

STAFF REPORT

APPLICATION NO:	PLAT-2024-03		
HEARING DATE:	December 12, 2024	NEXT HEARING DATE:	January 9, 2025
NEWSPAPER NOTICE PUBLISHED ON:	October 24, 2024	NOTICES MAILED ON:	September 26, 2024
SUBJECT:	Primary Plat		
LOCATION:	Lapel Industrial Park; East side of SR 13, 950 feet south of SR 38 & SR 13 intersection		
PETITIONER(S):	Dorsey Roscoe, CRPP, LLC		
ENGINEER/SURVEYOR:	Mike Deboy, Brent White, Deboy Land Development Services		
SUMMARY:	Commission to consider a Primary Plat for Lapel Industrial Park subdivision containing about 39 acres and proposing 4 lots and two blocks.		
WAIVERS REQUESTED:	4 Waivers: <ul style="list-style-type: none"> • 12.1.6 Block Size standards • 12.1.6 Location of the sanitary sewer easement • 12.1.6 Location of the drainage easement • 12.1.2 Sidewalk installation timing 		
RECOMMENDATION:	APPROVE with a condition		
PREPARED BY:	Oksana Polhuy, Planning Administrator		
EXHIBITS:	Exhibit 1. Primary Plat (Revised) Exhibit 2. Waiver Requests Exhibit 3. Feasibility Report from the petitioner Exhibit 4. Drainage Approval Exhibit 5. Letters from the Utilities Exhibit 6. Examples of Industrial Subdivision Block Lengths		

PROCEDURE

What is Primary Plat?

Primary Plat is the preliminary drawings, indicating the proposed manner or layout of the subdivision to be submitted to the Plan Commission for approval. Primary Plat is the first step in the process of splitting the land into buildable lots and reserving rights-of-way, common areas and easements for public and private infrastructure, like roads, sidewalks, water/wastewater lines, community amenities, and so on. The approval of primary plat doesn't permit any construction activities yet, nor does it review the specifics of each development component (e.g., the material that the road is made off, or the depth of pipes). The goal of this stage is to ensure that the main utilities would be able to serve the development, that there is capacity to service the development, that the proposed dimensions of the right-of-way improvements, utilities and lots can work together with the utilities.

Application Process

Upon complete submittal, a Primary Plat is reviewed by the Building Inspector (or Planning Administrator), reviewed by any other agencies and applicable utilities responsible for the review, and reviewed and approved/denied by the Plan Commission in a Public Hearing. The primary plat application requires a public hearing, and it was held on October 10, 2024, and continued to the December 12, 2024, meeting. During October's meeting, a need for changes to the plat and waiver requests was found.

The applicant applied for four waivers after October's meeting (Exhibit 2). Waivers need to be reviewed in a public hearing, so the Plan Commission would need to reopen the floor to the public for the requests in the waivers.

Application Decision

Per IC 36-7-4-701 (b), Planning Commission has exclusive control over approval of plats and replats (unless delegated to staff or Plat Committee). In Lapel, the Plan Commission makes the final decision on primary plats.

In determining whether an application for approval of a primary plat of a subdivision shall be granted, the Plan Commission shall determine that the plat is in accordance with the principles and standards required in the Lapel UDO that contains the subdivision ordinance in Volume 12. Some standards from Volumes 9 (Light Industrial) and 10 (General Industrial) districts apply. This staff report summarizes the standards checked for the primary plat and whether the applicant met them. If the applicant meets all standards, then the primary plat shall be approved.

Commitments

Per IC 36-7-4-702(c), the Plan Commission may request or allow a commitment to approving a primary plat as a condition to approving a waiver for this application. Applicant hasn't requested any waivers as of writing this report.

RECOMMENDATION

Staff recommends **APPROVAL** with one condition.

CORRESPONDENCE

As of this writing, staff has not received written or verbal statements regarding this project from the interested parties.

PROPOSAL

The project is proposed to be called Lapel Industrial Park. It's currently comprised of two parcels and is 39.2 acres. The applicant is proposing to split the project into 4 lots and two blocks (see Exhibit 1. Primary Plat).

Zoning of the project is General Industrial and Light Industrial. The surrounding zoning districts are displayed in Figure 1.

ANALYSIS

The overarching goal of this review is to agree on the overall layout of the subdivision so that the adequate amount of space is reserved for the lots, thoroughfares, drainage, and various easements. Another goal is to ensure that this development can be adequately served by the public utilities like water and sewer.

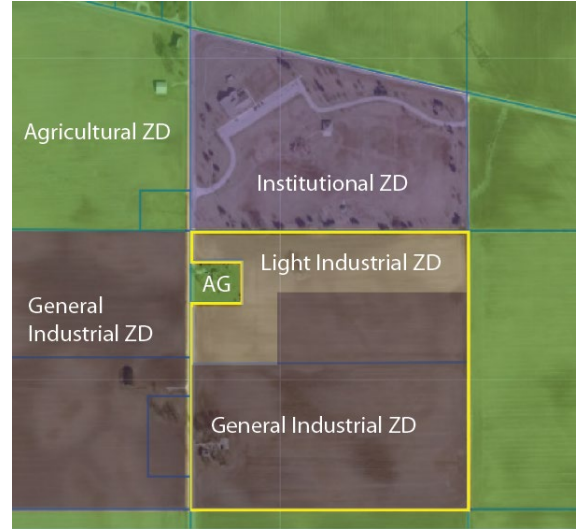


Figure 1. Zoning of the Project and Surrounding Areas

Industrial Subdivisions Context

The context of Industrial and Commercial Subdivisions per Lapel’s UDO, V 12.1.2. Administration:

“It is recognized by this Ordinance that the development of commercial and industrial subdivisions is required by the nature of the marketing of such projects to deviate from the standard procedure used for residential subdivisions.

- A. **Review Emphasis:** *In reviewing commercial and industrial subdivisions, the initial emphasis of the Commission shall be on street layout and block arrangement.*
- B. **Procedure:** *The subdivider shall follow the procedure for Major Subdivisions provided in this Ordinance, but in terms of lot arrangement shall only be required to show two defined lots and a block layout.*
 - i. *The subdivider shall prepare Construction Plans and the Final Plat for only the lots identified and shall re-plot the approved preliminary plat as additional lots become necessary.*
 - ii. *All commercial and industrial preliminary plats shall expire within ten (10) years of the date of preliminary plat approval by the Plan Commission.”*

Utility Capacity and Other Reviews

The applicant provides detail about the capacity of the utilities and reviews from other agencies in their Feasibility Report (Exhibit 3). The drainage approval was approved from Madison County Drainage Board (Exhibit 4). Letters about capacity have been obtained from the following utilities (Exhibit 5): water, sewer, and electricity.

While the exact location of fire hydrants is to be reviewed at the next stage (Subdivision Construction Plans), staff asked the applicant to start communication with the local fire department during this application process.

Review of Subdivision Standards

The table below summarizes standards that were reviewed and staff’s conclusion as to whether the standards were met.

Topic	Staff’s Review Summary	Standard Met?
Lot Standards	All lots size and design standards have been met. The minimum lot size requirement comes from Volume 9 for the lots zoned Light Industrial and Volume 10 for the lots zoned General Industrial.	Yes

Block Standards	The block length shall be at least 300 feet wide, but not more than 800 feet wide. Two blocks don't meet this standard.	Waiver Requested
Street Location and Arrangement Standards	The proposed development meets the standards of this section.	Yes
Street Geometric Standards	Most street geometric designs have been met except for the street curve radii. The street curve minimum radii of 30 feet (24 feet provided) at the entrance of Hardscrabble Way onto CR S 875 W and minimum of 35 feet (24 feet provided) at the entrance of Hardscrabble Way onto State Road 13 hasn't been met.	No
Curb & Gutter Standards	Min 2 feet required; 1.5 feet (18 inches) width provided.	Yes
Sidewalk Standards	The sidewalks meet the standards.	Yes
Easements	The standards are met; and a waiver for the drainage easement location was requested.	Waiver requested
Drainage standards	Madison County Drainage Board approved this plat on August 28, 2024 (see Exhibit 4).	Yes
Sewer facilities	The applicant shows sewer facilities within the front yard's sewer easement (20 feet deep on the plat). However, Lapel's ordinance requires sewer easements to be in the ROW. The applicant provided a draft agreement with Fall Creek Sewer Waste District showing that the agency is ready to provide capacity to the development.	Waiver requested
Water facilities	The applicant is showing water easement along the front yards of the lots that are 20 feet deep (minimum 15 feet is required). The location and size of the easement meets Lapel's ordinance. Citizens provided a water capacity letter to the applicant (Exhibit 5).	Yes
Other utilities	A general utility easement for other utilities like electricity, cable, gas is marked on the plans.	Yes
Street lighting	The applicant showed a preliminary location of the lights along all local streets inside of the subdivision with some light located close enough to the intersections to meet the minimum standards. Note: More detailed review of the street light design shall be reviewed at the Subdivision Construction Plan review stage.	Yes
Street trees	The applicant showed a preliminary landscape plan with street trees provided along all street frontages. Note: At this stage, the exact species won't be reviewed. This level of detail shall be provided and reviewed at the Subdivision Construction Plan review stage.	Yes
Landscape buffer	The displayed buffer meets the zoning and subdivision standards.	Yes
Subdivision and Street Name Standards	The subdivision name meets the standards. The similar names of the proposed new streets haven't been changed: Hardscrabble Way, Hardscrabble Lane, and Hardscrabble Drive.	Yes

Public Sites and Open Space Standards	Not applicable	n/a
Covenants Standards	The applicant provided the basic covenants required by Lapel’s UDO.	Yes
Flood Hazard Area Standards	Not applicable	n/a

WAIVER REQUESTS

The applicant requested waivers to four (4) standards and provided reasoning for the requests (Exhibit 2):

Review Considerations

State statute (IC 36-7-4702(c) gives Plan Commissions power to grant waivers to the *Subdivision Control Ordinance* standards only (in Lapel, they are in the UDO Section 12.1).

