

Zionsville Plan Commission  
April 18, 2022

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

Staff attending: Attorney Bob Clutter, Wayne DeLong, Roger Kilmer  
A quorum is present.

Franz Call to order the Zionsville Plan Commission meeting of Monday, April 18,  
2022. Please start with the Pledge of Allegiance.

All Pledge of Allegiance.

Franz Roger or Wayne – who's taking roll?

DeLong I'll take care of that.

Franz Wayne, all right.

DeLong Mr. Franz?

Franz Present.

DeLong Mrs. Grabianowski?

Grabianowski Present.

DeLong Mr. Jones?

Jones Present.

DeLong Mrs. Walker?

Walker Present.

DeLong Mr. Lake?

Lake Present.

DeLong Mrs. Madrick?

Madrick Present.

Franz All six members are present. In your packet is a set of minutes from the March  
21, 2022 Plan Commission meeting. Are there any comments, additions,  
deletions to those minutes? If there are none, is there a motion to approve?

Grabianowski So moved.

Franz Is there a second?

Lake Second.

Franz All in favor signify by aye.

All Aye.

Franz Opposed by nay.  
[No response]

Motion carries 6-0 those are approved. At this point in time, is there anybody online who would be, want to be recognized in the minutes? No one? All right.

Franz Um, Zelonis – what’s her first name?

Grabianowski Sally.

Lake Sally.

Franz Sally Zelonis? Okay. Um, all right. We have a continuance request Docket Number 2022-15-RP, The Club at Holliday Farms/Replat of Holliday Farms Section 2, Lot F28, 10571 Pete Dye Ridge, Zionsville, Petition for the Approval of a Replat of Holliday Farms, Section 2, Lot F28 to reduce the platted front setback line in the Holliday Farms (PUD) Planned Unit Development Zoning District. Is there anybody present or this just a request from them – Wayne? Roger?

Kilmer I was under the impression someone was going to be online but –

Franz Okay. There she is.

DeLong No, this is Heather James – next matter.

Franz Oh next matter, okay.

Clutter RDC attorney.

Franz Okay. My mistake. Um –

Kilmer It appears no one is online. I thought there was going to be someone online to represent.

Franz Okay. All right.

Kilmer They have submitted a, a request for this continuance.

Franz Okay. Is there any discussion to this matter? If not, is there a motion to continue this to May 16<sup>th</sup> – is that correct? Monday, May 16<sup>th</sup> Plan Commission meeting?

Grabianowski I move that we continue it until Monday, May 16<sup>th</sup>.

Franz Is there a second?

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Walker Second.

Franz Any discussion? All in favor signify by aye.

All Aye.

Franz Opposed by nay.  
[No response]

Motion is continued. Um, on to New Business. Docket Number 2022-24-MPR, Zionsville Redevelopment Commission, 11500-12065 North Michigan Road, Zionsville, Adoption of Plan Commission Order regarding establishment of an Economic Development Area/approval of Declaratory Resolution and Economic Development Plan (EDP) for the Michigan Road Economic Development Area. Petitioner present online. Please proceed.

Lake Mr. Franz, I need to recuse myself of this matter.

Franz Okay. Thank you.

DeLong And Mr. Franz I'm happy to start with a quick introduction –

Franz Okay.

DeLong But certainly on your screen is Heather James with Ice Miller. She serves with the Redevelopment Commission here as, as support legal for their efforts. Certainly the matter that's in front of you is associated in part with The Farm. Certainly it's a PUD project that some of you recall from 10 – nearly 10 years ago as, as a project. Certainly here we are today talking about the creation of an Economic Development Area which both encapsulates this property as well as extends northerly along Michigan Road, uh, to a terminus at, uh, I believe, it's Greenfield Avenue and per the maps. Certainly this effort is one that you may recall this, this process some of you may recall from prior, prior exercises – last was 2019 with the creation of the Holliday Farms TIF area but stopping there with that quick introduction certainly now turning to Ms. James to walk through the technical side of, of what's in front of you.

Franz All right. Thank you.

James Thanks Wayne. Uh, before you you have a –

Franz Heather would you introduce yourself, address please.

James My address? Sure. Hi. I'm –

Franz Name and address yeah.

James Heather James with Ice Miller, uh, bond counsel to the Town and my address is 2122 North Alabama Street in Indianapolis. Okay. So before you this evening is an Order to consider approval of the Declaratory Resolution that was adopted by the Redevelopment Commission on March 28<sup>th</sup> and then attached to that

Declaratory Resolution is also an Economic Development Plan creating this new Michigan Road Economic Development Area. So just so that you're aware of the process, the first step in the process was adoption of that Resolution by the Redevelopment Commission. The second step is to come before you all for you to consider whether or not that Resolution and the plan attached thereto conform to the plan for development for the Town. Assuming that you feel comfortable that it does conform, then we'd ask you to consider approval of this Order this evening and then we would move forward with, um, a Town Council Resolution approving your Plan Commission Order and then we would move along to publishing a notice to have a confirmatory Resolution and a public hearing of the Redevelopment Commission and at that point we'd go back to the Council to adopt one more Resolution and then this Economic Development Area and the allocation areas therein would be officially created and we would submit notice to both the County Recorder and to the DLGF so that everybody is aware of what we've done. I'm happy to answer any questions that you might have about the process, the Order, the Resolution or the Economic Development Plan.

Franz All right. Thank you.

James Sure.

Franz Anybody have questions or comments on this matter? Wayne, I'm assuming when this was first approved way back when this was all part of the consideration – this was something that was going to occur?

DeLong The creation of an EDA –

Franz Yeah.

DeLong TIF for this area has always been something that's been talked about. Certainly the actions have taken a little longer to get here so to speak than what you normally have seen.

Franz Okay.

Walker Was it always to go this far north as it has? Because I, I wasn't on the Council or the Commission then.

DeLong No. The, the original conversation was focused on the, uh, The Farm –

Walker Okay.

DeLong The 58 acres – but certainly with, you know, a lot, many things have happened over the last 10 years and this certainly seemed like a great opportunity to leverage the activity that's happening through there. You, you now have TIF districts that exist from 146<sup>th</sup> Street all the way down to Willow which is the Holliday Farm area and then this seems like a logical extension northerly and you ultimately would really enhance the, uh, pedestrian connectivity in other projects that could get facilitated with, with additional public dollars more rapidly.

Franz All right.

- Jones            So here's kind of an odd question about this – because, obviously, we've been kind of going round and round with some of the stuff on Holliday Farms lately and one of the comments you made to me, Wayne, was about that with Holliday Farms and the TIF that was set up there they really haven't drawn any money down on that. Correct?
- DeLong           That's correct. There's, there's an EDA but there has been no effort to date to work through a development agreement and ultimately results in a bond issuance. We certainly anticipate seeing that conversation possibly come to a conclusion this year with, uh, end-of-year bond issuance for Holliday Farms – Holliday Farms TIF.
- Jones            And so what, what point does the Town get involved in the conversation that if we're granting all of this we can – I'll just be direct – extract some sort of what I'll call a public benefit? Um, and when I talk about the Holliday Farms piece, I'm talking about, you know, the, the talk of a bridge over 421 to connect the – our trails. Um, and I, I have the same concern as I read through this. I'm reading through this paragraph here that says incentive allows for the development of the PUD and there's all the gray verbiage, authentically Zionsville – you know, whatever that means, uh, you know, greenbelts, um, you know, for people to enjoy when visiting the site to grab dinner, walk the trail – it's just so much blah, blah, blah. At what point when we start creating these TIFs and putting these funds out there does the Town get in a position that we can actually get a benefit?
- DeLong           Great questions and certainly the, the TIF districts that you have seen in the past have not been as aggressive in terms of split of the TIF dollars that are generated, uh, but certainly your original Economic Development Area for, for, for the downtown – the 900 acres that comprises that – I mean, you can count many public projects that have been created from that TIF from the, from the bridge over, over Eagle Creek at Lions Park to, uh, the Red Bridge enhancement south of, south of downtown, other public enhancements through that area. Specifically to Holliday Farms, the, the split that's envisioned was \$15 million towards the Holliday Farms project and then \$5 million for that civic enhancement just a bridge – I mean, the bridge was going to be \$4.3 million – probably escalated in price since 2019 – we're just going to guess that. Um, but in the meantime, Holliday Farms is populating faster than what was anticipated, therefore, the sewer flows are a bit more aggressive than what was contemplated, always knowing that we would have a sewer improvement project coming up, uh, that project is on the horizon a little bit earlier. Mr. Lantz gave a fantastic presentation on this on the, on the 11<sup>th</sup>, uh, so to your point, there will be projects that will be generated out of the Holliday Farms TIF that are public improvements, um, I'm just going to say within the next three to five years – it will take us a little bit to pull up a flyover bridge. Certainly this project here of the gateway district as identified in your Economic Development Strategic Plan of 2012 certainly, uh, folks here from the Scannell Team Pittman Team are here with any specific details but, yes, uh, the reasoning to create this TIF district among other reasons the EDA, is to help further faster install pedestrian improvements along 421, along Michigan Road that might not all, you know, happen as quickly, for example, the, the connection at Willow to Holliday Farms there's actually a, a

missing link that, uh, was not provided for by any project. Um, this is something that would be more quickly remedied, uh, by, by having this EDA in place.

Jones Yeah. In other words, it'll come at some point but it's –

DeLong Sooner.

Jones Sooner rather than later.

Franz Has the – I'm assuming the split's not been decided at this point in time?

DeLong Certainly in phase one of this project it's, it's very clear, um, as to how the dollars would be allocated. Certainly a future, future issuances are, will have more flexibility. Certainly if there's any specifics you'd like to hear about, uh, I believe we, you know, our financial advisors are online, I believe that's the case, and certainly, again, uh, the Scannell Pittman Team is, is here as well.

Franz Okay. Any further questions or comments? Would somebody like to make a motion?

DeLong And it could be for, for sake of, of process, um, Heather James, if there is a positive motion here is that something, kind of, just a recommendation from you as to what that language would look like?

James Um, just a motion to approve the Order would be sufficient, Wayne.

Franz Okay.

DeLong Very good, thank you.

Grabianowski I move that we approve the Order.

Franz Is there a second?

Walker Second.

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

All Aye.

Franz Opposed by nay.  
[No response]

Motion is approved. So this will be forwarded to the Town Council?

DeLong Correct for their – we will look to place this on their May 2<sup>nd</sup> agenda.

Franz All right. Thank you.

James Thank you all. Appreciate it.

- Franz Next item on the docket is 2022-13-DP, Zionsville Presbyterian Church/Food Pantry, 4775 West 116<sup>th</sup> Street, Zionsville, Petition for Development Plan Approval of a ±5,600 square foot building to serve as a food pantry in the Urban (B-O) Urban Office Business District and within the Urban (MRO) Michigan Road Overlay Zoning District. Is the petitioner present? They online? Oh, you are? Okay. Come on up.
- Boyle I'm Mike Boyle, 8091 Crawfordsville Road, with, uh, Boyle Construction. We're the, uh, general contractor design build for the ZPC food pantry. This is Eileen Davis she is actually with, uh, ZPC.
- Franz Okay. Please proceed.
- Boyle Uh, so, yeah, what, we're, we're trying to – so for the proposed food pantry what we're looking to do is, uh, it's actually a 5,600 square foot building. It's a, um, um, wood framed, uh, building with a brick, uh, façade, um, that matches the, uh, church, um, brick veneer and, and, um, it has – basically it's, it's, uh, an area that has, uh, is mainly it has like, uh, cold storage for food and then dry foods, canned foods and whatnot. They have 8 to 10, um, volunteers that help out the people, you know, pick out their food, whatever, whatever necessities they do need and then they take them out to their cars and help them load it up. Uh, there's two bathrooms in, in it for, you know, for the use of the, you know, the people as well as the volunteers and there's a garage that would house just their, uh, food van – it's like an E2500 Ford van and then also they, they can use that to when they back up trucks to receive food and whatnot they can pull in there out of the elements and load it into their freezers. They, they have two walk-in coolers, uh, that will be, uh, in, in the building and then the other will actually be like a, like a freezer chest or refriger-chest, uh, type, uh, equipment and, and throughout and throughout the building and also then they'll have racks with all the dry foods, you know, for the, uh, you know, for the, for, for distribution.
- Franz Okay. Is there anybody here who would like to make a comment on this matter in person or online? All right. Staff report Roger.
- Kilmer Thank you. Um, Mr. Boyle did a fine job covering some of the basics. I'll go ahead and, and fill in some additional details for you. Uh, requested is Development Plan Approval for a 5,600 square foot building to serve as the food pantry, uh, for the church. Currently they operate this out of the existing, uh, building and it is a ministry that has grown where it is now warranting its own separate facility. Um, uh, this project, uh, while before you tonight is the Development Plan Approval, you should also be aware that they have filed for, um, two different development standards variances which will be heard by the Board of Zoning Appeals at the May meeting so any motion that you make tonight, uh, should you move to approve this will need to be conditioned upon approval of those BZA, uh, requests. Specifically, those two BZA requests, um, one is for the architectural design of the, of the, uh, food pantry. Um, this is a little unique to you, uh, because this is a requirement of the Michigan Road Overlay and on previous projects where this has come up, you have been able to address this through the waiver process. The difference in this case is that the Zionsville Presbyterian Church is in the urban section of the Michigan Road Overlay as opposed to the other cases that you've heard which have been in the

rural section of the Michigan Road Overlay. The rural section allows for this requirement to be treated by the Plan Commission as a waiver item. The urban section of the Michigan Road Overlay does not give that same flexibility to the Plan Commission so, therefore, it will be a variance request that goes before the BZA. The second, uh, development standards variance that they are going to request, um, uh, for involves the greenbelt requirements of the Michigan Road Overlay, specifically, the amount of plantings that, that run along Michigan Road. Uh, the site, the, the way the building was constructed, uh, essentially does allow for the required 30 foot width of greenbelt through that area and they've provided for that but the amount of plantings within that area has changed since when the, the church was first constructed to what is required now. They are proposing appropriate landscaping around the food pantry building itself, uh, but the variance request will be that additional plantings will not be required out in the greenbelt area which is somewhat removed from the location of the food pantry itself. So those are the, those are the two items that will be going before the BZA, um –

- Lake                    On that second variance they just want to keep it status quo and not have to upgrade to the new, newer standards?
- Kilmer                Yes sir.
- Lake                    Okay.
- Kilmer                Yes sir.
- Franz                  Because they're opening this up so to speak with this they have to get a waiver on that?
- Kilmer                Because they are doing new development –
- Franz                  Right.
- Kilmer                On their site that now exposes the entire site –
- Franz                  Okay.
- Kilmer                To the current development standards.
- Franz                  Okay.
- Kilmer                So with, with that brief or flyover, staff does recommend approval of this Development Plan for a 5,600 square foot building to serve as the food pantry. I'm glad to answer any questions you might have.
- Franz                  All right. Thank you. At this point is there any questions or comments from any of the members of the Plan Commission?
- Grabianowski        I want to commend the Presbyterian Church. That's been, it's been a wonderful ministry in the county. It really has been.

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- Madrick I second that.
- Walker And count me in too.
- Davis Thank you.
- Franz Any further questions or comments? If not, is there a motion on this matter?
- Lake I move that Docket Number 2022-13-DP, a Development Plan for a 5,600± square foot building to serve as a food pantry in the Urban Office Business Urban B-O District and within the Urban Michigan Road Corridor Overlay Zone be approved based on the Findings of Fact in the staff report and the staff recommendations, the submitted Findings of Fact subject to resolution of outstanding review items identified by the Engineering Review Memo in Exhibit 5 of the staff report and subject to approval of the two requested development standards variances by the Board of Zoning Appeals.
- Franz Is there a second?
- Grabianowski Second
- Franz Any further discussion? If there is none, all in favor signify by aye.
- All Aye.
- Franz Opposed by nay.  
[No response]
- Motion carries 6-0. Thank you very much.
- Boyle/Davis Thank you.
- Franz Next on the docket is 2022-16-DPA, Tim Lai/COhatch Modification, 75 North Main Street, Zionsville, Petition for the Modification of the Development Plan regarding building elevations in the (VBD) Village Business Zoning District. Is the petitioner present? Online? Okay. Please proceed. Name and address. Thanks.
- Lai Hi, um, good evening. Uh, my name is Tim Lai. I'm the architect of the project. Um, um, my address is, uh, uh, 401, uh. West Town Street, Columbus, Ohio.
- Franz All right. Thank you. Please proceed.
- Lai Um, do you want me to kind of talk about the project in general?
- Franz Yeah. I mean, just what the petition request is, reasons why, etc.
- Lai I see. So, uh, okay, that's that's fine. That's cool. So, um, so this is actually a, um, um, a project that we got approved about a year ago. Um, it's um, actually you guys probably noticed, uh, it's, uh, the COhatch, uh, building, um, that we just got the temporary occupancy for the COhatch, uh, side, uh, and, uh, the, um, the North High Brewing side, the restaurant side, is kind of finishing, uh, as, as

we speak. The, um, one of the main reason why we come back, um, for this, uh, small revision is because, um, when we submitted, originally submitted for the approval, some of the engineering was not completed and, um, and, uh, especially the, um, the rooftop unit, uh, at the back of the building, um, that needed to be added on because of the restaurant use, um, and, uh, so we, um, we have to add, you know, a rooftop unit basically on the back on the, on the east side, uh, of the building and, uh, and there is some, uh, disconnect, uh, with the, uh, with the revision when we filed for it and so, anyway, so now we are coming back to, um, to present, um, a basically an updated design package of, of, um, of the, of the site plan and the, and the exterior elevation. Uh, and that's kind of the majority of it is really that rooftop unit and how we propose to, screen part of it and, and, and leave the outer part somewhat open so that we can actually preserve the view of the, uh, of the circular, uh, window on the, on the east side, um, as a suggestion from, from a neighbor, um, through, uh, communication with our construction team. Uh, there's some minor, um, adjustment also on the site plan that we have to add a, uh, a small kind of, uh, rim, uh, in the patio area just because the elevation was, was quite a bit different than what we originally, um, anticipated so we have to add that for code reason really, uh, and then there's a couple of planter that we changed the colors. Um, and there's also some downspout configuration that we have to do, uh, uh, make adjustment, uh, from the original design because of the, um, because just the way the, the, the roof and the, the roof drains, uh, is needed to, to, to be adjusted. So that's kind of the, the main thing, um, for, for the package.

Franz All right. Thank you. Uh, is there anybody in the public who would like to comment on this matter? Online? No? Roger, staff report. Thanks.

Kilmer Thank you. Uh, as Mr. Lai, um, mentioned, uh, the project before you is Development Plan Amendments, uh, for the COhatch project. Uh, just to provide you a little bit of a history, back on May 17 of 2021 the Plan Commission approved, uh, Docket Number 2020-19-DP. That was for the renovation of a 10,800 square foot mixed use building, uh, which is now known as the COhatch project. Uh, the petitioner is requesting to amend the, the plans and primarily the building elevations, uh, that were approved at that meeting, uh, due to, um, uh, some modifications they've had to make during the construction process. Um, the, there are really four items that I highlighted within the staff report, uh, four, the four largest items of the, uh, um, modifications. One is the addition of the rooftop unit, uh, on, on the, uh, rear or east façade, um, and they are proposing a screening element to that rooftop unit, as Mr. Lai mentioned, uh, around a portion of it because they've had conversations with a neighbor who asked essentially don't screen the whole thing because we would prefer to be able to see the round window on the rear façade and so they have, uh, accommodated that request and that is what is reflected within your packet. Uh, the second, uh, uh, item that I mentioned is really, second and third kind of go together, is that the, uh, screening materials for, um, the, the dumpster enclosure and also the, um, uh, mechanical yard on the, on the property had been proposed to be vertically mounted composite material. Uh, they've changed that to a horizontally mounted wooden material, uh, in both locations and then finally the, the, uh, last item I noted was that the previously approved planter boxes would be changed from a wooden material to a black metal product. Uh, the location of these planter boxes would be, uh, essential on the south side of the outdoor dining area providing

somewhat of a buffer between the seating area and an adjacent alley. Um, staff does recommend approval of the Development Plan Amendments, uh, for this, in this petition. I'd be glad to answer any questions you might have.

Franz All right. Thank you. At this point is there any questions or comments?

Lake Sure. Uh, what material are you, what type of wood, I guess I should say, are you planning to, uh, use for the screen wall and what finish will it have around the mechanical units?

Lai Uh, sure. So, um, the, the screen actually, um, because we do need to maintain some kind of ventilation requirement so it is not a solid screen, uh, it is, as you can see in the drawing, it's, there's active frames to it and the wood components of it is actually going to wrap with a, a, um, a tube steel, uh, structure, uh, for, uh, for, for the structural, uh, stability. And, um, so the wood components of that, um, would be a, um, would be a, I believe it's a painted cedar so there are two colors to it one is the frame and the other is the, uh, we call it the lattice, which is the open portion of the, of the wood frame, um, the color of that would be painted to match the, the existing building. The existing building would basically have a white trim for all the trim work and then have a kind of a, a taupe color for the siding part of it. So it would match that basically. So the frame would be a white color to match and then the, the 35:50 would be the beige/taupe colors if you will and then there's also railing around it for the open portion it. That would be a tube steel and that would be painted, uh, a kind of a, a warm, uh, dark grey basically.

Lake Yeah. Painted cedar was really what I was concerned about versus treated lumber.

Lai Right.

Lake Thank you.

Franz Roger, if this wasn't the rooftop unit in that would this have come back to us or would the other be viewed as minor and could be handled administratively?

Kilmer The, the rooftop unit on its own would have probably brought this back –

Franz Right.

Kilmer As a, as a major, uh, change for you and the other items on their own it is possible they would've qualified as a minor.

Franz Okay.

Kilmer But, but when we saw the accumulative effect of everything –

Franz No, I, I mean, I was just –

Kilmer 36:54 bringing that back.

Franz Curious so about that. I figured it was primarily driven by the rooftop unit. Okay.

Lake I feel like the flower box change is an upgrade just from a maintenance standpoint. To have the metal there. They're going to have less maintenance than a, a painted wood that's got soil in it –

Franz Yeah.

Lake That's getting watered all the time. So –

Franz All right. Any other questions or comments? Can we have a motion on this matter?

Lake I move that Docket Number 2022-16-DPA, Development Plan Amendment/Modification for the modifications of the previously approved Development Plan Docket Number 2021-19-DP being in the Village Business District (VBD) be approved based on the Findings in the staff report, staff recommendation, materials as presented and the submitted Findings of Fact.

Franz Is there a second?

Jones Second.

Franz Any further discussion or comment? If not, all those in favor signify by aye.

All Aye.

Franz Opposed by nay.  
[No response]

Motion carries 6-0. Thank you.

Lai Thank you very much.

Franz Additional items on the docket to discuss is the 2022 filing schedule. Wayne, Roger? Who's going to handle that?

DeLong Certainly, I actually have two quick items to, to walk you through. First is the, is the listed item 2022 filing schedule. Certainly this, this body may recall in, in 2010 certainly there is a, a very strong attitude and then it continues to still carry forward of, of to give the information and, and the picture that the Town of Zionsville is open for business. And certainly one of your actions at that time was to move your BZA to monthly meetings instead of, uh, bi-monthly. So that's sort of a representation of how, how times have changed. Now you have these bodies and Boards that are meeting two nights in a row, heavy caseloads – these actions probably will continue on, that intensity, and coupling that with the Plan Commission historically receiving matters from the staff that may have ample amount of items that are still open ended from a petitioner, uh, but certainly we, that is left to petitioner to remedy, uh, prior to receiving a building permit. Certainly the action of the enhanced caseload coupled against all of these other items that are left open ended to be addressed during a final permit review is, uh,

taxing the system a little, a little too much and then coupling that against, coupling that against, uh, the, the caseload just generally speaking. So certainly outlining for you that, you know, looking for your support of, of some concepts first, uh, the petitions that we bring to you will be more finalized. Uh, they will have less open-ended items, um, certainly working with petitioners to exercise, uh, bringing you more petitions that are ready to go so to speak, um, certainly working with petitioners so they understand that. Uh, secondly, is the idea of lengthening your timeline from the time the petition comes in until the time it actually comes to a hearing and this is to allow staff to work, uh, more diligently to prepare this matter for ultimately a hearing and also to allow petitioner to have, uh, things better put together. Uh, the 30-day time window that we've given ourselves, uh, is rapid, um, is not typical for the market in terms of petition processing so we feel like with these two, uh, ideas coupled together, um, certainly the community will have better products to, uh, hear about at the petition process because they will feel higher confidence in the number of items that, uh, need to be, uh, addressed. Certainly, um, with your support of these, of these concepts, we'll move forward, uh, anything from, uh, amendments to your rules of procedure, to modifications, to, to schedules and, and somewhere in there, um, is the opportunity to just move to first class notice for, for, uh, for the, the mailings, uh, just making that a codified portion of your rules of procedure now. So there's a couple of things, improvements just for the petition process and, and moving things forward that way. So that's the conclusion of this first, uh, discussion topic.

Franz And the goal of this would be potentially to reduce continuance, continuations?

DeLong Certainly can be an outcome. Uh, it seems like an overall enhancement to the program to have, uh, projects that are more ready to go so to speak, uh, less likely to be continued, uh, and public seeing petitions that are, are more complete and allowing staff to have more time to more thoroughly review projects.

Franz And then you would go through the rules of procedure and mod, I mean, recommend modifications then we'd have to pass that?

DeLong If there are any.

Franz Right.

DeLong Yeah.

Franz So this really would be for more for 2023 or would you try to capture it for 2022?

DeLong We're going to look at it today.

Franz Okay.

Clutter In my experience, it's very common to from the time of filing until you get to the Plan Commission or BZA to have 60 days and you guys are at 40-45.

DeLong Yeah.

- Clutter So that extra two weeks can go a long way in resolving a lot of these outstanding issues before you actually hear it.
- Franz So you would just move up the initial filing date?
- DeLong Right. If it's as simple as that then we would take care of that internally. I mean, yes, we've always brought your filing schedule to you just so you're aware of all the steps. So these are things that we'll make these adjustments and talk about it next month.
- Franz Okay.
- Lake As an architect, I will tell you that you may get through your issues in that time period but you're going to get less finalized plans and drawings submitted to you because of the amount of time that we have from when a project starts to when it needs to be filed for you guys to review to when we need to get permits and what the client is willing to pay for before they get approval. So, you may resolve more of your issues but the drawings and stuff that we're going to be looking at may be less developed than they would otherwise be. I'm not suggesting we don't do it because I fully understand the time that you guys need – just understand that this doesn't, while it fixes lots of things, there are also potentially some drawbacks, um, to this.
- Franz And even if you tell somebody that it's not, this is not ready to go – I mean, just like, I mean, they can have their day in court whether it's ready or not.
- Clutter Uh huh.
- Franz It's essentially a right.
- DeLong Correct. This doesn't change the rules and certainly as, as Board members have pointed out before, uh, there's different levels of clarity that are offered by drawings, um, and that, ultimately, if, if the petitioner wants to push the ball forward, uh, absent staff's suggestions, um, certainly sometimes projects that are in front of you, uh, that are less than fully ready to go.
- Franz Okay. Would this take a motion or is this just something that he can –
- Clutter Yeah I think it's, just a concurrence that Wayne and Roger will look at these and see what changes –
- Franz Okay.
- Clutter Might be necessary to incorporate those types of things and then bring it back to you for more formal approvals.
- Franz Okay. Sounds good. What was the other item that –
- DeLong Uh, certainly back on an email that we sent out earlier as a direct result of the Town Council's actions this morning, uh, on the 18<sup>th</sup> at their meeting, uh, referencing, uh, a project that they've had conversations about in Creekside

Corporate Park Lots 10 and 11, uh, Graham Rahal has a, has a business interest, uh, in Brownsburg and that same business, business interest would be something that would relocate potentially or expand, uh, to Zionsville and certainly that conversation has engaged the, the Redevelopment Commission. Uh, this was a presentation that was offered to them on March 28<sup>th</sup>, uh, you can fully see the slide show that was offered and the, and the YouTube videos. Certainly it was mentioned at the Town Council this morning because it's also well known that the use, the combination of uses, does not fully fit the PUD as it's written today. Uh, therefore, uh, if this project, uh, is to receive any consideration, uh, it would require the, uh, the PUD to be updated, uh, to encapsulate the, uh, the land uses that the, the Town will have the land uses that are, that are in the mix.

Franz And the process there would be the Town Council would request a change that would come to us and then we would –

DeLong Well there's a number of different ways. I mean certainly, certainly –

Clutter That's one way.

DeLong Certainly this morning the Town Council, uh, made the statement that it did. Um, at least Town Council President, uh, Plunkett. I, I did provide direction to Mr. Plunkett where I thought very specifically as to, um, what wording could be used. You may recall that you have seen, uh, both this, this happened two times prior, uh, at least in my tenure here, uh, with the Calico Corners site and more recently with the, uh, the Cato site. Um, certainly, um, certainly the Plan Commission if it does not view this morning's, uh, discussion as, uh, direction to commence with the, the rezoning, certainly the Plan Commission, uh, in support, um, of the, of the interest of the Town Council as represented in the video and certainly the, the interest as indicated in the, uh, the RDC's video, uh, from the body could, could ask staff to commence with that rezoning activity. This was something that would come back to your docket, uh, for, uh, for your June meeting.

Franz Would a, would a formal request from the Town Council, would that take a motion or –

Clutter It, it would for the Town Council to do it but as Wayne mentioned, you can do it on your own.

Franz Okay.

Clutter Um, so that's one of, one of the different options. The Town Council can formally move to, to have you –

Franz Okay.

Clutter Proceed forward with that but the Plan Commission has had authority statutorily to do it on their own also –

Franz Okay.

Clutter If you're so inclined.

- Franz Discussions/thoughts?
- Walker I printed that off. It's really interesting. I had seen some things they had in Brownsburg because I was down there with some other leads and so I thought I wonder if they would be moving any of that up here. It looks pretty neat.
- Jones And just what parts of the PUD are we needing to modify?
- DeLong Well certainly on Lots 10 and 11 at a minimum, um, full retail is not something that is, uh, permitted by right. Certainly on Lots 10 and 11 it envisions a use and you could have accessory retail such as a first floor restaurant or a bank component or a coffee shop. Um, it does not fully speak to stand-alone buildings that are 100% retail. So that's just one of a few, uh, examples.
- Lake I would say some of the architectural standards too that don't, you know, don't fit with – I would even say the Zionsville theme for in talking about pediments and columns and stuff that's not – we don't see in the Zionsville theme let alone would see in a commercial building in that area either. I would just say that if we're going to make an accommodation for them that we try and look at the entire site because I know that, uh, some of the things that they're going to want from a materiality or a use may also be able to be adapted in other areas of the site and I would hate to give them, uh, a different standard than everybody else is held to.
- DeLong Yeah certainly that's a great point. We, and in Creekside right now as the RDC's agenda last month indicated and certainly their agenda will indicate this month, there are, there is strong interest in almost every lot in Creekside and almost every lot in Creekside could benefit – any remaining open lot/for sale lot – uh, could benefit from some PUD modifications. In looking at a PUD that is 6, 7 years old at this time and certainly any document needs to be refreshed, yes that document has been refreshed four times, I believe, since it was written. Um, zoning ordinances should constantly be updated to constantly adapting to innovation and certainly also constantly adapting to market pressures and changes and this is representative of that based on Town Council's conversations certainly they are focused on that. There are other opportunities here to look at the remainder of the park in terms of other opportunities to modify zoning to be more reflective of market and we would certainly look to take advantage of that.
- Franz And if we wanted to direct Wayne and his team to start that, I mean, drafting that we would make a motion for that, correct?
- Clutter Correct sir.
- Franz Anybody's thoughts on this?
- Grabianowski I think moving sooner than later is probably a good thing.
- Franz Yeah.
- Lake I think to Wayne's comment there's a lot of activity in the park –

Franz            Yeah.

Lake            And we have, uh, really the chance right now with the conditions as they are that if we can make some of these changes we may see that park be full this time next year. At least with lots under design and/or construction.

Franz            With complete development plans so we cannot continue it.

Lake            Yes.

Clutter          Working both of those in there at the same time.

Franz            All right, so is there a motion to – what is it – begin, uh, a redraft or a modification –

Clutter          Modification of the Creekside PUD.

Franz            Is there a motion?

Lake            So moved.

Franz            Is there a second?

Walker          Second.

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

All              Aye.

Franz            Opposed by nay.  
[No response]

                    Motion carries 6-0. Is there anything else?

DeLong          Thank you.

Franz            Is there a motion to adjourn?

Grabianowski   So moved.

Franz            Second?

Lake            Second.

Franz            All in favor signify by aye.

All              Aye.

Franz            We're adjourned.