



ZIONSVILLE
ZIONSVILLE PLAN COMMISSION RESULTS

Tuesday, January 17, 2023

7:00 PM (Local Time)

**THIS PUBLIC MEETING WAS CONDUCTED ONSITE AT THE ZIONSVILLE TOWN HALL
 IN ROOM 105 (COUNCIL CHAMBERS), LOCATED AT 1100 WEST OAK STREET
 AND ELECTRONICALLY VIA ZOOM**

The following items were considered:

- I. Pledge of Allegiance
- II. Attendance: Dave Franz, Mary Grabianoski, Chris Lake, Larry Jones, Sharon Walker, Cindy Madrick, and Jim Hurst attended in person.
- III. Election of Plan Commission Officers:
 President - Dave Franz
 Vice President – Chris Lake
 Secretary – Mike Dale
- IV. Community & Economic Development December Monthly Report (Informational Only – no action required)
- V. Approval of the December 19, 2022 Regular Meeting Minutes: Approved with no changes.
- VI. Continuance or Withdrawal Requests

Docket Number	Petitioner / Project Name	Address of Project	Item to be Considered
2022-53-PP	Epcon Communities / The Courtyards of Russell Oaks	8901 and 9085 E. Oak Street, Zionsville	Continued to the February 21, 2023 Meeting by Staff. Continuance was granted. 7 in Favor 0 Opposed Petition for the Approval of a Primary Plat for a 150-lot residential subdivision being zoned Rural Single and Two-Family Residential (R-2).
2022-54-DP	Epcon Communities / The Courtyards of Russell Oaks	8901 and 9085 E. Oak Street, Zionsville	Continued to the February 21, 2023 Meeting by Staff. Continuance was granted. 7 in Favor 0 Opposed Petition for Approval of a Development Plan for a 150-lot, single family subdivision being zoned Rural Single and Two-Family Residential (R-2).

VII. Continued Business

Docket Number	Petitioner / Project Name	Address of Project	Item to be Considered
2022-50-RP	Phil Sundling / Replat of Lot J8 and Clubhouse Lot in Holliday Farms	3983 Club Ridge Estates Zionsville	Continued from the November 21, 2022, and December 19, 2022, Meetings. Approved as presented & filed w/exhibits & per staff report. 7 in Favor 0 Opposed Petition for the Approval of a Replat to relocate the existing property line between the Clubhouse lot and Lot J8, incorporating a portion of an unplatted lot with Lot J8, being in the Planned Unit Development District (Holliday Farms PUD).
2022-56-DP	Stakkd Storage LLC / Project Whit	7283 S 650 East Whitestown, IN	Continued from the December 19, 2022, Meeting. Conditionally Approved as presented & filed w/exhibits & per staff report. 7 in Favor 0 Opposed Petition for Development Plan Approval of a 139,192 SF, three-story self-storage facility on 3.28+/- acres in the Rural Light Industrial (I-1) Zoning District

VIII. New Business

Docket Number	Petitioner/ Project Name	Address of Project	Item to be Considered
2022-60-Z	Town of Zionsville/ Creekside PUD Rezoning	10814 and 10850 Creek Way, Zionsville	Petition received a Favorable Recommendation to the Town Council. 7 in Favor 0 Opposed Petition to Rezone 11.51± acres of the existing Creekside Planned Unit Development (PUD) to a PUD to permit additional primary uses and revise certain development standards.
2022-59-RP	The Club at Holliday Farms / Replat of Lot S & C.A. B of Sec. 7 and Lots T7 & T8 of Sec. 8	3546 S US 421 and 10756 & 10778 Dartmoor Way Zionsville	Continued to the February 21, 2023, Meeting due to IT issues with the Zoom connection. 7 in Favor 0 Opposed Petition for the Approval of a Replat of Lot S and Common Area B of Section 7, and Lots T7 and T8 of Section 8 of Holliday Farms to modify the previously platted lot lines being in the Planned Unit Development District (Holliday Farms PUD).

VIII. Other Matters considered

Docket Number	Name	Address of Project	Item to be Considered
ACT-2023-002	Tipsy Mermaid	135 S. Main Street	Minor Development Plan Amendment: Notification from Staff of Amendments to the previously approved DPA (#2022-23-DPA).
			Reminder: New Plan Commission Meeting start time of 6:30 pm effective for February 21, 2023 Meeting.
			Introduction of Rules of Procedure items to be discussed at the February 21, 2023, meeting.

Respectfully Submitted: Mike Dale
Director - Department of Community & Economic Development
Town of Zionsville

Zionsville Plan Commission
January 17, 2023

In Attendance: David Franz, Sharon Walker, Jim, Hurst, Mary Grabianowski, Chris Lake, Cindy Madrick, Larry Jones

Staff attending: Mike Dale, Janice Stevanovic, Roger Kilmer, Dan Taylor, Attorney

A quorum is present.

Franz Call to order the January 17th Plan Commission meeting. Let's please start with the Pledge of Allegiance. Please rise.

All Pledge of Allegiance.

Franz Secretary, please take roll.

Dale Sharon Walker?

Walker Present.

Dale Jim Hurst?

Hurst Present.

Dale Dave Franz?

Franz Present.

Dale Mary Grabianowski?

Grabianowski Present.

Dale Chris Lake?

Lake Present.

Dale Cindy Madrick?

Madrick Present.

Franz Larry Jones?

Jones Present.

Franz All right, thank you. At this point, we need to elect officers for the coming year. Is there a nomination for the President?

Jones Dave Franz.

Grabianowski Second?

Zionsville Plan Commission
January 17, 2023

Franz Any other nominations? If not –
Grabianowski I will reelect him by acclamation.

Taylor You can make that motion.

Franz All in favor signify by aye.

All Aye.

Franz Opposed by nay.
[No response]

All right, that motion carries.

Service. I'm, I'm happy to do it again. We need a nomination for the Vice President. Chris?

Grabianowski Chris. Oh, Chris Lake. I nominate Chris Lake

Walker Second.

Grabianowski By acclamation.

Franz Any further discussion? She, she did second.

Lake I'll accept.

Franz All right, all in favor signify by aye.

