

**ACTION AGENDA
OCTOBER 26, 2017 UNIFIED GOVERNMENT BOARD OF
COMMISSIONERS MEETING
ORDER OF BUSINESS
MEETING TO CONVENE AT 7:00 PM**

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. INVOCATION GIVEN BY SISTER THERESE BANGERT, OUR LADY AND ST. ROSE CATHOLIC CHURCH**
- IV. PLEDGE OF ALLEGIANCE**
- V. REVISIONS TO THURSDAY, OCTOBER 26, 2017 AGENDA**
BLUE SHEET: Revised information for:
XIII. Administrator's Agenda Item #1 – Northwest Speedway STAR Bond District (American Royal)
(Document located with respective item)
- VI. CLERK'S STATEMENT**
(Anyone wishing to speak about a particular item on the Consent Agenda must notify the Mayor when he asks if there are any "set-asides" on the Consent Agenda. Your item will then be discussed and voted on separately. All remaining items on the Consent Agenda are viewed as a single group and voted on with one vote.)
- VII. PLANNING AND ZONING CONSENT AGENDA**
- VIII. PLANNING AND ZONING NON-CONSENT AGENDA**
- IX. MAYOR'S AGENDA**
- X. NON-PLANNING CONSENT AGENDA**
- XI. PUBLIC HEARING AGENDA**
- XII. STANDING COMMITTEES' AGENDA**
- XIII. ADMINISTRATOR'S AGENDA**
- XIV. COMMISSIONERS' AGENDA**
- XV. LAND BANK BOARD OF TRUSTEES' AGENDA**
- XVI. PUBLIC ANNOUNCEMENTS**
- XVII. ADJOURN**

SERGEANT-AT-ARMS: CAPTAIN OSVALDO NAVARRO

PLANNING AND ZONING

VII. PLANNING AND ZONING CONSENT AGENDA

A. CHANGE OF ZONE APPLICATIONS

1. **#3133 - TODD ALLENBRAND WITH PAYNE & BROCKWAY, P.A.**

Synopsis: Change of Zone from R-1 Single Family District to RP-4 Planned Garden Apartment District for multi-family townhomes at 1342 North 126th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL**)

Tracking #: 171355
APPROVED

2. **#3147 - SHIRLEY BAYLIFF**

Synopsis: Change of Zone from C-1 Limited Business District to R-1(B) Single Family District in order to sell the property (residence currently located on property) at 4229 Swartz Road, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL**)

Tracking #: 171356
APPROVED

3. **#3148 - MIKE O'CONNELL WITH HOLLIDAY PROPERTIES LLC**

Synopsis: Change of Zone from R-1 Single Family District to CP-O Planned Non-Retail Business District to convert the first floor of a residential structure to office space at 7341 Holliday Drive, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL**)

Tracking #: 171357
APPROVED

B. SPECIAL USE PERMIT APPLICATIONS

1. **#SP-2017-20 - MICHAEL A. QUINN SR.**

Synopsis: Special Use Permit for a dirt fill at 4412 Gibbs Road, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 1 YEAR**)

Tracking #: 171358
APPROVED FOR 1 YEAR

2. **#SP-2017-32 - BEN STEPHENS WITH COPART**

Synopsis: Special Use Permit for expansion of Copart parking facility at 6130 Kansas Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)

Tracking #: 171359

APPROVED FOR 2 YEARS

3. #SP-2017-50 - JULIE A. RAMIREZ

Synopsis: Special Use Permit for the Temporary Use of Land to keep a storage container at 32 North 74th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 1 YEAR)**

Tracking #: 171360

APPROVED FOR 1 YEAR

4. #SP-2017-53 - SCOTT SKALA WITH CZ-USA

Synopsis: Special Use Permit for a shooting range at 3327 North 7th Street Trafficway, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 171361

APPROVED FOR 2 YEARS

5. #SP-2017-54 - WILLIAM MCNEALEY III WITH NCNEALEY TRUCKING LLC

Synopsis: Special Use Permit for the Temporary Use of Land to park a commercial truck on a residential property at 2938 North 34th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 1 YEAR)**

Tracking #: 171362

APPROVED FOR 6 MONTHS

C. VACATION APPLICATION

1. #P/E-2017-10 - KORB MAXWELL WITH POLSINELLI PC

Synopsis: Vacation of a pedestrian easement at 3928 Rainbow Boulevard, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 171364

APPROVED

D. PLAN REVIEW APPLICATIONS

1. #PR-2017-21 - BEN STEPHENS WITH COPART

Synopsis: Preliminary and Final Plan Review for the expansion of Copart's car storage facility at 6130 Kansas Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 171365

APPROVED

2. #PR-2017-38 - CHRIS HERRE WITH ROSE DESIGN BUILD INC.

