



MEETING NOTICE AND AGENDA ZIONSVILLE PLAN COMMISSION
Monday, June 15, 2020
7:00 PM (Local Time)

THIS PUBLIC MEETING WAS CONDUCTED PURSUANT TO GOVERNOR ERIC J. HOLCOMB'S EXECUTIVE ORDERS 20-02, 20-04 AND 20-08, 20-26, and 20-30 AND GOVERNOR HOLCOMB'S EXERCISE OF HIS POWERS UNDER INDIANA'S EMERGENCY MANAGEMENT AND DISASTER LAW, IND. CODE 10-14-3, *et seq.* ADDITIONAL INFORMATION REGARDING THE MEETING IS PROVIDED IN THE ANNEX PUBLISHED WITH THIS NOTICE.

1. Members of the public shall have the right to attend Plan Commission Public Meetings via the following forms of electronic communication (please click here to join the Webinar):

<https://us02web.zoom.us/j/82142629446>

Or iPhone one-tap :

US: +13017158592,,82142629446# or +13126266799,,82142629446#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 9128

Webinar ID: 821 4262 9446

International numbers available: <https://us02web.zoom.us/j/ku6dwyp6U>

The following items are scheduled for consideration:

I. Continued Business

Docket Number	Name	Address of Project	Item to be Considered
2020-08-Z	Prologis	5190 S. State Road 267 Lebanon, IN 46052	Received a Favorable Recommendation to the Town Council 6 in Favor 0 Opposed Petition for Zone Map change to rezone 76 +/- acres from the Rural (AG) Agricultural Zoning District to the Rural (I1) Industry Zoning District
2020-10-Z	Windhaven	8175 & 8775 W. Oak Street	Petitioner request to continue from the June 15, 2020 Plan Commission Meeting to the July 20, 2020 meeting 6 in Favor 0 Opposed Petition for Zone Map change to rezone 24.283+/- acres from the Rural (R1) Residential Zoning District to the (PUD) Planned Unit Development Zoning District

VI. New Business

Docket Number	Name	Address of Project	Item to be Considered
2020-17-MP	North Minor Plat	8653 E. 125 South	Approved as presented 6 in Favor 0 Opposed Petition for Minor Plat approval for the establishment of 2 lots with a waiver request from Section 193.056 (B) (4) (Water Facilities) of the Subdivision Control Ordinance in the R2 Rural Residential Zoning District

VII: Other Matters to be considered

Docket Number	Name	Address of Project	Item to be Considered
			None at this time

Please note that a quorum of the Zionsville Town Council may be in attendance at the meeting.

Respectfully Submitted:

Wayne DeLong, AICP, CPM
Director of Planning and Economic Development

June 16, 2020

ANNEX TO PUBLIC NOTICE FOR THE JUNE 15, 2020, REGULAR MEETING OF THE ZIONSVILLE PLAN COMMISSION

In his Executive Orders 20-02, 20-04, 20-08, 20-26 AND 20-30 (collectively, the “**Executive Orders**”), Governor Eric J. Holcomb has ordered all political subdivisions of the State of Indiana to limit public gatherings and to implement the Centers for Disease Control and Prevention’s and the Indiana State Department of Health’s recommended virus mitigation strategies. The Executive Orders suspend certain requirements for Essential Governmental Functions that facilitate Essential Infrastructure with respect to public meetings and open door laws, including suspending physical participation requirements by members of public agency governing bodies and permitting public attendance through electronic means of communications. As a political subdivision of the State of Indiana, the Zionsville Plan Commission (the “Plan Commission”) must comply with the Executive Orders throughout the duration of the COVID-19 Public Health Emergency. According, all public meetings of the Plan Commission shall be conducted in the following manner until the end of the COVID-19 Public Health Emergency:

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3. If a member of the public would like to attend a Plan Commission Public Meeting, but cannot utilize any of the access methods described above, please contact Wayne DeLong at 317-873-5108 or wdelong@zionsville-in.gov.
4. The Plan Commission will continually revisit and refine the procedures in this Annex to address public accessibility to Plan Commission Public Meetings during the COVID-19 Public Health Emergency.
5. If you need technical assistance in logging into Zoom for this webinar, please contact: Janice Stevanovic, jstevanovic@zionsville-in.gov, or 317-416-1920.



**Town of Zionsville
1100 West Oak Street
Zionsville, IN 46077**

TRANSMITTAL

**TO: Town of Zionsville Advisory Plan Commission
FROM: Wayne DeLong - Director of Planning and Economic Development
RE: Materials for consideration for the June 15, 2020 Meeting of
the Plan Commission.**

Enclosed for your information and review are the following:

1. Plan Commission Meeting Agenda
2. Planning Department May 2020 Monthly Report
3. May 18, 2020 Plan Commission Meeting Minutes
4. Docket # 2020-10-Z Windhaven Continuance Request
5. Docket # 2020-10-Z Windhaven Remonstrance Letters
6. Docket #2020-08-Z, Prologis Petitioners Remonstrance Letters
7. Petition Applications, Requests, and Information for Review and Consideration

January 21, 2020 Plan Commission Meeting Memo (Minutes) and April 20, 2020 Plan Commission Meeting minutes are forthcoming.



MEETING NOTICE AND AGENDA ZIONSVILLE PLAN COMMISSION
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7:00 PM (Local Time)

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The following items are scheduled for consideration:

- I. Pledge of Allegiance
- II. Attendance
- III. Approval of the January 21, 2020 Meeting Memo, April 20, 2020, and May 18, 2020 Plan Commission Meeting Minutes
- IV. Continuance Requests
- V. Continued Business

Docket Number	Name	Address of Project	Item to be Considered
2020-08-Z	Prologis	5190 S. State Road 267 Lebanon, IN 46052	Request by the Petitioner to continue from the April 20, 2020 and May 18, 2020 Plan Commission meetings to the regularly scheduled June 15, 2020 meeting Petition for Zone Map change to rezone 76 +/- acres from the Rural (AG) Agricultural Zoning District to the Rural (I1) Industry Zoning District
2020-10-Z	Windhaven	8175 & 8775 W. Oak Street	Request by the Petitioner to continue from the April 20, 2020 Plan Commission Meeting Plan Commission continuance from the May 18, 2020 regularly scheduled meeting to the June 15, 2020 Plan Commission Meeting Petition for Zone Map change to rezone 24.283+/- acres from the Rural (R1) Residential Zoning District to the (PUD) Planned Unit Development Zoning District

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Town Of Zionsville

Planning and Economic Development Combined Permit Activity

May 2020

Total permits issued for the month of May: 108

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Permit Activity Breakdown

Commercial Permits	May 2020	May 2019	YTD 2020	YTD 2019	YTD Diff
New	1	0	6	1	5
Interior Remodel	1	3	14	36	-22
Addition	0	0	2	2	0
Sign	2	4	11	27	-16
Electric	1	1	12	5	7
Other	2	4	10	22	-12
Sewer	0	1	0	2	-2
Commercial Totals	7	13	55	95	-40
Residential Permits					
Single Family	17	33	99	84	15
Addition	18	14	52	54	-2
Remodel	10	10	45	48	-3
Electric	6	6	18	18	0
Pool/Spa	6	4	18	24	-6
Demolition	3	0	7	11	-4
Other	39	30	82	95	-13
Sewer/Repairs	2	2	3	13	-10
Residential Totals	101	99	324	347	-23
Combined Totals	108	112	379	442	-63

Building/Site Inspections: 338 Number Of Inspections: 542

Certificates Of Occupancy Issued: 31

Easement Encroachments Authorized: 0 Denied: 0

Zoning Code Enforcement Activity

Number of New Zoning Code Investigations: 8

Number of violations that resulted in a violation and/or stop work order: 4

Number of Investigations closed this month: 2

Total number of zoning code violations to date: 10



Town Of Zionsville

Planning and Economic Development Permit Detail

May 2020

Total Combined permits issued for the month of May: 108

CombinedPermit Activity Detail

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Permit #	Permit Month	Permit Day	Sewer Cost	Park Impact Fee	Road Impact Fee	Builder	Owner	Type Of Construction	Subdivision	Lot #	Address	Zip Code
U2020-272	May	1	\$0	\$0	\$0	Young's Construction	Adam & Andrea Payne	Res Remodel	CROSSES	25, 26	310 N 5th STREET	46077
U2020-273	May	1	\$0	\$0	\$0	Land Development & Building LLC	Inglenook Zionsville LLC	Res New	Inglenook of Zionsville	28	5727 LOWER GARDEN WAY	46077
U2020-274	May	1	\$0	\$0	\$0	Land Development & Building LLC	Inglenook Zionsville LLC	Res New	Inglenook of Zionsville	29	5729 LOWER GARDEN WAY	46077
R2020-275	May	4	\$0	\$0	\$0	Daniel Harmon	Daniel Harmon	Res Add			10303 E 100 NORTH	46069
U2020-276	May	4	\$4,025	\$1,221	\$1,009	Lennar	Lennar	Res New	Hampshire	178	4430 OAKLEY TERRACE	46077
U2020-277	May	4	\$0	\$0	\$0	Hutchinson Signs	Oak Center LLC	Comm Sign			1209 W Oak Street	46077
U2020-278	May	5	\$0	\$0	\$0	Young's Construction	Joshua & Rebecca Harber	Res Add	crosses 4th Addition	73, 74	140 N 4TH STREET	46077
R2020-279	May	5	\$0	\$0	\$0	Merrill Construction LLC	William Myers	Res Demo			3535 S 200 EAST	46052
13U2020-280	May	5	\$0	\$0	\$0	Home Value Renovation	Allison & Christoph Erdel	Res Reroof	Willow Glen	49	3229 AUTUMN ASH DRIVE	46077
19U2020-281	May	5	\$0	\$0	\$0	Home Value Renovation	Thomas & Michele Hahn	Res Reroof	Brookhaven	155	2837 E HIGH GROVE CIRCLE	46077
19U2020-282	May	5	\$0	\$0	\$0	Home Value Renovation	Quinn & Lisa Moore	Res Reroof	Brookhaven	1	11241 E HIGH GROVE CIRCLE	46077
U2020-283	May	5	\$0	\$0	\$0	Schafer Custom Homes, LLC	Mitchell & Stephanie Walters	Res Demo	CRENSHAW	2	4560 S 975 East	46077
13U2020-284	May	5	\$0	\$0	\$0	Modish Pools, LLC	Gregory & Mary Pease	Res Add	Willow Ridge	28	11524 WILLOW RIDGE DRIVE	46077
19U2020-285	May	5	\$0	\$0	\$0	Pools of Fun	Josh & Jamie Hulett	Res Add Pool	Brookhaven	119	2711 STILL CREEK DRIVE	46077
R2020-286	May	6	\$0	\$0	\$0	FBI Buildings Inc	Kurt & Sue Trewartha	Res Add			8065 HUNT CLUB ROAD	46077
R2020-287	May	7	\$0	\$1,221	\$1,009	Stephen Kay Homes, LLC	Justin & Amanda Krebs	Res New	Old Hunt Club	28, 29	6953 OLD HUNT CLUB ROAD	46077
U2020-288	May	7	\$0	\$0	\$0	Indy Decorative Concrete	Michael & Susan Steffy	Res Other	Cobblestone Lakes	220	8722 WINDPOINTE PASS	46077
R2020-289	May	8	\$0	\$0	\$0	Brian Sahn	Brian Sahn	Res Add	ROYAL RUN	439	6283 SADDLETREE DRIVE	46077



Town Of Zionsville

Planning and Economic Development Permit Detail

May 2020

Total Combined permits issued for the month of May: 108

CombinedPermit Activity Detail

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Permit #	Permit Month	Permit Day	Sewer Cost	Park Impact Fee	Road Impact Fee	Builder	Owner	Type Of Construction	Subdivision	Lot #	Address	Zip Code
R2020-290	May	8	\$0	\$0	\$0	Patrick Klein	Patrick Klein & Alina Benedi	Res Electric			4402 S 800 EAST	46077
U2020-291	May	8	\$0	\$0	\$0	Kinder Electric	Beazer Homes Indiana LLP	Res Electric	Hampshire	302	8190 Shaldon Court	46077
U2020-292	May	8	\$0	\$0	\$0	CMH Builders	Michael & Kiandra Adlong	Res Remodel	Colony Woods	147	1130 MAXWELL LANE	46077
R2020-293	May	11	\$0	\$0	\$0	The Electric Express	Patrick & Kimberly O'Day	Res Electric	Harbridge Woods	6	9650 SOARING HAWK CIRCLE	46077
13U2020-294	May	11	\$0	\$0	\$0	Bone-Dry Roofing	JAMES & PATRICIA SHOBERT	Res Reroof	Willows	79	11581 WEEPING WILLOW DRIVE	46077
19U2020-295	May	11	\$4,025	\$1,221	\$1,009	Lennar	Lennar	Res New	Vonterra	77	5955 WELDRA DRIVE	46077
R2020-296	May	11	\$0	\$0	\$0	Bone-Dry Roofing	Lowell & Mary Snow	Res Reroof	Spring Hill	14	671 SPRING HILLS DRIVE	46077
U2020-297	May	11	\$0	\$0	\$0	Mehrlich Construction	Clayton & Lindsey Willman	Res Add Deck	Rock Bridge	150	8949 HEARTHSTONE DRIVE	46077
U2020-298	May	11	\$0	\$0	\$0	Houz-Worx	Christa Moncrief	Res Finish Permit	Laughlin, Fours, Har	2	325 S 8TH STREET	46077
U2020-299	May	11	\$0	\$0	\$0	Midwest Electric	Pulte Homes	Comm Electric	ASHBURN	COMMON AREA	8734 VERBENA ROAD	46077
U2020-300	May	12	\$0	\$0	\$0	Meghann Mitchell	Meghann & Luke Mitchell	Res Add Deck	Spring Knoll	59	4639 ROCKCRESS COURT	46077
19U2020-301	May	12	\$0	\$0	\$0	Blue Line Construction	Brandon & Nicole Landes	Res Remodel	Vonterra	73	5925 WELDRA DRIVE	46077
U2020-302	May	12	\$0	\$0	\$0	Eric Shabi	Eric & Teresa Shabi	Res Other	Northern Meadows	41	550 CENTURY OAKS DRIVE	46077
13U2020-303	May	12	\$0	\$0	\$0	Shane Reynolds	Shane & Diana Reynolds	Res Other	HIDDEN PINES	135	3822 EVERGREEN WAY	46077
R2020-304	May	12	\$0	\$0	\$0	Stray Voltage Service LLC	Delores Bender	Comm Cell Tower			7555 S FORD ROAD	46077
U2020-305	May	12	\$0	\$0	\$0	Lennar	Lennar	Comm New	Manchester Estates	SHELL BLDG 8	927 YORKSHIRE LANE	46077
U2020-306	May	12	\$4,025	\$977	\$1,009	Lennar	Lennar	Res New	Manchester Estates	801	927 YORKSHIRE LANE	46077
U2020-307	May	12	\$4,025	\$977	\$1,009	Lennar	Lennar	Res New	Manchester Estates	802	933 YORKSHIRE LANE	46077



Town Of Zionsville

Planning and Economic Development Permit Detail

May 2020

Total Combined permits issued for the month of May: 108

CombinedPermit Activity Detail

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Permit #	Permit Month	Permit Day	Sewer Cost	Park Impact Fee	Road Impact Fee	Builder	Owner	Type Of Construction	Subdivision	Lot #	Address	Zip Code
U2020-308	May	12	\$4,025	\$977	\$1,009	Lennar	Lennar	Res New	Manchester Estates	803	937 YORKSHIRE LANE	46077
U2020-309	May	12	\$4,025	\$977	\$1,009	Lennar	Lennar	Res New	Manchester Estates	804	943 YORKSHIRE LANE	46077
U2020-310	May	12	\$4,025	\$977	\$0	Lennar	Lennar	Res New	Manchester Estates	805	947 YORKSHIRE LANE	46077
U2020-311	May	12	\$4,025	\$977	\$1,009	Lennar	Lennar	Res New	Manchester Estates	806	953 YORKSHIRE LANE	46077
19U2020-312	May	12	\$0	\$0	\$0	Mark Hall	Mark & Jennifer Hall	Res Add	Brookhaven	177	11229 AVIEMORE COURT	46077
13U2020-313	May	13	\$0	\$0	\$0	Michael Soller	Michael & Joan Soller	Res Other	HIDDEN PINES	53	3615 SUGAR PINE LANE	46077
U2020-314	May	14	\$4,025	\$1,221	\$1,009	Beazer Homes Indiana LLP	Beazer Homes Indiana LLP	Res New	Hampshire	310	8090 Shaldon Court	46077
R2020-315	May	14	\$0	\$0	\$0	Cochran Exteriors	Laurie Ann Reid	Res Reroof			7711 S INDIANAPOLIS ROAD	46077
U2020-316	May	14	\$0	\$0	\$0	Cochran Exteriors	Matthew & Lauren Stevenson	Res Reroof	Smith Meadow	27	9692 AUTUMN WAY	46077
U2020-317	May	14	\$0	\$0	\$0	Bone-Dry Roofing	Robert & Sharon Anderson	Res Reroof	Cobblestone Lakes	335	8782 HEATHERSTONE PLACE	46077
U2020-318	May	14	\$0	\$0	\$0	Bone-Dry Roofing	William & Jill Dennis	Res Reroof	Raintree	10	645 EAGLE CREEK CIRCLE	46077
13U2020-319	May	14	\$0	\$0	\$0	Bone-Dry Roofing	JAMES & PATRICIA SHOBERT	Res Reroof	The Willows	79	11581 WEEPING WILLOW DRIVE	46077
R2020-320	May	14	\$4,025	\$1,221	\$1,009	Old Town Design Group	Donald & Mandy McGovern	Res New	THE CLUB AT HOLLIDAY	A25	10725 HOLLIDAY FARMS BLVD	46077
R2020-321	May	14	\$4,025	\$1,221	\$1,009	Old Town Design Group	John & Jill Tanner	Res New	THE CLUB AT HOLLIDAY	A16	10680 HOLLIDAY FARMS BLVD	46077
13U2020-322	May	14	\$0	\$0	\$0	Dante Villavicencio	Dante & Rachel Villavicencio	Res Remodel	Willow Glen	41	3240 AUTUMN ASH DRIVE	46077
U2020-323	May	15	\$0	\$0	\$0	Booher Building Company	Philip & Megan Stoller	Res Remodel	Thornhill	91	1947 CAMARGUE DRIVE	46077
R2020-324	May	15	\$0	\$0	\$0	Renascent Inc	POCK FAMILY FARM LLC	Res Demo			6125 S 700 EAST	46077
U2020-325	May	15	\$0	\$0	\$0	Larry Schultz	Larry & Nancy Schultz	Res Electric	COLONY WOODS	16	100 WILLIAMSBURG COURT	46077



Town Of Zionsville

Planning and Economic Development Permit Detail

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U2020-326	May	15	\$0	\$0	\$0	Young's Construction	James & Jamie Shields	Res Add	Cedar Bend	18	10176 WILDWOOD DRIVE	46077
U2020-327	May	15	\$0	\$0	\$0	Hokanson Companies	Zionsville MOB Investors, LLC	Comm Tenant Finish	Bennett Technology Park	9C	10649 BENNETT PKWY	46077
U2020-328	May	15	\$0	\$0	\$0	American Dream Home Improvement	Themistokles & Nancy Michas	Res Reroof	PRESERVE AT SPRING KNOLL	23	8865 PIN OAK DRIVE	46077
19U2020-329	May	15	\$0	\$0	\$0	American Dream Home Improvement	David & Lisa Teeter	Res Reroof	Brookhaven	213	11524 WOOD HOLLOW TRAIL	46077
U2020-330	May	15	\$0	\$0	\$0	Steve & Katherine Glover	Steven & Katherine Glover	Res Sewer	Laughlin, Fours, Har	1 and 2	665 WEST LAUREL AVE	46077
U2020-331	May	15	\$0	\$0	\$0	Robert Stevens Roofing	Taggart & Dawn Helderbran	Res Reroof	Rock Bridge	83	9126 BROOKSTONE PLACE	46077
U2020-332	May	15	\$0	\$0	\$0	BGW Construction, LLC	Stephen & Lydia Dalton	Res Add Deck	Brittany Chase	121	4460 FULLCRY CIRCLE	46077
13U2020-333	May	15	\$0	\$0	\$0	Pools of Fun	Allison & Christoph Erdel	Res Add Pool	Willow Glen	49	3229 AUTUMN ASH DRIVE	46077
R2020-334	May	15	\$0	\$0	\$0	Brad Hill Custom Builder LLC	Cory Murphy	Res Remodel	Timberwolf	9	9434 TIMBERWOLF LANE	46077
13U2020-335	May	15	\$0	\$0	\$0	Chuck's Construction	Alex & Jodi Mereish	Res Add Deck	HIDDEN PINES	120	3637 EVERGREEN WAY	46077
R2020-336	May	18	\$0	\$0	\$0	Republic Roofing	David & Carin Bonner	Res Reroof	Royal Run	323	6279 CANTERBURY DRIVE	46077
19U2020-337	May	18	\$0	\$0	\$0	Blue Line Construction	Brandon & Nicole Landes	Res Add Deck	Vonterra	73	5925 WELDRA DRIVE	46077
U2020-338	May	18	\$0	\$0	\$0	Pools of Fun	Melissa & Christopher Hale	Res Add Pool	Oak Ridge	149	10063 HICKORY RIDGE DRIVE	46077
U2020-339	May	18	\$4,025	\$1,221	\$1,009	Drees Homes	Drees Homes	Res New	OLDFIELD	14	8840 Foxland Run	46077
U2020-340	May	18	\$0	\$0	\$0	Elbert Construction	John S Morgan	Res Reroof	NORTH VIEW	10	481 Beverly Drive	46077
13U2020-341	May	19	\$0	\$0	\$0	CMH Builders	Rodney & Angela Miller	Res Remodel	The Willows	156	11527 WILLOW BEND DRIVE	46077
U2020-342	May	18	\$0	\$0	\$0	Fox Pools	ANDREIA ALEXANDER	Res Add Pool	Hampshire	93	8275 BRADFIELD ROAD	46077
R2020-343	May	19	\$0	\$0	\$0	Indy Decorative Concrete	Joseph & Mindy Murdock	Res Other	Royal Run	360	6267 LANCASTER PLACE	46077



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R2020-344	May	19	\$0	\$0	\$0	Hilary & Dusty Vignes	Hilary & Dusty Vignes	Res Other	Royal Run	583	6512 HUNTERS RIDGE NORTH	46077
U2020-345	May	20	\$0	\$0	\$0	Eads	Hans & Emily Meyers	Res Reroof	ROCK BRIDGE	130	9145 STONINGTON PLACE	46077
U2020-346	May	21	\$0	\$0	\$0	William & Jennifer Luczak	William & Jennifer Luczak	Res Add Deck			750 W OAK STREET	46077
R2020-347	May	21	\$0	\$0	\$0	Home Value Renovation	John Barton	Res Reroof	Royal Run	437	6287 SADDLETREE DRIVE	46077
R2020-348	May	21	\$0	\$0	\$0	Home Value Renovation	Michael & Ashley Fox	Res Reroof	Royal Run	448	6265 SADDLETREE DRIVE	46077
13U2020-349	May	22	\$0	\$0	\$0	DR Contractors LLC	Brad & Roxanna Gressel	Res Other	HIDDEN PINES	129	3668 EVERGREEN WAY	46077
R2020-350	May	22	\$0	\$0	\$0	Barton Pool Company	Lance & Bernadette Stephenson	Res Add Pool	HUNT COUNTRY	14	7590 HUNT COUNTRY LANE	46077
13U2020-351	May	22	\$0	\$0	\$0	Grandview Landscape	STEVEN & KATHY BRONIARCZYK	Res Other	HIDDEN PINES	50	3531 SUGAR PINE LANE	46077
U2020-352	May	22	\$0	\$0	\$0	Pulliam-Scott Construction Inc	Andrew & Christl Glier	Res Add	Oak Ridge	31	10153 OAK RIDGE DRIVE	46077
R2020-353	May	22	\$0	\$0	\$0	Caleb Longenberger	Caleb & Jill Longenberger	Res Electric	DERR FARM	2	8250 E 100 SOUTH	46077
19U2020-354	May	22	\$0	\$0	\$0	Stay Dry Roofing	Nancy Piercy	Res Reroof	Brookhaven	63	2819 E HIGH GROVE CIRCLE	46077
13U2020-355	May	22	\$0	\$0	\$0	TTB Design Group LLC	Criag & Jennifer Barnhart	Res Other	HIDDEN PINES	40	11294 CANOPY WAY	46077
13U2020-356	May	22	\$0	\$0	\$0	Aspen Outdoor Designs, Inc	Chad & Carrie Dilley	Res Add Deck	HIDDEN PINES	34	3484 SUGAR PINE LANE	46077
R2020-357	May	26	\$0	\$0	\$0	Bone-Dry Roofing	Tracy & Jennifer Long	Res Reroof	Royal Run	613	6784 HAMPSHIRE DRIVE	46077
R2020-358	May	26	\$0	\$0	\$0	Cochran Exteriors	Christopher & Jennifer Morris	Res Reroof	Stonegate	13	7662 CARRIAGE HOUSE WAY	46077
R2020-359	May	26	\$0	\$0	\$0	Cochran Exteriors	Jason Plunkett	Res Reroof	Stonegate	17	6725 JONS STATION	46077
U2020-360	May	26	\$0	\$0	\$0	Cochran Exteriors	Brody & Julie Ring	Res Reroof	Thornhill	52	630 SILVER WRAITH COURT	46077
R2020-361	May	26	\$0	\$0	\$0	Morton Buildings	Rik Smits	Res Add		FARM BLDG	6806 W 96TH STREET	46077



Town Of Zionsville

Planning and Economic Development Permit Detail

May 2020

Total Combined permits issued for the month of May: 108

CombinedPermit Activity Detail

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Permit #	Permit Month	Permit Day	Sewer Cost	Park Impact Fee	Road Impact Fee	Builder	Owner	Type Of Construction	Subdivision	Lot #	Address	Zip Code
19U2020-362	May	27	\$0	\$0	\$0	Home Value Renovation	David & Angela Shaw	Res Reroof	Brookhaven	237	11532 WOOD HOLLOW TRAIL	46077
U2020-363	May	27	\$0	\$0	\$0	Metro Fibernet	Town of Zionsville	Comm Other			5150 OLD 106TH STREET	46077
U2020-364	May	27	\$0	\$0	\$0	Leigh Ann Akard	PERCIVAL CHUCK CREDIT TRUST c/o	Comm Sign		Akards Temporary	120 S Main Street	46077
R2020-365	May	27	\$0	\$0	\$0	R & G Construction	April & Mark Friedman	Res Add	Mallard Pond	6	9202 MALLARD POINT	46077
R2020-366	May	28	\$0	\$0	\$0	Heasley Property Development	Eric & Janet Bobbitt	Res Finish Permit	Sycamore Bend	9	511 WREN WAY	46077
U2020-367	May	28	\$0	\$0	\$0	Mr Plumber	Zionsville Community Schools	Res Sewer			690 BEECH STREET	46077
R2020-368	May	28	\$0	\$0	\$0	Jason Pfeffer	Jeffrey Jones & Muriel Ward	Res Electric	Blackstone	9	7601 BLACKSTONE COURT	46077
U2020-369	May	28	\$0	\$0	\$0	Chuck's Construction	Adam & Barbara Bernard	Res Add Deck	Cedar Bend	86	9894 LAKEWOOD DRIVE	46077
U2020-370	May	28	\$0	\$0	\$0	Earth Creations, Inc.	Donavan & Nicole Burney	Res Other	Hampshire	287	8226 PEGGY COURT	46077
19U2020-371	May	28	\$0	\$0	\$0	Rick Marshall	Andrew & Laura Armington	Res Remodel	Vonterra	47	10326 PIGATO DRIVE	46077
R2020-372	May	28	\$0	\$0	\$0	Cochran Exteriors	Larry & Judith Summers	Res Reroof	Stonegate	23	6730 JONS STATION	46077
R2020-373	May	28	\$0	\$1,221	\$1,009	Executive Homes Construction Inc	Jay & Jessica Davis	Res New			8150 E 550 SOUTH	46077
19U2020-374	May	28	\$0	\$0	\$0	Blue Line Construction	Josh & Jamie Hulett	Res Other	Brookhaven	119	2711 STILL CREEK DRIVE	46077
U2020-375	May	28	\$0	\$0	\$0	JL Fox Inc	Jeremy & Jennifer Minarik	Res Remodel	Sugarbush Hill	60	640 MORNINGSIDE COURT	46077
U2020-376	May	28	\$0	\$0	\$0	The Hagerman Group	Zionsville Comm. School	Res Remodel		Star Bank Branch	1000 MULBERRY STREET	46077
U2020-377	May	28	\$0	\$0	\$0	Pulte Homes	Pulte Homes	Res New	ASHBURN	8	5206 ROSE DRIVE	46077
R2020-378	May	29	\$0	\$0	\$0	Craig & Leisa Burgin	Craig & Leisa Burgin	Res Add Pool			1665 E 450 SOUTH	46052
R2020-379	May	29	\$0	\$0	\$0	Brian Barb	Daniel & Rebecca Rusher	Res Reroof	Sycamore Bend	19	524 WREN WAY	46077



Town Of Zionsville

Planning and Economic Development C of O Detail

May 2020

Total: C of O issued for the month of May: 31

C of O Detail

Page: 1

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Permit #	Builder	Owner	Type Of Construction	Subdivision	Lot#	Address	Zip Code	C of O Approved
U2019-113	Bedrock Builders	BHI Senior Living	Comm Remodel	Hoosier Village	Pullman Room	9999 Hoosier Village Drive	46077	2020/05/08
R2019-169	Cleary Building Corporation	Jeff Heck	Res Add	Kaser Minor	1, 3	4282 S 800 EAST	46077	2020/05/18
U2019-189	Mister Sparky Electric	Mark Stoltz	Res Electric	Cedar Bend	11	10010 Barth Drive	46077	2020/05/07
U2019-351	Tom Simmons	Tom Simmons	Res Finish Permit	Cedar Bend	121	10565 WILDWOOD DRIVE	46077	2020/05/04
U2019-505	Beazer Homes Indiana LLP	Beazer Homes Indiana LLP	Res New	Hampshire	213	4365 KETTERING DRIVE	46077	2020/05/06
U2019-542	Beazer Homes Indiana LLP	Beazer Homes Indiana LLP	Res New	Hampshire	253	8252 CARNEGIE LANE	46077	2020/05/06
19U2019-580	Neer Development	Neer Development Company, Inc.	Res New	Courtyards of Zionsville	51	1706 Cypress Drive	46077	2020/05/26
R2019-589	Drees Homes	Drees Homes	Res New	Stonegate	358	7679 DEERFIELD LANE	46077	2020/05/12
U2019-604	Viewegh and Associates	Christopher & Rebecca Langan	Res Add Pool	PEMBERTON	10 POOL	8145 HANLEY LANE	46077	2020/05/29
U2019-669	Christopher Scott Homes	BC-HC Properties LLC	Res Remodel			9300 HUNT CLUB ROAD	46077	2020/05/05
U2019-683	Beazer Homes Indiana LLP	Beazer Homes Indiana LLP	Res New	Hampshire	255	8224 CARNEGIE LANE	46077	2020/05/06
U2019-694	Beazer Homes Indiana LLP	Beazer Homes Indiana LLP	Res New	Hampshire	251	8255 PEGGY COURT	46077	2020/05/06
R2019-729	North Homes Inc.	Paul & Sandra Borth	Res New			8125 E 300 SOUTH	46077	2020/05/18
U2019-736	Estridge Homes	Kickapoo Investments LLC	Res New	Oxford Woods	15	11645 WALTON CRES	46077	2020/05/13
U2019-784	Beazer Homes Indiana LLP	Beazer Homes Indiana LLP	Res New	Hampshire	274	8359 PEGGY COURT	46077	2020/05/06
R2019-812	Ken Woods	Ken Woods	Res Finish Permit	Saddle Brook Farms	9 and 10	942 SADDLE BROOK DRIVE	46077	2020/05/15



Town Of Zionsville

Planning and Economic Development C of O Detail

May 2020

Total: C of O issued for the month of May: 31

C of O Detail

Page: 2

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Permit #	Builder	Owner	Type Of Construction	Subdivision	Lot#	Address	Zip Code	C of O Approved
13U2019-837	Imperial Design	William & Lindsay True	Res Other	The Willows	29	3274 WILDLIFE TRAIL	46077	2020/05/29
U2019-841	Beazer Homes Indiana LLP	Beazer Homes Indiana LLP	Res New	Hampshire	248	8213 PEGGY COURT	46077	2020/05/06
U2019-842	Beazer Homes Indiana LLP	Beazer Homes Indiana LLP	Res New	Hampshire	247	8197 PEGGY COURT	46077	2020/05/06
U2019-877	Beazer Homes Indiana LLP	Beazer Homes Indiana LLP	Res New	Hampshire	264	8227 CARNEGIE LANE	46077	2020/05/20
R2019-910	Dale Woodall	Chad & Rebecca Meshberger	Res Add	Stonegate	316	6495 WESTMINSTER DRIVE	46077	2020/05/05
13U2019-968	Bill Michalak	Daniel & Jennifer Leblanc	Res Other	HIDDEN PINES	127	3606 EVERGREEN WAY	46077	2020/05/12
19U2019-971	Neer Development, Inc.	Neer Development Company, Inc.	Res New	Courtyards of Zionsville	53	1718 Cypress Drive	46077	2020/05/26
19U2019-972	Lennar	Lennar	Res New	Vonterra	1	10320 LEMBERGER BLVD	46077	2020/05/20
U2019-1012	Beazer Homes Indiana LLP	Beazer Homes Indiana LLP	Res New	Hampshire	284	8264 PEGGY COURT	46077	2020/05/06
U2019-1042	Beazer Homes Indiana LLP	Beazer Homes Indiana LLP	Res New	Hampshire	271	8307 CARNEGIE LANE	46077	2020/05/29
U2020-1	Lennar	Lennar	Res New	Hampshire	125	4850 ABERDEEN DRIVE	46077	2020/05/01
U2020-4	Lennar	Lennar	Res New	Hampshire	182	4378 FORRES AVENUE	46077	2020/05/22
R2020-85	Booher Remodeling	MARTIN W & JOLENE K RICE	Res Remodel	Countrywood	19	280 LARKSPUR COURT	46077	2020/05/14
U2020-89	James & Sarah King	James & Sarah King	Res Other	Austin Oaks	141	4695 WOODS EDGE DRIVE	46077	2020/05/08
13U2020-260	Pulte Homes	Pulte Homes	Res Remodel	HIDDEN PINES	67	3947 SUGAR PINE LANE	46077	2020/05/19



Town Of Zionsville

Planning and Economic Development Permit Activity

Year: 2020

Printed 2020/06/05 11:10 AM

Activity Report

	Commercial/Industrial						Residential								Sewer Reporting		Summary Of Field Activity					
	New Building	Add	Remodel	Sign	Elec	Other	New Home	Add	Remodel	Electric	Pool	Demolition	Other	New Res Sewer Or Repair Permits	New Comm Sewer Or Repair	Total New Permits	New Comm Sewer (Informational Reporting Only)	New Home Res Sewer (Informational Reporting Only)	Building Inspects Site Visits	Number Of Inspections Per Site Visit	Temp C of O	C of O
January	1	0	4	2	2	2	26	6	6	5	2	2	9	1	0	68	1	25	321	495	16	20
February	0	0	3	3	3	1	15	5	11	1	0	0	7	0	0	49	0	10	282	426	12	26
March	4	0	1	1	1	5	35	14	11	3	6	1	12	0	0	94	1	29	290	474	19	24
April	0	2	5	3	5	0	6	9	7	3	4	1	15	0	0	60	1	5	342	507	14	44
May	1	0	1	2	1	2	17	18	10	6	6	3	39	2	0	108	0	12	338	542	65	31
June																						
July																						
August																						
September																						
October																						
November																						
December																						
Totals	6	2	14	11	12	10	99	52	45	18	18	7	82	3	0	379	3	81	1573	2444	126	145



MEETING RESULTS - ZIONSVILLE BOARD OF ZONING APPEALS MAY 6, 2020, 6:30 p.m. (Local Time)

MEETING FACILITATED REMOTE ATTENDANCE - NO IN PERSON PARTICIPATION BY THE BOARD OF ZONING APPEALS OR THE PUBLIC WILL OCCURED

The following items were scheduled for consideration:

- I. Introduction of New Member (Oath of Office administered by Mayor Styron on May 5, 2020)
- II. Approval of the April 1, 2020 Meeting Minutes
- III. Continued Business

Docket Number	Name	Address of Project	Item to be considered
2020-04-DSV	T. Donnar	145 N Main Street	<p>Withdrawn by Petitioner – Approved by Board - 5 in Favor, 0 Opposed</p> <p>Continuance request by Petitioner’s Representative from April to May Meeting. Continuance request by Interested Party from March to April Meeting.</p> <p>Petition for Development Standards variance in order to provide for the construction of a Single-Family Home & accessory uses which: 1) Exceeds the required lot coverage of 35%, to 42.2% in the Urban Residential Village Zoning District (R-V).</p>

IV. New Business

Docket Number	Name	Address of Project	Item to be considered
2020-10-DSV	A. Nester	720 W Pine Street	<p>Continued by Board from May 6, 2020 to June 3, 2020 Meeting (with notice, due to amendment)– 5 in Favor, 0 Opposed</p> <p>Petition for Development Standards Variance in order to provide for the addition of a carport to a Single-Family Home which:</p> <ul style="list-style-type: none"> 1) Deviates from the required side yard setback and 2) Deviates from the required rear yard setback <p>in the Urban Residential Village Zoning District (R-V).</p>

Respectfully Submitted:
 Wayne DeLong AICP, CPM
 Town of Zionsville
 Director of Planning and Economic Development



ZIONSVILLE PLAN COMMISSION MEETING RESULTS

Monday, May 18, 2020

7:00 PM (Local Time)

THIS PUBLIC MEETING WAS CONDUCTED PURSUANT TO GOVERNOR ERIC J. HOLCOMB'S EXECUTIVE ORDERS 20-02, 20-04 AND 20-08, and 20-26 AND GOVERNOR HOLCOMB'S EXERCISE OF HIS POWERS UNDER INDIANA'S EMERGENCY MANAGEMENT AND DISASTER LAW, IND. CODE 10-14-3, *et seq.* ADDITIONAL INFORMATION REGARDING THE MEETING WAS PROVIDED IN THE ANNEX PUBLISHED WITH THIS NOTICE.

1. Members of the public shall have the right to attend Plan Commission Public Meetings via the following forms of electronic communication:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84335012472>

Or iPhone one-tap :

US: +13017158592,84335012472# or +13126266799, 84335012472#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656 or +1 253 215 8782 or +1 346 248 7799
or +1 669 900 9128

Webinar ID: 843 3501 2472

International numbers available: <https://us02web.zoom.us/j/84335012472>

The following items are scheduled for consideration:

I. Continued Business

Docket Number	Name	Address of Project	Item to be Considered
2020-08-Z	Prologis	5190 S. State Road 267 Lebanon, IN 46052	Request by the Petitioner to continue from the April 20, 2020 and May 18, 2020 Plan Commission meetings to the regularly scheduled June 15, 2020 meeting 7 In Favor 0 Opposed Petition for Zone Map change to rezone 76 +/- acres from the Rural (AG) Agricultural Zoning District to the Rural (I1) Industry Zoning District
2020-10-Z	Windhaven	8175 & 8775 W. Oak Street	Continued from the May 18, 2020 regularly scheduled meeting to the June 15, 2020 Plan Commission Meeting 7 in Favor 0 Opposed Petition for Zone Map change to rezone 24.283+/- acres from the Rural (R1) Residential Zoning District to the (PUD) Planned Unit Development Zoning District

VI. New Business

Docket Number	Name	Address of Project	Item to be Considered
2020-15-Z	Creekside PUD	10771-10903 Creek Way	Received A Favorable Recommendation to the Town Council 7 in Favor 0 Opposed Petition for Zone Map Change to rezone 49.874+/- acres from the (PUD) Planned Unit Development to a (PUD) Planned Unit Development District (Town of Zionsville Owned Land within the Creekside PUD as per Ord. 2018-08)
2020-13-DP	Zionsville Community Schools Building Corporation	4400 S. 875 East	Approved with Conditions and Commitments 7 In Favor 0 Opposed Petition for Development Plan approval to allow for the construction of a 91,151 square foot elementary school in the (SU-1) Special Use Zoning District
2020-14-DP	Hoosier Village Sales And Marketing Office	5415 Bearberry Lane (Est)	Approved with Conditions 7 in Favor 0 Opposed Petition for Development Plan approval to allow for the construction of an approximately 5600 square foot single story sales and marketing office in the (SU-7) Special Use Zoning District

Respectfully Submitted:

Wayne DeLong, AICP, CPM
Director of Planning and Economic Development

ANNEX TO PUBLIC NOTICE FOR THE MAY 18, 2020, REGULAR MEETING OF THE ZIONSVILLE PLAN COMMISSION

In his Executive Orders 20-02, 20-04, 20-08, AND 20-26 (collectively, the “**Executive Orders**”), Governor Eric J. Holcomb has ordered all political subdivisions of the State of Indiana to limit public gatherings and to implement the Centers for Disease Control and Prevention’s and the Indiana State Department of Health’s recommended virus mitigation strategies. The Executive Orders suspend certain requirements for Essential Governmental Functions that facilitate Essential Infrastructure with respect to public meetings and open door laws, including suspending physical participation requirements by members of public agency governing bodies and permitting public attendance through electronic means of communications. As a political subdivision of the State of Indiana, the Zionsville Plan Commission (the “**Plan Commission**”) must comply with the Executive Orders throughout the duration of the COVID-19 Public Health Emergency. According, all public meetings of the Plan Commission shall be conducted in the following manner until the end of the COVID-19 Public Health Emergency:

1. Members of the public shall have the right to attend Plan Commission Public Meetings via the following forms of electronic communication:

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Webinar ID: 843 3501 2472

International numbers available: <https://us02web.zoom.us/j/84335012472>

2. Members of the public shall have the option of recording their attendance at Plan Commission Public Meetings via electronic roll call at the start of the meeting or via e-mail at wdelong@zionsville-in.gov.
3. If a member of the public would like to attend a Plan Commission Public Meeting, but cannot utilize any of the access methods described above, please contact Wayne DeLong at 317-873-5108 or wdelong@zionsville-in.gov to arraign in-person attendance.
4. The Plan Commission will continually revisit and refine the procedures in this Annex to address public accessibility to Plan Commission Public Meetings during the COVID-19 Public Health Emergency.
5. If you need technical assistance in logging into Zoom for this webinar, please contact: Roger Kilmer, rkilmer@zionsville-in.gov, or 317-690-6539.



MEETING NOTICE & AGENDA- ZIONSVILLE BOARD OF ZONING APPEALS JUNE 3, 2020, 6:30 p.m. (Local Time)

MEETING WILL FACILITATE REMOTE ATTENDANCE - NO IN PERSON PARTICIPATION BY THE BOARD OF ZONING APPEALS OR THE PUBLIC WILL OCCUR

Members of the public shall have the right to attend BZA Public Meetings via the following forms of electronic communication:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87095676942>

Or iPhone one-tap :

US: +13017158592, 87095676942# or +13126266799, 87095676942#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

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Webinar ID: 870 9567 6942

International numbers available: <https://us02web.zoom.us/j/87095676942>

Members of the public shall have the option of recording their attendance at BZA Public Meetings via electronic roll call at the start of the meeting or via e-mail at wdelong@zionsville-in.gov.

The following items are scheduled for consideration:

- I. Pledge of Allegiance
- II. Attendance
- III. Approval of the December 10, 2019 and May 6, 2020 Meeting Minutes
- IV. Withdrawal Requests - #2020-10-DSV A. Nester
- V. Continuance Requests

VI. Continued Business

Docket Number	Name	Address of Project	Item to be considered
2020-10-DSV	A. Nester	720 W Pine Street	Continued by Board from May 6, 2020 to June 3, 2020 Meeting (with notice, due to amendment)– 5 in Favor, 0 Opposed Petition for Development Standards Variance in order to provide for the addition of a carport to a Single-Family Home which: 1) Deviates from the required side yard setback and 2) Deviates from the required rear yard setback in the Urban Residential Village Zoning District (R-V).

VII. New Business

Docket Number	Name	Address of Project	Item to be considered
2020-11-DSV	S. Greve	596 Starkey Road	Petition for Development Standards Variance in order to provide for the addition of an outdoor living space to a Single-Family Home which: 1) Deviates from the required side & aggregate yard setbacks and 2) Exceeds the required lot coverage of 35%, to 38% in the Urban Residential Village Zoning District (R-V).
2020-13-DSV	M. Lohmeyer	880 Starkey Road	Petition for Development Standards Variance in order to provide for an addition to a Single-Family Home which: 1) Deviates from the required side yard setback (new improvement) 2) Deviates from the required aggregate side yard setbacks (memorializing existing improvement) in the Urban Open Land Zoning District (OL).

VIII. Other Matters to be considered:

Docket Number	Name	Address of Project	Item to be considered
			Unsigned Findings of Fact
2018-19-DSV	Wildwood Designs	2720 S 875 East	Status of Commitments

If you need technical assistance in logging into Zoom for this meeting, please contact Chrissy Koenig, ckoenig@zionsville-in.gov, or 317-995-4471.

Please note that a quorum of the Zionsville Town Council may be in attendance at the meeting.

Respectfully Submitted:

Wayne DeLong AICP, CPM
Town of Zionsville
Director of Planning and Economic Development

JUNE 3, 2020, REGULAR MEETING OF THE ZIONSVILLE BOARD OF ZONING APPEALS

ANNEX TO PUBLIC NOTICE

In his Executive Orders 20-02, 20-04, 20-08, AND 20-26 (collectively, the “**Executive Orders**”), Governor Eric J. Holcomb has ordered all political subdivisions of the State of Indiana to limit public gatherings and to implement the Centers for Disease Control and Prevention’s and the Indiana State Department of Health’s recommended virus mitigation strategies. The Executive Orders suspend certain requirements for Essential Governmental Functions that facilitate Essential Infrastructure with respect to public meetings and open door laws, including suspending physical participation requirements by members of public agency governing bodies and permitting public attendance through electronic means of communications. As a political subdivision of the State of Indiana, the Zionsville Board of Zoning Appeals (the “BZA”) must comply with the Executive Orders throughout the duration of the COVID-19 Public Health Emergency. According, all public meetings of the BZA shall be conducted in the following manner until the end of the COVID-19 Public Health Emergency:

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4. The BZA will continually revisit and refine the procedures to address public accessibility to BZA Public Meetings during the COVID-19 Public Health Emergency.

Zionsville Plan Commission
May 18, 2020

In attendance: David Franz, Sharon Walker, Josh Fedor, Jeff Papa, Larry Jones, Mary Grabianowski, George Lewis.

Staff attending: Bob Clutter, attorney, and Wayne DeLong, Roger Kilmer.

A quorum is present.

Franz All right, well, it's seven o'clock. I want to call to order the May 18, 2020 Zionsville Plan Commission meeting. Start with the Pledge of Allegiance please.

All Pledge of Allegiance.

Franz Wayne, would you please take roll?

DeLong Certainly. Mr. Papa?

Papa Present.

DeLong Mr. Lewis?

Lewis Present.

DeLong Ms. Walker?

Walker Present.

DeLong Mr. Jones?

Jones Present.

DeLong Mr. Fedor?

Fedor Present.

DeLong Ms. Grabianowski?

Grabianowski Present.

DeLong Mr. Franz?

Franz Present. All right. With that we have a full slate of the Commissioners. So, four votes would take to pass any action. In your packet was a set of minutes from the April 20 meeting. Is there any comments, additions, deletions to those minutes?

Jones This is the one I've got to get a bunch of work wrapped up on. I just started in on it and there must have been something going on. Either I was mumbling or my mic was having problems, but I still owe them a bunch of changes on that.

Franz Okay. There was quite a bit of static last month when you were speaking.

- Jones Yes. And, I was going to call Wayne or Janice. Is there some way I could actually listen to the recording? Can I play it back?
- DeLong That would be a link.
- Jones All right. I'll need to do that.
- Franz All right. So, we'll leave those for next month then. Is that okay? Does that take a motion, Bob?
- Clutter Yes, it would.
- Franz Okay. Is there a motion?
- Grabianowski I move that we postpone approving the minutes from last meeting until next month.
- Franz Is there a second?
- Walker Second.
- Franz All in favor, signify by aye.
- All Aye.
- Franz Opposed by nay. Motion carries 7-0.
- DeLong Bob, do we need to do that by roll call?
- Clutter Yes, you can do it by consensus is fine.
- Franz All right. With that, I'll let Wayne speak about some of the, you know, process for this tonight. So, Wayne, why don't you go ahead.
- DeLong Thank you. With tonight's meeting being electronic, it is facilitated by Governor Eric Holcomb's executive orders, and with that in mind, are there any particular attendees that are here this evening that would like their attendance noted on record, please do so by raising your hand, or feel free to send me an email, and we'll get you noted that way. Again, if you'd like to have your attendance known, please raise your hand. I see Gregoline, Ms. Gerard, and Ms. Zelonis, David Aliskey. Apologies if I did not get your name correct. Linda Hardin, Jay Strapp, Lynn Elliott, Denice Pierce. Appears to be the amount of hands that I see currently. If there is others, I'll make it known. Mr. Goodchild and Kay and Jay Minnich, also wish to have their attendance known. Greg Melton. Ryan Keith.
- Franz All right. With that, we'll move on to continued business from last month. Docket # 2020-08-Z, Prologis, 5190 South State Road 267, Lebanon, Indiana 46052. Petition for zone map change to rezone 76 plus or minus acres from the rural AG agricultural zoning district to the rural I1 industry zoning district. At this point in time, it's my understanding the petitioner has requested a

continuance until the, I guess it's the June 15 meeting. Is there any discussion? If not, is there a motion to continue the meeting?

Multiple responses So moved.

Franz Is there a second?

Jones Second.

Franz All right. Wayne, will you please take roll?

DeLong Certainly. Mr. Papa?

Papa Aye.

DeLong Mr. Lewis?

Lewis Aye.

DeLong Ms. Walker?

Walker Aye.

DeLong Mr. Jones?

Jones Aye.

DeLong Mr. Fedor?

Fedor Aye.

DeLong Ms. Grabianowski?

Grabianowski Aye.

DeLong Mr. Franz?

Franz Aye. So, that petition is continued to next month. Next on the Docket is # 2020-10-Z, Windhaven, 8175 and 8775 West Oak Street. A petition for zone map change to rezone 24.283 plus or minus acres from the rural R1 residential zoning district to the PUD planned unit development zoning district. At this time, I'm going, we're going to open up the hearing today. And, what I want to do is give the petitioner a time to make their presentation, and allow a comparable amount of time to the remonstrators to, you know, comment on the petitioner's presentation. At that time, I would like to turn it over to the Plan Commission for their comments, and then in all likelihood, this will be, well, it probably is going to be continued to next month anyway, and then entertain the motion to continue at that time. If that's okay with the Plan Commission. So, I think we need to have a motion to suspend the rules to allow for, and we'll ask the petitioner when he gets up how much time it's going to take for them to present. So, is there a

motion to suspend the rules to allow, I guess, it's more than 10 minutes, is what's in the ordinances?

Jones So moved.

Franz Is there a second?

Grabianowski Second.

Franz All right. Do we need a roll call on this, Bob?

Clutter Yes, you should for the suspension of the rules.

Franz Okay. Wayne?

DeLong Certainly. Mr. Lewis?

Lewis Aye.

DeLong Ms. Walker?

Walker Aye.

DeLong Mr. Jones?

Jones Aye.

DeLong Mr. Fedor?

Fedor Aye.

DeLong Ms. Grabianowski?

Grabianowski Aye.

DeLong Mr. Franz?

Franz Aye.

DeLong Mr. Papa?

Papa Aye.

Franz All right. So, that motion carries 7-0. So, will the petitioners please, I guess, sign on, or be recognized by Wayne or Roger.

Kilmer Mr. John Isaacs has been activated. Mr. Isaacs, are you there?

Franz You're on mute.

Kilmer Mr. Isaacs, are you there?

- Skelton Okay, we're here.
- Franz State your names and addresses, and then I've got a question for you.
- Skelton Sure. My name is Matt Skelton. I'm an attorney with Church, Church, Hittle and Antrim with offices at 2 North 9th Street, Noblesville, Indiana. Here with John Isaacs with MI Homes. Do you want to give your address?
- Isaacs Yes. Address 8425 Woodfield Crossing, Indianapolis, Indiana.
- Franz Okay. How long is your presentation going to take?
- Skelton How long would you like it to be? We can probably keep it to 10 or 12 minutes.
- Franz I'll give you 15.
- Skelton Okay.
- Franz Okay. All right, with that, go ahead please.
- Skelton Okay. Sure. Just, we're here this evening. It's a pleasure to be here in this kind of unconventional environment here, but it's a pleasure to be here to share with you plans for Windhaven, a new residential community in Zionsville. It consists of 24 acres of property located on the south side of Oak Street, just east of County Road 850 East. For orientation purposes, Russell Lake subdivision is located to the east of us, and the Enclave subdivision is adjacent and abutting the property to the south and to the west. So, this is essentially an infill site. Just for your, so you might recall, Cardon, a company called Cardon, petitioned for a rezoning of this property, I believe, about 5 years ago, for those of you who may have been involved in. And, they were met with some resistance from the neighboring community, mostly just generically due to the intensity of the development. And, we tried to tailor a compatible development that would fit on this property, and work well with the surrounding uses. It is an empty-nester active adult proposal. It will be an active adult community. For those of you who have some experience with active adult communities there, they are a little different than conventional subdivisions. The types of impacts that are created by a development like this are relatively low compared to conventional subdivisions. The traffic patterns are a little different because they don't have the same peak hours. They, of course, have lesser or no impact on schools, if that is important to you. But, I think, from an activity standpoint, the types of activities that happen within a neighborhood like this are more on the passive recreation-type side of things and less on the, you know, playgrounds and kickball kind of thing. The homes, the proposal includes 58 homes. You might be asking yourself what an empty-nester home is. An empty-nester home includes master suites on the main level for one level living. There are options for bonus rooms upstairs, which constitutes roughly a story and a half, or a little less. They are, we expect these homes to be in the price points of the high-\$300,000 to the mid-\$400,000, which is pretty compatible, or more expensive than the homes that are around it. One question that we've received is why did we file this as a planned unit development? And, pardon me, I think we're going to have a fire department behind me, and I

apologize for a moment. We filed this planned unit development process. I'm sorry. I'm right on Conner Street in Noblesville. We filed this, planned unit development process lends itself very nicely for infill projects. It allows us the opportunity to develop in textually sensitive standards that can be incorporated to identify, to address very specific issues with individual owners. And, that's why, that's the main reason why we selected that process. We have committed to some architecture standards already, but we did have a neighborhood meeting, which I'll talk about here a little bit more, and as a result, there are additional restrictions that we intend to heighten and incorporate. This also, this process also provides us with some flexibility in the design, which allows us to incorporate some traffic-calming measures that John Isaacs is going to cover in a second. I mention the neighborhood meeting we had on May 13. There were, I kind of grouped them into the comments we received in the 5 categories, and I'll try to explain broadly how we intend to address them. First of all, there was a lot of general questions and requests regarding architectural requirements, and this, I think, is motivated by wanting some type of assurance that the quality of what we propose is going to be what we say it's going to be, in the high-\$300,000 to mid-\$400,000 range. And, so, as I said, we've incorporated some architectural requirements already, but there are additional ones we can incorporate. We know what we're going to build here, and we intend to build that product, so we can narrow that down a little bit. We intend to between now and when you see this project. We have incorporated some home elevations as representative samples of what we would be constructing within Windhaven, but we are willing to go a step further and commit to substantially building and substantial compliance with those, and so we'll, that's another change we plan to make. We received several questions about buffers and landscaping, and of course, we want more landscaping, more buffers. And so, we're sharpening our pencils a little bit, and John is going to talk about his ideas for this, but we are going to try to do more. It's difficult. We're not actually platting at this point. We're at the zoning stage. But we know a lot about this site, so we're going to try to get creative. Drainage was another one, of course, that's a common comment one receives in a zoning process, but we aren't very far along. We know how the site works today, but we need to understand a little bit more about that, which we can respond to some of the drainage questions that we've received, and John may talk a little bit more about that too. But we are not requesting any relief from Town standards. I mean, we will comply with the Town's drainage standards. Again, that's typically dealt with when kind of we're in the next phase of approval. And, then lastly, traffic impact. And, so, like I said, this type of development has lesser than a normal subdivision impacts, but I think the city building commissioner has the ability to request us to perform a traffic study, if we hit a certain threshold. I believe it's 150 homes, and of course, we're not anywhere close to that. We're at 58. But we have worked with the city engineer. He has requested that we incorporate a passing blister and right-turn lane, and we have agreed to do so. And, so future versions of our plans that you will see will include that. I think you've already covered the approval process. I just wanted to make sure, we're fine with the approval process that you've listed out. I mean, I think that it's, we've received a lot of comments. We'd like to be responsive to, and we hope that we get more from you folks this evening, and we'd like to take that input, and then figure out what changes might make sense as a result and resubmit to you. With that, I think John's going to cover a little bit about the site plan, and the homes themselves, and we'll go from there.

Isaacs

Thank you. Hopefully everyone can see, I've shared my screen. I'm going to go through a couple slides quickly regarding the project. Just to give you a little brief background, MI Homes is a, we'll call it somewhat of a regional builder. We build in 15 different markets across the midwest and south portions of the United States, and started in Columbus, Ohio as a custom home builder in 1976. We are a publicly traded company homebuilder locally here in Indianapolis. We've been here since the late 80s building homes. We've had some projects in Zionsville in the past, in the recent past, and generally focus around centrally Indianapolis is where we work here in our division. So, I wanted to walk through kind of the project with you real quick. I'm going to go through a couple of slides that were all in the material packet that we provided. The property is again, a little over 24 acres. It does consist of an existing horse farm area and home, and then a home owned by the Hamms. There is an existing pond on the site, that was created some time ago, and it does have a drainage outlet that goes towards the Russell Lake subdivision. This is the concept plan that we have come up with. And, part of the reason when you look at a PUD, and the way your PUD ordinance is written, one of the first things that comes out is doing something different, like traffic-calming devices and things like that. And, one of the things that we have done is, we're asking for one access point to the road for the 58 units. We acknowledge there has to be some safety concerns, so we do show an emergency path system that would come off of the northern cul-de-sac out to Oak Street for fire department access, and that will turn into a pedestrian corridor. But then we have some curve and linearity to that street, that's why we have the bend in it. You get to that first cul-de-sac, and then at the south end, we're asking to reduce that center line radius. Normally you ask for a 300-foot center line radius, and we're asking for that to be reduced to 150 feet. And, in some cases, there, you know, some communities will go down a little bit more. But those are all reasons to try to slow traffic down within a community, and make it a little more compact feel, and then the homes that are designed again are all of the empty nester style, so they're all ranch homes. If they have that second story bonus room, that second story bonus room goes into, and sits within the existing roof line, so there is no roof line change to the neighbors, or from the street scape, so you get that extra square footage, but there is no material look difference other than some windows on the side of the home. So, one of the things that we have also looked at as far as the site design, is obviously, you know, the lake is a constraint to us, or a benefit since it's there, and it is located in the lowest part of the site, so working off of that and try to utilize that as part of the amenity in the community, so you see common area around that, both cul-de-sacs at the bottom terminate with view vistas of that amenity, and then there would be common area adjacent of the Russell Lake side. And then we're proposing to have a landscape easement along the lots that are facing Enclave. Right now, the way the plan is drawn, it shows a 30-foot drainage easement, and a separate 10-foot landscape easement in the rear yard, and one of the things that we've talked about is the need for that 30-foot drainage easement, and that's something that will come back with our proposal and discuss. Typically, your requirements follow Boone County's, and require a 30-foot-wide drainage easement whether there is a pipe or not for drainage, like for rare yards. So, a lot of communities do something a little smaller than that, and if so, there might be some possibilities of generating more space for buffering and landscaping on things like that adjacent to the Enclave subdivision. This is a representation of the

homes that we build. There are five different floor plans. Each of those have five different elevations to them. They all have some kind of an architectural characterization to them. So this kind of gives you an idea of what we're looking at as far as the homes, and then we did write some architecture standards, some minimum standards to the perimeter of the neighborhood to the Enclave, and we will address and clean those up, and make them a little more comprehensive from an architectural perspective, so that if we show a pretty picture, we're going to have language in the ordinance that substantiates getting to that pretty picture. And, that's something that we heard out of the neighborhood meetings that we had. And, this is a representation of what the side and the rear might look like. The side of the house here, you can see if it has a wainscot on the bottom, and it has a siding material. We can put a siding, a different material siding that we carry over from the front, so this one is showing like a cedar-shaped top, if that's what the front of the house had as an alternative third elevation, you know, texture to it, and then the rear of the home, this one is showing the rear-covered porch. Every home in this neighborhood would have a rear-covered porch, and a front-covered porch, as well, so that there is an area for an outside gathering space in the rear. All of them have an opportunity to convert those to a larger covered porch or patio, or sun room, or screened-in porch, and when you do that, you start changing roof lines and things like that to the rear of the house as well. The houses are typically 40 feet wide. If they take the third-car garage option, that adds 10 feet to the width of the house. The house becomes 50 feet wide. So, we have asked for a 5-foot side-yard setback to be proposed in the ordinance, which is consistent with one of the rural residential districts, I believe, and what that really does is allows the opportunity to add that third-car garage, but it really doesn't change the living area. So, the homes in the rear are the homes, those will still be 20-foot separation. They would have 10 foot on either side of the property line. So, it's really just a streetscape issue, but at the same time, then those garages are then recessed back anywhere from 2 to 5 feet, depending on the elevation of the residence. So, that I think is kind of a general overview of the project. We did identify a handful of lots that we identified to be extra architectural requirements to the rear of the home, adjacent to the perimeter, to the Enclave subdivision, and then certain corner lots that had visibility either on the main driveway, are coming in, or maybe from the residential areas to the east. And, with that, I'd take any questions that you may have, and look forward to having further discussion. Thank you.

Franz All right. Thank you very much. You guys ran over a little bit. Not too bad. So, we'll give the remonstrators, or public, appropriate amount of time. So, at this time, I would ask, it's my understanding that there's, the remonstrators have a counsel engaged. I guess we would start with that individual. Are you present? Or Wayne, can you recognize her?

Kilmer Melissa Gerard.

Franz All right. So, those guys ran a little long. So, to be fair, you guys have got 18 minutes. So, I'll let you go ahead and start.

Gerard Can I ask a question first? I got sort of disconnected there for a minute. I heard 18 minutes, and that was after the petitioner's introduced themselves and gave their address and everything. So, I'm hoping that we could do that. But I don't

represent all of the remonstrators, and some of the names that are here tonight. So, I can't purport to speak on behalf of all of them. But my name is Melissa Gerard. I'm an attorney with offices at 1153 East 150 North, Lebanon, Indiana. I represent the Enclave homeowner's association, as well as some individual residents of Enclave. I have also been asked to represent a few homeowners in Russell Lake. Although, I'm pending a conflict waiver from the HOA, which I expect to get, so I'm just going to assume that I'm kind of voicing some of their concerns tonight. Although they did want me to let you know that some of the Russell Lake residents are older and they're not very tech savvy, which is why they're not here tonight, and they're hoping that they get to speak with you in the June meeting about some of their concerns, as well. With that said, I'll start my presentation. A PUD is not an appropriate tool for this project. The Town zoning ordinance has multiple references in it to PUDs being used for mixture of land uses, number of land uses, variety of innovative uses, and if I can share my screen here. Let me see if I can do that. Get to, I want to go to the Town, this is the Town engineer's recommendation, or comments, from May 7. And, you'll see here, since the proposed land use is solely residential, it does not appear this proposed ordinance meets the intent of the PUD zoning ordinance. I have also given you a checklist in my written submissions of all the elements to be considered for a PUD. Number one, they haven't submitted a lot of the actual procedural documentary information that's required for the submission, but number two, on my checklist you will see how they don't meet any of the substantive criteria, as well. A review of the Town's PUD ordinances indicates that those are used only sparingly in the Town, and only on a demonstration of a compelling reason why the existing residential classifications are not practical. There is nothing innovative about this developer's project which warrants a PUD. It is not mixed-use. It is not mixed-density. It's one builder. It's straight-up plain vanilla residential at a single density, which is 2.9 units per acre. The developer in our neighborhood meetings indicated that their product was unique because it is a community of ranch-style homes. Nothing prevents them from building a ranch-style community under the existing residential zone classifications. They could even achieve the smaller lot sizes they say they want to achieve using the cluster and open-space provisions of the zoning ordinance. It is clear that the zoning ordinance contemplates a little something more to justify a PUD. The density and the development standard specified in this PUD are too intense, as well. The surrounding land use units, and I've actually gone to the County recorder's office and calculated from the plats, are all about 1.8. They are proposing 2.4, which is about 1/3 more dense than the existing land uses immediately adjacent, and 7 times more dense than Shannon Spring, which is in the neighborhood, as well. So, we don't think it meets the requirements of the comprehensive, or the statutory standards, because it's not compatible with the adjacent uses. And, the lot sizes are pretty comparable to a lot size in the Village. They're at 7500 square feet for a lot in their PUD ordinance. The lot size in the Village is 8000 square feet, so it's actually smaller than the Village lots, but it's not at all, it's half the size of Enclave and Russell Lake's lots. The petition is inconsistent with the comprehensive plan. The comprehensive plan prescribes a maximum density of 2.0 for this area. They are at 2.4, which is a substantial increase over what is prescribed by the comprehensive plan. The proposed PUD ordinance has a lot of deficiencies, which I have outlined in my written comments to the Board, and I would just refer you to that for that section. Oh, I wanted to address the traffic impact study. The developer's lawyer sites the

wrong standard. Your ordinance has a standard where a traffic impact study is automatically triggered. I acknowledge they do not meet the requirement for an automatic traffic study; however, the building commissioner has the discretion, not just when those criteria are met, but any time he has the discretion to ask for a traffic impact study. We think it is particularly warranted on Oak Street because of the busy congested nature of this road, and its history of serious and even fatal accidents. This situation is only likely to deteriorate further as Whitestown and Zionsville grow and cross-traffic between them increases. I'm going to go back to some of the other street design issues, comments that I have if I have time, but I want to get through some other issues. The buffer yards are very important to us. The 10-foot strip that they are proposing doesn't even meet the terms of the existing zoning standard, let alone the little something extra we would expect with a rezoning in general, but in particular a PUD, which we actually ask for a little bit more. So, we propose an alternate buffer yard of a buffer yard I specified in the ordinance, with a BW1 berm/wall, which gives them some flexibility in places. The 10-foot that they're specifying doesn't even cover the canopy of a full-grown tree, so I don't, it's nothing really. And, they're proposing that it be part of the lot, as opposed to common area maintained by the homeowner's association, which is also particular problem because homeowner's can put their trampolines back there. They can plant their persimmon trees and their vegetable gardens back there. And lots of things that we wouldn't view as necessarily buffer yard uses consistent with the common areas that are maintained by a homeowner's association. So, those are particular issues for us. The landscaping standards, and actually, there is a lot of information that's required by the zoning ordinance that isn't addressed here. One thing I wanted to address in particular on the architectural standards. They said they are going to beef those up, and you know, we've haven't seen any details on those, although we've been asking. They're indicating that these are going to be high-\$300,000 to \$400,000 homes. I'm just here to tell you there is no way to get to that number with what their ordinance is proposing right now. They're proposing 900-square foot houses, which is the standard on the exhibit that is the matrix to their PUD ordinance on 7500 square foot lots. No matter how many shutters or window trims you put on this house, that doesn't make a 900-square foot house in a 7500-foot lot a \$300,000 to \$400,000 house, even in Zionsville. So, we really don't think that that is going to happen with the standards that they proposed in their ordinance. I really want to talk about the drainage a bit. The developer's lawyer indicates that this is a next stage issue. It is not a next stage issue. Your zoning ordinance requires them to identify the outlet, and this is Section 193.055.B1A, requires them to identify their outlet at the time of the change in zoning. So, they have to identify their outlet now. And they have not identified an outlet. We asked them about this because it particularly affects a lot of the homeowners in Russell Lake. The Town engineer and the County surveyor are very concerned about their outlet, as well. In fact, the Town engineer noted in his May 7 letter on page 6 that the proposed drainage design standard may be in conflict with the Town standards and the state drainage law. They have failed to identify a legal outlet as required by the zoning ordinance. At the neighbors' meeting last week, I asked them for detail about this. They basically blew me off and said that they think they've identified some super-secret outlet that even the Town engineer and the County surveyor don't know about. I asked them to tell me about it. Their response was basically if they told me they'd have to kill me. It's that secret. This is not the way we conduct public hearings on proposals with drainage issues.

These are very important issues that these Boards and the public are entitled to know about. I've also asked for their preliminary drainage calculations because the capacity of the pond at Russell Lake is in serious doubt. I mean, the County surveyor is pretty sure that it's not going to handle this drainage, and that it's going to need improvements, but you guys can't specify the kinds of improvements that it's going to need until you see preliminary drainage calculations. They have not provided those either, so I think in this particular proposal where the drainage issues are so obvious and the capacity is so much in question that we need a little more information earlier on with this particular project that we might be able to let go until a later stage with a later project. So, and then I want to go back to the street design issues. The cul-de-sac variance and the second entrance. I dealt with those issues extensively on the Villa Francesca subdivision. We met every single standard of your ordinance except for the length of the cul-de-sac and the secondary entrance. We even proposed an emergency entrance similar to what the developer's proposing in connection with Villa Francesca that would have accessed and provided a full street to the Town standard that access your lift station property that the Town already owned. But that was unacceptable. Both this Board and the, well, it was only this Board because we were already zoned. We only needed a plat approval. Refused to give approval until we redesigned the subdivision to have a full second entrance meeting the Town standards, which also had the effect of reducing the length of the cul-de-sac, as well, because we were able to cut it and make an intersection. But, both of those issues were the only two issues on Villa Francesca, and this Board refused to approve the plat until those issues were addressed. There was no waiver for those. So, that's that I'd encourage you to review my written materials. I'm going to leave a little bit of time for other people who might want to talk. We've given you a list of the things that we'd like to see in a development proposal, which are very bare minimum kinds of things. Basically, I drew a lot of these out of a Lebanon Town ordinance. And, also, we've done an analysis of the zoning standards and density. That's Exhibit A that I've given you, and also the developer's lack of compliance with the terms that you're supposed to consider when you consider a PUD ordinance, and that's Exhibit B that I've given you, but with that said, if you don't have any questions, or I'd be happy to answer any questions. But I can turn it over for other people to talk, as well.

Franz All right. Thank you very much. Wayne, I would ask anybody who is in attendance if they would like to speak to raise their hand, and Wayne will recognize them, Wayne or Roger will recognize them, so they can speak.

Kilmer We have Joe Gregoline who would like to speak.

Franz Okay. Just to let you know we got about six minutes. All right?

Gregoline Good evening. Sorry about that. When you promoted me, it disconnected me from the meeting for a second. I understand I have about 5 minutes.

Franz Name and address please. Yes.

Gregoline Okay. Correct. Joe Gregoline. My address is 6855 Woodhaven Place, in the Enclave, Lot 21.

Franz All right. Proceed please.

Gregoline Okay. And, I apologize. I'm going to view to the right here from my screen, but Commissioners, good evening, and thank you for a few minutes to allow for my public comments. My name is Joe Gregoline, and I am a Zionsville resident with my wife Jennifer since September 2011, when we purchased our current home. As I mentioned, I live in the Enclave, and we are located directly adjacent to the Windhaven horse farm. Our property shares a property line with the southern border of the Windhaven farm. In addition, I also sit on the Enclave board, and I'm in my fifth year of serving our neighborhood. As you heard from Melissa, there are many technical issues and concerns with this petition and its related ordinance. I would recommend her extensive evaluation memo as a point of reference. But I would like to focus my comments on zoning. Specifically, current zoning designations against what is being proposed. I would like to start off by saying that I am not against further development on this land, but as I set forth, I would expect that any further development is consistent with the surrounding area. Within the current zoning classification of low-density single-family, and consistent with comprehensive plan strategy laid out by Zionsville. I would first like to look at the current zoning versus the PUD zoning. In 2011, when I was looking to purchase my home knowing that I would border another property, which was not part of the Enclave, I researched the current potential zoning of the Windhaven farm property. What I found is the land parcel in question was being used as a 15-acre horse farm for the last 15 years, and was within the zoning designation of R1. My research also found that R1 is earmarked for low-density, single-family housing with a density less than 1 home per 2 acres. To evaluate any potential future development of this property, I referenced Zionsville comprehensive plan that calls for this parcel to be developed under low-density, single-family zoning, which would be the current R1, or potentially R2 zoning. I also understood Zionsville's well-documented history of protecting against irresponsible development, including approving incompatible zoning changes. By doing this research, I understood that the property could be potentially replated under the current low-density, single-family zoning, which I was accepting of. Because of the previous mentioned research, I would not expect the zoning to change 180 degrees into an overly dense PUD. As a prospective homeowner, I evaluated all the information publicly available to me in order to protect my future investment. History shows that PUDs in Zionsville have been largely reserved for strategic, well-planned cornerstone projects. They're anchors of our community. They do not seem to be intended for random 24-acre parcels of land that look to build overly dense basic homes. In this far from certain economy, what happens if the zoning change were to be approved and the development for some reason did not happen. What if MI chooses to sell the property once zoned PUD. This is the exact scenario that happened in MI's Fishers development, which Windhaven is being compared to. In that scenario, they bought land that was already zoned PUD from Pulte Homes' previously approved petition. While I understand zoning is not set in stone, and zoning changes may be needed to bring essential service or explicit needs to the Town, outside of these points I should have a very high level of confidence of any proposed development on this property would stay low-density and single-family. Lastly, I would like to look at MI Homes Fishers development, which the Windhaven project is being compared to. MI's

justification of an active adult community for its overly dense PUD is not logical to me. There is nothing about this location, which particularly appeals to active adults. This location is not within walking distance of any shopping amenities. It is not within walking distance of any restaurants. It does not feature any recreational facilities such as lap pools, walking trails, tennis courts, pickle-ball courts or a clubhouse, all of which would be appealing to an active adult. These are very specific features someone in this demographic and market would find in the Courtyards of Zionsville, which is the Epcon development behind St. Al's. In short, there is nothing about this particular location which is uniquely suited for adult living. What MI does plan to build, or to offer, are options on floor plans extending to 3,000+ square feet. Options of 4 bed, 4 bath, basements and 3-car garages. These details are per the Legacy at Hunter's Run website, and benchmarked with an email communication with MI on the Windhaven project. In the previously mentioned configuration, these homes would be larger than my home, and I have three elementary-age children and a 90-pound Golden Retriever. This clearly is not representative of a step-down, empty-nester, or active adult buyer. Will a small percentage of the smallest floor plans be purchased? Certainly. But I believe the majority of the buyers will align with the Zionsville demographics, which do not support this targeted buyer. In discussions with the developer and their executive summary submitted with this petition, the only attribute of their proposed subdivision that they have identified as appealing to seniors is a one-story home with smaller yards. However, these particular attributes are equally consistent with entry-level homes for young families, as well. In fact, on multiple occasions, the developer has compared this product to its Fishers community. Indeed, when I reference the MI website for this development, the elevations and products match exactly. On the website, in addition to touting award-winning Hamilton Southeastern district schools, their cheering you'll be proud to be a Royal. MI promotes this community as ranch homes, which are perfect for families, right-sizers, or even empty-nesters looking to downsize. Thus, it is clear this product is marketed to young families with school-aged children, as well as the empty-nester market. Moreover, if the developer's goal is to build ranch houses on smaller lots, there is no reason whatsoever why they could not achieve what they identify as their single attribute appealing to empty-nester demographic in the open space subdivision RSF2 zoning, which would comply with the comprehensive plan. Simply put, you do not need a PUD here, let alone one with a density that is not consistent with a comprehensive plan to build the subdivision that focuses on ranches.

Franz All right. I think we've got your point. We've kind of run over a little bit. Appreciate the commentary. At this time, I want to let you know that we are going to have this thing next month. I mean, and before we get the comments from the Plan Commissioners, we are investigating options that will hopefully be in person, allow for more public commentary. Obviously, these are pretty unique times, and we have to figure out how to deal with them. So, I just wanted to get this thing open and moving. Get some questions out there so the petitioners, you know, have some things to work on until the next month. With that, I'll turn it over to any of the Plan Commission members who have any comments or questions for the petitioner at this time.

Jones Sure, I've got a question. Regarding the buffer and the drainage easement and the lot sizes, I just want a little clarification. One of the exhibits shows kind of a

typical lot of being 60 x 125. Is this 10-foot and 20-foot buffer and easement included in that 125, or in addition?

Isaacs So, a typical lot size would not be inclusive of those buffer yards. So, if a house would fit on a lot that was 125 feet, the ones on the south are, on the south end of the project, are 150 feet in depth, so there is an extra 25 feet in depth of those lots there.

Jones Is it 25 or 30?

Isaacs Well, it's 150 feet deep, so it's an extra 25 feet.

Jones Okay. So, where is the 10-foot buffer and where is the 20-foot drainage easement?

Isaacs Let me see if I can bring - -

Jones --You just said that there is - -

Isaacs So, if you look on Tab #5 where the concept plan is shown, there are, well focus on the southern end there. Those are lots that are 150 feet in depth. The 10 feet closest to the Enclave there is the landscape easement, and then there is another 30 feet of drainage and utility easement, and then there is, you know, where the houses would fit on those lots. So, the houses would be, you know, 40 feet from that southern property line with the 10-foot landscape, and then a 30-foot drainage buffer, is what's being shown there.

Jones That's what's confusing, because you've got another exhibit in here that shows the 20-foot front setback, and a 20-foot rear setback, so your numbers don't add up.

Skelton Which exhibit?

Isaacs Is the drawing of that. I think that's where we put in the front yard and rear yard setback requirements. So, I think in the PUD ordinance, what we were showing is typical lot size is 60 x 125. That's the 7500 square feet.

Jones That's what's back there under Tab #8.

Isaacs Yes.

Jones Okay.

Isaacs And, then we would be showing a front yard setback of 20 feet, and a rear yard setback of 20 feet. When in reality that, really the 20 feet is a function of, you can't put a house in a drainage easement.

Jones Correct. The lot depth then is from the back of sidewalk, is actually 155 feet deep, 125 plus the 20-foot drainage plus the 10-foot buffer.

Isaacs Right. And some of that would be consumed in your, you know, building set, you know, your typical building setback. Yes.

Jones So, that's my point.

Isaacs Yes. In those lots, the building setback would not be 20 feet in that location because you've got 40 feet of easement there.

Jones So, all right.

Isaacs The houses are anywhere between 75 and 85 feet deep. That gives you the rest of the equation.

Jones Well, no. What I'm struggling with is if your lot is 125 feet deep, correct? Plus, the drainage easement is 20, plus the buffer is 10, that means there is 155 feet out there in play. Which means then from the farthest point of the property, from the boundary of the property, the minimum a house would be would be the 50 feet off of that. The 10-foot buffer, the 20-foot drainage, and then the 20-foot setback. Correct?

Isaacs I think if you look at it, on the lots that are adjacent to the Enclave, which are 150 feet deep. The first 40 feet - -

Jones Is that both for south and the west property line?

Isaacs Correct. But on the south, they're 150 feet in depth. So, in that case, your rear yard, your first 40 feet would be consumed between landscape and drainage easement. Then you could have a house there, because they're outside of the easement. So, the 20 feet there is not really, I mean, in reality 20 feet in a rear yard doesn't really make sense because you're always going to have a drainage easement in your rear yard. I think your requirements require drainage easements around all rear yards, I believe.

Jones Is anybody else understanding my question? My question is, is the buffer and the drainage easement, the 10-foot buffer, the 20-foot drainage, separate from the actual lot size.

Isaacs No. Those lots are bigger.

Jones Okay. So, what you're saying is is that the buffer and the drainage easement are part of the lot.

Isaacs They're on the rear. Yes. That's correct.

Jones Then when you establish the rear setback line, what are you going to use?

Isaacs Well, it's going to be the greater of the distance of the setback or any easements that are in the way. It's a minimum of 20 feet, but if you've got a 40-foot worth of easement, it defuncts to 40 feet.

Jones All right. The most easement you're committing to is 30 feet.

- Isaacs The drawing that is there shows, where are you getting that information from?
- Jones It's what you're telling me.
- Isaacs The 10-foot landscaping easement.
- Jones Once again, the drawings that are provided don't have enough definition that we can determine this. That's why I'm asking the question.
- Isaacs Well, that one that's shown as typical lot layout. That's a minimum, that's just to show how a typical house would fit on a typical-sized lot. The ones at the bottom are not your typical-sized lot, because they're greater in size to accommodate those easements at the bottom.
- Walker Larry, are you on 196?
- Jones Am I on what?
- Walker I'm looking on my other, on my desktop, and on 196 it's a drawing. Is that where you're taking your information from?
- Jones I'm on drawing, it's under Tab #6 in their package right now.
- Walker All right. I'm past the tabs. I was just looking at the page number. Thanks.
- Jones Yes. Let me go down to 196 and see what's down there.
- Walker Well, I just need to go up farther.
- Jones Well, hang on. They might be the same thing.
- Walker They're similar.
- Jones They're similar. So, once again, and it's the same thing. So, they've got a 10-foot landscape easement around the perimeter of the entire parcel, and then they've got a 20-foot drainage. So, Sharon, my question is, see where it turns from gray to yellow?
- Walker Yes.
- Jones Does the yellow begin the 125 foot?
- Walker I see what you're saying.
- Jones What they've come back around and said is that from the street, from the green.
- Walker Yes.
- Jones The rear edge of the property they're allocating 155 feet.

- Walker Right.
- Jones Of which they're going to take 10 foot and make a buffer, 20 feet drainage, which leaves a net of 125. So now my next question is, where is the rear building setback? My concern is the way it's getting explained to me is that they can then build right back to the edge of the drainage easement, which would be, if they have a 20-foot drainage easement, plus a 10-foot buffer, it would be 30 feet off the edge of the entire parcel.
- Walker Right. I see.
- Jones That's what I'm wanting clarity on. What are we seeing here?
- Skelton Can you hear us?
- Franz You work from the front yard, and you've got the 20-foot setback in the front yard, and an 85-foot house, the house would end at 105 feet on the lot. So, with that situation, they'd have 40 feet back to the back line of the lot, so if it's 10-foot buffer, I hear 20 or 30-foot drainage easement. I mean, there would be either 10 or 20 feet between the easement and the back-lot house, back of the house, based upon my calculations.
- Isaacs That's correct.
- Jones So, there is 20 feet between the easement and the back of the house?
- Isaacs I think we can prepare something that is a little more, we can bring you something that will demonstrate that a little better when we come back.
- Jones Yes. I mean, that's, I - -
- Walker --That's not very much behind there at all, behind the house. What, 20 feet?
- Isaacs It's 40 feet, the house would be at least 40 feet from the rear property line.
- Walker Okay.
- Isaacs On the south side.
- Walker You'll fix that.
- Jones What, and Sharon, what I find interesting in this is if you look up there at Bainbridge Circle, those 4 houses up there at the top.
- Walker Yes.
- Jones They're even closer to the property line than what we're discussing right now.
- Walker Yes. They sure are.

Jones So, my piece I want to get adequately addressed in this is there is a lot of conversation about density and number of units on this, and I want to make sure there is a little bit of clarity as to exactly where houses are going to sit on the property, and what's the amount of buffer, and drainage easement, and then how far back the property sits. So, the MI folks, you guys need to provide some better documentation, because you're not helping your situation at all.

Isaacs We can do that.

Jones I don't think that's, probably the same question the neighbors are having. I mean, one second. Oh, the other question is the remaining property on Oak Street, there is one house that you're not purchasing, but then there is an amount of land that you are. Do you have a future plan for that?

Isaacs All that area that's green on that would be part of the open space for the neighborhood common area.

Jones And that will be part of the commitments for the PUD?

Isaacs Correct. And there are some landscape standards that we have drafted that we do some mounding and stuff along Oak Street, and that would probably carry around to the side of that house on both sides.

Jones The other question is about, then if we're going to keep on this, what is the answer to the off-site drainage connection?

Isaacs So, currently there is a pond on site. There is an outlet pipe that extends from that pond through a pipe that goes to the southeast into the Russell Lake subdivision that goes into a storm sewer of the Russell Lake subdivision. And, then I'd presume that carries on to Russell Lake. That appears to be what the normal drainage pattern is for the property to exit. So, that, you know, that would be the positive outlet. The question is, is that pipe at an easement? Does it need to have an easement? Does that easement need to be 30 feet because it becomes part of the County surveyor requirement? So, we're reviewing that, you know, now.

Jones I mean that will tie in to be part of the requirements to meet the drainage, correct? For the project?

Isaacs Yes. That's where the drainage today leaves the site. So, it needs to be accommodated for it to leave the site in that direction, through that existing pond. That's where, you know, that will be part of the drainage - -

Jones --The existing parcel doesn't have 58 homes on it, does it? So, that's the point. I think the point of Ms. Gerard's comments is that is this getting adequately addressed?

Isaacs So, from a drainage perspective, there is a flow rate that leaves the site in the current state. The post-developed site, the water cannot leave the site at any greater rate than it does today. You understand that.

Jones Right.

- Franz I seem to recall with the Cardon PUD the drainage down on Russell Lake was a major issue, and as part of that PUD development, several of you were on that, on the Commission at that time. I believe Cardon was making some commitments to work with some additional drainage features to resolve some of those downstream issues on Russell Lake. You know, I would advise taking a look at the old minutes to see if that is the situation. At least that's the way I recall it.
- Jones I agree.
- Franz That was a big issue to the Russell Lake people.
- Jones Dave, I agree. That was part of the conversation the Cardon folks had started, or worked through some upgrades to whatever that offsite drainage route is.
- Franz Does anybody else on the Commission have questions, comments?
- Papa I have one. I was wondering if they could clarify what they said either now or at the next meeting about traffic. And I realize they're under the 150-unit limit to have to provide a traffic study. I'm not even necessarily talking about capacity, but more from a safety perspective. Looks awfully close to Cooper Road and the north/south connector to be coming out of there. I'm not saying it's impossible, but I just, I don't know if any, I wasn't clear on what had been said about that earlier in the meeting. They talked about an acceleration/deceleration blister, but was there anything else on that?
- Isaacs So far that's the recommendation that we received from the Town engineer is that a passing blister and right-turn lane should be added to the main entrance on Oak Street. There was no, there has been no further discussion about any other safety concerns that have been brought up, but that's, you know, I'm sure we'll have some more conversations with the Town engineer. We can address that.
- Papa I just keep trying to picture a left turn coming out of there when the north/south connector is in place. But, thanks.
- Lewis So, my question is we seem to be somewhere between R2 and R3 zoning if you look at the tables that were provided by Ms. Gerard. What is it about those zoning classifications that this development doesn't meet and necessitates doing the PUD rather than trying to fit into one of our existing zoning classifications?
- Isaacs I mean, you're probably right. Our three might be a classification that most of the standards that we drafted for the PUD would meet. One of the things that the PUD does that the straight zoning does not is we have a plan. It's before you today, and we're showing you what elements of the subdivision control code requirements are not being met. For instance, I talk about the center line radius at the bottom where we're asking for reduction to 150 feet. In a PUD that's something that can be contemplated at the time of zoning so that when we go forward, there is no variances or waivers to be sought after at a later date. So, the drawing as proposed is what can be built. A lot of times if, you know, if we show this plan and then later we come back and say well we don't meet X, Y and Z of

your subdivision control code requirement, then we're dealing with a subdivision waiver, and now you're a lot farther down the line on a site that is somewhat of an infill site. It has some unique characteristics to it. You know, it's got no ability to connect to the adjacent neighborhood, so there is no secondary access point. The existing lake that's already there, and with the sewer coming out along Oak Street, it changes the dynamic of this area and of this site, and we felt that the PUD lays out all the questions up front, and therefore commitments can be made. We can add language regarding landscape buffering. We can add things like architecture to the homes that are not a commitment. That's separate from an ordinance, but it's part of the ordinance that's now enforceable totally by the Town staff, Plan Commission, Town Council.