All Aye.

Franz Opposed by nay.
[No response]

Chris, you're Vice President again. And then we need a nomination for Secretary.

Lake Mike Dale.

Grabianowski I nominate Mike Dale.

Franz Is there a second?

Lake Second.

Franz All, any further discussion? All in favor signify by aye.

All Aye.

Franz Opposed by nay.
[No response]

Mike, you're Secretary again.

Dale Thank you.

Franz Thank you.

Hurst Now put your name plaque back up.

Franz In the packet there was a, the minutes from the December 19th Plan Commission meeting. Was there any comments, additions, deletions to those minutes? If not, is there a motion to approve?

Lake So moved.

Franz Is there a second?

Hurst Second.

Franz Any further discussion? All in favor signify by aye.

All Aye.

Franz Opposed by nay.
[No response]

The minutes are approved.

We have two requests for continuances, Docket Number 2022-53-PP, Epcon Communities/The Courtyards of Russell Oaks and 2022-54-DP, same property, same name, address 8901 and 9085 East Oak Street, Zionsville, Petition for Approval of a Primary Plat for a 150 foot lot residential subdivision being zoned Rural Single and Two-Family Residential. Do we need to take those separately, Dan?

Taylor You can do them together.

Franz Okay. So, there has been a request to continue both of these matters. Is there any discussion? If not, is there a motion to continue these two matters?

Grabianowski I move that we continue these two matters.

Franz Is there a second?

Lake Second.

Franz Any further discussion? All in favor signify by aye.

All Aye.

Franz All opposed, nay.

[No response]

So those two matters are continued to the February 20th, 21st, 21st meeting.

Grabianowski Yeah, the 21st.

Franz All right, on to Continued Business, 2022-50-RP, Phil Sundling/Replat of Lot J8 and Clubhouse Lot in Holliday Farms, 3983 Club Ridge Estates, Zionsville, Petition for the Approval of Replat to relocate the existing property line between the Clubhouse lot and Lot J8, incorporating a portion of the unplatted lot with Lot J8, being in the Planned Unit Development District (Holliday Farms PUD). Petitioner present? Are they online?

IT Yeah, they're online.

Franz Okay. Would you please promote him?

Sundling Hey, can you guys hear me?

Franz I believe you're muted.

Sundling Can you hear me now?

Franz Nope, cannot hear you.

Sundling How about now?

Franz Yes we can. Please proceed.

Sundling Well good evening members of the Plan Commission. My name is Phil Sundling and I am with the Henke Development Group. I want to start here with a brief update from our previous public hearing which was held on November 21, 2022 where we ended up requesting a continuance due to a number of questions from, questions and concerns from you all. Since that time, we have been able to provide staff with all of this information and I'd like to run through those updates briefly with you guys tonight. Let me share my screen here. Can you guys see this?

Franz Yes.

Lake Yes.

Sundling Just to kind of recap as to where we are – this is 421 here. This is our main entry. If you take that main Holliday Farms Boulevard all the way back to the western edge of our project, we're talking J8 which is where our temporary Clubhouse is which is directly across the street from our new permanent Clubhouse which is under construction. First, I think the biggest concern was regarding the improvements that were made outside of buildable areas as part of our temporary Clubhouse operation. This included a driveway extension, patio and a pergola covered grill station. We, fortunately, were able to make various adjustments to our lot as part of this replat to ensure that all these improvements are able to

remain in place and we've also confirmed with staff that this now is fully compliant. We were also able to confirm though As-Builts all of the utility infrastructure that's in place and we were able to incorporate those into easements with this replat and lastly, there were concerns regarding drainage or questions on the drainage and we've confirmed with staff that there are no, no negative impacts with this replat. I just want to add that I really appreciate your patience as we worked through these concerns and, especially staff's patience. Janice and Roger have been awesome to work with and have been very helpful for us, of course, per usual, and I'm happy to take any questions that you guys have. Thank you.

- Franz All right, thank you. At this point is there anybody from the public who would like to comment on, on this matter or online? Seeing none, staff report please.
- Stevanovic This petition request to replat the existing property lines between the existing Clubhouse lot and Lot J8 incorporating a portion of the unplatted lot with J8. The hearing originally opened at the Plan Commission on the November 21st meeting and was continued in order to provide clarity on the location of the existing structures and the relationship to the property lines. In the January Plan Commission packets, the members have received the plot plan which defines the property lines, all structures on the parcel and the setback measurements from these structures to the property lines. Staff, including the town engineer and the town's contractual engineer, have reviewed the meeting materials and are in agreement that the plat and plot plan both reflect compliance to the Holliday Farms Development Standards PUD and the town standards for the replat. With this, staff recommends approval of Petition 2022-50-RP.
- Franz All right. Thank you, Janice. Anybody on the Commission have any questions/comments?
- Jones I just want to check if I'm reading this correctly. So this is Lot J8 we're talking about and it looks like Lot J7 has a 35-foot building setback line behind it. So are you changing the building setback line for this one lot?
- Sundling Yeah, I'm going to share my screen again, Mr. Jones, and this will maybe – so this is, this is how the house orients here with the back porch. Can you guys see this first of all?
- Lake Yes.
- Grabianowski Yes.
- Walker Yeah.
- Sundling So yeah, so essentially what we're doing in the, in this rear here this is where the patio is and in this small area down here is where the covered pergola is. I think that's one of the major, that was one of the major sticking points or conversation points of the last hearing so, essentially what we're doing is on this western property line is adjusting that BSL to ensure that all of this remains compliant.

