



**ZIONSVILLE TOWN COUNCIL
MEETING MINUTES
FOR
MONDAY, JUNE 5, 2023
AT 7:00 P.M. EST
ONSITE MEETING**

This meeting was conducted onsite. All Councilors participated in person.

Council Members Present: Jason Plunkett, President; Brad Burk, Vice-President; Joe Culp, Josh Garrett, Craig Melton, and Bryan Traylor
Absent: Alex Choi

Also Present: Adam Steuerwald, Town Council Attorney; Cindy Poore, Director of Finance & Records; Lance Lantz, Director of Public Works; Roger Kilmer, Senior Planner, Community and Economic Development; Amy Lacy, Municipal Relations Coordinator; and other Town Department Staff

OPENING

- A. Call meeting to order**
- B. Pledge of Allegiance**

Plunkett Good evening. I will now call to order the Monday, June 5, 2023 Town Council meeting. If you would please, stand and join me with the Pledge of Allegiance.

All Pledge of Allegiance.

APPROVAL OF THE MEMORANDUM OF THE MAY 15, 2023 REGULAR MEETING

Plunkett Up first on the agenda is the approval of the Memorandum of the May 15, 2023 regular meeting. A copy has been posted. Are there questions from Councilors?

Garrett I make a motion to approve.

Plunkett First by Councilor Garrett.

Burk Second.

Plunkett Second by Vice President Burk. All those in favor signify by saying aye.

All Aye.

Plunkett All those opposed same sign.
[No response]

Motion passes 6 in favor, 0 opposed.

APPROVAL OF THE JUNE 5, 2023 CLAIMS

Plunkett Up next is the approval of the June 5, 2023 Claims. Are there any questions from Councilors?

Traylor Just one observation and I want to say to the Finance Department thank you for the appropriations report. That was extremely helpful and I don't have a question I just wanted to make a comment that a couple of things that stood out when I'm looking at the claims versus the appropriation report is that we are currently over budget on it appears the temporary help, temporary services for the Finance Department and I know we've said hey, we'll support you in any way we can but just want to make that known that that appears to be over budget at this point. And our insurance policies – I haven't seen the bills for those. I know Cindy's going to get those to me but I wanted to point out based on the budget we, it appears that our insurance policies must have really jumped because we're about double in one policy what we're supposed to be as far as how much has been paid out and the other one is over budget by about 32%, 31%. So just some observations for, for folks to keep their eye on but the appropriation report helped greatly to be able to really tell what was going on with claims.

Garrett Is that because we're self-funded on health insurance?

Traylor It's not health. It's property and casualty.

Garrett Oh property and casualty. Got it.

Traylor That's what it's listed as.

Plunkett I would also point out there was, there were, there was a claim, a legal claim that I had questioned and had pulled before and that was for Noonung & Whitsitt for board work –

Traylor Yes –

Plunkett Those were for, you'll recall we have like the Town Hall Board and Union Township Board –

Traylor Oh, the Building Corporation?

Plunkett Yes, so the documents to get that stuff prepped and presented for those meetings. That's what that information was for.

Traylor Yes.

- Burk Is that back in this in this claim then from last time?
- Plunkett Yes. Any questions on claims?
- Burk Move to approve.
- Plunkett We have a first by Vice President Burk.
- Traylor Second.
- Plunkett Second by Councilor Traylor. All those in favor signify by saying aye.
- All Aye.
- Plunkett All those, all those opposed same sign.
[No response]
- Motion passes 6 in favor, 0 opposed.

REQUEST TO SPEAK

- Plunkett Up next is a Request to Speak on Agenda Item. I've got three here, Amy. Do we have anymore?
- Lacy No, just the three.
- Plunkett Okay, so what I've got is three requests to speak. You guys will get 3 minutes. I'll give you the, I'll raise my hand when you get to 1 minute so you can kind of wrap it up there. The three that will go in order: Matt Stump, Tom Easterday and Jim Longest. So, if you would, when you get up here just state your name, your address and then I'll start the clock so.
- Stump My name is Matt Stump, 5301 South 875 East. You guys are going to vote tonight on a rezone for the PUD of the Wild Air Farms. I have a couple of questions before you do that. It was raised at the last Plan Commission meeting that there's a discrepancy in traffic count versus traffic study versus the PUD which is likely a draft at this point. I think before any decisions are made that should be absolutely clarified and ensure that the traffic study is correct. The second question I would have tonight is what will be the financial ask of the Town of Zionsville either via abatements, waived fees or TIF? I've heard there has not been one yet. I find it hard to believe in this interest rate environment there will not be one. So if you could answer those two things that would be very helpful. Thank you.
- Plunkett Thank you. All right. Up next will be Tom Easterday.
- Easterday Good evening. I'm Tom Easterday. I have lived at 15 Williamsburg Court in Zionsville for the last 36+ years. I am here to speak in support of the Wild Air PUD for two reasons: First of all, as many of you know, I served on the Zionsville Town Council back in the late '90s and at that point we had a vision for Zionsville and for future housing in Zionsville and development and that

vision really encompassed many factors but the most important ones at that time to us were generational housing. Housing where if a student had gone off to college they would have an opportunity to move back to Zionsville and continue to live in the Zionsville community. If someone became elderly, they would have a chance to sell their home in Zionsville but have another opportunity to live here in the community so generational housing where people that grew up in Zionsville or had lived in Zionsville for a long time could stay in this community.

Second, additional parklands and the Town Council and the Parks Department have done a fabulous job over the years with that and that was very important to us. Enhanced trails. Back then we called them bikeway pathways but I think we've upgraded that to trails these days. And finally, keeping with Zionsville's character and historical amenities and things and architecture I should say. Keeping with that historical architecture, that historic heritage that we have as the Town of Zionsville was very important to us so, again, generational housing, parks, trails and keeping with the character of Zionsville and its, preserving its history.

I think this PUD the way it's been designed by Old Town and the companies associated with it fits that criteria and fits that vision that we've had for the last 25 years.

The second reason I'm speaking in favor of it is I have the privilege of being the President of ILADD which is a nonprofit based here in Zionsville. We're at 1393 Oak Street underneath the PNC Building in an office down there and ILADD stands for Independent Living for Adults with Developmental and Intellectual Disabilities and we have a 3-pronged mission and one is to provide programs, independent living programs as well as social options as well as other types of programs such as a community service club, hiking club, book club. We also have game nights that meet at Amore's Pizzeria twice a month so a lot of programming and social options. The third thing is housing and what we'd like to do and through a very kind gift by Old Town Developments and the Johnson family, they've included us in this development. We're a small part of it but I think a very important part of it to provide housing for adults with intellectual and developmental disabilities. We intend to have 15 to 20 homes, cottages, I think they'll be referred to, and those cottages will be owned by the guardians or the parents or possibly in trust in a special needs trust and we will set it up sort of in a condo situation so that we will take care of the maintenance for the property through ILADD. We'd also like to have that kind of a clubhouse that will have offices in it and hopefully a teaching kitchen inside of there to help with our programs and have a room where we can have additional programs presented so. Again, the two reasons are: One, I believe this fits very well with the vision for Zionsville and second, ILADD would love to be a part of this development and provide housing for people with disabilities in Zionsville. Thank you very much.

Plunkett Thanks, Tom. And up next – Jim Longest.

Longest Good evening. My name is Jim Longest. I live at 8617 West Oak Street and I would offer the following comments that for some reason our address, mailing address at the courthouse did not get changed when we moved to our current residence so essentially the official notifications were sent to our old address and,

in turn, I think that they sent them back to the Post Office to get forwarded to us so we did not receive notice in a timely fashion to attend either of the two previous meetings and I know that that notice complies with the rules. I would suggest a change in the future that a notification go to both the physical address as well as the address that is on file for mail purposes.

We did have a concern about increased traffic volume on Oak Street and what I would like to confirm is that the entrance off Oak Street is right in and right out only. I have not seen that written down anywhere but I've heard it talked about several times and I've talked to our traffic engineers and if that's properly designed that right in, right out will have zero to a very minimal effect on traffic and I know that the engineer that's being used by the developer is very competent and will design it correctly.

We were concerned about particularly the civic area because that is literally outside our front door. We worked with Matt Price and Mr. Moffatt over the weekend to come up with a private commitment from them for buffering and potential future right-of-way needs and very professional, very easy and accommodating.

One concern we had would be on comparable home values because we haven't heard, I think, definitively what the price point is going to be for the single-family residential units and I would like to have that question answered.

Maintaining as much green, as much greenspace within the development is important to us and we were wondering if they were going to be planting trees along the Maryville corridor kind of like we have on other places. We have seen bald eagles in the area and their nests are protected and I don't know if anyone has actually gone out and identified those nest locations to make sure that whatever tree removal is being done doesn't damage those nests.

Mr. Easterday answered my questions on the cottages and a question would be if there, I believe there's no operator that's been identified for the senior living facility and if, if one does not become available, then what else can that block be used for? And, again, confirming that the entrance off, off of Oak Street is what it is then, then we have no objections to the development.

Plunkett Thanks, Jim.

MAYOR/ADMINISTRATION UPDATE

Plunkett Up next on the agenda is the Mayor/Administration Update. We did not receive a Mayor/Administration update so we'll move on to Town Council Update.

TOWN COUNCIL UPDATE

Plunkett I just wanted to share with you guys during our last meeting I shared with everybody really that I'd reached out to Baker Tilly and forwarded that information to assist Cindy and our Finance Department via an internal audit and understanding staffing needs and I do want to be clear – I appreciate the work Cindy's done and that Crowe has done and that Tim is doing for the Town. The request was not designed to take anything away from their work or their scope of work. It simply was to work alongside with Crowe and, as they've done before

so. I think for three years we've heard CFOs, Director of Finance, everybody talk about, use words like overwhelmed and short staffed and there are obviously concerns that we've had through the State Board of Accounts regarding lack of internal audits and or a lack of internal controls. I know Cindy and her team have been working hard to fix that and I believe a lot of it will be fixed soon as, again, I forwarded all this stuff to the Mayor in the hopes that we could work together to, to fix these concerns as we enter into budget season. I've not had any movement on that request, however, I did, Cindy has asked to give an update to the Council and it's certainly hopeful that with this update we can decide what the appropriate next steps are to understand how we can continue to work with the Finance team and the Administration so. Cindy, if you want to go ahead and come up and do that that'd be great.

Poore

Thank you. I appreciate the time. Cindy Poore, Director of Finance and Records. I just wanted to give you an update over the last four or five months some of the things that we've gone through and have been able to accomplish at this point – 2022 financials are complete. The State Board of, the state report has been filed. We did work hand in hand with State Board of Accounts since we were going through a transition in our financial systems and they have been very supportive of this transition for us. We have provided reports through April and I will say with the caveat that we provided the April and May appropriation reports which is basically the spend versus the budget. The fund reports that we have provided, that has the verified reconciled '22 ending which is '23 beginning balances and then 2023 activity. We have about 12 accounts that we reconcile and we're down to 3 that we're finishing up on and then everything will be up to date. Right now, Boyce is planning to send us a person to help for a couple of days this week to work on one of those accounts to help us get that account reconciled and they've been real good to send help whenever we've requested.

I will say that we are finally fully staffed as of March and the two people that I brought in which was an Accounts Payable Specialist as well as a Deputy Director bring experience with them, especially the Deputy Director and has a lot of experience working in Keystone, the Boyce software.

With that being said and I'll address because Jason and I have spoken about this – as far as support staff right now, yes, we have utilized, as Bryan brought to your attention our, our staffing, temporary staffing line is in the red because we did utilize a lot of temporary staffing late last year and early this year, especially with the transition doing a lot of data entry and pulling information out so we made sure we had everything out of the previous system. Right now with us being fully staffed and Boyce sending someone to help us with reconciliations, we don't quite need the operational help at this point, not to say in the future we won't but right now we don't.

As far as the risk management audit, I welcome it. We always want to make sure that any gaps are filled in our internal controls. As I spoke earlier, we know there are some right now because we've just changed systems and I'm in the process of, of updating those internal controls right now so I would ask that we wait until I get those items done and then see if there are any gaps after that but I am definitely not opposed to that.

I think with the full staff we're finally getting to the point where we can get back into a routine of providing reports on a regular basis. The state does give us 45 days to reconcile and file with the state so you may always, it might be one month behind every time that you get reconciled numbers but you will get those reconciled numbers so and I know I have met with a few of you already, had a little chat and so I hope to get with the rest of you at some point in time so we can sit down and talk. That's all I have.

Plunkett I appreciate that Cindy. I know we had talked about during the last budget process and I think even you and I have had conversations about moving forward, finding someone for procure, procurement –

Poore Yes –

Plunkett And identifying the, the additional staffing needs that –

Poore Right –

Plunkett That are inevitable, right?

Poore Yes –

Plunkett Is that something that'll be built out and shared during the next budget? Is that something that –

Poore I'm hoping so because I know that we're looking at a system to help us better track our assets. We're looking at some software to better track procurement spend and so forth and between those and I know, I think, I believe, some invoicing is coming our way. We're definitely going to need probably one more person –

Plunkett Yes –

Poore Once those items come to fruition. So I'm hoping to have a better idea by budget time when those, those items are going to come into play.

Plunkett Are there any –

Garrett Cindy, so do we have all of the data, historical data out of Open.gov that we need to effectively report and run of the Town going forward?

Poore Yes. We've pulled everything out of Open.gov plus Keystone has everything that they need. We don't have the historical data completely in Keystone yet for, for they're working on '21 and '22. What we have right now are the beginning balances and the activity for '23. We gave the information to Keystone I'd say a couple of weeks ago and they said 30 to 60 days for just the historical data to be all populated into the system.

Garrett And is the historical data population given perhaps how the data is coming to us, is, is the input of that as well as the additional resource you mentioned that's

coming, is that all included in the current contract we have or are they billing us additional time and materials for that uplift?

Poore No, all of the data that they're putting in that transition it's part of the transition in the contact that was signed.

Garrett Got it.

Poore Yes.

Garrett And what happens when a line item goes over appropriation without approval?

Poore There's a couple of things that can happen. We can advertise for an additional appropriation to ask for additional money for that line. If we have another line in that same type of category that has extra money, we are able to move, move between those two lines. So it would either be that or an additional appropriation.

Garrett And, what will it be? Do you know yet?

Poore No, no. No, I'll have to take a look at everything and let you know.

Garrett Okay.

Burk Just continued thanks to Cindy coming into a difficult situation and working through the transition. I know there's still – we're getting close –

Poore Right –

Burk To what we're all expecting and hopeful for. Thank you for making, always making time to answer my questions. I know I had a number of questions for you last week when we sat down and a lot of it you've talked about today and there's a lot more that we've talked about but just thank you for, for what you bring and your leadership to this department.

Poore Thanks.

Traylor Yes this, again, I keep coming back to this appropriation report but I think it's important for the public to know – this is the first time in really three years that I've been able to look at claims and know how much we've spent versus how much was budgeted. That's insane –

Poore Yes –

Traylor That it took three years but I want to thank you, Cindy, for stepping up and getting it done. I appreciate all you're doing. I know we're not, we're not completely dug out yet but I, you're going in the right direction and I appreciate it.

Poore Thank you.

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Plunkett Yes, I would agree and, Cindy, I've shared this with you, I've shared it with the Mayor publicly and I'll say it again – like as you go through your team and understand what you need –

Poore Yes –

Plunkett I think this, I mean this Council's open to helping in any way that we can. That's the whole purpose of –

Poore Right –

Plunkett Of even, the engagement with Baker Tilly is just to understand what should you be doing. My concern as we talked about today is –

Poore Right –

Plunkett Are there areas of the Town that don't get the attention that it needs to get from you because you're so focused on this transition and I understand that –

Poore Right –

Plunkett I just think that maybe once we get a chance to step back and get through, get through this next few weeks, hopefully we can have an opportunity to, to reengage and figure out how we can help you so.

Poore Thank you. I appreciate it.

Plunkett Thank you.

OLD BUSINESS

Plunkett All right, up next on the agenda is Old Business and there are not any Old Business items.

NEW BUSINESS

Consideration of an Ordinance Establishing Wild Air Planned Unit Development District **Ordinance 2023-13 (Petition No. 2023-09-Z)**

Plunkett We will move on to item 8A of New Business which is a Consideration of an Ordinance Establishing Wild Air Planned Unit Development District. This is Ordinance 2023-13 and Petition Number 2023-09-Z and we have Roger Kilmer to present.

Kilmer Good evening Mr. President and members of the Council. Roger Kilmer, Senior Planner for the Planning, Plan Commission. My role tonight is to provide a brief introduction and overview to the rezoning proposal for your consideration this evening. When I conclude, I then turn it over to the petitioner's representatives so they can get into the details for you.

Before you is a request to rezone 260+/- acres from the Rural Single and Two-Family Residential District to the Planned Unit Development District to be known as the Wild Air PUD. You'll see here on the map up on the screen, the site is roughly bordered on the north by County Road 550 South, extends all the way down to Oak Street and it is divided by Marysville Road which comes up through the middle of the site so there is property on both sides of Marysville Road which is part of this petition. The 2014 Zionsville Comprehensive Plan recommends residential medium for the entirety of this area. You can see that outlined here right in the center. The entirety of the PUD and the immediate adjacent parcels fall into this classification. All parcels within the subject site are currently zoned Rural Single and Two-Family Residential or R-2 as are most of the other adjoining lots or, or parcels adjacent to the property. As I mentioned earlier, the subject site is divided by Marysville Road and the Wild Air PUD would divide the 260 acres of the subject site into the following eight use blocks. These, these are summarized as follows: There would be Senior Ranches, Custom Estate use block, a Traditional Neighborhood Development use block, Center Commons use block, Cottages use block, a Senior Living Facility use block, a Civic use block and a Woodland Preservation Area use block. A complete list of permitted uses and accessory uses for each use block is identified in the proposed PUD Ordinance's Use Table. Development standards for each use block are identified in the proposed PUD's, PUD Ordinance's Development Standards Matrix.

At the May 15, 2023 meeting, the Plan Commission voted to forward a favorable recommendation to the Town Council by a vote of 4 in favor, 2 opposed and 1 refusal to rezone the, of the rezone request with a commitment for an additional pedestrian crossing of Marysville Road. You'll see on the use, on the use block plan there are already two roundabouts proposed for Marysville Road. This commitment that I mentioned would account for another pedestrian crossing somewhere to the south of the southern roundabout and I will let the petitioner's counsel and development team get into that further for you. I'd be glad to answer any questions you might have.

Garrett Hey Roger – the two Planning Commission members that voted against, can you kind of summarize their objection? Is that a fair question?

Kilmer It primarily fell into two categories, two items. One, and I'll put the use plan back up. As I mentioned, Marysville Road splits the site, not exactly in half, but into two pieces and the primary common areas for the development that would be a pool area, things of that nature, are on the east side of Marysville Road and there was just concern about how were we getting residents from one side of the development to the other. There was concern that while roundabouts are provided, pedestrian crossing at roundabouts can be difficult. They work well for vehicles but for pedestrians they, they do pose a challenge.

The second item that was of concern was the amount of traffic that a development of this size will be generating out in the area. The petitioners did provide a traffic impact study that was reviewed during this process. There were certain recommendations made within that traffic impact study and those recomm – by the engineer, and those suggestions or recommendations have been adopted by the petitioner to be included in the development.

- Garrett And I think you mentioned this – staff has a favorable recommendation?
- Kilmer Staff was, was recommending a favorable recommendation as well.
- Garrett Okay, thank you.
- Plunkett Any other questions for Roger?
- Melton One quick question with regards to what I've gotten information on, it says that the developer was planning to commit to a crosswalk or the tunnel and it says that Town's recommend, at Town's, I don't remember the word it uses but it says tunnel or the crosswalk. Who determines that and when does that happen? When does that determination happen? I know they're going to present and go through all of that but since you're here, you're part of the Town, right?
- Kilmer Thank you. The information needed to make that decision, as I understand it from the development team, while they have started investigations as to could a tunnel be done underneath Marysville Road, I believe the initial investigations are saying yes they could but they also didn't want to dictate to the Town if the Town would prefer a tunnel or prefer an at-grade crossing. They didn't want to offer just one of the two. So they, they're basically giving the option to the Town as to which we would want. The final information needed from an engineering standpoint, and I'm getting this information from our DPW Department, we don't have all of that final information yet because there are significant drainage concerns. Anytime you start working with a tunnel, we want to make sure that it isn't a hole that just fills up with water. We want to make sure that it can drain properly and my understanding is we don't have all of that information yet to make a recommendation but it would be determined at the development plan stage, unless you, unless you would direct otherwise.
- Melton I just wanted to point out that was one of the two negative votes from the Planning Commission, correct? Their concern was crossing and then the traffic itself so. It sounds like there's a solution there just which way we go is the next decision that we need to figure out. Okay. That's all I had for that. Thank you.
- Plunkett Thanks Roger.
- Traylor Oh, one more –
- Plunkett Sorry.
- Traylor Quick question Roger – and I'm going to put you on the spot so you, forgive me for not having this question to you sooner but the building heights, I see the, in the all list area, I guess, would be a maximum height of 50 feet. Do you know like downtown Zionsville, do you know what the max height is downtown? I know there's a gentleman here that probably has a good idea because he, I think, owns the tallest building in downtown Zionsville. Any idea what the max height is in downtown?
- Kilmer I would need to defer without checking into the Zoning Ordinance.

- Traylor All right, I think we've got an answer coming.
- Kilmer All right.
- Plunkett Anything else for Roger? Thanks Roger.
- Kilmer Thank you.
- Price Thank you Mr. President and members of the Council. For the record, my name is Matt Price. I'm here this evening on behalf of Old Town Land Development. We have a PowerPoint that we previously provided that is an abbreviated version of the one that was included in your packet but it's the same, same slide materials so no new slides that we'd like to present to you but first I'd like to introduce the members of our development team that are here this evening. I've got Justin Moffatt who is the CEO of Old Town Companies and Ed Hamilton who is a principal with Old Town Land Development. Ed's also a civil engineer and very intimately involved with the specifics of the proposal.
- Plunkett Matt, I'm sorry – did you say Ed or Ted? I didn't –
- Price Ed. I'm sorry.
- Plunkett Thank you.
- Price Justin's going to lead off and then I'll pick up and go through some of the specifics for you.
- Moffatt Good evening. Justin Moffatt with Old Town. Next slide please if you will – just wanted to provide for, for those who might not be familiar with us a really quick background. We've been in business going on our 15th year as Old Town Design Group. We started off as a home builder and we really started about the time of the last housing recession and it seemed like an odd time to start a home building company but it, it turned out that our unique style resonated with buyers in the market. We were offering something different and we focused on our motto from the beginning was outstanding locations and timeless design and we really focused on areas of, of the north suburbs of Indianapolis that were walkable, great school systems, access to amenities but with timelessly styled architecture and we found that we developed a following with home buyers in the north suburbs of Indy. So throughout that process though, we became land developers as well so that we had meaningful opportunity to build homes. We probably are all aware that a lot of our home inventory in Indianapolis is provided by national production builders and there's certainly a place for that. Everyone deserves a place to live but we wanted to differentiate and focus on what we call placemaking initiatives and so we built our, our company around pouring a lot of effort into the detail of master planned communities and so we started kind of grassroots homebuilding doing four or five-lot subdivisions and here we are presenting much larger scaled communities and what we have found is that collaboration is the key to a successful community and for us that involves engaging community stakeholders when we look at a new opportunity.

So if you'll progress to the next slide for me – I just wanted to really briefly talk about how we go about looking at, at new development. First of all, the community metrics really matter. You know, is, is, is the project financially feasible and that's kind of a base understanding we need to have but really we look to see if we can deliver something that's excellent and that would be hopefully well received by the community that we're serving and start with trying to identify the opportunities and constraints of a specific piece of land and that's a process we've learned over the last 15 years and we bring in some of, what we believe are some of the best thinkers in the land planning business in the country to help us navigate the process and we really study a piece of land to understand what, what opportunities exist that are worthy of preservation, worthy of celebration and then what constraints exist that that may make it hard to develop the land but also try to vet out all issues early on.

So when this opportunity presented itself about maybe 14 months ago, we really did a lot of upfront research to determine if it was something that we could pour the effort into because as you can believe for a project of this scale it's a substantial undertaking of time but also of financial resources just to even get to the point where we have the opportunity to present to, to the Town. So we believe there was something special here with kind of the land itself and we hoped that we could tell a unique story here based on our understanding of the Town's goals through kind of reading the Comprehensive Plan and talking to, to community leadership about the hopes for the future and we have found in, when we do master planning that it's not about a single product type. It's around understanding as Mr. Easterday alluded to earlier, multi-generational housing types, housing that supports young professionals up to seniors and everyone in between and so really we look to determine what the right blend of use types is and then how to stitch those use types together in a land plan and that's a really intense effort but also takes collaboration with community stakeholders and so throughout the process we worked hard early to try to identify stakeholders and I will admit that we always miss. We don't, we don't figure out how to get everybody involved but we make our best effort at it to have open forums to invite people to provide their feedback and what we found throughout the process is there's a very engaged constituency in Zionsville. We appreciated that, probably unlike what we've experienced in a lot of other communities we've worked in but I would hope based on maybe, maybe the lack of comments tonight, the volume of them, it's because we spent a lot of effort holding public forums, answering questions, offering and then meeting with any adjacent property owner that had, had a question or concern and it resulted in multiple iterations of the land plan to refine it and improve it before we made it to the APC and we find that that iterative collaborative process results in a better overall plan so we're proud of that work. We worked hard to get here today but we think that what we have delivered really meets a need for the community and something that we recognize as a business, we're investing the next decade of our lives in help, helping build out should it be approved.

Back to the opportunities and constraints though, in the slide that we shared there's some existing mature woodlands on the property. There's, all, every property has drainage challenges that we have to navigate and then Marysville Road presents a unique challenge and so how do we, how do we use Marysville Road as a zipper, if you will, to stitch those two communities together and that's

the plan that Matt's going to walk through here in a minute but ultimately we start with what's special, what's worthy of preservation and then plan around that and so in the southwest corner of the site there's a significant stand of trees. The Johnson family made that a primary objective early in the planning process is that gets saved if you guys want to do this project with us and it would be dedicated to the Town of Zionsville as a public park, not just for the benefit of the residents of the Wild Air Plan. So some of those pieces are the framework that we start to build off and you'll see in the land plan that we can interconnect nature throughout the site and really work to preserve what was kind of the best of in the land and then planned housing around it.

If you'll progress to the next slide please – and this framework kind of shows how we started to, to look at what was available if we worked to really preserve the pockets of, of good woods on the site and then plan development nodes throughout and interconnect all of those with a vast trail network. We find that this level of effort enhances the experience of the residents that live in communities like this but in new urbanist design or traditional neighborhood design it really improves the overall property values as well when almost every home in the community is adjacent to some sort of greenspace or park space. There's a view corridor from the front porch of almost every lot in the development and that's the sort of thinking that goes into these workshops and what helps us kind of create these, these special places.

Next slide please – there we go. I'm going to turn it over to Mr. Price to kind of walk through the land plan but I wanted to thank you for the time tonight to share and looking forward to the opportunity to hopefully work with the Town of Zionsville in this unique project.

Price

Thanks Justin. I'm going to take you on a kind of a brief tour of the various neighborhoods that are connected together with the trail system that Justin mentioned and kind of give you a flavor for what's anticipated to be located in each one of these neighborhoods.

First off, you can see Marysville Road bisecting the site. The two roundabouts are, are easy to refer to to kind of provide landmarks to identify key aspects of the project and so if you look at the southernmost roundabout that's kind of the main entrance to the development, an area that we call Marysville Crossing. That's where the multi-family component would exist as well as some limited retail opportunities that would provide neighborhood commercial type offerings so that you could have a coffee shop, a delicatessen, an ice cream shop, services and amenities that would be available to the residents of that area. Luxury apartments with a full clubhouse and outdoor amenity area. It's, that clubhouse and amenity area is located just west of the rather prominent tree stand that you see out there which is the evergreen tree stand that you see if you look off to your east as you're going through that portion of Marysville Road.

I'm going to move slightly southeast into the areas that are kind of the orange and yellow single-family area and this area is what we're calling part of the Traditional Neighborhood Design use block and that area specifically is the neighborhood that we're calling Wild Air Trails. It is bisected by an internal trail that we're calling Wild Air Trail which runs kind of as a north-south corridor up

the entire development and that trail system incorporates certain greenspaces and a small pocket park so that there are places to use the trail and then also areas to enjoy the outdoors and public gatherings in those pocket areas. We also have incorporated the water features as you can see to the east to provide some properties with the outdoor water view as a component of that development. I should also add that this section permits a limited number of townhouses. Townhouses are permitted on the east side of Marysville Road as we go, as we make the leap to the west I'll confirm for you that townhouses and multi-family are not permitted west of Marysville Road.

If we extend then kind of up from the, to the north and northeast above that kind of more narrow water feature along the eastern perimeter of the property, you'll see that kind of grayish area, those are the cottages that Mr. Easterday spoke of that are being reserved for the independent living opportunities that he described would be individual cottages and he also mentioned the opportunity there for their own individual neighborhood clubhouse to serve their residents.

And if you move to the extreme northeast of the development are the senior cottages and we're envisioning a true age-restricted type community there that would provide housing options for seniors. Along the southern perimeter of that property is another very extensive trail which we're calling the Hedgerow Trail and the name apropos to that area.

If you then extend to the west side of Marysville Road and then look at the kind of lightly shaded yellow properties that are up in the north and northwest portion of the property, that's our one neighborhood within our Custom Estates land use block that we're referring to as the Northside Courts and those are very extensively buffered properties to the, to the north and northeast well removed from the adjoining properties. For example, as you can see the water feature up in the northwest corner, provide a great deal of privacy and fit in harmoniously with the surrounding properties in that area.

If you go immediately south of that area, you return to the Traditional Neighborhood Design use block with the modification that I mentioned which is that there are no townhomes permitted in that use block and that's what we call the Grand Oaks portion of the development which has the centralized Grand Oak Park where we've specifically identified certain key heritage trees that are going to be preserved as part of the, as part of the development. I should also add that the PUD has extensive requirements for tree inventory and analysis before natural vegetation is removed from the site because we've made a very significant point of emphasis maintaining existing trees to provide buffering and preserve the natural features of the property.

If you then go to the far western portion of the property, that's what we call our Lakewood Estates, again, taking advantage of the water features there. The concept plan probably doesn't do the justice to what the vision is for that area but that area is to have wooded lots, very, very high emphasis on privacy and, again, as I mentioned, part of our custom estates.

If you then go immediately west, that's the Woodland Preservation Area that Justin mentioned was really a key requirement in order to work with the Johnson

family. The idea there is to have very limited physical improvements to that area, permit trails and walkability but not envisioning active recreation as far as ball fields and courts and things of that nature so it's going to be a very natural area.

If you then extend to the, to the southeast of the Woodland Preservation Area to the kind of purple shaded area, that's the Senior Living area within a kind of greater context of what we call Elizabeth Woods. That area is also very, very beautiful and has a great deal of existing tree cover that we seek to preserve to provide the natural buffering that you see in that area.

And then lastly, kind of returning to the very southern portion of the property is the Civic Use parcel which is an approximately 10-acre parcel that would be reserved for a civic use and the PUD identifies what category of uses are permitted for that, for that area.

I don't want to jump ahead but I could address just a couple of quick points that were raised during the public comment. We, I do want to confirm for Mr. Longest and we very much enjoyed the opportunity to work with Mr. and Mrs. Longest on a commitment to give them additional comfort about the project and its potential impact on their property. I do want to confirm for them that the entrance off Oak Street is, in fact, right in, right out only and that's both an element of the traffic impact study recommendation as well as we've delineated that specifically on, on Exhibit 14.1 in the PUD. So that's a written requirement that that be right in, right out only. That was a matter of some discussion in front of the Plan Commission. I felt like we at the end of that discussion arrived at a very good positioning for how that would work and be consistent with other like right in, right outs along Oak Street. The goal has been to provide a great deal of interconnectivity, preservation of natural features and resulting in the generational style housing that Mr. Easterday mentioned all pointed towards a very high value. We envision the average price point would be approximately \$800,000 per single-family home so very high value homes throughout the development.

I think I'll leave it at that as far as touching some of the – oh, I will mention one other thing and then I'm, our team is happy to answer any questions. I don't think it's accurate to say that there was any discrepancies between the PUD, the traffic impact study or our, our exhibits. There was some discussion with the Plan Commission about traffic flows kind of internally and how those would be worked out. Those are things that we felt like could be addressed at the development plan stage. We already came up with some great ideas on the right in, right out and how you make sure that it would be impossible to make a left into the, into the project if, if you're heading east along Oak Street but they were not, in my judgment anyway, they were not concerns over the volume calculations. We show that at each affected intersection that we maintain very but good levels of service with the road improvements that are being proposed as, as a part of the project and that's evidenced in the traffic impact study that Mr. Longest mentioned his firm reviewed and we used the Town's own traffic engineers in preparing the study so they give a very honest assessment of, of what the impacts are and also what the appropriate improvements are required to be. So we're very confident in that study and very confident in the resulting high levels of service that follow our project should it be approved and developed.

We'd respectfully request your approval and obviously we'd be happy to answer any questions that you have. Thank you.

Plunkett Matt, you mentioned the traffic study was reviewed by a couple of different folks. One of the things that Mr. Stump mentioned was that he didn't feel like the traffic study was necessarily as accurate. Was that before or after you guys did the right in, right out only?

Price I'm not sure –

Plunkett Or was that a reaction to the study?

Price It was not. I'll put it this way – yes, the study, one of the, one of the requirements of the study was that that access be limited to a right in, right out.

Plunkett Okay.

Culp Is there going to be a turn lane when you're going west to turn right? Like are you going – I'm kinda seeing where it splits out a little bit meaning that the people on west, Oak Street going west they're not going to have to wait some turning right.

Price To turn right? Yes, I think the plan would be a turn lane, yes.

Plunkett And there's a pathway associated with this as well, correct on Oak Street on the southern portion of the development?

Price Correct. Where we front Oak Street, yes.

Plunkett Mr. Longest also mentioned and this is taking a little bit of a different turn than the specifics of the PUD – have you guys identified and attempted to identify any eagles nests or any preservation of, of that wildlife there?

Price We, to my knowledge, we've not done any formal analysis to determine any, any location of specific species. I will say though that one of the, one of the really great parts about this project and the flexibility that it affords is that it, it does allow substantial tree preservation and so by doing so we think will, will be the best option for preserving those natural habitats. Now we have, there are certainly some key what are called heritage trees that have already been identified as being key assets that we want to maintain and the Town should want to maintain and we we're committed to doing that.

Garrett So, Matt, a couple questions – Mr. Longest talked about a private agreement for buffering. That jives with your understanding and who adjudicates that determination of compliance for that? If it's a private agreement it's not going to be the Town. That's just a private agreement between Old Town and that family, correct?

Price Correct. We each signed a, essentially a contract with each other to address Mr. Longest's concerns. I do want to say I express my thanks to him – we did have

the issue about the, his legal address still being his former residence in another community in Zionsville that he still owns but, but Mr. and Mrs. Longest were gracious enough to work with us on, on short order and come up with our own contract with each other to, to address his concerns.

Garrett No, I appreciate, I appreciate that. The woods, the, the preservation of the woods is the intention there to turn that over to our Parks Department for ownership management or is it to just leave it fallow and unmanaged? Is it going to be owned by the neighborhood for trails? Is there a vision for, for what that looks like?

Price Yes, I think, ultimately it would require the Town's agreement, but I think the idea is that it would be dedicated to the Town for public ownership so that it could be an available asset for the entire community and not just for residents of Wild Air.

Garrett And dedicated, not sold to the Town, right? Just as a, it's a part –

Price Correct.

Garrett Of the –

Price Yes.

Garrett Part of that. Talking about this, the civic use space and what future Mayors, future Councils decide to, to work with on that – is the idea in the same light to be dedicated to the Town? Is it a future negotiation to be sold to the Town? Have there been discussions on, on how we as a community help activate that?

Price Yes, so the idea is that property would be reserved for that use whatever the Town determined that use would be. I don't think we've ever spoken in terms of selling it to the Town specifically. It's just a, it's just to create the condition so that should the Town want to go forward with that type of a use, that space would be reserved upfront and available on that piece of property.

Garrett So, how does that work pragmatically if, if the Town in the future decided they wanted to put a community center there or decided they wanted to put pickleball courts there. That use is permitted, is it still then a new negotiation at that point to determine, obviously, Old Town has purchased the land from, from the family and is it then a future negotiation to then purchase the land from Old Town to then activate that use or how does that work?

Price Well, yes, I think the Town would have to determine the what, first what use was the desired use –

Garrett Yes –

Price And then what funds that it would like to raise or otherwise make available to develop the actual use, to develop the actual courts, for example.

Garrett So –

Price We're not proposing to develop the actual buildings and things associated with it.

Garrett For sure, for sure. I think it, one of the remonstrators talked about an ask of the Town and there is some new infrastructure going in here, roundabouts which are not inexpensive. I'm assuming there is going to be some ask of the Town. I think it would be helpful and this is partly on the Town, if we had a general sense of what we wanted of that civic use and could wrap that all into one conversation. Now the timing may not work, right? But if we're looking to activate the land there and you're looking for something out of us from an infrastructure standpoint, I'd rather have the negotiation all at once –

Price Right.

Garrett Than to have what you want done first and then what we want and Old Town has a great reputation. I'm not worried about them trying to pull one over on us but I think it would just be cleaner to figure all that out at once versus in two separate parts. So that's not a, not necessarily a question, just sort of more of a –

Price Yes.

Garrett A statement that potentially future Councils may have to wrestle with and not me but just, just something I'd like to note. Last quick thing, I guess – there was one slide there about all the trails going through in the community. Are all those trails publicly accessible? If a, if a neighbor to this development wants to go for a walk I'm assuming they can use those trails as well, it's not a, it's not a gated community, private community. I see Justin saying no, so that's a, that's a true statement?

Price Correct, yes. The trails – it's intended that those trails would be available for anyone with, that needed to access them to move about within the community.

Garrett Yes.

Price Yes.

Garrett Yes. Okay.

Price Yes.

Garrett Thank you.

Culp Yes, that was one of my questions. So, right now I'm looking at that lot where all the trees are and the forest. Where would you park if you didn't live in that neighborhood because I sure as heck wouldn't want it to be east of Marysville Road.

Moffatt Mr. Culp, you're addressing the southwest wooded area?

Culp Yes sir.

Moffatt It's hard to see on this plan but in some of the detailed plans that we've provided to the Town staff, we've shown a parking area delineated there off of that road going west off of the roundabout so there would be a public parking area there. That was a concern of ours is that if it is available to the public, is it going to be awkward if it's just on-street parking so we delineated a parking lot there for public access.

Melton How many spots is that? How many parking spots?

Moffatt I think around 12.

Melton 12?

Moffatt Yes sir.

Melton And the Johnsons were cool with giving up that part of the woods for that?

Moffatt Well, we've located it in a spot – everything was, was curated. It was a spot where there wasn't significant trees. There, there are pockets there where there's some ash trees that need to come out or some scrub so we – back to opportunities and constraints where we started there – it was how do we use the areas with maybe less significant trees to hield in development and then preserve what's around it.

Garrett My mic's not working, sorry. One follow-up then to that Justin just to make sure we're talking on the same thing – does that mean that a parking lot in theory could go there or it should if the Town takes over the, that ground that the Town would be responsible for building that or are you responsible for building that or is that part of any conversation that may happen of an ask of the Town as we're thinking about activating this PUD?

Moffatt Yes, specifically to the what we're labeling as the Johnson Preserve, the wooded area. It was shown in our land plan as something that we would develop because we want to make sure that it's an asset available immediately –

Garrett Okay.

Moffatt For, for the benefit of our residents as well.

Garrett Yes. Good answer.

Burk I appreciate your approach to a very unique development and a robust presentation. I do have a few questions. Just on that Civic Use section – what is the, what's the acreage of that section? Do you know off the top of your head?

Price I've got it as approximately 10 acres.

Burk Okay. And then just to clarify, I think, Josh was trying to get there as well, once, once this, once something's in play to become civic use, is that land sold to the Town or is the intention that it would donated to the Town?

Moffatt None of that has been determined yet. I want to be very clear on that. That we have committed that we are donating the wooded area as a public park space. The Civic Use site – throughout the collaborative process I mentioned upfront early in the discussions a theme that kept emerging in different conversations from various stakeholders, not just one faction or one group, it was various groups said we'd really like to see some sort of civic use available for this site and I'll give you a for example. Old Town right now is in the midst of a joint venture project on the Purdue campus. It's called Provenance. It's a residential PUD primarily to provide housing for people moving to the discovery park district as part of Purdue's initiative up there. We preserved a 10, very similar, a 10-acre civic use site at a prominent corner because there was the potential of a future need. I think their eyes up there were towards maybe an elementary school, but something that would benefit the broader community. So when we look at large-scale PUDs and this is a very standard development procedure for large scale projects around the country of if you have a potential future community need it, it's considered wise sometimes to take some land off the development block for residential and say let's hold an opportunity here, even though it's undefined, I think the confidence that residents the community can have is that if it's civic use we've already really limited the ability to develop it from the beginning. Anything that the Town should wish to do with it, it's going to have to come back through a public process to fund it and so I understand how it might feel a little uncertain or ambiguous at this stage but there's a reality and I've not mastered your zoning ordinances, but most community zoning ordinances already allow civic uses on every classification of land and so we're kind of, it's kind of redundant to call it a civic use site in our land plan. You can probably do that anyways but we just wanted to show that we're preserving that opportunity for a use that we don't even understand yet but the Town can work with us to determine that.

Burk No, I think it makes sense – what's, it's important, at least for me and probably others, to know that instead of just using the land to cram more homes onsite that you're thoughtful about trying to balance this as best that you can. I did have another question I think someone else had asked – how many, what's the total number of homes that would be in the project?

Moffatt There's, in the land plan the colored blocks you see are right at 399 homes, so 400 say and we have proposed 300 apartments in the kind of town center area.

Burk So about 700 residences? On the wooded park that would be potentially a Town asset, that would be a park and, again, kudos for thinking through this. I think it's very important. I love the whole idea of the trails and the woodland preservation. It looks pretty sizable. Do you have the acreage again off the top of your head?

Moffatt Our upfront agreement with the Johnson family was that it would be no less than 30 acres. I believe it's just over that so we're – 30, 31 acres.

Burk Again, that's a big chunk of property that's not going to be developed and then just – I don't know what the and I don't know if you know off the top of your head – what, what's the potential value for that acreage that you would be essentially donating to the Town?

Moffatt It's well over \$4 million dollars.

Burk Yes, I think it's important. Thank you – \$4 million. The price point you said average was \$800k. I know there's a variety of different types of homes in here. What's the low end, what's the high end on that range?

Moffatt As of today, I can tell you that we don't know how to build a home of the quality standards that we require under \$600,000. I would say there's and that meets the goal of the community plan here is to have a very, variety of price points. There's a reality that it's all considered luxury housing by, by price point but probably entry in the \$600,000s up to \$2 million in the estate section. The estates on the west portion of the site – to give you a for example – would be similar in size and scale to any of the Home-A-Rama type homes that you saw in Holliday Farms that we developed. That's the kind of home we would envision there and that's represented in the PUD.

Burk I appreciate your patience answering questions. I haven't heard mentioned yet but I know it'll come up with constituents – school impact. I'm assuming that's all been studied?

Moffatt Yes. I can only represent that we've had multiple conversations with school Superintendent and staff to share plans both an understanding of our price points and the positive impact it will have on the tax roll but also the timing of, as you can imagine, a development of this scale doesn't happen overnight. It's an approximately 8-year buildout –

Burk Hmm –

Moffatt And so I certainly don't have any right to speak on behalf the school but I can tell you what was represented. I understood from our conversations that was our, our phasing worked well for their planning and they understood and didn't have any challenges or changes they requested of us and we asked.

Burk And lastly, I know we sat down when you were early on in the process just kind of bringing on a number of, just kind of educating folks, answering questions – if this were not approved or as it, as it sits now it's already able to be developed and you could develop in a completely different way without a lot of the accommodation that you're making and so I think this is a very thoughtful approach to coming up with a unique development that, I think, fits Zionsville's reputation, character, brand in a way that you could probably develop it in a way right now that wouldn't meet all this, is that correct? What could, what could currently be developed now if there were no changes made?

Moffatt Based on the requirements of your Zoning Ordinance, you can fit around 450 lots on the development but they can be duplex lots so I don't know that there's a market for 900 duplex units but that would be allowed under the current zoning and so I don't believe the Johnsons would ever have sold for that. They, this was a sought-after property. They didn't do a traditional put a sign in the yard and say it's for sale. They did an RFP process and said bring us your best ideas and our, our team really went for it. We poured our hearts into presenting not just a creative land plan but kind of an, an ethos of how we would want to engage community and develop it and so I can't say I've seen the numbers but I've been

led to believe that we were not the highest number, we were just the best plan and so it was important to them that there was some legacy component to the overall development quality.

Burk My last question again, I think, and I don't know that it's answerable with any definitiveness, is just the traffic flow back and forth across the road and I think we heard some of that which is, sounds like you're open to the idea if the Town says hey, we should put a tunnel there, we can, it's feasible through engineering –

Moffatt Yes, we –

Burk But you're open to that and paying for that? Is that right?

Moffatt Yes, I want to address that after our first Plan Commission meeting we requested that we be tabled and come back a month later because we wanted, I wanted to answer the question honestly. We went out and dug test holes to figure out what the water table was like. Ed's team proved that the engineering work, it's tight, but the engineering work to actually get it to drain correctly but then if you dig a hole and have it fill with water instantly and I actually was a little disappointed. It didn't fill with water and it was a, had more, a season of heavy rain and so that convinced us that it, it was actually practical, not practical, building a tunnel is never practical but it's feasible, it's doable and so we wanted to give the Plan Commission an honest answer and the gentleman here requested us to give that feedback. We came back the next month and said here's what we found out and, but we don't think it's, it's in public right-of-way and we don't feel like it's our role to dictate what the Town accepts. The Town needs to tell us how they want to manage it in the future and so that's why we put the options out there.

Burk No, but I appreciate that you're open to figuring that out because it's going to, it is, it is a concern and it was brought up as a concern before so that's all the questions I have but I really appreciate your, your diligence and approach to coming up with a very unique, very interesting, very different property design.

Melton I'd like to touch on a couple quick things. Excuse me Bryan –

Traylor No, you're fine.

Melton We've had some things come up recently with developments regarding lighting and trees and berming so I'll start with the berming and trees. It looks like Cruse Road and 575 South and then Cruse Road and 900 – those are really the only houses that actually face the development. Everybody else kind of shares a backyard or, or something along those lines. And I don't see too much trees or berming in that area, however, I do see on this drawing here that there's a 10-foot multi-use path and I think that's great but I'm just a little concerned for the people that have lived there for so long that don't have, they're going to be looking into these backyards and I would just ask if it's something that you could commit to, to increase the trees along that line, that would make, I mean, that's that's one of the biggest complaints I've gotten out of this whole thing is the people that face forward to the new backs of the, of that development – I believe that's going to be the ranches, I'm not exactly sure or the cottages –

- Price In the northeast corner there?
- Melton Northeast, Cruse Road –
- Price Yes.
- Melton That corner.
- Price Yes, we've got a, part of the discussions without community outreach was to develop the buffering plans for that neighborhood as well as the neighborhoods along the, to the north and northwest to provide buffering and we've got that incorporated into the PUD at present.
- Moffatt I did confirm with Ed that that was a topic that came up with every neighborhood conversation was what, what are we looking at, what's are berming or what's our buffering? In addition to the right-of-way that we are required to give up on Cruse Road, we then have a 30-foot buffer that we would mound. With 30 feet the mound results in only around maybe 4 feet and then that would be thickly planted and you can imagine that the desire for buffering goes both ways –
- Melton Absolutely.
- Moffatt There are property owners that would build in that senior ranch community want some privacy as well and so we will plant that with a thick row of, of buffering which is represented in the PUD.
- Melton Great, well I appreciate that commitment. And then you know the other thing that we've dealt with with other developments is lighting and I've looked through the PUD and I've gone back and forth and I just, it doesn't feel like it gives us that much information on what the lighting is or what it's going to look like. It does say that you can share street signs with lighting and things of that nature but light pollution is something that we've, we're really dealing with north, on, on the north side of Michigan Road in that area and frankly, I know the Town of Zionsville has put in street lights that are very bright as well so is there anything that says that your lighting or your street, street lights are just kind of a down lighting not casting to the skies to try and protect the rural aspect of the area?
- Price Yes, it's an excellent point. There's really two things I'd say to that – one is that there is a clear and unambiguous commitment to abide by the Town's Lighting Ordinance which is a rigid standard as, as lighting standards go. There's no request to seek any relief or lessen that standard for lighting. The second thing is is that each one of these developments we'll need to propose as part of it a photometric analysis to determine that there isn't any spillage off the site. I think one of the things that perhaps has not fully percolated through the system yet but with regard to the situation you were talking about on Michigan Road, for example, one of the safeguards has been the Town's Zoning Ordinance which once, once evaluated I think does trigger some changes up there and so it is, it is actively and affirmatively addressed in the PUD with regard to lighting.
- Melton So, I read like no neon lights and things of that nature which is great.

- Price Correct.
- Melton So you called it spillage. You know, spillage to me is when you spill down. Maybe I'm trying to, I just want to make sure that we don't have light going cast into the skies and spillage that a way as opposed to going across the property line.
- Moffatt Yes. What's specifically addressed, I believe, in your own ordinance but also in our planning we adhere to, is that it doesn't spill past the property line and so we're, and that's – Matt mentioned the photometric. When we go through platting each individual section in a community, we're obligated to provide a photometric showing that we don't spill past our own property line to adjacent properties.
- Melton One other question on that – it said, I believe it said no roof lighting. So does that mean no like flood lights from the tops of homes –
- Moffatt Yes.
- Melton As well or because –
- Moffatt We don't allow in our CCRs any of those sort of flood lights because of having basically a spotlight effect or the motion sensor in people's backyards that are always popping up so that's, that's also a private condition as well as a public one.
- Melton Great, thank you.
- Traylor My turn?
- Plunkett Yep.
- Traylor All right. Mr. Price, I think you might have the answer to my first question on what the height restriction is for downtown Zionsville?
- Price The height restriction –
- Traylor Or perhaps what the, how tall the tallest building in downtown –
- Price Yes.
- Traylor Is?
- Price Yes. So the, the way the Carter Building, for example, is measured from the adjoining road frontage to the tallest part of the building, I think is around 41, 42 feet, in that range. There's been a recent variance given for redevelopment of the Brick Street Inn that would also permit that, parts of that structure to be of a similar height and I think it's actually, the Carter Building I think is actually just a little bit shorter than the old Town Hall. The old Town Hall has a kind of an

edifice in the front of it that extends a little bit higher than the, than the Carter Building.

Traylor Okay. That just helps me from a visualization standpoint.

Price Yes, yes.

Traylor The, I know there's talks of a tunnel and that's grand talks but in current drawings is, are the crosswalks at the roundabouts? Is that where they're envisioned?

Price Correct.

Traylor And is there some way to make sure these aren't like the roundabouts at Mulberry that every, that everybody has a problem with including me?

Price I'm trying to place that Mulberry –

Traylor Mulberry and Ford Road.

Price Okay.

Traylor Yes.

Price Yes, I don't know – you want to address the specific aspects of that?

Moffatt I can address the, I cannot address the one you just mentioned.

Traylor If you could that'd be great.

Plunkett Fix it while you're there.

Moffatt What, what you see on both sides of the road there's the more substantial Johnson Preserve, the 30-acre park, and then on the east side south of the multi-family area, there's another area that we would envision as turning into a dog park and so we see two park spaces and having connectivity there and there's human nature involved and people, the risks that people cross there, jaywalk, and so we wanted to create a safe crossing condition so that was part of our discussion with the Planning staff, Department of Public Works and Department of Engineering was how do we create a safe crossing condition and separate that from the roundabout too because sometimes, as we know, when people are kind of shooting through the roundabout they're not paying attention to the delineated crossing –

Traylor Right.

Moffatt Even though we have a pavement change, etc. And so we proposed this idea of can we separate it out a few hundred feet and having a crossing there. So even if it's not a tunnel design, the alternative would be I always get this incorrect –

Hamilton Rapid flashing –

Moffatt Thank you. Rapid flashing beacons with a pavement change and then it would have a pedestrian island in the middle of the road so there's enough width there that there could be we call it a refuge island to get to the center, stop and so it's still a delineated crossing and we think that something like that as a minimum is necessary to be, create that safe condition.

Traylor But far enough away from the actual roundabout -

Moffatt So you can create the visibility again coming out -

Traylor Yes.

Moffatt Of the roundabout.

Traylor That's appreciated. Thank you. The skeptic in me makes me ask but how much of the woodland there that we're talking about potentially donating down the road is, is floodplain?

Moffatt The Johnson Preserve?

Traylor Yes.

Moffatt I think zero.

Traylor That's great. That's great. I've just been on the Council long enough to know that when we get donated land -

Moffatt Yes, I would tell you that it, it's a unique one for us too because I've been in the situation of donating land for floodplain -

Traylor Yes.

Moffatt Or, you know, and this is a genuine usable piece of dirt.

Traylor That's fantastic.

Moffatt And it's, it's just a quality intact woodland and worthy of, of working around.

Traylor Yes, okay. I'm looking, I've made a list of questions here but it looks like a lot of them have been touched on. Just one thing to clear up for, for both the Council and the public, I think it's important to know that the term civic use for that one area is strictly designating what it can be used for. It in no way in my mind is an indication that it's going to be either given, sold or transferred to the Town. It could, and there's a list of things it could be used for so I think take that idea out of your, your mind that it's, the word civic just sometimes people think that it means that it's going to be Town related. It's just, it's an area for an amenity essentially.

- Burk Just real quick – Bryan made a great point on the roundabout. Will it change the speed limit through that space now and maybe that’s a Lance question but with this much development and the roundabouts, does that change that?
- Price I don’t know the answer to that question.
- Lantz Very possibly.
- Burk Very possibly. Thank you.
- Plunkett Anything else from Council?
- Traylor Now I would like just to clarify – I think I’ve gotten the answer already but there was no, we used to get a benefit analysis from the school but I think, unfortunately, those, we don’t get that anymore and I don’t think it’s anything on the petitioner. I believe that’s a, I believe that’s just something we can’t get anymore. Is that, would that be an accurate statement?
- Plunkett I don’t know.
- Traylor Yes, I know we used to get where we’d be able to tell whether this was a benefit to the school system or a liability as far as from the tax base standpoint. You don’t have any type of information like that? I know \$600,000 and up is probably going to be a benefit but the –
- Price Right and also one of the, one of the key points that we made when, in talking to the school and this, this is a, in some of the details some of these, some of these things get lost a little bit is that one of the things that having this kind of mixed use and balanced approach to the development is that the lack of homogeneity, the lack of everything being the same actually lessens the burden on the school and so and the reason for that is really simple which is that the senior housing, the cottages, the townhouses, all of those elements have lower child per dwelling counts than does a straight –
- Traylor Yes –
- Price Single-family development where everybody’s in a very similar stage of their life so the multi-generational capacity of the project actually is a benefit in that regard.
- Traylor Fair point.
- Garrett If you do the math too – 400 homes, \$800,000 a home which I think is going to be low, you add in the apartments you’re already at call it \$400 million in AV. I bet you it’s a half a bill by the time this is done –
- Burk That’s exactly right.
- Garrett Which should, which should help with the coughers.

Traylor And I'm assuming as well on a project of this size, that while I'm very familiar with Old Town's quality of work, I'm assuming on a project of this size they will not be the exclusive builder?

Moffatt No. Very similar to Holliday Farms or Chatham Hills so we curate a list of builders. We will do probably a third to half of the homes overall but we will curate a group of builders to come in and build out sections with us.

Traylor Sure, yes. I just couldn't imagine taking on that big of project –

Moffatt Yes sir—

Traylor As the only builder.

Melton Two other quick questions – are you good?

Traylor Yes, go ahead.

Melton One of them, just I'm kinda just going through Exhibit 4 which is the Table Usage. I'm looking at the WPA, the Woodland Preserve Area use block and then if it becomes the Zionsville Parks Department's land to maintain the table says that we can't do a restroom facility there. Is that something that you're, is negotiable eventually or? Okay, just, just it's not on the table so I just figured it may be something if it's still a public use and public access maybe Jared still likes building restrooms, I don't know, maybe, but I just thought about that. And then I also wanted to, I got your head nod on that –

Moffatt Yes sir.

Melton I also wanted to talk about accessory structures and I didn't know if you could elaborate on accessory structures because I'm looking at the larger lots and those larger lots I don't know if they'll be able to accommodate the, what a million dollar house and an accessory structure and I think that probably, you know, I know with all the trees it'll be hidden probably pretty well but it looked like we had Section 4 in here it says that accessory structures shall be permitted in the Wild Air District. Is the whole, the whole thing's the district, right? And then it, then it starts to talk about, it talks about the accessory structures in the Custom Estates use block and it just kind of determines that, it talks about their construction materials and they'll need to be compatible. I guess my question is why wouldn't they be compatible and the same construction material on all of the blocks? Am I, am I reading that wrong?

Moffatt Yes, I believe it was written specific to that more custom section because that's the only lot type that would have enough area –

Melton Space?

Moffatt To accommodate that. We've typically seen that when someone adds a pool house and –

Melton So we're not talking pole barns?

- Moffatt No sir and our character images and our, like all the architectural standards that we provide in the PUD wouldn't allow that sort of thing. It's very specific to, to affirm that we would have the right to allow pool houses as an accessory structure but we, if we don't delineate that in the PUD then it wouldn't be allowed.
- Melton Okay. Thank you.
- Plunkett Anything else from Councilors?
- Traylor Do we get a glimpse of what the ask from the Town's going to be? Is there going to be a TIF ask?
- Moffatt I would – it's all going to be conditioned upon we do with the civic use site but yes, we would like to propose a TIF bond request specific to that site and but that's a conversation that we don't feel like is appropriate if we don't even know what the project is yet and so now that we're at this stage, that's a conversation that we would bring to the RDC after this process but we haven't even begun to really push into that because we wanted to understand if there's a viable project first and then what does it look like to move forward with a civic use project.
- Traylor Okay, just keep in mind that if I vote on this, the PUD, does not imply that a TIF would be something people would accept.
- Plunkett Anything else from Councilors? This is, again, this is Ordinance 2022, 2023-13, Petition 2023-09-Z. If there are no other questions, I will call for a motion.
- Garrett I'll make a motion to approve.
- Plunkett First by Councilor Garrett.
- Traylor Second. Second.
- Plunkett Second by Councilor Traylor. All those in favor signify by saying aye.
- All Aye.
- Plunkett All those opposed same sign.
[No response]
- Motion passes 6 in favor, 0 opposed.

Additional Appropriation Public Hearing – NO VOTE

- Plunkett Up next on the agenda is an Additional Appropriation Public Hearing. Give me a second here to – this is a public hearing and I have proof of publication of the notice of public hearing. At this point I'll open the public hearing. If there's anyone who would like to speak on the hearing. No one – I'll close the public hearing.

Additional Appropriation (Parks) Public Hearing – NO VOTE

Plunkett Up next on the agenda is item C – Additional Appropriation. This is a Parks public hearing. Again, this is a public hearing. I have proof of publication of the notice. I will open the hearing if anyone would like to speak on the matter. I'll close the hearing.

OTHER MATTERS

Plunkett Up next on the agenda is Other Matters and I just want to take a quick minute to bring to the public's attention the passing of Boone County Councilor Marcia Wilhoite. Marcia served our county for many, many years as an at-large Councilor. Councilors Melton, Burk and myself have served with Marcia on various boards through the county including Solid Waste Board. Personally, she and her husband were friends to my parents and I've known that family my entire life. Marcia leaves behind a servant legacy and her passing will certainly leave a void for those of us that she's mentored over the years. If you would please, keep her and her family in your thoughts and prayers.

Are there any other matters from Councilors?

ADJOURN

Garrett I make a motion to adjourn.

Plunkett First from Councilor Garrett.

Culp Second.

Plunkett Second from Councilor Culp. All those in favor signify by saying aye.

All Aye.

Plunkett All those opposed same sign.
[No response]

Motion passes 6 in favor, 0 opposed.

The next Regular Town Council meeting is scheduled for Tuesday, June 20, 2023 at 7:30 a.m. in the Zionsville Town Hall Council Chambers. Please note the shift in days due to the Juneteenth holiday. Final notice will be posted in compliance with the Indiana Open Door Law.

Respectfully Submitted,

Amelia Anne Lacy, Municipal Relations Coordinator
Town of Zionsville