



**ZIONSVILLE PLAN COMMISSION RESULTS**

**Wednesday, June 22, 2022**

**7:00 PM (Local Time)**

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

**The following items were considered:**

I. Pledge of Allegiance

II. Attendance: Dave Franz, Larry Jones, Sharon Walker, Mary Grabianoski, Cindy Madrick, and Jim Hurst attended in person. Chris Lake did not attend.

III. Continuance Requests

<b>Docket Number</b>	<b>Name</b>	<b>Address of Project</b>	<b>Item to be Considered</b>
2022-18-MP	Madalyn Squires / Squires Minor Plat	1567 N. 1000 East, Sheridan	<p><b>Petitioner has requested a Continuance to the July 18, 2022, Meeting.</b></p> <p><b>Continuance Request Approved</b>  <b>6 in Favor</b>  <b>0 Opposed</b></p> <p>Petition for Development Plan Approval of a 220-unit residential development, with three Waivers, on a 18.01± acre site within the Rural Planned Unit Development District (Holliday Farms PUD).</p> <p>Petition for a Replat of Holliday Farms, Section 7, Lots “R”, “S”, and Common Area “F” to combine the three areas into a single lot, all being in the Planned Unit Development District (Holliday Farms PUD).</p>
2022-22-DP	Altum's / Garden Center	795 S. U.S. Highway 421, Zionsville	<p><b>Petitioner has requested a Continuance to the July 18, 2022, Meeting.</b></p> <p><b>Continuance Request Approved</b>  <b>6 in Favor</b>  <b>0 Opposed</b></p> <p>Petition for Development Plan Approval of garden center to be located on a portion of a 7-acre site in the Rural (I-2) Industrial Zoning District and within the Rural (MRO) Michigan Road Overlay Zoning District.</p>

IV. Continued Business

<b>Docket Number</b>	<b>Name</b>	<b>Address of Project</b>	<b>Item to be Considered</b>
2021-71-DP	Silverthorne Homes / Union Woodlands	11281 and 11589 E. 200 South, Zionsville	<b>Approved as presented.</b> <b>6 in Favor</b> <b>0 Opposed</b> Petition for Development Plan Approval for the development of a 160.92± acre site to accommodate 179 single family residences with ponds, associated infrastructure, and a park in the Rural (R3) Rural Single Family and Two-Family Residential and Agricultural (AG) Zoning District.
2022-21-DP	Scannell Properties, LLC / FedEx Parking Expansion	10301 Bennett Parkway, Zionsville	<b>Approved as presented.</b> <b>6 in Favor</b> <b>0 Opposed</b> Petition for Development Plan Approval of a parking lot expansion for tractor trailers, van, and automobile parking on a 15-acre site in the Urban General Industrial (I-2) district.

V. New Business

<b>Docket Number</b>	<b>Petitioner/ Project Name</b>	<b>Address of Project</b>	<b>Item to be Considered</b>
			None

VIII. Other Matters to be considered

<b>Docket Number &amp; Link</b>	<b>Name</b>	<b>Address of Project</b>	<b>Item to be Considered</b>
			None

Respectfully Submitted: Roger Kilmer, Planner  
 Department of Community & Economic Development  
 Town of Zionsville

Zionsville Plan Commission  
June 22, 2022

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

Staff attending: Darren Chadd, Attorney, Roger Kilmer and Suzanne Baker  
A quorum is present.

Franz Call to order the special meeting of the Plan Commission on Wednesday, June 22, 2022. Uh, please rise and start with the Pledge of Allegiance please.

All Pledge of Allegiance.

Franz Roger, would you please take roll?

Kilmer Yes sir. Mr. Franz?

Franz Present.

Kilmer Ms. Grabianowski?

Grabianowski Present.

Kilmer Mr. Jones?

Jones Present.

Kilmer Ms. Walker?

Walker Present.

Kilmer Mr. Lake?  
[No response]

Mr. Hurst?

Hurst Present.

Kilmer Ms. Madrick?

Madrick Present.

Kilmer We do have a quorum.

Franz All right, thank you. Um, we'll get right to it. Um, Docket Number 2022-18-MP, Madalyn Squires/Squires Minor Plat, 1567 North 1000 East, Sheridan, uh, Petition for a Minor Plat of a 159-acre parcel into three residential lots in the Rural Agricultural District. I believe you are requesting a continuance.

Andreoli Staff has, uh, indicated that, for the record, Mike Andreoli, 1393 West Oak Street, uh, staff had indicated, uh, that, uh, they, uh, needed some additional information. We, uh, concur that, uh, we owe them that information and that

should be forthcoming that they simply don't have it to be able to go ahead and sign off on this. So, uh, we've had a discussion with the engineering firm specifically about what's needed. We, uh, feel confident now that I think we're going to move forward and be able to get staff what they need so they can sign off so respectfully would like it heard at your, uh, July meeting, whichever meeting. I, I don't believe this will take very long once we get the issues with staff, uh, uh, resolved.

Franz Okay, all right. Thank you. So we have a request for a continuance to the July 18<sup>th</sup> meeting. Is there a motion to do so?

Grabianowski I move that we continue it to the July 18<sup>th</sup> meeting.

Franz Is there a second?

Walker I'll second.

Franz Any discussion? All in favor signify by aye.

All Aye.

Franz Opposed by nay.  
[No response]

Andreoli Thank you.

Franz Motion is granted. Thank you.

Uh, Docket Number 2022-22-DP, Altum's Garden Center, 795 South U.S. Highway 421, Zionsville, Petition for Development Plan Approval of a garden center to be located on a portion of a 7-acre in the Rural (I-2) Industrial Zoning District and within the Rural (MRO) Michigan Road Overlay Zoning District. Um, Roger are you handling this for them?

Kilmer Yes sir.

Franz Okay.

Kilmer The petitioner did file a letter requesting a continuance, uh, from tonight's meeting to the July 18<sup>th</sup> meeting, uh, the reasons being, uh, there are some items that do need to be submitted for staff review but additionally this, uh, petition is also requesting some use variances from the BZA and those have not been heard yet so it is our preferred practice to have the BZA issues, uh, addressed and resolved before bringing it to the Plan Commission for consideration.

Franz All right. So there's a request for a continuance to the July 18<sup>th</sup> meeting. Is there a motion to do so?

Jones So moved.

Franz Is there a second?

- Madrick            Second.
- Franz              Any discussion? All in favor signify by aye.
- All                 Aye.
- Franz              Opposed by nay.  
[No response]

Continuance is granted. Um, Docket Number 2021-71-DP, Silverthorne Homes/Union Woodlands, 11281 and 11589 East 200 South, Zionsville, Petition for Development Plan Approval for the development of a 160.92± acre site to accommodate 179 single family residences with ponds, associated infrastructures and a park in the Rural (R3) Rural Single Family and Two-Family Residential and Agricultural (AG) Zoning District. Petitioner please, is present. State your name and address and –

- Downey            Good evening Plan Commission, uh, for the record, Sean Downey, Silverthorne Homes, uh, office located at 9225 Harrison Park Court, Indianapolis, Indiana 46216. Um, as President Franz outlined, uh, before you is our Development Plan Petition for Union Woodlands. We've been before you here for a few months. Um, our last formal presentation in April, uh, the request was on your part for a continuance for us to engage with TriCo for some options for sanitary sewer, uh, serving the site. Um, in the last several weeks we've met with them a number of times and we have come up with an alternative solution. Uh, it's presented in the plans that was submitted to staff and all of you, uh, basically proposing a lift station in our southern cul-de-sac which will have a forced main that dumps into an existing gravity sewer in the Brookhaven development. That sewer exists today, it has easement rights. Um, the manhole we would tie into is on the boundary of the Brookhaven development so we aren't really going into that development, we would just be connecting to that. Um, we feel, uh, with working with TriCo, um, and all the other concessions and changes we've made with dry detention, um, with, with some of the changes we have made for this development, uh, we're, we're hopeful this now meets, uh, I guess your, your approval and blessing this evening, so.

- Franz              All right, thank you. The public if somebody would like to come up and speak. Please state your name and address.

- Borman            Good evening. My name is Teresa Borman. I live at 2714 South 1200 East, Zionsville, Indiana and I've lived here for over 30 years. Um, I'm voicing my concerns over the Union Woodlands subdivision. I do appreciate the developer working with TriCo, uh, sewer company to implement a plan that does not include the condemnation of private property and I'm very hopeful that this new design will resolve and just that. Um, however, I am concerned that the submitted documentation which is an email from Ryan Hartman to the Plan Commission, um, dated June 14<sup>th</sup> that is not very definitive and leaves a large amount of room for TriCo to continue to pursue the sewer route that requires condemnation of private property. Uh, Mr. Hartman states that TriCo has accepted the request for the temporary lift station. Uh, our question is what is the intent meaning of the

word temporary? Is it temporary until they complete X number of houses in the subdivision then they revert back to their original design, um, and, or, or would the lift station service the entire subdivision of 179 homes? Um, does temporary mean that they only use the lift station design until they can complete the condemnation of private property outside the Plan Commission process and they don't have to go through the Plan Commission anymore? Um, the latest TriCo capital construction meeting, uh, minutes from 06/06/22 states that staff is working with the legal counsel to proceed with easement acquisition. Um, are they waiting until this is completely finalized before they stop this, this easement, um, acquisition but right now their minutes say they're still working it. Okay? Or does temporary mean as stated in the staff report until future development of adjacent parcels occurs which would, which are currently zoned agriculture and would require zoning reapproval. Um, also Mr. Hartman states that currently TriCo does not expect a full lift station design until we have an approved Development Plan and construction documents and my question is what is the timing for obtaining those approved Development Plan and construction documents? Is there any possibility of them not approving, um, or, or getting approval for those plans? Okay and, you know, I don't know what reasons they would have. It's, it's to me, it's just not very definitive. So I'm here tonight requesting that there's a, a definitive commitment from TriCo and the developer that the proposed lift station plans for sewers for the entire Union Woodlands subdivision will be designed that will be used for this development that condemnation of private property will not be required for this development to occur and that TriCo sewer utility halts effort to obtain sewer easements. I'm also requesting that if at any time the plan for sewers is changed to a plan that requires condemnation of private property that it is required that the developer obtain approval from the Zionsville Plan Commission. Um, I'd also like to take the opportunity tonight to, um, state that I continue to have concerns over the developer's plan for stormwater management. This subdivision will take 160 acres of pervious property to build high-density houses, driveways and roads that reduce the amount of pervious property. This now, the property now drains the stormwater from that acreage into dry pond three. This dry pond drains into the creek at the southeast corner of the property which runs through the back of my property. Um, as noted in the letter from, um, Renee Goth, your contractual engineer, dated April 12, 2022, there are no preexisting calculations provided for the flow leaving the site to the southeast. Therefore, it's not possible to calculate what the increased flow rate will be from this subdivision to the creek. Um, I provided a table that shows what the, what their, their, uh, drainage report shows for what the flow of the creek will be, um, uh, to the creek and it's, it's really quite high, um, I also provided some photos taken from my property in early May which it's very typical, I don't think we had any abnormal spring rains this year and you can see where the creek overflows every spring, um, so what's it going to look like when we do the additional drainage from the subdivision? You know, what's it going to look like on a 10-year or 100-year event? Um, so, again, I would like to know what is the increase in flow to the creek from this subdivision? Is it going to increase the flow, the present flow 25%, is it going to double it? It'd just be nice to know that information. Um, with regards to the stated emergency flood routing which assumes that the storm sewer is completely clogged, um, it states that no adjacent homes are flooded by this development. However, how does it impact the creek and surrounding areas further south of the subdivision? Um, the above table I showed you is the flow rates from dry pond

three via a 12" pipe which controls the flow rate from the pond, so it's coming from a 12" pipe. The emergency flood routing will be over an 80-foot spillway which goes, I believe, toward the creek. So, again, what, what will be the flow into the creek during emergency flooding from this subdivision? Um, so I guess, you know, in summary, uh, I'll state again I would like a definitive commitment from TriCo and the developer that the proposed lift station plan is going to be the plan that goes forward and that TriCo will no longer, uh, try to obtain sewer easements for this subdivision. Um, and, again, if any of the plans for the sewers change that they need to come back to the Board, um, I'm respectfully requesting that we, the developer, developer provides preexisting calculations of the water flow so we know what the impact of this subdivision is to the creek and that they provide the calculations to the flow of water into the creek, uh, in the event of an emergency flood occurring. Um, thank you for your time and consideration tonight.

Franz All right, thank you.

Borman I do appreciate it.

Franz Is there anybody else who would like to speak? All right, Roger, um, I'll take the staff report at this time.

Kilmer Thank you. As stated earlier, this project has, uh, been presented to the Plan Commission at, at previous meetings and, and just to quickly review, uh, the petition is for Development Plan Approval, uh, involving approximately 161 acres to accommodate 179 single family residences with, with ponds and related infrastructure, a park area. Um, the primary discussion at the last Plan Commission which, which was mentioned in the, the petitioner's presentation, focused on, uh, the, uh, development or the securing of, of availability for sanitary sewer. Um, the Plan Commission charged the petitioner to go back and, and study that to see what solution could be provided. They have returned, uh, with the, uh, proposal, uh, with TriCo to establish a, a, uh, force main connecting, uh, the proposed subdivision to the existing subdivision to the south. Um, as it's designed, as, as our engineering staff has confirmed to me, uh, it would be, the proposed force main would be sufficient to accommodate and, and provide services for the entire, uh, 179 single family, uh, residential subdivision that's being proposed. Um, TriCo does mention that this is viewed as a temporary solution, um, now what the definition of temporary is, uh, staff would, would like, to know that, uh, a little bit better. Maybe the petitioner can, can, uh, add some color there. Uh, there are some other questions that staff has such as, uh, for this lift station, uh, we don't have a definitive site plan as to where in this while it is a defined area, we don't know specifically where it would be located, would it be screened in any manner because it would be flanked on both sides by single family residences. Um, this is possibly a concern because of the appearance, possible aromas, uh, from it, uh, that we, uh, just know that there would be complaints down the road coming into Town Hall as to what can you do about this. Um, so there, there are some unknowns to the proposed solution. Uh, they are not, they are not huge items but we would still like to know how is this going to be landscaped, how, how will it be screened, where would it be located but it does, um, satisfy the request that the Plan Commission charged the petitioner with to find out, find a way to solve this problem. Um, so with that

staff is supportive of the requested Development Plan Approval, um, I'll be glad to answer any questions you might have.

Franz Um, this, the drainage that she talks about, there's no mention of it in the, in, in the engineer's report. Can you comment on that?

Kilmer Unfortunately, not being an engineer I, I don't have much to say other than, uh, the comment letter, uh, I don't believe it addresses it in great detail, um, and, I'll take this opportunity to correct my earlier statement. Staff is supportive presuming that, uh, all the items within the engineer's letter be addressed, uh, prior to any permits being issued. Now specifically toward the drainage, uh, I'm sorry I don't have anything that I can, I can add other than what is in the letter.

Jones Roger, just a quick question – um, because we've had different groups come before us and ask for, uh, relief from the Zionsville Storm Water Management Plan and practices, for lack of a better term. And what my understanding to that, at the core of it is that no additional or no new development will, uh, what's the word I want to have, say – have an increase the flow off the property than what already exists. That's, that's kind of embedded in our, our plan. So when Ms. Borman makes the comment that there isn't really a plan for or, or a study of what the existing flow off the property is, is that a legitimate statement?

Kilmer Coming back to your initial statement about, uh, you, you referenced this requirement essentially being within our, our stormwater or, or our code. As I understand it, that is actually state statute that, um, uh, flow rates off of new development cannot exceed what is in place currently so we can't adversely impact adjacent properties, uh, and, again, I believe that, that is from Indiana Code not solely Zionsville requiring it.

Jones Okay.

Kilmer Um, so with that, uh, I will say that, uh, our stormwater section along with our engineers, they have reviewed through this project multiple times and as they have not, um, raised issue with this, I don't feel I'm in a position to step over them as they are the, the professionals in that area. Again, I must defer to their evaluation of the project.

Jones So are we confident that they've reviewed it at that level because like you said, there's no commentary in the, in what I would say Exhibit 7 one way or the other about it that or if there's nothing to comment on they don't include anything in the report?

Borman Inaudible off microphone 18:34.

Franz Ms. Borman – what's the date of the letter you're referring to?

Borman It's dated, let me get up – it's dated April 12, 2022 and she did state that there's no predevelopment calculation. She also states that the peak spillway discharge of 380 CFS exceeds existing conditions, um, the condition of this channel to convey this flow has to be blah, blah, blah and then she said – the petitioners said that they will only approach 380 CFS for extremely large storm events, okay?

Um, so what he's saying, if I read this correctly, um, if the 300 exceeds existing conditions and I don't know where it ever says it exceeds existing conditions, I don't know what the existing conditions are and that's why – I think that's my, my biggest concern is that nowhere in here have they ever given us existing conditions.

Franz All right, um, the letter that we have is dated June 15, 2022 –

Borman Okay.

Franz And that issue appears to have been resolved –

Borman Okay.

Franz Because it's not listed. Um, would you like to comment towards that if you have anything to say?

Downey In regards to the drainage, take it for what's it worth as the petitioner, but as an engineer our priority one, number one when we do drainage design is making sure release rates meet the local ordinances. As Roger indicated, for us we're looking at a 10-year drainage storm and a 100-year – you're evaluating what the conditions are today before anything is built and then you're assuring that when you're done and you've designed all your ponds and your outlet control structures of design in this case a 12" pipe, that you're below those preexisting conditions. So without having the drainage report right in front of me, I'm confident that we've addressed that because that's usually comment number one when it comes to drainage, so.

Franz And we, I mean, I would agree that in these letters if there's issues about the drainage, they're typically front and center so I'm assuming that that's been resolved to satisfaction of the Town's engineers.

Kilmer If I can just also clarify that the sequencing of the review letters is that, um, um, petitioner will submit materials for TAC review. That is, that generates the first letter of, of review. That letter is then provided back to petitioners and they respond to that. It, it somewhat becomes cyclical and as items are appropriately addressed, they are dropped off of review letters and so –

Borman I apologize –

Kilmer Yeah, no, no –

Borman **Inaudible 21:48.**

Kilmer No that's fine. And, and so, uh, again, the letter that you're referencing predates the, the most recent one and because it is, it is no longer included in the current letter, again, I'm, I'm trusting our other staff's review that that, that, uh, item has been adequately addressed and, and removed from the letter.

Franz All right, um, yeah I want to make a comment regarding the utilities, um, to be perfectly honest, I, we requested of the petitioner to work with the, with TriCo to,

you know, mitigate any issues relative to, um, condemning lands, uh, trying to find an alternative solution that would work. Um, I appreciate your efforts, um, and I also acknowledge that, to be perfectly honest, it's probably outside of our purview for us to control so we do appreciate the fact that you took this back, took the time to make that effort, uh, but, again, it, you know, this is something that's out of our control and we cannot, you know, if you, you're asking for us to approve a condemnation plan, out of our control. Can't do it. Um, so once again, I mean, I, I feel for you but I do appreciate your efforts to try to, you know, resolve this in a way that minimizes that.

Downey Thank you.

Franz So – any other questions, comments?

Jones Well just when it comes to calling this a temporary solution, you know, at the core of this is an issue that the Boone County approved this site for residential development prior to it being under our jurisdiction. Secondly, they approved it prior to the airport kind of announcing their plan as to areas that they wanted to have development in and not have development in. I guess and, what I'm, I'm, thankfully, there's a part of a plan in here regarding what the airport plan is, we have not actually fully accepted and approved the airport plan yet correctly – correct?

Kilmer No, the airport plan use study has been adopted by the Town Council.

Jones Has it? Okay.

Kilmer It is, it was, I believe, in January or February –

Jones Okay.

Kilmer And so it is considered a, a part of the Comprehensive Plan.

Jones Okay. So then when it comes to this area as far as future real estate residential development outside of this parcel, most likely that's going to be dissuaded?

Kilmer That is correct.

Jones Okay. So I guess my point where I'm grinding away at is to get back to why does TriCo need to consider this a temporary solution?

Franz I would assume, based upon the assumption that we would go outside the comprehensive or the airport comprehensive study and approve something. I mean, I'm assuming that's why they're calling it temporary. Go ahead –

Kilmer If, if I may also add – we need to make sure we don't limit our review of possible development in this area to exclusively single family residential. Um, there, there may be and, and gotta think out of the box here a little bit, there may be other development opportunities that could, could happen on adjacent parcels and if that would happen that then may, may warrant, um, the temporary solution to be revised to a more permanent, um, situation like they were, they were looking at.

Uh, I think there certainly, there would be many hurdles in that process but I, I – the old phrase never say never.

Franz Yeah. And this, if you recall, this is the property that, um, the Town requested us to downzone but this –

Jones Yeah, I understand.

Franz Was filed prior to so we, uh, we have to honor the zoning and the ordinances associated with that property, so. Any other comments, questions? If not, is there a motion on this matter?

Grabianowski All right, I move that Docket Number 2021-71-DP, Development Plan Petition for the development of a 160.92± acre site to accommodate 179 single family residences with dry detention ponds, associated infrastructure and a park in the Rural (R3) Rural Single Family and Two-Family Residential and Agricultural (AG) Zoning District be approved as presented with conditions as noted in the staff report and subject to resolution to engineering comments and based upon the Findings of Fact.

Franz Is there a second?

Jones Second.

Franz Any further discussion? Roger, would you take roll please?

Kilmer For the record, I will not ask for Mr. Hurst's vote as he was not here for the initial public hearing.

Franz Correct.

Kilmer Ms. Walker?

Walker Um, aye.

Kilmer Mr. Franz?

Franz Aye.

Kilmer Ms. Grabianowski?

Grabianowski Aye.

Kilmer Ms., uh, Ms. Madrick?

Madrick Aye.

Kilmer Mr. Jones?

Jones Aye.

Franz Motion is approved. Um, good luck.

Downey Thank you.

Franz Thank you. Finally, right? Um, next on the docket – next on the docket is 2021 – 2022-21-DP, Scannell Properties, LLC/FedEx Parking Expansion, 13 – 10301 Bennett Parkway, Zionsville, Petition for Development Plan Approval of a parking lot expansion for tractor trailers, van, and automobile parking on a 15-acre site in the Urban General Industrial (I-2) district. Is petitioner present? Give your name, address and please proceed.

Olashuk For the record, Justin Olashuk with Scannell Properties, 8801 River Crossing Boulevard in Indianapolis. I prepared a Power Point if I can bring it up just to kind of supplement some of the information. All right, so again, we are presenting, um, the project is a parking expansion at the existing FedEx facility off of Bennett Parkway. Um, this is just a brief overview of Scannell Properties, um, developer all over the country, locally based in Indianapolis, founded in 1990. Um, general project location identified, um, the existing FedEx facility off of Bennett Parkway, um, and then the red boxes are where we are proposing parking lot expansions. Here's just a brief overall site plan of the proposed project. Um, the larger parking area, um, will primarily be trailer parking stalls, um, with the long, skinny piece, um, being van delivery vehicles and the, the final box being additional pedestrian parking. So the development is going to be on about 28.59 acres with roughly 15 acres being impacted, um, consisting of asphalt and concrete paving as well as fence installation to maintain current security measures. Um, stormwater infrastructure will be added to detain the increased runoff volume generated by the impervious improvements. Um, we'll be adding 224 standard parking stalls, 33 tractor parking stalls, 96 delivery van parking stalls and 185 trailer parking stalls with this project. Um, access to the project site will occur within the existing FedEx Ground facility. Um, there'll be no, no new access points added as part of this project. Um, these two parcels which we'll be developing are kind of landlocked parcels, um, that were left over from the, uh, initial FedEx development, um, so there's no opportunity to provide additional access to the right-of-way. Um, in addition, um, based on discussions in coordination with staff, um, our traffic impact study did note some potential offsite improvements, however, none are proposed at this time, um, due to either it being INDOT proposed, um, INDOT already has a plan to provide some of the future impact or future offsite improvements recommended in the traffic report, um, and others such as the intersection of Bennett and 106<sup>th</sup>, um, engineering staff has a different plan for the future of that intersection and didn't want to just arbitrarily add a right turn lane, um, and widen that intersection if, um, an additional improvement is going to be proposed in the future.

So just a quick overview of the stormwater and drainage, um, at the south end of this property I'm going to consider it the south end but, um, it's on the right side of this page. This is a rotated view. Um, that's where we'll be constructing our new wet ponds, um, it'll be located at the far south side of the property and all new and pervious areas will be discharged to this new wet pond first. Um, from there it will route through existing infrastructure on sites, um, eventually discharging to the north end into Cemetery Creek. Uh, so again, kind of summarizing what I said, ultimate discharge point will be Cemetery Creek. Um, as far as the stormwater runoff goes, um, it'll first be handled by the wet detention basin and some constructed wetlands we'll be providing in the new wet detention ponds. Um, and then from there it will go through the existing detention facilities. So this stormwater will actually be treated by five separate stormwater quality measures before discharging into Cemetery Creek, um, which far exceeds the, uh, Town requirements for water quality standards. Um, proposed release rates meet both the Town of Zionsville technical standards as well as the allowable releases into Cemetery Creek established with the original project, um, and to the right of this page you can note the existing and, and proposed release rates, um, but, again, they all meet Town requirements.

As far as the landscape plan goes, I know it's difficult to, to look at this scale but, um, as of the latest, uh, letter we received on 06/15 from the contractual engineer, um, there were no further comments on our landscape plan so from our perspective this is an approved landscape plan. And then the same thing with the photometrics, um, as noted on the 06/15 contractual engineer comment letter, um, the, uh, photometric plan meets Town requirements in relation to light levels at the property lines, um, due to or required by the adjacent zonings. Thank you for, uh, taking the time to hear our presentation.

Franz All right, thank you. Is there anybody in the public who'd like to comment on this matter? Um, I do have a question – did you notice with first class mail or registered mail? Do you know?

Olashuk Our engineer is here, um, he can answer that question better than I can.

Sondgerath Um, Kaleb Sondgerath, Kimley-Horn, 250 East 96<sup>th</sup> Street, Indianapolis, so, sorry what was your question?

Franz Did you notice with first class mail or, uh, registered mail?

Sondgerath Uh, first class – the one with the, the green cards and the –

Franz No that's, that's registered.

Sondgerath Is that registered? Yeah.

Franz Okay, you're fine. If you did first class we'd have to –

- Grabianowski Make a motion.
- Franz Approve it, so.
- Sondgerath Okay whatever the, sorry, yeah.
- Franz All right, okay. All right, uh, there's no comments. Roger, staff report please.
- Baker I think the petitioner did a good job, um, explaining the project. Um, they are proposing a new parking, two new parking lots for tractors, trailers and employee parking. Um, there was a, some comments in the staff report that I just want to elaborate on. Um, there are no offsite improvements at this time, um, based on an updated traffic study and our Town engineers are fine with, with not having any improvements made. Um, also there was a note that, um, to address all the comments in the Exhibit 5 and that should be referenced to June 15<sup>th</sup> and not May 5<sup>th</sup>, um, staff is in favor of this request and I'm happy to answer any other questions you may have.
- Franz All right, thank you. Um, anybody with questions, comments?
- Jones Uh, I just want to make sure – so, uh, they did reach out to all of the adjoining property owners? I want to make sure the, uh, sanitary treatment facility isn't concerned about any excessive noise or odors coming off this operation. Sorry.
- Franz All right, brought some levity tonight.
- Olashuk I would recommend no comment.
- Franz No comment? Anybody else with questions, comments? If there aren't any is there a motion?
- Jones I move that, uh, petition 2022-21-DP, Development Plan Petition for the development of, uh, a 538-space parking area on 15± acre site within the Urban General Industrial (I-2) Zoning District be approved as presented with conditions as noted in the staff report and Exhibit 5 and Exhibit 6 and based upon the Findings of Fact.
- Franz Is there a second?
- Walker Second.
- Franz Any further discussion? Roger, would you please take roll?
- Kilmer Yes sir. Mr. Hurst?
- Hurst Aye.
- Kilmer Ms. Walker?
- Walker Aye.

Kilmer Mr. Franz?

Franz Aye.

Kilmer Ms. Grabianowski?

Grabianowski Aye.

Kilmer Ms. Madrick?

Madrick Aye.

Kilmer Mr. Jones?

Jones Aye.

Franz Petition is approved. Thank you very much.

Olashuk Thank you.

Franz Um, that's the end of business tonight. Is there any, any other business, Roger?

Kilmer No sir.

Franz All right. Anything else? Is there a motion to adjourn?

Madrick So moved.

Franz Second?

Walker Second.

Franz All in favor?

All Aye.

Franz We are adjourned.