sidewalks shall be installed throughout the development in accordance with the Ordinance, including along West Southport Road.
4. An auxiliary left-turn lane shall be installed at the proposed access point of Wellingshire Boulevard and Portrait Drive in accordance with the Department of Public Works standards.

PETITION OVERVIEW

As originally filed, this request included three undeveloped parcels. The two southern parcels addressed as 2702 West Stop 11 Road and 7750 SR 37 (Parcels 12 and 13) have been removed, leaving the northern parcel (Parcel 2) located at the southeast corner of the intersection of West Southport Road and Wellingshire Boulevard as the site in this request.

This 18.73-acre site, zoned D-P (FF)(W-1) is undeveloped and surrounded by Interstate 69 right-of-way to the north, across West Southport Road, zoned C-4 (FF)(W-1); multi-family dwellings to the south, zoned D-P (FF)(W-1); Interstate 69 right-of-way to the east, zoned D-P (FF)(W-1); and multi-family dwellings to the west, across Wellingshire Boulevard, zoned D-P (FF)(W-1).

Petition 97-Z-14 (97-DP-3); rezoned the site to the D-P (GSB)(FF) district to provide for a residential and golf course community development. Between this initial rezoning the current request, there have been eight modifications to the 1997 rezoning that amended the request to respond to marketing and land use changes that have occurred during the ensuing years (See Zoning History). Most recently site access has also been slightly modified due to the construction of Interstate 69.

The Comprehensive Plan recommends community commercial typology for this site.

As proposed, this request would be consistent with the Comprehensive Plan recommendation of community commercial for this site. Community commercial typology is contemplated to be consistent with the C-3 (neighborhood commercial) or the C-4 (community-regional) zoning districts, depending upon the location and the surrounding land uses. Most of the requested uses would be permitted in the C-3 and C-4 districts. Consequently, staff supports this request.



D-P Statement (file-dated June 26, 2024)

The amended D-P Statement provides for 19 commercial uses and 20 accessory uses. Development Standards include, no more than eight businesses with drive-through service, no more than three hotels and no more than 100,000 square feet of retail uses.

Building height and setbacks are also identified in the D-P Statement, along with parking, landscaping, utilities / drainage, lighting, signs and building materials.

Staff, however, has a strong concern with the proposed Sign Program that would provide for a minimum of four freestanding signs, two of which the D-P Statement identifies as “interstate signs.” The original request included three off-premises advertising signs (aka billboards) on the two southern parcels. Those two parcels and the off-premises advertising signs are no longer in this request. However, the proposed two 50-foot-tall, 350 square-foot, signs on the remaining site exceeds the height of any permitted signs in the Sign Regulations. The maximum permitted height of off-premises advertising signs is 40 feet and the maximum height of freestanding signs in commercial districts is 25 feet. In other words, it would seem to staff that two 50-foot-tall signs, 350 square feet, are substitutes for the previously requested off-premises advertising signs.

Staff believes the proposed Sign Program is excessive and in violation of the purpose of the Sign Regulations that are “intended to facilitate an easy and agreeable communication between people and to balance the interests and objectives of the sign owner and the community audience.”

Staff understands that signs serve an important function and believes that reasonable and adequate display is permitted under the Sign Regulations. The Ordinance also defines the purpose of the Sign Regulations by providing a list of attributes, most of which would be compromised and diluted by the proposed two 50-foot-tall, 350 square feet, signs and two free-standing signs.

Staff believes that the proposed four signs (two of which are 50-foot-tall, 350 square feet) would potentially increase hazards to motorists and pedestrians, limit an equitable opportunity for effective communication, and cause excessive and confusing sign displays.

Staff would also emphasize the need for pedestrian connectivity throughout the project, including a pedestrian path along West Southport Road. All such paths should be constructed in accordance with the standards provided by the Department Public Works.

Floodway Fringe

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

The designation of the FF District is to guide development in areas subject to potential flood damage, but outside the Floodway (FW) District. Unless otherwise prohibited, all uses permitted in the primary



zoning district D-P in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance.

Staff would note the following uses are prohibited in the floodplain:

- a. Jails;
- b. Hospitals;
- c. Assisted living facilities;
- d. Nursing homes;
- e. Laboratories;
- f. Elementary, Middle or High Schools;
- g. Daycare facilities;
- h. Fire stations;
- i. Emergency operation centers;
- j. Police facilities;
- k. Truck, train, or bus terminal, storage or maintenance facility;
- l. Wrecking or salvage facility;
- m. Gas, oil or propane storage facility;
- n. Industrial laundry;
- o. Hazardous waste handling or storage facility; and
- p. Other public equipment storage facilities.

Traffic Operations Analysis (TOA)

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.

The scope included turning movement counts at the intersections of Southport Road and Wellingshire Boulevard and Wellingshire Boulevard and Portrait Drive; estimate the number of peak hours trips that would be generated by the proposed development; assign and distribute the generated traffic from the proposed development to the study intersections; prepare a capacity analysis, level of service analysis and turn lane analysis for each of the scenarios; prepare recommendation for roadway cross sections needed to accommodate the total traffic volumes of the proposed development; and prepare a TOA conclusions and recommendations report.

Capacity analysis occurred for three different scenarios. Scenario One is based on existing 2024 traffic volumes. Scenario Two is based on 2034 background traffic volumes and increasing 1% per year for 10 years. Scenario Three is based on the 2034 total traffic volumes and generated traffic volumes from the proposed development. Any "new" operational deficiencies identified in Scenario Three would be attributed to the proposed development.



Conclusions and Recommendations

Southport Road and Wellingshire Boulevard

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

Wellingshire Boulevard and Portrait Drive / Proposed Access Point

Capacity analyses have shown that this intersection currently operates and will continue to operate at acceptable levels of service during the AM and PM peak hours. The auxiliary turn-lane analysis has shown that a left-turn lane should be added for the Proposed Access Point.

Environmental Public Nuisances

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

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

Environmental public nuisance means:

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

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

GENERAL INFORMATION

Existing Zoning	D-P (FF)(W-1)	
Existing Land Use	Undeveloped land	
Comprehensive Plan	Community Commercial	
Surrounding Context	Zoning	Land Use
	North:	C-4 (FF)(W-1) Interstate 69 right-of-way
	South:	D-P (FF)(W-1) Multi-family dwellings
	East:	D-P (FF)(W-1) Interstate 69 right-of-way
	West:	D-P (FF)(W-1) Multi-family dwellings
Thoroughfare Plan		
Wellingshire Boulevard	Local Street	Existing 92-foot right-of-way and proposed 50-foot right-of-way
West Southport Road	Primary arterial	Existing 402-foot right-of-way and proposed 119-foot right-of-way.
West Stop 11 Road	Local Street	Existing 45-foot right-of-way and proposed 50-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	Yes	
Overlay	No	
Wellfield Protection Area	Yes	
Site Plan	February 20, 2024	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	February 12, 2024 / June 26, 2024 (Amended)	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

- The Comprehensive Plan consists of two components that include The Marion County Land Use Pattern Book (2019) and the Land Use Map (2018). 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.
- *Large-Scale Offices, Retailing, and Personal or Professional Services (defined as Commercial uses with minimal outdoor operations, storage, or display on lots of more than 1.5 acres and a height of more than 35 feet.)*
 - Should be located along an arterial or collector street
 - Outdoor display of merchandise should be limited.
 - If adjacent to residential uses or a Living Typology, outdoor display of merchandise is not recommended.
 - If proposed within one-half mile along an adjoining street of an existing or approved residential development, then connecting, continuous pedestrian infrastructure between the proposed site and the residential development (sidewalk, greenway, or off-street path) should be in place or provided.
 - Should be no larger than 25 acres with 125,000 square feet of floor space and no more than three out lots.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

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 describes 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

2024-PLT-031, 7125 Wellingshire Boulevard, requested approval of a Subdivision Plat to be known as Southern Dunes Commons at Wellingshire, subdividing 18.73 acres into two lots and three blocks, with a waiver of sidewalk requirements along Southport Road, per Chapter 741, Article III, Section 6 of the Consolidated Zoning and Subdivision Ordinance, **pending**.

2013-MOD-016; 7185 Wellingshire Boulevard and 7500 South Belmont Avenue, requested modification of the Development Statement for 97-Z-14 (97-DP-3), as modified by 2000-APP-038, 2000-APP-161, 2001-APP-161, 2001-APP-158, 2002 APP-03 and 2002-APP-127 to generally include: a) 2,341 dwelling units and 2.17 units per acre; b) multi-family developed on Parcels One and 25; c) 250,000 square feet of commercial development, 400 multi-family units and a 15-acre assisted living facility within Parcel Two; d) multi-family and commercial on Parcels 12 and 13, subject to the overall 2.17 units per acre density; and e) perimeter street improvements: The west approach of Stop 11 Road at the intersection of Stop 11 Road and State Road 37 and the east and west approaches of County Line Road at the intersection of County Line Road and State Road 37 shall be improved to the extent approved by DPW and INDOT (requires double right-turn and left-turn lanes, and double-left turn lanes, one through land and one right-turn lane, respectively, **approved**).

2004-ZON-093; 2201 and 3425 West Southport Road, 7500 State Road 37, 2701 West Stop 11 Road and 8808 Bluff Road, requested rezoning of 1,023 acres, being in the D-P (GSB)(FW)(FF)(W-1) District to the D-P (FW)(FF)(W-1) classification to provide for a map correction to rezoning case 97-Z-14 to remove all property from the Gravel Sand =Borrow (GSB) classification, **approved**.

2002-APP-127; 2201 West Southport Road, requested a modification of the Development Statement related to petitions 97-Z-14 (97-DP-003), 2000-APP-38, 2000-APP-161, 2001-APP-158 and 2002-APP-033 to provide for 1) Parcel 3 and Parcel 3a of southern Dunes to be developed with two-family dwellings; 2) a decrease of acreage of Parcel 1B from 62 acres to 38 acres; 3) improvements / upgrades of State Road 37 to the extent approved by DPW and INDOT; 4) changes to traffic signal improvements, the method of provided for "fairshare" costs of improvements, and "in kind" improvements, times in which a Letter of Credit shall be obtained and the amount of funds required for the Letter of Credit; and 5) deletion of VI.A.3.g which provided for reservation of right-of-way at the intersection of State Road 37 and Southport Road, and the expiration of said reservation after ten years for those parts of the right-of-way not required, **approved**.

2002-APP-033; 2201 West Southport Road, requested modification of the Development Statement related to petitions 97-Z-14 (97-DP-3), 2000-APP-038, 2000-APP-161 and 2001APP-158 to modify Section 1 to read: No building, with the exception of the clubhouse, shall exceed 35 feet. The Clubhouse located on Parcel 14 shall not exceed 48 feet, **approved**.



Department of Metropolitan Development
Division of Planning
Current Planning

2001-APP-158; 2201 West Southport Road, requested modification of the development statement related to petition 97-Z-14 (97-DP-2), 2000-APP-038, and 2001-APP-161 to provide for the reconfiguration of the proposed residential, commercial recreational and miscellaneous uses within the proposed development to include a) a corrected legal description of 1,189 acres; b) 12 single-family residential communities; c) total acreage within each residential community of development parcel may increase or decrease by as much as 10%; d) proposed number of lots or units within each residential community of development parcel may increase or decrease by as much as 25%; e) creation parcel 9a as three acres of open space, with development of this site limited to a pylon sign not to exceed 30 feet in height to serve as identification of the proposed adjacent commercial uses; and f) density to be based on the entire development minus the commercial properties, **approved**.

2000-APP-161; 2201 West Southport Road, requested modification of the Development Statement related to petitions 97-Z-14 (97-DP-3) and 2000-APP-038 to provide for 43-foot-tall multi-family dwellings on Parcels 25 and / or 1, **approved**.

2000-APP-038, 2201 West Southport Road, requested modification of the Development Statement, related to petition 97-Z-14 (97-DP-3), of Southern Dunes (formerly known as Wellingshire) to provide for a reconfiguration of the proposed residential, commercial, recreational, and miscellaneous uses within the proposed development, **approved**.

97-Z-14 (97-DP-3); 2201 West Southport Road, requested rezoning of 1,130 acres, being in the D-A (FF), SU-23 (GSB)(FF), SI-3 (FF), D-6 (FF), and C-3 (FF) districts to the D-P (GSB)(FF) classification to provide for a residential and golf course community development consisting of eight single-family residential communities, three multi-family residential communities, a 27-hole golf course, a nine-hole golf course, a golf academy, club house and practice area, two neighborhood commercial centers, two neighborhood commercial services, a mini-warehouse use, recreational amenities and open space areas, **approved**.

**SECOND AMENDED AND RESTATED PRELIMINARY DP PLAN
AS TO PARCEL 2**

SOUTHERN DUNES PLANNED UNIT DEVELOPMENT

INTRODUCTION

Wellingshire Partners, LLC (“Petitioner”) is under contract to purchase property containing approximately 18.72 acres, located at the southwest quadrant of Southport Road and I-69, which is commonly known as 7125 Wellingshire Boulevard (the “Southport/I-69 Parcel”), more particularly described on Exhibit “A” (the “Subject Property”). The Subject Property is zoned DP, as a result of Case Nos. 97-Z-14 (97-DP-03), as modified by 2000-APP-038, 2000 - APP-161, 2001-APP-158, 2002-APP-003, 2002-APP-127, and as modified by 2013-MOD-016 (the “Existing DP”). Permitted uses and certain development standards were set forth for multiple parcels within the Development Statement under 2013-MOD-016. The Petitioner proposes to develop the undeveloped portion of Parcel 2 as set forth in this Amended Preliminary DP Plan. In the event of a conflict between the Existing DP and this Amended Preliminary DP Plan with respect to the Subject Property, this Amended Preliminary DP Plan shall control.

Petitioner is proposing a more traditional commercial interchange development on the Southport/I-69 Parcel, as shown on the conceptual site plan submitted with and attached to this Preliminary DP Plan as Exhibit “B” (the “Site Plan”). The Site Plan shows 8 lots with development featuring typical interchange type uses, including quick serve and other restaurants, retail/service uses, automotive uses, and a hotel. However, the final use mix and lot count has not yet been determined, and the site plan is still conceptual.

**PROPOSED BUILDINGS, PERMITTED USES,
BUILDING SPECIFIC STANDARDS FOR SOUTHPORT/I-69 PARCEL**

Permitted Uses: The following primary uses, as described in Table 743-1 of the City of Indianapolis Consolidated Zoning/Subdivision Ordinance (the “Zoning Ordinance”), shall be permitted on the Southport/I-69 Parcel:

- 1) Public, Institutional, Religious and Civic Uses
- 2) Medical or Dental Offices, Centers or Clinics
- 3) Animal Care, Boarding, Veterinarian Services
- 4) Artisan Food and Beverage
- 5) Farmers Market
- 6) Financial and Insurance Services
- 7) Hair and Body Care Salon or Service
- 8) Bar or Tavern
- 9) Eating Establishment or Food Preparation (any type)
- 10) Indoor Recreation and Entertainment
- 11) Hotel, Motel
- 12) Offices (Business, Professional or Government)
- 13) Outdoor Recreation and Entertainment
- 14) Grocery Store

- 15) Liquor Store
- 16) Retail, Light and Heavy General
- 17) Automobile and Light Vehicle Wash
- 18) Automobile, Motorcycle, Light Vehicle Service or Repair
- 19) Vehicle Charging Station

Permitted Accessory Uses:

- 1) ATM
- 2) Automobile Rental Station
- 3) Drive-Through
- 4) Game Courts
- 5) Outdoor Display and Sales, Temporary or On-Going
- 6) Outdoor Seating or Patio (Non-residential)
- 7) Outdoor Seasonal Produce Sales
- 8) Portable Storage (Temporary)
- 9) Recycling Collection Point
- 10) Renewable Energy Facility (Solar/Geothermal)
- 11) Vehicle Charging Stations
- 12) Satellite Dish Antenna
- 13) Sidewalk Café
- 14) Signs
- 15) Temporary Construction Yard, Office or Equipment
- 16) Temporary Outdoor Event
- 17) Temporary Fireworks Sales
- 18) Transportation Facilities and Accessories (Ground)
- 19) Vending Machine/Kiosk (Outside)
- 20) Walk-Up Window

Development Standards:

1. Maximum development density shall be:
 - a) No more than eight (8) businesses with drive-through service;
 - b) No more than three (3) hotels; and
 - c) No more than one hundred thousand (100,000) square feet of other retail, in addition to the foregoing.
2. Maximum Height:

The hotel shall not exceed:
 Six (6) stories, or eighty (80) feet in height, measured to top of parapet wall.

Retail/restaurant buildings shall not exceed:
 Two (2) stories, or thirty-five (35) feet in height, measured to top of parapet wall.
3. Parking:

Surface parking and bicycle parking of no less than the minimum required by the

Zoning Ordinance per the particular use. Shared parking is permissible. No parking maximum shall apply.

4. Drive-Through:
Service units and stacking spaces may face Wellingshire Boulevard, Southport Road or I-69.

STANDARDS/REQUIREMENTS APPLICABLE TO SOUTHPORT/I-69 PARCEL

Building Setbacks:

1. Front Yard (Wellingshire Boulevard):
Buildings: Twenty (20) feet, measured from the existing right-of-way line.
Accessory Uses: Five (5) feet measured from the existing right-of-way line.
2. Front Yard (Southport Road):
Buildings: Twenty (20) feet, measured from the right-of-way line.

Accessory Uses: Five (5) feet measured from the existing right-of-way line.
3. Front Yard (I-69):
Buildings: Twenty (20) feet, measured from the right-of-way line.

Accessory Uses: Five (5) feet measured from the existing right-of-way line.
4. Side/Rear Yard (Overall boundary line of Subject Property) :
Buildings: Twenty (20) feet, measured from overall south boundary line of Subject Property, and not each lot line.
5. Individual Lots, yards not fronting on Wellingshire Boulevard, Southport Road or I-69:
Buildings: Ten (10) feet, measured from lot line.
Accessory Uses: Zero (0) feet, measured from lot line.

Landscaping: Detailed landscaping plans will be submitted for Administrator's Approval, prior to obtaining an Improvement Location Permit for development of any lot. At a minimum, any such landscaping plan shall provide for perimeter landscaping along Wellingshire Boulevard and Southport Road frontages and along the south property line.

Utilities/Drainage: All utilities are available to the site. There will be no utility poles located on the Subject Property, unless already existing and financially impractical to bury. Storm drainage will be professionally engineered to meet all City of Indianapolis requirements with respect to runoff rate and quantity, as well as water quality. The Petitioner may use a combination of surface and underground drainage systems to meet City of Indianapolis Ordinance requirements.

Lighting: All free standing light fixtures and lighting elements shall meet the requirements of the Zoning Ordinance.

Signs: Petitioner proposes the following signs:

1. Development Identification Signs: Two (2) pylon signs, each oriented to Interstate 69 traffic, not to exceed fifty (50) feet in height (measured from the grade where the signs are actually located) and three hundred fifty (350) square feet in area identifying the development and tenants within the development on the Southport/I-69 Parcel, to be located along the I-69 frontage of the Subject Property, in the approximate locations shown on Exhibit "C".
2. One (1) freestanding monument or pylon sign, not to exceed twenty-five (25) feet in height and three hundred (300) square feet in area, identifying tenants in the commercial portion of the development, to be located near the corner of Southport Road and Wellingshire Boulevard in the approximate location shown on Exhibit "C".
3. One (1) freestanding monument or pylon sign, not to exceed ten (10) feet in height and twenty (20) feet in width, but in no event with a square footage exceeding one hundred fifty (150) square feet, identifying the commercial portion of the development, but not identifying specific tenants, in the approximate location shown on "Exhibit "C".
4. Individual lots shall not be permitted to have freestanding individual building identification signs.
5. Wall signs, as permitted by the Sign Regulations of Marion County, on all of the Buildings.
6. Up to three (3) Construction/Leasing signs with a maximum height of twenty (20) feet measured from street level grade and a maximum size of sixty-four (64) square feet. One (1) Construction/Leasing sign may have a maximum height of forty (40) feet and a maximum size of two hundred (200) square feet in sign area.
7. Secondary freestanding signs as permitted by Table 744-906-2 of the Zoning Ordinance for Commercial Districts.

Building Materials: All Buildings shall feature one or more of the following materials: glass, steel, aluminum, wood, masonry, stone, EIFS and fiber cement board.

LIST OF EXHIBITS

Exhibit "A"	Legal Description of Southport/I-69 Parcel
Exhibit "B"	Site Plan
Exhibit "C"	Sign Plan

43647638.1

EXHIBIT "A"

Legal Description of Southport/I-69 Parcel

PART OF THE NORTH EAST QUARTER OF SECTION 16, TOWNSHIP 14 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN, MARION COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 16; THENCE ALONG THE EAST LINE THEREOF SOUTH 00 DEGREES 04 MINUTES 02 SECONDS WEST (BEARINGS BASED ON WEST LINE OF NORTHEAST QUARTER BEING SOUTH 00 DEGREES 21 MINUTES 35 SECONDS WEST) 1009.53 FEET TO A POINT ON A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 4208.99 FEET AND A CHORD BEARING SOUTH 09 DEGREES 14 MINUTES 22 SECONDS WEST 204.42 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE 204.44 FEET TO THE NORTHEAST CORNER OF A 19.183 ACRE TRACT OF LAND AS DESCRIBED IN INSTRUMENT NO. A20210005590 IN THE OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA; THENCE ALONG THE NORTH LINE OF SAID 19.183 ACRE TRACT OF LAND SOUTH 89 DEGREES 57 MINUTES 34 SECONDS WEST 82.11 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 4127.18 FEET AND A CHORD BEARING NORTH 10 DEGREES 38 MINUTES 46 SECONDS EAST 39.44 FEET, SAID POINT ALSO BEING THE SOUTHWESTERLY CORNER OF THE LAND OF STATE OF INDIANA AS DESCRIBED AS PARCEL 730C IN INSTRUMENT NO. A202200003783 IN SAID RECORDER'S OFFICE; THENCE ALONG THE WESTERLY, SOUTHERLY AND EASTERLY LINES OF SAID PARCEL 730C THE FOLLOWING TEN (10) COURSES; (1) NORTHEASTERLY ALONG SAID CURVE 39.44 FEET; (2) NORTH 02 DEGREES 03 MINUTES 50 SECONDS EAST 431.76 FEET; (3) NORTH 06 DEGREES 06 MINUTES 20 SECONDS WEST 675.16 FEET; (4) NORTH 89 DEGREES 55 MINUTES 43 SECONDS WEST 685.00 FEET; (5) SOUTH 78 DEGREES 28 MINUTES 46 SECONDS WEST 199.06 FEET; (6) SOUTH 07 DEGREES 20 MINUTES 05 SECONDS WEST 102.83 FEET; (7) SOUTH 24 DEGREES 46 MINUTES 56 SECONDS WEST 124.39 FEET; (8) SOUTH 11 DEGREES 22 MINUTES 53 SECONDS WEST 76.49 FEET; (9) SOUTH 06 DEGREES 24 MINUTES 42 SECONDS WEST 90.55 FEET; (10) NORTH 89 DEGREES 55 MINUTES 43 SECONDS WEST 21.28 FEET TO THE EAST LINE OF WELLINGSHIRE BOULEVARD AS DESCRIBED IN INSTRUMENT NO. 1998 - 0178425 IN SAID RECORDER'S OFFICE; THENCE ALONG THE EAST LINE THEREOF SOUTH 00 DEGREES 04 MINUTES 15 SECONDS WEST 130.72 FEET TO THE NORTH LINE OF THE AFORESAID 19.183 ACRE TRACT OF LAND AS DESCRIBED IN INSTRUMENT NO. A20210005590; THENCE THE FOLLOWING FOUR (4) COURSES ALONG SAID NORTH LINE; (1) SOUTH 89 DEGREES 55 MINUTES 48 SECONDS EAST 550.00 FEET; (2) SOUTH 00 DEGREES 01 MINUTES 10 SECONDS EAST 400.00 FEET; (3) SOUTH 35 DEGREES 01 MINUTES 10 SECONDS EAST 234.03 FEET; (4) NORTH 89 DEGREES 57 MINUTES 34 SECONDS EAST 356.51 FEET TO THE POINT OF BEGINNING, CONTAINING 18.73 ACRES, MORE OR LESS.

EXHIBIT "B"

Site Plan

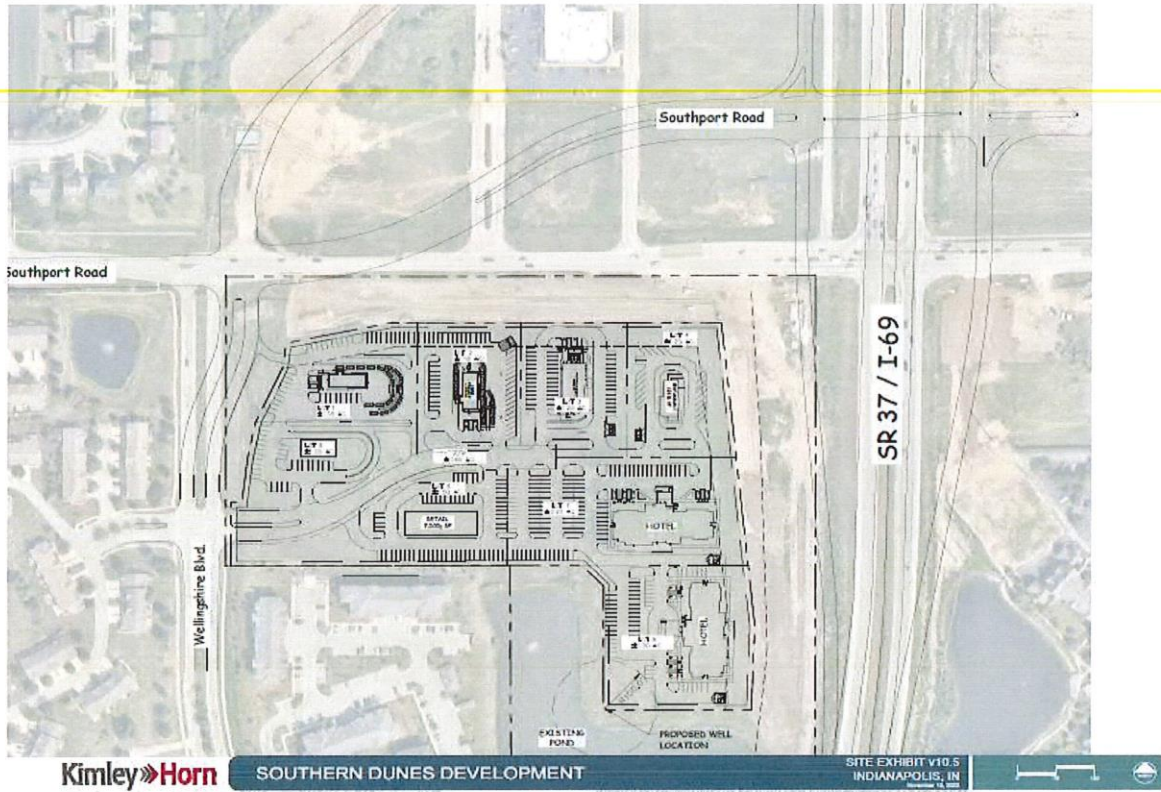
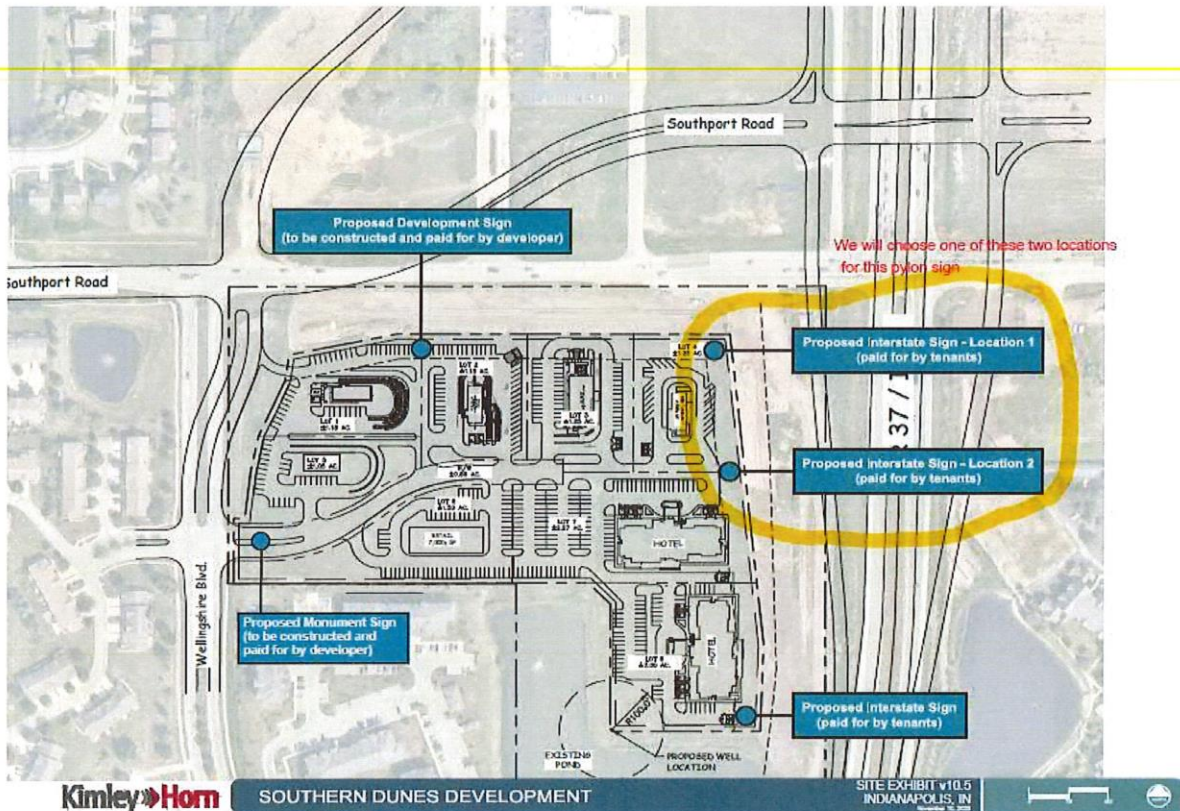


EXHIBIT "C"

Sign Plan

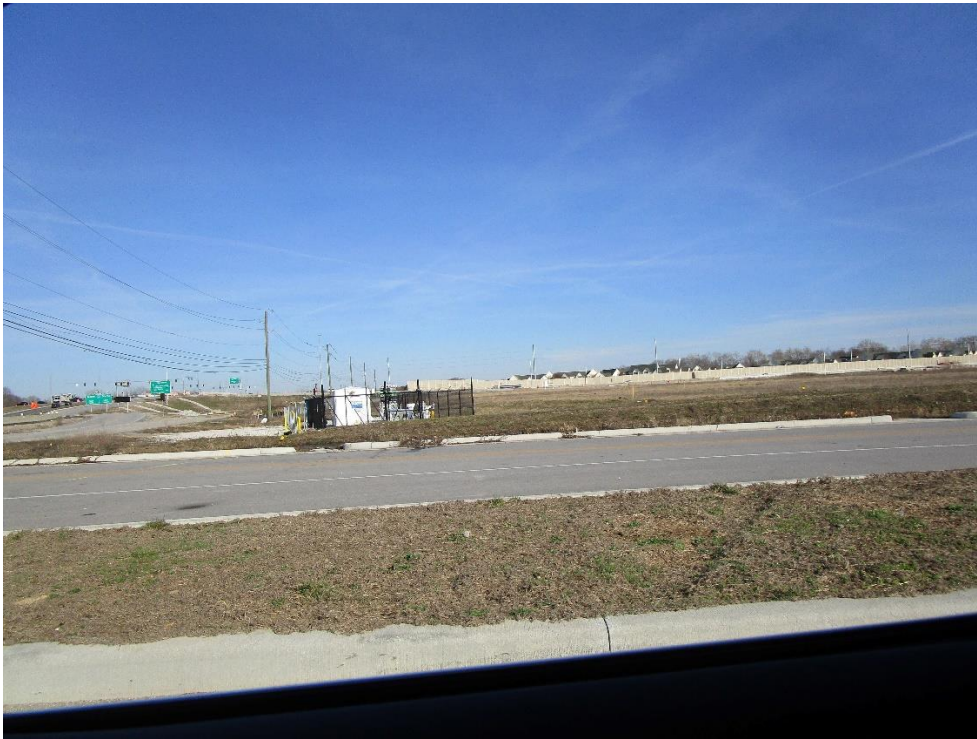




View looking south along Wellingshire Boulevard



View looking north along Wellingshire Boulevard



View of site looking east across Wellingshire Boulevard



View of site looking northeast across intersection of Wellingshire Boulevard and Portrait Drive



View of site looking northeast



View of site looking east across Wellingshire Boulevard



View of site looking east



View of site looking south across West Southport Road