Skelton The planned unit development process, I mean, that's a planning process and that's why we wanted to pursue it with the Plan Commission. You can rezone a piece of property and then end up with, as John said, either waivers or appeals, and that kind of piecemeals the whole planning exercise. The idea is to craft a good project, and then this vessel efficiently lets us work with you to solidify the requirements that cause this project to be approved. It's this project, and actually, I think there was one comment made during the public comment about wanting assurances, and you know what happens if MI, you know, walks away. Well, this property needs to be built the way this PUD is outlined, and that will include home elevation. So, somebody would have to come back to you and request a modified PUD in order to build something else. That's our intent.

Jones Yes, Wayne. That's the way our PUD ordinance would work, is that once there is a, once a planned urban development approved for a project, it's basically committed to build that project. It's not like zoning where you've rezoned a property from something to something, and now it's entitled to be something as long as it meets the standards of that zoning class. What he's talking about is when you establish a PUD with these specific requirements, then that's specifically what they've got to build. Correct?

DeLong Correct, Mr. Jones.

Franz Does anybody else have comments, questions? I guess I'd like to say something. When we had the Cardon PUD request in front of us, you know, I remember this very clearly. I asked the remonstrators what would go in this area, and they said the subdivision, and you know, where I struggle, to be perfectly honest, with the PUD is while it's arguably it's a subdivision, you know, my guess is they were thinking they would be more like a R2, RSF2-type subdivision with comparable density to the properties that surround them. You know, that's my thought. And, I'm as, you know, for a development of this property. I'll say that. I was disappointed that Cardon didn't pass, but you know, that's water under the bridge. But now, I clearly see where the remonstrators are standing on this. Yes, they are for a subdivision, but is this really the subdivision that they thought would be being placed in this piece of property. Does anybody else have any comments or questions? All right. So, next month, obviously, we're going to vote to continue this here in a minute. So, obviously you've got a lot of, hopefully you've taken a lot of notes, prepared to answer. Remonstrators, next month, will give you the opportunity to talk again also. So, we'll go through the rebuttal process at that time. Hopefully we'll be in a situation where we can have, you

know, more time to listen to remonstrators in person, hopefully, but we'll see how that goes. So, at this point in time, unless there is any further questions or comments, I would entertain a motion to continue this to the June 15 meeting.

Papa So moved.

Franz Is there a second?

Walker Second.

Franz All right. Wayne, would you take roll please?

DeLong Certainly. Ms. Walker?

Walker Aye.

DeLong Mr. Jones?

Jones Aye.

DeLong Mr. Fedor?

Fedor Aye.

DeLong Ms. Grabianowski?

Grabianowski Aye.

DeLong Mr. Franz?

Franz Aye.

DeLong Mr. Papa?

Papa Aye.

DeLong George Lewis?

Lewis Aye.

Franz Motion carries 7-0. So, we will look forward to one way or another opening this thing back up next month. So, thanks a lot everybody. We'll see you then.

Isaacs Thank you for your time.

Franz All right. At this time, we'll move on to the next items on the agenda. New business. Docket # 2020-15-Z, Creekside PUD, 10771 to 10903 Creekway, petition for zone map change to rezone 49.874 +/- acres from the PUD planned unit development to a PUD planned unit development district Town of Zionsville owned land within the Creekside PUD as per ordinance 2018-08. Is the petitioner present. Wayne, are you handling this?

DeLong I am handling this. That is correct. And, thank you for the opportunity to present this petition to you. Certainly, this project is under no particular timeframe, but certainly proposed in front of you is a rezone of the Creekside corporate park. This process itself is designed and intended to adjust the language that's currently contained in the PUD ordinance. You've seen this type of petition a few times. An alternative to this process would be to file a variance that's site specific to a particular project. However, a lot has happened in the last 18 months or so to impact Creekside, so this is an effort to clean up and modify the zoning to enhance Creekside's presence in the marketplace. As outlined in your staff report, there is a few changes that are suggested. One is related to wall signage for larger uses. The major driver of this conversation is the land use that is proposed, being an automobile racing team. When Creekside was created, certainly bib box warehouse distribution, other types of land uses were not contemplated as part of the fabric. However, that provision would also not allow the entertainment, or consideration of automobile racing team whose footprint is of generally a large building with a warehouse-type component, but it's a very specific space for a very specific land use. With that concept in mind, that's what's in front of you this evening. There are a few other changes that are also proposed within the document, as listed in your staff report. The zoning itself also looks to reflect the reduction in the footprint of Creekside corporate park of just a very small amount of acreage, a remnant piece of right-of-way was sold off to an adjacent land owner for their use. Acreage was transferred ownership to your community development corporation, who is moving on to be the steward of the common areas, as well as a maintenance of the trail system, and moving forward in that fashion. So, pausing here, we did provide notice as required by your rules of procedure in Indiana code. The Town did provide first class notice to adjoining land owners. We did reach out, as well, to parties to have additional communications, but we would also respectfully, the staff would respectfully ask for a waiver of your notice requirements from your rules of procedure to allow for the consideration of first class mailing and that was done as we mentioned early on in tonight's meeting to allow for reductions in contact with postal carriers and for enhancement of social distancing. With that, I will pause here with the presentation as to the petition that's in front of you.

Franz All right. Thank you, Wayne. Bob, should we address the waiver first? Is that a motion?

Clutter Yes, you should, and it should be a motion with a roll call vote, as it is a waiver of the rules.

Franz Okay. So, we need, so is there a motion to waive the registered mail in person notification for first class mail. Is there a motion

Fedor So moved.

Franz Is there a second?

Walker Second.

Franz All right. Wayne, roll call please?

- DeLong Certainly. Start with Mr. Jones.
- Jones Aye.
- DeLong Mr. Fedor?
- Fedor Aye.
- DeLong Ms. Grabianowski?
- Grabianowski Aye.
- DeLong Mr. Franz?
- Franz Aye.
- DeLong Mr. Papa?
- Papa Aye.
- DeLong Mr. Lewis?
- Lewis Aye.
- DeLong Ms. Walker?
- Walker Aye.
- Franz Motion carries 7-0. With that, I'll open this up for the members of the Plan Commission for any questions, comments.
- Jones My question would be so when it came to, I'm looking under the permitted uses where you've added automotive racing team, and this is under accessory uses. You've got percentages of floor space for various, where did they fall? Are they considered a manufacturer, or assembly?
- DeLong It would be, the land use itself, to actually answer your question, we did not actually classify them as their automobile racing team component as an accessory use. They're accessory use is actually their office. The building footprint is 75% warehouse, and 25% office. So, the accessory component, if you will, of an automobile racing team is their office operations.
- Franz Wayne, before I go any further, I think I forgot to ask if there is any public comment on this matter. So, if there is anybody, attendees, who would like to comment on this, please raise your hand to be recognized. Sorry about that.
- Kilmer Mr. Franz, there are no hands raised.
- Franz Okay. So, continuing on with the questioning, comments.

- Walker Is this similar to what some of the buildings down on Northfield Drive in Brownsburg are?
- DeLong I would say from a land use standpoint, yes. From the architectural point of view, I would say it would be a departure.
- Walker Okay.
- DeLong The Creekside corporate park has a pretty strong standard that's been established by the first use that was on the south side of the road, and then certainly the tenant that's within the north side of the park, DK Pierce, certainly the bar, as we have said repeatedly, is rather high, and the expectation of the Town, the Redevelopment Commission, the Mayor's office, and the CDC would be to keep that bar pretty high. And, certainly the Plan Commission in the near future would have an opportunity, as well, to review the drawings that will be provided as part of the development plan process.
- Walker Thank you. That's the kind of answer I was hoping to get.
- DeLong Very good.
- Franz Is there anybody else who has any comments or questions on this one? If not, is there a motion to forward this to the Town Council with a favorable recommendation?
- Grabianowski I move that Docket # 2020-15-Z, to modify to rezone 49.874 +/- acres from the planned unit development to a planned unit development district Town of Zionsville owned land within the Creekside PUD as per ordinance 2018-08 receive a favorable recommendation based upon the findings in the staff report as presented with the recommendation being certified to the Town Council for adoption or rejection.
- Franz Is there a second?
- Jones Second.
- Franz Is there any comments before we take roll? None. Wayne, would you please take roll?
- DeLong Mr. Fedor?
- Fedor Aye.
- DeLong Ms. Grabianowski?
- Grabianowski Aye.
- DeLong Mr. Franz?
- Franz Aye.

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DeLong Mr. Papa?

Papa Aye.

DeLong Mr. Lewis?

Lewis Aye.

DeLong Ms. Walker?

Walker Aye.

DeLong Mr. Jones?

Jones Aye.

Franz Motion carries 7-0. So that will go to the Town Council. Thank you, Wayne. Next on the Docket is # 2020-13-DP, Zionsville Community Schools Building Corporation, 4400 South 875 East, petition for development plan approval to allow for the construction of a 91,151 square foot elementary school in the SU1 special use zoning district. Is the petitioner present? Please raise your hand and be recognized.

Tyler Yes, I'm here.

Franz Proceed please.

Tyler Good evening. I'm Chuck Tyler, a senior architect with Fanning, Howie Associates with offices at 350 East New York, Indianapolis, and my residence is 7612 Beekman Terrace, Zionsville. Fanning, Howie Associates is the architectural firm that has been working now for a number of years with the Zionsville Community School system. Unseen, but here with me representing Zionsville Community Schools is Scott Robison, Superintendent, Rebecca Kauffman, Assistant Superintendent, Mike Shafer, Chief Financial Officer, Legal Counsel with Church, Church, Hittle and Antrim includes Andrew Manna, John Becker, and Andrew Wert, my Civil Engineer, Brittney Hidenrag with TLF is on, as well, and our construction manager at the Skillman Corporation is represented by Victor Lanfare. On behalf of Zionsville Community Schools, we've submitted the development plan for your consideration for the 67 acres at 4400 South County Road 875 East. This is just north of the existing high school baseball/softball complex. The property is currently zoned special use 1. This project is one the cornerstones of the facility plan taken to the Community in November of 2019. It is a significant part of the \$89 million referendum supported by 80% of the voters in the district. The new elementary school is a replication of Union Elementary School, which has been a very successful design for the district. It provides a capacity of 650 students in grades Pre-K through 4. The central location of this school, and this property, within the district, will allow Zionsville Community Schools to take the capacity pressures off several of its buildings in the face of continued growth. The acreage, as well, gives Zionsville Community Schools the ability to construct a future building on this campus. That is not a part of this submission, however it is worth noting that the

infrastructure, utilities, drives and drainage has been taken into account for some future facility. On the drainage front, I'd like to update the Commission. We've been working very hard to both meet the requirements of the Town and Boone County. We were, in fact, on the Docket for the County's drainage board this morning, and have received a conditional drainage approval from the County Drainage Board. A portion of this project represents the continued cooperation between Zionsville Community Schools, and the Town of Zionsville. The north entrance drive off of 875 East will be constructed as a part of the elementary school project on an easement provided by the Town. The design of this drive meets the needs of the school campus, while also providing access to the future Town development on this property. Staff has effectively summarized how the project intends to meet the applicable provisions of the zoning requirements. Additionally, there are commitments from Zionsville Community Schools regarding future improvements to provide pedestrian and emergency vehicle connectivity to this site. Public notifications were delivered via first class mail, for the same reasons that Wayne outlined in your prior item. It was also then advertised in the Zionsville Times Sentinel. Conversations continue with the immediate property owners with regard to the entrance improvements on 875 East. Zionsville Community Schools and the project team are here to answer any questions that you might have at this time.

Franz All right. Thank you very much. At this point in time, is there any comments from the public on this matter?

Kilmer Mr. Franz. There are no hands raised.

Franz All right. So, we'll first take a motion to allow for the notice using first class mail. Is there a motion to do so?

Fedor So moved.

Franz Is there a second?

Jones Second.

Franz Wayne, would you please take roll?

DeLong Certainly. Ms. Grabianowski?

Grabianowski Aye.

DeLong Mr. Franz?

Franz Aye.

DeLong Mr. Papa?

Papa Aye.

DeLong Mr. Lewis?

- Lewis Aye.
- DeLong Ms. Walker?
- Walker Aye.
- DeLong Mr. Jones?
- Jones Aye.
- DeLong Mr. Fedor?
- Fedor Aye.
- Franz All right. Motion carries 7-0. With that, staff report please?
- DeLong Certainly. The petitioner has certainly very eloquently identified the topics that staff would focus on. This project was recently visited with the drainage board specific to the legal drain that is in proximity to the site. Certainly, much detail has been reviewed, and certainly then available to the public over the last decade related to the interest of the school and developing this facility. This represents an additional investment in the Community, as well as outlines future investments that would be made, and certainly be subject to Plan Commission review at that time. Access to the site is derived from multiple locations with a second curb cut being provided on County Road 875. Certainly, this roadway cut would be provided through a piece of property which the Town is purchasing under contract, and all parties involved in the transaction are willing sellers and conveyors of that easement. Staff's comments are rather brief, even though your staff report is rather voluminous, but in summary, staff is supportive of the petition as it's been filed. It would be a conditional approval subject to finalizing items prior to commencement of seeking update permit to disturb earth.
- Franz All right. Thank you, Wayne. At this point, is there any questions, comments from any members of the Commission?
- Lewis Look at the site plan. Are there any plans to potentially have a trail that links to the properties to the west, that will probably be going to this school? I really don't see one on there, and it's kind of nice. My kids go to Pleasant view and we used to be able to go off the trail to get to the school.
- Tyler So, the properties to the west do have a trail, or sidewalk extension sort of in the northeast portion of their development. One of the commitments is to connect to that in the future phase of this project at the time that we develop our drive connection to 400 South.
- Franz Anybody else? There is no additional comments. Is there a motion?
- Jones I'll make it, I guess. Let me get it blown up where I can read it.
- Walker That's what I was doing.

Jones I know. Hang on, where are we at?

Lewis It's hard to find this stuff.

Grabianowski Larry, I've got a hard copy thanks to Janice. You want me to do it?

Jones Please.

Grabianowski Okay. I move that Docket # 2020-13-DP, to allow for the construction of a 91,151 square foot elementary school in the SU-1, special use zoning district, be approved based on the findings in the staff report, staff recommendation and submitted findings as presented.

Franz Is there a second?

Fedor Second.

Franz Any discussion? None. Wayne, roll call please.

DeLong Certainly. Mr. Franz?

Franz Aye.

DeLong Mr. Papa?

Papa Aye.

DeLong Mr. Lewis?

Lewis Aye.

DeLong Ms. Walker?

Walker Aye.

DeLong Mr. Jones?

Jones Aye.

DeLong Mr. Fedor?

Fedor Aye.

DeLong Ms. Grabianowski?

Grabianowski Aye.

Franz All right. With that, motion carries 7-0.

Tyler Thank you very much.

Franz All right. Thank you. Next item on the Docket is, now I have to expand it, #2020-14-DP, Hoosier Village sales and marketing office, 5415 Beerbury (sp) Lane, petition for development plan approval to allow for the construction of an approximately 5600 square foot single story sales and marketing office in the SU-7 special use zoning district. Is the petitioner present? I think you're on mute. I didn't hear you. There you are. Okay.

Ochs Yes. Tim Ochs, attorney at Ice Miller representing the petitioner, BHI Senior Living. This is a proposal for a new building on the Hoosier Village campus. Just a short background for those members of the Plan Commission that have heard several petitions, my apologies for any repetition. But this is part of a much, much larger continued care retirement community that's been part of the Zionsville community for decades. Hoosier Village campus is located northeast of Zionsville and 96th. Also northeast of 465. This particular proposal is for a new 5,600-square foot sales and marketing office. It's location, and if you look at Page #5 of the staff report, it shows exactly where this building would be located with the little white box that says site. It's located on the interior of the campus, pretty much due east of what's now the main or new entrance off of Zionsville Road. It's located far enough east of Zionsville Road, and north of 96th Street that it really won't be visible from the exterior of the larger Hoosier Village campus. Nonetheless, the architecture and feel is of significant importance to BHI, and we think that the architecture and the aesthetics reflect that. The single-story building will share a parking lot with the existing community center that's located due north of it. The parking lot will be located in-between the two buildings. There is adequate parking to meet the parking requirements as specified in the zoning ordinance, without counting any spaces more than once in that parking lot. There will be sidewalks on three sides. The only side that doesn't have it is the west side, and there is no point in anybody going on the west side of the building. That will include an 8-foot path on the south side that runs along one of the drives within Hoosier Village. All the roads in Hoosier Village are private. We're not aware of, and we've pretty much completed our drainage plan when, almost about 10 years now, when improvements were really starting on the campus. The master drainage plan was done with the notion that there might be additions in the future. So, the drainage was contemplated, so that's not an issue. No signage is being proposed. There is no point in that since you can't really see it from the surrounding roadway. Finally, just a comment as to why this is necessary. Up until now, the sales and marketing efforts have occurred in the buildings where residents actually stay. There would be a dedicated office space, or a dedicated unit for these purposes. And, what has occurred over really the last 5 years is, one, a significant increase in the number of residents, because Hoosier Village is growing. They're about to come online with a new large multi-unit building that was part of a prior development plan approval. The Oaks project, which is just adjacent to, but north of the traditional Hoosier Village campus has brought on a lot of new units, and what's happening is they need to add a couple more staff people, and they need to be able to conduct this in a way that they're not interfering with their residents and their everyday function of their residents. And the residents, quite frankly then, are interfering with the sales and marketing folks. It just makes sense to have their own facility. So, this is being proposed. It's single-story, pitched asphalt roof. Predominantly masonry construction, well-landscaped. I'd like to thank staff for their work. We are in agreement with the

staff report. And, we'd be happy to answer any question the Plan Commission might have.

Franz All right. Thank you. At this time, is there any public comment on this matter? Being none, pardon?

Kilmer There are no hands raised.

Franz All right. Mr. Ochs, did you also need a waiver for the notice?

Ochs Yes.

Franz Okay. Thank you. At this point, I'll entertain a motion for a waiver to allow the use of first-class mail for notice.

Walker So moved.

Franz Is there a second?

Fedor Second.

Franz Wayne, would you please take roll?

DeLong Certainly. Mr. Papa?

Papa Aye.

DeLong Mr. Lewis?

Lewis Aye.

DeLong Mr. Jones?

Jones Aye.

DeLong Ms. Walker?

Walker Aye.

DeLong Mr. Fedor?

Fedor Aye.

DeLong Ms. Grabianowski?

Grabianowski Aye.

DeLong Mr. Franz?

Franz Aye. Okay, motion carries 7-0. With that, I'll open it up to questions from any of the members of the Commission.

- Grabianowski I don't have a question, but in light of the pandemic, I think this is an excellent, much needed given the vulnerability of people in nursing homes, having a separate facility is spot on.
- Ochs Thank you.
- Jones I don't see any floor plan in here. Does this thing have like, are we seeing an area for like golf carts? Is that what that little, kind of garage drive is?
- Ochs Yes. That's what it is. Correct.
- Jones So they aren't setting up a garage in there they are going to do auto repairs, correct?
- Ochs I don't believe that's on the agenda.
- Franz Anybody else have any questions, comments? If not, is there a motion?
- Grabianowski I don't have my hard copy with me guys. One of you has to do it.
- Walker Okay. I've got a hard copy on this one. I believe I do. I move that Docket # 2020-14-DP, to allow for the construction of an approximate 5600-square foot single-story sales and marketing office in the SU-7, special use zoning district, be approved based on the findings of fact in the staff report, and submitted as presented.
- Franz Is there a second?
- Grabianowski Second.
- DeLong Mr. President, for your process, you did not have the staff report read. Staff is supportive of the project as filed. Please continue with your motion.
- Franz Sorry about that, Wayne. Okay. So, there was a second.
- Grabianowski Yes.
- Franz All right. Is there any discussion? All right, with that, Wayne, would you please take roll?
- DeLong Certainly. Mr. Lewis?
- Lewis Aye.
- DeLong Ms. Walker?
- Walker Aye.
- DeLong Mr. Jones?

Zionsville Plan Commission
May 18, 2020

Jones Aye.

DeLong Mr. Fedor?

Fedor Aye.

DeLong Ms. Grabianowski?

Grabianowski Aye.

DeLong Mr. Franz?

Franz Aye.

DeLong Mr. Papa?

Papa Aye.

Franz Motion carries 7-0. Thank you, Mr. Ochs.

Ochs Thank you.

Franz All right. At this point, there is no other matters on the agenda. Is there any comments? Anything somebody wants to discuss? I will add, go ahead.

Fedor Question for you, Wayne. With the Zionsville paper and Lebanon Reporter merging, are we going to require notice in the Lebanon Reporter now? Is that going to be the procedure?

DeLong We, no Board or Commission sets as to which newspaper must be utilized. The paper, as long as the paper is the paper of general circulation, and maintains that certification that the newspaper, that particular publication is eligible. So, the Current, and other newspapers, such as the ones you mentioned, no matter where they circulate, as long as they're a paper of general circulation inside Boone County, that's acceptable for a petitioner to utilize. Certainly, Mr. Clutter, is there any - -

Clutter --That's correct. That's all established by State statute. They've been under a common ownership for quite a period of time. I was not aware, is the Zionsville paper going to stop circulation?

Grabianowski Yes.

Lewis Yes.

Clutter Completely stop?

Grabianowski Last week was the last issue.

Clutter I didn't realize that.

- Walker It's going to be combined with - -
- Clutter --Yes, and I know the Lebanon Reporter said that they were dropping circulation. I think they're only going to be 3 days a week now. So, I was not aware that Zionsville was completely stopping circulation. So, yes, the Lebanon Reporter will be the paper of circulation in Boone County. I know that there are exceptions and the outlying counties generally will rely upon publication in the Indianapolis Star. That's not provided by state statute. But there can be an exception for that.
- Franz All right. Related to next month's continued matter. We were talking about earlier, Wayne trying to find a space to accommodate a larger group of people because currently if the Town Hall is open the concern would be if there is social distancing in place, the number of people who could attend the meeting would be severely limited. Is that, you were saying it was like 30 people, right?
- DeLong Correct. For any, for example, the Plan Commission and the Council chambers downstairs, the first floor of the Town Hall, there is X number of chairs that are out, plus you're with essential staff, plus the Board itself, or Commissions. You would end up with a limited number of potential participants, attendees. So, it would, you know, looking at your petitioner, and how many is in that grouping, then it potentially reduces down the amount of parties that could attend a meeting to cure their interest.
- Franz All right. I would ask potentially if there is any way you could research alternatives to allow for a larger group, because I think this obviously there is a lot of interest in this matter.
- DeLong Certainly we're happy to do that. I would say that the Town, through its Town attorney, will be researching just collectively how this marches forward in June. Certainly, depending on the Governor's extension of any executive order. Certainly, staff is not here tonight to pontificate on if that would occur or not. These are happening in 30-day increments, but certainly we need to be prepared one way or the other, and with contingency plans to be prepared to facilitate full and transparent public processes.
- Franz Anybody with anything else? If not, I'll entertain a motion to adjourn.
- Fedor So moved.
- Franz Second?
- Lewis Second.
- Franz We don't need roll. All in favor, aye.
- All Aye.
- Franz All right, thanks a lot guys. Good night.
- DeLong All right. Good night. Thank you.

church church hittle + antrim
ATTORNEYS AT LAW

June 5, 2020

Janice Stevanovic
jstevanovic@zionsville-in.gov

Dear Janice:

Please let this letter serve as a formal request for a continuance on the Windhaven PUD proposal (Petition #2020-10-Z) to the July 20, 2020 meeting of the Zionsville Plan Commission. The Town recently requested that we complete a traffic study, which has been initiated, but not yet completed. We are refining the PUD ordinance based on information and feedback we have received to date. It is our intention to submit revised materials for the July meeting.

Thank you for your continued assistance.

Respectfully,

CHURCH CHURCH HITTLE + ANTRIM

Matthew S. Skelton

Matthew S. Skelton
Attorney at Law | Noblesville Office

Received
6-8-2020
Town of Zionsville



Two North Ninth Street, Noblesville, IN 46060 P 317.773.2190 F 317.773.5320

NOBLESVILLE : FISHERS : TIPTON : MERRILLVILLE : ZIONSVILLE : CCHALAW.COM

A Partnership of Professional Corporations

Janice Stevanovic

From: Wayne DeLong
Sent: Monday, May 18, 2020 6:53 PM
To: Janice Stevanovic
Subject: FW: Windhaven PUD-M/I Homes

From: Jay Stapp <jay@stapplegal.com>
Sent: Monday, May 18, 2020 6:04 PM
To: Josh Garrett <JGarrett@zionsville-in.gov>; Bryan Traylor <BTraylor@zionsville-in.gov>; Craig Melton <cmelton@zionsville-in.gov>; Alex Choi <achoi@zionsville-in.gov>; Joe Culp <jculp@zionsville-in.gov>; Brad Burk <bbruk@zionsville-in.gov>; Jason Plunkett <JPlunkett@zionsville-in.gov>
Cc: Emily Styron <estyron@zionsville-in.gov>; Wayne DeLong <WDeLong@zionsville-in.gov>
Subject: Windhaven PUD-M/I Homes

Ladies and Gentlemen,

I am writing you to express my opposition to the Windhaven PUD Petition requested by M/I Homes. I support Melissa Garard, the attorney representing the Enclave Homeowners Association, objections and positions that have already been presented.

Additionally, I participated in a Zoom meeting with M/I Homes last week with certain adjoining homeowners and was shocked with how unprepared the attorney (Matt Skelton) and representative of M/I Homes (Jon Isaacs) was for this call to present their position. They did not have a lot of answers and their standard answer seemed to be that they would amend the plan. The presentation included information that the average home price would be high \$300s to mid \$400s and the square footage of the proposed homes was going to be 1750 sf to 2200 sf, with a bonus room option of potentially an additional 200 sf. I pointed out to the representatives that this would be an average of approximately \$180-190 per square foot, approximately 150% of the average in the area. The response I received was the homes would have hardwood floors and other upgrades. Making matters worse, is the fact that the minimum square footage on the plan is listed as 900 square feet. The representatives stated they intend to amend the plan.

But to me, the most troubling statement in this meeting was after presented with numerous matters that were not addressed or considered and time after time stating that they would amend the plan or prepare the landscaping plan or address the drainage on the property, Mr. Skelton stated that they intended to use the Plan Commission approval process to sort of flesh out any problems. If I were a member of the Plan Commission or the Town Council this would trouble me greatly. The approval process is not supposed to work that way. A developer should not be able to spend as little money as possible in the approval process only to have the Town do their work for them. That is the impression I came away from this meeting with. M/I Homes seems to be approaching this zoning change process with the attitude of spending as little money as possible and letting the Town tell them what they need to do or include.

I know I am an adjoining landowner, but even as a Town of Zionsville resident, that attitude is offensive to me.

Jay Stapp
Stapp Legal Counsel
45 South Elm Street
Zionsville, IN 46077
Office: 317-873-3554
Fax: 888-704-5828

Email: jay@stapplelegal.com
www.stapplelegal.com

Windhaven Plan Commission May 18 Meeting remarks – Gregoline

- Commissioners, Good Evening and thank you for a few minutes to allow for my public comments
- My name is Joe Gregoline. I am a Zionsville resident along with my wife Jennifer since September of 2011, when we purchased our current home.
- Jennifer and I live in The Enclave neighborhood at 6855 Woodhaven Pl (Lot 21) with our 3 children. We are located directly adjacent to the Windhaven horse farm. Our property shares a property line with the southern border of the Windhaven farm.
- I also sit on the Enclave HOA board and am in my 5th year of serving our neighborhood.

As you heard from Melissa, there are many technical issues and concerns with this petition and its related ordinance. I would recommend her extensive evaluation memo for further reference. I would like to focus my comments on Zoning. Specifically, current zoning designations against what is being proposed.

I would like to start off by saying I am not against further development on this land but as I set forth, I would expect that any further development is consistent with the surrounding area, within current zoning classification of low density/single family and consistent with Comprehensive plan strategy laid out by Zionsville.

Current zoning R1 vs. proposed PUD zoning

- In 2011, when I was looking to purchase my home, knowing that I would border another property, which was not part of the Enclave, I researched the current and potential zoning of the Windhaven farm property. What I found was:
 - The land parcel in question was being used as a 15-acre horse farm for at least the prior 15 years and was within the Zoning designation of R-1.
 - My research also found that R-1 is earmarked for low-density single-family housing with a density less than 1 home per 2 acres.
 - To evaluate any potential future development of this property, I referenced the Zionsville Comprehensive plan that calls for this parcel to be developed under low density single-family zoning, which would be the current R-1 or potentially R-2 zoning.
 - I also understood Zionsville's well documented history of protecting against irresponsible development including approving incompatible zoning changes.
- Having done this research, I understood that the property could potentially be re-platted under current low-density/single-family housing zoning, which I was accepting of. Because of the previously mentioned research, I would not expect the zoning to change 180 degrees, into an overly dense PUD. As a perspective homeowner, I evaluated all the information publicly available to me in order to protect my potential investment.

- History shows that PUD's in Zionsville have been largely reserved for strategic, well planned, cornerstone projects that are anchors of the community. They do not seem to be intended for random 24-acre parcels of land, that look to build overly dense basic homes. In this far from certain economy, what happens if this zoning change was to be approved and the development for some reason does not happen? What if M/I Homes chooses to sell the property once zoned PUD? This is the scenario that happened in M/I's Fishers development, which "Windhaven" is being compared to. In that scenario, they bought the land already zoned PUD. The PUD zoning was initially approved under a Pulte Homes petition.
- While I understand zoning is not set in stone and zoning changes may be needed to bring an essential service or explicit need to the town, outside of these points, I should have very high confidence that any proposed developed on this property would stay low density and single-family.

Now I would like to look specifically at the "Windhaven PUD"

M/I Homes Windhaven Petition as PUD (Active Adult market)

- M/I's justification of an "Active Adult" community for its overly dense PUD is not logical to me. There is nothing about this location which particularly appeals to active adults. This location is not within walking distance of any shopping amenities. It is not within walking distance of any restaurants. It does not feature any recreational facilities such as lap pool, walking trails, tennis courts, pickleball courts or a clubhouse, all of which would be appealing to an active adult. These are very specific features someone in this demographic/market would find in the Courtyards of Zionsville, which is the Epcon development behind St. Al's. In short, there is nothing about this particular location which seems uniquely suited to active adult living.
- What M/I Homes does plan to offer are options on floor plans expanding up to 3,000+square feet, 4 bed/4bath, basements and 3 car-garages. These details are per the M/I Legacy at Hunters Run website, the development M/I has benchmarked for "Windhaven" and in email communications from M/I regarding specifics on the "Windhaven" project. In this previously mentioned configuration, these homes would be larger than my home and I have 3 elementary aged children and a 90lb Golden Retriever. This clearly is not representative of a step down, empty nester or active adult buyer. Will a small percentage buy the smallest floor plan option, sure, but I believe the majority of buyers align along Zionsville's demographics, which do not support the targeted buyer.

- In discussions with the developer and in their Executive Summary submitted with this Petition, the only attribute of their proposed subdivision that they have identified as appealing to seniors is one-story houses and smaller yards. However, those particular attributes are equally consistent with entry level homes for young families as well. In fact, on multiple occasions, the developer has compared this product to its Fisher’s community of Legacy at Hunter’s Run
 - Indeed, when referencing the M/I website for this development, the elevations and products match exactly.
 - On the website for Legacy at Hunter’s Run, in addition to touting the “award-winning Hamilton Southeastern School District” and cheering “you’ll be proud to be a Royal,”
 - M/I promotes that this community’s “ranch homes are perfect for families, right-sizers, or even empty-nesters looking to downsize.”
- It is, thus, clear that this product is marketed to young families, with school-aged children, and that the empty-nest market is almost an afterthought.
- Moreover, if the developer’s goal is just to build ranch houses on smaller lots, there is no reason whatsoever why they could not achieve what they identify as their single attribute appealing to the empty-nester demographic with an Open Space (Cluster) Subdivision with **R-SF-2** zoning which would comply with the Comprehensive Plan. Simply put, they don’t need a PUD—let alone one with a density which is not consistent with the Comprehensive Plan—to build a subdivision which focuses on ranch houses. It is clear that this project and this product is intended to be marketed as an entry-level price point into the Zionsville Community School District. There is no reason why this particular property, developer’s design and product is especially suited for active adult living. If the developer’s goal is just to build ranch houses on smaller lots, there is no reason whatsoever why they could not achieve what they identify as their single attribute appealing to the empty-nester demographic with an Open Space (Cluster) Subdivision with **R-SF-2** zoning which would comply with the Comprehensive Plan. Simply put, they don’t need a PUD—let alone one with a density which is not consistent with the Comprehensive Plan—to build a subdivision which focuses on ranch houses.
- In conclusion, I believe the plan commission members will see this project as an incompatible fit for the land and will provide an unfavorable recommendation for this petition as proposed. I am hopeful that Zionsville would encourage M/I Homes or any developer to propose responsible development on this land, within the current low-density/single-family zoning classifications, whether in the rural or urban designation.

Thank you for your time this evening.

Attachments- M/I development in Fishers with same home elevations and product as planned in the “Windhaven PUD”. M/I benchmark community for “Windhaven”.

https://www.mihomes.com/new-homes/indiana/indianapolis-metro/fishers/legacy-at-hunters-run?utm_source=adwords&utm_campaign=product-community-indianapolis&utm_medium=ppc&utm_content=text&utm_term=%2Blegacy%20%2Bat%20%2Bhunter%27s%20%2Brun%20%2Bhomes&gclid=EAIaIQobChMIvZmdgtjH6QIVj4bACh0wWAtFEAAYASAAEgIHc_D_BwE

FISHERS, IN

Legacy at Hunter's Run

Single Family Homes in Fishers, IN

15779 Hawkswood Drive, Fishers, IN 46037

OVERVIEW

PLANS

QUICK MOVE-IN

MODELS

COMMUNITY INFORMATION

MAP

Now Selling New Construction in Fishers IN - All Ranch Community!

M/I Homes is proud to announce new construction in Fishers, IN! Welcome to Legacy at Hunter's Run, located at 126th Street and Cyntheanne Road near Southeastern Elementary School. We have released brand-new designs called the Summit Series featuring 5 new, luxury ranch designs.

About Our New Homes for Sale in Fishers, Indiana 46037

There are 51 beautiful homesites that offer wooded and Thorpe Creek views with either slab options, lookout basements, or walkout basement options. These new construction homes in Fishers, IN will be tree-lined, near common areas, peaceful, serene, and even have beautiful nature views. We offer modern and craftsman-style ranch homes that are perfect for families, right-sizers, or even empty nesters looking to downsize.

Fishers is the "number one best place to live in America" according to Money Magazine. Part of Hamilton County, the community embodies the simple life with all the conveniences and access you expect from a big city. Legacy at Hunter's Run is close to everything you love! Shop at your favorite places in the nearby Hamilton Town Center and spend the evening in Downtown Historic Fishers or check out the [Nickel Plate District](#) and the Ruoff Music Center. These new homes for sale in Fishers, Indiana 46037 are ideally situated minutes from I-69 and Southeastern Parkway.

A Top-Rated HSE School District

These new construction homes in Fishers, IN are a part of the award-winning Hamilton Southeastern School District, including Southeastern Elementary School, Fall Creek Intermediate School, Hamilton Southeastern Jr. High, and Hamilton Southeastern High School. Hamilton Southeastern School District prides themselves on improving the culture for the students, staff, and parents as well as improving academic achievements each year. You'll be proud to be a Royal!

Nearby Legacy at Hunter's Run in Fishers, IN

Our new homes for sale Fishers, Indiana 46037 are close to everything you love and need! There is no shortage of things to do near our homes for sale in Fishers and the surrounding area of Hamilton County. From nearby parks, natural trails, concerts at Ruoff Home Mortgage Music Center, events and dining in the Nickel Plate District or The Yard, there will be something for everyone to enjoy! It's all about family in Fishers, Indiana whether you are enjoying the day at The Escape Room in downtown Fishers or an evening out playing golf at Top Golf! From empty nesters to families with small children, there is plenty of fun to be had in Fishers, Indiana for all.

Quality New Home Construction in Fishers, IN

We are proud to be a part of Fishers home builders. Our new homes are built to last. M/I Homes has been building new homes with outstanding quality and superior design for more than 40 years. M/I Homes offers the industry leading 15-year Transferrable Structural Warranty, so you have peace of mind! And, if you decide to ever sell, it's transferable to the new owners. We are here for you every step of the way!

Browse our new homes in Fishers, Indiana today! Welcome to Legacy at Hunter's Run.

Overview

City:	Fishers	Community Status:	Now Selling
County:	Hamilton	Home Type:	Single Family Homes
School District:	Hamilton Southeastern Schools	Sq. Footage:	1,777 - 3,249



Received
5/22/2020
Town of Zionsville

Janice Stevanovic

From: bobnjenmiller@tds.net
Sent: Monday, June 1, 2020 3:09 PM
To: Janice Stevanovic
Cc: bobnjenmiller tds.net
Subject: Concerns about warehouses - Meeting on June 15th

Dear Mr. DeLong and Janice Stevanovic,

Please send/forward my email addressing our concerns and requests to all plan commission members. This email is in regards to the meeting on June 15th for the property west of 267, corner area of 550. If there is an additional meeting, I am requesting that these concerns and requests be forwarded onto those committee members involved as well, if this goes further.

I am a very concerned resident, living in the first house on the gravel road off of S.300 and the 550 intersection, close to where warehouses on the west side of 267 might be a possibility. Already, Whitestown built warehouses north of our house on S. 300, less than a half mile from our house. My husband and I are sickened by this shift from farmland to industrial and are realistic to communities changing by growth, but this is not something we agree with. We built our house 16 years ago and are upset, but we can't even imagine being one of our neighbors that have been living in their house for 28 years or another that built his house himself over 70 years ago.

As you are well aware, about 3-5 years ago this area went through legal measures through the court system because Whitestown was trying to annex this area. The residents in this rural area fought this forced annexation, shown by only two out of about 200 people that didn't sign the petition for wanting Whitestown to annex this area. Eventually, the courts sided in our favor and we were incorporated through Zionsville as rural. In this case, since it's developers wanting this land, it's equally as bad. We would hate to have more farmland rezoned adjacent to the property in discussion, encouraging redevelopment to suit their wants and ignoring the people that actually live in this area. Houses once with farmland around their property, would/could turn to having warehouses on two or three sides. With this, has negative impacts.

Neighbors in this area are very upset about the prospect of the disappearing farmland. They do NOT want this farmland to be turned into lots of warehouses or apartment complexes that will impact in our community in negative ways and bring down the value of our homes. Not all the warehouses already built are even being occupied. How does this affect our taxes if this is approved? First of all, residents out here wanted to remain rural. They enjoy the quiet and clean living that comes with being in a rural area. Living in the country with buildings going up around us will also not offer anything we don't already have in place. We already have septic and well, as well as continue to live on a gravel road. If we had known this proposal was in the works, we wouldn't have spent thousands of dollars for insulated siding and replacement of an efficient AC/Heating unit this last year. This is very disheartening and frustrating that our efforts to improve will probably be minimalized to a big profit return for developers.

Second, we've already had an increase with people just "walking" in this area and houses that have been broken into, where police have responded. With more buildings, comes more people and opportunities for suspicious activities and theft. Many days now, when working in my yard to maintain it, I see cars/trucks I don't recognize going down our gravel road. Often they are speeding down the road, causing a dust storm and rocks being thrown into our yard with no regard to the houses and people working outside in the yard. Other times, strange cars are traveling down our road at a really slow pace and sometimes even stopping in front of our house. Are they looking to see what they can steal or what houses look like easy targets? This is a great concern to my husband and I because we work hard at our jobs to own a nice house and the items we own. I'm a special education teacher for a K-4th grade self-contained classroom and my husband works as an oil/lubricant specialist for Polaris. We typically work during the day, still maintaining and making

improvements to our property because we take pride with what we own and want it to last. We don't want to come home with our house being broken into, items stolen off our property, or worse if we're home.

Third, we already see the bright warehouse lights east of 267 and recently west of 267 now. The lights from the warehouses east of 267 already come in through our sliding doors (bedroom and great room) that face these warehouses. This is an annoyance and a lack of privacy, especially if much closer. If the building of these warehouses is approved, larger pine trees should be planted to reduce the impact of the lights on current residents.

Fourth, we are already getting more unwanted traffic, both cars/trucks/construction traffic and people "walking" around. When there are more transient workers arriving to their jobs, there's more traffic in and out on all surrounding roads. This allows and gives increases traffic, more truck pollution, more opportunities for theft, and an increase in blown and dumped garbage. We've already been picking up more trash blown and tossed into our yard since the warehouses north of our house on 300 were built. If we have no say in these warehouses being built, we would insist on parking lots and vehicle entries be located off of 267 where there is less impact on the existing rural roads and residents in the area.

Fifth, noise would be a concern and irritant. The decibels of sound shouldn't be any more than 55 decibels of sound for people that live adjacent to any potential buildings if these are allowed. Fan and equipment manufacturers provided noise ratings for their equipment and must be kept up to these standards over time, and the dissipation of noise over a given distance can be calculated as well. Please take this into consideration as well if these warehouses are approved, even though still unwanted.

Sixth, there's less wildlife in this area because larger animals, like coyotes and fox, are being pushed out into rural areas further away. Because of the decrease of these larger animals, we've already noticed the effects of smaller animals that have now become our problem. With warehouses though, also comes additional rodents and pests though. With a possible retention pond there will be more geese, raccoons, possums, rats, mosquitos, etc. These present a health concern as well.

If homeowners and residents don't have a choice about the developments going in, which it appears we don't from the papers filed online, my husband and I have requests so the added traffic, buildings, and workers aren't as intrusive as they've already presented themselves off of 267 and 550. First, a light needs to be put in at the intersection where Loves and the gas station meet, but this still hasn't been completed. It's hard to see around semi's entering the Loves station and for residents getting out of that intersection. It's a dangerous situation that still hasn't been dealt with appropriately. Secondly, we also request a large dirt burm, to not see as much of the building(s) built. Looking at these buildings is an eyesore and will decrease our selling chances, as well as the amount we will get for selling our house in the future. Thirdly, we request that a fence be built and maintained over time on top of the burm. This is to keep people who aren't residents to stay within the property of the warehouses and trash being dropped/dumped/blown away on their side of the building. The fence would also help with lessening the brightness of the lights. Thirdly, strategic placement of their parking lots and entrances/exits need to have less impact on existing community residents and roads. Lastly, we request that mature pine trees are planted to help cover up the buildings, lights, and again with the annoyance of the bright lights. Pine trees don't lose their leaves in the winter and they need to be trees that are planted that don't take 15-20 years to grow in order to grow to a height that makes an impact for current surrounding homeowners. They also need to be replaced if there are ones that don't survive versus leaving or just cutting down the dead tree.

Again, please send this to all committee members. I hope that there is a resolution that can meet everyone's needs.

Very frustrated and concerned,
Jen and Bob Miller
5345 S. 300 E.
Lebanon, IN 46052
Home number: 317-769-4917

Janice Stevanovic

From: Susan Endres <sdendr01@hotmail.com>
Sent: Sunday, June 7, 2020 3:40 PM
To: Janice Stevanovic
Cc: Susan Endres
Subject: RE: Warehouse Proposal

Ms. Stevanovic –

This email is concerning the proposed warehousing complex to be located west of State Road 267 and north of County Road 550 South. While this does not affect our property physically, it does affect us visually and traffic-wise.

Let me tell you a story. May 1985, my husband and I drilled our well so we could build our home. We physically built the home ourselves with the help of some sub contractors. It was a labor of love and we were able to complete it and move in early September 1985. Our home is not a fancy home but we managed to raise two sons in this home...one of which this was the only home he knew until he grew up and left the nest.

When we chose this building site, we specifically picked it because of the location. I worked in Lebanon. My husband worked in Indianapolis. We intended to retire here, which we have. Our sons may or may not chose to move in after we leave but that is always a possibility. My point is this is not only our home but our heart and sole.

While I can't argue the point the land owner has the freedom to sell the property in question to whomever she wishes and for whatever amount, I can argue her decision impacts our property and those in our area. We are concerned about truck traffic, noise levels, increased foot traffic and the possibility of theft and mischief as well as decreased property value. This is a very reserved neighborhood and people respect others and their privacy.

It was through a neighbor that I found out our property has been encompassed in the Zionsville rural area. Our specific area was not annexed into Whitestown, mostly due to many neighbors standing together to object to that annexation. It is my understanding our little part of Perry Township was then added as a rural part of Zionsville.

So let me ask you this. If these warehouses were located closer to Zionsville, would this proposal even gotten this far? We all know the people of Zionsville would not want to look out their windows and see warehouses, one after the other. Yet that seems to be our situation. This first sweep of warehouses will not be located across the road from me but that property is also owned by the same land owner. It is likely that land will be sold too.

Again, I completely understand the land owners right to sell to whomever she wishes, but the use of the land she sells affects so many.

Please consider all of our concerns during the June 15th meeting.

Please forward this to all plan commission members.

Thank you for your time.

Susan Endres
2875 East 550 South
Lebanon IN 46052

Received
6-8-2020
Town of Zionsville

Janice Stevanovic

From: Gen. Lennon Scapappotti <caylor@tds.net>
Sent: Thursday, June 11, 2020 12:07 PM
To: Janice Stevanovic
Subject: area growth

Dear Mr. DeLong and Janice Stevanovic,

Please forward my email addressing our concern, to all plan commission members.

As a resident in this area for 46 years, we are very concerned regarding the increasing activity of building a large quantity of commercial and distribution buildings. We understand that growth will occur, but we seem to have reached a point where the private lives of many homeowners are being infringed upon. Not only are we experiencing much more traffic congestion, more lights shining into our homes and more noise, but also are now fearing a drop in the value of our property, to say nothing of a shortage of buyers interested in in locating to this area. Who wants to buy a home next to an Industrial Park?

We ask that you reconsider additional growth in this area and give us a reprieve.

James & Linda Caylor, 5720 S. 300 E., Lebanon



Petition Number: 2020-08-Z

Subject Site Address: 5190 S. State Road 267 Lebanon. IN 46052

Petitioner: Prologis

Representative: Matt Price

Request: Petition for Zone Map change to rezone approximately 76 acres from the Rural (AG) Agricultural Zoning District to the Rural (I1) Industry Zoning District

Current Zoning: Rural (AG) Agricultural Zoning District

Current Land Use: Agricultural & Residential.

Approximate Acreage: 76 ± acres

Related Petitions: None

Exhibits: Exhibit 1 - Staff Report
Exhibit 2 - Zoning / Location Map
Exhibit 3 – Petitioners Location Map
Exhibit 4 - Conceptual Site Plan
Exhibit 5 – Zoning Ordinance: Section 194.081 Districts
Exhibit 6 - Zionsville’s Comprehensive Land Use Plan
Exhibit 7 - Town of Whitestown Comprehensive Land Use Plan
Exhibit 8 - Town Engineer review letters dated March 26, 2020, April 7, 2020, June 3, 2020 and June 9, 2020
Exhibit 9 – Petitioner proposed Commitments
Exhibit 10 - Town of Zionsville Process Flow Chart

Staff Presenter: Wayne DeLong, AICP, CPM

PROJECT OVERVIEW

Project Location

The subject property is approximately 76 acres located west of State Road 267, South of Perry Boulevard, and North of 550 South. The property is currently undeveloped with the exception of one residential home and one barn that is anticipated to be removed from the site to facilitate the contemplated improvements.

Project Description

The subject property is currently zoned Rural (AG) Agricultural. The Petitioner desires to rezone the entire site to the Rural (I-1) Light Industrial Zoning District with the intention of potentially constructing two (2) industrial buildings (see Conceptual Exhibit 4).

Analysis

The Petition proposes to rezone an agriculturally zoned property to an industrial classification to facilitate the construction of two (2) Commercial Industrial Buildings. Each building will have frontage on State Road 267 and is anticipated to have a footprint of approximately 550,090 square feet. A Traffic Impact Study was provided to the town and is on file (file-stamped April 7, 2020), and is in the process of being reviewed by the Town Engineer, as well as other agencies. The Town Engineer has provided Comment Letters (See Exhibit 8), regarding the Traffic Impact Study. Review of the Traffic Impact Study will continue with the Indiana Department of Transportation with any revisions being resubmitted for the Town for review.

Further the Petitioner has proactively provided information regarding additional components of the potential future development (i.e. drainage, easements) and is working with all agencies to ensure compliance.

REVIEW

Zoning Ordinance

In preparing and considering rezoning proposals under the 600 series of Indiana Code, the Plan Commission and the Town Council shall pay reasonable regard to:

- (1) the comprehensive plan;
- (2) current conditions and the character of current structures and uses in each district;
- (3) the most desirable use for which the land in each district is adapted;
- (4) the conservation of property values throughout the jurisdiction; and
- (5) responsible development and growth.

Responses (findings) to each of these items are offered below:

Comprehensive Plan

While the parcel in question is within the Town of Zionsville's Corporate Limits and is subject to the Comprehensive Land Use Plan (Exhibit 6), understanding how the parcel fits into the developing land use pattern is critical to the review of the request reflect, and, therefore, the

Town of Whitestown's Comprehensive Plan is referenced as well. While Zionsville's recommendation for the land is residential, Zionsville Comprehensive Plan is neither reflective of the overall intensification of industrial development in the immediate area which has occurred in recent years, any adjoining community's current Comprehensive Plan's recommendations, nor the investment that has been occurring in infrastructure in the overall area.

The intensification of State Road 267 corridor is evidenced in the City of Lebanon's statement as follows: "Assuming that the recommendations from the traffic study are implemented at the appropriate time to ensure safe/efficient traffic flow at the 267 interchange, I don't have any particular additional comments. Lebanon's future land use plan for the area north of this site within our jurisdiction anticipates similar land uses, so the proposal fits within the larger context of the area".

A representation of that intensification is illustrated here:

Becknell Service LLC

Development Plan Request: To allow for 2 (two) light industrial, warehousing, and distribution buildings with square footage of approximately 187,230 each

Location: 5025 and 5157 S. State Road 267, Lebanon IN 46052 (Across the street from the proposed project Prologis)

COI Hub 65 Land, LLC (Phase 1)

Development Plan Request: to allow for the construction of an approximately 219,240 and 846,720 square foot building(s) each

Location: 4215 and 4320 Indianapolis Road, Lebanon IN 46052 (with frontage on State Road 267)

COI Hub 65 Land, LLC (Phase 2 ReZone Only)

Rezone: Petition for Zone Map change to rezone approximately 81.369 acres from the (AG) Agricultural Zoning District to the Rural (I-1) Light Industry Zoning District

Location: 4255 S 300 East

Because of these factors, a deviation from the Comprehensive Plan to facilitate a rezoning to light industrial is supportable in the opinion of Staff.

Current conditions and the character of current structures and uses in each district

The proposed rezoning serves as an expansion of the establishing Industrial zoning district, and, as such, no new characteristic or conditions are anticipated be introduced into the district. The contemplated and/or approved industrial projects have all been required to achieve and exceed minimum landscaping and buffering requirements found in the Zoning Ordinance and have isolated vehicular points of ingress and egress to the State Road 267 Corridor. The continuation of these development practices (and resulting characteristics) should be encouraged.

The most desirable use for which the land in each district is adapted

Generally speaking, zoning that is consistent with the established zoning pattern while being supportive of the existing and contemplated programming associated with the established land

use is the most desirable use of the land. A rezoning that is consistent with a recommended land use pattern, is, as well, a desirable use of the land.

The conservation of property values throughout the jurisdiction

Planned, orderly development of property is a key component in the conservation of property values. Nothing is noted in this proposal or associated petition filings to be contrary to the conservation of property values in the immediate area.

Responsible growth and development

The petition represents, based on the contemplated site plan, responsible growth and development as it is consistent with the approved districts in the area and therefore does follow the recommendations of the Comprehensive Plan for the Town of Zionsville.

STAFF COMMENTS

Staff recommends a favorable recommendation of the rezoning petition.

RECOMMENDED MOTION

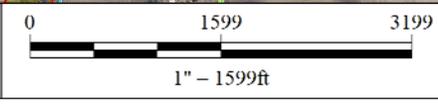
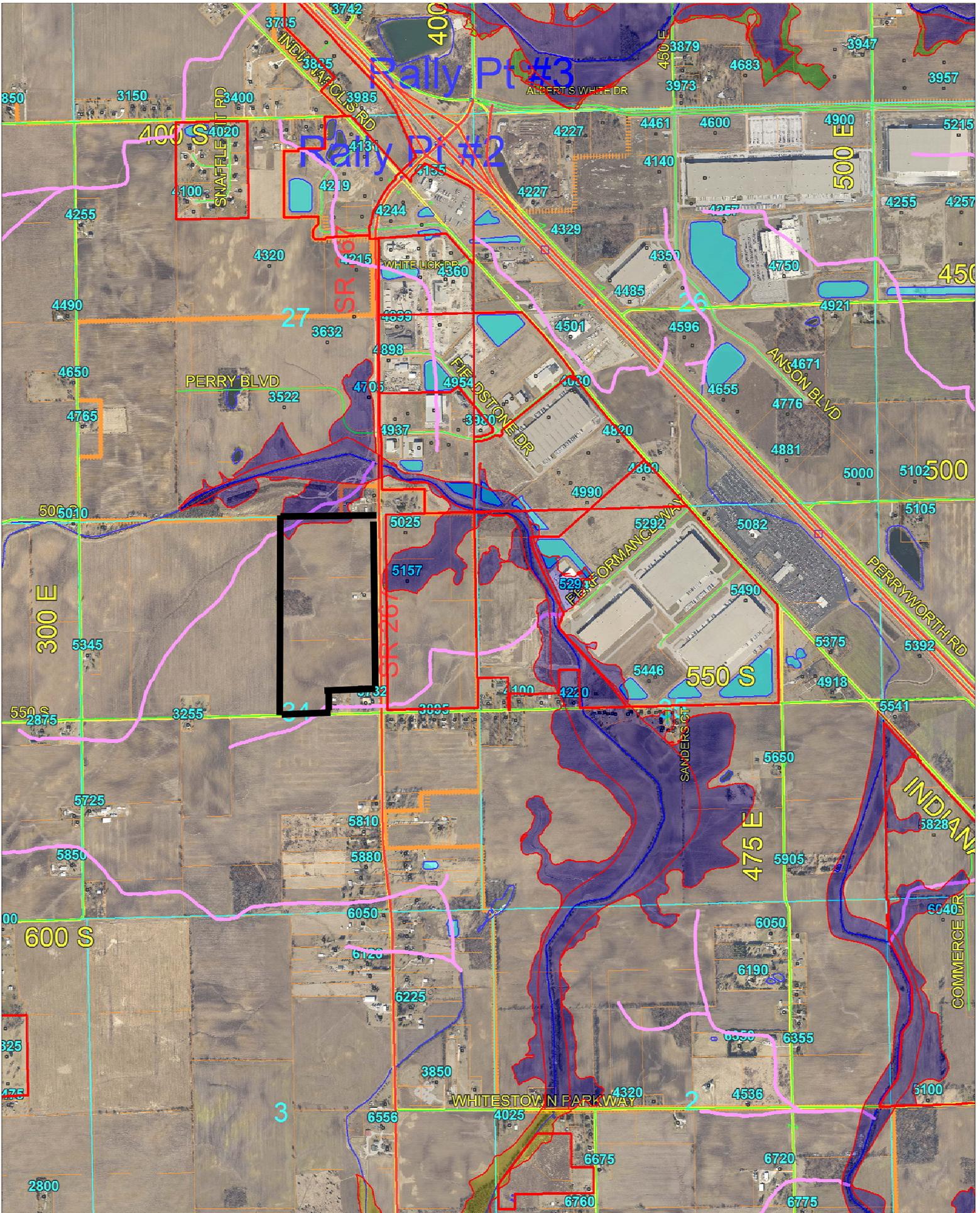
Motion

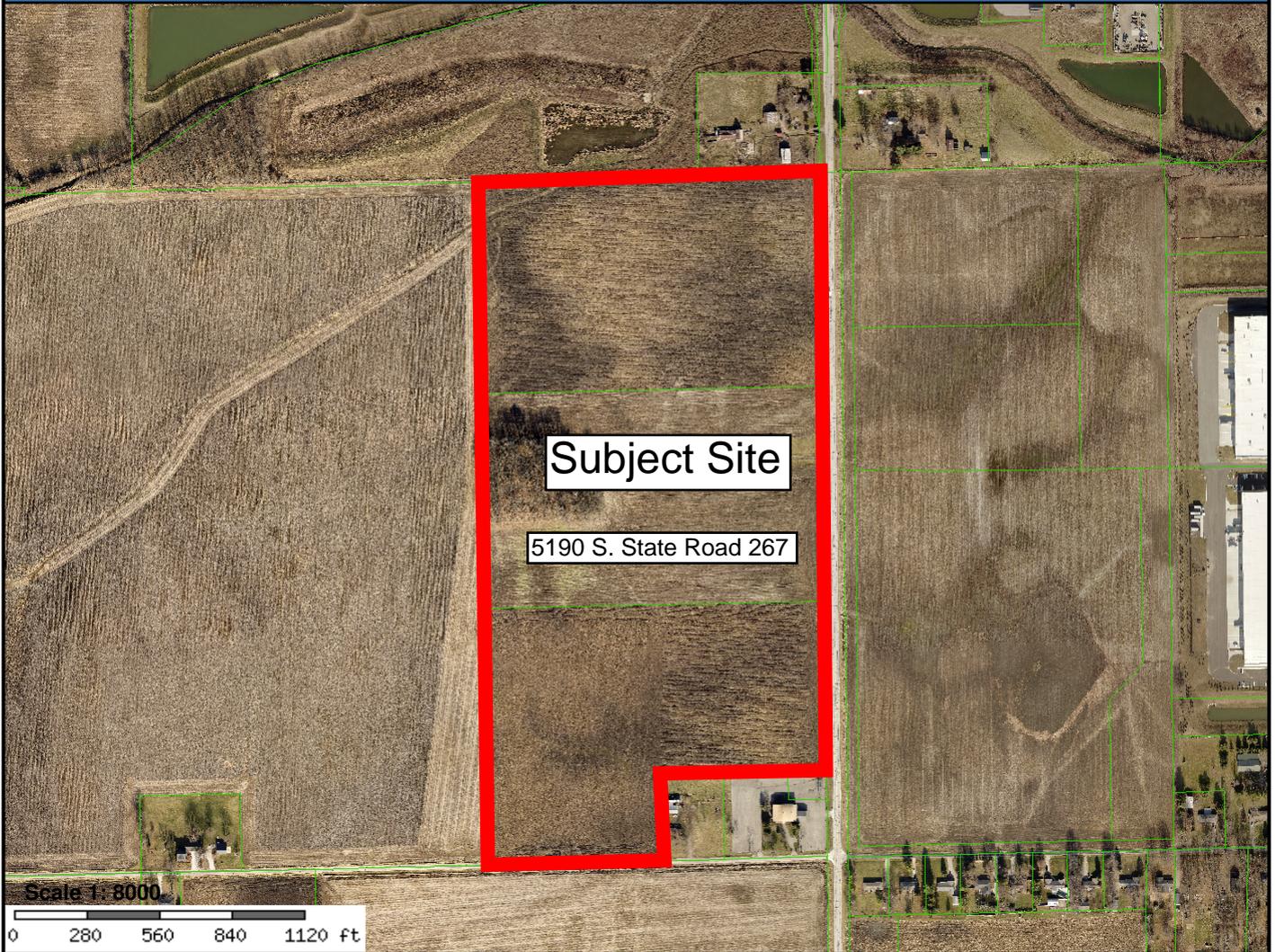
I move that Docket #2020-08-Z Zone Map change to rezone (with commitments), an approximately 76 acres from the Rural (AG) Agricultural Zoning District to the Rural (I1) Industry Zoning District receive a (favorable recommendation based upon the findings in the staff report / unfavorable recommendation / Continued) as presented, with the recommendation being certified to the Town Council for adoption or rejection.

PROCEDURAL NOTES

The recommendation of the Plan Commission, if finalized on June 15, 2020 will be forwarded (as certified) to the Town Council for consideration at its next regular meeting.

A future petition (Development Plan) associated with the contemplated improvements is required to be filed with the Plan Commission and scheduled for a public meeting.





 Parcels

5190 S. State Road 267

Parcel Numbers: 0080183003, 008018300, 0080183002

PROLOGIS ZIONSVILLE

Zionsville, Indiana

SITE PLAN - 2 BLDG

PROPERTY SITE AREA: 75.98 AC

PROPOSED BUILDING 1
FOOTPRINT: 550,090 SF

AUTO PARKING: 419
TRAILER PARKING: 118

DRIVE-IN DOORS: 4
DOCK DOORS: 96

PROPOSED BUILDING 2
FOOTPRINT: 550,090 SF

AUTO PARKING: 419
TRAILER PARKING: 118

DRIVE-IN DOORS: 4
DOCK DOORS: 96

TOTAL BUILDING
FOOTPRINTS: 1,100,180 SF

LEGEND:

- ▲ DOCK POSITION
- ▲ DOCK POSITION W/ LEVELER
- △ FUTURE DOCK POSITION
- ◆ DRIVE-IN DOOR
- LAND
- AVAILABLE AREA

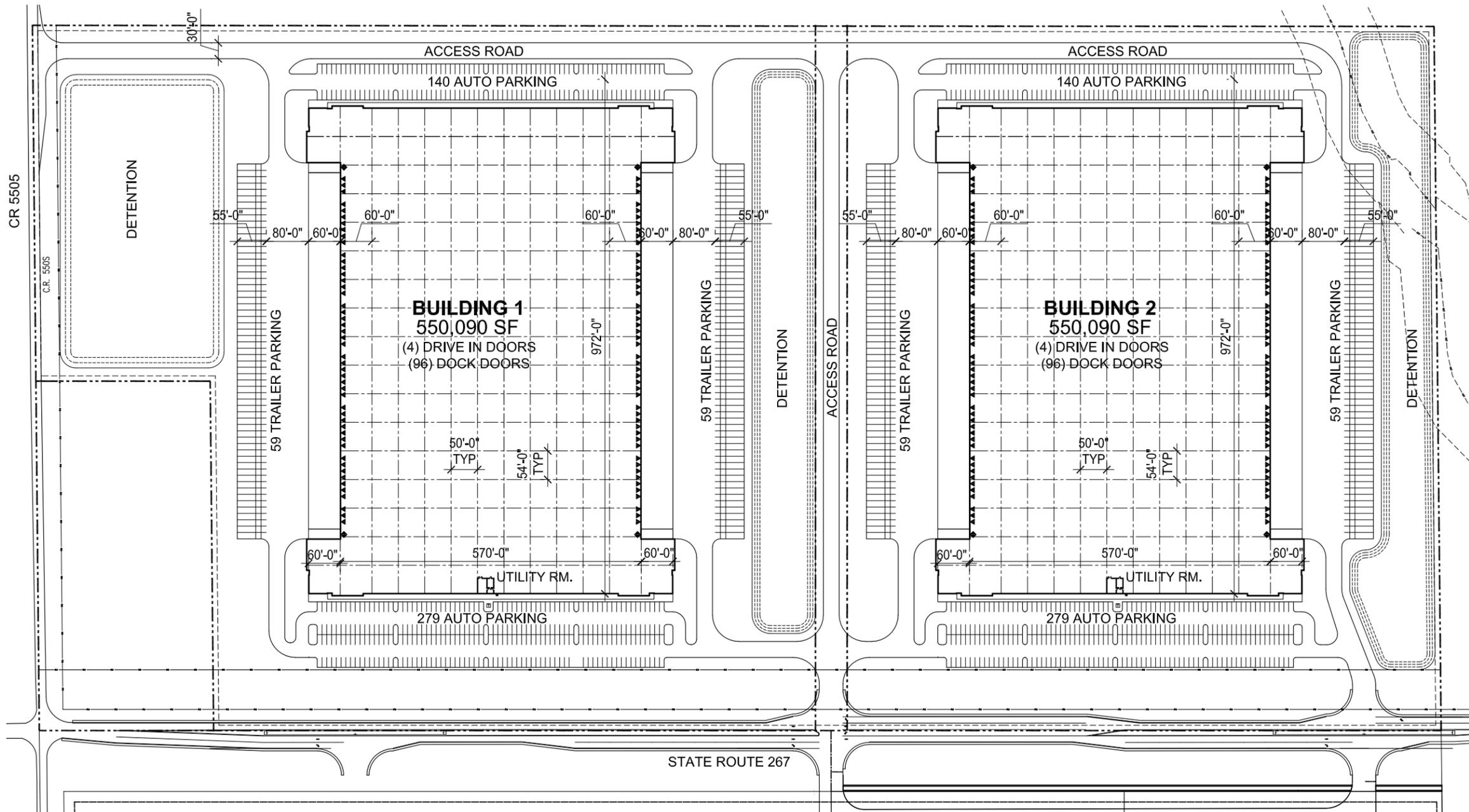


6650 Telecom Dr. Suite 250 Indianapolis, IN 46278
Telephone (317) 228-5205

ATA | BEILHARZ
ARCHITECTS

1063 Central Avenue Cincinnati, Ohio 45202
p: 513.241.4422 f: 513.241.5560 www.ata-b.com

FEBRUARY 26, 2020 PROJECT #: 20015



SITE PLAN

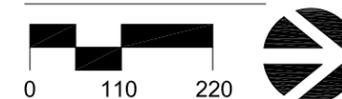


Exhibit 4

NOTE: THIS CONCEPTUAL PLAN IS FOR MARKETING PURPOSES ONLY AND HAS BEEN PREPARED BASED ON PRELIMINARY AVAILABLE SITE INFORMATION DEEMED RELIABLE. ALL DIMENSION AREA CALCULATIONS ARE SUBJECT TO VERIFICATION BY A PROFESSIONAL ENGINEER FOR COMPLIANCE WITH ALL FEDERAL, STATE, AND LOCAL REGULATIONS.

Table 1, Land Use Districts

R3	Medium Density Single Family and Two-Family Residential	This is a medium density single-family district, which may include two family dwellings by Development Plan Approval. Development in this district typically ranges from 1.75 homes per acre to 3.00 homes per acre. In this district, residential development at these densities requires connection to public water and public sewer utilities.
R4	High Density Single and Two-Family Residential	This district is established for high-density single-family dwellings and may include two-family dwellings by Development Plan Approval. Single and two-family development in this district typically ranges from 3 homes per acre to 4.25 homes per acre. Two-family development typically ranges from 7 units per acre to 12 units per acre. In this district, single and two-family development at these densities requires connection to public water and public sewer utilities.
MF	High Density Multi-Family Residential	This is a high-density multi-family district. Development in this district is typically at a density of 7 to 12 dwelling units per acre. Development in this district requires connection to public water and public sewers.
Commercial Districts		
LB	Local Business	This district is designed and located in neighborhoods to accommodate the primary needs of that locality. This district would place convenience and necessity facilities close to consumers in limited areas close to residences.
PB	Professional Business	This district is established as a buffer generally between commercial and residential districts permitting selected business and professional uses having limited contact with the public.
UB	Urban Business	This district is designed to address the needs of existing and future downtown development. This district carries virtually all of the characteristics of the GB District but without setbacks, buffer yards, or other design requirements common to suburban development.
GB	General Business	This district is designed to include central business districts in established urban places. This district would be used for most types of business and service uses.
AB	Accommodation Business	This district is established to include areas adjacent to Interstate interchanges and is designed to serve the needs of the public traveling on these major thoroughfares.
Industrial Districts and PUD's		
I1	Light Industry	This district is established to accommodate light industrial uses in which all operations, including storage of materials would be confined within a building, and would include warehousing operations.
I2	General Industry	This district is established for all types of industrial uses requiring both enclosed and unenclosed spaces for storage, manufacturing, and fabricating.
PUD	Planned Unit Development	This district is established to encourage improved land development and building site design, to encourage and allow a variety of innovative uses, building types and arrangements, to allow development of land areas so planned, located or situated as to merit and justify consideration as a PUD district.

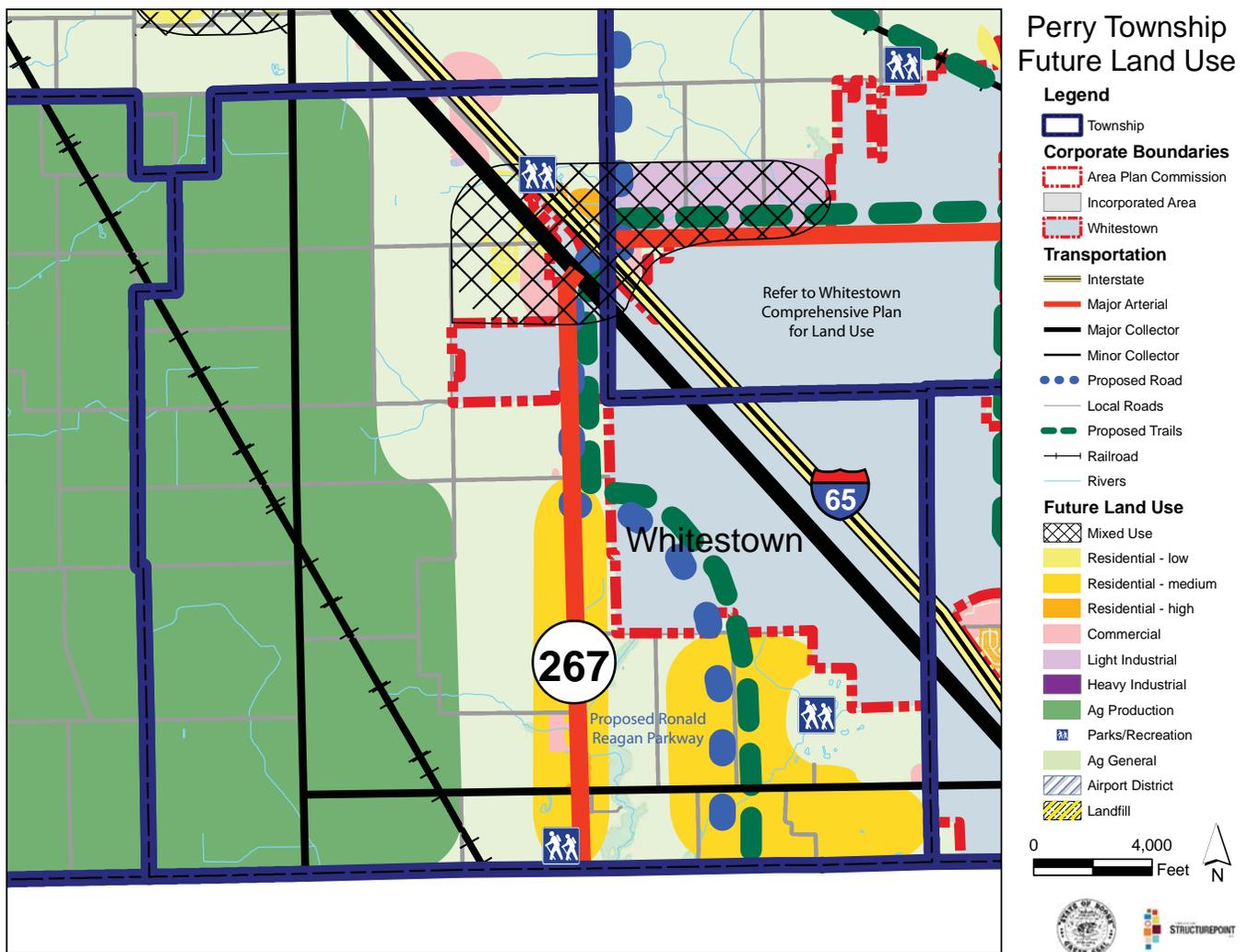


The intersection of Highways 421 and 334 serves as an entry corridor into Zionsville. New commercial and mixed-use development should be restricted to the east side of US 421. New development should follow the US 421 overlay standards.

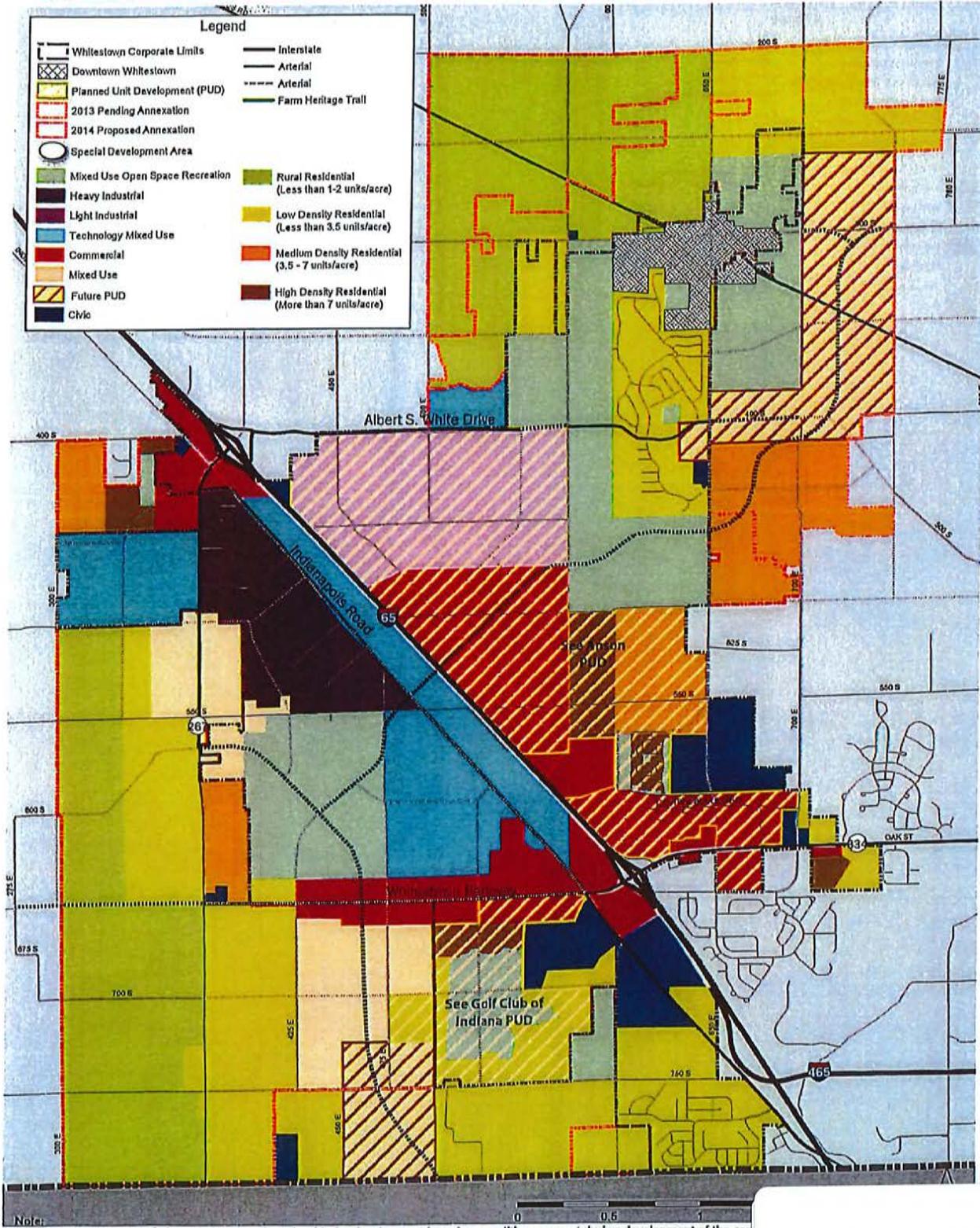
Mixed-use commercial and industrial development is proposed in the southeast corner of Eagle Township, along I-65 and adjacent to Marion County. This mixed-use development should be restricted to the east side of the creek. This area provides good transportation access, open land, and available utilities necessary for industrial development.

The Indianapolis Executive Airport (formerly Terry Airport) in eastern Union Township provides an excellent resource to industrial and commercial uses in and around Boone County. The airport has experienced substantial growth due to the overflow of general aviation uses from Indianapolis International Airport. The capacity of this airport, its proximity to surface transportation to Indianapolis along SR 421 and US 31, and existing area commercial and industrial land uses provide the perfect opportunity for mixed-use development to occur around the airport with focus on additional commercial and industrial opportunities. Specific development standards and land-use requirements that help protect existing property values, promotes the health and safety of the surrounding areas while accommodating future airport expansion should be incorporated into any type of growth and new development in or around the airport.

Perry and Worth Townships



Future Land Use Map (with 2014 proposed annexation)





To: Wayne DeLong, Director of Planning and Economic Development
 From: Beam, Longest & Neff, LLC., Town Engineer
 John Beery, PE, PTOE, PTP
 Date: March 26, 2020

PROJECT DESCRIPTION

Project	Name	Prologis PUD Filing	
	Location	5190 South State Road 267	
	Developer	Prologis	
	Submittal	No. 1 – Amended Comment Letter #1	
Documents Reviewed		Document Name	Document Receipt Date
		Docket No. 2020-10-Z	March 19, 2020
		Supplemental Materials	
Zoning	Current	Rural Agricultural	
	Proposed	Rural I-1	
Land Use	Current	Agriculture	
	Proposed	Industrial	
Requested Variances			

A review was completed for the submittal and the following comments were noted. Please reference the original comment letter and incorporate the following comments with it. The following comments were added after the comments from the Boone County Surveyor were received.

I. PETITION

- A. Based on a review of the existing topography of the site it appears as if there are multiple watersheds for this proposed project. The existing topography needs to be studied in detail and proposed drainage plan will need to be carefully evaluated to ensure tributary watersheds are balanced appropriately. This is important for both control of stormwater runoff of to the 100-year event and events greater than the 100 year to ensure that flows continue flow in tributary watersheds.

- B. Given that there are adjacent parcels around this proposed project, extra effort should be taken to ensure the proposed drainage plan will promote both the free flow of runoff and outlet points necessary.



To: Wayne DeLong, Director of Planning and Economic Development
 From: Beam, Longest & Neff, LLC., Town Engineer
 John Beery, PE, PTOE, PTP
 Date: April 7, 2020

PROJECT DESCRIPTION

Project	Name	Prologis PUD Filing	
	Location	5190 South State Road 267	
	Developer	Prologis	
	Submittal	No. 2	
Documents Reviewed		Document Name	Document Receipt Date
		Docket No. 2020-10-Z	April 7, 2020
		Supplemental Materials	
Zoning	Current	Rural Agricultural	
	Proposed	Rural I-1	
Land Use	Current	Agriculture	
	Proposed	Industrial	
Requested Variances			

A review was completed for the subject resubmittal petition:

- A. The comments from the previous comment letters from the town are still applicable and will be re-reviewed for compliance as the site project proceeds. There are infrastructure-related issues which will need to be addressed.
- B. The TIS was discussed with INDOT staff and it will be reviewed by INDOT. Any changes to the building or any modifications that will modify trips or capacity will require revisions to the TIS, based on the original assumptions.



To: Wayne DeLong, Director of Planning and Economic Development
 From: Beam, Longest & Neff, LLC., Town Engineer
 Renee Goff, PE
 Date: June 3, 2020

PROJECT DESCRIPTION

Project	Name	Prologis PUD Filing	
	Location	5190 South State Road 267	
	Developer	Prologis	
	Submittal	No. 3	
Documents Reviewed		Document Name	Document Receipt Date
		Docket No. 2020-10-Z	April 7, 2020
		Supplemental Materials	April 7, 2020
		Response Letters	June 2, 2020
Zoning	Current	Rural Agricultural	
	Proposed	Rural I-1	
Land Use	Current	Agriculture	
	Proposed	Industrial	
Requested Variances			

A review was completed for the subject resubmittal petition:

General/For the Record:

- A. For record keeping purposes, please provide a scanned copy of response letters or emails received from other agencies, i.e. Boone County Highway, Town of Whitestown, and INDOT.

Traffic Impact Study:

- A. Although some preliminary comments have been provided previously and with this review, formal review is pending the required preliminary meeting with INDOT.

- B. The TIS narrative does not appear to have been modified to address Item II.D from the review letter dated March 26, 2020 regarding methodology and rationale of the use and the independent variable over other alternatives.
- C. It appears that the Prologis development and the 267 Industrial development will have entrances aligned on SR 267. The TIS for the Prologis development must include in the model proposed traffic impacts generated by the 267 Industrial development. The current TIS for the Prologis development does not appear to account for traffic associated with the 267 Industrial development.

Drainage:

- A. Based on a review of the existing topography of the site it appears as if there are multiple watersheds for this proposed project. The existing topography needs to be studied in detail and proposed drainage plan will need to be carefully evaluated to ensure tributary watersheds are balanced appropriately. This is important for both control of stormwater runoff of to the 100-year event and events greater than the 100 year to ensure that flows continue flow in tributary watersheds.
- B. Given that there are adjacent parcels around this proposed project, extra effort should be taken to ensure the proposed drainage plan will promote both the free flow of runoff and outlet points necessary.



To: Wayne DeLong, Director of Planning and Economic Development
 From: Beam, Longest & Neff, LLC., Town Engineer
 Renee Goff, PE
 Date: June 9, 2020

PROJECT DESCRIPTION

Project	Name	Prologis PUD Filing	
	Location	5190 South State Road 267	
	Developer	Prologis	
	Submittal	No. 4	
Documents Reviewed		Document Name	Document Receipt Date
		Response Letters	June 8, 2020
Zoning	Current	Rural Agricultural	
	Proposed	Rural I-1	
Land Use	Current	Agriculture	
	Proposed	Industrial	
Requested Variances			

A review was completed for the subject resubmittal petition:

All responses are noted and there are no further comments at this time. Future reviews and comments will occur with future submittals as the project progresses.

ZIONSVILLE PLAN COMMISSION
Docket Number 2020-__-__

PROPOSED COMMITMENTS LIST

- 1) Light poles constructed on the Real Estate shall not be more than 20 feet in height.
- 2) Lighting installed on buildings constructed on the Real Estate shall be shielded (i.e. directed downwards) LED lights and not placed higher than 20 feet from ground level.
- 3) Landscape buffers will be provided in accordance with the Zionsville Zoning Ordinance with a 5'-0 Type "A" buffer adjacent to industrial zoned properties and 20'-0 Type "H" buffer adjacent to all agricultural zoned properties. The type of trees will be based on the ordinance requirements. Evergreen trees can be substituted as determined by the Planning Commission.
- 4) The development of the Real Estate shall comply with the submitted Site Plan with regard to buffer areas as shown on such plan; however, the number and size of buildings and number and orientation of drive aisles, parking spaces and access drives may be revised and established during Development Plan review.
- 5) Owner will screen any outside dumpsters in accordance with Zionsville's ordinance requirements.



PUBLIC PROCESS FOR CHANGE OF ZONING REQUESTS (I.C. 36-7-4-600) integrated with Town of Zionsville Plan Commission Rules of Procedure

PLAN COMMISSION HEARING PROCESS-FOR CHANGE IN ZONING (filing date is a minimum of 31 days prior to the initial hearing)

STEP ONE	DAY 1	DAYS 3-5	DAYS 12-14	DAYS 12-20	DAY 31
ACTION	Public Filing	Plan Commission Agenda Posted to Town Website	Legal Notice of Plan Commission Meeting Published in Newspaper	Legal Notice Mailed to Adjoiners	<u>Public Hearing Occurs first public interaction</u>
DETAILS ON ACTION:	Indiana Code requires Plan Commission to hold a hearing within 60 days of the filing	Second opportunity of public to learn of a filing (first is to check with staff after passing of deadline for filing)	Published in a newspaper of general circulation at least 10 days prior to the hearing (regulated by Indiana Code). (Third opportunity for public to be made aware of a rezoning request)	Notices are mailed to interested parties (interested parties are defined by the Plan Commission) (Fourth opportunity for public to be made aware of a rezoning)	Hearing can be continued from time to time and results in a recommendation being forwarded to the Town Council within 10 business days of the final determination (Indiana Code stipulates timing)
INTERESTED PARTIES:	Call on Town Hall to confirm what has been filed	Watch website for updates	Publication occurs on Wednesdays (typically, using Zionsville Sentinel Times)	Mail arrives certified	Hearing(s) occur at Town Hall -Public Hearing (& fifth time public to be made aware of rezoning request) is on a set schedule published yearly



TOWN COUNCIL MEETING PROCESS-FOR CHANGE IN ZONING

STEP TWO	DAYS 32-41	DAYS 41-119	DAYS 42-135
ACTION	Matter is Forwarded to Town Council	Town Council Posts Agenda to Town Website	Town Council Holds <u>Public Meeting second public interaction</u>
DETAILS ON ACTION:	Town Council discusses request at an agenda setting meeting (& sixth time public to be made aware of a rezoning request)	Seventh opportunity of public to be made aware of a rezoning request (Note: Town Council, by Indiana Code, has up to 90 days to take action on a change in zoning)	Eighth opportunity of public to be made aware of a rezoning request

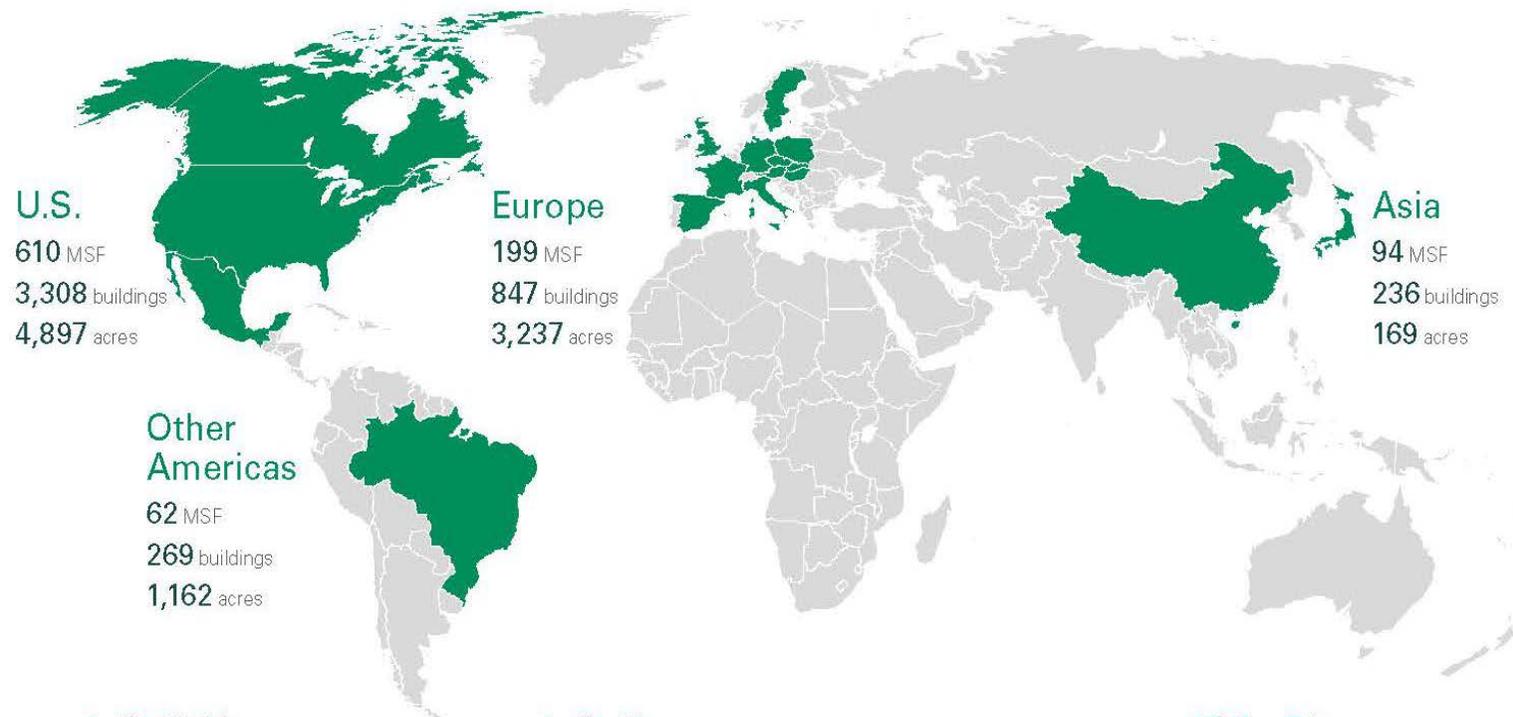
Notes:

- 1) This listing does not include any reference to Staff review of the filing (though a part of the process).
- 2) Indiana Code does not require the Town Council to hold a meeting (a request not scheduled for a meeting is deemed effective/adopted as recommended by the Plan Commission).
- 3) This shall serve as a guide of the rezoning process as regulated by state law and further described in local ordinance as well as the Plan Commission's Rules of Procedure (the "Laws"). This document is only a guide and is not intended to circumvent or deviate from the Laws associated with rezoning land in Indiana.

Zionsville Plan Commission

June 15, 2020

About Prologis



1983
Founded

100 GLOBAL
Most sustainable corporations, ranked 6th in the U.S.

PLD NYSE
S&P 500 member, #94

\$125B
Assets under management

965 MSF
On four continents

A3/A-
Credit rating



I-1

White Lick Dr

500 E

450 S

I-2

Indianapolis Rd

Anson Blvd

Perry Blvd

I-1

SR 267

65

E 500 S

Perry Worth Rd

SITE

Indianapolis Rd

Future I-65 Interchange

AG

I-1

Industrial Court

267

550 S

475 E

S Indianapolis Rd

50 S

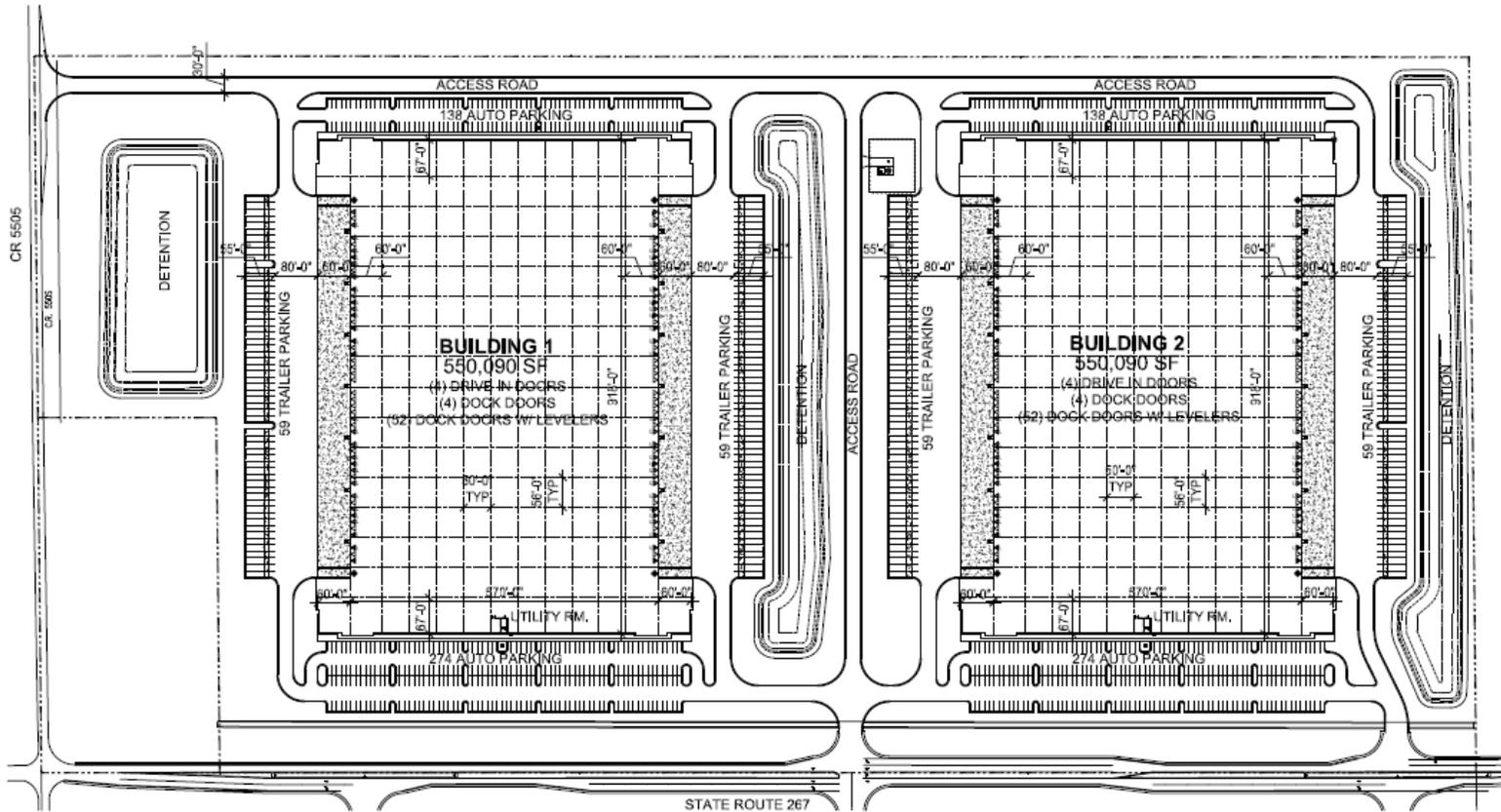
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PROLOGIS ZIONSVILLE: 2 BLDG.

Zionsville, Indiana

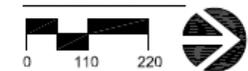
VERSION 6



PROPERTY SITE AREA:	75.98 AC
PROPOSED BUILDING 1 FOOTPRINT:	550,090 SF
AUTO PARKING:	412
TRAILER PARKING:	118
DRIVE-IN DOORS:	4
DOCK DOORS:	4
DOCK DOORS W/LEVELERS:	52
KNOCK-OUT PANELS:	40
PROPOSED BUILDING 2 FOOTPRINT:	550,090 SF
AUTO PARKING:	412
TRAILER PARKING:	118
DRIVE-IN DOORS:	4
DOCK DOORS:	4
DOCK DOORS W/LEVELERS:	52
KNOCK-OUT PANELS:	40
TOTAL BUILDING FOOTPRINTS:	1,100,180 SF

- LEGEND:**
- ▲ DOCK POSITION
 - ▲ DOCK POSITION W/ LEVELER
 - △ FUTURE DOCK POSITION
 - ◆ DRIVE-IN DOOR

SITE PLAN



NOTE: THIS CONCEPTUAL PLAN IS FOR MARKETING PURPOSES ONLY AND HAS BEEN PREPARED BASED ON PRELIMINARY AVAILABLE SITE INFORMATION DEEMED RELIABLE. ALL DIMENSION AREA CALCULATIONS ARE SUBJECT TO VERIFICATION BY A PROFESSIONAL ENGINEER FOR COMPLIANCE WITH ALL FEDERAL, STATE, AND LOCAL REGULATIONS.

PROLOGIS®
6650 Telecom Dr. Suite 250 Indianapolis, IN 46278
Telephone (317) 228-5205

ATA | BEILHARZ ARCHITECTS
1063 Central Avenue Cincinnati, Ohio 45202
p: 513.241.4422 f: 513.241.3560 www.ata+b.com

APRIL 30, 2020 PROJECT #: 20015



Zionsville Plan Commission - Proposed Commitments List

- 1) Light poles constructed on the Real Estate shall not be more than 20 feet in height.
- 2) Lighting installed on buildings constructed on the Real Estate shall be shielded (i.e. directed downwards) LED lights and not placed higher than 20 feet from ground level.
- 3) Landscape buffers will be provided in accordance with the Zionsville Zoning Ordinance with a 5'-0 Type "A" buffer adjacent to industrial zoned properties and 20'-0 Type "H" buffer adjacent to all agricultural zoned properties. The type of trees will be based on the ordinance requirements. Evergreen trees can be substituted as determined by the Planning Commission.
- 4) The development of the Real Estate shall comply with the submitted Site Plan with regard to buffer areas as shown on such plan; however, the number and size of buildings and number and orientation of drive aisles, parking spaces and access drives may be revised and established during Development Plan review.
- 5) Owner will screen any outside dumpsters in accordance with Zionsville's ordinance requirements.



PROLOGIS[®]



Petition Number: 2020-17-MP

Subject Site Address: 8653 E. County Road 125 South

Petitioner: Michael and Charlene North

Representative: Michael Andreoli

Request: Petition for Minor Plat approval to allow for the establishment of 2 lots with a waiver request from Section 193.056 (B) (4) (Water Facilities) of the Subdivision Control Ordinance in the R2 Rural Residential Zoning District

Current Zoning: (R2) Rural Residential Zoning District

Current Land Use: Undeveloped/Residential

Approximate Acreage: 6.4846 +/- acres

Related Petitions: Boone County Area Plan Commission approval of Minor Plat. Instrument # 200600009239, recorded August 23, 2006

Exhibits:
Exhibit 1 – Staff Report
Exhibit 2 – Aerial Location Map
Exhibit 3 – Proposed Plat
Exhibit 4 – Section 193.056 (B) (4) of the Subdivision Control Ordinance (Water Facilities)
Exhibit 5 – Town Engineer Comments letter dated June 4, 2020
Exhibit 6 – Applicants request to allow encroachment
Exhibit 7 – Plat Findings of Fact
Exhibit 8– Waiver Findings of Fact

Staff Presenter: Wayne DeLong, AICP, CPM

PROJECT OVERVIEW

Project Location

The subject property is approximately 6.4846 acres located south of County Road 125 South, east of County Road 900 East, and west of County Road 825 East.

Project Description / Project History

The subject property is currently zoned (R2) Rural Residential Zoning District. Lot 1 is a part of the original recorded Keeler Minor Plat. At the time of its recordation the original Plat allowed for no further lot division, however; the applicant has subsequently recorded an addendum to the Declaration of Covenant allowing for an additional lot to the subdivision. The proposed division of lot one (1) will be heard at the Plan Commissions June 15, 2020 regularly scheduled meeting.

PRIMARY PLAT REVIEW

Subdivision Control Ordinance

The subdivision plat has been reviewed using the standards of the Zionsville Subdivision Control Ordinance (SCO). The Petitioner has requested a waiver from Section 193.056 (B) (4) (Water Facilities-(Exhibit 4). Specifically, the request is to waive the requirement of the minimum standard for fire protection for residential areas served by either individual wells or central water systems, shall be 500 gallons per minutes in excess of the design maximum hourly flow at 20 lbs. or square inch at grade level at all point in the distribution systems. The Petitioner has submitted a Findings of Fact regarding the waiver (Exhibit 7).

Zoning Ordinance

The plat has been reviewed using the standards of the Zionsville Zoning Ordinance and found to be in compliance.

Street and Highway Access / Sidewalks

The consideration of the approval of a plat requires that right of way be dedicated, the establishment of appropriate easements along lot lines, and that provision be made for the future construction of a pathway (parallel to the road frontage) in conformance with Town standards. The plat reflects these requirements. The Boone County Highway Department has reviewed the plans for compliance and will review the future application for a drive cut permit in order to ensure that the driveway and/or culvert does not encroach into the easement. In response to the Town Engineers comment (J), the applicant provides the request (Exhibit 6) supporting the driveway encroachment with the requirement to record a driveway encroachment to be triggered by the following items:

- 1) The current owner sells his home and then the new owner of the home will have to abandon the encroachment and will have to tie into the driveway;
- 2) The new home is built on the proposed lot that is being platted and the driveway will need to be relocate.

In the rural portion of Zionsville, shared driveways are encouraged by the Zoning Ordinance. With that in mind, Staff is supportive of the Petitioner's proposed language intended to facilitate the utilization of a shared driveway.

Stormwater Management

The lots will utilize surface drainage to manage stormwater.

Utility Capacity / Utility Easements

Adequate access to utilities is available to facilitate the project. No issues are known at this time.

Septic / Well

Development of the contemplated parcels will require the use of septic systems and private wells (as described in the Waiver Request section of this report). As part of that process, the Petitioner will continue to work with the Boone County Health Department the type of septic system to be installed, be it an in ground system or a sand mounted system.

Findings of Fact

The Plan Commission may approve a Primary Plat upon finding that:

- (a) Adequate provisions have been made for regulation of minimum lot depth and minimum lot area;
- (b) Adequate provisions have been made for the widths, grades, curves and coordination of subdivision public ways with current and planned public ways; and
- (c) Adequate provisions have been made for the extension of water, sewer, and other municipal services.

Findings as described above are required to be executed as part of the disposition of the Plat request.

PUBLIC POLICY

Comprehensive Plan

The Proposed Land Use Map in the Zionsville Comprehensive Plan identifies the property as (R2) Rural Residential Zoning District (which supports low density residential development). The proposed subdivision is an appropriate land use and consistent with the policies in the Comprehensive Plan.

WAIVER OF SUBDIVISION CONTROL ORDINANCE

As proposed, each of the two (2) lots in would be served by an individual private well that would not be designed to achieve the required minimum standard for fire protection for residential areas served by an individual wells or central water system being 500 gallons per minute in excess of the design maximum hourly flow at 20 pounds per square inch at Grade level at all points in the distribution system. As proposed, any well installed in the contemplated development serving a single-family dwelling would be designed to a standard to provide adequate flow of water to the fixtures and appliances within the dwelling. Staff is supportive of the Petitioner's request as outlined in the submitted findings.

The *Plan Commission* shall not approve waivers unless it shall make written findings based upon the evidence presented to it in each specific case that:

- A. The granting of the waiver will not be detrimental to the public safety, health or welfare, or injurious to other property;
- B. The conditions upon which the request for a waiver is based are unique to the property for which a waiver is sought and are not applicable generally to other property;
- C. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out;
- D. The waiver will not contravene the provisions of the Zionsville Zoning Ordinance or the *Comprehensive Plan*; and,
- E. Where the waiver impacts on the design, construction or maintenance obligations of public facilities, that the appropriate public agency has reviewed and approved the proposed development in writing to the *Plan Commission*.

Findings as submitted by the Petitioner are attached as a part of this report.

STAFF COMMENTS

Staff recommends approval the waiver request.

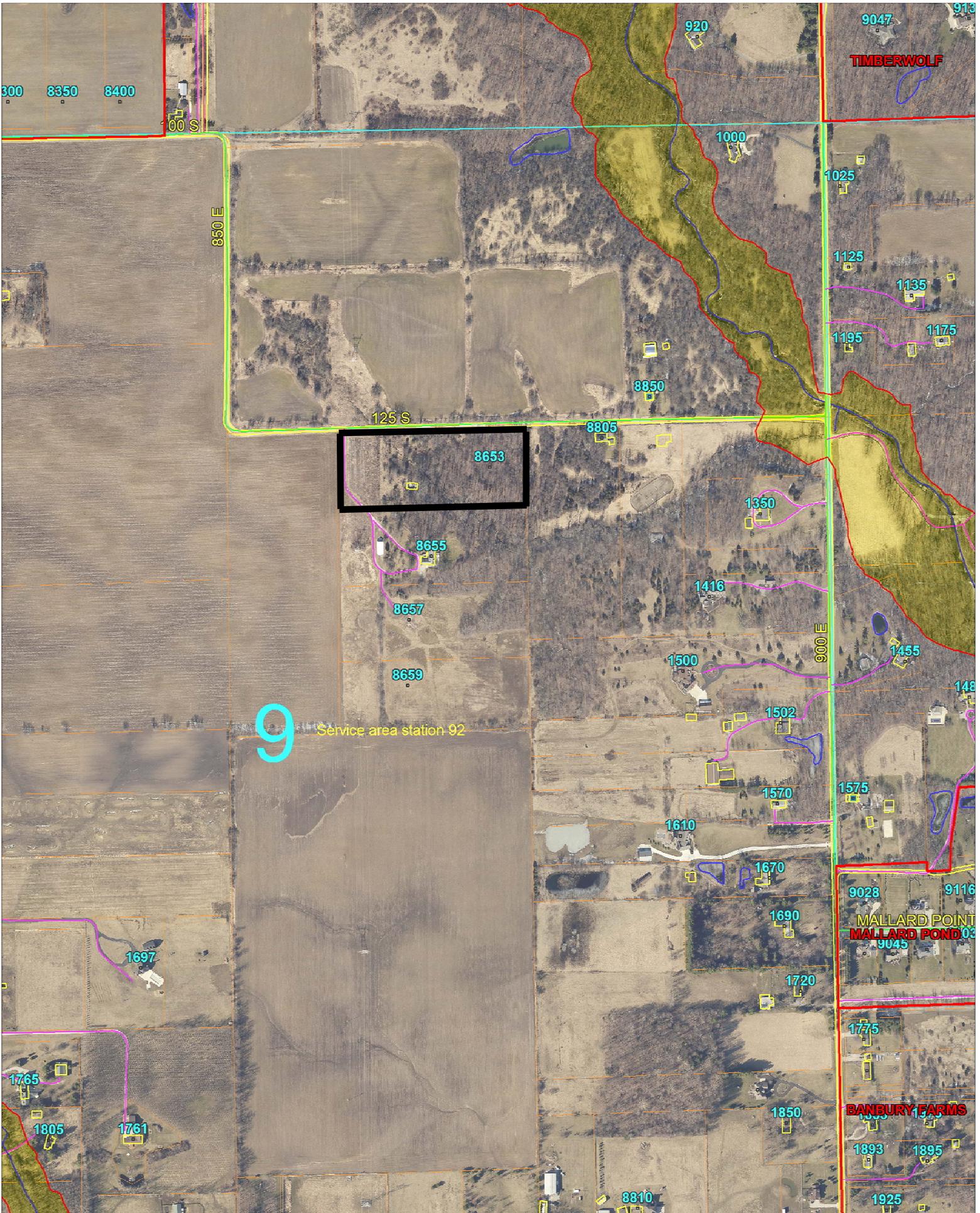
Staff recommends approval of the petition as filed.

RECOMMENDED MOTION

I move to approve that Docket #2020-17-MP minor plat, and waiver to utilize wells which do not comply with the standard found in Section 193.056.B of the Subdivision Control Ordinance, be (Approved based the findings in the staff report / Conditionally approved based on the findings in the staff report/Denied/ Continued) as presented.

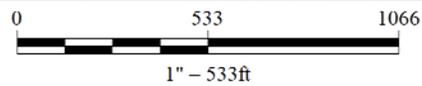
PROCEDURAL NOTE

Applicant must obtain permits from the Boone County Health Department for well and septic, Boone County Highway Department for drive cut, and the Zionsville Stormwater Department for drainage prior to submitting for a building permit.



9

Service area station-92



NORTH MINOR RESIDENTIAL PLAT

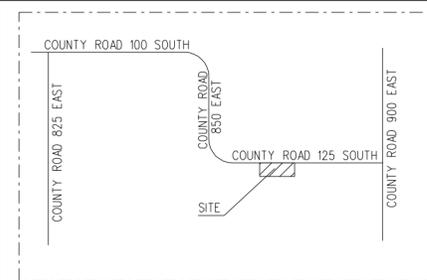
PART OF THE NORTHEAST QUARTER, SECTION 9, TOWNSHIP 18 NORTH, RANGE 2 EAST
UNION TOWNSHIP, BOONE COUNTY, INDIANA

LEGEND

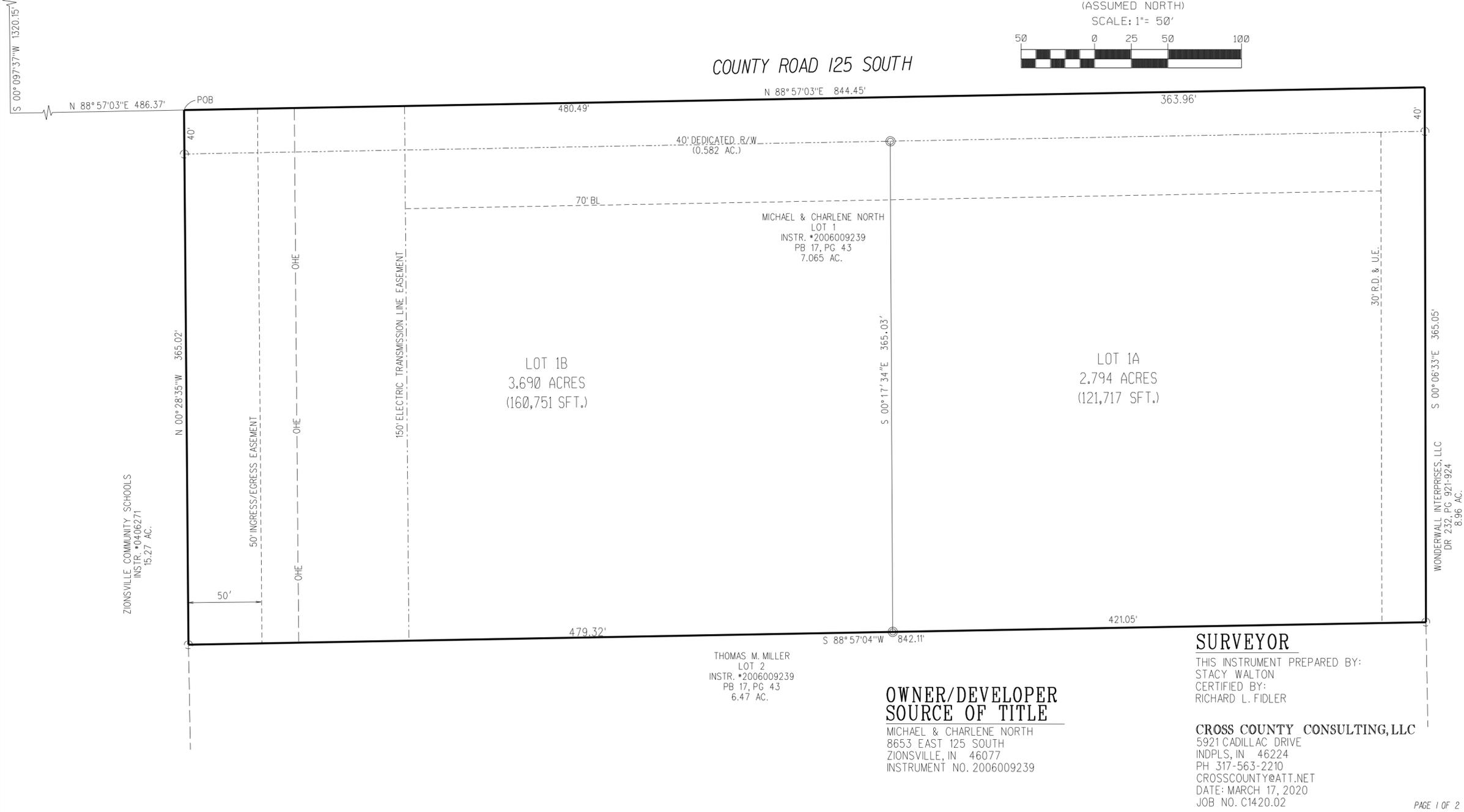
- B.L. BUILDING LINE
- DUE DRAINAGE & UTILITY EASEMENT
- RDUE REAR DRAINAGE UTILITY EASEMENT
- AC. ACRES
- R/W RIGHT-OF-WAY
- OHE OVERHEAD EASEMENT
- 8585** ADDRESS
- ⊙ 5/8" REBAR SET (STAMPED S0257)
- REBAR W/ CAP FOUND
- △ SECTION CORNER



(ASSUMED NORTH)
SCALE: 1" = 50'



△ NW Corner NE 1/4
Section 9, T-18-N, R-2-E
(Harrison Monument Fnd)



SURVEYOR

THIS INSTRUMENT PREPARED BY:
STACY WALTON
CERTIFIED BY:
RICHARD L. FIDLER

OWNER/DEVELOPER SOURCE OF TITLE

MICHAEL & CHARLENE NORTH
8653 EAST 125 SOUTH
ZIONSVILLE, IN 46077
INSTRUMENT NO. 2006009239

CROSS COUNTY CONSULTING, LLC

5921 CADILLAC DRIVE
INDPLS, IN 46224
PH 317-563-2210
CROSSCOUNTY@ATT.NET
DATE: MARCH 17, 2020
JOB NO. C1420.02

NORTH MINOR RESIDENTIAL PLAT

PART OF THE NORTHEAST QUARTER, SECTION 9, TOWNSHIP 18 NORTH, RANGE 2 EAST
UNION TOWNSHIP, BOONE COUNTY, INDIANA

SURVEYOR CERTIFICATION

I, RICHARD L. FIDLER, HEREBY CERTIFY THAT:
THE WITHIN PLAT IS A REPRESENTATION OF THE LANDS SURVEYED, SUBDIVIDED
AND PLATTED UNDER MY DIRECT SUPERVISION AND CONTROL AND THAT IS TRUE
AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF:

DESCRIPTION OF REAL ESTATE

A PART OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 18 NORTH,
RANGE 2 EAST, UNION TOWNSHIP, BOONE COUNTY, INDIANA, MORE PARTICULARLY
DESCRIBED AS FOLLOWS:
COMMENCING AT A HARRISON MONUMENT MARKING THE NORTHWEST CORNER OF
THE NORTHEAST QUARTER OF SAID SECTION 9; THENCE SOUTH 00 DEGREES 09
MINUTES 37 SECONDS WEST 1320.15 FEET; THENCE NORTH 88 DEGREES 57 MINUTES
03 SECONDS EAST 486.37 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING
NORTH 88 DEGREES 57 MINUTES 03 SECONDS ALONG THE APPROXIMATE CENTERLINE
OF COUNTY ROAD 125 SOUTH A DISTANCE OF 844.45 FEET; THENCE SOUTH 00 DEGREES
06 MINUTES 33 SECONDS 335.05 FEET TO A 5/8" REBAR WITH CAP FOUND; THENCE
SOUTH 88 DEGREES 57 MINUTES 04 SECONDS WEST 842.11 FEET TO A 5/8" REBAR
WITH CAP FOUND; THENCE NORTH 00 DEGREES 28 MINUTES 35 SECONDS WEST TO
THE POINT OF BEGINNING, CONTAINING 7.065 ACRES, MORE OR LESS.
-ACREAGE DESCRIBED ABOVE INCLUDES 40' R/W
-TOTAL DEDICATED R/W ACREAGE = 0.582

THIS SUBDIVISION CONSISTS OF 2 LOTS, NUMBERED 1A AND 1B.

STREETS, EASEMENTS AND PUBLIC WAYS ARE SHOWN ON THE WITHIN PLAT; THE
SIZE OF THE COMMON AREAS AND WIDTHS OF STREETS AND EASEMENTS IS/ARE
SHOWN IN FIGURES DENOTING FEET AND DECIMAL PARTS THEREOF; ALL MONUMENTS
SHOWN ON THE WITHIN PLAT ACTUALLY EXIST AND THEIR LOCATION, SIZE, TYPE AND
MATERIAL ARE ACCURATELY SHOWN; THE BOUNDARY SURVEY OF THIS PLAT IS IN
CONFORMITY WITH 865 IAC 1-12; AND THE WITHIN PLAT COMPLIES WITH THE PROVISIONS
OF THE TOWN OF ZIONSVILLE SUBDIVISION CONTROL ORDINANCE.

CROSS-REFERENCE IS HEREBY MADE TO A SURVEY RECORDED IN INSTRUMENT *
AS RECORDED BY THE OFFICE OF THE RECORDER OF BOONE COUNTY, INDIANA.

WITNESS BY SIGNATURE THIS ____ DAY OF _____, 2020.

RICHARD L. FIDLER
REGISTERED LAND SURVEYOR - INDIANA - #S0257
CROSS COUNTY CONSULTING, LLC



AS USED IN THIS SURVEY, CERTIFY MEANS TO STATE OR DECLARE A PROFESSIONAL
OPINION OF CONDITIONS REGARDING THOSE FACTS OR FINDING WHICH ARE THE SUBJECT
OF THE CERTIFICATION AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER
EXPRESSED OR IMPLIED.

SURVEYOR

THIS INSTRUMENT PREPARED BY:
STACY WALTON
CERTIFIED BY:
RICHARD L. FIDLER

CROSS COUNTY CONSULTING, LLC
5921 CADILLAC DRIVE
INDPLS, IN 46224
PH 317-563-2210
CROSSCOUNTY@ATT.NET
DATE: MARCH 17, 2020
JOB NO. C1420.02

OWNER/DEVELOPER SOURCE OF TITLE

MICHAEL & CHARLENE NORTH
8653 EAST 125 SOUTH
ZIONSVILLE, IN 46077
INSTRUMENT NO. 2006009239

FLOOD HAZARD STATEMENT

NONE OF THE PROPERTY SHOWN LIES WITHIN THAT SPECIAL
FLOOD HAZARD ZONE "A" AS SHOWN BY COMMUNITY PANEL
180011C0220 E OF THE FLOOD INSURANCE RATE MAPS FOR
BOONE COUNTY, INDIANA (MAPS DATED JANUARY 18, 2012).

THE UNDERSIGNED, MICHAEL & CHARLENE NORTH - INSTRUMENT NO. 201500006912,
THE OWNERS OF RECORD OF THE REAL ESTATE DESCRIBED HEREON, DO HEREBY
CERTIFY THAT THEY HAVE LAID OFF, PLATTED AND SUBDIVIDED AND DO HEREBY
LAY OFF, PLAT AND SUBDIVIDED SAID REAL ESTATE AS SHOWN HEREON IN ACCORDANCE
WITH THE WITHIN PLAT.

NOW THEREFORE KNOW ALL PERSONS BY THESE PRESENCE THAT I/WE DO HEREBY
LAY OFF, PLAT AND SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THE WITHIN PLAT.

NAME

THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS "NORTH MINOR RESIDENTIAL
PLAT, A SUBDIVISION IN THE TOWN OF ZIONSVILLE, BOONE COUNTY, INDIANA.

LOTS

THIS SUBDIVISION SHALL CONSIST OF 2 LOTS, NUMBERED 1A AND 1B.

SUBDIVISION OF LOT

NO LOTS IN THIS SUBDIVISION SHALL BE SUBDIVIDED TO FORM UNITS OF LESS AREA.

TYPE, SIZE AND NATURE OF CONSTRUCTION PERMITTED AND APPROVALS REQUIRED

NO SINGLE-FAMILY DWELLING HOUSE, GARAGE, ACCESSORY BUILDING, FENCE OR OTHER
IMPROVEMENTS SHALL BE ERRECTED, ALTERED, PLACED OR PERMITTED TO REMAIN ON ANY
LOT WITHIN THIS SUBDIVISION WITHOUT THE PRIOR WRITTEN APPROVAL OF THE DEVELOPER,
OR WHICH IS NOT OTHERWISE IN STRICT COMPLIANCE WITH THE TERMS AND PROVISIONS SET
FORTH IN THE DECLARATION.

PUBLIC PATHWAY

ALL STREETS, ALLEYS, WAYS AND PUBLIC OPEN SPACES SHOWN ON THE WITHIN PLAT NOT
HERETOFORE DEDICATED TO THE PUBLIC ARE HEREBY DEDICATED TO THE TOWN OF ZIONSVILLE
FOR PUBLIC USE AND MAINTENANCE, SAVE AND EXCEPT FOR THOSE STREETS, ALLEYS, WAYS AND
OPEN SPACES SPECIFICALLY IDENTIFIED AS PRIVATE ON THE PLAT AND APPROVED BY THE PLAN
COMMISSION TO BE PRIVATELY OWNED, OPERATED AND MAINTAINED.

FRONT BUILDING SETBACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THE WITHIN PLAT,
BETWEEN WHICH LINES AND STREET RIGHT-OF-WAY LINES NO BUILDING OR STRUCTURE (EXCEPT
FOR PARKING AREAS, DRIVEWAYS AND INTERIOR ACCESS DRIVES) SHALL BE ERRECTED OR MAINTAINED.

AT SUCH TIME AS A PUBLIC OR PRIVATE PROJECT EXTENDS A PUBLIC PATHWAY OR SIDEWALK
TO THE PROPERTY LINE OF THE SUBDIVISION, PROPERTY OWNERS SHALL, AT THEIR EXPENSE,
CONSTRUCT SUBSTANTIALLY SIMILAR PATHWAYS OR SIDEWALKS ALONG THE SUBDIVISION
FRONTAGE. DESIGN SHALL BE APPROVED BY EITHER THE TOWN ENGINEER OR STREET AND
STORMWATER DEPARTMENT SUPERINTENDENT. IN LIEU OF CONSTRUCTING SAID IMPROVEMENTS,
THE TOWN OF ZIONSVILLE MAY CONSTRUCT SAID IMPROVEMENTS EITHER INDIVIDUALLY OR AS
PART OF A LARGER PROJECT, THE EXPENSE OF WHICH SHALL BE THE RESPONSIBILITY OF EACH
ABUTTING PROPERTY OWNER FOR THEIR FRONTAGE PORTION.

ALL STORM WATER, DRAINAGE, WATER, AND SANITARY SEWER EASEMENTS SHOWN ON THIS PLAT
ARE HEREBY DEDICATED TO THE TOWN OF ZIONSVILLE, SAVE AND EXCEPT FOR THOSE STORM
WATER, DRAINAGE, WATER, AND SANITARY SEWER EASEMENTS SPECIFICALLY IDENTIFIED AS
PRIVATE ON THE PLAT AND APPROVED BY THE PLAN COMMISSION TO BE PRIVATELY OWNED,
OPERATED AND MAINTAINED. WITHIN THESE EASEMENT, NO STRUCTURE, PLANTING OR OTHER
MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN WHICH MAY DAMAGE OR INTERFERE
WITH THE INSTALLATION AND MAINTENANCE OF UTILITIES. THE EASEMENT AREA OF EACH LOT
SHALL BE CONTINUOUSLY MAINTAINED AS A YARD AREA BY THE OWNER OF THE LOT, EXCEPT
FOR THOSE IMPROVEMENTS WHICH ARE THE RESPONSIBILITY OF A PUBLIC AUTHORITY OR
UTILITY COMPANY TO MAINTAIN.

WITHIN DRAINAGE EASEMENTS, NO STRUCTURE, PLANTING OR OTHER MATERIAL SHALL BE PLACED
OR PERMITTED TO REMAIN WHICH MAY CHANGE THE DIRECTION OF FLOW OR DRAINAGE CHANNELS
IN THE EASEMENTS OR WHICH MAY OBSTRUCT OR RETARD THE FLOW OF WATER THROUGH DRAINAGE
CHANNELS IN THE EASEMENTS. THE DRAINAGE EASEMENT OF EACH LOT AND ALL IMPROVEMENTS IN
THE DRAINAGE EASEMENT, INCLUDING SLOPE AND DRAINAGE PATTERN, SHALL BE CONTINUOUSLY
MAINTAINED AS A YARD AREA BY THE OWNER OF THE LOT, EXCEPT FOR THOSE IMPROVEMENTS
WHICH ARE THE RESPONSIBILITY OF A PUBLIC AUTHORITY OR UTILITY TO MAINTAIN.

THE FOREGOING PLAT COVENANTS SHALL RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES
AND ALL PERSONS CLAIMING UNDER THEM FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM THE
2ND DAY OF FEBRUARY, 2020, AT WHICH TIME SAID PLAT COVENANTS SHALL AUTOMATICALLY BE
EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS UNLESS BY VOTE OF A MAJORITY OF THE
THEN OWNERS OF THE BUILDING SITE COVERED BY THESE PLAT COVENANTS IT IS AGREED TO CHANGE
SUCH PLAT COVENANTS IN WHOLE OR IN PART.

INVALIDATION OF ANY ONE OF THE FOREGOING PLAT COVENANTS BY JUDGEMENT OR COURT ORDER
SHALL IN NO WAY AFFECT ANY OF THE OTHER PLAT COVENANTS WHICH SHALL REMAIN IN FULL FORCE
AND EFFECT.

THE RIGHT TO ENFORCE THESE COVENANTS BY INJUNCTION, TOGETHER WITH THE RIGHT TO CAUSE THE
REMOVAL BY DUE PROCESS OF LAW OF ANY STRUCTURE OR PART THEREOF ERRECTED OR MAINTAINED
IN VIOLATION HEREOF, IS HEREBY DEDICATED TO THE PUBLIC, AND RESERVED TO THE OWNERS OF THE
LOTS IN THE SUBDIVISION AND TO THEIR HEIRS AND ASSIGNS.

IN WITNESS WHEREOF, OWNER HAS EXECUTED THIS INSTRUMENT THIS ____ DAY OF _____, 2020.

DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS THAT ARE A PART OF PLAT AS
RECORDED IN INSTRUMENT *2020001611 IN THE RECORDER'S OFFICE OF BOONE COUNTY, INDIANA.

OWNER'S DEDICATION

THE UNDERSIGNED, MICHAEL & CHARLENE NORTH - INSTRUMENT NO. 201500006912,
RECORDED IN THE OFFICE OF THE RECORDER OF BOONE COUNTY, INDIANA, OF THE
REAL ESTATE SHOWN AND DESCRIBED HEREIN AND DESCRIBED AS NORTH MINOR,
RESIDENTIAL PLAT DOES HEREBY LAY OFF, PLAT AND SUBDIVIDE THE SAME IN
ACCORDANCE WITH THE WITHIN PLAT AND DESCRIPTION. THIS PLAT CONSISTS OF 2 LOTS,
TOGETHER WITH THE EASEMENTS AND PUBLIC WAYS AS SHOWN ON THE WITHIN PLAT.

ALL RIGHTS OF WAY SHOWN ON THIS PLAT AND NOT HERETOFORE DEDICATED ARE
HEREBY DEDICATED TO THE PUBLIC FOR ITS USE AS PUBLIC WAYS.

OWNER(S):

MICHAEL NORTH

CHARLENE NORTH

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY
APPEARED, OWNERS(S) OF THE REAL ESTATE, WHO ACKNOWLEDGED THE EXECUTION
OF THE FOREGOING INSTRUMENT AND WHO HAVING BEEN DULY SWORN, STATED
THAT ANY REPRESENTATIONS THEREIN CONTAINED ARE TRUE.

IN WITNESS, OWNER HAS EXECUTED THIS INSTRUMENT THIS ____ DAY OF _____, 2020.

SIGNATURE-NOTARY PUBLIC

PRINTED NAME - NOTARY PUBLIC

MY COMMISSION EXPIRES: _____



PLAN COMMISSION APPROVAL

THE TOWN ENGINEER AND BUILDING COMMISSIONER OF THE TOWN OF ZIONSVILLE HAVE
REVIEWED THIS PLAT FOR TECHNICAL CONFORMITY WITH THE STANDARDS FIXED IN THE
ZIONSVILLE ZONING ORDINANCE AND THE ZIONSVILLE SUBDIVISION CONTROL ORDINANCE
AND HEREBY CERTIFIES THAT THIS PLAT MEETS ALL OF THE MINIMUM REQUIREMENTS OF
THE APPLICABLE ORDINANCES AND REQUIRMENTS OF THE TOWN OF ZIONSVILLE, BOONE
COUNTY, INDIANA.

BY: _____

BY: _____

PRINTED: _____

PRINTED: _____

BUILDING COMMISSIONER,
TOWN OF ZIONSVILLE
BOONE COUNTY, INDIANA

TOWN ENGINEER,
TOWN OF ZIONSVILLE
BOONE COUNTY, INDIANA

DATE: _____

DATE: _____

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE UNDER AUTHORITY PROVIDED
BY THE INDIANA PLANNING LAW, IC 36-7-4, ET. SEQ, ENACTED BY THE GENERAL ASSEMBLY
OF THE STATE OF INDIANA, AND ALL ACTS, AMENDATORY THERETO, THE PLAT DEPICTED
HEREIN IS THE PLAT WHICH WAS GIVEN APPROVAL BY THE TOWN OF ZIONSVILLE PLAN
COMMISSION AT A MEETING HELD ON THE ____ DAY OF _____, 2020.

WITNESS BY SIGNATURE THIS ____ DAY OF _____, 2020.

TOWN OF ZIONSVILLE PLAN COMMISSION

SIGNATURE: _____

SIGNATURE: _____

PRINTED: _____

PRINTED: _____

TITLE - PRESIDENT

TITLE - SECRETARY

I, AFFIRM UNDER THE PENALTIES OF PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO
REDACT EACH SOCIAL SECURITY NUMBER IN THE DOCUMENT, UNLESS REQUIRED BY LAW.

RICHARD L. FIDLER

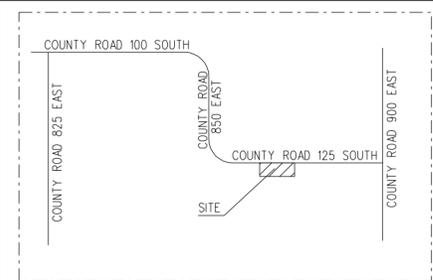
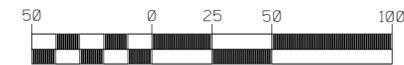
NORTH MINOR RESIDENTIAL PLAT

PART OF THE NORTHEAST QUARTER, SECTION 9, TOWNSHIP 18 NORTH, RANGE 2 EAST
UNION TOWNSHIP, BOONE COUNTY, INDIANA

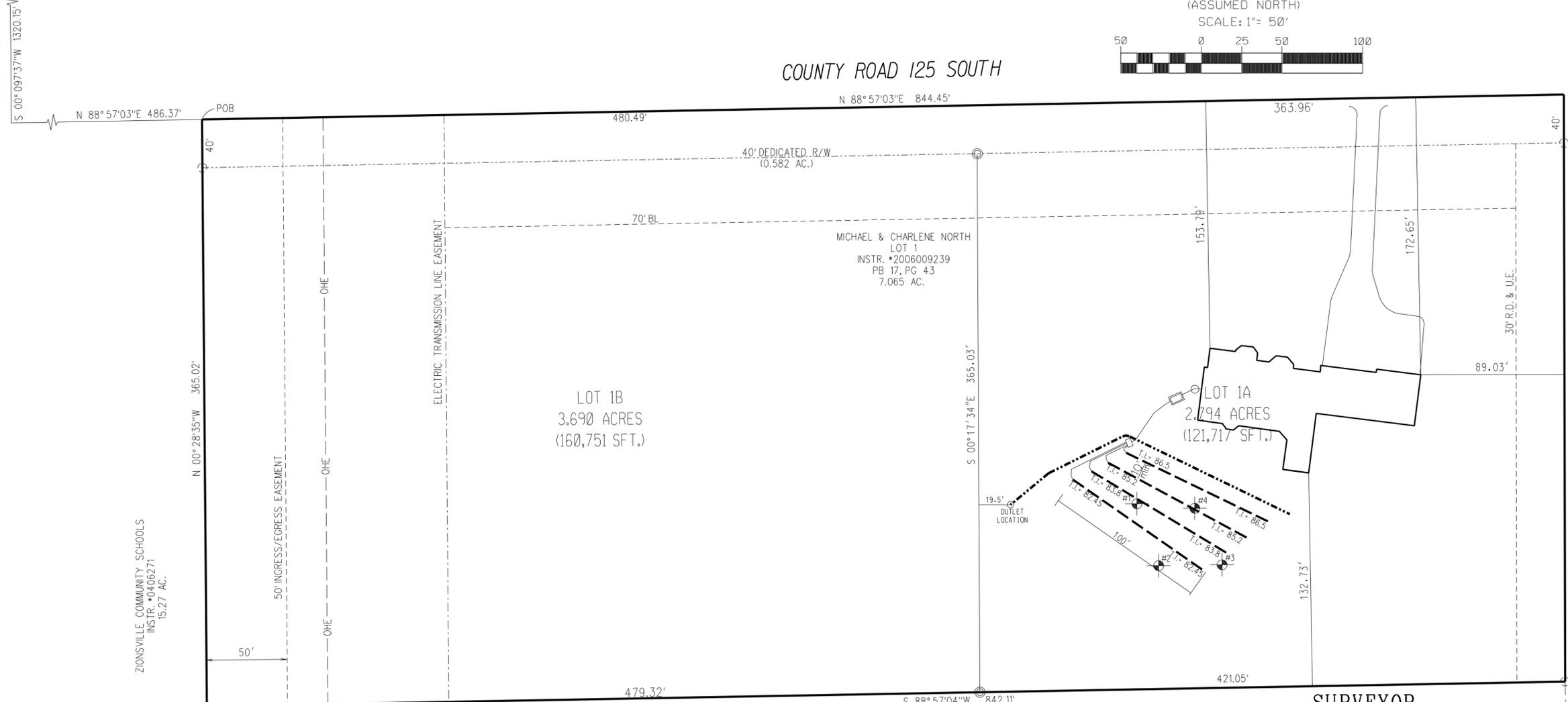
LEGEND	
B.L.	BUILDING LINE
DUE	DRAINAGE & UTILITY EASEMENT
RDUE	REAR DRAINAGE UTILITY EASEMENT
AC.	ACRES
R/W	RIGHT-OF-WAY
OHE	OVERHEAD EASEMENT
8585	ADDRESS
⊙	5/8" REBAR SET (STAMPED S0257)
○	REBAR W/ CAP FOUND
△	SECTION CORNER



(ASSUMED NORTH)
SCALE: 1" = 50'



△ NW Corner NE 1/4
Section 9, T-18-N, R-2-E
(Harrison Monument Fnd)



ZIONSVILLE COMMUNITY SCHOOLS
INSTR. #0406271
15.27 AC.

WONDERWALL ENTERPRISES, LLC
DR. 230, PG. 921-924
8.96 AC.

THOMAS M. MILLER
LOT 2
INSTR. #2006009239
PB 17, PG. 43
6.47 AC.

OWNER/DEVELOPER SOURCE OF TITLE

MICHAEL & CHARLENE NORTH
8653 EAST 125 SOUTH
ZIONSVILLE, IN 46077
INSTRUMENT NO. 2006009239

SURVEYOR

THIS INSTRUMENT PREPARED BY:
STACY WALTON
CERTIFIED BY:
RICHARD L. FIDLER

CROSS COUNTY CONSULTING, LLC

5921 CADILLAC DRIVE
INDPLS, IN 46224
PH 317-563-2210
CROSSCOUNTY@ATT.NET
DATE: MARCH 17, 2020
JOB NO. C1420.02

§ 193.056 WATER FACILITIES.

(A) *General requirements.*

(1) The subdivider shall take all actions necessary to extend or create a water supply system capable of providing for domestic water use and fire protection.

(2) Prior to obtaining secondary plat approval, the subdivider shall obtain approval in writing from the Indianapolis Water Company or the applicable water utility (“IWC”), that the proposed extension or creation of a water supply system for the applicable subdivision meets all IWC requirements for the adequacy of the water supply and the design of the facilities, and that the IWC shall supply water facilities to the subdivision.

(3) The location of all fire hydrants, water supply improvements and boundary lines of proposed districts indicating all improvements proposed to be served, shall be shown on the primary plat and the cost of installing all fire hydrants and water supply improvements shall be included in the performance bond furnished by the subdivider.

(4) Fire hydrants with isolation valves shall be provided along all water mains at a spacing of every 350 feet to 450 feet. Actual spacing shall be determined by the town’s Engineer and the town’s Fire Department Chief based upon the land use being served and the physical characteristics of the land and buildings served.

(5) All water easements which are to be dedicated on the secondary plat shall use the following language: “All water easements shown on this plat are hereby dedicated to the Indianapolis Water Company”, or applicable water utility.

(6) The subdivider shall provide water facilities in accordance with the standards set forth by the IWC. The design shall be approved by the appropriate town, local, state and federal agencies where required by those agencies.

(B) *Individual wells and central water systems.*

(1) In the O-1 District, if a public water system is not available, the Plan Commission, in its discretion, may approve the use of individual wells or a central water system provided in such a manner that an adequate supply of potable water will be available to every lot in the subdivision. Water sample test results shall be submitted to the county’s Health Department for approval.

(2) All individual wells and central water systems shall be approved by the county’s Health Department or the state’s Board of Health prior to the issuance of an improvement location permit for any building or structure on a lot.

(3) In those instances where the Plan Commission determines that connection to IWC water facilities would pose an unusual or unnecessary hardship at the time of development, the Plan Commission may make a recommendation to the Town Council to approve a connection to another public or semi-public water utility; provided, however, that, such water facilities are installed to IWC standards or alternative standards approved by the town’s Engineer and IWC, and provision is made in the design and layout of the water facilities for connection to the IWC water facilities at such time as the IWC extends public water facilities to the subdivision.

(4) The minimum standard for fire protection for residential areas served by either individual wells or central water systems shall be 500 gallons per minute in excess of the design

maximum hourly flow at 20 pounds per square inch at grade level at all points in the distribution system. A separate fire protection main served by untreated surface water or ground water will be considered. Fire hydrants shall not be installed on water mains which are not capable of delivering the flow and pressure specified by this division (B)(4).

(Ord. 2000-21, passed 11-6-2000)



To: Wayne DeLong, Director of Planning and Economic Development
 From: Beam, Longest & Neff, Town Engineer
 Renee Goff, P.E.
 Date: June 8, 2020

We have completed our review of the following submittal for the referenced project.

PROJECT DESCRIPTION

Project	Name	North Minor Plat	
	Location	8653 E. 125 S., Zionsville, IN 46077	
	Developer	Michael and Charlene North	
	Submittal	No. 1	
Documents Reviewed		Document Name	Document Date
		Minor Plat Package	6/8/2020
Zoning	Current	R-2	
	Proposed	R-2	
Land Use	Current	Single Family Residential	
	Proposed	Single Family Residential	
Requested Waivers		Water Facilities Waiver (No Public Water Available, Well Service)	

The materials for the project were received on June 8th for the project. The submitted materials appear to be in compliance with Town of Zionsville standards. Below is verification of previous comments being addressed.

I. MINOR PLAT PACKAGE

- A. Please provide a copy of the recorded Keeler Minor Plat to assist in our review.
 - 1. Addressed with submittal 2.

- B. Please provide a copy of the recorded Covenants, Conditions, and Restrictions referenced as Instrument Number 2020001611 to assist in our review.
 - 1. Addressed with submittal 2.
- C. Please provide an area map insert showing the general location of the property.
 - 1. Addressed with submittal 3.
- D. Please depict on a separate plat drawing the location of the existing home and septic system to provide confirmation that they will not encroach on the new Lot 1B or new sideyard setbacks.
 - 1. Addressed with submittal 3.
- E. Please provide addresses on the plat. Coordinate with the Zionsville Planning and Economic Development Department on appropriate addresses.
- F. Please indicate the width of the electric transmission line easement.
 - 1. Addressed with submittal 3.
- G. Please include the Town's standard language on deferred pathways (see attached).
 - 1. Addressed with submittal 3.
- H. Please indicate which FEMA floodway classification exists on the property.
 - 1. Addressed with submittal 3.
- I. There are a significant number of typos in the language on the plat. Please review the language and correct the typos.
 - 1. Addressed with submittal 3.
- J. It appears from recent aerial photos of the property that the drive to Lot 2 extends well outside of the access easement. We suggest this issue be addressed in this re-plat. See attached snapshot for your reference.
 - 1. A written explanation was provided with submittal 3. So long as Mr. Miller is aware of the risk of future entrance drive relocation, a separate recorded document should not be required at this time.
- K. If the access easement was not a part of the Keeler Minor Plat or is changed in this plat, please provide evidence that the electric transmission main company has authorized the existence of the access easement. If the access easement is identical to that created by the Keeler Plat, this evidence is not necessary (note possible impacts associated with the access easement issue above).
 - 1. Addressed with submittal 3.

II. NOTES

- A. We suggest contacting the Boone County Recorder's Office about the title of this plat prior to the next review. We have recently had re-plats that the recorder would not accept due to the titles.

MICHAEL J. ANDREOLI

ATTORNEY AT LAW
1393 West Oak Street
Zionsville, Indiana 46077-1839
(317) 873-6266
Fax (317) 873-6384
mandreoli@datlaw.com

June 5, 2020
Via E-Mail

**Janice Stevanovic
Zionsville Planning Department
Town of Zionsville
1100 West Oak Street
Zionsville, Indiana 46077**

**RE: North Minor Plat, Staff Report
Docket 2020-17-MP**

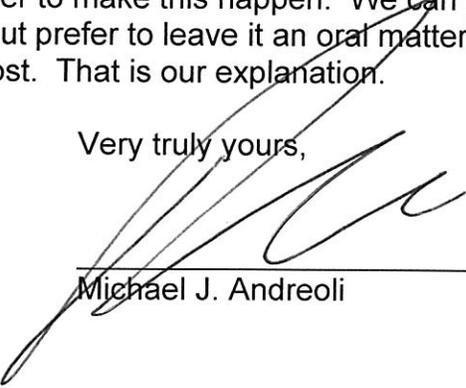
Dear Janice:

Regarding Item J as set out in the Engineer's Staff Report, Lot No. 2 owned by Tom Miller does have his driveway cut across the southwest corner of the new proposed building lot. This has been done pursuant to a verbal agreement with Mr. Miller and can be turned into a written agreement if the Town requests to allow the encroachment until one of two things happen:

1. Mr. Miller sells his home and then the new owner of the home will have to abandon the encroachment and will have to tie into the driveway on his lot and/or;
2. The new home is built on the proposed lot that is being platted and he will have to relocate his driveway access to this lot.

Quite honestly, Mr. North's preference is to keep this a verbal agreement with Mr. Miller as he has a legitimate connecting point to access the public road from his lot and all it will take is a call from Mr. North to Mr. Miller to make this happen. We can prepare a formal written encroachment agreement but prefer to leave it an oral matter with Mr. Miller to save additional paperwork and cost. That is our explanation.

Very truly yours,



Michael J. Andreoli

MJA/ba
cc: Michael North

**TOWN OF ZIONSVILLE PLAN COMMISSION
BOONE COUNTY, INDIANA**

DOCKET NO. 2020- -MP

FINDINGS OF FACT

The Town of Zionsville Plan Commission (the "Commission"), after a Public Hearing held on Monday, June 15, 2020, has determined that the Primary Plat **is/is not** in full compliance with all terms and provisions of the Town of Zionsville Subdivision Control Ordinance and the Town of Zionsville Zoning Ordinance.

The Town of Zionsville Plan Commission finds that:

- a. Adequate provisions have been made for regulation of minimum lot depth and minimum lot area;
- b. Adequate provisions have been made for the widths, grades, curves and coordination of subdivision public ways with current and planned public ways; and,
- c. Adequate provisions have been made for the extension of water, sewer, and other municipal services.

TOWN OF ZIONSVILLE PLAN COMMISSION

The Primary Plat was APPROVED/DENIED on the _____ day of _____, 2020, subject to any conditions agreed to at the public hearing and listed in the Letter of Grant.

President, Town of Zionsville Plan Commission

**TOWN OF ZIONSVILLE PLAN COMMISSION
BOONE COUNTY, INDIANA**

DOCKET NO. 2020-17-MP

PETITION FOR PLAN COMMISSION APPROVAL OF PLAT WAIVER

FINDINGS

1. The granting of the Waiver will not be detrimental to the public safety, health or welfare, or injurious to other property as these lots are sufficiently large to avoid a fire spreading to neighboring properties.
2. The conditions upon which the request for a Waiver is based are unique to the property for which a Waiver is sought and are not applicable generally to other property as the Town in the past has granted waivers of this section.
3. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out as there is no available public water source readily available.
4. The Waiver will not contravene the provisions of the Zionsville Zoning Ordinance or the Comprehensive Plan as the ordinance itself contemplates waivers of this subsection being approved.
5. Where the Waiver impacts on the design, construction or maintenance obligations of public facilities, the appropriate public agency has reviewed and approved the proposed development in writing to the Plan Commission.

DECISION

It is therefore the decision of this body that this Plat Waiver is **APPROVED/DENIED**.

Adopted this _____ day of _____, 2020.

President, Town of Zionsville Plan Commission

Town of Zionsville
Petition for Plan Commission Approval

Office Use Only
Petition No. <u>2020-17-MP</u>
Hearing Date: _____
Recommendation: _____

1. SITE INFORMATION:

Address of Property: 8653 E. 125 S., Zionsville, IN 46077
Existing Use of Property: Residential
Current Zoning: R-2 Name of Subdivision: North Minor Plat
Area in acres: 6.4846 Number of lots: 2

2. PETITIONER/PROPERTY OWNER

Petitioner:	Owner (If different from Petitioner):
Name: <u>Michael and Charlene North</u>	Name: <u>Same</u>
Address: <u>8653 E. 125 S.</u>	Address: _____
<u>Zionsville, IN 46077</u>	_____
Phone: <u>317-223-3982</u>	Phone: _____
Fax: _____	Fax: _____
E-Mail: _____	E-Mail: _____

3. PETITIONER'S ATTORNEY/CONTACT PERSON AND PROJECT ENGINEER (IF ANY):

Attorney / Contact Person:	Project Engineer / Architect:
Name: <u>Michael J. Andreoli</u>	Name: <u>Cross County Consulting, LLC</u>
Address: <u>1393 W. Oak St.</u>	Address: <u>5921 Cadillac Drive</u>
<u>Zionsville, IN 46077</u>	<u>Indianapolis, IN 46224</u>
Phone: <u>317-873-6266</u>	Phone: <u>317-563-2210</u>
Fax: <u>317-873-6438</u>	Fax: _____
E-Mail: <u>mandreoli@datlaw.com</u>	E-Mail: <u>crosscounty@att.net</u>

4. APPROVALS REQUESTED:

- Primary Plat Secondary Plat Waivers of Subdivision Control Ordinance Requirements (*Describe specific waivers being requested and reasons for the request. Attach additional pages if necessary*):
- Minor Plat RePlat

See Attached Narrative
Waiver request from Section 193.056 (b)(4)(water facilities)

5. ATTACHMENTS:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Legal description of property | <input checked="" type="checkbox"/> Proof of Ownership (copy of Warranty Deed) |
| <input checked="" type="checkbox"/> Owner's Authorization (if petitioner is not the owner) | <input checked="" type="checkbox"/> Copies of the Proposed Plat |
| <input type="checkbox"/> Copy of Covenants (if proposed) | <input checked="" type="checkbox"/> Draft of Proposed Legal Notice |
| <input checked="" type="checkbox"/> Application Fee | <input type="checkbox"/> Road Impact Calculation Form |

The undersigned, having been duly sworn on oath states the above information is true and correct as (s)he is informed and believes. Further, the applicant understands that this project may be assigned Engineering and Stormwater review fees, which are payable upon invoicing. Road Impact Fees are payable upon Improvement Location Permit release.

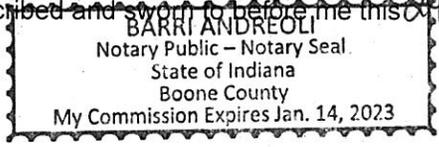
Signature of Owner or Attorney for Owner: _____

[Handwritten Signature]
Michael J. Andreoli, Attorney

Date: 4/30/20

STATE OF INDIANA)
) SS
County of BOONE)

Subscribed and sworn to before me this 30th day of April, 2020.



[Handwritten Signature]
Barri Andreoli, Notary Public

My commission expires January 14, 2023.

My county of residence is Boone County.

PETITION FOR SUBDIVISION PLAT APPROVAL PROCEDURES AND REQUIREMENTS:

SUBMISSION OF PETITION FOR SUBDIVISION PLAT APPROVAL:

1. A complete Petition for Subdivision Plat Approval ("petition") must be submitted by **3:00 PM** a minimum of **45 days for a minor plat and 60 day for a major plat** prior to the initial hearing before the Plan Commission.
2. **Only complete Petitions will be docketed for the next Plan Commission meeting.** If a Petition is incomplete by filing deadline, the Petition will not be docketed until the Petitioner submits a complete Petition.
3. Ten sets of the following information must be submitted with the notarized Petition:
 - Legal description of property (Metes and bounds description must include a perimeter survey, drawn to scale – or – recorded subdivision legal description must include lot number, section number, subdivision name, either the plat book number of the recorded instrument number and a copy of the plat map.)
 - Proof of Ownership (copy of deed)
 - Owner's Authorization (if Petitioner is not the owner)
 - Proposed Plat
 - Covenants (if proposed)
 - Draft of proposed Legal Notice (Primary Plats only)
 - Application Fee (Make checks payable to the Town of Zionsville)

NARRATIVE

The Keeler Minor Plat, consisting of 4 lots, and as approved by the Boone County Area Plan Commission, was submitted for record as Instrument Number 200600009239, on August 23, 2006. A copy has been included in this Application. Lots 1 and 2 in the Minor Plat Subdivision are owned by Michael and Charlene North.

Mr. and Mrs. North desire to add an addition 5th lot to the Plat by dividing their own Lot Number 1 into two lots. They intend to do this by filing the North Minor Plats splitting their lot into Lot 1A and 1B.

In order to split Lot 1 into two separate residential lots, two steps in the process were necessary.

First, the Declaration of Covenants and Conditions for the Keeler Minor Plat only allowed four lots in the subdivision so adding an additional lot could not be accomplished without amending the Declaration. On the 11th day of February, 2020, and ultimately recorded on the same day as Instrument Number 2020001611, an Addendum No. 1 to the Declaration of Covenants, Conditions and Restrictions were proved, executed and recorded by all four lot owners in the Keeler Minor Plat Subdivision.

Second, the Applicant seeks to file a Minor Plat dividing Lot 1 into two lots, 1A and 1B, as depicted, prepared by Cross Country Consulting. Specifically, the entrance for Lot 1B will here along the common drive shown as a 50' ingress/egress easement and will not have an additional road cut on C.R. 125 S. The North's current residence on the original Lot 1 has a cut already approved to C.R. 125 S. Hence, no additional road cuts will occur by permitting Lot 1 to be divided into Lot 1A and Lot 1B. Given the size of Lot 1B (4.021 acres), it is anticipated that no additional setback or lot coverage variances will be necessary for the construction of a single-

family residence and that more than sufficient ground exists for the installation of a septic system to serve the new home to be constructed.

Also, a Plat Waiver for Water Pressure Requirement is being requested.

LEGAL DESCRIPTION

A part of the northeast quarter of Section 9, Township 18 North, Range 2 East, Union Township, Boone County, Indiana, more particularly described as follows:

Commencing at a Harrison Monument marking the northwest corner of the northeast quarter of said Section 9; thence south 00 degrees 09 minutes 37 seconds west 1320.15 feet; thence north 88 degrees 57 minutes 03 seconds east 486.37 feet to the point of beginning; thence continuing north 88 degrees 57 minutes 03 seconds along the approximate centerline of County Road 125 South a distance of 844.45 feet; thence south 00 degrees 06 minutes 33 seconds 335.05 feet to a 5/8" rebar with cap found; thence south 88 degrees 57 minutes 04 seconds west 842.11 feet to a 5/8" rebar with cap found; Thence north 00 degrees 28 minutes 35 seconds west to the point of beginning. Containing 7.065 acres, more or less.

- Acreage described above includes 40' R/W
- Total dedicated R/W acreage – 0.582

This subdivision consists of 2 lots, numbered 1A and 1B.

Streets, easements and public ways are shown on the within plat; the size of the common areas and width of streets and easements is/are shown in figures denoting feet and decimal parts thereof; all monuments shown on the within Plat actually exist and their location, size, type and material are accurately shown; the boundary survey of this Plat is in conformity with 865 IAC 1-12; and the within Plat complies with the provisions of the Town of Zionsville Subdivision Control Ordinance.

3
25.00
MICHAEL
ANDREAU

Cross Ref. Declaration 2006006933
Deeds 2007003774, 2015006912
and 2017009020

2020001611 AMEN \$25.00
02/11/2020 02:33:27P 3 PGS
Nicole K. (Nikki) Baldwin
Boone County Recorder IN
Recorded as Presented



**ADDENDUM NO. 1 TO
DECLARATION OF COVENANTS
CONDITIONS AND RESTRICTIONS**

**THIS ADDENDUM NO. 1 TO DECLARATIONS OF COVENANTS
CONDITIONS AND RESTRICTIONS** is made and entered into on this 11 day of
FEBRUARY, 2020, between the Owners of all platted Lots in the Keeler Minor Plat.

WITNESSETH:

WHEREAS, Developer Scott E. Keeler and Lisa C. Keeler, entered into a Declaration of Covenants Conditions and Restrictions, the same executed and subsequently recorded on the 28th day of June, 2006, in the Office of the Boone County Recorder as Instrument Number 200600006933; and,

WHEREAS, the original Declaration of Covenants Conditions and Restrictions is hereby ratified and confirmed in all respects unless otherwise modified by this Addendum; and,

WHEREAS, the Owners of all platted Lots in the Keeler Minor Plat hereby unanimously make and declare this Addendum No. 1 to the Declaration of Covenants Conditions and Restrictions as follows:

**ARTICLE 1
Definitions**

Section 1.03. Lot: Shall now be amended to allow an Amendment to the Keeler Minor Plat providing that Lot 1 may be split into two lots thereby allowing for a maximum of five (5) tracts or lots in the Keeler Minor Plat. Hence, the definition of "Lot" (also referred to as "Tract"), referred to in the plural thereon as lots shall mean any of the five (5) Tracts, more or less, into which the Real Estate is subdivided as it is now anticipated and provided that Lot Number 1 as shown on the Keeler Minor Plat, now recorded in the Office of the Recorder of Boone County, Indiana on the 23th day of August, 2006, in Plat Book 17, Page 43, as Instrument Number 2006009239, will be subdivided into two (2) separate Lots thereby totally five (5) lots in total.

This Addendum No. 1 is being executed pursuant to Section 7.08. Amendments to Declaration as set out in the Declaration of Covenants Conditions and Restrictions heretofore referenced. As unanimous consent of all Lot Owners has been properly shown and executed on this Addendum No. 1, this Addendum is in compliance in all respects with Section 7.08 Amendments to Declaration.

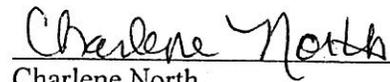
IN WITNESS WHEREOF, the undersigned have executed this Addendum No. 1 to the Declaration of Covenants Conditions and Restrictions as set forth below.

Dated this 11 day of FEBRUARY, 2020.

LOT No. 1, by:

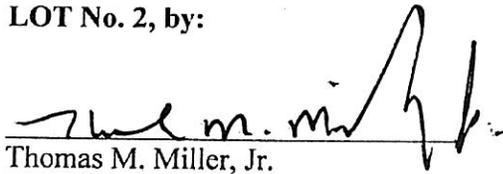


Michael North



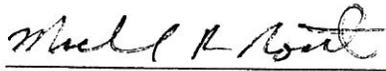
Charlene North

LOT No. 2, by:

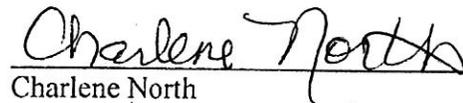


Thomas M. Miller, Jr.

LOT No. 3, by:



Michael North

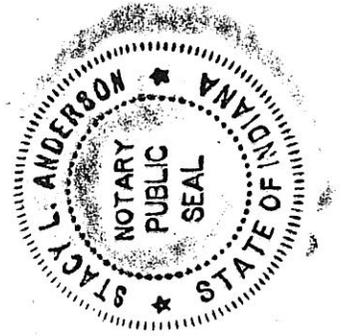


Charlene North

LOT No. 4, by:



Brittany North



STATE OF INDIANA)
) SS:
COUNTY OF BOONE)

Before me the undersigned, a Notary Public in and for said County and State, personally appeared Michael North, Charlene North, Thomas M. Miller, Jr., and Brittany North, who acknowledged the execution of the foregoing Addendum to Grant of Sewer Easement and Maintenance Agreement as his voluntary act, for the uses and purposes set forth therein.

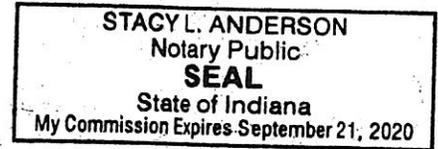
WITNESS my hand and Notarial Seal this 11 day of FEBRUARY, 2020.

Signature Stacy L. Anderson

Printed STACY L. ANDERSON
Notary Public

My Commission Expires:
9/21/2020

County of Residence:
MARION



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.

[Signature]
Michael J. Andreoli

This instrument was prepared by and return to: Michael J. Andreoli, Attorney at Law, 1393 West Oak St., Zionsville, Indiana 46077, (317) 873-6266, mandreoli@datlaw.com.

OWNERS' AUTHORIZATION

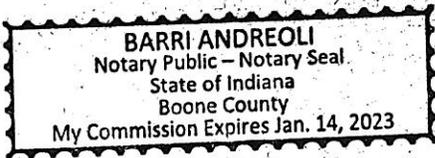
Come now **Michael North and Charlene North, Husband and Wife**, owners of property located at 8653 E. 125 S., Boone County, Zionsville, Indiana 46077, and hereby give permission to **Michael J. Andreoli, Attorney At Law**, to file any and all necessary applications and petitions to seek Minor Plat and/or Plat Amendment so to split our existing Lot 1 in the Keeler Minor Plat into Lots 1A and 1B.

Michael North
Michael North

Charlene North
Charlene North

STATE OF INDIANA)
) SS:
COUNTY OF BOONE)

Subscribed and sworn to before me this 24th day of April, 2020.



Signature: *Barri Andreoli*
Printed: Barri Andreoli
Notary Public

My Commission Expires: Jan. 14, 2023

My County of Residence: Boone

②
18.00
Hocker + Assoc

201500006912
Filed for Record in
BOONE COUNTY, INDIANA
NICOLE K. (NIKKI) BALDWIN, RECORDER
07-28-2015 At 10:19 am.
DEED 18.00

Parcel Nos. 06-08-09-000-040.003-016
06-08-09-000-040.001-016
06-08-09-000-040.000-016

File No. 2015-0421

QUITCLAIM DEED

THIS INDENTURE WITNESSETH, That **Michael North** ("Grantor(s)") of Boone County in the State of Indiana, QUITCLAIMS to **Michael North and Charlene North, Husband and Wife**, ("Grantee(s)"), of Boone County, in the State of Indiana for the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate in Boone County, Indiana:

Lots Numbered One (1), Three (3) and Four (4) in Keeler Minor Plat 06UN-22-166, as per plat thereof recorded August 23,2006 in Plat Book 17, page 43, as Instrument Number 200600009239, in the Office of the Recorder of Boone County, Indiana.

Commonly known as: **8653 E 125 S, Zionsville, IN 46077**

DULY ENTERED FOR TAXATION
7-28-15
Deanna Willhoite
SUBJECT TO FINAL ACCEPTANCE
AUDITOR, BOONE COUNTY

Commonly known as: **8653 E 125 S, Zionsville, IN 46077**

IN WITNESS WHEREOF, the Grantor has executed this deed, this 25th day of June, 2015.

Michael R North
Michael North

STATE OF INDIANA)
)SS
COUNTY OF Boone)

Before me, a Notary Public in and for said County and State, personally appeared Michael North, and acknowledged the execution of the foregoing Quitclaim Deed.

Witness my hand and Notarial Seal this 25th day of June, 2015.

My Commission expires: _____

Residing in _____ County

Kat Alise Keidel
Notary Public



Grantee's Address & Tax Mailing Address: 8653 E 125 S, Zionsville, IN 46077

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. (JANET D. HOCKER)

This instrument was prepared by Janet Davis. Hocker, Attorney at Law, 6626 E. 75th St. Suite 410, Indianapolis, IN 46250.

MICHAEL J. ANDREOLI

ATTORNEY AT LAW
1393 West Oak Street
Zionsville, Indiana 46077-1839
(317) 873-6266
Fax (317) 873-6384
mandreoli@datlaw.com

June 5, 2020
Via E-Mail

**Janice Stevanovic
Zionsville Planning Department
Town of Zionsville
1100 West Oak Street
Zionsville, Indiana 46077**

**RE: North Minor Plat, Staff Report
Docket 2020-17-MP**

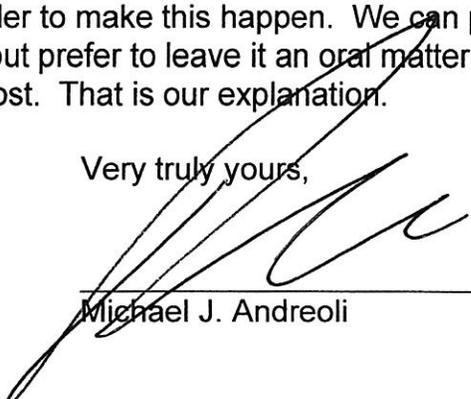
Dear Janice:

Regarding Item J as set out in the Engineer's Staff Report, Lot No. 2 owned by Tom Miller does have his driveway cut across the southwest corner of the new proposed building lot. This has been done pursuant to a verbal agreement with Mr. Miller and can be turned into a written agreement if the Town requests to allow the encroachment until one of two things happen:

1. Mr. Miller sells his home and then the new owner of the home will have to abandon the encroachment and will have to tie into the driveway on his lot and/or;
2. The new home is built on the proposed lot that is being platted and he will have to relocate his driveway access to this lot.

Quite honestly, Mr. North's preference is to keep this a verbal agreement with Mr. Miller as he has a legitimate connecting point to access the public road from his lot and all it will take is a call from Mr. North to Mr. Miller to make this happen. We can prepare a formal written encroachment agreement but prefer to leave it an oral matter with Mr. Miller to save additional paperwork and cost. That is our explanation.

Very truly yours,



Michael J. Andreoli

MJA/ba
cc: Michael North

Barri Andreoli

From: Cross County Consulting,llc <crosscounty@att.net>
Sent: Monday, June 8, 2020 1:30 PM
To: Mike Andreoli; Barri Andreoli; Michael North
Cc: Charlene North
Subject: Re: Staff Comments North Minor Plat
Attachments: image001.jpg; c1420.02keelerreplat(1)6-8.pdf; c1420.02keelerreplat(2)6-8.pdf; c1420.02keelerrpp6-8.pdf

Attached is the revised plat with the following below comments addressed.....

1. An area map has been added to page 1 of the plat.
2. See attached drawing showing existing septic, outlet and house on Lot 1A.
3. The width of the electric line easement is now shown on the plat.
4. The language has been added to page 2 regarding deferred pathways.
5. Flood Hazard Statement has been added to page 2 of the plat.

I will be out of town June 13th-June 20th so if there is anything additional you need on my end please let me know by this Friday.

Stacy

317.563.2210

Crosscounty@att.net

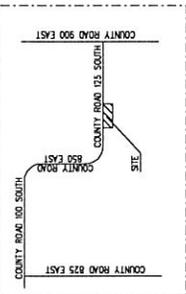
On Friday, June 5, 2020, 08:46:20 AM EDT, Michael North <m.north@northhomes.net> wrote:

Good morning,

Wanted to remind all of you how important this issue is to Charlie and I. Due to the covid virus we have been delayed on this process for at least 6 months and I don't want to see it pushed back any further.

NORTH MINOR RESIDENTIAL PLAT

PART OF THE NORTHEAST QUARTER, SECTION 9, TOWNSHIP 18 NORTH, RANGE 2 EAST
UNION TOWNSHIP, BOONE COUNTY, INDIANA



Δ NW Corner NE 1/4
Section 9, T-18-N, R-2-E
Bogardson Monument Field

LEGEND

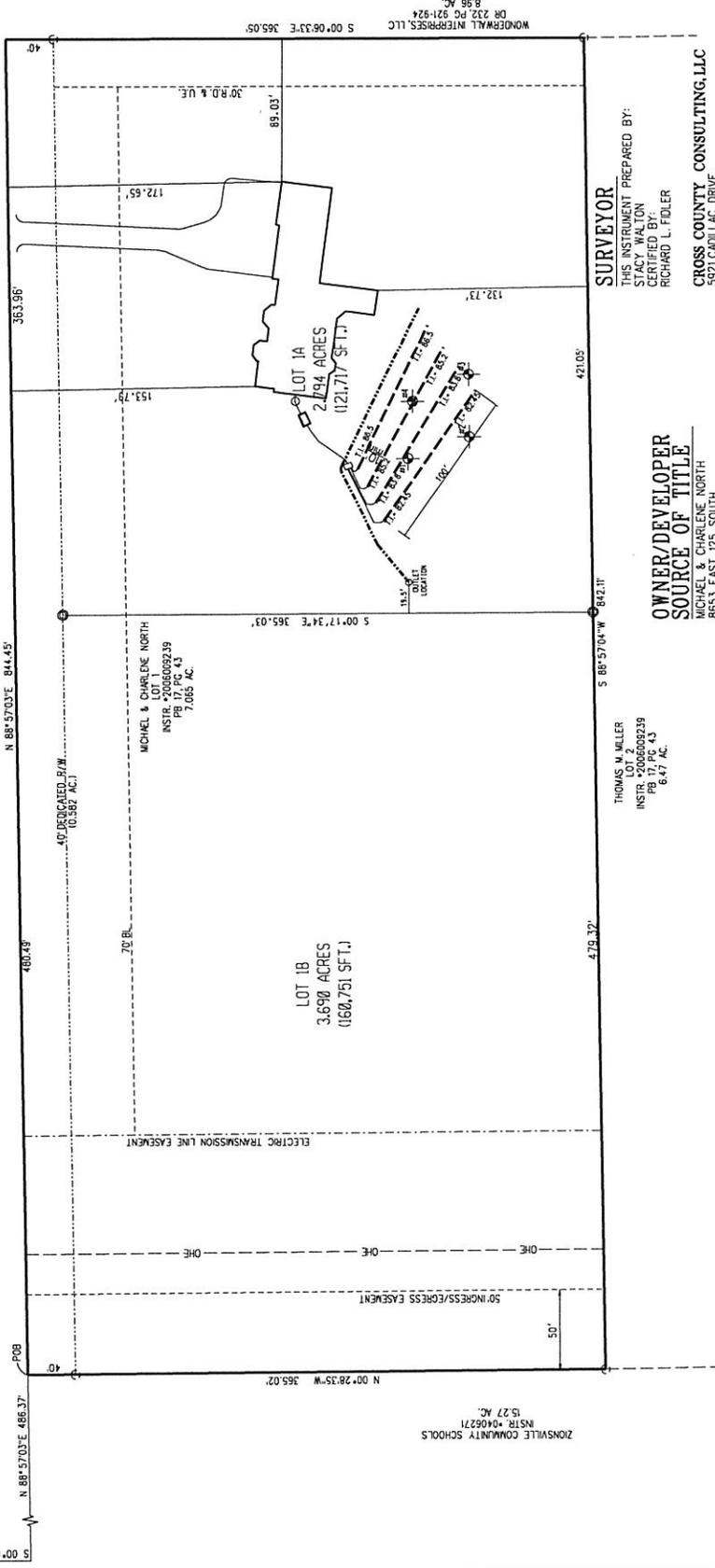
- BL. BOUNDARY LINE
- DUE DRAINAGE & UTILITY EASEMENT
- RD. REAR DRAINAGE UTILITY EASEMENT
- AC. ACRES
- R/W RIGHT-OF-WAY
- O/E OVERHEAD EASEMENT
- ADDRESS
- 5/8" REBAR SET (STAMPED 802571)
- REBAR W/ CAP FOUND
- SECTION CORNER



(ASSUMED NORTH)
SCALE: 1" = 50'



COUNTY ROAD 125 SOUTH



SURVEYOR

THIS INSTRUMENT PREPARED BY:
RICHARD L. FIDLER
REGISTERED PROFESSIONAL SURVEYOR
CERTIFIED BY:
RICHARD L. FIDLER

CROSS COUNTY CONSULTING, LLC

5827 COLLEGE DRIVE
INDIANAPOLIS, IN 46224
PH 317-563-2210
CROSSCOUNTY@ATT.NET
DATE: MARCH 17, 2020
JOB NO. CH20-02

**OWNER/DEVELOPER
SOURCE OF TITLE**

RICHARD CHARLES NORTH
8525 EAST 725 SOUTH
ZIONSVILLE, IN 46077
INSTRUMENT NO. 2008009239

THOMAS W. MILLER
LOT 2
INSTR. 2008009239
PR. 17-PA-43
6.47 AC.

ZIONSVILLE COMMUNITY SCHOOLS
NSIR #046271
15.27 AC.

Ziegler Soil Consulting, Inc.
42 Canyon Creek Circle
Lafayette, Indiana 47909

phone: 765-474-3041
toll free: 1-800-621-4400
fax: 765-474-7741

RECEIVED

MAR 30 2006

SEPTIC SYSTEM SOIL/SITE EVALUATION REPORT

Prepared for: Scott & Lisa Keeler

Address: 8655 E. 125 S.
Zionsville, IN 46077

Telephone: 317-337-4964 Fax:

Location: Four proposed lots at 8655 E. 125 S., Zionsville, IN, one has an existing house.

Legal Description: Part of the NE1/4

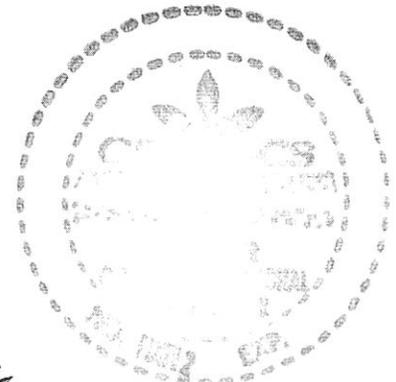
Section: 9 T 18N R 2E
Township: Union
County: Boone

TYPE OF SYSTEM

Purpose: Proposed Replacement/Repair _____
Residential: Commercial: _____
Single Dwelling:
Number of Bedrooms: ?
Water Source: Well Public Supply _____

Thomas R. Ziegler
Thomas R. Ziegler, CPSS/CPSC

3-29-06



Septic System Soils/Site Evaluation Form

County Boone Project Keeler - North Lot Date 3-28-06
 Soil Survey Map No. 26 Map Symbol MnpC2 - MnpB2 Boring No.: 7

Depth (inches)	Horizon	Texture	Color	Wetness Features	Structure			Consistence	Rock Fragments	Efferves- cence
					GR	SZ	SH			
0-6	A	SIL	10YR 3/2		2	F	GR	FR	0	-
6-10	E	SIL	10YR 5/4	10YR 5/6	2	VF	SBK	FR	0	-
				10YR 4/2						
10-17	Bt1	SICL	10YR 5/4	10YR 5/6	2	F	SBK	FI	0	-
				10YR 5/2						
17-26	Bt2	SICL	10YR 5/6	10YR 5/8	2	M	SBK	FI	0	-
				10YR 6/2						
26-41	2Bt3	CL	10YR 5/6	10YR 6/1	2	CO	SBK	FI	5%	-
				10YR 5/4						
41+	2Cd	L	10YR 5/4	10YR 6/1			M	VFI	10%	ES
				10YR 5/6						

Site Evaluation

DEPTH TO SEASONAL HIGH WATER TABLE: 6"
 DEPTH TO DENSE TILL: 41"
 DEPTH TO BEDROCK: N/A
 DEPTH TO OTHER LIMITING LAYERS: N/A
 PERCENT SLOPE: 2%
 SLOPE DIRECTION: ENE
 SLOPE SHAPE: Convex
 PONDING: No
 FLOODING: No
 PARENT MATERIAL: Loess=0-26"; Till=26-41"+
 LANDFORM: Till Plain - Swell
 LAND USE: Idle
 VEGETATION: Trees - Grass
 REMARKS: See boring 8.

BORING LOCATION ON LANDFORM

Septic System Soils/Site Evaluation Form

County Boone Project Keeler - North Lot Date 3-28-06
 Soil Survey Map No. 26 Map Symbol MnpC2 - MnpB2 Boring No.: 8

Depth (inches)	Horizon	Texture	Color	Wetness Features	Structure			Consistence	Rock Fragments	Efferves-cence
					GR	SZ	SH			
0-4	A	SIL	10YR 3/2		2	F	GR	FR	0	-
4-8	E	SIL	10YR 5/3		2	VF	SBK	FR	0	-
8-14	Bt1	SICL	10YR 5/6	10YR 6/2	2	F	SBK	FI	0	-
				10YR 5/4						
14-28	Bt2	SICL	10YR 5/6	10YR 5/8	2	M	SBK	FI	0	-
				10YR 6/2						
28-35	2Bt3	CL	10YR 5/6	10YR 5/8	2	CO	SBK	FI	5%	-
				10YR 6/1						
35+	2Cd	L	10YR 5/4	10YR 6/1			M	VFI	10%	ES
				10YR 5/6						

Site Evaluation

DEPTH TO SEASONAL HIGH WATER TABLE: 8" (#9=9")

DEPTH TO DENSE TILL: 35" (#9=35")

DEPTH TO BEDROCK: N/A

DEPTH TO OTHER LIMITING LAYERS: N/A

PERCENT SLOPE: 2%

SLOPE DIRECTION: ENE

SLOPE SHAPE: Convex

PONDING: No

FLOODING: No

PARENT MATERIAL: Loess=0-28"; Till=28-35"+

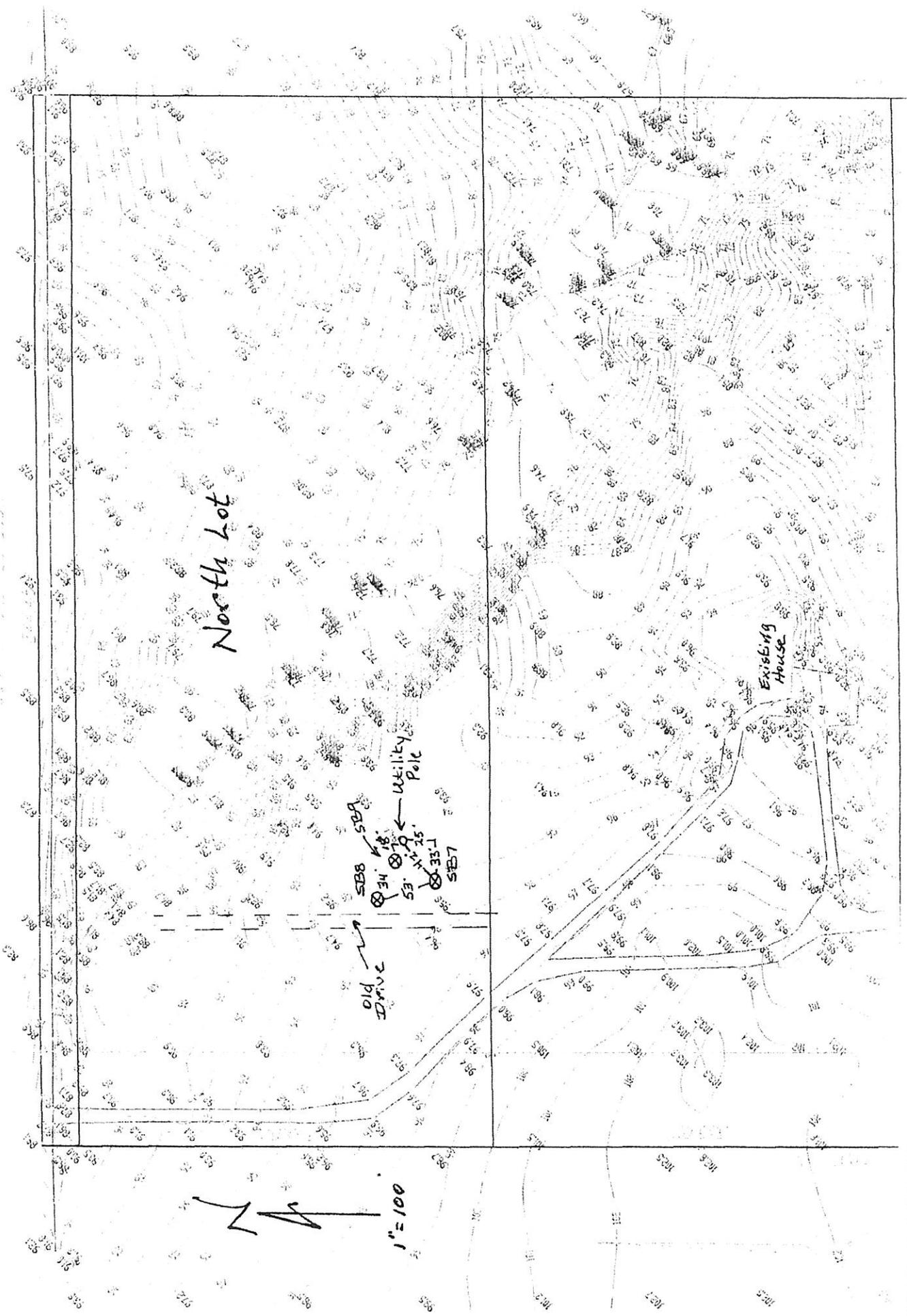
LANDFORM: Till Plain - Swell

LAND USE: Idle

VEGETATION: Grass

REMARKS: See boring 7.

BORING LOCATION ON LANDFORM



Barri Andreoli

From: Janice Stevanovic <JStevanovic@zionsville-in.gov>
Sent: Monday, June 8, 2020 4:32 PM
To: mandreoli@datlaw.com; Barri Andreoli; 'crosscounty@att.net'; 'Michael North'
Subject: Engineer comments North Minor Plat
Attachments: Engineering - North Minor Plat - Submittal #3.pdf

Good Afternoon,

We have already received comments on the submittal this afternoon!

Note: Addressing can be accomplished through the Secondary Plat application process.

Contacting the Recorders office may be a benefit to ensure at there are no issues with recordation (which occurs after the Secondary Plan is approved).

Please submit the Plan Commission Materials for member review (as Barri and I have already discussed).

Please contact me with questions/concerns,

Janice

Janice Stevanovic

Planning II/Project Manager

Town of Zionsville

O: (317) 873-1574

C: (317) 416-1920

jstevanovic@zionsville-in.gov

www.zionsville-in.gov





ZIONSVILLE

FOR ALL THE RIGHT REASONS

To: Wayne DeLong, Director of Planning and Economic Development
 From: Beam, Longest & Neff, Town Engineer
 Renee Goff, P.E.
 Date: June 8, 2020

We have completed our review of the following submittal for the referenced project.

PROJECT DESCRIPTION

Project	Name	North Minor Plat	
	Location	8653 E. 125 S., Zionsville, IN 46077	
	Developer	Michael and Charlene North	
	Submittal	No. 1	
Documents Reviewed		Document Name	Document Date
		Minor Plat Package	6/8/2020
Zoning	Current	R-2	
	Proposed	R-2	
Land Use	Current	Single Family Residential	
	Proposed	Single Family Residential	
Requested Waivers		Water Facilities Waiver (No Public Water Available, Well Service)	

The materials for the project were received on June 8th for the project. The submitted materials appear to be in compliance with Town of Zionsville standards. Below is verification of previous comments being addressed.

I. MINOR PLAT PACKAGE

- A. Please provide a copy of the recorded Keeler Minor Plat to assist in our review.
 - 1. Addressed with submittal 2.

- B. Please provide a copy of the recorded Covenants, Conditions, and Restrictions referenced as Instrument Number 2020001611 to assist in our review.
 - 1. Addressed with submittal 2.
- C. Please provide an area map insert showing the general location of the property.
 - 1. Addressed with submittal 3.
- D. Please depict on a separate plat drawing the location of the existing home and septic system to provide confirmation that they will not encroach on the new Lot 1B or new sideyard setbacks.
 - 1. Addressed with submittal 3.
- E. Please provide addresses on the plat. Coordinate with the Zionsville Planning and Economic Development Department on appropriate addresses.
- F. Please indicate the width of the electric transmission line easement.
 - 1. Addressed with submittal 3.
- G. Please include the Town's standard language on deferred pathways (see attached).
 - 1. Addressed with submittal 3.
- H. Please indicate which FEMA floodway classification exists on the property.
 - 1. Addressed with submittal 3.
- I. There are a significant number of typos in the language on the plat. Please review the language and correct the typos.
 - 1. Addressed with submittal 3.
- J. It appears from recent aerial photos of the property that the drive to Lot 2 extends well outside of the access easement. We suggest this issue be addressed in this re-plat. See attached snapshot for your reference.
 - 1. A written explanation was provided with submittal 3. So long as Mr. Miller is aware of the risk of future entrance drive relocation, a separate recorded document should not be required at this time.
- K. If the access easement was not a part of the Keeler Minor Plat or is changed in this plat, please provide evidence that the electric transmission main company has authorized the existence of the access easement. If the access easement is identical to that created by the Keeler Plat, this evidence is not necessary (note possible impacts associated with the access easement issue above).
 - 1. Addressed with submittal 3.

II. NOTES

- A. We suggest contacting the Boone County Recorder's Office about the title of this plat prior to the next review. We have recently had re-plats that the recorder would not accept due to the titles.

Mike Andreoli

From: Mike Andreoli <mandreoli@datlaw.com>
Sent: Monday, June 8, 2020 3:00 PM
To: 'Janice Stevanovic'
Cc: 'Michael North'
Subject: RE: Fire Marshal Comments North Minor Plat

Janice the commitments were amended to add an additional lot and this was done unanimously and not buy 75% after expiration so if done unanimously they can always be amended at any time and this was correctly done Glad no issue with Fire . Mike

From: Janice Stevanovic <JStevanovic@zionsville-in.gov>
Sent: Monday, June 8, 2020 2:19 PM
To: mandreoli@datlaw.com
Cc: Barri Andreoli <bandreoli@datlaw.com>; Wayne DeLong <WDeLong@zionsville-in.gov>; 'Michael North' <m.north@NorthHomes.net>; 'crosscounty@att.net' <crosscounty@att.net>
Subject: Fire Marshal Comments North Minor Plat
Importance: High

Michael,
Attached are comments received today related to the lot division. Understanding that you have updated the Declaration, can you expand please on the commitment not to split for the first 25 years that the Fire Marshal sites?

Thank you,
Janice Stevanovic
Planning II/Project Manager
Town of Zionsville

O: (317) 873-1574
C: (317) 416-1920

jstevanovic@zionsville-in.gov
www.zionsville-in.gov



Mike Andreoli

From: Janice Stevanovic <JStevanovic@zionsville-in.gov>
Sent: Tuesday, June 9, 2020 11:19 AM
To: Mike Andreoli
Cc: Barri Andreoli
Subject: North Minor Plat

Good Morning,

The Fire Marshal has sent a note to let us know that there is no comment from the fire department regarding relevant life safety criteria for the North Minor Plat.

Janice Stevanovic

Planning II/Project Manager
Town of Zionsville

O: (317) 873-1574

C: (317) 416-1920

jstevanovic@zionsville-in.gov

www.zionsville-in.gov



ZIONSVILLE

**TOWN OF ZIONSVILLE PLAN COMMISSION
BOONE COUNTY, INDIANA**

DOCKET NO. 2020-17-MP

PETITION FOR PLAN COMMISSION APPROVAL OF PLAT WAIVER

FINDINGS

1. The granting of the Waiver will not be detrimental to the public safety, health or welfare, or injurious to other property as these lots are sufficiently large to avoid a fire spreading to neighboring properties.
2. The conditions upon which the request for a Waiver is based are unique to the property for which a Waiver is sought and are not applicable generally to other property as the Town in the past has granted waivers of this section.
3. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out as there is no available public water source readily available.
4. The Waiver will not contravene the provisions of the Zionsville Zoning Ordinance or the Comprehensive Plan as the ordinance itself contemplates waivers of this subsection being approved.
5. Where the Waiver impacts on the design, construction or maintenance obligations of public facilities, the appropriate public agency has reviewed and approved the proposed development in writing to the Plan Commission.

DECISION

It is therefore the decision of this body that this Plat Waiver is **APPROVED/DENIED**.
Adopted this _____ day of _____, 2020.

President, Town of Zionsville Plan Commission

**TOWN OF ZIONSVILLE PLAN COMMISSION
BOONE COUNTY, INDIANA**

DOCKET NO. 2020-17-MP

FINDINGS OF FACT

The Town of Zionsville Plan Commission (the "Commission"), after a Public Hearing held on Monday, June 15, 2020, has determined that the Primary Plat **is/is not** in full compliance with all terms and provisions of the Town of Zionsville Subdivision Control Ordinance and the Town of Zionsville Zoning Ordinance.

The Town of Zionsville Plan Commission finds that:

- a. Adequate provisions have been made for regulation of minimum lot depth and minimum lot area;
- b. Adequate provisions have been made for the widths, grades, curves and coordination of subdivision public ways with current and planned public ways; and,
- c. Adequate provisions have been made for the extension of water, sewer, and other municipal services.

TOWN OF ZIONSVILLE PLAN COMMISSION

The Primary Plat was APPROVED/DENIED on the _____ day of _____, 2020, subject to any conditions agreed to at the public hearing and listed in the Letter of Grant.

President, Town of Zionsville Plan Commission

STATE OF INDIANA)
) SS:
COUNTY OF BOONE)

BEFORE THE TOWN OF ZIONSVILLE
PLAN COMMISSION
DOCKET NO. 2020-17-MP

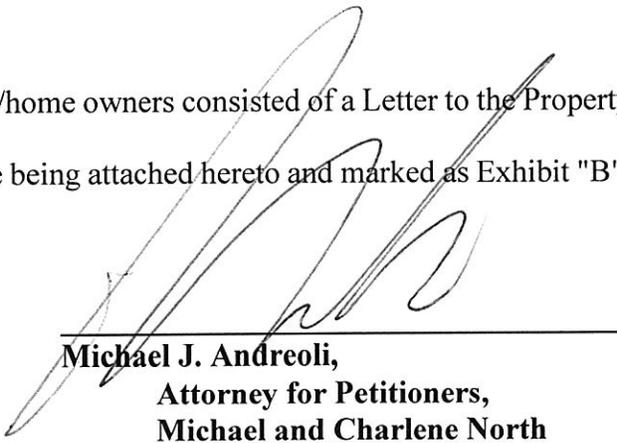
IN RE:)
)
PETITION FOR MINOR PLAT APPROVAL)
)
MICHAEL AND CHARLENE NORTH,)
 Husband and Wife,)
 Petitioner.)

AFFIDAVIT OF MAILING

Comes now Michael J. Andreoli on behalf of the Petitioner, Michael and Charlene North, Husband and Wife, and does hereby certify:

1. That I did, on or before June 1, 2020, more than ten (10) days prior to June 15, 2020, send a Notice of Public Hearing to the property/home owners adjacent and appurtenant to the boundaries of the property for which the Petitioner is seeking approval of their Petition for Development of Minor Plat on their property located at 8653 E. 125 S., Zionsville, IN 46077. The list of property/home owners was sent by First Class Mail, and is attached hereto and marked as Exhibit "A".

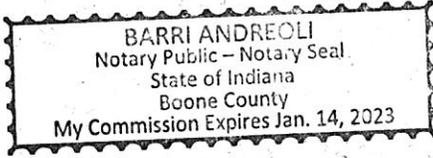
2. That said mailing to the property/home owners consisted of a Letter to the Property Owner and a Notice of Public Hearing, the same being attached hereto and marked as Exhibit "B".



Michael J. Andreoli,
Attorney for Petitioners,
Michael and Charlene North

STATE OF INDIANA)
) SS:
COUNTY OF BOONE)

Subscribed and sworn to before me this 9th day of June, 2020.



Barri Andreoli

Barri Andreoli, Notary Public

My Commission Expires:
January 14, 2023

County of Residence:
Boone

Rita M. Slade
1000 S. 900 E.
Zionsville, IN 46077

Wonderwall Enterprises, LLC
1799 Halifax Street
Carmel, IN 46032

Catherine M. Turner Trustee
1500 S. 900 E.
Zionsville, IN 46077

Zionsville Community School
900 Mulberry Street
Zionsville, IN 46077

Thomas M. Miller, Jr.
8655 E. 125 S.
Zionsville, IN 46077

Brittany North
8653 E. 125 S.
Zionsville, IN 46077

EXHIBIT
A

MICHAEL J. ANDREOLI

ATTORNEY AT LAW
1393 West Oak Street
Zionsville, Indiana 46077-1839
(317) 873-6266
Fax (317) 873-6384
mandreoli@datlaw.com

June 1, 2020

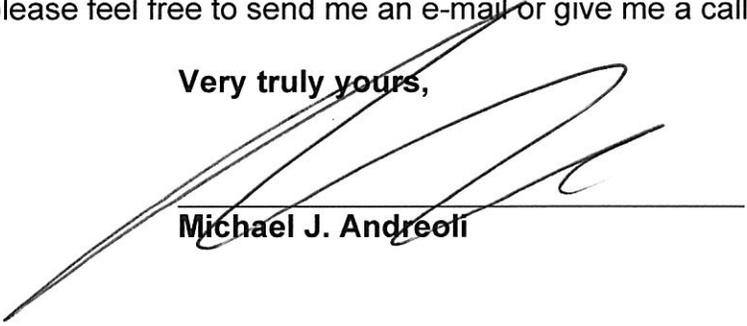
**RE: Michael and Charlene North, Petitioners
Zionsville Plan Commission
Petition No. 2020- 17-MP
Date of Meeting: Monday, June 15, 2020, at 7:00 p.m.**

Dear Property Owner:

Please find enclosed our Notice of Public Hearing for a Minor Plat approval in front of the Zionsville Plan Commission. Mr. and Mrs. North seek approval for a two (2) lot subdivision on 6.4846 acres located at 8653 E. 125 S., Boone County, Zionsville Indiana. I have enclosed the Narrative that more fully explains their request.

If you have any questions, please feel free to send me an e-mail or give me a call.

Very truly yours,



Michael J. Andreoli

MJA/ba

Enclosures

EXHIBIT
6

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Zionsville Plan Commission will conduct a Public Hearing on Monday, June 15, 2020, at 7:00 p.m. in the Zionsville Town Hall, 1100 West Oak Street, Zionsville, Indiana 46077, on a Petition for Plan Commission Approval of a Minor Plat, Petition No. 2020-17-MP, filed by counsel, Michael J. Andreoli, on behalf of his clients Michael and Charlene North, Husband and Wife. The property is currently zoned to the R2 Rural Residential Zoning District. Petitioners are seeking approval from the Zionsville Plan Commission to approve the Petition in order to construct a 2 lot Minor Plat located on 6.4846 acres, +/- with a waiver request from Section 193.056 (B)(4)(Water Facilities) located at 8653 E. 125 S., Zionsville, Boone County, Indiana 46077 and more particularly described as follows:

LEGAL DESCRIPTION

A part of the northeast quarter of Section 9, Township 18 North, Range 2 East, Union Township, Boone County, Indiana, more particularly described as follows:

Commencing at a Harrison Monument marking the northwest corner of the northeast quarter of said Section 9; thence south 00 degrees 09 minutes 37 seconds west 1320.15 feet; thence north 88 degrees 57 minutes 03 seconds east 486.37 feet to the point of beginning; thence continuing north 88 degrees 57 minutes 03 seconds along the approximate centerline of County Road 125 South a distance of 844.45 feet; thence south 00 degrees 06 minutes 33 seconds 335.05 feet to a 5/8" rebar with cap found; thence south 88 degrees 57 minutes 04 seconds west 842.11 feet to a 5/8" rebar with cap found; Thence north 00 degrees 28 minutes 35 seconds west to the point of beginning. Containing 7.065 acres, more or less.

- Acreage described above includes 40' R/W
- Total dedicated R/W acreage – 0.582

This subdivision consists of 2 lots, numbered 1A and 1B.

Streets, easements and public ways are shown on the within plat; the size of the common areas and width of streets and easements is/are shown in figures denoting feet and decimal parts thereof; all monuments shown on the within Plat actually exist and their location, size, type and material are accurately shown; the boundary survey of this Plat is in conformity with 865 IAC 1-12; and the within Plat complies with the provisions of the Town of Zionsville Subdivision Control Ordinance.

A copy of the Petition and all plans pertaining thereto are on file and may be examined prior to the Public Hearing from 8:00 a.m. to 4:00 p.m., Monday through Friday, except for Holidays, in the Office of Planning at Town Hall, 1100 West Oak Street, Zionsville, Indiana 46077 or at: <http://www.zionsville-in.gov/231/Planning-Economic-Development>. Written comments in support of or in opposition to the Petition filed with the Secretary of the Town of Zionsville Plan Commission prior to the Public Hearing will be considered. The Public Hearing is open to the public. Oral comments to the Petition will be heard at the Public Hearing. The Public Hearing may be continued from time to time as may be found necessary.

Further, and if supported by Executive Order and/or the Laws of the State of Indiana, members of the public will be afforded the opportunity to attend the Plan Commission Public Meetings via a form(s) of electronic communication IF indicated in the Agenda (as amended from time to time) associated with the Plan Commission Meeting.

If you have a disability which requires special assistance for your participation in the Public Hearing, please call (317) 873-8247 at least forty-eight (48) hours prior to the meeting to make special arrangements.

President, Zionsville Plan Commission
Secretary, Zionsville Plan Commission

NARRATIVE

The Keeler Minor Plat, consisting of 4 lots, and as approved by the Boone County Area Plan Commission, was submitted for record as Instrument Number 200600009239, on August 23, 2006. A copy has been included in this Application. Lots 1 and 2 in the Minor Plat Subdivision are owned by Michael and Charlene North.

Mr. and Mrs. North desire to add an addition 5th lot to the Plat by dividing their own Lot Number 1 into two lots. They intend to do this by filing the North Minor Plats splitting their lot into Lot 1A and 1B.

In order to split Lot 1 into two separate residential lots, two steps in the process were necessary.

First, the Declaration of Covenants and Conditions for the Keeler Minor Plat only allowed four lots in the subdivision so adding an additional lot could not be accomplished without amending the Declaration. On the 11th day of February, 2020, and ultimately recorded on the same day as Instrument Number 2020001611, an Addendum No. 1 to the Declaration of Covenants, Conditions and Restrictions were proved, executed and recorded by all four lot owners in the Keeler Minor Plat Subdivision.

Second, the Applicant seeks to file a Minor Plat dividing Lot 1 into two lots, 1A and 1B, as depicted, prepared by Cross Country Consulting. Specifically, the entrance for Lot 1B will here along the common drive shown as a 50' ingress/egress easement and will not have an additional road cut on C.R. 125 S. The North's current residence on the original Lot 1 has a cut already approved to C.R. 125 S. Hence, no additional road cuts will occur by permitting Lot 1 to be divided into Lot 1A and Lot 1B. Given the size of Lot 1B (4.021 acres), it is anticipated that no additional setback or lot coverage variances will be necessary for the construction of a single-

family residence and that more than sufficient ground exists for the installation of a septic system to serve the new home to be constructed.

Also, a Plat Waiver for Water Pressure Requirement is being requested.

AFFIDAVIT OF PUBLICATION

STATE OF INDIANA
County of Boone

City of Lebanon

ISSUED:

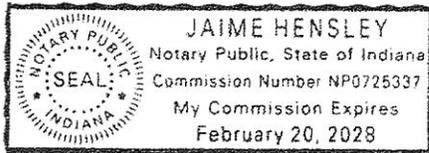
The subscriber, being duly sworn, deposes and says that
he (she) is the said Rita Northern of THE LEBANON REPORTER
and that the foregoing notice for
NOTICE OF PUBLIC HEARING
was published in said newspaper in one editions
of said newspaper issued between 06/02/2020 and 06/02/2020
Cost: 62.15

Rita Northern

SUBSCRIBED AND SWORN BEFORE ME THIS 2nd day of June, A.D. 2020

Jaime Hensley
Jaime Hensley

Notary Public Seal, State of Indiana



NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Zionsville Plan Commission will conduct a Public Hearing on Monday, June 15, 2020, at 7:00 p.m. in the Zionsville Town Hall, 1100 West Oak Street, Zionsville, Indiana 46077, on a Petition for Plan Commission Approval of a Minor Plat, Petition No. 2020-17-MP, filed by counsel, Michael J. Andreoli, on behalf of his clients Michael and Charlene North, Husband and Wife. The property is currently zoned to the R2 Rural Residential Zoning District. Petitioners are seeking approval from the Zionsville Plan Commission to approve the Petition in order to construct a 2 lot Minor Plat located on 6.4846 acres, +/- with a waiver request from Section 193.056 (B)(4)(Water Facilities) located at 8653 E. 125 S., Zionsville, Boone County, Indiana 46077 and more particularly described as follows:

LEGAL DESCRIPTION

A part of the northeast quarter of Section 9, Township 18 North, Range 2 East, Union Township, Boone County, Indiana, more particularly described as follows:

Commencing at a Harrison Monument marking the northwest corner of the northeast quarter of said Section 9; thence south 00 degrees 09 minutes 37 seconds west 1320.15 feet; thence north 88 degrees 57 minutes 03 seconds east 486.37 feet to the point of beginning; thence continuing north 88 degrees 57 minutes 03 seconds along the approximate centerline of County Road 125 South a distance of 844.45 feet; thence south 00 degrees 06 minutes 33 seconds 335.05 feet to a 5/8" rebar with cap found; thence south 88 degrees 57 minutes 04 seconds west 842.11 feet to a 5/8" rebar with cap found; Thence north 00 degrees 28 minutes 35 seconds west to the point of beginning. Containing 7.065 acres, more or less.

- Acreage described above includes 40' R/W
 - Total dedicated R/W acreage - 0.582
- This subdivision consists of 2 lots, numbered 1A and 1B.

Streets, easements and public ways are shown on the within plat; the size of the common areas and width of streets and easements is/are shown in figures denoting feet and decimal parts thereof; all monuments shown on the within Plat actually exist and their location, size, type and material are accurately shown; the boundary survey of this Plat is in conformity with 865 IAC 1-12; and the within Plat complies with the provisions of the Town of Zionsville Subdivision Control Ordinance.

A copy of the Petition and all plans pertaining thereto are on file and may be examined prior to the Public Hearing from 8:00 a.m. to 4:00 p.m., Monday through Friday, except for Holidays, in the Office of Planning at Town Hall, 1100 West Oak Street, Zionsville, Indiana 46077 or at: <http://www.zionsville-in.gov/231/Planning-Economic-Development>. Written comments in support of or in opposition to the Petition filed with the Secretary of the Town of Zionsville Plan Commission prior to the Public Hearing will be considered. The Public Hearing is open to the public. Oral comments to the Petition will be heard at the Public Hearing. The Public Hearing may be continued from time to time as may be found necessary.

Further, and if supported by Executive Order and/or the Laws of the State of Indiana, members of the public will be afforded the opportunity to attend the Plan Commission Public Meetings via a form(s) of electronic communication IF indicated in the Agenda (as amended from time to time) associated with the Plan Commission Meeting.

If you have a disability which requires special assistance for your participation in the Public Hearing, please call (317) 873-8247 at least forty-eight (48) hours prior to the meeting to make special arrangements.

President, Zionsville Plan Commission
Secretary, Zionsville Plan Commission
TLR-309 6/2 hspaxlp 1644644

Zionsville Plan Commission
May 18, 2020

In attendance: David Franz, Sharon Walker, Josh Fedor, Jeff Papa, Larry Jones, Mary Grabianowski, George Lewis.

Staff attending: Bob Clutter, attorney, and Wayne DeLong, Roger Kilmer.

A quorum is present.

Franz All right, well, it's seven o'clock. I want to call to order the May 18, 2020 Zionsville Plan Commission meeting. Start with the Pledge of Allegiance please.

All Pledge of Allegiance.

Franz Wayne, would you please take roll?

DeLong Certainly. Mr. Papa?

Papa Present.

DeLong Mr. Lewis?

Lewis Present.

DeLong Ms. Walker?

Walker Present.

DeLong Mr. Jones?

Jones Present.

DeLong Mr. Fedor?

Fedor Present.

DeLong Ms. Grabianowski?

Grabianowski Present.

DeLong Mr. Franz?

Franz Present. All right. With that we have a full slate of the Commissioners. So, four votes would take to pass any action. In your packet was a set of minutes from the April 20 meeting. Is there any comments, additions, deletions to those minutes?

Jones This is the one I've got to get a bunch of work wrapped up on. I just started in on it and there must have been something going on. Either I was mumbling or my mic was having problems, but I still owe them a bunch of changes on that.

Franz Okay. There was quite a bit of static last month when you were speaking.

Zionsville Plan Commission
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- Jones Yes. And, I was going to call Wayne or Janice. Is there some way I could actually listen to the recording? Can I play it back?
- DeLong That would be a link.
- Jones All right. I'll need to do that.
- Franz All right. So, we'll leave those for next month then. Is that okay? Does that take a motion, Bob?
- Clutter Yes, it would.
- Franz Okay. Is there a motion?
- Grabianowski I move that we postpone approving the minutes from last meeting until next month.
- Franz Is there a second?
- Walker Second.
- Franz All in favor, signify by aye.
- All Aye.
- Franz Opposed by nay. Motion carries 7-0.
- DeLong Bob, do we need to do that by roll call?
- Clutter Yes, you can do it by consensus is fine.
- Franz All right. With that, I'll let Wayne speak about some of the, you know, process for this tonight. So, Wayne, why don't you go ahead.
- DeLong Thank you. With tonight's meeting being electronic, it is facilitated by Governor Eric Holcomb's executive orders, and with that in mind, are there any particular attendees that are here this evening that would like their attendance noted on record, please do so by raising your hand, or feel free to send me an email, and we'll get you noted that way. Again, if you'd like to have your attendance known, please raise your hand. I see Gregoline, Ms. Gerard, and Ms. Zelonis, David Aliskey. Apologies if I did not get your name correct. Linda Hardin, Jay Strapp, Lynn Elliott, Denice Pierce. Appears to be the amount of hands that I see currently. If there is others, I'll make it known. Mr. Goodchild and Kay and Jay Minnich, also wish to have their attendance known. Greg Melton. Ryan Keith.
- Franz All right. With that, we'll move on to continued business from last month. Docket # 2020-08-Z, Prologis, 5190 South State Road 267, Lebanon, Indiana 46052. Petition for zone map change to rezone 76 plus or minus acres from the rural AG agricultural zoning district to the rural I1 industry zoning district. At this point in time, it's my understanding the petitioner has requested a

continuance until the, I guess it's the June 15 meeting. Is there any discussion? If not, is there a motion to continue the meeting?

Multiple responses So moved.

Franz Is there a second?

Jones Second.

Franz All right. Wayne, will you please take roll?

DeLong Certainly. Mr. Papa?

Papa Aye.

DeLong Mr. Lewis?

Lewis Aye.

DeLong Ms. Walker?

Walker Aye.

DeLong Mr. Jones?

Jones Aye.

DeLong Mr. Fedor?

Fedor Aye.

DeLong Ms. Grabianowski?

Grabianowski Aye.

DeLong Mr. Franz?

Franz Aye. So, that petition is continued to next month. Next on the Docket is # 2020-10-Z, Windhaven, 8175 and 8775 West Oak Street. A petition for zone map change to rezone 24.283 plus or minus acres from the rural R1 residential zoning district to the PUD planned unit development zoning district. At this time, I'm going, we're going to open up the hearing today. And, what I want to do is give the petitioner a time to make their presentation, and allow a comparable amount of time to the remonstrators to, you know, comment on the petitioner's presentation. At that time, I would like to turn it over to the Plan Commission for their comments, and then in all likelihood, this will be, well, it probably is going to be continued to next month anyway, and then entertain the motion to continue at that time. If that's okay with the Plan Commission. So, I think we need to have a motion to suspend the rules to allow for, and we'll ask the petitioner when he gets up how much time it's going to take for them to present. So, is there a

motion to suspend the rules to allow, I guess, it's more than 10 minutes, is what's in the ordinances?

Jones So moved.

Franz Is there a second?

Grabianowski Second.

Franz All right. Do we need a roll call on this, Bob?

Clutter Yes, you should for the suspension of the rules.

Franz Okay. Wayne?

DeLong Certainly. Mr. Lewis?

Lewis Aye.

DeLong Ms. Walker?

Walker Aye.

DeLong Mr. Jones?

Jones Aye.

DeLong Mr. Fedor?

Fedor Aye.

DeLong Ms. Grabianowski?

Grabianowski Aye.

DeLong Mr. Franz?

Franz Aye.

DeLong Mr. Papa?

Papa Aye.

Franz All right. So, that motion carries 7-0. So, will the petitioners please, I guess, sign on, or be recognized by Wayne or Roger.

Kilmer Mr. John Isaacs has been activated. Mr. Isaacs, are you there?

Franz You're on mute.

Kilmer Mr. Isaacs, are you there?

- Skelton Okay, we're here.
- Franz State your names and addresses, and then I've got a question for you.
- Skelton Sure. My name is Matt Skelton. I'm an attorney with Church, Church, Hittle and Antrim with offices at 2 North 9th Street, Noblesville, Indiana. Here with John Isaacs with MI Homes. Do you want to give your address?
- Isaacs Yes. Address 8425 Woodfield Crossing, Indianapolis, Indiana.
- Franz Okay. How long is your presentation going to take?
- Skelton How long would you like it to be? We can probably keep it to 10 or 12 minutes.
- Franz I'll give you 15.
- Skelton Okay.
- Franz Okay. All right, with that, go ahead please.
- Skelton Okay. Sure. Just, we're here this evening. It's a pleasure to be here in this kind of unconventional environment here, but it's a pleasure to be here to share with you plans for Windhaven, a new residential community in Zionsville. It consists of 24 acres of property located on the south side of Oak Street, just east of County Road 850 East. For orientation purposes, Russell Lake subdivision is located to the east of us, and the Enclave subdivision is adjacent and abutting the property to the south and to the west. So, this is essentially an infill site. Just for your, so you might recall, Cardon, a company called Cardon, petitioned for a rezoning of this property, I believe, about 5 years ago, for those of you who may have been involved in. And, they were met with some resistance from the neighboring community, mostly just generically due to the intensity of the development. And, we tried to tailor a compatible development that would fit on this property, and work well with the surrounding uses. It is an empty-nester active adult proposal. It will be an active adult community. For those of you who have some experience with active adult communities there, they are a little different than conventional subdivisions. The types of impacts that are created by a development like this are relatively low compared to conventional subdivisions. The traffic patterns are a little different because they don't have the same peak hours. They, of course, have lesser or no impact on schools, if that is important to you. But, I think, from an activity standpoint, the types of activities that happen within a neighborhood like this are more on the passive recreation-type side of things and less on the, you know, playgrounds and kickball kind of thing. The homes, the proposal includes 58 homes. You might be asking yourself what an empty-nester home is. An empty-nester home includes master suites on the main level for one level living. There are options for bonus rooms upstairs, which constitutes roughly a story and a half, or a little less. They are, we expect these homes to be in the price points of the high-\$300,000 to the mid-\$400,000, which is pretty compatible, or more expensive than the homes that are around it. One question that we've received is why did we file this as a planned unit development? And, pardon me, I think we're going to have a fire department behind me, and I

apologize for a moment. We filed this planned unit development process. I'm sorry. I'm right on Conner Street in Noblesville. We filed this, planned unit development process lends itself very nicely for infill projects. It allows us the opportunity to develop in textually sensitive standards that can be incorporated to identify, to address very specific issues with individual owners. And, that's why, that's the main reason why we selected that process. We have committed to some architecture standards already, but we did have a neighborhood meeting, which I'll talk about here a little bit more, and as a result, there are additional restrictions that we intend to heighten and incorporate. This also, this process also provides us with some flexibility in the design, which allows us to incorporate some traffic-calming measures that John Isaacs is going to cover in a second. I mention the neighborhood meeting we had on May 13. There were, I kind of grouped them into the comments we received in the 5 categories, and I'll try to explain broadly how we intend to address them. First of all, there was a lot of general questions and requests regarding architectural requirements, and this, I think, is motivated by wanting some type of assurance that the quality of what we propose is going to be what we say it's going to be, in the high-\$300,000 to mid-\$400,000 range. And, so, as I said, we've incorporated some architectural requirements already, but there are additional ones we can incorporate. We know what we're going to build here, and we intend to build that product, so we can narrow that down a little bit. We intend to between now and when you see this project. We have incorporated some home elevations as representative samples of what we would be constructing within Windhaven, but we are willing to go a step further and commit to substantially building and substantial compliance with those, and so we'll, that's another change we plan to make. We received several questions about buffers and landscaping, and of course, we want more landscaping, more buffers. And so, we're sharpening our pencils a little bit, and John is going to talk about his ideas for this, but we are going to try to do more. It's difficult. We're not actually platting at this point. We're at the zoning stage. But we know a lot about this site, so we're going to try to get creative. Drainage was another one, of course, that's a common comment one receives in a zoning process, but we aren't very far along. We know how the site works today, but we need to understand a little bit more about that, which we can respond to some of the drainage questions that we've received, and John may talk a little bit more about that too. But we are not requesting any relief from Town standards. I mean, we will comply with the Town's drainage standards. Again, that's typically dealt with when kind of we're in the next phase of approval. And, then lastly, traffic impact. And, so, like I said, this type of development has lesser than a normal subdivision impacts, but I think the city building commissioner has the ability to request us to perform a traffic study, if we hit a certain threshold. I believe it's 150 homes, and of course, we're not anywhere close to that. We're at 58. But we have worked with the city engineer. He has requested that we incorporate a passing blister and right-turn lane, and we have agreed to do so. And, so future versions of our plans that you will see will include that. I think you've already covered the approval process. I just wanted to make sure, we're fine with the approval process that you've listed out. I mean, I think that it's, we've received a lot of comments. We'd like to be responsive to, and we hope that we get more from you folks this evening, and we'd like to take that input, and then figure out what changes might make sense as a result and resubmit to you. With that, I think John's going to cover a little bit about the site plan, and the homes themselves, and we'll go from there.

Isaacs

Thank you. Hopefully everyone can see, I've shared my screen. I'm going to go through a couple slides quickly regarding the project. Just to give you a little brief background, MI Homes is a, we'll call it somewhat of a regional builder. We build in 15 different markets across the midwest and south portions of the United States, and started in Columbus, Ohio as a custom home builder in 1976. We are a publicly traded company homebuilder locally here in Indianapolis. We've been here since the late 80s building homes. We've had some projects in Zionsville in the past, in the recent past, and generally focus around centrally Indianapolis is where we work here in our division. So, I wanted to walk through kind of the project with you real quick. I'm going to go through a couple of slides that were all in the material packet that we provided. The property is again, a little over 24 acres. It does consist of an existing horse farm area and home, and then a home owned by the Hamms. There is an existing pond on the site, that was created some time ago, and it does have a drainage outlet that goes towards the Russell Lake subdivision. This is the concept plan that we have come up with. And, part of the reason when you look at a PUD, and the way your PUD ordinance is written, one of the first things that comes out is doing something different, like traffic-calming devices and things like that. And, one of the things that we have done is, we're asking for one access point to the road for the 58 units. We acknowledge there has to be some safety concerns, so we do show an emergency path system that would come off of the northern cul-de-sac out to Oak Street for fire department access, and that will turn into a pedestrian corridor. But then we have some curve and linearity to that street, that's why we have the bend in it. You get to that first cul-de-sac, and then at the south end, we're asking to reduce that center line radius. Normally you ask for a 300-foot center line radius, and we're asking for that to be reduced to 150 feet. And, in some cases, there, you know, some communities will go down a little bit more. But those are all reasons to try to slow traffic down within a community, and make it a little more compact feel, and then the homes that are designed again are all of the empty nester style, so they're all ranch homes. If they have that second story bonus room, that second story bonus room goes into, and sits within the existing roof line, so there is no roof line change to the neighbors, or from the street scape, so you get that extra square footage, but there is no material look difference other than some windows on the side of the home. So, one of the things that we have also looked at as far as the site design, is obviously, you know, the lake is a constraint to us, or a benefit since it's there, and it is located in the lowest part of the site, so working off of that and try to utilize that as part of the amenity in the community, so you see common area around that, both cul-de-sacs at the bottom terminate with view vistas of that amenity, and then there would be common area adjacent of the Russell Lake side. And then we're proposing to have a landscape easement along the lots that are facing Enclave. Right now, the way the plan is drawn, it shows a 30-foot drainage easement, and a separate 10-foot landscape easement in the rear yard, and one of the things that we've talked about is the need for that 30-foot drainage easement, and that's something that will come back with our proposal and discuss. Typically, your requirements follow Boone County's, and require a 30-foot-wide drainage easement whether there is a pipe or not for drainage, like for rare yards. So, a lot of communities do something a little smaller than that, and if so, there might be some possibilities of generating more space for buffering and landscaping on things like that adjacent to the Enclave subdivision. This is a representation of the

homes that we build. There are five different floor plans. Each of those have five different elevations to them. They all have some kind of an architectural characterization to them. So this kind of gives you an idea of what we're looking at as far as the homes, and then we did write some architecture standards, some minimum standards to the perimeter of the neighborhood to the Enclave, and we will address and clean those up, and make them a little more comprehensive from an architectural perspective, so that if we show a pretty picture, we're going to have language in the ordinance that substantiates getting to that pretty picture. And, that's something that we heard out of the neighborhood meetings that we had. And, this is a representation of what the side and the rear might look like. The side of the house here, you can see if it has a wainscot on the bottom, and it has a siding material. We can put a siding, a different material siding that we carry over from the front, so this one is showing like a cedar-shaped top, if that's what the front of the house had as an alternative third elevation, you know, texture to it, and then the rear of the home, this one is showing the rear-covered porch. Every home in this neighborhood would have a rear-covered porch, and a front-covered porch, as well, so that there is an area for an outside gathering space in the rear. All of them have an opportunity to convert those to a larger covered porch or patio, or sun room, or screened-in porch, and when you do that, you start changing roof lines and things like that to the rear of the house as well. The houses are typically 40 feet wide. If they take the third-car garage option, that adds 10 feet to the width of the house. The house becomes 50 feet wide. So, we have asked for a 5-foot side-yard setback to be proposed in the ordinance, which is consistent with one of the rural residential districts, I believe, and what that really does is allows the opportunity to add that third-car garage, but it really doesn't change the living area. So, the homes in the rear are the homes, those will still be 20-foot separation. They would have 10 foot on either side of the property line. So, it's really just a streetscape issue, but at the same time, then those garages are then recessed back anywhere from 2 to 5 feet, depending on the elevation of the residence. So, that I think is kind of a general overview of the project. We did identify a handful of lots that we identified to be extra architectural requirements to the rear of the home, adjacent to the perimeter, to the Enclave subdivision, and then certain corner lots that had visibility either on the main driveway, are coming in, or maybe from the residential areas to the east. And, with that, I'd take any questions that you may have, and look forward to having further discussion. Thank you.

Franz All right. Thank you very much. You guys ran over a little bit. Not too bad. So, we'll give the remonstrators, or public, appropriate amount of time. So, at this time, I would ask, it's my understanding that there's, the remonstrators have a counsel engaged. I guess we would start with that individual. Are you present? Or Wayne, can you recognize her?

Kilmer Melissa Gerard.

Franz All right. So, those guys ran a little long. So, to be fair, you guys have got 18 minutes. So, I'll let you go ahead and start.

Gerard Can I ask a question first? I got sort of disconnected there for a minute. I heard 18 minutes, and that was after the petitioner's introduced themselves and gave their address and everything. So, I'm hoping that we could do that. But I don't

represent all of the remonstrators, and some of the names that are here tonight. So, I can't purport to speak on behalf of all of them. But my name is Melissa Gerard. I'm an attorney with offices at 1153 East 150 North, Lebanon, Indiana. I represent the Enclave homeowner's association, as well as some individual residents of Enclave. I have also been asked to represent a few homeowners in Russell Lake. Although, I'm pending a conflict waiver from the HOA, which I expect to get, so I'm just going to assume that I'm kind of voicing some of their concerns tonight. Although they did want me to let you know that some of the Russell Lake residents are older and they're not very tech savvy, which is why they're not here tonight, and they're hoping that they get to speak with you in the June meeting about some of their concerns, as well. With that said, I'll start my presentation. A PUD is not an appropriate tool for this project. The Town zoning ordinance has multiple references in it to PUDs being used for mixture of land uses, number of land uses, variety of innovative uses, and if I can share my screen here. Let me see if I can do that. Get to, I want to go to the Town, this is the Town engineer's recommendation, or comments, from May 7. And, you'll see here, since the proposed land use is solely residential, it does not appear this proposed ordinance meets the intent of the PUD zoning ordinance. I have also given you a checklist in my written submissions of all the elements to be considered for a PUD. Number one, they haven't submitted a lot of the actual procedural documentary information that's required for the submission, but number two, on my checklist you will see how they don't meet any of the substantive criteria, as well. A review of the Town's PUD ordinances indicates that those are used only sparingly in the Town, and only on a demonstration of a compelling reason why the existing residential classifications are not practical. There is nothing innovative about this developer's project which warrants a PUD. It is not mixed-use. It is not mixed-density. It's one builder. It's straight-up plain vanilla residential at a single density, which is 2.9 units per acre. The developer in our neighborhood meetings indicated that their product was unique because it is a community of ranch-style homes. Nothing prevents them from building a ranch-style community under the existing residential zone classifications. They could even achieve the smaller lot sizes they say they want to achieve using the cluster and open-space provisions of the zoning ordinance. It is clear that the zoning ordinance contemplates a little something more to justify a PUD. The density and the development standard specified in this PUD are too intense, as well. The surrounding land use units, and I've actually gone to the County recorder's office and calculated from the plats, are all about 1.8. They are proposing 2.4, which is about 1/3 more dense than the existing land uses immediately adjacent, and 7 times more dense than Shannon Spring, which is in the neighborhood, as well. So, we don't think it meets the requirements of the comprehensive, or the statutory standards, because it's not compatible with the adjacent uses. And, the lot sizes are pretty comparable to a lot size in the Village. They're at 7500 square feet for a lot in their PUD ordinance. The lot size in the Village is 8000 square feet, so it's actually smaller than the Village lots, but it's not at all, it's half the size of Enclave and Russell Lake's lots. The petition is inconsistent with the comprehensive plan. The comprehensive plan prescribes a maximum density of 2.0 for this area. They are at 2.4, which is a substantial increase over what is prescribed by the comprehensive plan. The proposed PUD ordinance has a lot of deficiencies, which I have outlined in my written comments to the Board, and I would just refer you to that for that section. Oh, I wanted to address the traffic impact study. The developer's lawyer sites the

wrong standard. Your ordinance has a standard where a traffic impact study is automatically triggered. I acknowledge they do not meet the requirement for an automatic traffic study; however, the building commissioner has the discretion, not just when those criteria are met, but any time he has the discretion to ask for a traffic impact study. We think it is particularly warranted on Oak Street because of the busy congested nature of this road, and its history of serious and even fatal accidents. This situation is only likely to deteriorate further as Whitestown and Zionsville grow and cross-traffic between them increases. I'm going to go back to some of the other street design issues, comments that I have if I have time, but I want to get through some other issues. The buffer yards are very important to us. The 10-foot strip that they are proposing doesn't even meet the terms of the existing zoning standard, let alone the little something extra we would expect with a rezoning in general, but in particular a PUD, which we actually ask for a little bit more. So, we propose an alternate buffer yard of a buffer yard I specified in the ordinance, with a BW1 berm/wall, which gives them some flexibility in places. The 10-foot that they're specifying doesn't even cover the canopy of a full-grown tree, so I don't, it's nothing really. And, they're proposing that it be part of the lot, as opposed to common area maintained by the homeowner's association, which is also particular problem because homeowner's can put their trampolines back there. They can plant their persimmon trees and their vegetable gardens back there. And lots of things that we wouldn't view as necessarily buffer yard uses consistent with the common areas that are maintained by a homeowner's association. So, those are particular issues for us. The landscaping standards, and actually, there is a lot of information that's required by the zoning ordinance that isn't addressed here. One thing I wanted to address in particular on the architectural standards. They said they are going to beef those up, and you know, we've haven't seen any details on those, although we've been asking. They're indicating that these are going to be high-\$300,000 to \$400,000 homes. I'm just here to tell you there is no way to get to that number with what their ordinance is proposing right now. They're proposing 900-square foot houses, which is the standard on the exhibit that is the matrix to their PUD ordinance on 7500 square foot lots. No matter how many shutters or window trims you put on this house, that doesn't make a 900-square foot house in a 7500-foot lot a \$300,000 to \$400,000 house, even in Zionsville. So, we really don't think that that is going to happen with the standards that they proposed in their ordinance. I really want to talk about the drainage a bit. The developer's lawyer indicates that this is a next stage issue. It is not a next stage issue. Your zoning ordinance requires them to identify the outlet, and this is Section 193.055.B1A, requires them to identify their outlet at the time of the change in zoning. So, they have to identify their outlet now. And they have not identified an outlet. We asked them about this because it particularly affects a lot of the homeowners in Russell Lake. The Town engineer and the County surveyor are very concerned about their outlet, as well. In fact, the Town engineer noted in his May 7 letter on page 6 that the proposed drainage design standard may be in conflict with the Town standards and the state drainage law. They have failed to identify a legal outlet as required by the zoning ordinance. At the neighbors' meeting last week, I asked them for detail about this. They basically blew me off and said that they think they've identified some super-secret outlet that even the Town engineer and the County surveyor don't know about. I asked them to tell me about it. Their response was basically if they told me they'd have to kill me. It's that secret. This is not the way we conduct public hearings on proposals with drainage issues.

These are very important issues that these Boards and the public are entitled to know about. I've also asked for their preliminary drainage calculations because the capacity of the pond at Russell Lake is in serious doubt. I mean, the County surveyor is pretty sure that it's not going to handle this drainage, and that it's going to need improvements, but you guys can't specify the kinds of improvements that it's going to need until you see preliminary drainage calculations. They have not provided those either, so I think in this particular proposal where the drainage issues are so obvious and the capacity is so much in question that we need a little more information earlier on with this particular project that we might be able to let go until a later stage with a later project. So, and then I want to go back to the street design issues. The cul-de-sac variance and the second entrance. I dealt with those issues extensively on the Villa Francesca subdivision. We met every single standard of your ordinance except for the length of the cul-de-sac and the secondary entrance. We even proposed an emergency entrance similar to what the developer's proposing in connection with Villa Francesca that would have accessed and provided a full street to the Town standard that access your lift station property that the Town already owned. But that was unacceptable. Both this Board and the, well, it was only this Board because we were already zoned. We only needed a plat approval. Refused to give approval until we redesigned the subdivision to have a full second entrance meeting the Town standards, which also had the effect of reducing the length of the cul-de-sac, as well, because we were able to cut it and make an intersection. But, both of those issues were the only two issues on Villa Francesca, and this Board refused to approve the plat until those issues were addressed. There was no waiver for those. So, that's that I'd encourage you to review my written materials. I'm going to leave a little bit of time for other people who might want to talk. We've given you a list of the things that we'd like to see in a development proposal, which are very bare minimum kinds of things. Basically, I drew a lot of these out of a Lebanon Town ordinance. And, also, we've done an analysis of the zoning standards and density. That's Exhibit A that I've given you, and also the developer's lack of compliance with the terms that you're supposed to consider when you consider a PUD ordinance, and that's Exhibit B that I've given you, but with that said, if you don't have any questions, or I'd be happy to answer any questions. But I can turn it over for other people to talk, as well.

Franz All right. Thank you very much. Wayne, I would ask anybody who is in attendance if they would like to speak to raise their hand, and Wayne will recognize them, Wayne or Roger will recognize them, so they can speak.

Kilmer We have Joe Gregoline who would like to speak.

Franz Okay. Just to let you know we got about six minutes. All right?

Gregoline Good evening. Sorry about that. When you promoted me, it disconnected me from the meeting for a second. I understand I have about 5 minutes.

Franz Name and address please. Yes.

Gregoline Okay. Correct. Joe Gregoline. My address is 6855 Woodhaven Place, in the Enclave, Lot 21.

Franz All right. Proceed please.

Gregoline Okay. And, I apologize. I'm going to view to the right here from my screen, but Commissioners, good evening, and thank you for a few minutes to allow for my public comments. My name is Joe Gregoline, and I am a Zionsville resident with my wife Jennifer since September 2011, when we purchased our current home. As I mentioned, I live in the Enclave, and we are located directly adjacent to the Windhaven horse farm. Our property shares a property line with the southern border of the Windhaven farm. In addition, I also sit on the Enclave board, and I'm in my fifth year of serving our neighborhood. As you heard from Melissa, there are many technical issues and concerns with this petition and its related ordinance. I would recommend her extensive evaluation memo as a point of reference. But I would like to focus my comments on zoning. Specifically, current zoning designations against what is being proposed. I would like to start off by saying that I am not against further development on this land, but as I set forth, I would expect that any further development is consistent with the surrounding area. Within the current zoning classification of low-density single-family, and consistent with comprehensive plan strategy laid out by Zionsville. I would first like to look at the current zoning versus the PUD zoning. In 2011, when I was looking to purchase my home knowing that I would border another property, which was not part of the Enclave, I researched the current potential zoning of the Windhaven farm property. What I found is the land parcel in question was being used as a 15-acre horse farm for the last 15 years, and was within the zoning designation of R1. My research also found that R1 is earmarked for low-density, single-family housing with a density less than 1 home per 2 acres. To evaluate any potential future development of this property, I referenced Zionsville comprehensive plan that calls for this parcel to be developed under low-density, single-family zoning, which would be the current R1, or potentially R2 zoning. I also understood Zionsville's well-documented history of protecting against irresponsible development, including approving incompatible zoning changes. By doing this research, I understood that the property could be potentially replated under the current low-density, single-family zoning, which I was accepting of. Because of the previous mentioned research, I would not expect the zoning to change 180 degrees into an overly dense PUD. As a prospective homeowner, I evaluated all the information publicly available to me in order to protect my future investment. History shows that PUDs in Zionsville have been largely reserved for strategic, well-planned cornerstone projects. They're anchors of our community. They do not seem to be intended for random 24-acre parcels of land that look to build overly dense basic homes. In this far from certain economy, what happens if the zoning change were to be approved and the development for some reason did not happen. What if MI chooses to sell the property once zoned PUD. This is the exact scenario that happened in MI's Fishers development, which Windhaven is being compared to. In that scenario, they bought land that was already zoned PUD from Pulte Homes' previously approved petition. While I understand zoning is not set in stone, and zoning changes may be needed to bring essential service or explicit needs to the Town, outside of these points I should have a very high level of confidence of any proposed development on this property would stay low-density and single-family. Lastly, I would like to look at MI Homes Fishers development, which the Windhaven project is being compared to. MI's

justification of an active adult community for its overly dense PUD is not logical to me. There is nothing about this location, which particularly appeals to active adults. This location is not within walking distance of any shopping amenities. It is not within walking distance of any restaurants. It does not feature any recreational facilities such as lap pools, walking trails, tennis courts, pickle-ball courts or a clubhouse, all of which would be appealing to an active adult. These are very specific features someone in this demographic and market would find in the Courtyards of Zionsville, which is the Epcon development behind St. Al's. In short, there is nothing about this particular location which is uniquely suited for adult living. What MI does plan to build, or to offer, are options on floor plans extending to 3,000+ square feet. Options of 4 bed, 4 bath, basements and 3-car garages. These details are per the Legacy at Hunter's Run website, and benchmarked with an email communication with MI on the Windhaven project. In the previously mentioned configuration, these homes would be larger than my home, and I have three elementary-age children and a 90-pound Golden Retriever. This clearly is not representative of a step-down, empty-nester, or active adult buyer. Will a small percentage of the smallest floor plans be purchased? Certainly. But I believe the majority of the buyers will align with the Zionsville demographics, which do not support this targeted buyer. In discussions with the developer and their executive summary submitted with this petition, the only attribute of their proposed subdivision that they have identified as appealing to seniors is a one-story home with smaller yards. However, these particular attributes are equally consistent with entry-level homes for young families, as well. In fact, on multiple occasions, the developer has compared this product to its Fishers community. Indeed, when I reference the MI website for this development, the elevations and products match exactly. On the website, in addition to touting award-winning Hamilton Southeastern district schools, their cheering you'll be proud to be a Royal. MI promotes this community as ranch homes, which are perfect for families, right-sizers, or even empty-nesters looking to downsize. Thus, it is clear this product is marketed to young families with school-aged children, as well as the empty-nester market. Moreover, if the developer's goal is to build ranch houses on smaller lots, there is no reason whatsoever why they could not achieve what they identify as their single attribute appealing to empty-nester demographic in the open space subdivision RSF2 zoning, which would comply with the comprehensive plan. Simply put, you do not need a PUD here, let alone one with a density that is not consistent with a comprehensive plan to build the subdivision that focuses on ranches.

Franz All right. I think we've got your point. We've kind of run over a little bit. Appreciate the commentary. At this time, I want to let you know that we are going to have this thing next month. I mean, and before we get the comments from the Plan Commissioners, we are investigating options that will hopefully be in person, allow for more public commentary. Obviously, these are pretty unique times, and we have to figure out how to deal with them. So, I just wanted to get this thing open and moving. Get some questions out there so the petitioners, you know, have some things to work on until the next month. With that, I'll turn it over to any of the Plan Commission members who have any comments or questions for the petitioner at this time.

Jones Sure, I've got a question. Regarding the buffer and the drainage easement and the lot sizes, I just want a little clarification. One of the exhibits shows kind of a

typical lot of being 60 x 125. Is this 10-foot and 20-foot buffer and easement included in that 125, or in addition?

Isaacs So, a typical lot size would not be inclusive of those buffer yards. So, if a house would fit on a lot that was 125 feet, the ones on the south are, on the south end of the project, are 150 feet in depth, so there is an extra 25 feet in depth of those lots there.

Jones Is it 25 or 30?

Isaacs Well, it's 150 feet deep, so it's an extra 25 feet.

Jones Okay. So, where is the 10-foot buffer and where is the 20-foot drainage easement?

Isaacs Let me see if I can bring - -

Jones --You just said that there is - -

Isaacs So, if you look on Tab #5 where the concept plan is shown, there are, well focus on the southern end there. Those are lots that are 150 feet in depth. The 10 feet closest to the Enclave there is the landscape easement, and then there is another 30 feet of drainage and utility easement, and then there is, you know, where the houses would fit on those lots. So, the houses would be, you know, 40 feet from that southern property line with the 10-foot landscape, and then a 30-foot drainage buffer, is what's being shown there.

Jones That's what's confusing, because you've got another exhibit in here that shows the 20-foot front setback, and a 20-foot rear setback, so your numbers don't add up.

Skelton Which exhibit?

Isaacs Is the drawing of that. I think that's where we put in the front yard and rear yard setback requirements. So, I think in the PUD ordinance, what we were showing is typical lot size is 60 x 125. That's the 7500 square feet.

Jones That's what's back there under Tab #8.

Isaacs Yes.

Jones Okay.

Isaacs And, then we would be showing a front yard setback of 20 feet, and a rear yard setback of 20 feet. When in reality that, really the 20 feet is a function of, you can't put a house in a drainage easement.

Jones Correct. The lot depth then is from the back of sidewalk, is actually 155 feet deep, 125 plus the 20-foot drainage plus the 10-foot buffer.

Isaacs Right. And some of that would be consumed in your, you know, building set, you know, your typical building setback. Yes.

Jones So, that's my point.

Isaacs Yes. In those lots, the building setback would not be 20 feet in that location because you've got 40 feet of easement there.

Jones So, all right.

Isaacs The houses are anywhere between 75 and 85 feet deep. That gives you the rest of the equation.

Jones Well, no. What I'm struggling with is if your lot is 125 feet deep, correct? Plus, the drainage easement is 20, plus the buffer is 10, that means there is 155 feet out there in play. Which means then from the farthest point of the property, from the boundary of the property, the minimum a house would be would be the 50 feet off of that. The 10-foot buffer, the 20-foot drainage, and then the 20-foot setback. Correct?

Isaacs I think if you look at it, on the lots that are adjacent to the Enclave, which are 150 feet deep. The first 40 feet - -

Jones Is that both for south and the west property line?

Isaacs Correct. But on the south, they're 150 feet in depth. So, in that case, your rear yard, your first 40 feet would be consumed between landscape and drainage easement. Then you could have a house there, because they're outside of the easement. So, the 20 feet there is not really, I mean, in reality 20 feet in a rear yard doesn't really make sense because you're always going to have a drainage easement in your rear yard. I think your requirements require drainage easements around all rear yards, I believe.

Jones Is anybody else understanding my question? My question is, is the buffer and the drainage easement, the 10-foot buffer, the 20-foot drainage, separate from the actual lot size.

Isaacs No. Those lots are bigger.

Jones Okay. So, what you're saying is is that the buffer and the drainage easement are part of the lot.

Isaacs They're on the rear. Yes. That's correct.

Jones Then when you establish the rear setback line, what are you going to use?

Isaacs Well, it's going to be the greater of the distance of the setback or any easements that are in the way. It's a minimum of 20 feet, but if you've got a 40-foot worth of easement, it defuncts to 40 feet.

Jones All right. The most easement you're committing to is 30 feet.

- Isaacs The drawing that is there shows, where are you getting that information from?
- Jones It's what you're telling me.
- Isaacs The 10-foot landscaping easement.
- Jones Once again, the drawings that are provided don't have enough definition that we can determine this. That's why I'm asking the question.
- Isaacs Well, that one that's shown as typical lot layout. That's a minimum, that's just to show how a typical house would fit on a typical-sized lot. The ones at the bottom are not your typical-sized lot, because they're greater in size to accommodate those easements at the bottom.
- Walker Larry, are you on 196?
- Jones Am I on what?
- Walker I'm looking on my other, on my desktop, and on 196 it's a drawing. Is that where you're taking your information from?
- Jones I'm on drawing, it's under Tab #6 in their package right now.
- Walker All right. I'm past the tabs. I was just looking at the page number. Thanks.
- Jones Yes. Let me go down to 196 and see what's down there.
- Walker Well, I just need to go up farther.
- Jones Well, hang on. They might be the same thing.
- Walker They're similar.
- Jones They're similar. So, once again, and it's the same thing. So, they've got a 10-foot landscape easement around the perimeter of the entire parcel, and then they've got a 20-foot drainage. So, Sharon, my question is, see where it turns from gray to yellow?
- Walker Yes.
- Jones Does the yellow begin the 125 foot?
- Walker I see what you're saying.
- Jones What they've come back around and said is that from the street, from the green.
- Walker Yes.
- Jones The rear edge of the property they're allocating 155 feet.

- Walker Right.
- Jones Of which they're going to take 10 foot and make a buffer, 20 feet drainage, which leaves a net of 125. So now my next question is, where is the rear building setback? My concern is the way it's getting explained to me is that they can then build right back to the edge of the drainage easement, which would be, if they have a 20-foot drainage easement, plus a 10-foot buffer, it would be 30 feet off the edge of the entire parcel.
- Walker Right. I see.
- Jones That's what I'm wanting clarity on. What are we seeing here?
- Skelton Can you hear us?
- Franz You work from the front yard, and you've got the 20-foot setback in the front yard, and an 85-foot house, the house would end at 105 feet on the lot. So, with that situation, they'd have 40 feet back to the back line of the lot, so if it's 10-foot buffer, I hear 20 or 30-foot drainage easement. I mean, there would be either 10 or 20 feet between the easement and the back-lot house, back of the house, based upon my calculations.
- Isaacs That's correct.
- Jones So, there is 20 feet between the easement and the back of the house?
- Isaacs I think we can prepare something that is a little more, we can bring you something that will demonstrate that a little better when we come back.
- Jones Yes. I mean, that's, I - -
- Walker --That's not very much behind there at all, behind the house. What, 20 feet?
- Isaacs It's 40 feet, the house would be at least 40 feet from the rear property line.
- Walker Okay.
- Isaacs On the south side.
- Walker You'll fix that.
- Jones What, and Sharon, what I find interesting in this is if you look up there at Bainbridge Circle, those 4 houses up there at the top.
- Walker Yes.
- Jones They're even closer to the property line than what we're discussing right now.
- Walker Yes. They sure are.

Jones So, my piece I want to get adequately addressed in this is there is a lot of conversation about density and number of units on this, and I want to make sure there is a little bit of clarity as to exactly where houses are going to sit on the property, and what's the amount of buffer, and drainage easement, and then how far back the property sits. So, the MI folks, you guys need to provide some better documentation, because you're not helping your situation at all.

Isaacs We can do that.

Jones I don't think that's, probably the same question the neighbors are having. I mean, one second. Oh, the other question is the remaining property on Oak Street, there is one house that you're not purchasing, but then there is an amount of land that you are. Do you have a future plan for that?

Isaacs All that area that's green on that would be part of the open space for the neighborhood common area.

Jones And that will be part of the commitments for the PUD?

Isaacs Correct. And there are some landscape standards that we have drafted that we do some mounding and stuff along Oak Street, and that would probably carry around to the side of that house on both sides.

Jones The other question is about, then if we're going to keep on this, what is the answer to the off-site drainage connection?

Isaacs So, currently there is a pond on site. There is an outlet pipe that extends from that pond through a pipe that goes to the southeast into the Russell Lake subdivision that goes into a storm sewer of the Russell Lake subdivision. And, then I'd presume that carries on to Russell Lake. That appears to be what the normal drainage pattern is for the property to exit. So, that, you know, that would be the positive outlet. The question is, is that pipe at an easement? Does it need to have an easement? Does that easement need to be 30 feet because it becomes part of the County surveyor requirement? So, we're reviewing that, you know, now.

Jones I mean that will tie in to be part of the requirements to meet the drainage, correct? For the project?

Isaacs Yes. That's where the drainage today leaves the site. So, it needs to be accommodated for it to leave the site in that direction, through that existing pond. That's where, you know, that will be part of the drainage - -

Jones --The existing parcel doesn't have 58 homes on it, does it? So, that's the point. I think the point of Ms. Gerard's comments is that is this getting adequately addressed?

Isaacs So, from a drainage perspective, there is a flow rate that leaves the site in the current state. The post-developed site, the water cannot leave the site at any greater rate than it does today. You understand that.

Jones Right.

- Franz I seem to recall with the Cardon PUD the drainage down on Russell Lake was a major issue, and as part of that PUD development, several of you were on that, on the Commission at that time. I believe Cardon was making some commitments to work with some additional drainage features to resolve some of those downstream issues on Russell Lake. You know, I would advise taking a look at the old minutes to see if that is the situation. At least that's the way I recall it.
- Jones I agree.
- Franz That was a big issue to the Russell Lake people.
- Jones Dave, I agree. That was part of the conversation the Cardon folks had started, or worked through some upgrades to whatever that offsite drainage route is.
- Franz Does anybody else on the Commission have questions, comments?
- Papa I have one. I was wondering if they could clarify what they said either now or at the next meeting about traffic. And I realize they're under the 150-unit limit to have to provide a traffic study. I'm not even necessarily talking about capacity, but more from a safety perspective. Looks awfully close to Cooper Road and the north/south connector to be coming out of there. I'm not saying it's impossible, but I just, I don't know if any, I wasn't clear on what had been said about that earlier in the meeting. They talked about an acceleration/deceleration blister, but was there anything else on that?
- Isaacs So far that's the recommendation that we received from the Town engineer is that a passing blister and right-turn lane should be added to the main entrance on Oak Street. There was no, there has been no further discussion about any other safety concerns that have been brought up, but that's, you know, I'm sure we'll have some more conversations with the Town engineer. We can address that.
- Papa I just keep trying to picture a left turn coming out of there when the north/south connector is in place. But, thanks.
- Lewis So, my question is we seem to be somewhere between R2 and R3 zoning if you look at the tables that were provided by Ms. Gerard. What is it about those zoning classifications that this development doesn't meet and necessitates doing the PUD rather than trying to fit into one of our existing zoning classifications?
- Isaacs I mean, you're probably right. Our three might be a classification that most of the standards that we drafted for the PUD would meet. One of the things that the PUD does that the straight zoning does not is we have a plan. It's before you today, and we're showing you what elements of the subdivision control code requirements are not being met. For instance, I talk about the center line radius at the bottom where we're asking for reduction to 150 feet. In a PUD that's something that can be contemplated at the time of zoning so that when we go forward, there is no variances or waivers to be sought after at a later date. So, the drawing as proposed is what can be built. A lot of times if, you know, if we show this plan and then later we come back and say well we don't meet X, Y and Z of

your subdivision control code requirement, then we're dealing with a subdivision waiver, and now you're a lot farther down the line on a site that is somewhat of an infill site. It has some unique characteristics to it. You know, it's got no ability to connect to the adjacent neighborhood, so there is no secondary access point. The existing lake that's already there, and with the sewer coming out along Oak Street, it changes the dynamic of this area and of this site, and we felt that the PUD lays out all the questions up front, and therefore commitments can be made. We can add language regarding landscape buffering. We can add things like architecture to the homes that are not a commitment. That's separate from an ordinance, but it's part of the ordinance that's now enforceable totally by the Town staff, Plan Commission, Town Council.

Skelton The planned unit development process, I mean, that's a planning process and that's why we wanted to pursue it with the Plan Commission. You can rezone a piece of property and then end up with, as John said, either waivers or appeals, and that kind of piecemeals the whole planning exercise. The idea is to craft a good project, and then this vessel efficiently lets us work with you to solidify the requirements that cause this project to be approved. It's this project, and actually, I think there was one comment made during the public comment about wanting assurances, and you know what happens if MI, you know, walks away. Well, this property needs to be built the way this PUD is outlined, and that will include home elevation. So, somebody would have to come back to you and request a modified PUD in order to build something else. That's our intent.

Jones Yes, Wayne. That's the way our PUD ordinance would work, is that once there is a, once a planned urban development approved for a project, it's basically committed to build that project. It's not like zoning where you've rezoned a property from something to something, and now it's entitled to be something as long as it meets the standards of that zoning class. What he's talking about is when you establish a PUD with these specific requirements, then that's specifically what they've got to build. Correct?

DeLong Correct, Mr. Jones.

Franz Does anybody else have comments, questions? I guess I'd like to say something. When we had the Cardon PUD request in front of us, you know, I remember this very clearly. I asked the remonstrators what would go in this area, and they said the subdivision, and you know, where I struggle, to be perfectly honest, with the PUD is while it's arguably it's a subdivision, you know, my guess is they were thinking they would be more like a R2, RSF2-type subdivision with comparable density to the properties that surround them. You know, that's my thought. And, I'm as, you know, for a development of this property. I'll say that. I was disappointed that Cardon didn't pass, but you know, that's water under the bridge. But now, I clearly see where the remonstrators are standing on this. Yes, they are for a subdivision, but is this really the subdivision that they thought would be being placed in this piece of property. Does anybody else have any comments or questions? All right. So, next month, obviously, we're going to vote to continue this here in a minute. So, obviously you've got a lot of, hopefully you've taken a lot of notes, prepared to answer. Remonstrators, next month, will give you the opportunity to talk again also. So, we'll go through the rebuttal process at that time. Hopefully we'll be in a situation where we can have, you

know, more time to listen to remonstrators in person, hopefully, but we'll see how that goes. So, at this point in time, unless there is any further questions or comments, I would entertain a motion to continue this to the June 15 meeting.

Papa So moved.

Franz Is there a second?

Walker Second.

Franz All right. Wayne, would you take roll please?

DeLong Certainly. Ms. Walker?

Walker Aye.

DeLong Mr. Jones?

Jones Aye.

DeLong Mr. Fedor?

Fedor Aye.

DeLong Ms. Grabianowski?

Grabianowski Aye.

DeLong Mr. Franz?

Franz Aye.

DeLong Mr. Papa?

Papa Aye.

DeLong George Lewis?

Lewis Aye.

Franz Motion carries 7-0. So, we will look forward to one way or another opening this thing back up next month. So, thanks a lot everybody. We'll see you then.

Isaacs Thank you for your time.

Franz All right. At this time, we'll move on to the next items on the agenda. New business. Docket # 2020-15-Z, Creekside PUD, 10771 to 10903 Creekway, petition for zone map change to rezone 49.874 +/- acres from the PUD planned unit development to a PUD planned unit development district Town of Zionsville owned land within the Creekside PUD as per ordinance 2018-08. Is the petitioner present. Wayne, are you handling this?

DeLong I am handling this. That is correct. And, thank you for the opportunity to present this petition to you. Certainly, this project is under no particular timeframe, but certainly proposed in front of you is a rezone of the Creekside corporate park. This process itself is designed and intended to adjust the language that's currently contained in the PUD ordinance. You've seen this type of petition a few times. An alternative to this process would be to file a variance that's site specific to a particular project. However, a lot has happened in the last 18 months or so to impact Creekside, so this is an effort to clean up and modify the zoning to enhance Creekside's presence in the marketplace. As outlined in your staff report, there is a few changes that are suggested. One is related to wall signage for larger uses. The major driver of this conversation is the land use that is proposed, being an automobile racing team. When Creekside was created, certainly bib box warehouse distribution, other types of land uses were not contemplated as part of the fabric. However, that provision would also not allow the entertainment, or consideration of automobile racing team whose footprint is of generally a large building with a warehouse-type component, but it's a very specific space for a very specific land use. With that concept in mind, that's what's in front of you this evening. There are a few other changes that are also proposed within the document, as listed in your staff report. The zoning itself also looks to reflect the reduction in the footprint of Creekside corporate park of just a very small amount of acreage, a remnant piece of right-of-way was sold off to an adjacent land owner for their use. Acreage was transferred ownership to your community development corporation, who is moving on to be the steward of the common areas, as well as a maintenance of the trail system, and moving forward in that fashion. So, pausing here, we did provide notice as required by your rules of procedure in Indiana code. The Town did provide first class notice to adjoining land owners. We did reach out, as well, to parties to have additional communications, but we would also respectfully, the staff would respectfully ask for a waiver of your notice requirements from your rules of procedure to allow for the consideration of first class mailing and that was done as we mentioned early on in tonight's meeting to allow for reductions in contact with postal carriers and for enhancement of social distancing. With that, I will pause here with the presentation as to the petition that's in front of you.

Franz All right. Thank you, Wayne. Bob, should we address the waiver first? Is that a motion?

Clutter Yes, you should, and it should be a motion with a roll call vote, as it is a waiver of the rules.

Franz Okay. So, we need, so is there a motion to waive the registered mail in person notification for first class mail. Is there a motion

Fedor So moved.

Franz Is there a second?

Walker Second.

Franz All right. Wayne, roll call please?

- DeLong Certainly. Start with Mr. Jones.
- Jones Aye.
- DeLong Mr. Fedor?
- Fedor Aye.
- DeLong Ms. Grabianowski?
- Grabianowski Aye.
- DeLong Mr. Franz?
- Franz Aye.
- DeLong Mr. Papa?
- Papa Aye.
- DeLong Mr. Lewis?
- Lewis Aye.
- DeLong Ms. Walker?
- Walker Aye.
- Franz Motion carries 7-0. With that, I'll open this up for the members of the Plan Commission for any questions, comments.
- Jones My question would be so when it came to, I'm looking under the permitted uses where you've added automotive racing team, and this is under accessory uses. You've got percentages of floor space for various, where did they fall? Are they considered a manufacturer, or assembly?
- DeLong It would be, the land use itself, to actually answer your question, we did not actually classify them as their automobile racing team component as an accessory use. They're accessory use is actually their office. The building footprint is 75% warehouse, and 25% office. So, the accessory component, if you will, of an automobile racing team is their office operations.
- Franz Wayne, before I go any further, I think I forgot to ask if there is any public comment on this matter. So, if there is anybody, attendees, who would like to comment on this, please raise your hand to be recognized. Sorry about that.
- Kilmer Mr. Franz, there are no hands raised.
- Franz Okay. So, continuing on with the questioning, comments.

- Walker Is this similar to what some of the buildings down on Northfield Drive in Brownsburg are?
- DeLong I would say from a land use standpoint, yes. From the architectural point of view, I would say it would be a departure.
- Walker Okay.
- DeLong The Creekside corporate park has a pretty strong standard that's been established by the first use that was on the south side of the road, and then certainly the tenant that's within the north side of the park, DK Pierce, certainly the bar, as we have said repeatedly, is rather high, and the expectation of the Town, the Redevelopment Commission, the Mayor's office, and the CDC would be to keep that bar pretty high. And, certainly the Plan Commission in the near future would have an opportunity, as well, to review the drawings that will be provided as part of the development plan process.
- Walker Thank you. That's the kind of answer I was hoping to get.
- DeLong Very good.
- Franz Is there anybody else who has any comments or questions on this one? If not, is there a motion to forward this to the Town Council with a favorable recommendation?
- Grabianowski I move that Docket # 2020-15-Z, to modify to rezone 49.874 +/- acres from the planned unit development to a planned unit development district Town of Zionsville owned land within the Creekside PUD as per ordinance 2018-08 receive a favorable recommendation based upon the findings in the staff report as presented with the recommendation being certified to the Town Council for adoption or rejection.
- Franz Is there a second?
- Jones Second.
- Franz Is there any comments before we take roll? None. Wayne, would you please take roll?
- DeLong Mr. Fedor?
- Fedor Aye.
- DeLong Ms. Grabianowski?
- Grabianowski Aye.
- DeLong Mr. Franz?
- Franz Aye.

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DeLong Mr. Papa?

Papa Aye.

DeLong Mr. Lewis?

Lewis Aye.

DeLong Ms. Walker?

Walker Aye.

DeLong Mr. Jones?

Jones Aye.

Franz Motion carries 7-0. So that will go to the Town Council. Thank you, Wayne. Next on the Docket is # 2020-13-DP, Zionsville Community Schools Building Corporation, 4400 South 875 East, petition for development plan approval to allow for the construction of a 91,151 square foot elementary school in the SU1 special use zoning district. Is the petitioner present? Please raise your hand and be recognized.

Tyler Yes, I'm here.

Franz Proceed please.

Tyler Good evening. I'm Chuck Tyler, a senior architect with Fanning, Howie Associates with offices at 350 East New York, Indianapolis, and my residence is 7612 Beekman Terrace, Zionsville. Fanning, Howie Associates is the architectural firm that has been working now for a number of years with the Zionsville Community School system. Unseen, but here with me representing Zionsville Community Schools is Scott Robison, Superintendent, Rebecca Kauffman, Assistant Superintendent, Mike Shafer, Chief Financial Officer, Legal Counsel with Church, Church, Hittle and Antrim includes Andrew Manna, John Becker, and Andrew Wert, my Civil Engineer, Brittney Hidenrag with TLF is on, as well, and our construction manager at the Skillman Corporation is represented by Victor Lanfare. On behalf of Zionsville Community Schools, we've submitted the development plan for your consideration for the 67 acres at 4400 South County Road 875 East. This is just north of the existing high school baseball/softball complex. The property is currently zoned special use 1. This project is one the cornerstones of the facility plan taken to the Community in November of 2019. It is a significant part of the \$89 million referendum supported by 80% of the voters in the district. The new elementary school is a replication of Union Elementary School, which has been a very successful design for the district. It provides a capacity of 650 students in grades Pre-K through 4. The central location of this school, and this property, within the district, will allow Zionsville Community Schools to take the capacity pressures off several of its buildings in the face of continued growth. The acreage, as well, gives Zionsville Community Schools the ability to construct a future building on this campus. That is not a part of this submission, however it is worth noting that the

infrastructure, utilities, drives and drainage has been taken into account for some future facility. On the drainage front, I'd like to update the Commission. We've been working very hard to both meet the requirements of the Town and Boone County. We were, in fact, on the Docket for the County's drainage board this morning, and have received a conditional drainage approval from the County Drainage Board. A portion of this project represents the continued cooperation between Zionsville Community Schools, and the Town of Zionsville. The north entrance drive off of 875 East will be constructed as a part of the elementary school project on an easement provided by the Town. The design of this drive meets the needs of the school campus, while also providing access to the future Town development on this property. Staff has effectively summarized how the project intends to meet the applicable provisions of the zoning requirements. Additionally, there are commitments from Zionsville Community Schools regarding future improvements to provide pedestrian and emergency vehicle connectivity to this site. Public notifications were delivered via first class mail, for the same reasons that Wayne outlined in your prior item. It was also then advertised in the Zionsville Times Sentinel. Conversations continue with the immediate property owners with regard to the entrance improvements on 875 East. Zionsville Community Schools and the project team are here to answer any questions that you might have at this time.

Franz All right. Thank you very much. At this point in time, is there any comments from the public on this matter?

Kilmer Mr. Franz. There are no hands raised.

Franz All right. So, we'll first take a motion to allow for the notice using first class mail. Is there a motion to do so?

Fedor So moved.

Franz Is there a second?

Jones Second.

Franz Wayne, would you please take roll?

DeLong Certainly. Ms. Grabianowski?

Grabianowski Aye.

DeLong Mr. Franz?

Franz Aye.

DeLong Mr. Papa?

Papa Aye.

DeLong Mr. Lewis?

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- Lewis Aye.
- DeLong Ms. Walker?
- Walker Aye.
- DeLong Mr. Jones?
- Jones Aye.
- DeLong Mr. Fedor?
- Fedor Aye.
- Franz All right. Motion carries 7-0. With that, staff report please?
- DeLong Certainly. The petitioner has certainly very eloquently identified the topics that staff would focus on. This project was recently visited with the drainage board specific to the legal drain that is in proximity to the site. Certainly, much detail has been reviewed, and certainly then available to the public over the last decade related to the interest of the school and developing this facility. This represents an additional investment in the Community, as well as outlines future investments that would be made, and certainly be subject to Plan Commission review at that time. Access to the site is derived from multiple locations with a second curb cut being provided on County Road 875. Certainly, this roadway cut would be provided through a piece of property which the Town is purchasing under contract, and all parties involved in the transaction are willing sellers and conveyors of that easement. Staff's comments are rather brief, even though your staff report is rather voluminous, but in summary, staff is supportive of the petition as it's been filed. It would be a conditional approval subject to finalizing items prior to commencement of seeking update permit to disturb earth.
- Franz All right. Thank you, Wayne. At this point, is there any questions, comments from any members of the Commission?
- Lewis Look at the site plan. Are there any plans to potentially have a trail that links to the properties to the west, that will probably be going to this school? I really don't see one on there, and it's kind of nice. My kids go to Pleasant view and we used to be able to go off the trail to get to the school.
- Tyler So, the properties to the west do have a trail, or sidewalk extension sort of in the northeast portion of their development. One of the commitments is to connect to that in the future phase of this project at the time that we develop our drive connection to 400 South.
- Franz Anybody else? There is no additional comments. Is there a motion?
- Jones I'll make it, I guess. Let me get it blown up where I can read it.
- Walker That's what I was doing.

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Jones I know. Hang on, where are we at?

Lewis It's hard to find this stuff.

Grabianowski Larry, I've got a hard copy thanks to Janice. You want me to do it?

Jones Please.

Grabianowski Okay. I move that Docket # 2020-13-DP, to allow for the construction of a 91,151 square foot elementary school in the SU-1, special use zoning district, be approved based on the findings in the staff report, staff recommendation and submitted findings as presented.

Franz Is there a second?

Fedor Second.

Franz Any discussion? None. Wayne, roll call please.

DeLong Certainly. Mr. Franz?

Franz Aye.

DeLong Mr. Papa?

Papa Aye.

DeLong Mr. Lewis?

Lewis Aye.

DeLong Ms. Walker?

Walker Aye.

DeLong Mr. Jones?

Jones Aye.

DeLong Mr. Fedor?

Fedor Aye.

DeLong Ms. Grabianowski?

Grabianowski Aye.

Franz All right. With that, motion carries 7-0.

Tyler Thank you very much.

Franz All right. Thank you. Next item on the Docket is, now I have to expand it, #2020-14-DP, Hoosier Village sales and marketing office, 5415 Beerbury (sp) Lane, petition for development plan approval to allow for the construction of an approximately 5600 square foot single story sales and marketing office in the SU-7 special use zoning district. Is the petitioner present? I think you're on mute. I didn't hear you. There you are. Okay.

Ochs Yes. Tim Ochs, attorney at Ice Miller representing the petitioner, BHI Senior Living. This is a proposal for a new building on the Hoosier Village campus. Just a short background for those members of the Plan Commission that have heard several petitions, my apologies for any repetition. But this is part of a much, much larger continued care retirement community that's been part of the Zionsville community for decades. Hoosier Village campus is located northeast of Zionsville and 96th. Also northeast of 465. This particular proposal is for a new 5,600-square foot sales and marketing office. It's location, and if you look at Page #5 of the staff report, it shows exactly where this building would be located with the little white box that says site. It's located on the interior of the campus, pretty much due east of what's now the main or new entrance off of Zionsville Road. It's located far enough east of Zionsville Road, and north of 96th Street that it really won't be visible from the exterior of the larger Hoosier Village campus. Nonetheless, the architecture and feel is of significant importance to BHI, and we think that the architecture and the aesthetics reflect that. The single-story building will share a parking lot with the existing community center that's located due north of it. The parking lot will be located in-between the two buildings. There is adequate parking to meet the parking requirements as specified in the zoning ordinance, without counting any spaces more than once in that parking lot. There will be sidewalks on three sides. The only side that doesn't have it is the west side, and there is no point in anybody going on the west side of the building. That will include an 8-foot path on the south side that runs along one of the drives within Hoosier Village. All the roads in Hoosier Village are private. We're not aware of, and we've pretty much completed our drainage plan when, almost about 10 years now, when improvements were really starting on the campus. The master drainage plan was done with the notion that there might be additions in the future. So, the drainage was contemplated, so that's not an issue. No signage is being proposed. There is no point in that since you can't really see it from the surrounding roadway. Finally, just a comment as to why this is necessary. Up until now, the sales and marketing efforts have occurred in the buildings where residents actually stay. There would be a dedicated office space, or a dedicated unit for these purposes. And, what has occurred over really the last 5 years is, one, a significant increase in the number of residents, because Hoosier Village is growing. They're about to come online with a new large multi-unit building that was part of a prior development plan approval. The Oaks project, which is just adjacent to, but north of the traditional Hoosier Village campus has brought on a lot of new units, and what's happening is they need to add a couple more staff people, and they need to be able to conduct this in a way that they're not interfering with their residents and their everyday function of their residents. And the residents, quite frankly then, are interfering with the sales and marketing folks. It just makes sense to have their own facility. So, this is being proposed. It's single-story, pitched asphalt roof. Predominantly masonry construction, well-landscaped. I'd like to thank staff for their work. We are in agreement with the

staff report. And, we'd be happy to answer any question the Plan Commission might have.

Franz All right. Thank you. At this time, is there any public comment on this matter? Being none, pardon?

Kilmer There are no hands raised.

Franz All right. Mr. Ochs, did you also need a waiver for the notice?

Ochs Yes.

Franz Okay. Thank you. At this point, I'll entertain a motion for a waiver to allow the use of first-class mail for notice.

Walker So moved.

Franz Is there a second?

Fedor Second.

Franz Wayne, would you please take roll?

DeLong Certainly. Mr. Papa?

Papa Aye.

DeLong Mr. Lewis?

Lewis Aye.

DeLong Mr. Jones?

Jones Aye.

DeLong Ms. Walker?

Walker Aye.

DeLong Mr. Fedor?

Fedor Aye.

DeLong Ms. Grabianowski?

Grabianowski Aye.

DeLong Mr. Franz?

Franz Aye. Okay, motion carries 7-0. With that, I'll open it up to questions from any of the members of the Commission.

- Grabianowski I don't have a question, but in light of the pandemic, I think this is an excellent, much needed given the vulnerability of people in nursing homes, having a separate facility is spot on.
- Ochs Thank you.
- Jones I don't see any floor plan in here. Does this thing have like, are we seeing an area for like golf carts? Is that what that little, kind of garage drive is?
- Ochs Yes. That's what it is. Correct.
- Jones So they aren't setting up a garage in there they are going to do auto repairs, correct?
- Ochs I don't believe that's on the agenda.
- Franz Anybody else have any questions, comments? If not, is there a motion?
- Grabianowski I don't have my hard copy with me guys. One of you has to do it.
- Walker Okay. I've got a hard copy on this one. I believe I do. I move that Docket # 2020-14-DP, to allow for the construction of an approximate 5600-square foot single-story sales and marketing office in the SU-7, special use zoning district, be approved based on the findings of fact in the staff report, and submitted as presented.
- Franz Is there a second?
- Grabianowski Second.
- DeLong Mr. President, for your process, you did not have the staff report read. Staff is supportive of the project as filed. Please continue with your motion.
- Franz Sorry about that, Wayne. Okay. So, there was a second.
- Grabianowski Yes.
- Franz All right. Is there any discussion? All right, with that, Wayne, would you please take roll?
- DeLong Certainly. Mr. Lewis?
- Lewis Aye.
- DeLong Ms. Walker?
- Walker Aye.
- DeLong Mr. Jones?

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Jones Aye.

DeLong Mr. Fedor?

Fedor Aye.

DeLong Ms. Grabianowski?

Grabianowski Aye.

DeLong Mr. Franz?

Franz Aye.

DeLong Mr. Papa?

Papa Aye.

Franz Motion carries 7-0. Thank you, Mr. Ochs.

Ochs Thank you.

Franz All right. At this point, there is no other matters on the agenda. Is there any comments? Anything somebody wants to discuss? I will add, go ahead.

Fedor Question for you, Wayne. With the Zionsville paper and Lebanon Reporter merging, are we going to require notice in the Lebanon Reporter now? Is that going to be the procedure?

DeLong We, no Board or Commission sets as to which newspaper must be utilized. The paper, as long as the paper is the paper of general circulation, and maintains that certification that the newspaper, that particular publication is eligible. So, the Current, and other newspapers, such as the ones you mentioned, no matter where they circulate, as long as they're a paper of general circulation inside Boone County, that's acceptable for a petitioner to utilize. Certainly, Mr. Clutter, is there any - -

Clutter --That's correct. That's all established by State statute. They've been under a common ownership for quite a period of time. I was not aware, is the Zionsville paper going to stop circulation?

Grabianowski Yes.

Lewis Yes.

Clutter Completely stop?

Grabianowski Last week was the last issue.

Clutter I didn't realize that.

- Walker It's going to be combined with - -
- Clutter --Yes, and I know the Lebanon Reporter said that they were dropping circulation. I think they're only going to be 3 days a week now. So, I was not aware that Zionsville was completely stopping circulation. So, yes, the Lebanon Reporter will be the paper of circulation in Boone County. I know that there are exceptions and the outlying counties generally will rely upon publication in the Indianapolis Star. That's not provided by state statute. But there can be an exception for that.
- Franz All right. Related to next month's continued matter. We were talking about earlier, Wayne trying to find a space to accommodate a larger group of people because currently if the Town Hall is open the concern would be if there is social distancing in place, the number of people who could attend the meeting would be severely limited. Is that, you were saying it was like 30 people, right?
- DeLong Correct. For any, for example, the Plan Commission and the Council chambers downstairs, the first floor of the Town Hall, there is X number of chairs that are out, plus you're with essential staff, plus the Board itself, or Commissions. You would end up with a limited number of potential participants, attendees. So, it would, you know, looking at your petitioner, and how many is in that grouping, then it potentially reduces down the amount of parties that could attend a meeting to cure their interest.
- Franz All right. I would ask potentially if there is any way you could research alternatives to allow for a larger group, because I think this obviously there is a lot of interest in this matter.
- DeLong Certainly we're happy to do that. I would say that the Town, through its Town attorney, will be researching just collectively how this marches forward in June. Certainly, depending on the Governor's extension of any executive order. Certainly, staff is not here tonight to pontificate on if that would occur or not. These are happening in 30-day increments, but certainly we need to be prepared one way or the other, and with contingency plans to be prepared to facilitate full and transparent public processes.
- Franz Anybody with anything else? If not, I'll entertain a motion to adjourn.
- Fedor So moved.
- Franz Second?
- Lewis Second.
- Franz We don't need roll. All in favor, aye.
- All Aye.
- Franz All right, thanks a lot guys. Good night.
- DeLong All right. Good night. Thank you.