- Jones So when it comes to the schedule of building setback lines you guys generate, they're basically arbitrary. Is that correct? You guys can change them if you want?
- Sundling They're not necessarily arbitrary but, yeah, I mean, they're, it's a, with it being a custom community there are certain pieces, certain natural or unnatural pieces of infrastructure that are there that we want to make sure we accommodate or protect. So, you'll see a lot like in areas where we are trying to save trees along the golf course or streams as part of the development, you'll see variable BSLs. The matrix applies to kind of a standard lot that doesn't have any of those resources. But, yeah, to, to your point, absolutely. We, we have I would say 50%, maybe less than that, 30% of the lots at Holliday Farms have we'll call them custom BSLs to accommodate some of these, these types of things.
- Jones And so what subarea or, what block subarea would this lot typically be?
- Sundling It's the square subarea – let me go back to the plat.
- Jones- 14:44 inaudible
- Sundling It's, it's down here. It's subarea G. So generally a subarea G would have it's a minimum of 70-foot width. The lot frontage, obviously, minimum is 20 feet. Front setback is 10, side is 5, rear is 10. You'll see in certain circumstances we adjust from, like I just explained, we adjust from these but if there are no adjustments noted on the plan, I think, I'm glad you're bringing this up because I think there was a lot of confusion last meeting. There are certain circumstances where this, this matrix applies perfectly and there are certain circumstances where there are adjustments from it. Anytime that happens they are noted on the plat itself and I can show you an example if it's helpful but –
- Jones So then when I'm looking at Lot J7, even on the existing conditions exhibit it shows a 35-foot building setback line. It really should be a 10-foot building setback line across the rear?
- Sundling It depends on what subarea J7 is. It doesn't show on here. I could dig it up real quickly but –
- Franz That's subarea D it looks like.
- Sundling Subarea, if that's subarea D then yes it would fall under here unless there is a custom revision on that plat itself.
- Jones No, just as I'm looking at it so Lots J2, J3, J4, J5, J6 are all subarea D but when you get to 7 it looks like it's got the little square box –
- Sundling Yep.
- Jones So it goes to a G. I'm just, once again, we keep, we've, we've run into this as an issue at BZA. I'm just kind of doing my homework –
- Sundling Sure.

- Jones Of trying to clarify 1) How this is supposed to work; 2) How it's at your discretion to revise it if you so, so choose. And then I am correct, you're actually revising the rear property line of this lot. Is that right?
- Sundling Yes, yeah there are, it's essentially the south, I think the south boundary and this west boundary changes along with this we'll call it the northwest boundary. The east boundary remained as is.
- Franz So if this was not a change to the lot line and just a request for the setback then that would just go straight to the BZA. Correct?
- Sundling No, not that I, I think generally we've –
- Franz Because --
- Sundling Yeah, I don't know if that question was for me. If it was, what we've done in the past and when we have, we have changed subareas on certain lots and we have brought those as a replat through the Plan Commission.
- Franz Okay.
- Sundling There was a D lot that we did and I think there was maybe one other one that we've done that way.
- Franz Okay, all right. Never mind so. Any other questions? If not, is there a motion on this matter?
- Lake I move to approve Docket Number 2022-50-RP, Replat to relocate the existing property line between the Clubhouse lot and Lot J8, incorporating a portion of the unplatted lot with Lot J8, in the Planned Unit Development District (Holliday Farms PUD) attached as Exhibit 7 be approved as presented and described based on the Findings in the staff report and staff recommendations and submitted Findings of Fact.
- Franz Is there a second?
- Walker Second.
- Franz Any further discussion? Mike, would you please take roll?
- Dale Larry Jones?
- Jones Aye.
- Dale Cindy Madrick?
- Madrick Aye.
- Dale Chris Lake?

Zionsville Plan Commission
January 17, 2023

Lake Aye.
Dale Mary Grabianowski?
Grabianowski Aye.
Dale Dave Franz?
Franz Aye.
Dale Jim Hurst?
Hurst Aye.
Dale Sharon Walker?
Walker Aye.
Franz Motion carries 7-0.
Sundling Thank you all.
Franz Thank you.

Next on the Docket is 2022-56-DP, Stakkd Storage, LLC/Project Whit, 7283 South 650 East, Whitestown, Indiana, Petition for Development Plan Approval of a 139,192 square foot, three-story self-storage facility on 3.28+/- acres in the Rural Light Industrial (I-1) Zoning District. Please proceed.

Andreoli Thank you Mr. President. For the record, Mike Andreoli, 1393 West Oak Street. With me tonight to my left is Bryan Sheward who is a civil engineer with Kimley-Horn and working with the developer, Mike Shanahan, with regard to this project. Ben Graber is the architect that we worked with and he may be online. I know he's not here with us personally tonight. Just to recap a little bit, we were here at the, at the last meeting and the meeting was continued at the suggestion of staff and we concurred with that because of the newly raised issues with regard to whether the project complied with the I-65 Overlay District and at that time we decided to see if we could work with staff and try to eliminate the, the concerns with regard to the I-65 Overlay District by redrafting some of the site but essentially making some architectural changes to the, to the building.

In my packet to you, I've laid out by way of letter form the analysis that we had in terms of what we did with regard to the architectural designs, in particular to the front of the building, in particular to the interstate facing side of the building and a couple of other matters that we had actually went ahead and noticed for plat waivers but we think based upon the information that we've provided and working with staff who have been very generous with their time in working with us on this, to try to come up with some architectural details and some additional information so that those, those plat waivers were not required.

Another significant change as I mentioned at the last meeting, is that we withdrew our request or application on the site for the outdoor advertising sign. That was pursuant to your I-65 Overlay that would require a use variance since they're not permitted in that particular district under the I-65 Overlay District. So we withdrew that from the application and are not moving forward with that.

So from an architectural standpoint, I'm going to have Bryan discuss with you a little bit and show you that, that façade so that you've got, you've got a number of architectural drawings and they show different facades but making sure that you see the façade that's going to face 465 and I-65.

The other thing I might mention is that, and staff had suggested this given the architectural features that we put on the top of the building to, to hide all of the HVAC units and those types of things, suggested it might be good to do a sight line exhibit to show exactly what, what is being seen from, from the various uses that were around that and we thought that was a good idea and a good suggestion to be able to show the staff as well as the Plan Commission that we were in compliance with the I-65 Overlay with regard to those visions.

One other thing before I turn it over to Bryan, that the I-65 Overlay does not require us to have to enter from I-65 looking at I-65. That's not what it says. It just says it has to have features of the main entrance and the intent of that is that you don't want to look simply on a side of the building without any architectural features along I-65. So what we tried to do was take some of the architectural features from our main entrance which is off of the side road 650 and apply those to the, to the architectural significance of the building that faces I-65. We think we've met the spirit and intent of that particular ordinance but ultimately that's your decision to be able to make that decision.

Sheward

Good evening. Bryan Sheward, Kimley-Horn & Associates, civil engineer on the project, 250 East 96th Street, Suite 580, Indianapolis, Indiana with Kimley-Horn. What you see on the screen is the site plan. That really hasn't changed from the last time we were here in December but to reorient you and the public, the site is, is on a skew slightly confusing because the north is actually to the left, so the east face which is the, I'm going to call it the I-65 facing side or 865 depending on how you look at it, is on this side and then when we talk about entries, there's really three entries on this site because there's the, we'll call it the main entry where people can walk into a small office and that's on the southwest but there are drive-in entries where overhead doors roll up and you can actually drive vehicles into the building to unload. I count those as entries as well and that's both right next to the office on the southwest side as well as on the actual interstate facing side which you'll see in the, in the architecture that I'll show here.

What you see and I have both elevations and renderings so that I can show you both, but I'll show you the renderings first. This is the southwest corner. As you can see, there's a set of double doors, a lot of glass in this view and then these are the two overhead doors that you can pull into. This drive that you see here goes out and connects to the frontage road. This is the public right-of-way to access the site. You'll notice the banding of the orange around the outside and architectural features, a, a sign that's shown there. If we look at the other side of

the building which is right above it, it looks very, very similar. So that is the northeast corner of the building. So, if you're on the interstate driving by, this is what you're going to see next to the other two drive-in doors which I'll note have glass in the door that you can see into.

We've paid particular attention to what the ordinance says and I thank the town staff as well because they had helped us by, this is such a unique situation, they helped us by putting together a comparison table so they studied the, the document which I won't bore you with all the recorded document language here but they put together a table for us and we spent time going through line by line looking at them and figuring out where did we fall short and what can we do in good faith to reach the intent of what is shown. We feel and I'll, I'll highlight the things that are, that have been updated here individually. There's a note within that 65 Overlay that, that mentions that you have to have these and I, I don't want to butcher it, I'd actually just like to read it specifically. Yeah, so this, this first one says facades of all primary structures located within the I-65 South Overlay District and facing parallel to Interstate 65, which is us, or any other Indianapolis Road or any other primary thoroughfare identified within the Boone County Comprehensive Plan, shall contain at least one main building entrance of the type described below. To me, the drive-in doors are at least one main entrance, in my opinion, and then this goes on to have some other language here but it does point to J4 which if I pan south, or south, down – it says building entrances shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns and other design elements appropriate to the architectural style and details of the building as a whole. The location, orientation, proportion and style of doors must faithfully reflect the chosen style of the building. Building facades for industrial warehouse uses shall be designed with a main entrance of at least two window openings associated with this doorway.

So, we took that very literally and, in our opinion, if I go back here to us the, the banding of the orange around this similar treatment of the architecture in the corner and the fact that there are glass in these doors check the boxes of what the ordinance reads word for word, in, in our opinion. So, we worked back and forth with staff. Staff, obviously, did the right thing and said this is ultimately up to the Plan Commission but that's what we did with architecture as well as Mr. Andreoli mentioned, we did do a sight line study looking at a few different directions. From the interstate looking in this case due west from Indianapolis Road and County Road 650 and then also from the Little League building and then, and then the last from our resident immediately to the north. Those different sight lines, and I think this is on file, I'm sure it is, shows that the rooftop equipment is inset into the building enough in all those directions they would not be visible and that's, that we understand that's a constraint, a requirement when it comes to the architecture. If, if the Plan Commission has any questions, I'd be happy to answer them.

Andreoli

A couple of other matters with regard to the process, this is kind of uncharted territory a little bit. We've never used the I-65 Overlay District before in, in applying it to, to any of, of these things and so it was a little learning curve for staff as well as our efforts to, to try to understand not only the strict wording of it but, but some of the subjective aspects of it. It's a little bit subjective and so we tried to do our best to, to make sure that we put these architectural features so

that the, this building wouldn't just have a, a, just a blank side to it facing I-65 and we really thought that was the intent of what they wanted to do. They wanted to see some architectural features and not just the side of a building facing I-65 to try to get the best appearance you can up and down I-65 and we think we've accomplished that. You'll be the ultimate judge of that but essentially we think we've accomplished that with regard to the, some of the plat waivers that we requested, we think we've absolutely complied with those but if, and staff agreed with that as well that they're not really necessary that we go forward with those since we've complied with them but, again, we'd be happy to take any, any questions or comments from members of the Plan Commission. This is a little, little different procedure than what we've done before with regard to the, this particular work.

Franz All right, thank you. At this time is there anybody from the public who would like to comment on this matter? Come forward. Please state your name and address.

Harris Hi. Nathan Harris, 7286 Dugan Drive, Whitestown, Indiana. I live in Westwood Landing which is just south and west of the subject property. Very nice presentation, I appreciate the effort put in to enhance the look and feel of the building. There's a few things that I think are still lacking from my personal opinion just from what you cited.

The northwest corner of the building does face I-65. There's a pretty clear view of it as you're driving south and that corner has not really been enhanced at all. There's some connectivity – it looks there has been a sidewalk added along the west side of the property but it doesn't really match with what's on Indianapolis Road. Along Indianapolis Road there's a, the asphalt multi-use path, I believe it's maybe 8 or 10 feet wide. What's shown on the plan is only 5 feet wide so a typical concrete sidewalk. I think that probably would, would help fit in with the neighboring area.

I looked at the lighting plan as well. It looks like there's just lights around the building, attached to the building. They seem pretty high up on the building. I know there's not really a clear standard for that but most of them are 6-1/2 feet high, some are 18 feet high. I do have some neighbors that have a clear view of this building and maybe not the light packs on the outside of the building, the glass is nice on the building but it's very clearly visible what's inside the building when you're looking at it and I'm assuming if somebody would come, it's, it's accessible 24/7. If those lights were to come on, it's probably not as, as shielded probably as, as the lights on the building face would be. Perhaps they could tint the glass to shield the view of the bright orange rollup doors perhaps. Right along Indianapolis Road I think there's maybe four or five homes and their bedrooms face that way so that's, that's a clear view at night from their bedrooms when they, when they see that property.

I'm not representing the neighbor to the north but some of the landscaping seems to be a bit lacking. There's hardly any evergreens, the evergreens that are there are pretty low, I think maybe a max height of 3 feet. There's a pretty clear view from Indianapolis Road of the site and I'm sure the intent, there's quite a bit of landscaping on the west side of the site, is to kind of shield that front face from

public view. I'm sure they're trying to be accommodating but it'd be nice maybe to switch out some of the plant types to more of an evergreen type of planting that wouldn't lose its leaves in the fall and winter. Same thing around, around the pond. There's only a little bit of landscaping at the pond, probably that southwest corner but that's, again, it's, it's pretty visible if you're on the west side of the pond or even the southeast side of the pond. Perhaps folks coming from Eagle's Nest could see the building pretty clearly there. Just, just a few things that I think if you are going to approve this, it'd be nice to get those incorporated into the final, final development. That's all I've got.

Franz Thank you very much.

Harris Thank you.

Franz Is there anybody else who'd like to comment on this? Mr. Andreoli, you want to comment or respond?

Andreoli Yes. Some if the design and architectural, I'll have Bryan try to answer some of those questions that the gentleman had.

Sheward Yeah and Mr. Harris if I miss anything, let me know. I was trying to take a few notes there. I believe the first thing he mentioned was the north side of the building. I'll flip back to the site plan for, for view and, and correct there are trees and other, other elements here on the north side but as you're driving southbound you may see the north side of the building and not just the, the west side of the building or, I'm sorry, the east side of the building. I'll go back to the elevations so that you can see what that looks like. So, the north elevation here which, just to orient you, this would be the northeast corner. This would be the northwest corner. Subjectively, I, I see three of the four corners with heavy glass on them all the way up. I, I, I don't – this is, I think, the corner that he's referring to which is the, the northwest corner. I, I think the treatment on the north face of the building has not been forgotten, in my personal opinion, and certainly happy to, to discuss that more if, if you'd like. The, the east side – I keep getting myself confused – which is the interstate facing side, really has the most. It has a, a glass feature on both the south and the north and then this would be what you see from 650 which orients you down towards the, the entry down here on, on the corner which is closest to Indianapolis Road.

The second note about landscaping, we had worked closely with staff identifying what the buffer types, what the landscape levels need to be on all corners based on surrounding zonings. I feel that we've met the intent. If staff or the Plan Commission would, would prefer certain varieties over others, I don't think we have an issue with that. The property owner to the north which we are closest to, also the seller of this property to us, so it's a good thing to bear in mind is our buffer with the resident that's closest is also the seller.

And then sidewalk and path – the road out front is the jurisdiction of Whitestown. That was a confusion at the start whether it was the county or if it was Whitestown. In both, correct me if I'm wrong here, Roger and Janice, but I believe both the town and Whitestown wanted to see a pedestrian path and it was landed on as a, as a sidewalk was sufficient at that time. Mr. Harris is correct.

There is a trail that's on the other side of Indianapolis Road so for the time being, the sidewalk fronts our property down towards Indianapolis Road and stops at our property. It is the trail or path to nowhere, sidewalk to nowhere at this point but at some point there may be some connectivity with, with other improvements along Indianapolis Road.

Andreoli And I might add as far as the road itself is concerned, that road is going to be completely redone and, and reconstituted pursuant to Whitestown's request. The road up to our, up to our boundary of our property, not the front boundary but at the back property, back of our property closest to the interstate and to the north and the northeast that will be all redone and be, be paved pursuant to Whitestown's standards with, with a, a walking path/bike path.

Sheward Yeah and you can see it on the screen. I mean, we, we started off thinking we were going to widen the road and that was going to be a sawcut widen. After discussions with Whitestown, it was found that the existing road probably wasn't meant for any type of meaningful traffic so we've, we're already going to be doing a complete reconstruction of that entire length with the sidewalk added off to the side as well. There is a, a challenge, practically there is a challenge with width. We've got the road, a grass strip, the sidewalk and a swale through there, some storm infrastructure, a legal drain, urban regulated drainage easement, landscaping – there's a lot of things that are all crammed into that space and we found a way to make it work widening that 5-foot walk to a trail with what would probably be very difficult in that location. So we, we feel we've met the intent of what's been asked of us.

And then lastly lighting – Mr. Harris is correct; we are showing wall packs. As condensed of a site as it is, we didn't need pole lights around the site. It can be covered with the, with the wall pack lighting and those are downlit so, according to the photometric plan, it should reach 0.0 foot candles at the property line which is what the ordinance requires. His question about walking around inside the building if those lights turn on – that's a great question. I don't think I can speak to that. I'm not sure if, if Ben Graber is online – I think, is he online? Ben, not to put you on the spot, but do you have any notes to suggest on that? I, I would imagine the lights would come on but hopefully they wouldn't be bright enough to, to bother neighboring residents? One second, Ben, it sounds like we're trying to unmute you.

Graber Can you all hear me now? Am I on now? Can you all hear me okay?

Sheward Yeah, I can hear you Ben. Go ahead.

Graber Okay, great. Yeah, so, to –

Franz Please state your name and –

Sheward Oh hey, Ben, state your name and –

Franz Name and address please.

Sheward Yeah.

- Graber I apologize. This is Ben Graber with ARCO/Murray Design Build. We're the architect and general contractor for the project. Bryan, thanks for the introduction. To provide some color to the question on the lighting inside the building, the doors that are visible through the glass from outside the building are intended to be a display only area so those areas cannot be accessed by customer and limited access for building operations team and so while you can see inside the building through those glass sections, those are not visible into any public corridors inside the building. So meant to be only what, what we consider to be faux display areas only.
- Franz And those lights will be off at night?
- Graber They can be turned off or kept on, on a timer. That would really be up to the building operations team and the facility marketing team on how they intended to use the lighting function in those areas.
- Lake So I have a question for staff – the lighting ordinance it is simply looking at light trespass from exterior light sources. Is that correct?
- Kilmer Exterior, exterior –
- Lake It does not factor into –
- Kilmer Light sources up to the property line, yes.
- Lake Okay. Thank you. That was just a personal clarification.
- Sheward I said I, I think I covered your –
- Jones What's the current use of this parcel?
- Sheward It's a vacant parcel today.
- Jones I'm just looking at the aerial. I don't know what the date on it is, trying to figure out what they've been doing there. Has it been kind of a temporary staging area or this?
- Sheward No there were trees on the property that we cut down, fell in place at, at some point last year but it's been vacant as far as, I think forever. There was previously a drainage line put through the middle of it by the Little League development to drain a, a small piece of the and between Indianapolis Road and 650 in the wooded area to appease INDOT and the Town of Whitestown and that's been accommodated with, with our drainage design as an offsite flow. It runs over and connects to the INDOT ditch to the east.
- Franz So relative to the lighting, obviously, facing interstate, the, the glass lighting, the interior lighting that is – I don't think the residents would really care about that but the windows that are facing the, the resident, the neighborhood across the street, could it be stipulated that those be only on during daylight hours?

- Sheward I, I don't – that's probably not –
- Andreoli I don't think that that would be a problem. I think we could, we could probably work and make sure what type of brightness level. I don't know how that particular area is going to actually be used at all and I think that there might be something that could be done from a lighting standpoint to have very low-level lighting so it could present a nice picture but not necessarily be, be, obnoxious or a nuisance to people that would be looking at it or in the area. You've got Indianapolis Road and then you've got backs of properties and then a, a road over in Westwood Landing and so those, those would be the people that would be necessarily the most affected by those would be or those driving along Indianapolis Road but they probably wouldn't care but the people that have backs of houses there in Westwood Landing and I think, I think we can make a commitment to try to work with the lighting to make sure that it is low level enough so that it, it's, it's functional for what it needs to be but yet, yet would be in the situation where it would not be overly bright and I think, I think that can be adjusted and we, we, we could work on that, work with staff on that. It may be almost a trial-and-error type thing – we get it going and see what it looks like and then, and then if we have to scale it back we could certainly be in a position to that. We want to be good neighbors. We don't want to be a nuisance. We don't want to be a concern. So to the extent that we'll need to do that, yes, we'll make a commitment to work with staff to see what we can do with regard to lighting to make sure it serves its purpose but only its purpose and doesn't emanate so much offsite that it's going to cause a nuisance or a problem visually or otherwise.
- Franz All right, thank you.
- Jones I mean it is worth noting that the closest residence is 300 or 400 feet away.
- Lake Yeah, I mean, you're going to get more light trespass from a neighbor that has string lights on their pergola in their backyard from one neighbor to the next than you're going to get coming out of these windows going all the way across Indianapolis Avenue or somebody that's got a security, motion sensor security light on the corner of their house so.
- Sheward And for, for what it's worth I did pull up on the screen the photometric plan in that southeast corner and it gets down to 0 at the edge of the road but for safety and security it, it does need to be fairly bright at those drive-in doors which is what this shows but that's because the lights are downlit so they shouldn't get past or very far, basically the edge of the road. For, for the lights. The overhead lights we can certainly work on what that looks like or if they turn off.
- Andreoli Talk with Mike Shanahan. Historically, there's less activity as the evening goes along with these types of places. They're generally utilizing access earlier as opposed to much later in the, in the evening. Of course, that varies during the summer. It's light a lot in the summer and in the winter it gets dark a lot earlier but, so there's going to be that, that transition from a seasonal standpoint but generally most of the activities are 9 to 5 activities opposed to much, much later in the evening.
- Jones I just want to clarify – so is access 24/7 to these spaces?

- Sheward I believe that is the case. Ben, I'm not sure if you want to confirm that, but I believe that is the case. I believe that's true Mr. Jones.
- Jones But there are no real exterior loading docks per se.
- Sheward No.
- Lake It's all interior.
- Jones It's all interior.
- Sheward Right.
- Andreoli No, there's not. The, the whole concept, Mr. Jones, it's kind of a new concept to me – when I talked to the – the concept was that you're able to drive in there and unload in there and not have to unload outside to carry it in the building. The doors go up and you can unload in the building itself.
- Sheward There's a freight elevator as well so you can pull your vehicle in and then there's a freight elevator next to the loading, loading locations which take you up, upstairs.
- Andreoli Not your car but just you.
- Sheward Yeah.
- Jones You know these are odd lots created from the inter, inter, the construction of the interstate what 50 years ago and so as far as a type of use and type of impact, given the fact that these type of businesses don't generate semi-truck trailer, at best they're going to get a box fan or a pickup truck. All their actual activity takes on into the interior of the building. The lighting on the exterior of the building isn't really key to anything going on inside. It's the selection of materials, the design, it's obviously put together to be somewhat contemporary and it's also designed to be pretty low maintenance but then I think the biggest effect the neighborhood will get from a three-story building is it'll help block sound from the interstate which it actually, I think, would be a net gain to the neighbors. Obviously, nobody likes change but I think eventually this disappears as an issue to the adjoining property owners.
- Franz Okay. Any other questions/comments? If not, is there a motion?
- Lake Ask staff –
- Hurst Oh real quick – I had to clear my throat. There was some discussion of the type of landscaping. The staff or anyone with more knowledge than me would, would it be beneficial to the neighbors to lend toward a mix heavier on evergreens than what exists now?
- Franz We, okay – so, we, I jumped the staff report. I thought we had some discussion –

Hurst Okay.

Franz I did not get that so let's have the staff report and then we can discuss that if that's okay?

Hurst Thank you.

Franz So staff report. Sorry about that.

Kilmer Thank you. As was mentioned, this petition was first introduced to the Plan Commission on December 19th and continued to tonight's meeting. Since the December 19th meeting, revised materials have been submitted for staff's review and these revised materials specifically address the I-65 Overlay requirements. As a reminder, at the December meeting included within the staff report was a chart that staff had generated that identified the different standards that the I-65 Overlay required and within that chart I then tried to identify where the project did comply and where it did not and then also for those areas where it did not, which items could be granted waivers if the Plan Commission would deem it worthy or, or in some cases where waivers were not an option according to the I-65 Overlay but a variance of development standards would be required for that, that area of noncompliance.

I have updated that chart which is Exhibit 6 in this, this staff report and those items that had previously been identified as items that could be waived by you and the petitioner did include these waiver requests in their legal notice, the revised materials show that those waivers are no longer needed. So even though they were, were requested within the legal notice, staff's review of the revised materials finds that the updated, updated drawings and materials do meet the I-65 Overlay so waivers are not required for those items.

The one item that staff requests the Plan Commission still to make a determination on is one item that if you say no it doesn't meet the standards, it would require a variance from the Board of Zoning Appeals. If you say it complies, wonderful we, we continue moving forward tonight and that one item is as, as the petitioner pointed out, it is the primary structure's orientation toward I-65 and how they have addressed trying to enhance the building's east façade which faces I-65 to make that a primary building orientation. So that is one question staff is asking the Plan Commission to make a determination on as to whether this, this redesign does or does not meet that, that requirement. I will point out within the staff report I had two directional errors which is embarrassing to me because I take pride in my directions. But anyway, twice I, I note that the building's west elevation faces I-65 and it should be the building's east elevation. So I apologize for that.

The other items that I want to mention tonight, in addition to Mr. Harris speaking, two of the Plan Commission members received a letter of remonstrance from another resident of Westwood Landing. I was given that just before the meeting started. I made copies and passed that out to all of the Plan Commission members as well as the, the petitioner so everyone is informed of that letter. With that, if the Plan Commission determines that the east façade does comply with the I-65 Overlay standards, staff is in support of, of the request for development

plan approval. Again, if you choose, if you determine that it still does not comply with the I-65 requirements, the project will need to, need to pursue a variance of development standards from the Board of Zoning Appeals.

Franz All right, thank you. All right. Let's open it back up. So –

Hurst Well, I'll jump to the, the whether or not the east side complies with the I-65 Overlay. I think I feel very differently and would have a strong opinion if there was a lot of outside activity, a lot of parking that was having this entrance on the, the west side – a lot of parking, a lot of ingress/egress there. That would feel to me more like they had not met the Overlay requirements. So few parking places that I see associated with this and most of the business conducted is conducted inside the building. In this instance, I feel like it, it meets the I-65 Overlay but, in my mind, it comes down a lot to the, the parking footprint on the west side of the building is really so small.

Lake I mean I, I would kind of second that I believe architecturally they've met the intent of the requirement because it doesn't say it has to be your main entrance. It describes entrance elements, things that are common to an entrance, and I think that if, if you took the parking spaces out of the equation altogether and you told somebody to go to the building and find an entrance they would recognize that corner of the building is as much of an entrance as the southwest corner of the building so I think from that standpoint they've met the intent of making it look like there's an entrance on 65 so.

Jones Once again, I concur as well. I think the intent is to make sure the buildings facing I-65 just do not look like the plain back end of a building and this one doesn't.

Lake And I think the upside with this building as well is having an entrance on the southwest corner means that the side facing the neighbors doesn't look like the back of a building. So, from a property value standpoint, it would probably be worse to have the back of the building facing residents versus what looks like a front of a building facing the residents because you put more money into that facing side of the building.

Franz So would it take a motion to say it meets or is that just part of the –

Lake No, it's part of the just, we, just--

Franz Okay.

Grabianowski And, Jim, you brought up the, the issue of landscaping –

Hurst Yeah, I had not forgotten. I just figured we'd tackle the, the one that Roger specifically raised. Staff had approved and, or recommended that we accept this landscaping. Would, in your estimation, would the neighbors be better served by a higher mix of evergreens in land, landscaping?

Kilmer First of all, the, the ordinance requirements for buffer yards have been met by the proposed landscape plan. Now, in response to your question about would it be

better served if we had taller pines or something like that – as you raised that question, I reflected back upon a comment Mr. Jones made about the distance from the nearest home to this area. With the, the GIS software available to me, it measures out to, to roughly 300 feet from the rear property line of the nearest homesite to where the, the building would approximately be located. With that amount of distance, this is a personal opinion, I do not see that there would be any benefit to having, to, to increasing the plantings to pines or, or anything of that nature. Given that amount of distance, I don't, I don't see how those would do any, anymore screening of the building from these residences than what is being proposed.

Hurst I, I, I take your point from 300 feet even fig trees look small. Thank you.

Jones Were you going to say something?

Madrick I was just going to ask – I think, I do think the lighting should be taken into consideration. You had made a comment that you'd consider that. I think we need to get that on the record. I would appreciate that. I think everybody would to make sure that you're consulting with some group within the neighborhood –

Sheward Sure.

Madrick What works. Nobody wants to wake up in the middle of the night from a glaring light but 300 feet does help, though, no question.

Jones Yeah, that's – my question was just regarding the comment letters from the town engineer and the Whitestown Public Utilities, the items in Exhibit 8. Are there any issues in there that seem to be unresolved or?

Kilmer There are items that still need to be resolved but are they major items in, in staff's determination and, again, staff I've mentioned this in prior hearings, staff is not just those of us that sit here at this table but also including engineering staff and Fire Department and things like that. In staff's determination, the remaining items to be addressed are not significant.

Sheward And Mr. Jones I can note, we've been working back and forth with INDOT and with George specifically on staff. This is a unique circumstance because INDOT's actually asking us to release more water than the Zionsville Ordinance tells us to release because they want to see water get out into the roadside ditch more quickly which two different standards, it's unique. We had to go back to both of them, holidays, Christmas, time off, it's tough to get everybody on the same page but I think George' final remarks were it's going to an INDOT facility, an INDOT ditch. If they want to receive a higher, slightly higher flow –

Andreoli Yeah.

Sheward That's okay, so we're working through the details and just crossing the Ts on making that work and then I was also on the phone with Danny Powers at, at Whitestown earlier today and he's supposed to be sending me confirmation of the sewer connection point which manhole he wants to hit on the other side of Indianapolis Road. It'll be a directional drill which is a trenchless style

construction underneath Indianapolis Road and then where exactly he wants us to hit the water on the other side. So what's shown in the plans we've addressed his comments. We're quite literally waiting on him to tell us a few things and then to revise the plans and submit them for, for the record.

Franz Any questions/comments?

Lake I'm a little bit concerned with the lighting. Cindy, I was thinking about your comment – you can see that there's a street light on down the road 1,000 feet down the road but that light never trespasses onto your property. The lumens literally never reach your property. So at what point do we allow a resident to say you can't have a light 1,000 foot down there because I can see it, even though they don't understand that just because they can see it doesn't mean they're not getting light trespass on their property? So if, if the lighting plan shows zero light trespass off the property, they're still going to be able to look out and see that that wall pack light is on or off. Same thing with the window. They're going to see that the window is glowing but that doesn't necessarily mean that there's light trespass and so I'm concerned a little bit to, I, I think it's great that you're willing to talk with the residents but if the residents say we don't want any lights on in the building ever they're still going to see the light from the wall packs. They're illuminating the whole face of the building –

Sheward Mr. Lake, so I've done a lot of warehousing in Whitestown, probably close to two dozen buildings by now in, in the Whitestown area. One thing that we've discovered over time is that you can choose what – I'm going use this, it's probably not the right technical term but the heat, the, the look of the light –

Lake Temperature.

Sheward Oftentimes you get a very white, almost like a Xenon headlight that's piercing. You can also get more of a yellow toned light that's softer. You can still see it but we've found success and we've come to find that it's not anymore expensive to put a, a yellow style light in and we've gotten pretty good feedback from neighbors. That's something that we've, it hasn't necessarily come up as a commitment on, in Whitestown for instance in Plan Commission, but in practice, we've recommended people go that direction and we've found that there's been a lot less complaints from people –

Lake Yeah.

Sheward So I would go out on a limb and say that we could look at doing that just as a good neighbor. I think that might go a little ways so.

Lake That's your, that's your--

Andreoli I think we can go farther than that. I think we can go ahead and commit to that and make sure that that gets done.

Lake Okay.

- Andreoli I think from Mike Shanahan, the owner of Stakkd Storage, I don't think he would have a problem with that. I think it makes a lot of sense.
- Lake Yeah, I'm not sure light temperature or Kelvins. You're –
- Sheward Yeah. correct.
- Lake You're looking at 2,700 or 3,000 versus 5,000.
- Sheward Yeah and for, for safety, security, etc. the intent is still met it's just not quite as piercing. You've –
- Lake Yeah.
- Sheward We've all seen those headlights coming down the road at us before, so.
- Lake Okay.
- Franz Anything else? Okay, would somebody now like to make a motion?
- Grabianowski Go ahead Chris, you got it.

- Lake I move that Docket Number 2022-56-DP to allow for development plan approval of a **[The Zoom service and recording of the Plan Commission Meeting ceased at this point. The following minutes are not a transcription of the meeting, but a summary of each case and related discussion.]** 139,192 SF, three-story self-storage facility on 3.28+/- acres in the Rural Light Industrial (I-1) Zoning District and within the I-65 Overlay, be Conditionally Approved based on:
1. The findings in the Staff report; and
 2. Resolution of the outstanding review items identified in the Comment Letters from the Town's Engineer, Whitestown's Public Utilities, and ZFD (Exhibit 8); and
 3. The submitted Findings of Fact.

The motion was seconded by Larry Jones. A roll call vote was taken, and the motion was approved unanimously.

Mr. Franz introduced Docket #2022-60-Z, a Petition to Rezone 11.51± acres of the existing Creekside Planned Unit Development (PUD) to a PUD to permit additional primary uses and revise certain development standards. Ms. Corrie Sharp, Director of the Zionsville Redevelopment Commission, presented details of the request to establish a new Subarea "E" within the Creekside PUD and to remove the use of Child Day Care Facility from Lot #9. The new Subarea "E" would include uses not permitted in other Subareas of Creekside and update some development standards, specifically exterior building materials.

Members of the Plan Commission presented questions to Ms. Sharp regarding the proposed new uses appearing to be geared toward a specific end user. Ms. Sharp confirmed that the Redevelopment Commission has entered into a Development Agreement with GRP for these two lots and the new uses requested in this rezoning are needed for GRP's development.

There were no questions or comments from the general public. Roger Kilmer presented the Staff Report concluding that Staff recommends a Favorable Recommendation of the rezoning. Mr. Jones made the following motion:

I move that Docket #2022-60-Z, a Petition to rezone 11.51+/- acres within the Creekside Corporate Park from the Planned Unit Development (PUD) District to a Planned Unit Development (PUD) District (Town of Zionsville Owned Land within the Creekside PUD as per Ord. 2018-08), receive a Favorable recommendation based upon the findings in the staff report as presented.

The motion was seconded by Mr. Lake. A roll call vote was taken, and the motion was approved unanimously.

Mr. Franz introduced Docket #2022-59-RP, a Petition for the Approval of a Replat of Lot S and Common Area B of Section 7, and Lots T7 and T8 of Section 8 of Holliday Farms to modify the previously platted lot lines being in the Planned Unit Development District (Holliday Farms PUD), however the Petitioner's representative, Phil Sundling, intended to present the case via Zoom and was not physically present at the meeting. Because the Zoom service had ceased, Mr. Sundling was unable to present the Petition. After a brief discussion between the Plan Commission Members and Staff as to how to proceed, Mr. Lake made a motion to continue Docket #2022-59-RP to the February 21, 2023, meeting. The motion was seconded by Ms. Grabianowski. A roll call vote was taken, and the motion was approved unanimously.

Under "Other Matters to be Considered," Mr. Kilmer presented information to the Plan Commission regarding ACT-2023-002, a Minor Development Plan Amendment for the Topsy Mermaid project at 135 S. Main Street, Zionsville. The amendments to Docket #2022-23-DPA involved updated exterior building materials, the conversion of a set of doors to windows, and the enclosure of roof-top mounted equipment. No action from the Plan Commission was required.

Janice Stevanovic reminded the Plan Commission members that next month's meeting will begin at 6:30 pm. She also added that revisions to the Plan Commission's Rules of Procedure will be presented at the February meeting.

With no more items for discussion, the meeting adjourned.