



PLAN COMMISSION STAFF REPORT

Meeting date: January 11, 2024

APPLICATION NO:	REZ-2023-04
SUBJECT:	Change of Zoning
LOCATION:	0 S SR 13 (State parcel ID: 48-15-15-200-012.000-044)
PROPERTY OWNER(S):	CRPP, LLC
PETITIONER(S):	Roscoe Dorsey (CRPP, LLC)
SUMMARY:	Rezoning of the real estate from Agricultural to General Industrial zoning district.
WAIVERS REQUESTED:	None
RECOMMENDATION:	Recommend APPROVAL of Rezone to the Council <i>with modifications</i>
PREPARED BY	Oksana Polhuy, Planning Administrator
EXHIBITS	Exhibit 1. Vicinity Map Exhibit 2. Submittal Exhibit 3. Site Plan (plat format) Exhibit 4. Recommended Land Use Map Exhibit 5. Alternative Re-Zoning Map

PROCEDURE

The application was filed on December 7, 2023, for a public hearing at the January 11, 2024 Plan Commission meeting.

The Plan Commission hears the evidence presented by Staff, petitioner/owner, and any individuals in the audience wishing to speak for or against the proposed project or to just ask questions. The Plan Commission then holds a discussion among themselves and makes a recommendation to the Town Council to either allow the request, deny the request, and/or amend the applicants' proposal. The Plan Commission has the authority to modify the proposal and/or attach conditions to the recommendation.

The Council then hears the proposal, including the Plan Commission's recommendation at the Council meeting(s). At the final Council meeting, the proposal as presented in an Ordinance format is either adopted, denied, or modified by the Council.

STANDARDS FOR AMENDMENTS

Per Lapel UDO, V1.8.6, in reviewing the rezoning petition, the Plan Commission and Town Council shall pay reasonable regard to the following:

1. Whether the proposed amendment is consistent with the goals, objectives, and policies of the Comprehensive Plan;
2. Whether the proposed amendment is compatible with current conditions and the overall character of uses in the immediate vicinity of the subject property;
3. Whether the proposed amendment is the most desirable use for which the land in the subject property is adapted;
4. Whether the proposed amendment will have an adverse effect on the value of properties throughout the jurisdiction; and
5. Whether the proposed amendment reflects responsible standards for development and growth.

CORRESPONDENCE

As of this writing, staff hasn't received any comments or questions from the public.

ABOUT PROJECT

The subject site is located on the east side of SR 13, about 975 feet south of the intersection of SR 38 and SR 13. The 18.9-acre subject site is vacant, currently zoned Agricultural and is either vacant or used for farming (see Exhibits 1 and 2).

The petitioner, Roscoe Dorsey on behalf of the property owner (CRPP, LLC), would like to rezone this property to General Industrial to use it for expanding Lapel Industrial Park to the north (see Exhibit 2. Submittal).

The petitioner rezoned a 20-acre site to the south of the subject site in 2020 to General Industrial zoning district to develop it into Lapel Industrial Park, which was before the Comprehensive Plan was created. Lapel Industrial Park is meant to be an area split into several properties to be used for commercial and industrial uses. When the petitioner was going through the primary plat procedure in the spring and summer of 2023, he found out that the drain located close to the rezoned site that he was going to use for the existing project could not be used because it is a private drain (see Project Narrative in Exhibit 2). The petitioner found out during the drainage review from Madison County Drainage Board that there is a public drain nearby, but it is located closer to the site to the north of Lapel Industrial Park. To connect the existing public drain, the petitioner would have to cross this property to the north. The petitioner decided to purchase this property and request the town to rezone it to the General Industrial district. By that, Lapel Industrial Park project would grow from its current 20-acre size to an almost 38-acre project. The vision for the Park remains the same: split it into several lots, 2 acres or more in size, to be used by a variety of commercial/industrial businesses.

ANALYSIS

Compatibility with Surrounding Area

The subject site is zoned “Agricultural” and is “vacant land” per tax use records. The surrounding zoning and uses are displayed in Figure 1.

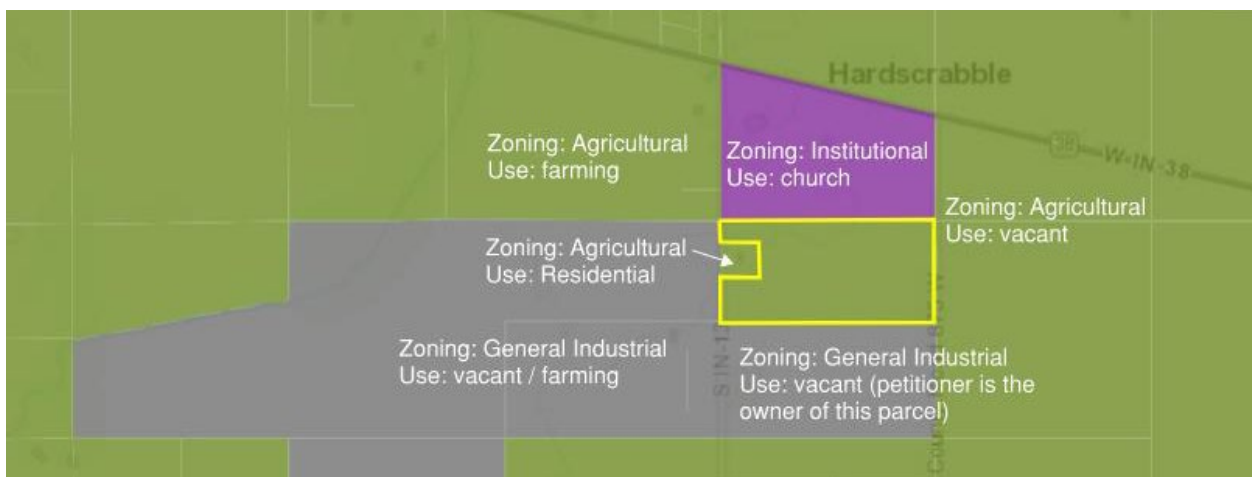


Figure 1. Surrounding zoning and uses

Analysis of the Impact on Surrounding Uses. Given that most of the land around the subject site is vacant land or used for agricultural purposes, an addition of the industrial and commercial uses will not be creating a negative impact on the surrounding uses. Some of the features like a landscape buffer would create a visual buffer with the surrounding non-industrial zoning districts the north (church) and to the west (residential) and east that are zoned Agricultural. The currently proposed plan in a plat format (Exhibit 3) shows that there would be a 50-ft-wide landscape buffer, which is typically required of General/Light Industrial zoning district if it borders a non-industrial zoning district.

Consistency with Lapel Comprehensive Plan

Consistency with the Proposed Land Uses in CP

The Lapel Comprehensive Plan's Proposed Land Use Map (see Exhibit 4) designates the property for Light Industrial use, which somewhat matches the character of the proposal. The requested General Industrial zoning district is not shown on the map of recommended uses at all, and the recommended Light Industrial is the closest recommended use to the General Industrial zoning district.

Consistency with the community vision, land use goals, objectives, and policies. In the survey conducted for the Comprehensive Plan 2021, the community supported growth and diversification of commercial and industrial activities south of State Road 38, which is where the site is located. However, in the light of the review of the recent petition for LKQ for a rezone across the street from the subject site, the community input and the input from some Commissioners, Council and BZA members, it became clear that the General Industrial zoning district along SR 13, a visible corridor, may not always be desirable in this area. Due to that, staff would like to propose some additional thoughts to clarify the community vision as well as propose an alternative rezone solution.

It was noted during the public hearings for LKQ's petition that while the community was okay with some industrial and commercial uses along SR 13 and south of SR 38, the industrial use was still not the most popular among the people according to the survey results recorded in the Comprehensive Plan's Appendix. It was noted that the examples of the industrial uses given in the survey were the kinds that do not have outdoor storage. In Lapel, the Light Industrial district would match this character, and that's the recommended use for the subject site.

The General Industrial district permits outdoor storage, while other zoning districts, like Light Industrial or Commercial 1 do not. On one hand, that means that the community may not support General Industrial right along SR 13 based on the mentioned survey and corresponding proposed use map. On the other hand, many commercial and light industrial uses need some sort of outdoor storage. For example, landscaping, fencing, and other contractor's companies sometimes need space for seasonal inventory that doesn't fit in a warehouse, like patio stones, fencing material, and so on. Some contractors' businesses need space for storing equipment used for work that is too bulky or weirdly sized to be parked in a typical parking spot or be

moved into a building and is typically stored outdoors in the storage areas. These are examples of businesses that aren't as "dirty" as the ones that could be permitted in the General Industrial district. They could fit into light industrial or commercial districts IF outdoor storage was allowed there. Since outdoor storage is allowed only in the General Industrial zoning district, it forces the petitioners to apply for this district even if they'd need maybe 10-20% of their lot for storage and they wouldn't be the polluting heavy kinds of business.

Other communities typically permit outdoor storage in several zoning districts as an accessory use to the primary use and solve the concern with "visibility" of storage by requiring the storage to be behind the front facades of the buildings or in rear yards. They also have screening standards like requiring an opaque fence of a certain height around the perimeter of the storage area. Some communities may also limit the amount of area to be used for outdoor storage in various districts (e.g., 20 % of the lot), which helps regulate the amount of land developed with buildings (better for tax revenue) as opposed to undeveloped storage areas (typically gravel yards that may not provide much, if any, tax revenue).

A few Lapel's zoning standards relevant to screening / storage:

- Lapel has a 50-ft-wide landscape buffer standard for lots in Light/General Industrial districts if they border a non-industrial district, whether there is outdoor storage or not. The petitioner shows this buffer on the site plan (Exhibit 3).
- Outdoor storage, permitted as an accessory use in the General Industrial zoning district, isn't allowed to be in any required setback (60-ft front, 40/60-ft side, or 40/60-ft rear). There are no specific requirements for screening the storage area itself, so the landscape buffer mentioned above would be the screening method.

Staff's Alternative Rezone Proposal

Since there is no plan to amend Lapel's UDO outdoor storage standards any time soon, staff proposes an alternative solution displayed in Exhibit 5: Light Industrial zoning district along SR 13, the residential and the church uses, and General Industrial on the rest of the site. This way, the uses permitted close to SR 13 and existing non-industrial uses won't have outdoor storage, but businesses that need outdoor storage space could do it deeper in the site. This could satisfy the community's vision in the Comprehensive Plan, create a use buffer between the residential and institutional uses and heavy industrial uses by providing for uses to be conducted completely indoors, while also allowing some room for businesses that need outdoor storage.

How could such a proposed arrangement look in real life?

Figure 2 shows examples of Stony Creek Industrial Park in Noblesville along SR 37 and a commercial/industrial park in Fishers along SR 37. The subject site is 0.25-miles wide, and the chosen examples have the same width. These examples can give us real-life examples of what the industrial uses could look like from the state road if they are located a certain distance away from the road.

Both examples have commercial / light industrial uses abutting the state road and are about 300-ft-wide or more. The petition shows a parcel (lot 4) abutting SR 13 to be about 300-ft-wide. When you drive on the state road 37 by the commercial/industrial uses in Noblesville and Fishers, one typically doesn't see what's behind them. However, there are quite a few of uses with outdoor storage located "behind" this initial row of commercial/light industrial uses without (or with little) outdoor storage. So, driving along state road 37, one wouldn't know that the uses with the outdoor storage are located there because the distance, buildings, and some landscaping of the uses right along SR 37 blocks the view.

Staff's proposal to have a portion of the subject site zoned Light Industrial would create this effect of blocking the view of the businesses that need outdoor storage.

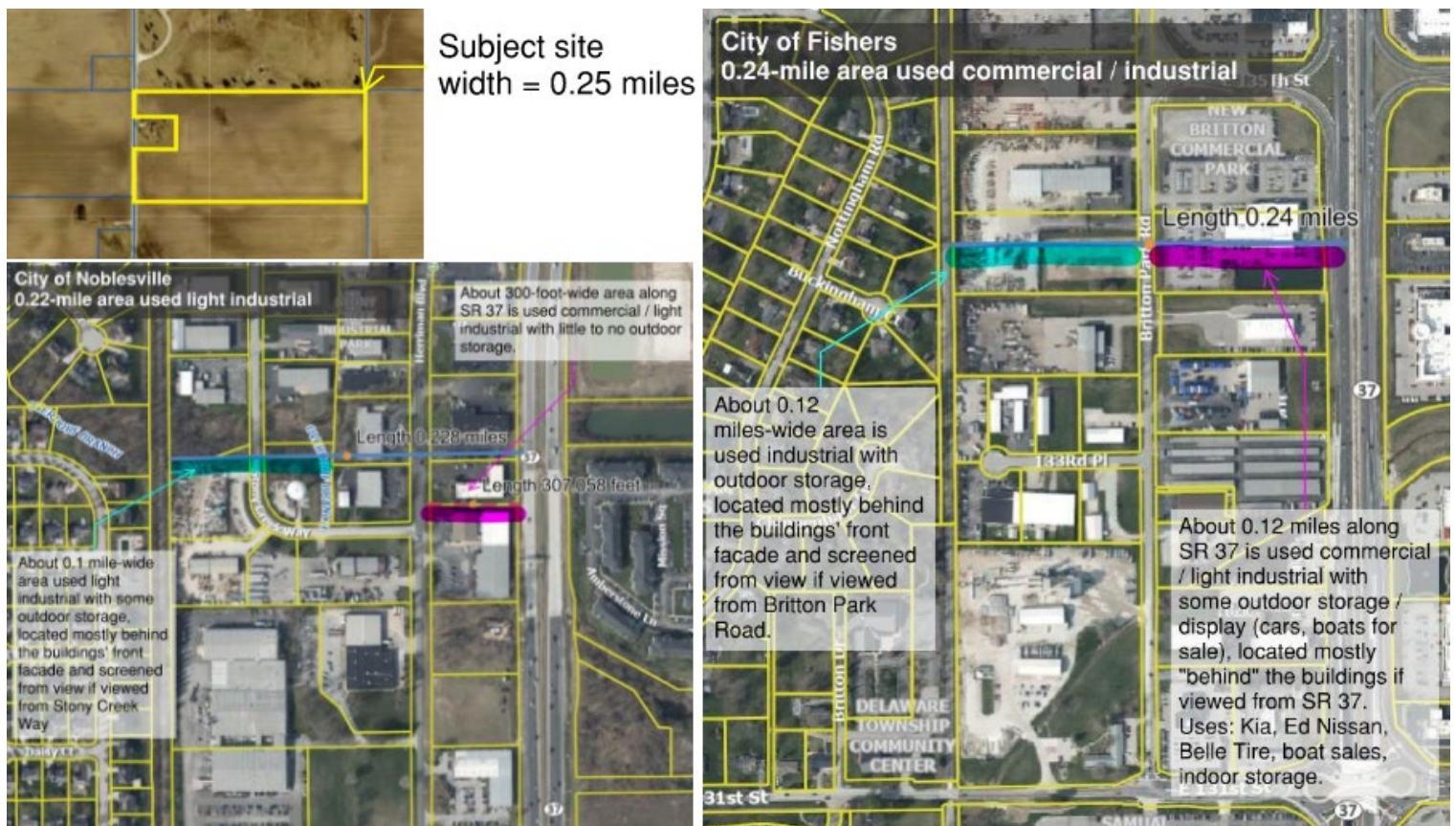


Figure 2. Comparison of existing industrial areas along state roads in the nearby communities to the subject site

RECOMMENDATION

Staff recommends APPROVAL of application REZ-2023-04 with staff's modification to the zoning map displayed in Exhibit 5 to rezone a portion of the site to Light Industrial and another to General Industrial because:

1. The proposed zoning district with staff's proposed modification is consistent with the policies of the Comprehensive Plan;
2. The proposed use and zoning district is compatible with the surrounding uses in the immediate vicinity;
3. The subject site is located in a place that is suitable for a Light and General Industrial zoning districts to be within the planning jurisdiction of Lapel;
4. Keeping industrial uses close to the state roads and highways is a good way to keep the industrial traffic away from the residential core of the town, which preserves the property values throughout the jurisdiction; and
5. The proposed location of the zoning district would use the state road infrastructure and some utility infrastructure governed by non-Lapel utilities, which decreases the need to use Lapel's public resources.

MOTION OPTIONS (Change of Zoning Request)

1. Motion to forward a *favorable* recommendation to the Council for adoption of the Change of Zoning from Agricultural to General Industrial Zoning District for the subject real estate as per submitted application REZ-2023-04.

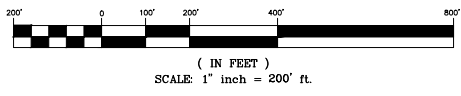
OR
2. Motion to forward a *favorable* recommendation to the Council for adoption of the Change of Zoning from Agricultural to Light and General Industrial Zoning Districts per staff's proposed map in Exhibit 5 of the staff report for the subject real estate as per submitted application REZ-2023-04.
3. Motion to forward an *unfavorable* recommendation to the Council for adoption of the Change of Zoning from Agricultural to General Industrial Zoning District for the subject real estate as per submitted application REZ-2023-04 because... **(List reasons, findings of fact)**
4. Motion to *continue* the review of the application REZ-2023-04 until the next regular meeting on February 8, 2024.

Next Plan Commission meeting date(s): February 8, 2024.

EXHIBIT 1. VICINITY MAP

PLOT 24X36

PLOT 11X17



SITE CONTROL AND BENCHMARK
 HORIZONTAL AND VERTICAL CONTROL BASED ON INDOT INCORS SYSTEM, INCORPORATES VERTICAL DATUM NGVD88.

HOLEY MOLEY SAYS "DIG SAFELY"



PER INDIANA STATE LAW IC8-1-26 IT IS AGAINST THE LAW TO EXCAVATE WITHOUT NOTIFYING THE UNDERGROUND LOCATION SERVICE TWO (2) WORKING DAYS BEFORE COMMENCING WORK.

PREPARED BY:

STAMPED BY:

**LAPEL INDUSTRIAL PARK,
 6208 S SR 13, PENDLETON, IN**
 Pt. of the Northwest 1/4, Section 15, Twp. 18 North, Rg. 6 East,
 2nd P.M., Green Twp., Madison County, Indiana

AREA MAP

CLIENT NAME:	ROSCOE DORSEY DORSEY EXCAVATING 6208 IN 13 Lapel, IN 765-534-5010
DESIGNED:	APPROVED: MLD
DRAWN: BAW	CHECKED BY: MLD
SCALE: 1" = 200'	DATE: 07-30-2021
PROJECT NO.:	2018-0032

AREA MAP

THIS DRAWING AND THE IDEAS, DESIGNS AND CONCEPTS CONTAINED HEREIN ARE THE EXCLUSIVE INTELLECTUAL PROPERTY OF DEBOY LAND DEVELOPMENT SERVICE, INC., AND ARE NOT TO BE USED OR REPRODUCED IN WHOLE OR IN PART, WITHOUT THE WRITTEN CONSENT OF DEBOY LAND DEVELOPMENT SERVICES, INC.

PROJECT: F:\C:\survey Design Aides\Projects\DLDS\2018\2018-0032 - Dorsey Lapel Commercial Park - Dorsey Excavating\SURVEYING\DRAWINGS
 DWG: 2018-0032-NORTH PARCEL REZONE.dwg
 PLOTTED BY: B WHITE
 DATE: Monday, December 4, 2023 9:04:11 AM

EXHIBIT 2. SUBMITTAL



TOWN OF LAPEL
825 Main St., Lapel, IN 46051
Planning@lapelindiana.org

REZONE/PUD APPLICATION

*Required sections to fill out

Application type*:

- Rezone (Change of Zoning)
- PUD (Planned Unit Development)
- PUD Ordinance Amendment
- Modification to Commitments

For office use only:

App No: _____
Date received: _____
App fee: _____
Fee paid by: Cash Check
Check #: _____

PROPERTY INFORMATION*

Address/Location: 0 State Road 13 Lapel, IN 46051
Parcel(s)' ID(s): 48-15-15-200-012.000-044
Current use: Vacant Land Current zoning: Ag
Proposed use: Business Park Proposed zoning: General Industrial
Current improvements on site: N/A Proposed use for the site in Comprehensive Plan: Light Industrial
Project total size: 18.86 Acres (include the area of all parcels)

PROPERTY OWNER INFORMATION*

Name: CRPP, LLC
Mailing address: 13666 E 179th St.
City/Town: Noblesville Zip code: 46060
Email: roscoedorsey@dorseyexcavating.com Phone #: (317) 339-8050

APPLICANT INFORMATION* Same as owner

Name: Roscoe Dorsey - Managing Partner Title: _____
Company name: CRPP, LLC
Mailing address: 17697 Prairie Baptist Road
City/Town: Noblesville Zip code: 46060
Email: roscoedorsey@dorseyexcavating.com Phone #: (317) 339-8050

NOTE: The person listed as applicant will be contacted regarding all applications steps and payments, including being contacted by the newspaper publisher for Legal Notice payment.

PROJECT DESCRIPTION*

Proposed project name: Lapel Industrial Park Parcel #2

Project description

(Briefly describe the project: what would be built, how the property would be used, and how the project would be integrated into the surrounding area.)

To construct an L shape extension North & East off of Hardscrabble Way; which will include a detention pond and industrial lots.

COMPLIANCE WITH REZONE (and PUD) CRITERIA*

(Briefly describe how the proposed project follows the rezone/PUD criteria listed below.)

1. **The Comprehensive Plan** ([online copy here](#)): This proposed change of zoning supports the comprehensive plan because:

The adjoining lot to the south of this lot is zoned General Industrial.

2. **Characteristics & Current Conditions:** This proposed change of zoning supports the current conditions and the character of current structures and uses in each district because:

It will comply to all of the Town of Lapel Unified Development Code's.

3. **Desired Use:** This proposed change of zoning supports the most desirable use for which the land in each district is adapted because:

The industrial park will follow the towns adopted use of industrial, as well bring an additional tax base to the community.

4. **Property Values:** This proposed change of zoning supports the conservation of property values throughout the jurisdiction because:

By following the ordinances which include minimum lot requirements, buffer, and screening zone standards.

5. **Growth Management:** This proposed change of zoning supports responsible development and growth because:

It supports The Town of Lapel's Comprehensive Plan for commercial and industrial development south of State Road 38.

Additional criteria for PUDs (V12.2.3 Preliminary Plan & Rezoning):

- **Requirements and Intent.** This proposed change of zoning to Planned Unit Development fulfills the requirements and intent of this Article (The Zoning Ordinance) and the Subdivision Control Ordinance because:

The Town of Lapel indicated this area to be industrial on the Comprehensive Plans Proposed Land Use & Economic Development section.

- **Overlay Requirements.** This proposed change of zoning to Planned Unit Development is Consistent with the requirements of all applicable overlay districts because:

In Lapel Comprehensive Plan Proposed Land Use south of State Road 38.

APPLICANT AFFIDAVIT

STATE OF Indiana
COUNTY OF Madison S.S.

The undersigned, having been duly sworn on oath, states that the information in the Application is true and correct as they are informed and believe.

Applicant printed name: Roscoe Dorsey

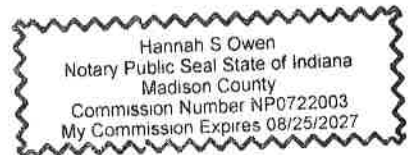
Applicant signature: *Roscoe Dorsey* Managing Partner

Subscribed and sworn to before me this 5th day of December, 20 23.

Notary printed name: Hannah S. Owen

Notary signature: *Hannah S. Owen*

My commission expires: 08/25/2027



OWNER AFFIDAVIT

STATE OF Indiana
COUNTY OF Madison S.S.

The undersigned, having been duly sworn on oath, states that they are the Owner of the Property involved in this application and that they hereby acknowledge and consent to the forgoing Application.

Owner printed name**: Roscoe J. Dorsey

Owner signature**: *Roscoe J Dorsey* *Managing Partner*

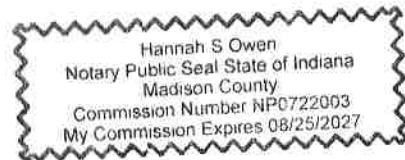
Before me the undersigned, a Notary Public in and for said County and State, personally appeared the Property Owner, who having been duly sworn acknowledged and consents to the execution of the foregoing Application, Subscribed and sworn to before me this 5th day of December, 20 23.

Notary printed name: Hannah S. Owen

Notary signature: *Hannah S. Owen*

My commission expires: 08/25/2027

*** A signature from each party having interest in the property involved in this application is required. If the Property Owner's signature cannot be obtained on the application, then a notarized statement by each Property Owner acknowledging and consenting to the filing of this application is required with the application.*



Lapel Industrial Park

Project Narrative

The Lapel Industrial Park is a proposal to provide both commercial lots as well as needed space for businesses that require outdoor storage areas. The Lapel Industrial Park was first imagined as a place to move our growing business, Dorsey Excavating, Inc. It became clear to us that there was limited access for small businesses who need office space, warehouse space, outdoor equipment storage, and material storage. We discovered and purchased the first 20 acres off State Road 13 and State Road 38. We determined that this would be too much space for us, which prompted our team to come up with the idea of developing the land to provide an opportunity for others like us. We believed that this location and what we were planning to do matched the town's plan and goals for this area, and with that the Lapel Industrial Park was born.

After all the comprehensive work seemed to be completed to begin with construction, we ran into a snag with the Madison County drainage board. There was a drain that crosses State Road 13 that we thought was an INDOT drain. As it turns out this was a private drain, and we would be unable to tie into it. We had to go back to the planning phase, and while this was a major snag, we still believed that this was the location we wanted to call home within the Town of Lapel. We decided to purchase the 18 plus acres adjacent to the previously purchased property to obtain access to the public drain.

This is where we currently stand with the Lapel Industrial Park project. We are here to get the newly acquired 18 plus acres of property zoned general industrial to match what is currently zoned.

Project Narrative.

As it currently stands, the Lapel Industrial Park is an approximately 40-acre development located on State Road 13, just south of State Road 38. The property is currently bordered by State Road 13 as well as Country Road 875 West. It is currently designed to have an entrance on State Road 13 as well as two streets with an entrance/exit on Country Road 875 West. There are 3 blocks set up for future lots that could be divided in the future with 4 lots planned. There is also roughly a 7.5-acre pond that borders the church as well as existing residences. We wanted the retention pond to be placed here so that we could provide a buffer area for the existing residences and church. The plan is to have the lots adjacent to State Road 13 be used for commercial space with the lots in the interior of the project being used for businesses that require outdoor storage. The south 20 acres has already been zoned "General-Industrial". We here seeking the roughly north 20 acres to be zoned the same. The project includes City Streets, Drainage, Curbs, Sidewalks, Water, Sewer & other Utilities.

Duly Entered For Taxation
Subject To Final Acceptance
For Transfer
Nov 21 2023
Rick Gardner
AUDITOR MADISON COUNTY

2023R016447
11/21/2023 10:08:16 AM
FEE: 25.00 PGS: 2
ANGIE ABEL
MADISON COUNTY RECORDER, IN
RECORDED AS PRESENTED
THIS DOCUMENT WAS eRECORDED

41995

TRUSTEE'S WARRANTY DEED

THIS INDENTURE WITNESSETH, That **Richard S. Wilson**, as **Trustee of The Wilson Land Trust** ("Grantor") CONVEYS AND WARRANTS to **CRPP, LLC** ("Grantee") an Indiana limited liability company, for the sum of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate located in Madison County, in the State of Indiana:

A part of the Northwest Quarter of the Northwest Quarter of Section 15, Township 18 North, Range 6 East in Madison County, Indiana more particularly described as follows:

Commencing at the Northwest corner of Section 15, Township 18 North, Range 6 East and running thence East along the North line of Section 15 a distance of 1,330 feet to the Northeast corner of the West Half of the Northwest Quarter of Section 15, thence South along the East line of the said West Half of the Northwest Quarter of Section 15 a distance of 656 feet, thence West parallel with the North line of Section 15 a distance of 1,329 feet to the center of State Road 13, thence North 656 feet to the place of beginning, containing 20 acres, more or less.

Excepting therefrom: A part of the Northwest Quarter of Section 15, Township 18 North, Range 6 East in Madison County, Indiana more particularly described as follows: Beginning at a point on the West line of the Northwest Quarter of Section 15, Township 18 North, Range 6 East, said point being South 00 degrees 00 minutes 00 seconds (assumed bearing) 145.00 feet from an existing iron rod in concrete marking the Northwest corner of the said Quarter Section; thence North 90 degrees 00 minutes 00 seconds East a distance of 30.00 feet to a 5/8 inch rebar (set) on the East right-of-way line of State Road 13; thence continuing North 90 degrees 00 minutes 00 seconds East a distance of 217.80 feet to a 5/8 inch rebar (set); thence South 00 degrees 00 minutes 00 seconds on a line parallel with the West line of the said Quarter Section a distance of 200.00 feet to a 5/8 inch rebar (set); thence South 90 degrees 00 minutes 00 seconds West a distance of 217.80 feet to a 5.8 inch rebar (set) on the East right-of-way line of said State Road; thence continuing South 90 degrees 00 minutes 00 seconds West a distance of 30.00 feet to a point on the West line of the said Quarter Section; thence North 00 degrees 00 minutes 00 seconds along the West line of the said Quarter Section a distance of 200.00 feet to the point of beginning. Containing 1.138 acres, more or less.

The undersigned represents and affirms: (1) that he was appointed successor trustee of The Wilson Land Trust (hereinafter the "Trust") pursuant to the terms and provisions thereof; and (2) that he became trustee upon the death of Harriett M. Wilson on June 16, 2012; and (3) that he is still the duly appointed Trustee of the Trust; and (4) that the Trust is validly existing and still in full force and effect; and (5) that under the terms, provisions and conditions of the Trust, the Trustee has full power and authority to sell, purchase, convey, mortgage and lease any interest in real estate held in the name of the Trust or in the name of the Trustee for the benefit of the Trust.

[remainder of page intentionally left blank]

This conveyance is subject to all rights-of-way, easements, agreements, restrictions and limitations of record; and all real estate taxes due and payable after the date of this instrument.

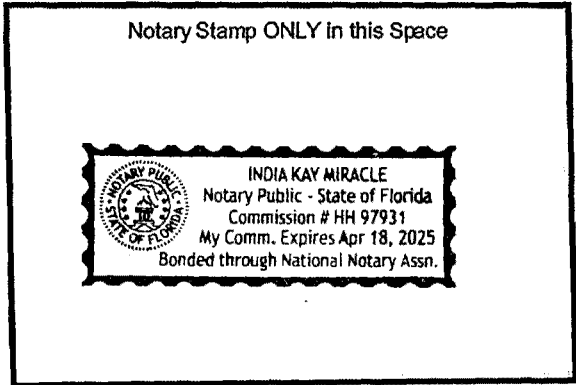
IN WITNESS WHEREOF, the undersigned has executed this Trustee's Warranty Deed on behalf of Grantor this 14 day of November 2023.

THE WILSON LAND TRUST

Richard S. Wilson, tte
By: Richard S. Wilson, Trustee

STATE OF Florida
COUNTY OF Hillsborough)
SS:

Before me, a Notary Public in and for said County and State, personally appeared Richard S. Wilson, Trustee of The Wilson Land Trust, who acknowledged the execution of the foregoing Trustee's Warranty Deed, and who, being duly sworn, stated that any representations therein contained are true. Witness my hand and Notarial Seal this 14 day of November, 2023.



Notary Signature India Kay Miracle
Notary Printed India Kay Miracle
My Commission Expires: 4/18/2025
County of Residence: Hillsborough

Parcel No.: **48-15-15-200-012.000-044.**

- Send tax statements to Grantee's address (Common Address of Property): **0 State Road 13, Lapel, IN 46051**
- Send tax statements to Grantee's Address: 13606 E. 179th St., Noblesville, IN 46060

This instrument was prepared by David A. Schmitz, Attorney at Law
9201 N. Meridian Street, Suite 100, Indianapolis, IN 46260 (317) 571-6988

I affirm under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law Linda S. Clive

END OF DOCUMENT



FALL CREEK REGIONAL WASTE DISTRICT

P.O. Box 59 • 9378 S. 650 West • Pendleton, Indiana 46064-0059 • (765) 778-7544 • www.fcrwd.com

Mr. Brent White
Project Manager – Deboy Land Development
PO Box 25
Noblesville, IN 46061

Via Email: baw@deboyland.com

Re: Fall Creek Regional Waste District
Lapel Industrial Park
Rezone Parcel ID: 48-15-15-200-012.000-044
Will Serve Request

Dear Sir or Madam:

Please accept this letter as Fall Creek Regional Waste District's response concerning your request regarding new sewer service to the above referenced property. The District operates a regional sewer district under Indiana law, and is the sanitary sewer service provider for southern Madison County. The above referenced property is within the District's service territory.

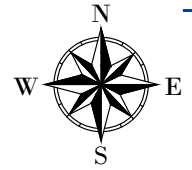
As a matter of policy, the District does not provide commitments concerning sewer service to specific properties unless and until the developer or property owner enters into an applicable service agreement. The District allocates capacity in its sewer system to individual properties pursuant to individual service agreements. Developers will need to meet with the District's Development Committee to help identify service needs, feasibility, timing, fees, and the location for likely connection in the event of service. Any connections to sewer are subject to project review, determinations of usage and flows, execution of a service agreement in a form required by the District, payment of fees and charges, approval of plans and specification for utility facilities, compliance with applicable rules, regulations, and ordinances, etc. The property owner or developer will also be responsible for the cost of extending utility facilities to and on the site. Nothing herein shall constitute a guarantee of capacity or service to your parcel or any other property, nor does this letter create any enforceable rights or interests.

Sincerely,
Jerry D Kelly

Assistant General Manager
Fall Creek Regional Waste District

EXHIBIT 3. SITE PLAN (PLAT FORMAT)

REZONE PARCEL ID: 48-15-15-200-012.000-044
 CURRENT ZONING: AG PROPOSED ZONING: IG
 PT. OF THE NORTHWEST 1/4, SECTION 15, TWP. 18 NORTH, RG. 6 EAST,
 2ND P.M., GREEN TWP., MADISON COUNTY, INDIANA



PREPARED BY: _____

STAMPED BY: *Michael L. DeBoy*

DATE	DESCRIPTION

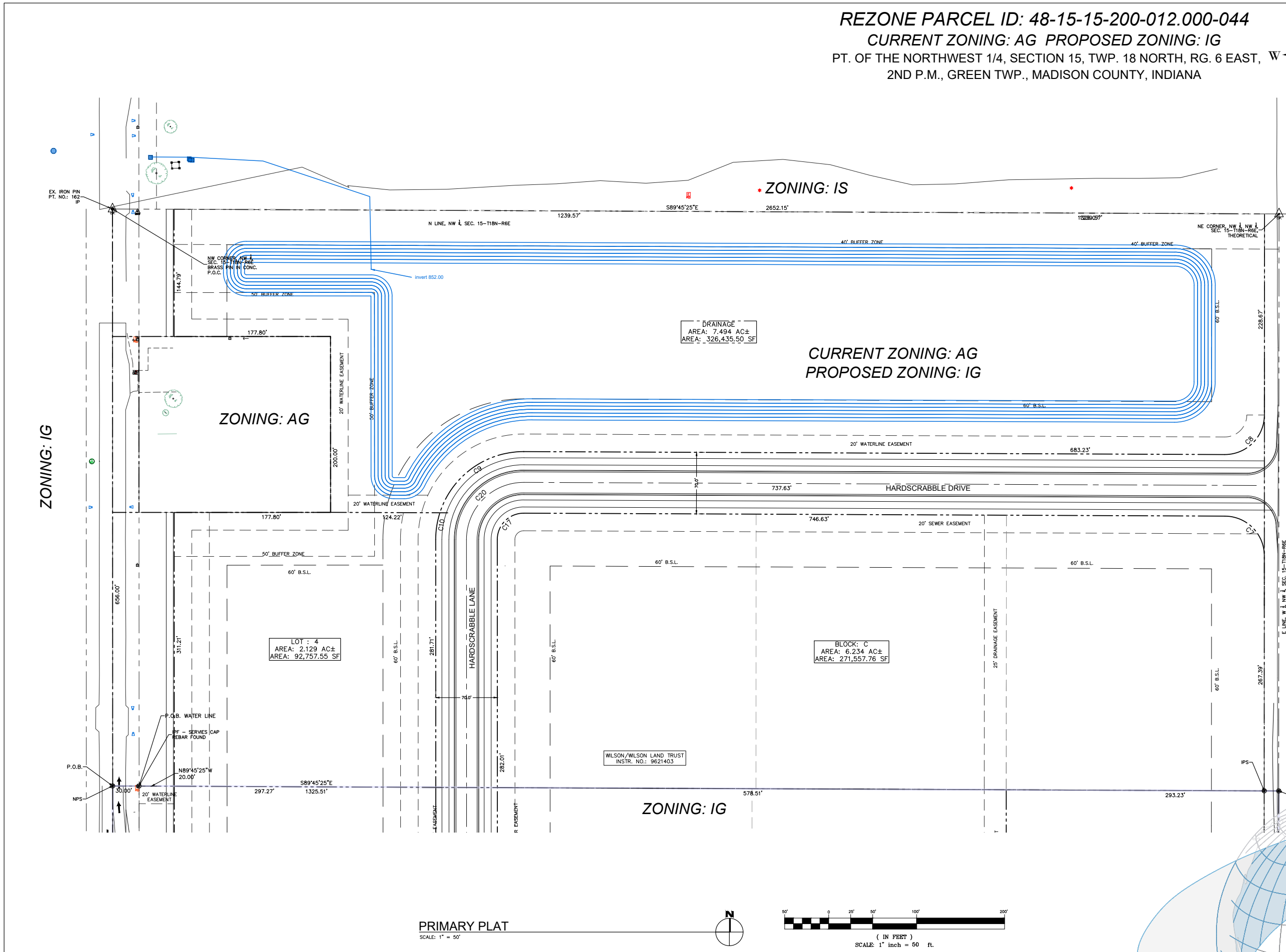
CLIENT NAME/DEVELOPER/OWNER:
 CHAD GALLOWAY & ROSCOE DORSEY
 CRPP LLC
 6208 SOUTH STATE ROAD 13
 PENDLETON, IN 46064
 765-534-5010
 ROSCOEDORSEY@DORSEYEXCAVATING.COM
 ©2022 (DLDS) DeBoy Land Development Services, Inc.

DESIGNED: MLD APPROVED: MLD
 DRAWN: BAW CHECKED BY: MLD
 SCALE: 1" = 50' DATE: 01/30/23
 PROJECT NO.: 2018-0032

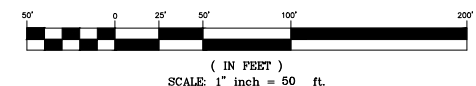
LAPEL INDUSTRIAL PARK
 TAC REVIEW
 6208 SOUTH STATE ROAD 13, PENDLETON, IN 46064

REZONE EXHIBIT

EXH-01

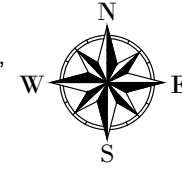


PRIMARY PLAT
 SCALE: 1" = 50'



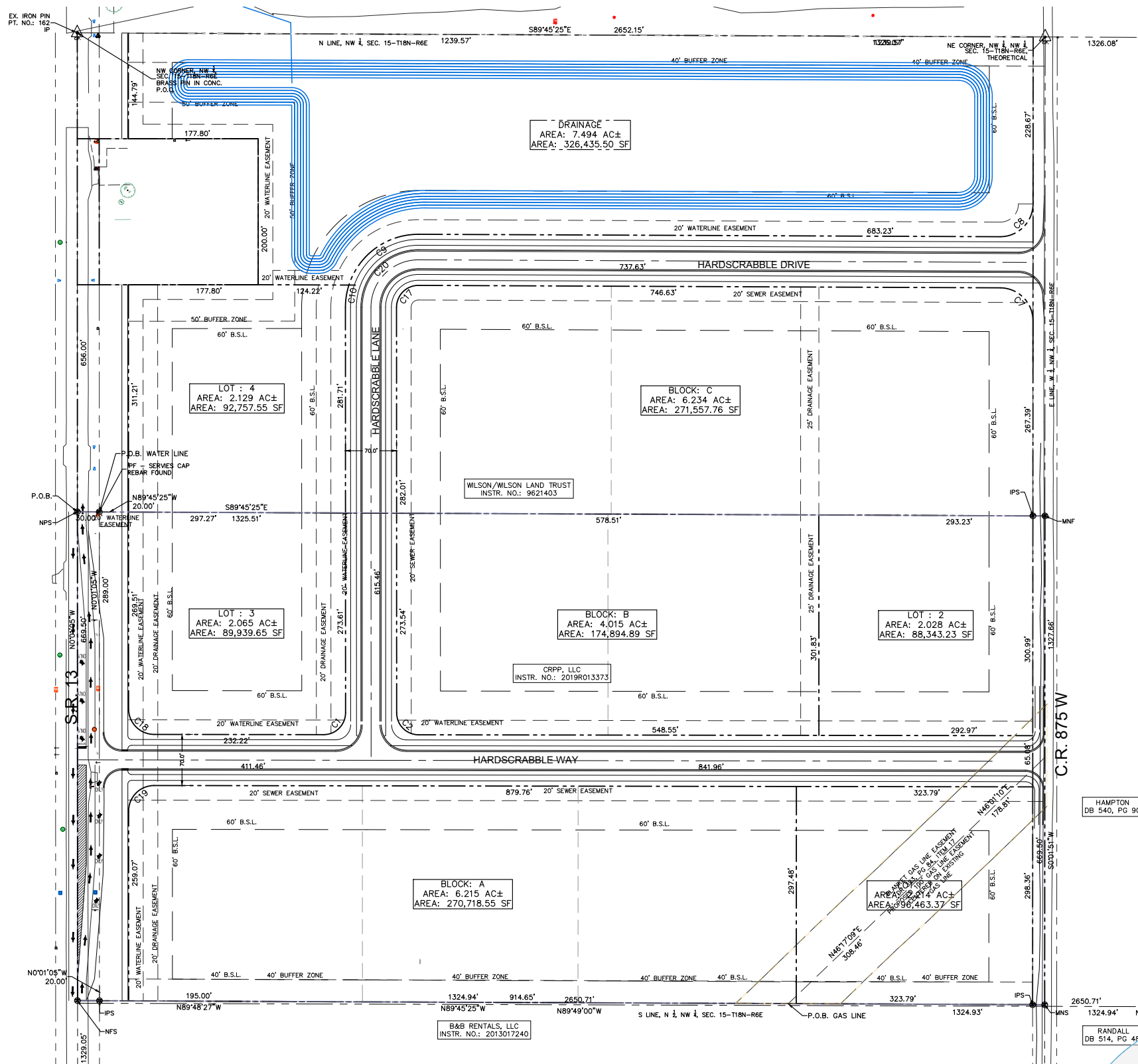
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 DWG: PRIMARY PLAT.DWG
 PLOTTER: S15-1100
 DATE: Friday, December 1, 2023 10:40:34 AM

LAPEL INDUSTRIAL PARK
 PT. OF THE NORTHWEST 1/4, SECTION 15, TWP. 18 NORTH, RG. 6 EAST,
 2ND P.M., GREEN TWP., MADISON COUNTY, INDIANA
 TOTAL ACREAGE: 39.20 ACRES ±

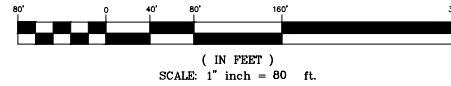


PREPARED BY: _____
 STAMPED BY: *Michael L. DeBoy*
 DATE: _____ DESCRIPTION: _____

Curve Table					
Curve #	Length	Radius	Delta	CHORD BEARING	CHORD LENGTH
C1	47.18	30.00	090°06'05"	N45° 01' 57"E	42.46
C2	47.07	30.00	089°53'55"	S44° 58' 03"E	42.39
C7	70.52	45.00	089°47'12"	N44° 51' 45"W	63.52
C8	70.85	45.00	090°12'40"	N45° 08' 11"E	63.76
C9	125.92	100.00	072°08'41"	S53° 46' 41"W	117.76
C10	30.93	100.00	017°43'25"	S08° 50' 38"W	30.81
C17	47.26	30.00	090°15'39"	S45° 06' 44"W	42.52
C18	54.92	35.00	089°53'55"	S45° 04' 07"E	49.45
C19	55.96	35.00	091°36'52"	S44° 23' 07"W	50.19
C20	102.40	65.00	090°15'39"	N45° 06' 44"E	92.13



PRIMARY PLAT
 SCALE: 1" = 80'



LAPEL INDUSTRIAL PARK
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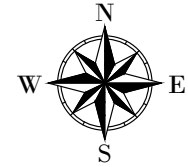
PRIMARY PLAT

CLIENT NAME/DEVELOPER/OWNER:
 CHAD GALLOWAY & ROSCOE DORSEY
 CRPP LLC
 6208 SOUTH STATE ROAD 13
 PENDLETON, IN 46064
 765-534-5010
 ROSCOEDORSEY@DORSEYEXCAVATING.COM
 ©2022 (DLDS) DeBoy Land Development Services, Inc.
 DESIGNED: MLD APPROVED: MLD
 DRAWN: BAW CHECKED BY: MLD
 SCALE: 1" = 80' DATE: 01/30/23
 PROJECT NO.: 2018-0032

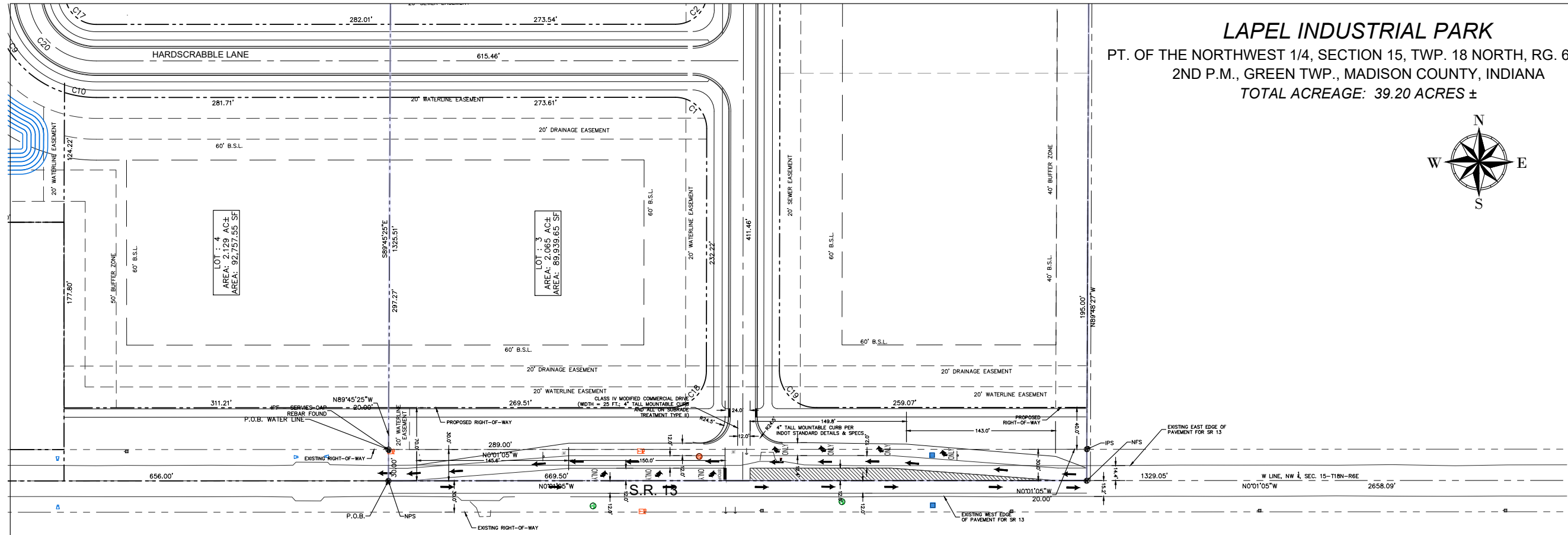
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LAPEL INDUSTRIAL PARK

PT. OF THE NORTHWEST 1/4, SECTION 15, TWP. 18 NORTH, RG. 6 EAST,
2ND P.M., GREEN TWP., MADISON COUNTY, INDIANA
TOTAL ACREAGE: 39.20 ACRES ±



STAMPED BY: *Michael L. DeBoy*
DATE: _____ DESCRIPTION: _____



(IN FEET)
SCALE: 1" inch = 50 ft.

SITE LEGEND

	NEW STORM SEWER - 48" INT. BARREL		NEW APARTMENT BUILDING; SEE ARCHITECTURAL PLANS		NEW TRANSFORMER; LOCATION IS PER INDIANAPOLIS POWER AND LIGHT
	NEW STORM SEWER - 60" INT. BARREL		NEW MAINTENANCE BUILDING; SEE ARCHITECTURAL PLANS		NEW END SECTION
	NEW STORM SEWER - 72" INT. BARREL		NEW CLUBHOUSE/FITNESS CENTER; SEE ARCHITECTURAL PLANS		NEW OUTLET CONTROL STRUCTURE; SEE DETAILS
	NEW STORM SEWER - 96" INT. BARREL		NEW ASPHALT PAVEMENT		NEW STORM MANHOLE
	NEW PIPE END SECTION		NEW 18" CHAIRBACK CURB		NEW ADA ACCESSIBLE PARKING STALL
	NEW STORM INLET - 24"x24" INT. BOX		NEW 5' WIDE SIDEWALK		NEW ADA VAN ACCESSIBLE PARKING STALL
	NEW SANITARY STRUCTURE		NEW 5' WIDE COMBO CURB AND SIDEWALK		NEW ADA ACCESSIBLE PARKING SIGN
	NEW SANITARY SEWER CLEANOUT		NEW 8' WIDE MULTI-USE PATH		NEW INLINE ADA RAMP WITH TACTILE WARNING
	NEW ELEC. METER / GAS METER / WATER VAULT		NEW TYPICAL 20' LENGTH PARKING STALL PAINT STRIPE		
	NEW PIPE BOLLARD		NEW STORM PAVEMENT INLET WITH MINIMUM 12" WIDTH CONCRETE COLLAR AND 10 FEET OF PAVEMENT SUBSURFACE DRAINS.		
	NEW FIRE HYDRANT / POST INDICATOR VALVE / FIRE DEPT CONC. / WATER LINE ELBOW				
	ADA PARKING EMBLEM				
	NEW AREA LIGHT POLE				
	NEW RIP-RAP				
	NEW ASPHALT PAVEMENT				
	NEW BUILDING PAD OUTLINE				
	LIMITS OF CONSTRUCTION				

PRIMARY PLAT
SCALE: 1" = 50'



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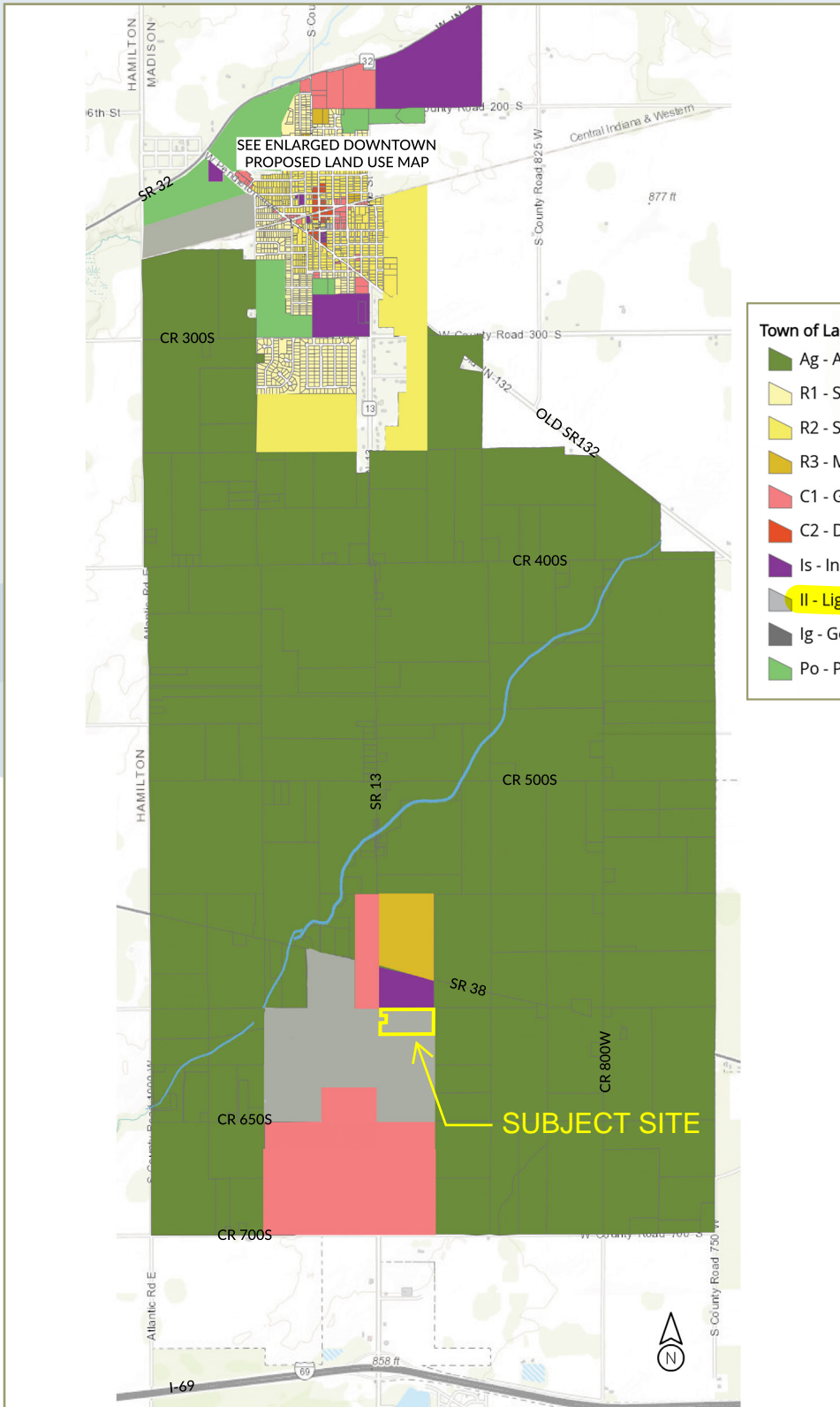
PRIMARY PLAT

CLIENT NAME/DEVELOPER/OWNER:
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ROSCOE.DORSEY@DORSEYEXCAVATING.COM
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DESIGNED: MLD APPROVED: MLD
DRAWN: BAW CHECKED BY: MLD
SCALE: 1" = 50' DATE: 01/30/23
PROJECT NO.: 2018-0032

2 OF 2

EXHIBIT 4. PROPOSED LAND USE MAP

Comprehensive Plan Proposed Land Use - Entire Town of Lapel



Town of Lapel Zoning

- Ag - Agriculture
- R1 - Single Family Residential: Suburban Neighborhood
- R2 - Single Family Residential: Traditional Neighborhood
- R3 - Multi-Family Residential
- C1 - General Commercial
- C2 - Downtown Commercial
- Is - Institutional and Social
- Ii - Light Industrial
- Ig - General Industrial
- Po - Parks and Open Space

LAND USE

TRANSPORTATION

ECONOMIC DEVELOPMENT

NATURAL RESOURCES

APPENDIX