Synopsis: Preliminary and Final Plan Review for a new office and shop facility for A-1 Sewer and Septic Service at 1901 Merriam Lane, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**
Tracking #: 171367
APPROVED

E. MASTER PLAN AMENDMENT

1. **#MP-2017-8 - MIKE O'CONNELL WITH HOLLIDAY PROPERTIES LLC**
Synopsis: Master Plan Amendment from Residential to Commercial Mixed Use at 7341 Holliday Drive, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**
Tracking #: 171366
APPROVED

F. MISCELLANEOUS - ORDINANCES (Final action on previously approved items)

1. **REZONING ORDINANCE #3091- An ordinance rezoning property at 616 North 9th Street from C-O Nonretail Business District to R-1(B) Single Family District, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL)**
Tracking #: 171368
ORDINANCE NO. O-50-17 APPROVED
2. **REZONING ORDINANCE #3098 - An ordinance rezoning property at 736 Shawnee Avenue from R-2(B) Two Family District to CP-1 Planned Limited Business District, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL)**
Tracking #: 171369
ORDINANCE NO. O-51-17 APPROVED
3. **REZONING ORDINANCE #3119 - An ordinance rezoning property at 10000 Lafayette Avenue from CP-2 Planned General Business District to CP-3 Planned Commercial District, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL)**
Tracking #: 171370
ORDINANCE NO. O-52-17 APPROVED
4. **REZONING ORDINANCE #3105 - An ordinance rezoning property at 1215 Southwest Boulevard from M-2 General Industrial District to C-3 Commercial District, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL)**
Tracking #: 171371
ORDINANCE NO. O-53-17 APPROVED

5. **REZONING ORDINANCE #3095 - An ordinance rezoning property at 11011 Leavenworth Road from A-G Agriculture District to R-1 Single Family District, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL)**
Tracking #: 171372
ORDINANCE NO. O-54-17 APPROVED
6. **REZONING ORDINANCE #3110 - An ordinance rezoning property at 2500 West 43rd Avenue from R-1(B) Single Family District to CP-1 Planned Limited Business District, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL)**
Tracking #: 171373
ORDINANCE NO. O-55-17 APPROVED
7. **VACATION ORDINANCE #U/E & R/W-2015-6 - An ordinance vacating a utility easement and right-of-way at 3414 North 109th Terrace, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL)**
Tracking #: 171374
ORDINANCE NO. O-56-17 APPROVED
8. **VACATING ORDINANCE #A-2015-12 - An ordinance vacating an alley at 736 Shawnee, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL)**
Tracking #: 171375
ORDINANCE NO. O-57-17 APPROVED

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

TAX STATUS REPORT

BOARD OF COMMISSIONERS AGENDA FOR OCTOBER 26, 2017

None of the properties included in applications to be considered on the Planning & Zoning agenda have delinquent taxes prior to 2013.

NOTE: This information cannot serve as the basis for approval or denial of an application. It is not among the factors to be considered as set by ordinance or among accepted zoning factors and criteria. However, such information in certain cases might be relevant to evaluating accepted factors or as an accompaniment to other valid purposes and/or factors.

REGULAR SESSION

IX. MAYOR'S AGENDA

X. NON-PLANNING CONSENT AGENDA

1. **APPROVAL: PARK DRIVE NEIGHBORHOOD REVITALIZATION STRATEGY AREA PLAN (SOAR)**

Synopsis: Request approval of the Park Drive Neighborhood Revitalization Strategy Area Plan (SOAR), submitted by Wilba Miller, Director of Community

On September 25, 2017, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Tracking #: 171292

APPROVED

2. **TWO ORDINANCES: PQ CORPORATION'S IRBS**

Synopsis: Request approval of the following ordinances authorizing the issuance of Taxable Industrial Revenue Bonds (PQ Corporation Project), submitted by Jon Stephens, Interim Economic Development Director.

- Series 2017A - \$7.5M
- Series 2017B - \$2.5M

On December 5, 2013, the Commission unanimously adopted Resolution No. R-127-13 to issue \$219M of IRBs in multiple series and a 75% tax abatement for PQ Corporation's multiphase expansion at 1700 Kansas Avenue.

Tracking #: 16817

ORDINANCE NO. O-58-17 APPROVED / Series 2017A - \$7.5M

ORDINANCE NO. O-59-17 APPROVED/ Series 2017B - \$2.5M

3. **ORDINANCE: BPU WATER CENTER (MUNCIE SITE)**

Synopsis: An ordinance authorizing the Chief Counsel to commence legal proceedings to acquire property necessary for the Board of Public Utility's Water Operations Center (Muncie site), submitted by Ryan Haga, Assistant Counsel.

On September 14, 2017, the Commission unanimously adopted Resolution No. R-36-17, declaring the project to be a necessary, valid public improvement project and authorizing a survey of land to be acquired for said project.

Tracking #: 171346

ORDINANCE NO. O-60-17 APPROVED

4. **NOMINATIONS: BOARDS AND COMMISSIONS**

Synopsis: Nominations for Boards & Commissions:

Jody Boeding, Library Board, 10/26/17 to 3/31/20, submitted by Commissioner McKiernan
Timothy Howe, Area Wide Advisory Council on Aging, 10/26/17 to 3/31/20, submitted by
Commissioner McKiernan

Charles Van Middlesworth, Landmarks Commission, 10/26/17 to 3/31/20, submitted by
Commissioner McKiernan

Janice Santiago, Advisory Commission on Human Relations & Disability Issues, 10/26/17
to 3/31/18, submitted by Commissioner Walters

Tracking #: 171335

APPROVED

5. MINUTES

Synopsis: Minutes from regular session of September 28, 2017.

Tracking #: MINUTES

APPROVED

6. WEEKLY BUSINESS

Synopsis: Weekly business material dated October 12 and 29, 2017.

Tracking #: WEEKLY BUSINESS

RECEIVED AND FILED

XI. PUBLIC HEARING AGENDA

XII. STANDING COMMITTEES' AGENDA

1. ORDINANCE: LEAVENWORTH ROAD ORDINANCE NO. 2-BPU 38TH ST. TO 63RD ST.

Synopsis: An ordinance authorizing the Chief Counsel to commence legal proceedings to acquire property necessary for the Leavenworth Road, 38th St. to 63rd St. project (CMIP 1224), submitted by Ryan Haga, Assistant Counsel.

On May 11, 2017, the Commission voted 8-1 to adopt Resolution No. R-21-17, declaring the project to be a necessary valid public improvement, authorizing a survey of land to be acquired for said project, and directing the Chief Counsel to initiate eminent domain proceedings if necessary to acquire said land. On October 12, 2017, the Commission passed Ordinance No. O-48-17 authorizing the Chief Counsel to commence legal proceedings to acquire a portion of the property necessary for the project. This ordinance is supplemental and authorizes the Chief Counsel to commence legal proceedings to acquire the remainder of the property necessary for the project.

Tracking #: 171377

ORDINANCE NO. O-61-17 APPROVED

XIII. ADMINISTRATOR'S AGENDA

1. ORDINANCE: NORTHWEST SPEEDWAY STAR BOND DISTRICT (AMERICAN ROYAL)

Synopsis: Adoption of the STAR Bond Project Plan for the Northwest Speedway STAR Bond District and approval of the American Royal Development Agreement.

Tracking #: 171376

ORDINANCE NO. O-62-17 APPROVED

2. RESOLUTION: MOU WITH SEIU LOCAL #1

Synopsis: A resolution authorizing execution of a Memorandum of Understanding (MOU) between the Unified Government and the Service Employees International Union (SEIU) Local #1, submitted by Doug Bach, County Administrator. This is the second of 12 contracts to be ratified in 2017.

Tracking #: 171381

RESOLUTION NO. R-46-17 ADOPTED

XIV. COMMISSIONERS' AGENDA

XV. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN