ZINKAN & BARKER
DEVELOPMENT CO.

RE-ZONING REQUEST

NEC 161ST STREET & SPRING MILL ROAD
WESTFIELD, HAMILTON COUNTY, INDIANA

Petitioner:

Commercial Development Properties, LLC
5332 North Temple Avenue
Indianapolis, IN 46220

July, 2007

RECEIVED
JUN 28 2007
WESTFIELD COMMUNITY
DEVELOPMENT DEPARTMENT

DATE: June 29, 2007

PETITION TO CHANGE ZONING

Plan Commission Docket No.: _____

Name of Applicant: Commercial Development Properties, LLC
Address: 5332 North Temple Avenue, Indianapolis, IN 46220
Phone No.: (317) 396-1600

Name of Representative: Robert J. Barker
Address: 5332 North Temple Avenue, Indianapolis, IN 46220
Phone No.: (317) 396-1600

Name of Property Owner*: P1: Commercial Development Properties, LLC; P2: CDP Capital, LLC; P3: Kroger Limited Partnership I; P4: CrossRoads Church of Westfield, Inc.

Premises Affected: NEC 161st Street and Spring Mill Road

Metes and Bounds Description: See Exhibit A attached hereto and incorporated herein

Plot Size: P1: 6.792 ac.; P2: 0.654 ac.; P3: 5.967 ac.,; P4: 1.79 ac.

Fronting On: Approx. 1118' - 161st Street
Approx. 611' - Spring Mill Road

Nature and Size of Improvement Now Existing on Plot: P1: 40,000 sf retail/office; P2: bank; P3: 65,250 sf supermarket + refueling center; P4: House and barn

Present Zoning: P1, P2, P3 - SF3
P4 - AG-SF1

Requested Zoning: GB - General Business

The above information, to my knowledge and belief, is true and correct:

COMMERCIAL DEVELOPMENT PROPERTIES, LLC

By: _____
Robert J. Barker, Operating Manager

State of Indiana)
Marion) SS:
County of Hamilton)

Subscribed and Sworn to before me, a Notary Public in and for said County and State, this 20th day of June, 2007.

DIANE M. JOHNSON
MY COMMISSION EXPIRES
February 6, 2008
NOTARY SEAL
MARION COUNTY
NOTARY PUBLIC, STATE OF INDIANA

My Commission Expires:

February 6, 2008

Diane M. Johnson
Notary Public
Diane M. Johnson

*If the petitioner is not the property owner, a letter of consent from the property owner must accompany this document

EXHIBIT A

Parcel 1 ("P1")

A part of the Northwest Quarter of Section 11, Township 18 North, Range 3 East, in Washington Township, Hamilton County, Indiana, being more particularly described as follows:

Commencing at the Southwest corner of said Northwest Quarter Section; thence North 00 degrees 00 minutes 03 seconds West (assumed bearing) along the West line of said Northwest Quarter Section a distance of 361.88 feet; thence North 89 degrees 59 minutes 57 seconds East a distance of 45.00 feet to the **Point of Beginning;** thence continuing North 89 degrees 59 minutes 57 seconds East a distance of 267.00 feet; thence North 00 degrees 00 minutes 03 seconds West parallel with the West line of said Quarter Section a distance of 249.52 feet; thence North 89 degrees 14 minutes 37 seconds East parallel with the South line of said Quarter Section a distance of 891.22 feet; thence South 00 degrees 00 minutes 03 seconds East parallel with said West line a distance of 114.51 feet; thence South 89 degrees 14 minutes 37 seconds West parallel with said South line a distance of 366.75 feet; thence South 00 degrees 45 minutes 23 seconds East a distance of 180.74 feet; thence South 89 degrees 14 minutes 37 seconds West parallel with said South line a distance of 235.25 feet; thence South 00 degrees 45 minutes 23 seconds East a distance of 262.00 feet to a point 50.00 feet North of said South line; thence South 89 degrees 14 minutes 37 seconds West parallel with said South line a distance of 107.06 feet; thence North 00 degrees 45 minutes 23 seconds West a distance of 218.00 feet; thence South 89 degrees 14 minutes 37 seconds West parallel with said South line a distance of 130.69 feet; thence South 00 degrees 45 minutes 23 seconds East a distance of 218.00 feet; thence South 89 degrees 14 minutes 37 seconds West a distance of 202.00 feet; thence North 00 degrees 45 minutes 23 seconds West a distance of 267.17 feet; thence South 89 degrees 14 minutes 37 seconds West parallel with said South line a distance of 118.81 feet; thence North 00 degrees 00 minutes 03 seconds West parallel with said West line a distance of 44.09 feet to the **Point of Beginning**. Containing 6.792 acres, more or less.

Parcel 2 ("P2")

A part of the Northwest Quarter of Section 11, Township 18 North, Range 3 East, in Washington Township, Hamilton County, Indiana, being more particularly described as follows:

Commencing at the Southwest corner of said Northwest Quarter Section; thence North 89 degrees 14 minutes 37 seconds East (assumed bearing) along the South line of said Northwest Quarter Section a distance of 500.68 feet; thence North 00 degrees 45 minutes 23 seconds West a distance of 50.00 feet to the **Point of Beginning**; thence South 89 degrees 14 minutes 37 seconds West parallel with said South line a distance of 130.69 feet; thence North 00 degrees 45 minutes 23 seconds West a distance of 218.00 feet; thence North 89 degrees 14 minutes 37 seconds East parallel with said South line a distance of 130.69 feet; thence South 00 degrees 45 minutes 23 seconds East a distance of 218.00 feet to the **Point of Beginning**. Containing 0.654 acres, more or less.

Parcel 3 ("P3")

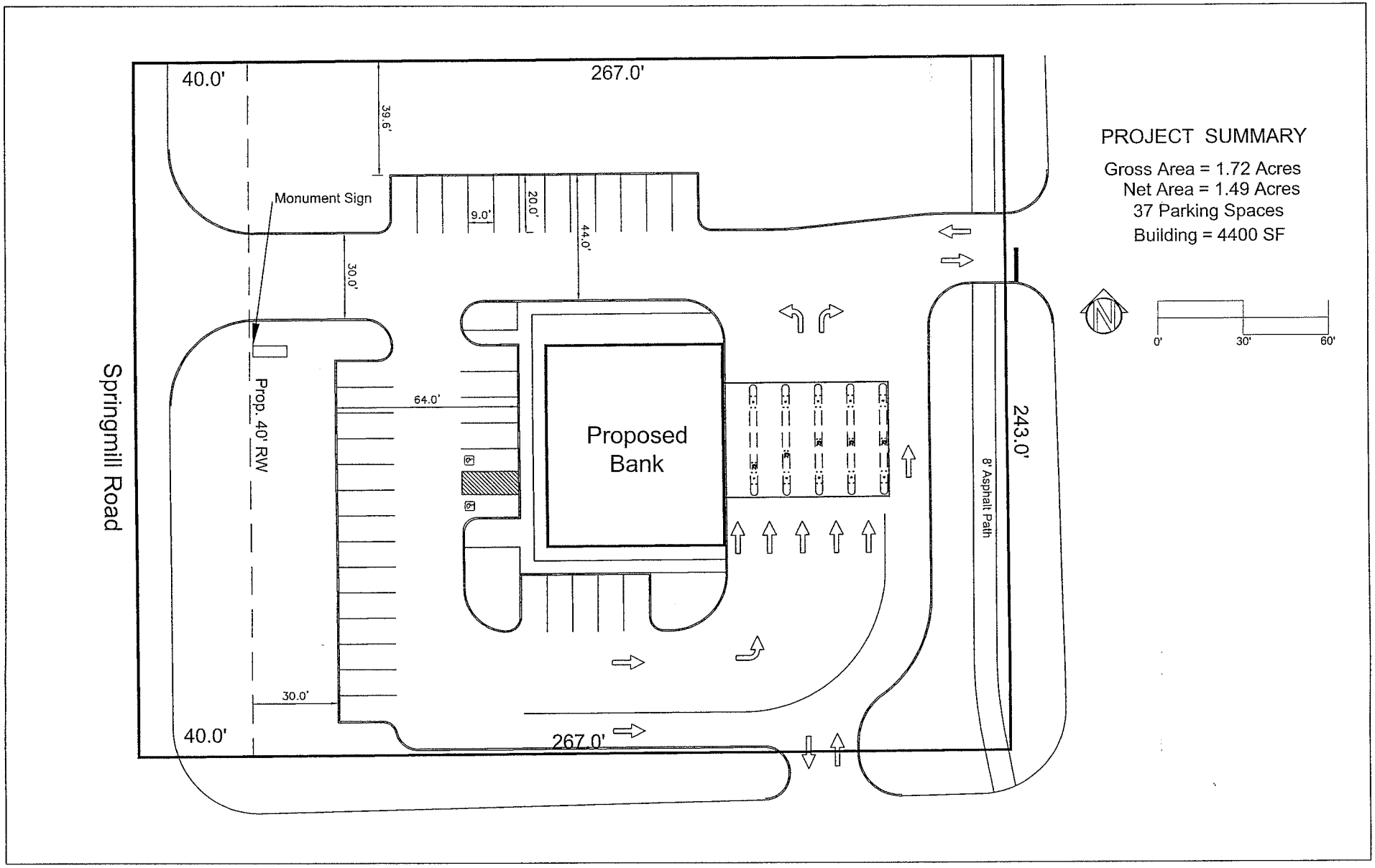
A part of the Northwest Quarter of Section 11, Township 18 North, Range 3 East, in Washington Township, Hamilton County, Indiana, being more particularly described as follows:

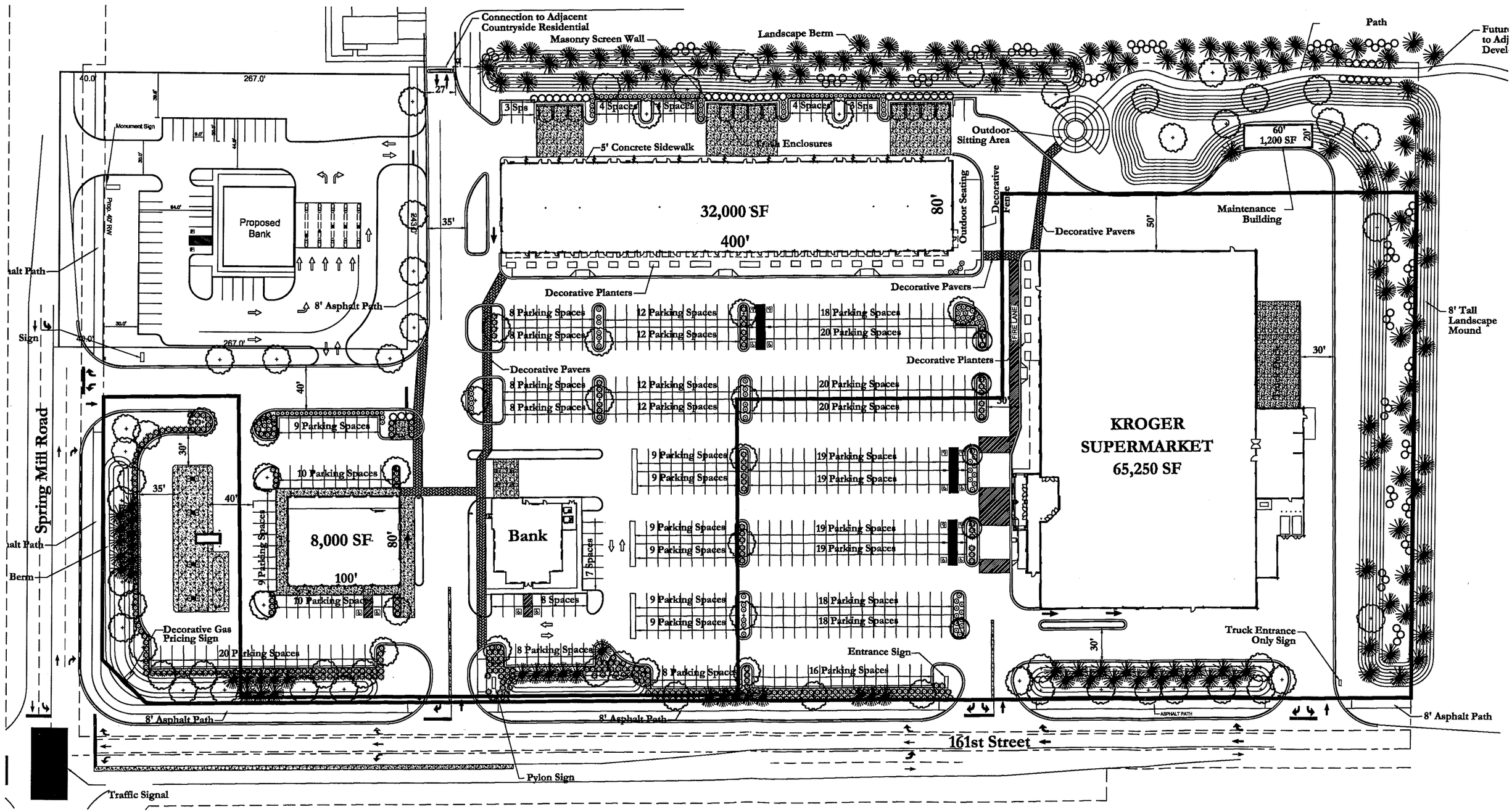
Commencing at the Southwest corner of said Northwest Quarter Section; thence North 00 degrees 00 minutes 03 seconds West (assumed bearing) along the West line of said Northwest Quarter Section a distance of 317.19 feet; thence North 89 degrees 14 minutes 37 seconds East parallel with the South line of said Northwest Quarter Section a distance of 45.00 feet to the **Point of Beginning;** thence continuing North 89 degrees 14 minutes 37 seconds East parallel with said South line a distance of 118.81 feet; thence South 00 degrees 45 minutes 23 seconds East a distance of 267.17 feet; thence North 89 degrees 14 minutes 37 seconds East parallel with said South line a distance of 439.75 feet; thence North 00 degrees 45 minutes 23 seconds West a distance of 262.00 feet; thence North 89 degrees 14 minutes 37 seconds East parallel with said South line a distance of 235.25 feet; thence North 00 degrees 45 minutes 23 seconds West a distance of 180.74 feet; thence North 89 degrees 14 minutes 37 seconds East parallel with said South line a distance of 366.75 feet; thence South 00 degrees 00 minutes 03 seconds East parallel with the West line of said Northwest Quarter Section a distance of 447.77 feet to a point 45.00 feet North of said South line; thence South 89 degrees 14 minutes 37 seconds West parallel with said South line a distance of 1118.24 feet; thence North 45 degrees 45 minutes 23 seconds West a distance of 55.83 feet; thence North 00 degrees 00 minutes 03 seconds West parallel with said West line a distance of 232.71 feet to the **Point of Beginning**. Containing 5.967 acres, more or less.

Parcel 4 (P4")

Part of the Northwest Quarter Section 11, Township 18 North, Range 3 East, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Southwest corner of the above-mentioned Quarter, North 00 degrees 00 minutes East (assumed bearing) along the West line of said Quarter section 361.38 feet to the place of beginning of this description, thence continuing along said line 249.52 feet to a point; thence North 90 degrees 00 minutes East 312.00 feet to a point; thence South 00 degrees 00 minutes East 249.52 feet to a point; thence South 90 degrees 00 minutes West 312.00 feet to a point which is the beginning point of this description.


40.0'
267.0'
39.6'
Monument Sign
9.0'
20.0'
44.0'
30.0'
Springmill Road
Prop. 40' RW
64.0'
Proposed Bank
243.0'
8' Asphalt Path
30.0'
40.0'
267.0'
PROJECT SUMMARY
Gross Area = 1.72 Acres
Net Area = 1.49 Acres
37 Parking Spaces
Building = 4400 SF
0'
30'
60'



Connection to Adjacent Countryside Residential
Masonry Screen Wall
Landscape Berm
Path
Future to Adj Devel
3 Sps
4 Spaces
4 Spaces
4 Spaces
3 Sps
5' Concrete Sidewalk
Trash Enclosures
Outdoor Sitting Area
60'
1,200 SF
20'
Maintenance Building
Decorative Pavers
50'
32,000 SF
400'
80'
Outdoor Seating
Decorative Fence
Decorative Planters
Decorative Pavers
8' Tall Landscape Mound
8 Parking Spaces
12 Parking Spaces
18 Parking Spaces
20 Parking Spaces
Decorative Planters
Decorative Pavers
FIRE LANE
30'
KROGER SUPERMARKET 65,250 SF
9 Parking Spaces
19 Parking Spaces
10 Parking Spaces
8,000 SF
80'
100'
Bank
7 Spaces
8 Spaces
18 Parking Spaces
16 Parking Spaces
Entrance Sign
Truck Entrance Only Sign
Decorative Gas Pricing Sign
20 Parking Spaces
8' Asphalt Path
Pylon Sign
Traffic Signal
Spring Mill Road
Monument Sign
Prop. 40' RW
Proposed Bank
267.0'
40.0'
35'
40'
30'
Sign
Berm
161st Street

Fiscal Impact Summary

Est. Real Estate Taxes	$ 8,300.00	(Based on Banks @ WM)
Est. COIT	$ 2,750.00	(Based on Banks @ WM)
Food/Beverage Tax	N/A	(Assume non-food use)
Annual Recurring Fiscal Impact	$ 11,050.00	

One-Time Payments@currant rates:

Est. Road Impact Fees	$ 65,000.00	(Based on Banks @ WM)
Est. Water/Sewer Fees	$ 11,460.00	(Based on Banks @ WM)
Municipal Fees Generated	$ 76,460.00	

Note 1: Property is presently owned by a not-for-profit entity and hence 100% of these dollars are incremental. Impact on Police and Fire services would be minimal and there would be no impact on the school system.

Note 2: All of the figures reflected above are based on actual "outlot" facilities at Westfield Marketplace and rates presently in effect.