Per Lapel’s UDO, V 12.1.2 Administration, Waivers of Subdivision Regulations, Plan Commission shall consider the following criteria while reviewing every waiver:

- i. The granting of the waiver will not be detrimental to the public safety, health, or welfare.
- ii. The granting of the waiver will not be injurious to the reasonable use and development of other property.
- iii. The conditions upon which the request for waiver is based are unique to the property for which it is sought and are not applicable generally to other property.
- iv. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a hardship to the owner would result if the strict letter of these regulations were carried out.
- v. The waiver will not contradict the intent of the Lapel Zoning Ordinance or Comprehensive Plan.

Staff’s Analysis and Findings

WAIVER NAME:	BLOCK SIZE
UDO SECTION:	V 12.1.6, Block Standards, C.
REQUEST:	The maximum permitted block size is 800 feet. The request is to increase it to at least 1,220 feet.
ANALYSIS:	<p>Block length is typically measured between two streets.</p> <p>Most cities and towns do not limit the block size of the <i>industrial</i> developments (e.g., Noblesville, Greenfield, Plainfield, Avon, Fishers). If they specify a maximum block length, it’s typically only for <i>residential</i> blocks to ensure that the rows of houses are regularly broken down to provide regular sidewalk connections for better walkability (e.g., Noblesville, Avon, Fishers, Carmel).</p> <p>Some numbers for context:</p> <ul style="list-style-type: none"> • Maximum block length for commercial subdivisions in Carmel: 2,640 feet (1/2 mile). • <i>Minimum</i> block length along arterial/collector street in Noblesville (no matter what the use is): 1,000 feet. <p>Industrial developments vary in size. Some warehouses these days are longer than 800 feet, let alone the block sizes (a super large warehouse in Mt. Comfort by an airport is 48 acres and over 3,000 feet in length!). Exhibit 6 shows some examples of the length of some portions of industrial-</p>

	<p>commercial subdivisions north of Hamilton Town Center in Noblesville. Also, it shows an example of a <i>building</i> wider than 2,000 feet (SMC building in Noblesville).</p> <p>Lapel’s UDO doesn’t differentiate between the block sizes for different development contexts: single-family residential, multi-family residential, commercial, mixed-use, industrial. Staff believes that this is an unintended error in the UDO and could be ameliorated by adding the word “residential” to the block length requirement.</p>
FINDINGS:	<p>Staff recommends APPROVAL of this waiver and finds that it is suitable for an industrial development to have a larger block length than for a residential development based on the common land use regulations practice and regular industrial development patterns. Staff finds that it meets all five waiver criteria.</p>

WAIVER NAME:	LOCATION OF THE SANITARY SEWER EASEMENT
UDO SECTION:	V 12.1.6, Easement Standards, A.ii. Sanitary Sewer Easements
REQUEST:	“The provision of sanitary sewer service shall be accomplished in the right-of-way.” The request is to approve its location to be on the lots instead.
ANALYSIS:	<p>Fall Creek Regional Waste District has jurisdiction over sanitary sewer improvements in the portion of Lapel’s planning jurisdiction south of County Road W 500 S.</p> <p>Staff confirmed with Fall Creek Regional Waste District that has sanitary sewer infrastructure in this area that the agency prefers to have a separate dedicated sewer easement on the private lot land instead of the right-of-way and requested the applicant to place it there. It would allow the agency to complete repairs without having to tear up the roads (which is what other places may do). The easement is also dedicated only to the sewer, so that no other utilities would be placed there.</p>
FINDINGS:	Staff recommends APPROVAL of this waiver and finds that it meets all five waiver criteria.

WAIVER NAME:	LOCATION OF THE DRAINAGE EASEMENT
UDO SECTION:	V 12.1.6, Easement Standards, B. Drainage Easements
REQUEST:	The drainage easements are to be shown on the lots and provide a continuous drainage easement across all the lots and to be generally located along the rear, side, and front property lines of the lots. The request is to approve the location of some drainage infrastructure in the right-of-way.
ANALYSIS:	<p>Madison County Drainage Board reviewed and approved this design, so it meets their drainage standards. Madison County has the jurisdiction to review new developments in Lapel’s planning jurisdiction.</p> <p>Staff isn’t sure how to reconcile the existence of drainage standards in Lapel’s UDO and Madison County’s authority.</p>
FINDINGS:	<p>Staff doesn’t have the legal expertise or knowledge on how to proceed when it comes to reconciling existence of drainage standards for subdivisions in Lapel’s UDO, while Madison County has the jurisdiction to review and approve the drainage plans according to their standards.</p> <p>However, since Madison County Drainage Board does have the power to review and approve drainage plans, staff thinks that the Plan Commission may rely on their review of this petition.</p> <p>Staff recommends APPROVAL of this waiver.</p>

WAIVER NAME: SIDEWALK INSTALLATION TIMING

UDO SECTION:	V 12.1.2, Permits and Inspections B. ii.
REQUEST:	<p>Lapel’s UDO allows sidewalk installation in front of the individual lots when the specific lot is developed. <i>“However, three (3) years from the date of the approval of the Final Plat by the Town Council, the petitioner is responsible for installing all sidewalks and/or trees shown on the Final Plat, whether all lots in the development are built upon or not.”</i></p> <p>The request is to allow installation of the sidewalks in front of the lots as they develop beyond the three-year limit. This request applies only to the sidewalks contained inside of the subdivision in front of the individual lots and blocks, not for the sidewalks along SR 13 or S County Road 875 W.</p>
ANALYSIS:	<p>Lapel’s UDO recognizes that the industrial and commercial subdivisions should be reviewed differently from the residential subdivisions in its focus on the street and block layout due to the nature of the commercial/industrial market in which the demand for the lots may appear much later than the approval of the primary plat.</p> <p>Due to that, it would be in line with this general review emphasis to allow sidewalk construction along the individual lots after the blocks are broken into lots and lots are developed.</p> <p>This standard of having a time limit has a good intent: creating a connected sidewalk network in the entire subdivision no matter whether the lots are developed or not. It’s very good for places that benefit from walkability like residential neighborhoods or mixed-use neighborhoods (residential and commercial uses). It may benefit places that try to connect workplaces with places of living by creating an uninterrupted sidewalk network to reach the workplace on foot (or bicycle).</p> <p>However, in general, staff hasn’t observed among other subdivision ordinances a similar rule when it comes to the limit on years that the sidewalks should be installed. One way that other jurisdictions ensure installation of public improvements is through a performance bond: the developer posts that bond, and the bond is not released until all public improvements covered by the bond are finished.</p> <p>Lapel’s UDO has a requirement about posting a performance bond, so this tool could be used to ensure sidewalk construction in the future.</p>
FINDINGS:	Staff recommends APPROVAL of this waiver and finds that it meets all five criteria.

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the Preliminary Plat petition (PLAT-2024-03) and four waiver requests based on the findings outlined in this staff report and with the following condition(s):

1. At the time of submitting Subdivision Construction Plans, the petitioner will revise street curve radii to meet Lapel's UDO subdivision standards.

MOTION OPTIONS

Here are examples of motions that can be made after reviewing the application, holding a public hearing, and talking to the applicant. One can choose options of things to include in the motion from the text that is in brackets.

A separate motion can be made per every waiver for clarity if needed.

1. Motion to **approve** Lapel Industrial Preliminary Plat as per submitted application PLAT-2024-03
 - a. [together with all four waivers]
 - b. [based upon the findings of fact [listed by the applicant], and/or [presented by staff], and/or [any other findings of fact added during the PC discussion]]
 - c. [with specific conditions [proposed by staff], [and/or proposed by the PC]].
2. Motion to **deny** Lapel Industrial Preliminary Plat as per submitted application PLAT-2024-03. **(List reasons)**
3. Motion to **continue** the review of the application PLAT-2024-03 until the next regular meeting on January 9, 2025, because... **(list reasons)**.

EXHIBIT 1. REVISED PRIMARY PLAT

PRIMARY PLAT FOR:

LAPEL INDUSTRIAL PARK

6208 SOUTH STATE ROAD 13, PENDLETON, IN 46064

Sheet List Table

Sheet Number	Sheet Title
P1 OF 6	PRIMARY PLAT COVER SHEET
P2 OF 6	PRIMARY PLAT
P3 OF 6	PRIMARY PLAT
P4 OF 6	PRIMARY PLAT
P5 OF 6	PRIMARY PLAT LIGHTING LANDSCAPE SIGNAGE
P6 OF 6	PRIMARY PLAT CERTIFICATIONS
P6 OF 6	PRIMARY PLAT CERTIFICATIONS

DETAIL SPECIFICATIONS ORDER OF PREFERENCE

1. CITY / TOWN STANDARD DRAWINGS AND SPECIFICATIONS.
2. COUNTY STANDARD DRAWINGS AND SPECIFICATIONS.
4. I.N.D.O.T. STANDARD DRAWINGS AND SPECIFICATIONS.
5. TEN STATE STANDARDS
6. SITE ENGINEER'S STANDARD DRAWINGS AND SPECIFICATIONS.
7. ANY OTHER APPLICABLE STANDARD DRAWINGS AND SPECIFICATIONS.

NOTICE, PERMITS AND NOTES

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING OR VERIFYING THAT ALL PERMITS AND APPROVALS AREA OBTAINED FROM THE RESPECTIVE CITY, COUNTY, AND STATE AGENCIES PRIOR TO STARTING ANY CONSTRUCTION.
2. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES IN THE VICINITY OF THE CONSTRUCTION AREA PRIOR TO STARTING ANY CONSTRUCTION.
3. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY FOR NOTIFICATION AND COORDINATE OF ALL CONSTRUCTION FOR THE RESPECTIVE UTILITY COMPANIES, PRIOR TO STARTING ANY CONSTRUCTION.
4. ALL CONSTRUCTION ACTIVITY ON THIS SITE SHALL BE PERFORMED IN COMPLIANCE WITH APPLICABLE O.S.H.A. STANDARDS FOR WORKER SAFETY.
5. ALL CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING THE MOST UPDATED SET OF CONSTRUCTION PLANS PRIOR OF COMMENCING CONSTRUCTION.
6. ALL CONTRACTORS SHALL BE RESPONSIBLE FOR PROVIDING AS-BUILT INFORMATION TO THE ENGINEERING/SURVEYING COMPANY UPON COMPLETION OF CONSTRUCTION.

NOTE:

IT IS THE RESPONSIBILITY OF THE OWNER AND/OR CONTRACTOR TO ACQUIRE ALL EASEMENTS AND APPROVALS REQUIRED FOR THE CONSTRUCTION OF THIS PROJECT.

NOTES:

ANY ALTERATIONS TO THESE PLANS NOT AUTHORIZED BY DEBOY LAND DEVELOPMENT SERVICES AND NOT IN ACCORDANCE WITH THE PLANS AND RECORDS ON FILE AT THE DEBOY OFFICE SHALL RELIEVE DEBOY LAND DEVELOPMENT SERVICES OF RESPONSIBILITY FOR OVERALL ACCURACY OF THESE PLANS.

UTILITIES CONTACT LIST

INDOT - GREENFIELD DISTRICT

32 SOUTH BROADWAY
GREENFIELD, IN 46140
855-INDOT4U
EASTCENTRAL@INDOT.IN.GOV

CITIZENS ENERGY GROUP

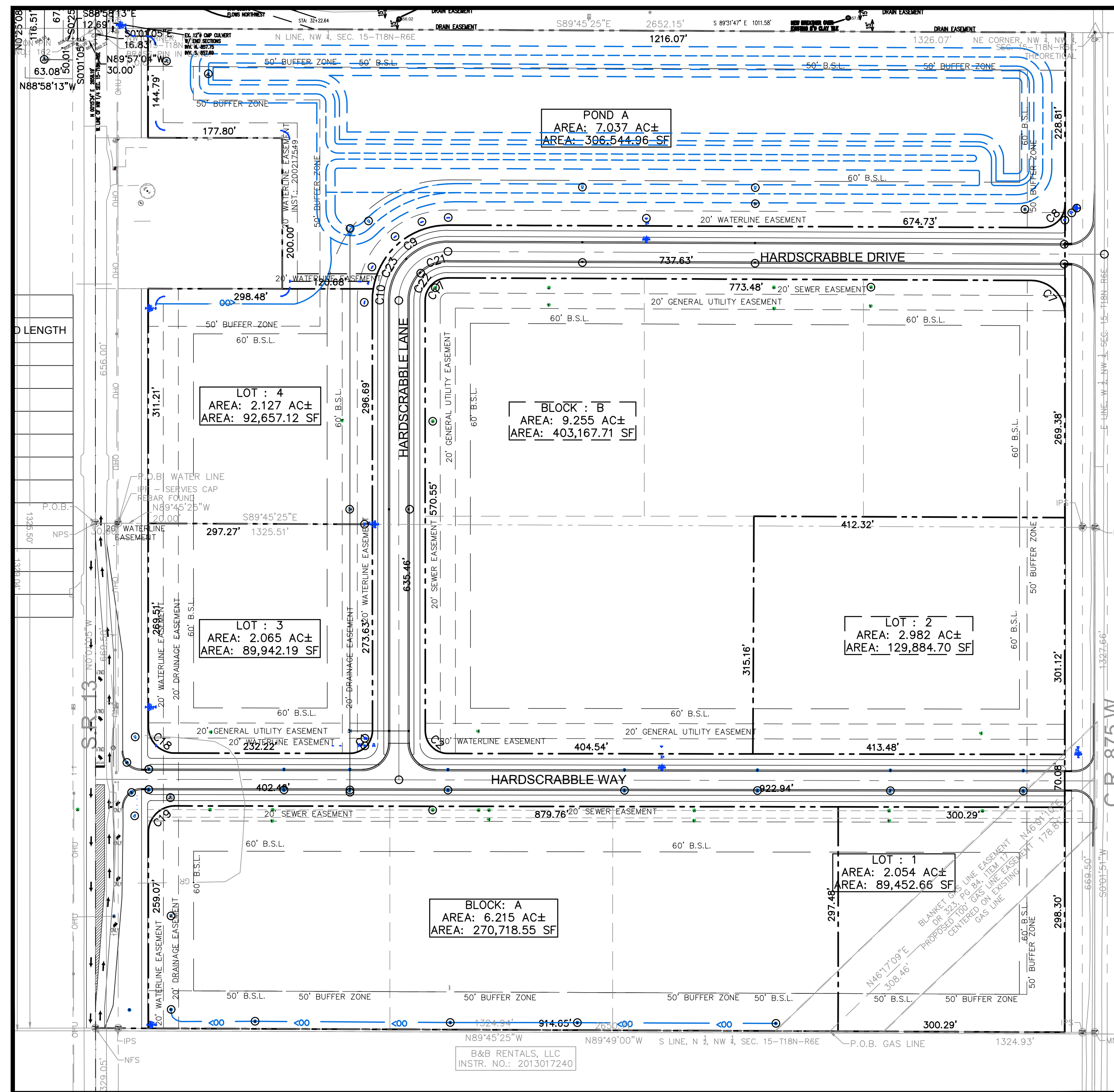
2150 DR. MARTIN LUTHER KING JR. ST.
INDIANAPOLIS, IN 46202
OPERATION CENTER: 317-515-4419

FALL CREEK REGIONAL WASTE DISTRICT

P.O. BOX 59
9378 S CR 650 W
PENDLETON, INDIANA 46064
PHONE: 765-778-7544
TOLL: 866-778-7544

TOWN OF LAPEL

P.O. BOX 999
825 N MAIN STREET
LAPEL, IN 46051-0999



VICINITY MAP
NOT TO SCALE

PROPOSED SITE 
NOT TO SCALE

BENCHMARK INFORMATION

USGS BENCHMARK:

TEMPORARY BENCHMARK (TBM) IS LOCATED:

SCOPE OF WORK:

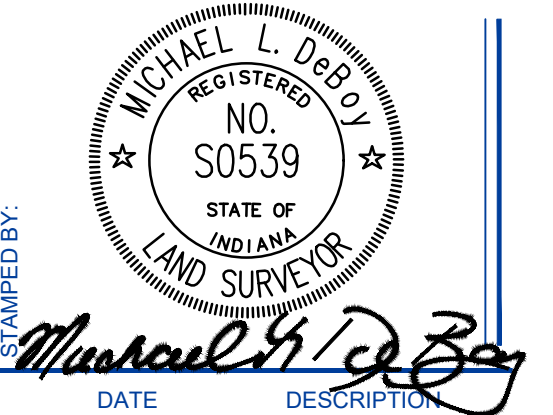
THIS PROJECT WILL CONSTRUCT THE INFRASTRUCTURE FOR AN INDUSTRIAL PARK, FILL MATERIAL FOR THE INDIVIDUAL LOTS, DETENTION FACILITY, STORM SEWERS, SANITARY SEWERS, WATERLINES, AND STREET IMPROVEMENTS.

CLIENT NAME/DEVELOPER/OWNER:
CHAD GALLOWAY & ROSCOE DORSEY
CRPP LLC
6208 SOUTH STATE ROAD 13
PENDLETON, IN 46064
765-534-5010
ROSCOE.DORSEY@DORSEYEXCAVATING.COM

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DESIGNED: MLD **APPROVED: MLD**
DRAWN: BAW **CHECKED BY: MLD**

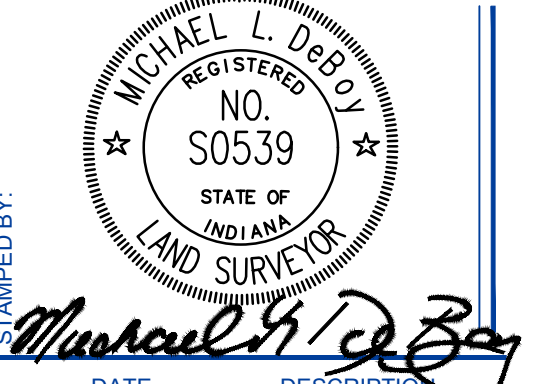
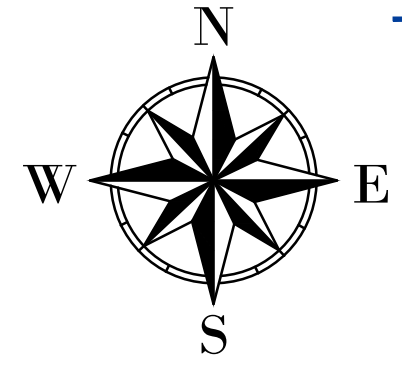
SCALE: NTS **DATE: 01/30/23**
PROJECT NO.: 2018-0032



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

PRIMARY PLAT COVER SHEET

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 ±

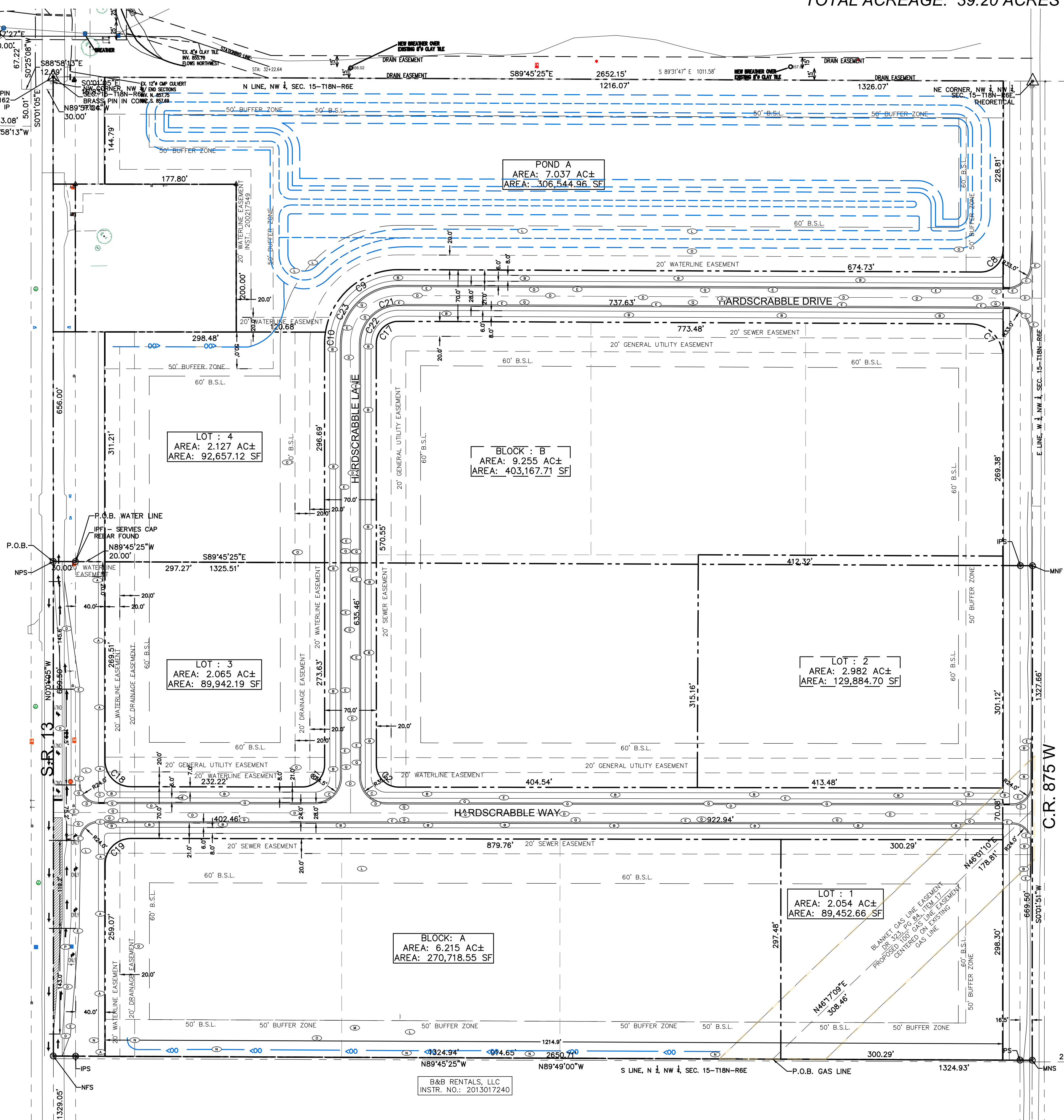


PREPARED BY: _____
STAMPED BY: *Michael L. DeBoy*
DATE: _____ DESCRIPTION: _____

Curve #	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	70.51	45.00	089°46'48"	N44° 51' 33"W	63.52
C8	47.09	30.00	089°56'36"	N45° 15' 40"E	858.77
C9	142.07	100.03	081°22'16"	S49° 34' 36"W	130.43
C10	15.52	100.03	008°53'23"	S04° 28' 47"W	15.51
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
C21	102.40	65.00	090°15'39"	S45° 06' 44"W	92.13
C22	80.34	51.00	090°15'39"	S45° 06' 44"W	72.29
C23	124.45	79.00	090°15'39"	S45° 06' 44"W	111.98

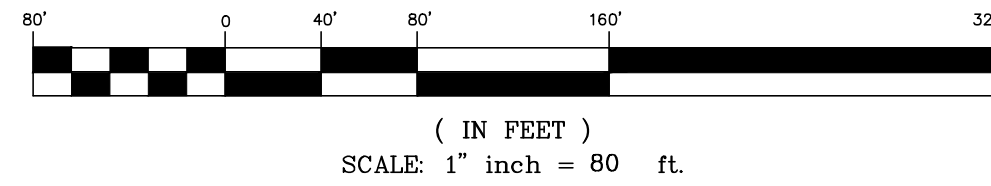
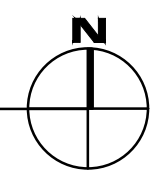
SITE LEGEND

- NEW STORM SEWER - 48" INT. BARREL
- NEW STORM SEWER - 60" INT. BARREL
- NEW STORM SEWER - 72" INT. BARREL
- NEW STORM SEWER - 96" INT. BARREL
- NEW PIPE END SECTION
- NEW STORM INLET - 24"x24" INT. BOX
- NEW SANITARY STRUCTURE
- NEW SANITARY SEWER CLEANOUT
- NEW ELEC. METER / GAS METER / WATER VAULT
- NEW PIPE BOLLARD
- NEW FIRE HYDRANT / POST INDICATOR VALVE / FIRE DEPT CONC. / WATER LINE ELBOW
- LIMITS OF CONSTRUCTION
- NEW TERMALPLASTIC EMBLEMS
- (A) NEW 8" WIDE CONCRETE MULTI USE PATH
- (B) NEW 8" WIDE CONCRETE SIDEWALK
- (C) NEW ADA ACCESSIBLE RAMP WITH TACTILE WARNING
- (D) NEW ASPHALT PAVEMENT
- (E) NEW 24" ROLLED CURB
- (L) NEW END SECTION
- (M) NEW OUTLET CONTROL STRUCTURE; SEE DETAILS
- (N) NEW STORM INLET/CATCH BASIN
- (O) NEW STORM MANHOLE
- (P) EXISTING DITCH INLET CONVERTED TO PAVEMENT INLET
- (Q) NEW CURB INLET



PRIMARY PLAT

SCALE: 1" = 80'



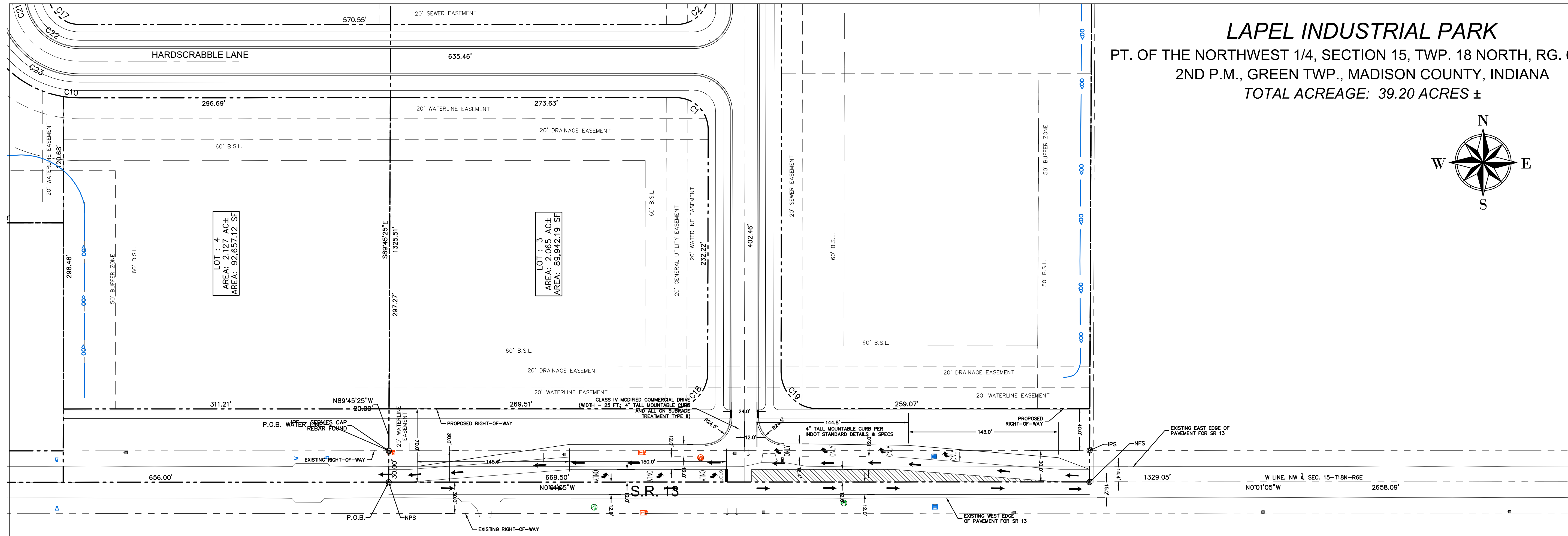
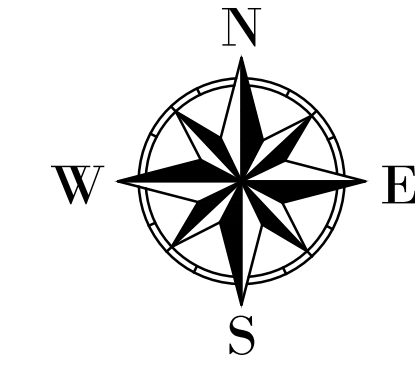
LAPEL INDUSTRIAL PARK
TAC REVIEW
6208 SOUTH STATE ROAD 13, PENDLETON, IN 46064

PRIMARY PLAT

CLIENT NAME/DEVELOPER/OWNER:
CHAD GALLOWAY & ROSCOE DORSEY
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6208 SOUTH STATE ROAD 13
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ROSCODORSEY@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

P2 OF 6

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 ±



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

SITE LEGEND

- | | | | | | |
|--|--|-----|--|-----|---|
| | NEW STORM SEWER - 48" INT. BARREL | (A) | NEW APARTMENT BUILDING; SEE ARCHITECTURAL PLANS | (X) | NEW TRANSFORMER; LOCATION IS PER INDIANAPOLIS POWER AND LIGHT |
| | NEW STORM SEWER - 60" INT. BARREL | (B) | NEW MAINTENANCE BUILDING; SEE ARCHITECTURAL PLANS | (L) | NEW END SECTION |
| | NEW STORM SEWER - 72" INT. BARREL | (C) | NEW CLUBHOUSE/FITNESS CENTER; SEE ARCHITECTURAL PLANS | (M) | NEW OUTLET CONTROL STRUCTURE; SEE DETAILS |
| | NEW STORM SEWER - 96" INT. BARREL | (D) | NEW ASPHALT PAVEMENT | (N) | NEW STORM MANHOLE |
| | NEW PIPE END SECTION | (E) | NEW 24" ROLLED CURB | (O) | NEW ADA ACCESSIBLE PARKING STALL |
| | NEW STORM INLET - 24"x24" INT. BOX | (F) | NEW 5' WIDE SIDEWALK | (P) | NEW ADA VAN ACCESSIBLE PARKING STALL |
| | NEW SANITARY STRUCTURE | (G) | NEW 5' WIDE COMBO CURB AND SIDEWALK | (S) | NEW ADA ACCESSIBLE PARKING SIGN |
| | NEW SANITARY SEWER CLEANOUT | (H) | NEW 8' WIDE MULTI-USE PATH | (R) | NEW INLINE ADA RAMP WITH TACTILE WARNING |
| | NEW ELEC. METER / GAS METER / WATER VAULT | (I) | NEW TYPICAL 20' LENGTH PARKING STALL PAINT STRIPE | | |
| | NEW PIPE BOLLARD | (J) | 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 | | | | |

DLDS
 DEBOY LAND DEVELOPMENT SERVICES
 Designers Engineers Surveyors
 P.O. Box 28, Pendleton, IN 46061
 Phone: 317.776.1801

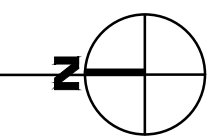
PREPARED BY:
 MICHAEL L. DEBOY
 REGISTERED
 NO. S0539
 STATE OF INDIANA
 LAND SURVEYOR
 DATE: [] DESCRIPTION: []

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

PRIMARY PLAT

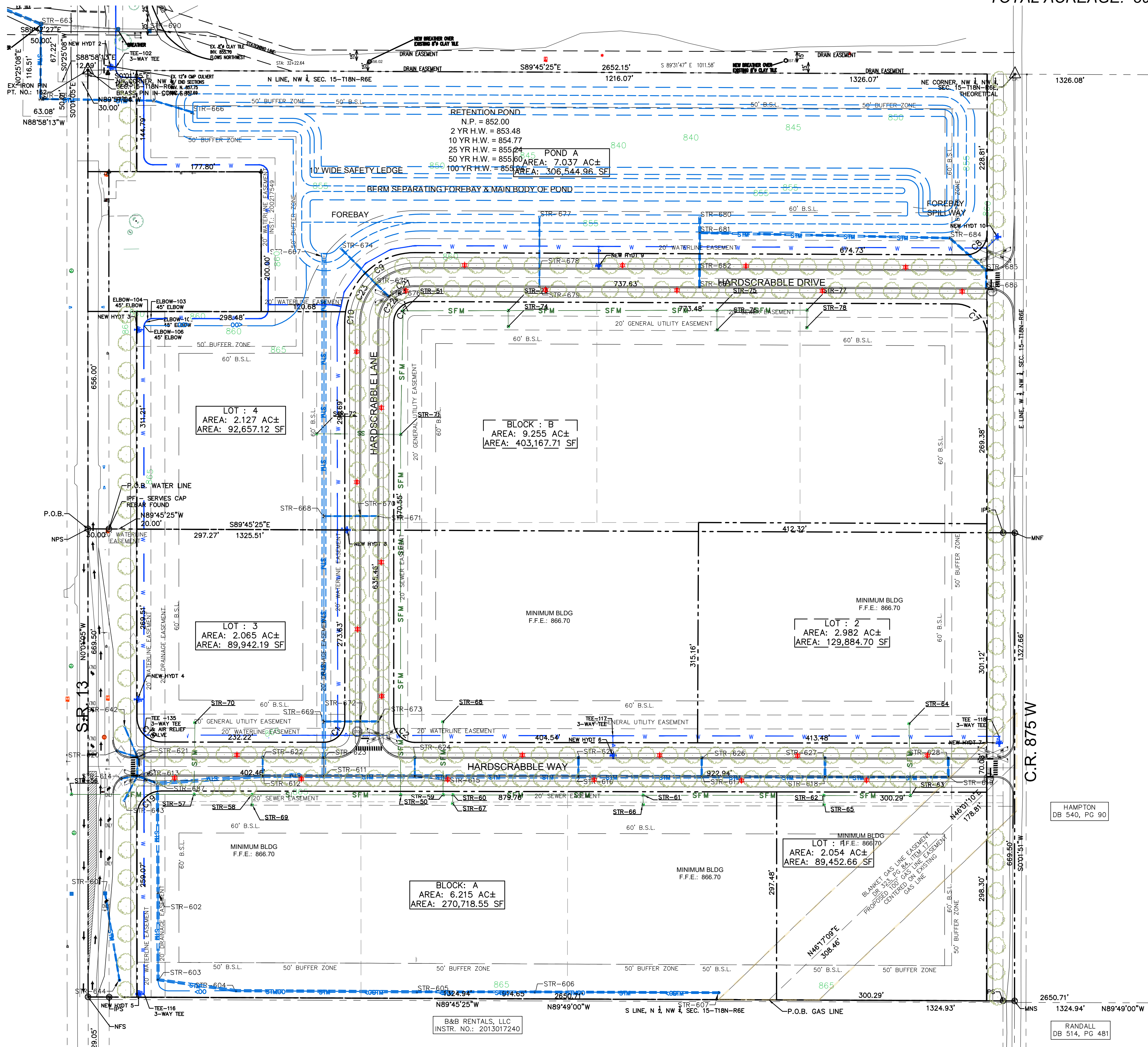
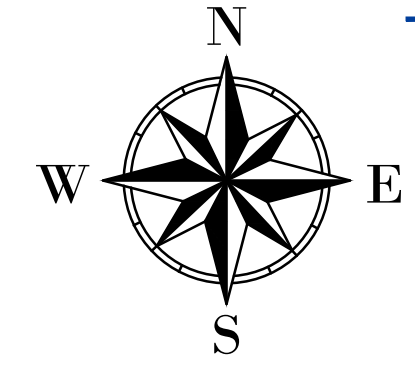
CLIENT NAME/DEVELOPER/OWNER:
 CHAD GALLOWAY & ROSCOE DORSEY
 CRPP LLC
 6208 SOUTH STATE ROAD 13
 PENDELTON, IN 46064
 765-534-5010
 ROSCOEDORSEY@DORSEYEXCAVATING.COM
 ©2022 (DLDS) DeBoy Land Development Services, Inc.
 DESIGNED: MLD APPROVED: MLD
 DRAWN: BAW CHECKED BY: MLD
 SCALE: 1" = 50' DATE: 01/30/23
 PROJECT NO.: 2018-0032

PRIMARY PLAT
 SCALE: 1" = 50'



PROJECT: C:\Users\lml\OneDrive - deboyland.com\Shared Documents\Projects\2018\2018-0032 - Dorsey Lapel Commercial Park - Dorsey Excavating\ENGINEERING\DRAWINGS\DWG: PRIMARY PLAT - S-CURT PLAN.dwg
 PLOTTED BY: MLD
 DATE: Wednesday, December 2, 2024 5:06:43 PM

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 ±



LANDSCAPE LEGEND

- NEW SHADE TREE; SEE LS101 FOR TYPE / COUNT
- NEW ORNAMENTAL TREE; SEE LS101 FOR TYPE / COUNT
- NEW CONIFEROUS TREE; SEE LS101 FOR TYPE / COUNT
- NEW LARGE SHRUB; SEE LS101 FOR TYPE / COUNT
- NEW SMALL SHRUB; SEE LS101 FOR TYPE / COUNT
- NEW PLANT SYMBOL; SEE SHEET LS102
- NEW PLANT COUNT NUMBER
- AREA LIGHT / LIGHT BOLLARD
- NEW TERMAL PLASTIC EMBLEMS (WHITE COLORING UNLESS STATED OTHERWISE ON PLAN)
- NEW STREET SIGN / SPEED LIMIT SIGN / STOP SIGN / ACCESSIBLE PARKING SIGN

PREPARED BY:
 MICHAEL L. DEBOY
 REGISTERED
 NO. S0539
 STATE OF INDIANA
 LAND SURVEYOR

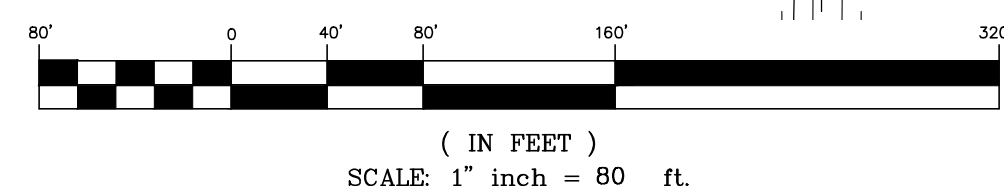
STAMPED BY: *Michael L. Deboy*

DATE	DESCRIPTION

LAPEL INDUSTRIAL PARK
TAC REVIEW
 6208 SOUTH STATE ROAD 13, PENDLETON, IN 46064
PRIMARY PLAT LIGHTING LANDSCAPE SIGNAGE

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

PRIMARY PLAT LIGHTING LANDSCAPE SIGNAGE
 SCALE: 1" = 80'



P4 OF 6

PROJECT: C:\Users\jlopez\OneDrive - deboyland.com\Shared Documents\Projects\2018\2018-0032 - Dorsey Lapel Commercial Park - Dorsey Excavating\ENGINEERING\DRAWINGS
 DWG: PRIMARY PLAT - LIGHT PLAN.dwg
 PLOTTED BY: BAW
 DATE: Wednesday, December 2, 2024 5:06:49 PM



EXHIBIT 2. WAIVER REQUESTS

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

WAIVER REQUEST ADDENDUM

UDO Section: § V 12. 1.6

Related Subdivision Application #: PLAT- 20 24 3

Waiver description: **Block Standards C:** Max Block size is 800 feet long; we are requesting 1,220 feet long.

COMPLIANCE WITH WAIVER CRITERIA*

The Lapel Plan Commission (PC) may approve or deny waivers in accordance with the terms of the Unified Development Ordinance, V.12.1.2. The PC may impose reasonable conditions as part of its approval.

The Plan Commission shall review the particular facts and circumstances of each proposed waiver request in terms of the meeting five (5) criteria. The PC shall determine whether there is adequate evidence showing the truth of the following statements:

1. The granting of the waiver will not be detrimental to the public safety, health, or welfare because:

This project is providing an access road that provides access to the front of the entire length of the requested change.

2. The granting of the waiver will not be injurious to the reasonable use and development of other property because:

This request will only affect the property within the subdivision application. It is a fully internal request.

3. The conditions upon which the request for waiver is based are unique to the property for which it is sought and are not applicable generally to other property because:

This is not a residential development. This project is an industrial development. The blocks are set to maximize for future replatting and development of any possible development to come into and meet the acceptable useage.

4. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a hardship to the owner would result if the strict letter of these regulations were carried out in the following way:

The entire development would have to be re-engineered and laid to incorporate more roads and in the process limit what companies could come into the development to building an industrial commercial facility.

5. The waiver will not contradict the intent of the Lapel Zoning Ordinance or Comprehensive Plan:

The does not harm the LZO or Comprehensive Plan. This is simply requesting the block size be increased to better fit the light and general industrial zoning. This will give more opportunities for larger range of companies to come into the developed to build their facilities.



WAIVER REQUEST ADDENDUM

UDO Section: § V 12. 1.6

Related Subdivision Application #: PLAT- 20 24 3

Waiver description: Easement Standards, A, ii. **Sanitary Sewer** Service per standards is to be within the public right-of-way. Working with Fall Creek Regional Waste District, the sanitary sewer provider, they have directed this development to have the sanitary in its on separate easement outside of the right-of-way.

COMPLIANCE WITH WAIVER CRITERIA*

The Lapel Plan Commission (PC) may approve or deny waivers in accordance with the terms of the Unified Development Ordinance, V.12.1.2. The PC may impose reasonable conditions as part of its approval.

The Plan Commission shall review the particular facts and circumstances of each proposed waiver request in terms of the meeting five (5) criteria. The PC shall determine whether there is adequate evidence showing the truth of the following statements:

1. The granting of the waiver will not be detrimental to the public safety, health, or welfare because:

To meet the requirement of FCRWD, the storm sewer has been placed in the right-of-way while the sanitary is outside of the right-of-way. The sanitary connecting for this development is outside of the SR 13 Right-of-Way.

2. The granting of the waiver will not be injurious to the reasonable use and development of other property because:

The sanitary sewer is being platted and incorporated before any structures for use of business has been proposed. This is a simple switch to having the sanitary sewer outside of the public right-of-way.

3. The conditions upon which the request for waiver is based are unique to the property for which it is sought and are not applicable generally to other property because:

This is not a residential development. This project is an industrial development. The development on this project is following the instructions of FCRWD for the location of the sanitary force main they will take ownership after construction.

4. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a hardship to the owner would result if the strict letter of these regulations were carried out in the following way:

If following the rules, agreements with FCRWD would need to occur to have the location of the sanitary force main within public right-of-way and cause an even further delay in the development of this site.

5. The waiver will not contradict the intent of the Lapel Zoning Ordinance or Comprehensive Plan:

The does not harm the LZO or Comprehensive Plan. This is simple moving the location of a sanitary force main from being the public right-of-way into it's own sanitary easement outside of the public right-of-way. FCRWD will own the sanitary sewer and the Town of Lapel will not own the sewer main.



WAIVER REQUEST ADDENDUM

UDO Section: § V 12. 1.6

Related Subdivision Application #: PLAT- 20 24 3

Waiver description: Easement Standards, B. **Drainage Easements**. Requesting that unless otherwise shown on plat that drainage structures be located in the public right-of-way. This will go along with the waiver request for the sanitary being in an easement outside of the public right-of-way.

COMPLIANCE WITH WAIVER CRITERIA*

The Lapel Plan Commission (PC) may approve or deny waivers in accordance with the terms of the Unified Development Ordinance, V.12.1.2. The PC may impose reasonable conditions as part of its approval.

The Plan Commission shall review the particular facts and circumstances of each proposed waiver request in terms of the meeting five (5) criteria. The PC shall determine whether there is adequate evidence showing the truth of the following statements:

1. The granting of the waiver will not be detrimental to the public safety, health, or welfare because:

This wis to go in line with the request to have the sanitary sewer easement outside of the public right-of-way.

2. The granting of the waiver will not be injurious to the reasonable use and development of other property because:

The storm sewer system is vital part of the development and shall be one of the first items installed before any streets are constructed. This moves the location of the storm sewer main from private easement into public right-of-way.

3. The conditions upon which the request for waiver is based are unique to the property for which it is sought and are not applicable generally to other property because:

This is not a residential development. This project is an industrial development. This request falls inconjunction with the sanitary sewer being in its own separate easement outside of the public right of way, it is switching the location to meet FCRWD requirements for Sanitary.

4. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a hardship to the owner would result if the strict letter of these regulations were carried out in the following way:

This site and storm drainage design has already been approved by Madison County Drainage Board. Any change would require going back before the board and an entire new review process adding months before any development would be allowed.

5. The waiver will not contradict the intent of the Lapel Zoning Ordinance or Comprehensive Plan:

This is simply swapping the sanitary and storm sewer mains. The storm shall be located within the public right-of-way while the sanitary will be outside placed in its own private easement. The water will be owned by Citizens Energy Group and is in its own easement outside of the public right-of-way except crossing roads.



WAIVER REQUEST ADDENDUM

UDO Section: § V 12. 1.6

Related Subdivision Application #: PLAT- 20 24 3

Waiver description: **Sidewalk Standards:** Requesting that Sidewalks be installed as each lot/block is being developed under separate improvement location permits.

COMPLIANCE WITH WAIVER CRITERIA*

The Lapel Plan Commission (PC) may approve or deny waivers in accordance with the terms of the Unified Development Ordinance, V.12.1.2. The PC may impose reasonable conditions as part of its approval.

The Plan Commission shall review the particular facts and circumstances of each proposed waiver request in terms of the meeting five (5) criteria. The PC shall determine whether there is adequate evidence showing the truth of the following statements:

1. The granting of the waiver will not be detrimental to the public safety, health, or welfare because:

This project is providing an access road that provides access to the front of the entire length of the requested change.

2. The granting of the waiver will not be injurious to the reasonable use and development of other property because:

This request is to ensure and minimize damage to sidewalk that is built or constructed. It will have the individual lot/block purchaser to install the sidewalk once that parcel is developed in the future.

3. The conditions upon which the request for waiver is based are unique to the property for which it is sought and are not applicable generally to other property because:

This is not a residential development. This project is an industrial development. This request is pretty similar to other residential developments and other municipalities for having sidewalks installed when the lot is constructed on for a development.

4. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a hardship to the owner would result if the strict letter of these regulations were carried out in the following way:

If following the rules, sidewalks would be installed and once the lots are sold and developed the sidewalks would be damaged or destroyed during construction. This limits the need or excessive demo and construction of sidewalks.

5. The waiver will not contradict the intent of the Lapel Zoning Ordinance or Comprehensive Plan:

The does not harm the LZO or Comprehensive Plan. This is simply moving the time the sidewalks are constructed from the when the infrastructure is built to moving the sidewalks onto the individual lots as they are sold and developed in the future.

EXHIBIT 3. FEASIBILITY REPORT FROM APPLICANT

September 19, 2024

Oksana Polhuy
Planning Administrator
Town of Lapel
825 Main Street
Lapel, IN 46051
Ph: 765-534-3157
Email: oksana@lapelindiana.org



RE: Feasibility Report
Lapel Industrial Park, 6208 South State 13, Pendleton
Madison County, Indiana

It has been requested that a feasibility report Lapel Industrial Park (LIP) be provided to show the site has coverage of sewage, water and drainage facilities. In the process, DLDS and members of CRPP, LLC, have reached out to the following entities:

- Lapel Stoney Creek Fire Department – Fire and Emergency Medical Services
- Citizens Energy Group – Water
- Fall Creek Regional Waste District - Sewage
- Duke Energy – Electric
- INDOT – Access to State Road 13

At this time, DLDS has reached out to obtain Will Server Letters from Lapel Stoney Creek Fire Department, Citizens Energy Group, and Duke Energy. Fall Creek Regional Waste District and CRPP, LLC, have already signed an agreement to provide service to the site. A copy of the agreement has already been forwarded to Mrs. Oksana Polhuy.

Lapel Stoney Creek Fire Department has had a request sent in for a Will Serve Letter. At this time, no response has been provided. It is expected that they will provide a letter or at least an email response stating they will respond to emergency calls to this site.

As Will Serve Letters has yet to be provided by Citizens Energy Group, the water supplier has already been reviewing plans and marked up construction documents. At this time, a 16” water main is required to be extended from the intersection of State Road 13 and State Road 38 going south along the eastern Right-of-Way of State Road 13. An easement for 20’ in width was previously recorded back in the early 2000’s for a waterline. In addition, the internal waterline will be a 12” water main running through the development. Current markups and comment letter from Citizens Energy Group may be forwarded to any and all interested parties upon request.

Fall Creek Regional Waste District (FCRWD) currently has a 4” force main running along the west side of State Road 13. This line has capacity for Trinity Life Center, the original entity that it was constructed to serve, and additional capacity. At this time, CRPP, LLC, has come to an agreement with FCRWD to provide service. The agreement has been forwarded as mentioned above. As told by FCRWD, the area is serviced by a force main. A force main sanitary line will need to be installed through the site and each individual lot will have to construct their own grinder pumping station. The plan is to have a tap on the active 4” main, bore under SR 13 with a 3” line and once outside of the INDOT Right-of-Way, a reducer

to a 2” line will then run through the industrial park. FCRWD has been reviewing the plans and making comments for DLDS to address. Updated plans will be sent back into FCRWD.

Duke Energy currently services the general area. Personnel from CRPP, LLC, have spoken to representatives in the past. DLDS and CRPP, LLC, are reaching out to obtain a Will Serve Letter. At this time, it is anticipated that the entire site will be fully electric and that no gas service will be brought into the industrial park.

INDOT communication and coordination has been commenced and working to obtain a commercial driveway permit and an utility encroachment/construction permit. INDOT has required a traffic study to be performed. Shrewsberry performed the traffic impact study in April of 2023. This has been sent to INDOT. At this time, plans have been forwarded to INDOT with comments being sent and working to fully address at this time.

The drainage for the site will require CRPP, LLC, to obtain permission to connect to an existing drainage tile that currently services Trinity Life Center detention facility. CRPP, LLC, has already obtained permission from the Wilson family to replace the existing drainage tile running through field at the southwest corner of State Road 38 & State Road 13. This was a requirement from Madison County Drainage Board. The drainage for the site will require replacing an existing 15” drainage tile with a larger 30” pipe. At a connection point on the west side of State Road 13, the current 15” tile and a new proposed 18” tile will meet and connect to a proposed 30”. This 30” tile will then go through the said field and discharge into Mudd Creek. The LIP will create its own stormwater detention and water quality treatment system prior to releasing stormwater from the site. This storm water will be release via an 18” pipe going under State Road 13 and tying into the above described 30” pipe. An onsite storm sewer system with inlets and junction structures has been reviewed and approved by the Madison County Drainage Board for the site. Once the facility has been constructed and as-built, the Madison County Drainage Board has mandated that the 30” tile shall be petitioned to be turned into a county regulated drain.

The street construction except that within INDOT Right-of-Way of State Road 13, will be designed per the Town of Lapel’s Ordinance. The roadway within INDOT Right-of-Way shall confirm to INDOT specifications.

At this time, all utilities will be constructed at once as well as the streets. The internal infrastructure is not anticipated to be phased for construction. As each individual Lot or Block is developed, then those will be separate items to look at for development on a case by case basis for Lot Construction, separate from this project.

Sincerely,

Michael L DeBoy, L.S.

EXHIBIT 4. DRAINAGE APPROVAL

MADISON COUNTY
i n d i a n a



Madison County Drainage Board

Madison County Government Center

16 East 9th Street

Anderson, Indiana 46016

Office: 765-641-9687

August 14, 2024

CRPP, LLC
13666 East 179th Street
Noblesville, IN 46060

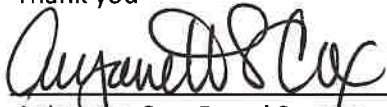
RE: Lapel Industrial Park

The Madison County Drainage Board has given contingent final drainage approval for the proposed Lapel Industrial Park. Official approval will be given at the August 28, 2024 meeting.

This letter is to give CRPP LLC the permissions to move forward with the Town of Lapel.

If there are any questions, please contact our office at the number provided above.

Thank you


Anjanette Cox, Board Secretary

cc: Drainage Board, Town of Lapel, Roscoe Dorsey, Brent White



853 Columbia Road, Suite 101, Plainfield, IN 46168
Phone: (317) 707-3700 | Fax: (317) 707-3800

August 2, 2024

Mr. Brent White
DLDS
P.O. Box 25
Noblesville, IN 46061

RE: Drainage Review Final
Lapel Industrial Park, 6208 South State Road 13, Pendleton
Madison County, Indiana

Dear Mr. White:

Banning Engineering was asked to review the submittal of the Lapel Industrial Park Project for compliance with the Madison County Drainage Ordinance, the Madison County Stormwater Technical Standards Manual as well as reasonable engineering practice.

Based on the review of the re-submittal received on July 14, 2024, we recommend approval of the project contingent upon the board considering the following:

1. The Ordinance describes storm sewers to be straight between manholes, and that a maximum spacing of 400-ft is recommended between the manholes. However, with running the 30" HDPE pipe through the Wilson Caroyln L L/E property, it may not be necessary. Currently, the plans show placing five 60" manholes across the field. It may make more sense to treat this like we normally do with field tile and just follow the alignment of the existing tile while it is replaced and reduce or remove the manholes. This length of 30" pipe is approximately 1,850 ft from manhole 663 to the end section at the ditch. I would also recommend that the portion of HDPE pipe through the field be perforated and that any lateral connections to the existing tile be located and connected to the new 30".

Thank you for the opportunity to review your proposed site improvements. Questions or discussion can be initiated by phone or email at 317-707-3737 or mkolb@banning-eng.com, respectively.

Sincerely,

A handwritten signature in black ink, appearing to read "Max Kolb", written in a cursive style.

Max Kolb, PE, CFM
Project Manager

Cc: Madison County Drainage Board c/o Anjie Cox, Drainage Board Secretary
Madison County Engineer c/o Jessica Bastin, Madison County Engineer

EXHIBIT 5. LETTERS / AGREEMENTS FROM UTILITIES



September 19, 2024

Re: Electrical Facilities for Lapel Industrial Park,
6208 South SR 31, Pendleton, Indiana

Dear Mr. DeBoy:

This is to advise you that Duke Energy Indiana, Inc. (d/b/a Duke Energy), a corporation organized and existing under the laws of the State of Indiana as a public utility and subject to regulation by the Indiana Utility Regulatory Commission (IURC), will supply electric service pursuant to the provisions of its retail electric rate tariff and general terms and conditions of electric service on file with the IURC, to the proposed development located at 6208 South SR 13, Pendleton, Indiana. (intersection SR 13 and SR 38)

Sincerely,

Bradley Amburgey (Kathy Davis)

Bradley Amburgey
Engineering Technologist II



2020 North Meridian St. | Indianapolis | IN 46202

CitizensEnergyGroup.com

September 20, 2024

CRPP, LLC
17697 Prairie Baptist Road
Noblesville, IN 46060

Will Serve Water

Re: Lapel Industrial Park
6208 S State Road 13
Pendleton, IN 46064

To Whom It May Concern:

As of today's date, water mains located near the above referenced site are available to provide service to the proposed multi-lot industrial park development.

Although availability exists, Citizens Energy Group allocates capacity on a first-come first-serve basis. Citizens Energy Group cannot guarantee that capacity will exist at any future date.

Capacity within the public mains available to serve this development cannot be guaranteed until proposed discharges and demands have been determined and reviewed by Citizens Energy Group. Therefore, please be advised that this letter is only a statement of present availability and in no way is to be considered a commitment of future allocations.

Prior to actual utilization of services, all applicable Local, State and Federal approvals or permits must be obtained. Permit applications, waste load allocation estimates and any other requested information must be submitted to Citizens Energy Group for review.

If you have any further questions, require clarification, or need further guidance please contact me at (317) 429-3972 or mkline@citizensenergygroup.com.

Sincerely,

A handwritten signature in black ink that reads "Matt Kline".

Matt Kline
Market Development Coordinator
2020 N. Meridian Street
Indianapolis, IN 46202

Cc: Jerry Gentry
File

ADDENDUM TO
SANITARY SEWER MAIN EXTENSION AGREEMENT

Lapel Commercial Park

Madison County, Indiana

This Addendum to the February 28, 2023 Sanitary Sewer Main Extension Agreement ("Addendum"), made and entered into this 18th day of January, 2024, is between the FALL CREEK REGIONAL WASTE DISTRICT ("District") and CRPP, LLC ("Developer"), and is regarding the extension of additional sanitary sewer main by the Developer on the Developer's expanded property located at approximately 6208 South State Road 13 in Madison County, Indiana.

RECITALS:

A. On or about March 16, 2023, the parties completed execution of a Sanitary Sewer Main Extension Agreement ("Agreement") regarding the extension of a sewer main and related facilities by the Developer to and on an approximately 20.37 acre parcel generally located at 6208 South State Road 13, as described in the Agreement ("Property").

B. The Developer has not yet initiated the extension of sewer facilities to and on the Property.

C. Since execution of the Agreement, the Developer has acquired an additional approximately 18.832 acres of land adjacent to the Property, which is more specifically described in Exhibit A attached hereto ("Additional Property").

D. The Developer now plans to develop the Property and Additional Property into a total of twelve (12) commercial/industrial development lots.

E. The parties desire to enter into this Addendum to add the Additional Property to the Property, and clarify that additional sewer mains will be constructed by the Developer for service to the Property and Additional Property, subject to all other terms and conditions of the Agreement.

NOW, THEREFORE, in consideration of the mutual agreement and covenants set forth below, and other good and valuable consideration, the receipt and sufficiency of which are hereby mutually acknowledged, the parties agree as follows:

ARTICLE I
ADDENDUM

Section 1.1. Property. The Property, as that term is defined and used in the Agreement, is hereby supplemented to include the Additional Property. Wherever the Agreement refers to the Property, it shall be construed as including the Additional Property as well as the Property. The terms and conditions of the Agreement applying to the Property, including but not limited to the Developer's extension of sewer facilities thereto, shall apply to the Additional Property.

Section 1.2. Cost of Installation and Facilities. Section 2.1 of the Agreement is hereby amended and restated as follows:

The Developer shall be responsible for paying the cost of and installing any and all facilities on or around the Property and Additional Property that are necessary for the provision of sewer service, including the Sewage Facilities. As part of the Sewage Facilities, the parties anticipate that the Developer will install two-inch (2") force mains and related facilities, in a manner and location to be approved by the District, on the Property and Additional Property that will connect to the District's existing facilities located along State Road 13. The Developer and/or any further owner/tenant shall further take any other measures as may be directed by the District in the future to ensure accurate testing or to prevent excessive strength effluent from entering into the District's wastewater collection system.

Section 1.3. Agreement. Except to the extent modified, supplemented, or amended herein, the parties reaffirm the Agreement in all respects. The responsibilities and obligations of the Developer, and the rights of the District, shall apply to the Additional Property and extension of sewer facilities to the Additional Property, as set forth in the Agreement.

ARTICLE II
MISCELLANEOUS

Section 2.1. Legal Description for Property. The legal description attached hereto as Exhibit A and incorporated herein by reference is a true and accurate legal description of the Additional Property.

Section 2.2. Binding on Successors and Assigns. The parties agree that the District's service touches and concerns the land, and the Agreement, as supplemented by this Addendum, shall be binding upon and inure to the benefit of the parties hereto, as well as their grantees, successors, and assigns.

Section 2.3. Entire Agreement. The Agreement, as supplemented by this Addendum, sets forth the entire agreement between the parties hereto, and fully supersedes any prior agreements or understandings between the parties pertaining to the subject matter hereof. All terms of the Agreement that are not inconsistent with this Addendum shall remain in full force and effect, and shall apply to the Additional Property.

Section 2.4. Amendment and Waiver. Neither the Agreement nor this Addendum, nor any term hereof may be changed, modified, altered, waived, discharged, or terminated, except by written instrument. Failure to insist upon strict adherence to any term of the Agreement or this Addendum shall not be considered a waiver or deprive that party of the right thereafter to insist upon strict adherence to that term or any other term of the Agreement or this Addendum.

Section 2.5. Counterparts. This Addendum may be executed in counterparts, including facsimile or photocopy counterparts, each of which shall be deemed an original, but all of which taken together shall constitute a single document.

Section 2.6. Recordation. The District may record this Addendum and the Agreement in the chain of title to the Property and Additional Property. The Developer further agrees to execute a memorandum of the Agreement and this Addendum for recording in a form reasonably required by the District if requested by the District in the future.

Section 2.7. Authority of Parties. Each party and signatory hereto has the authority to enter into this Addendum and at all times has full authority to perform the Agreement and this Addendum. No further approval or consent by any other person or authority is required.

Section 2.8. Captions. The captions to this Addendum are for convenience of reference only and shall not be given any effect in the interpretation of the Agreement or Addendum.

Section 2.9. Severability. If any provision of this Addendum is found by a court of competent jurisdiction to be illegal, invalid, or unenforceable, the remaining terms hereof will not be affected, and in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision will be added as part of this Addendum that is as similar to the illegal, invalid, or unenforceable provision as may be possible and be legal, valid, and enforceable.

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FALL CREEK REGIONAL WASTE DISTRICT
BOARD OF TRUSTEES

Mark A. Jablonski
Mark A. Jablonski, President

STATE OF INDIANA)
COUNTY OF Madison)SS:
)

Before me, a Notary Public in and for said County and State, personally appeared Mark A. Jablonski, by me known to be the President of the Fall Creek Regional Waste District Board of Trustees, who acknowledged the execution of the foregoing "Addendum to Sanitary Sewer Main Extension Agreement" on behalf of the Fall Creek Regional Waste District Board of Trustees.

WITNESS my hand and Notarial Seal this 18 day of January, 2024.



Rebecca Lynn Hunter
Notary Public

Rebecca Lynn Hunter
(Printed Signature)

My Commission Expires: Nov. 4, 2029

My County of Residence: Hamilton

CRPP, LLC

Signed: Roscoe Dorsey

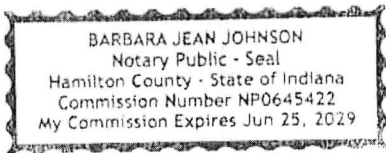
Printed: Roscoe Dorsey

Title: Managing Partner

STATE OF Indiana)
COUNTY OF Madison) SS:

Before me, a Notary Public in and for said County and State, personally appeared Roscoe Dorsey, by me known to be the Managing Partner of CRPP, LLC, who acknowledged the execution of the foregoing "Addendum to Sanitary Sewer Main Extension Agreement" on behalf of said entity.

WITNESS my hand and Notarial Seal this 16th day of January, 2024.



Barbara Jean Johnson
Notary Public

Barbara Jean Johnson
(Printed Signature)

My Commission Expires: 6/25/2029

My County of Residence: Hamilton

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. Stephen C. Unger

This instrument prepared by Stephen C. Unger, Attorney at Law, Bose McKinney & Evans LLP, 111 Monument Circle, Suite 2700, Indianapolis, IN 46204.

4698789

Exhibit A

Legal Description of Additional Property

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 1330 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 1329 feet to the center of State road #13, thence north 656 feet to the place of beginning, being a part of the Northwest Quarter of the Northwest Quarter of Section 15, Township 18 North, Range 6 East.

EXCEPT 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:

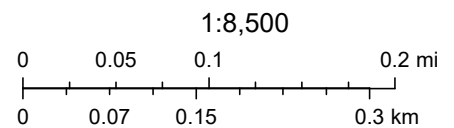
BEGINNING at a point on the West LINE OF THE Northwest Quarter of Section 15, Township 18 North, Range 6 East, said point being South 00 degrees 00 minutes 00 seconds (assumed bearing) 145.00 feet from an existing iron rod in concrete marking the northwest Corner of the Said Quarter Section: thence North 90 degrees 00 minutes 00 seconds East a distance of 217.80 feet to a 5/8-inch rebar (set) on the East right-of-way line of State Road Number 13; thence South 00 degrees 00 minutes 00 seconds on a line parallel with the West line of said Quarter Section a distance of 200.00 feet to 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 20.00 feet to appoint 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, after said exception, 18.832 acres, more or less.

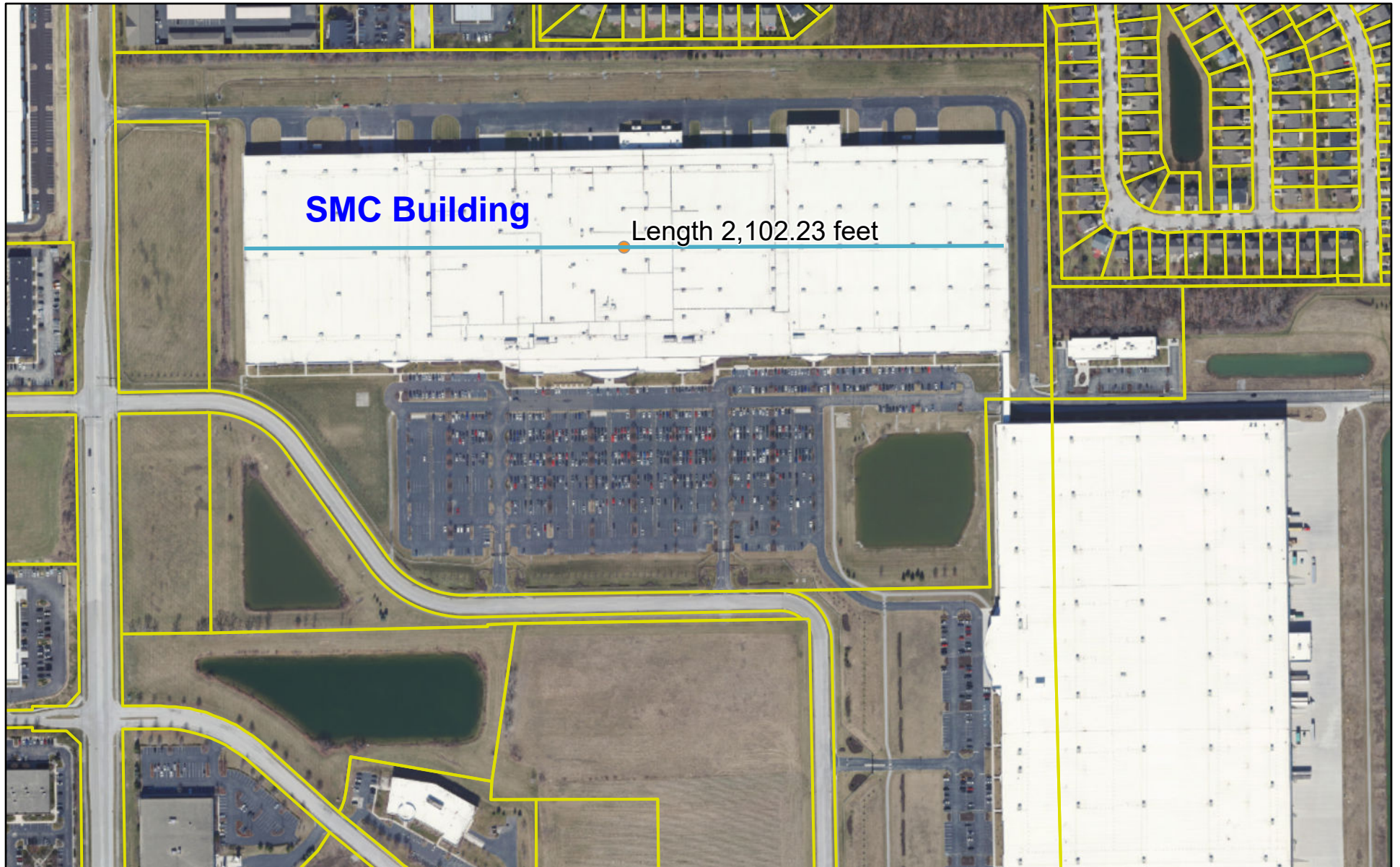
EXHIBIT 6. EXAMPLES OF BLOCK LENGTHS Noblesville, Industrial - Commercial Developments



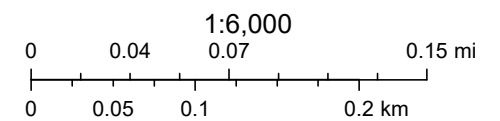
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Noblesville, SMC Building Length



12/5/2024, 5:44:09 PM



Author: Hamilton County

Hamilton County compiled this map. Although strict accuracy standards have been employed, Hamilton County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission.