ZIONSVILLE PLAN COMMISSION MEETING RESULTS
Monday August 15, 2016

The Regular meeting of the Zionsville Plan Commission was scheduled for Monday August 15, 2016, at 7:00 p.m. in the Beverly Harves Meeting Room at Zionsville Town Hall, 1100 West Oak Street.

The following items are scheduled for consideration:

I. Pledge of Allegiance
II. Attendance
III. Approval of July 18, 2016 Regular Meeting Minutes
IV. Continuance Requests-None at this time
V. Continued Business-None at this time
VI. New Business

Docket Number	Name	Address of Project	Item to be Considered
2016-39-Z	Hoosier Village North	10201 Zionsville Road	**Given a Favorable Recommendation to the Town Council** **7 in Favor** **0 Opposed** Petition for Zone Map change to rezone 68.6+/- acres from the R-SF-2 Urban Residential Zoning District, to the (SU-7) Special Use Zoning District, to provide for a residential housing development for seniors
2016-40-DP	Hoosier Village North	10201 Zionsville Road	**Approved** **6 in Favor** **0 Opposed** Petition for Development Plan Approval to provide for residential housing including 156 duplex units and 7 estates lots designed for seniors
2016-37-PP	Cobble Creek	9085 E. Oak Street	**Continued to the September 19, 2016 Plan Commission Meeting** **7 in Favor** **0 Opposed** Petition for Primary Plat to subdivide 99.671 acres into 105 lots in the (R1) and (R2) Rural Residential Zoning Districts

2016-38-DP	Cobble Creek	9085 E. Oak Street	**Continued to the September 19, 2016 Plan Commission Meeting** **7 in Favor** **0 Opposed** Petition for Development Plan Approvals to provide for a 105 lot subdivision in an (R1) and (R2) Rural Residential Zoning Districts
2016-34-MP	Poplar Street	120 N. Ninth Street	**Approved** **7 in Favor** **0 Opposed** Petition for Minor Plat approval for the establishment of a residential lot in the (RV) Residential Village Zoning District
2016-41-MP	PL Properties, LLC	8250 E. 100 South	**Approved** **7 in Favor** **0 Opposed** Petition for Primary Plat approval in order to establish 32.31 acres into 4 lots in the Rural (R1) Residential Zoning District

VII: Other Matters to be Considered

Docket Number	Name	Address of Project	Item to be Considered
2016-05-PP 2016-06-DP	DeRossi	8810-8811 Whitestown Road	Status Update: Commitments

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

August 16, 2016

ZIONSVILLE
FOR ALL THE RIGHT REASONS

Petition Number:	2016-34-MP
Subject Site Address:	120 N. Ninth Street
Petitioner:	Zionsville Christian Church
Representative:	David Ruffler
Request:	Petition for Minor Plat approval for the establishment of a residential lot in the (RV) Residential Village Zoning District
Current Zoning:	(RV) Residential Village Zoning District
Current Land Use:	Undeveloped
Approximate Acreage:	0.28 acres
Related Petitions:	2016-28-Z (Rezone)
Exhibits:	Exhibit 1 – Staff Report Exhibit 2 – Aerial Location Map Exhibit 3 – Plat Exhibit 4 – Town Engineer Comments letter dated June 7, 2016 Exhibit 5 – Findings of Fact
Staff Reviewer:	Wayne DeLong, AICP

PROJECT OVERVIEW

Project Location
The location of the parcel is at the intersection of Beechwood Lane and Poplar Street.

Project Description
The subject property received both Plan Commission and Town Council approval to rezone 0.275 acres of the overall 4.580 acre (SU-2) Urban Special Use Zoning District site to the (RV) Urban Residential Zoning District as represented by Lot (1) on the proposed plat. The petitioner is requesting plat approval to split the current parcel into two (2) lots. The intention of the Petitioner is to create one (1) new buildable site to be utilized for a Single Family residential construction.

PRIMARY PLAT REVIEW

Subdivision Control Ordinance
The subdivision plat has been reviewed using the standards of the Zionsville Subdivision Control Ordinance (SCO) and found to be in compliance (except as noted in this report – see Town Engineer's Letter, Exhibit 4).

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

Street and Highway Access / Sidewalks
The one (1) lot will utilize Popular Street for vehicular access. The plat approval requires the dedication of right of way and the establishment of appropriate easements, and provisions for the future construction of a sidewalk (parallel to the road frontage) in conformance with Town standards.

Stormwater Management
The lot will utilize surface drainage to manage stormwater.

Utility Capacity / Utility Easements
Limited utilities are available to the site. Utility easements are being provided for future potential use.

PUBLIC POLICY

Comprehensive Plan
The Proposed Land Use Map in the Zionsville Comprehensive Plan identifies the property as residential. The proposed subdivision is an appropriate land use consistent with the policies in the Comprehensive Plan.

Water and Sewer
The property would utilize public utilities.

STAFF COMMENTS

Staff recommends approving the petition as filed.

RECOMMENDED MOTIONS

Primary Plat Motion

I move that Docket #2016-34-MP minor plat approval establishing two (2) lots at 120 N. Ninth Street be (Approved based the findings in the staff report / Denied/ Continued) as presented.

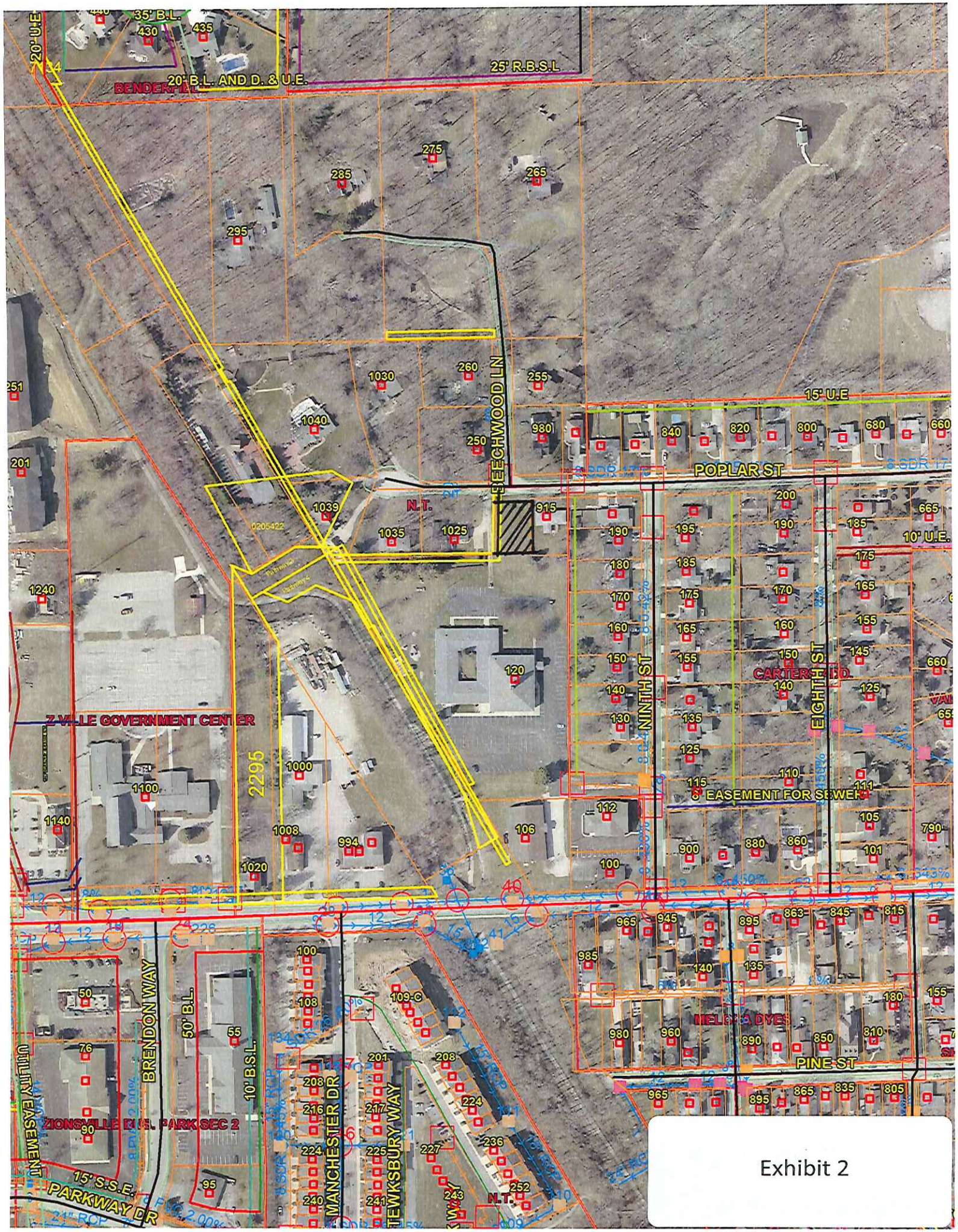
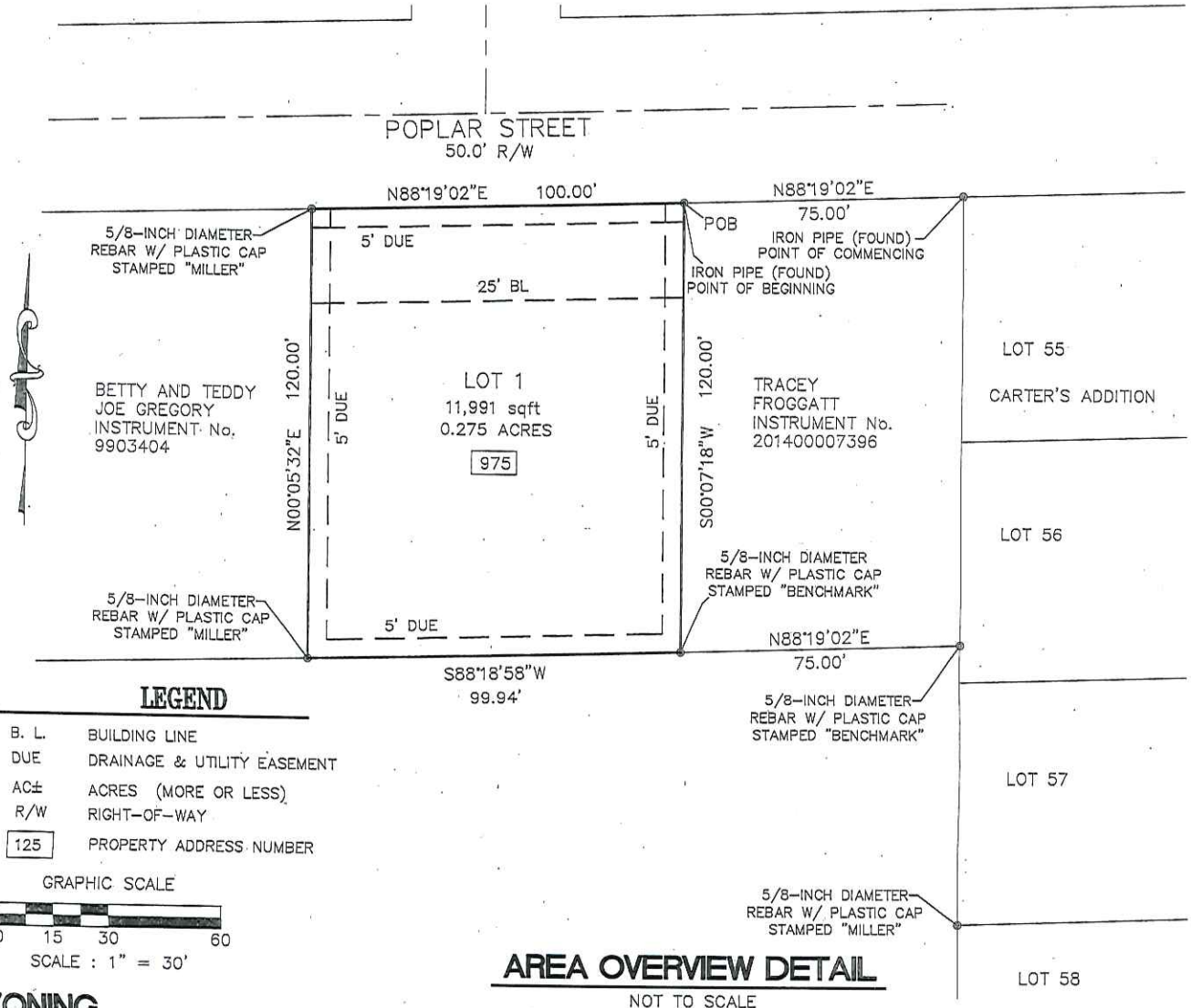

35' B.L.
20' U.E.
20' B.L. AND D. & U.E.
25' R.B.S.L
BENDERFIELD
BEECHWOOD LN
15' U.E
POPLAR ST
N.T.
10' U.E.
NINTH ST
EIGHTH ST
CARTER-BED
Z-VILLE GOVERNMENT CENTER
2295
8' EASEMENT FOR SEWER
MELON'S DYES
PINE ST
BRENDON WAY
50' B.L.
10' B.S.L.
UTILITY EASEMENT
ZIONSVILLE BUS. PARK SEC 2
15' S.S.E.
PARKWAY DR
MANCHESTER DR
STEWKSBURY WAY
N.T.

Exhibit 2



LEGEND

B. L.	BUILDING LINE
DUE	DRAINAGE & UTILITY EASEMENT
AC±	ACRES (MORE OR LESS)
R/W	RIGHT-OF-WAY
125	PROPERTY ADDRESS NUMBER

GRAPHIC SCALE

0 15 30 60

SCALE : 1" = 30'

ZONING

SPECIAL USE ZONING

OWNER

ZIONSVILLE CHRISTIAN CHURCH

PROPERTY ADDRESS
20 NORTH 9TH STREET
ZIONSVILLE, INDIANA 46077

DEVELOPER

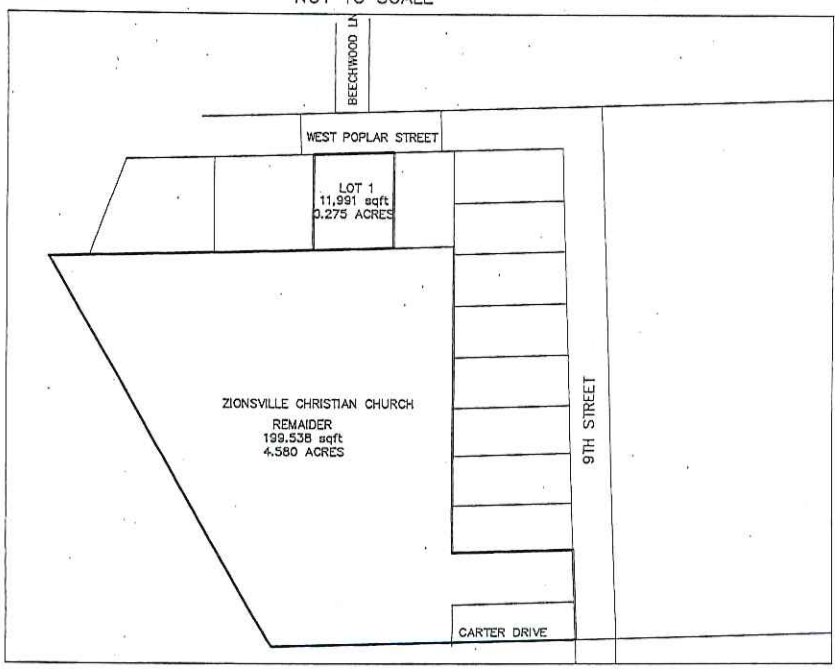
ZIONSVILLE CHRISTIAN CHURCH
DAVID RUFFER
20 NORTH 9TH STREET
ZIONSVILLE, INDIANA 46077

SURVEYOR

THIS INSTRUMENT
PREPARED BY:
.. NATHAN ALTHOUSE
MILLER SURVEYING, INC.
48 CONNER STREET
OBLESVILLE, IND. 46060
h 773-2644 Fx
73-2694
ATE: 3/10/2016
ob No. B36453

AREA OVERVIEW DETAIL

NOT TO SCALE



ADDRE
Lot 1:

Exhibit 3

ZIONSVILLE
FOR ALL THE RIGHT REASONS

To: Wayne DeLong, Director of Planning and Economic Development
From: Mark DeBruler, P.E., Town Engineer mD
Date: June 7, 2016

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

PROJECT DESCRIPTION

Project	Name	Poplar Street One Lot	
	Location	Poplar Street at Beechwood Lane	
	Developer	Zionsville Christian Church	
	Submittal	#3	
Documents Reviewed		Document Name	Document Date
		Minor Plat of Poplar Street One Lot	June 6, 2016 (Receipt Date)
Zoning	Current	SU-2	
	Proposed	RV	
Land Use	Current	Fallow (Lawn Grasses)	
	Proposed	Residential	
Requested Variances			

Based on our review, we have not identified any items that were not in compliance with the Town's ordinances or standards.

The following item is provided for reference only to aide in tracking follow-up provisions.

I. FUTURE FOLLOW-UP ITEMS

A. Improvement Location Permit
   1. Provide or arrange for the future funding of a sidewalk in front of the lot.

Exhibit 4

TOWN OF ZIONSVILLE PLAN COMMISSION
BOONE COUNTY, INDIANA

FINDINGS OF FACT

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

The Town of Zionsville Plan Commission finds that:

a. Adequate provisions have been made for regulation of minimum lot depth and minimum lot area;

b. Adequate provisions have been made for the widths, grades, curves and coordination of subdivision public ways with current and planned public ways; and,

c. Adequate provisions have been made for the extension of water, sewer, and other municipal services.

TOWN OF ZIONSVILLE PLAN COMMISSION

The Primary Plat was APPROVED/DENIED on the _____ day of _____, 20_____, subject to any conditions agreed to at the public hearing and listed in the Letter of Grant.

_____ _____

President, Town of Zionsville Plan Commission

_____ _____

_____ _____

_____

Exhibit 5

ZIONSVILLE
FOR ALL THE RIGHT REASONS

Petition Number:	2016-37-PP
Subject Site Address:	9085 E. Oak Street
Petitioner:	9085 Project LLC
Representative:	Pulte Homes of Indiana
Request:	Petition for Primary Plat to subdivide 99.671 acres into 105 lots in the R1 and R2 Rural Residential Zoning Districts
Current Zoning:	R1 and R2 Rural Residential Zoning Districts
Current Land Use:	Undeveloped
Approximate Acreage:	99.671 acres
Related Petitions:	2016-19-DSV Petition heard by the Board of Zoning Appeals for a Development Standards Variance to deviate from the required front yard setbacks in the R1 and R2 Rural Residential Zoning District 2016-38-DP (Pending) Petition for Development Plan Approvals to provide for a 105 lot subdivision in an R1 and R2 Rural Residential Zoning Districts
Exhibits:	Exhibit 1 - Staff Report Exhibit 2 - Aerial Location Map Exhibit 3 – Proposed Overall Site Plan Exhibit 4 - Town Engineer review comments (dated July 21, 2016) Exhibit 5 – Storm Water review comments (dated August 10, 2016) Exhibit 6 – County Highway review comments (dated August 9, 2016) Exhibit 7 - Findings of Fact (Subdivision Plat)
Staff Reviewer:	Wayne DeLong, AICP

PROJECT OVERVIEW

Petition History

Petition 2016-19-DSV was heard and approved by the Board of Zoning Appeals on August 9, 2016. This petition requested a Development Standards Variance to modify from the minimum front yard to 20 feet from the right of way for the side load and courtyard garages and to 25 feet from the right of way for front load garages. Both the Primary Plat Petition 2016-37-PP and Development Plan Petition 2016-38-DP are docketed for hearing on August 15, 2016 with the Plan Commission.

Property History / Location

The overall subject site is comprised of three parcels located in the R1 and R2 Rural Residential Zoning Districts

PRIMARY PLAT REVIEW

Subdivision Control Ordinance

The primary plat has been reviewed using the standards of the Zionsville Subdivision Control Ordinance (SCO) and found to be in compliance exhibit as outlined in Exhibit 4 and Exhibit 5.

Zoning Ordinance

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

Street and Highway Access

The proposed development is intended to gain access from Oak Street via the proposed internal street system. The proposed methods for primary and emergency ingress to and from the Subdivision are found to be in compliance with the Town's Subdivision Control Ordinance (except where noted in Exhibit 4). Further, as the road system is to be designed to County standards, the County Highway Department has provided comment as to the contemplated development (Exhibit 6).

Stormwater Management

The petitioner has provided a detailed drainage study which has been reviewed by Town staff the Town Engineer. The attached letters (Exhibit 4 and Exhibit 5) identifies items that are inconsistent with the Town's standards or requirements, and requires that the drainage study be updated with additional information.

Utility Capacity / Utility Easements

Staff is unaware of any concerns regarding capacity of that potable water utility which would impact service to the area. Specific to sanitary sewer, it would require an extension of existing facilities to service the proposed development. Further, adequate easements are being platted as a part of the subdivision process to provide for utility access within the subdivision.

Findings of Fact

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

(a) Adequate provisions have been made for regulation of minimum lot depth and minimum lot area;

(b) Adequate provisions have been made for the widths, grades, curves and coordination of subdivision public ways with current and planned public ways; and

(c) Adequate provisions have been made for the extension of water, sewer, and other municipal services.

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

PUBLIC POLICY

Comprehensive Plan
The Proposed Land Use Map in the Zionsville Comprehensive Plan identifies the property as residential. The proposed subdivision is an appropriate land use consistent with the policies in the Comprehensive Plan.

Transportation Plan
The Thoroughfare Plan in the Zionsville Transportation Plan recognizes Oak Street as a candidate for potential widening. The submitted plans provide the additional right-of-way requested by the Zionsville Transportation Plan (70-foot half right-of-way) in order to support widening as recommended by the Thoroughfare Plan.

Water and Sewer
The property currently has potable water near the property. Access to sanitary sewer will require that the utility be extended to the subject site. Access to these utilities, as discussed in the Utility Capacity / Utility Easement section, can occur in a manner to serve all the lots in the subdivision in a conventional manner.

Emergency Warning Siren
Based on current or planned installations of Warning Sirens, the proposed development is on the western fringe of existing coverage. Therefore, a portion of the contemplated development requires the installation of an additional siren as to provide adequate coverage.

Findings of Fact

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

a) Adequate provisions have been made for regulation of minimum lot depth and minimum lot area;

b) Adequate provisions have been made for the widths, grades, curves and coordination of subdivision public ways with current and planned public ways; and

c) Adequate provisions have been made for the extension of water, sewer, and other municipal services.

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

STAFF COMMENTS

With the comments captured within this report as well as review letters as Exhibit 4, Exhibit 5, and Exhibit 6, Staff has full confidence that each future item can be resolved to the satisfaction of Staff. Therefore, Staff recommends approval subject to the resolution of each future item identified in Exhibit 4, Exhibit 5, and Exhibit 6.

RECOMMENDED MOTIONS

Primary Plat Motion

I move that Docket #2016-37-PP primary plat approval, for approval to provide for a 105 lot subdivision, in the R1 and R2 Rural Residential Zoning Districts be (Approved with the conditions noted in the staff report and the proposed findings of fact / Approved based on the findings of fact / Denied / Continued) as presented.

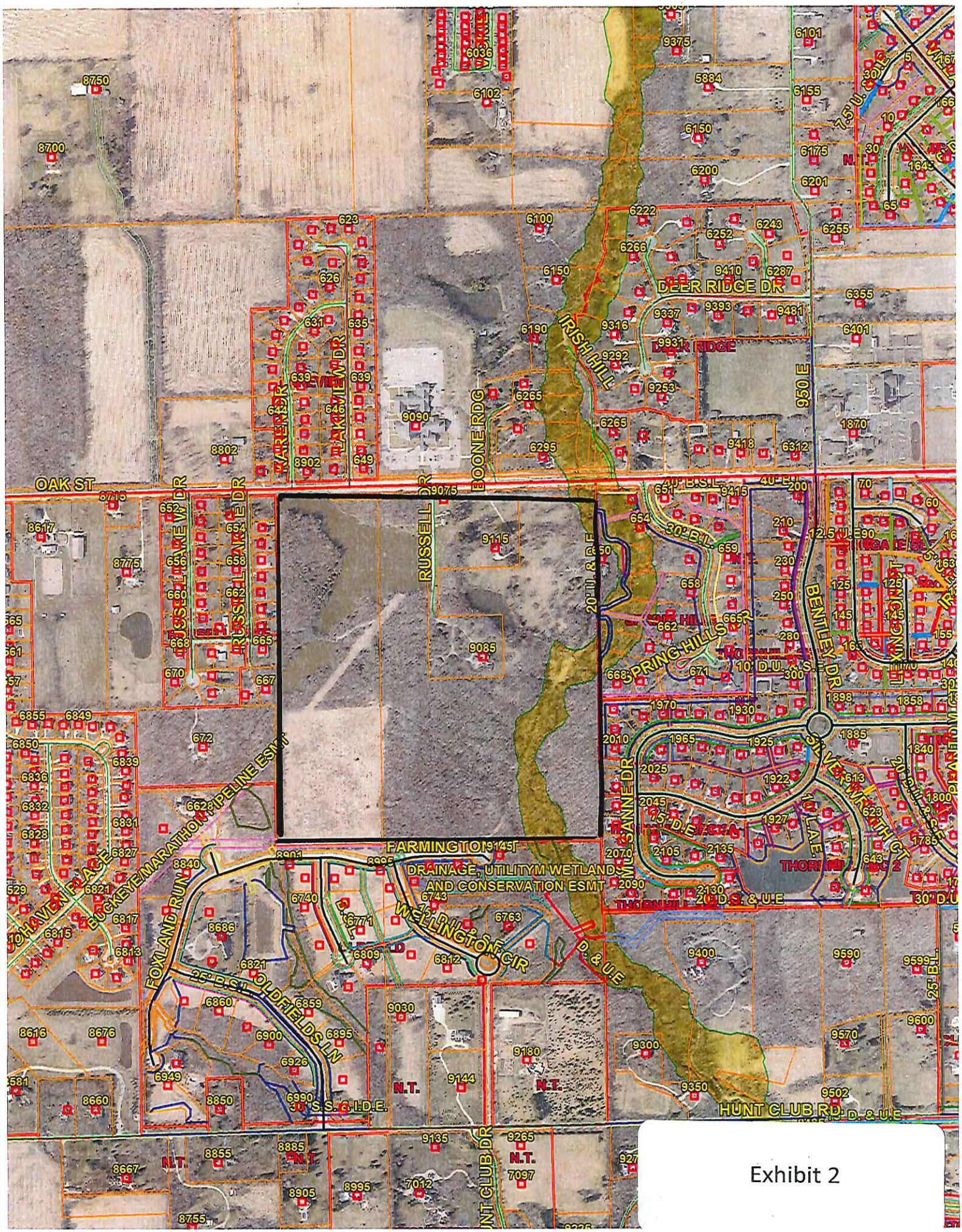

OAK ST
DEER RIDGE DR
DEER RIDGE
IRISH HILL
950 E
BOONE RDG
RUSSELL DR
LAKEVIEW DR
RUSSELL LAKE VIEW DR
RUSSELL LAKE DR
SPRING HILLS DR
BENTLEY DR
KINGSTON CT
SILVERWRIGHT CT
MISSANNE DR
FARMINGTON
DRAINAGE, UTILITYM WETLANDS
AND CONSERVATION ESMT
WELLINGTON CIR
FOXLAND RUN
OLDFIELDS LN
HAVEN PLACE
BUCKEYE/MARATHON PIPELINE ESMT
HUNT CLUB RD
HUNT CLUB DR
N.T.

Exhibit 2

GRAPHIC SCALE

0' 150' 300' 450'

SCALE: 1" = 300'

HWC ENGINEERING

RUSSELL LAKE
OVERALL PLAN
ZIONSVILLE, BOONE COUNTY, INDIANA
JULY 26, 2015

Exhibit 3

ZIONSVILLE
FOR ALL THE RIGHT REASONS

To: Wayne DeLong, Director of Planning and Economic Development
From: Mark DeBruler, P.E., Town Engineer MD
Date: July 21, 2016

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

PROJECT DESCRIPTION

Project	Name	Cobble Creek	
	Location	9085 West Oak Street	
	Developer	Pulte Homes of Indiana, L.L.C.	
	Submittal	#1	
Documents Reviewed		Document Name	Document Date
		Primary Plat	7-12-2016
		Development Plans	7-12-2016
		Drainage Report	7-12-2016
Zoning	Current	R-1 and R-2	
	Proposed	R-1 and R-2	
Land Use	Current	Residential	
	Proposed	Residential	
Requested Variances		Front Building Set Back of 25 from R/W	

Based on our review, we have developed the following list of items that do not appear to be consistent with the Town's standards or requirements:

I. DRAINAGE REPORT

A. The Spillway/Dam reconstruction and lake fill area was not reviewed. Please provide approvals from the Indiana DNR and other regulating agencies.

B. Please provide inlet capacities and ponding depths.

C. Please provide seasonal high water table information for dry detention ponds.

D. Please indicate normal pool elevation of Irishman's Run at the storm sewer outfalls. Explain how tailwater into these outfall sewers and into the dry detention pond underdrains from Irishman's Run will not impact storage in the dry

Exhibit 4

detention ponds along the creek or alternatively how this tailwater is to be managed.

E. Hydrograph's not included in calculations. Unable to verify detention times.

II. DEVELOPMENT PLANS

A. Lot 1 is a triple-frontage lot. Please revise as these types of lots are not allowed.

B. The Garnet Drive road spur to Lots 103-105 does not meet the standards for cul-de-sacs and is too close to the subdivision entrance to meet AASHTO intersection safety recommendations.

C. Provide accel/decel lanes on Oak Street at Amethyst Way.

D. The current BMP locations are inaccessible for maintenance. Relocate or otherwise revise the BMPs to be accessible by vehicles for maintenance.

E. Obtain approval from the Oldfields homeowners for use of the easements on their property for the off-site storm sewer connection.

F. There is a 20' Emergency Access Drive connecting Oak Street to Emerald Court. Provide a gated entrance with Knox box or other drive access security acceptable to Public Safety agencies.

G. Provide an AutoTurn or similar vehicular path analysis showing the Fire Department's largest vehicle can negotiate the proposed turnaround at the end of Jade Court.

H. Extend the Oak St. pathway to the property limits.

I. Please provide additional detail on the stilling basin shown in the Dry Detention Basin with Infiltration Trench typical section shown on sheet C4.0.

J. Please provide light type and intensity on Lighting Plan.

K. Please provide a tree inventory and tree preservation method if outside of a tree preservation easement if seeking landscaping credits.

L. Please provide Protective Care and Restraint Barrier Description.

M. Please review corner lots to ensure drives can be located at least 75' from the intersection. Request a waiver where this standard cannot be met.

III. PRIMARY PLAT

A. For LID credit for undisturbed areas along Irishman's Run, include the undisturbed areas in a Tree Preservation or similar easement that will ensure these areas will not be disturbed in the future. Common areas can be designated as preservation areas.

B. Please include back of curb radii.

C. The 3:1 lot width to depth ratio is exceeded. These lots include but are not limited to lots 2 and 3..

The following items are provided for reference only to aide in tracking follow-up provisions on future secondary plat, construction plan, or other related administrative submittals.

IV. FUTURE FOLLOW-UP ITEMS

A. Construction Plans
   1. Provide approval letters from IDNR and other regulatory agencies for modifications to Russell Lake and its dam.
   2. Provide documentation from FEMA on its determinations resulting from the studies of Irishman's Run Zone "A" floodway.

ZIONSVILLE
STREET & STORMWATER DEPARTMENT

To: Wayne DeLong, Director of Planning and Economic Development

From: Gavin Merriman, Stormwater Program Manager GM

Date: August 10, 2016

Subject: Cobble Creek

After reviewing the revised development plan received on July 29, 2016 for the above-referenced project, I offer the following comments:

1. Access issues remain for Dry Detention Pond #9.
2. The asphalt pathway used for BMP access must be constructed to support heavy equipment access.
3. Clearly delineate on the plans the integrated infiltration trench areas in all dry detention basins where this practice is called for.
4. Dry detention basins with forebays or "stilling basins" do not constitute two stand-alone BMPs in-series. For example, not all runoff inputs to ponds #4, #6, and #8 appear to meet this treatment standard.
5. Wet ponds must have a naturally vegetated riparian buffer or vegetated safety ledge.
6. The indirect discharge of piped runoff to BMPs may create erosion and BMP sedimentation issues. For example, where structures 160 & 163 discharge to 158 & 157 and then ultimately to 181 & 182. Direct discharges are preferable where possible but where obstacles exist, this may be addressed through conveyance and/or structure design and long-term maintenance practices.

The above comments may be best addressed at the time of stormwater permitting through construction plan and Stormwater Pollution Prevention Plan review.

These are the comments that I have at this time and additional comments may result for future plan submittals and amendments.

Exhibit 5

BOONE COUNTY
Highway Department

1955 INDIANAPOLIS AVE
Lebanon, IN 46052
Phone: (765) 482-4450 | Fax: (765) 483-4451

TO: Wayne DeLong, Director of Planning and Economic Development

FROM: Jason Holmes, Boone County Inspector

CC: Janice Stevanovic (Town of Zionsville), Lance Lantz (Town of Zionsville), Nick Parr (Boone County Highway), Craig Parks (Boone County Highway)

DATE: 8/9/2016

SUBJECT: Cobble Creek Primary Plat/ Development Plan Review

The Boone County Highway Department has performed a review of the Primary Plat/ Development Plan submittal and we offer the following comments to the developer:

Roadways

1. Typical sections were not included in the plans. I am attaching applicable Boone County Typical Standards for residential subdivisions.
   - Amethyst Way and Quartz Drive should be constructed in accordance with the Boone County standard for Residential Feeder with Curb and Gutter. (See Attached)
   - Emerald Ct., Jade Ct., Copper Circle, Onyx Circle, Topaz Ct, Sapphire Ct, and Jasper Ct. should be constructed in accordance with Boone County standard for a Residential Roadway with Curb and Gutter. (See attached)
2. Typical sections for underdrains were not included in the submittal; please provide a typical section in future submittals.
3. We recommend an acel/decel Lane on Oak Street, however we will defer this to the Town of Zionsville as Oak Street is their jurisdiction.
4. We recommend a stop bar to be placed northbound on Amethyst Way at the intersection of Oak Street.
5. Driveway locations should be installed no less than 75' from any intersection measured from edge of pavement. It will be necessary for the drives to be permitted through the Highway Department before a building permit can be issued through the town of Zionsville.
6. What is the snow removal plan for this subdivision? Typically, Zionsville residents prefer a higher level of service than our department is capable of providing.

Exhibit 6

7. Please provide plan and profiles for the streets in future submittals and make sure the vertical profile meets current AASHTO and INDOT design standards for local streets.

8. Please submit actual Auto turn prints showing that a large vehicle can navigate this odd shaped cul-de-sac.

Signage/ Landscaping

1. Street signs located on lamp posts and/ or decorative posts will not be maintained by the Boone County Highway Department. All signs should be in accordance with current MUTCD standards.

2. The Boone County Highway Department recommends the use of Town of Zionsville's Standards for street signs and posts.

3. The Boone County Highway Department will not maintain areas listed as common areas.

4. The Boone County Highway Department will not accept responsibility for damage caused to public infrastructure due to tree plantings between the sidewalk and the curbs. Please include written commitments on the plat from the developer to maintain all trees and pay for damage the trees cause to the underdrain, curb, pavement and sidewalk systems.

Russell Lake

1. The proposed elevations for the intersection of Amethyst Way and Quartz Drive are significantly lower than the emergency overflow elevations for Russell Lake. In an overflow situation this intersection will be under water and there will not be any access to lots 18-102. posing a significant safety issue during emergency situations.

General Comments

1. The Boone County Highway Department will require future submittals of development construction plans incorporating the items requested above. We reserve the right to review, comment on and approve those development plans.

If you have any questions, or would like to schedule a meeting to discuss my recommendations further, do not hesitate contacting me at (765) 482-4550.

Exhibit 6

TOWN OF ZIONSVILLE PLAN COMMISSION
BOONE COUNTY, INDIANA

FINDINGS OF FACT

The Town of Zionsville Plan Commission (the "Commission"), after a Public Hearing held on Monday August 15, 2016 has determined that the Primary Plat **is/is not** in full compliance with all terms and provisions of the Town of Zionsville Subdivision Control Ordinance and the Town of Zionsville Zoning Ordinance.

The Town of Zionsville Plan Commission finds that:

a. Adequate provisions have been made for regulation of minimum lot depth and minimum lot area;

b. Adequate provisions have been made for the widths, grades, curves and coordination of subdivision public ways with current and planned public ways; and,

c. Adequate provisions have been made for the extension of water, sewer, and other municipal services.

TOWN OF ZIONSVILLE PLAN COMMISSION

The Primary Plat was APPROVED/DENIED on the _____ day of _____, 20_____, subject to any conditions agreed to at the public hearing and listed in the Letter of Grant.

_____ _____

President, Town of Zionsville Plan Commission

_____ _____

_____ _____

_____

ZIONSVILLE
FOR ALL THE RIGHT REASONS

Petition Number:	2016-38-DP
Subject Site Address:	9085 E. Oak Street
Petitioner:	9085 Project LLC
Representative:	Pulte Homes of Indiana
Request:	Petition for Development Plan Approvals to provide for a 105 lot subdivision in an R1 and R2 Rural Residential Zoning Districts
Current Zoning:	R1 and R2 Rural Residential Zoning Districts
Current Land Use:	Undeveloped
Approximate Acreage:	99.671 acres
Related Petitions:	2016-19-DSV Petition heard by the Board of Zoning Appeals for a Development Standards Variance to deviate from the required front yard setbacks in the R1 and R2 Rural Residential Zoning District (granted) **2016-37-PP (Pending)** Petition for Primary Plat to subdivide 99.671 acres into 105 lots in the R1 and R2 Rural Residential Zoning Districts
Exhibits:	Exhibit 1 - Staff Report Exhibit 2 - Aerial Location Map Exhibit 3 – Proposed Overall Site Plan Exhibit 4 – Landscape Plan Exhibit 5 – Lighting Plan Exhibit 6 – Town Engineer review letter (dated July 21, 2016) Exhibit 7 – Storm Water review comments (dated August 10, 2016) Exhibit 8 – County Highway review comments (dated August 9, 2016) Exhibit 9 - Development Plan Findings of Fact
Staff Reviewer:	Wayne DeLong, AICP

PROJECT OVERVIEW

Petition History

Petition #2016-19-DSV was heard and approved by the Board of Zoning Appeals on August 9, 2016. This petition requested a Development Standards Variance to modify from the minimum front yard to 20 feet from the right of way for the side load and courtyard garages and to 25 feet from the right of way for front load garages. Both the Primary Plat Petition 2016-37-PP and Development Plan Petition 2016-38-DP are docketed for hearing on August 15, 2016 with the Plan Commission.

Property History / Location

The overall subject site is comprised of three parcels located in the R1 and R2 Rural Residential Zoning Districts

DEVELOPMENT PLAN REVIEW

Zoning Ordinance

The development plan has been reviewed using the standards of the Zionsville Zoning Ordinance (and/ or applicable PUD document) and found to be in compliance with the exception as noted in the Town Engineer letter dated July 21, 2016.

Landscape Plan

The petition includes a landscape plan which conforms to and in many places exceeds the standards of the Ordinance.

Street and Highway Access

The proposed development is intended to gain access from Oak Street via the proposed internal street system. The proposed methods for primary and emergency ingress to and from the Subdivision are found to be in compliance with the Town's Ordinance (except where noted in Exhibit 6). Further, as the road system is to be designed to County standards, the County Highway Department has provided comment as to the contemplated development (Exhibit 8).

Stormwater Management

The petitioner has provided a detailed drainage study which has been reviewed by Town staff the Town Engineer. The attached letters (Exhibit 6 and Exhibit 7) identifies items that are inconsistent with the Town's standards or requirements, and requires that the drainage study be updated with additional information.

Utility Capacity / Utility Easements

Staff is unaware of any concerns regarding capacity of that potable water utility which would impact service to the area. Specific to sanitary sewer, it would require an extension of existing facilities to service the proposed development. Further, adequate easements are being platted as a part of the subdivision process to provide for utility access within the subdivision.

FINDINGS

The Plan Commission shall hear, and approve or deny, Development Plans based on Findings of the Building Commissioner or Plan Commission. Per Section 4.3.C of the Ordinance the Plan Commission finds:

1. The Development Plan/Modification of Development Plan **is** compatible with surrounding land uses because:

2. The Development Plan/Modification of Development Plan **does** demonstrate availability and coordination of water, sanitary sewers, storm water drainage, and other utilities because:

3. The Development Plan/Modification of Development Plan **does** demonstrate the management of traffic in a manner that creates conditions favorable to health, safety, convenience and the harmonious development of the community because:

4. The Development Plan/ Modification of Development Plan **does** utilize building materials and building style compatible with the Zionsville theme because:

5. The Development Plan/Modification of Development Plan **does** provide for the calculation of storm water runoff because:

6. The Development Plan/Modification of Development Plan **does** provide for current and future right-of-way dedications because:

7. The Development Plan/Modification of Development Plan **does** provide for building setback lines, coverage, and separation; vehicle and pedestrian circulation; parking; landscaping; recreation area or green space; outdoor lighting because:

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

STAFF COMMENTS

With the comments captured within this report as well as review letters as Exhibit 6, Exhibit 7, and Exhibit 8, Staff has full confidence that each future item can be resolved to the satisfaction of Staff. Therefore, Staff recommends approval subject to the resolution of each future item identified in Exhibit 6, Exhibit 7 and Exhibit 8.

RECOMMENDED MOTIONS

I move that Docket #2016-38-DP Development Plan approval to provide for a 105 lot subdivision, in the R1 and R2 Rural Residential Zoning Districts be (Approved with the conditions noted in the staff report and based upon the findings / Denied/ Continued) as presented.

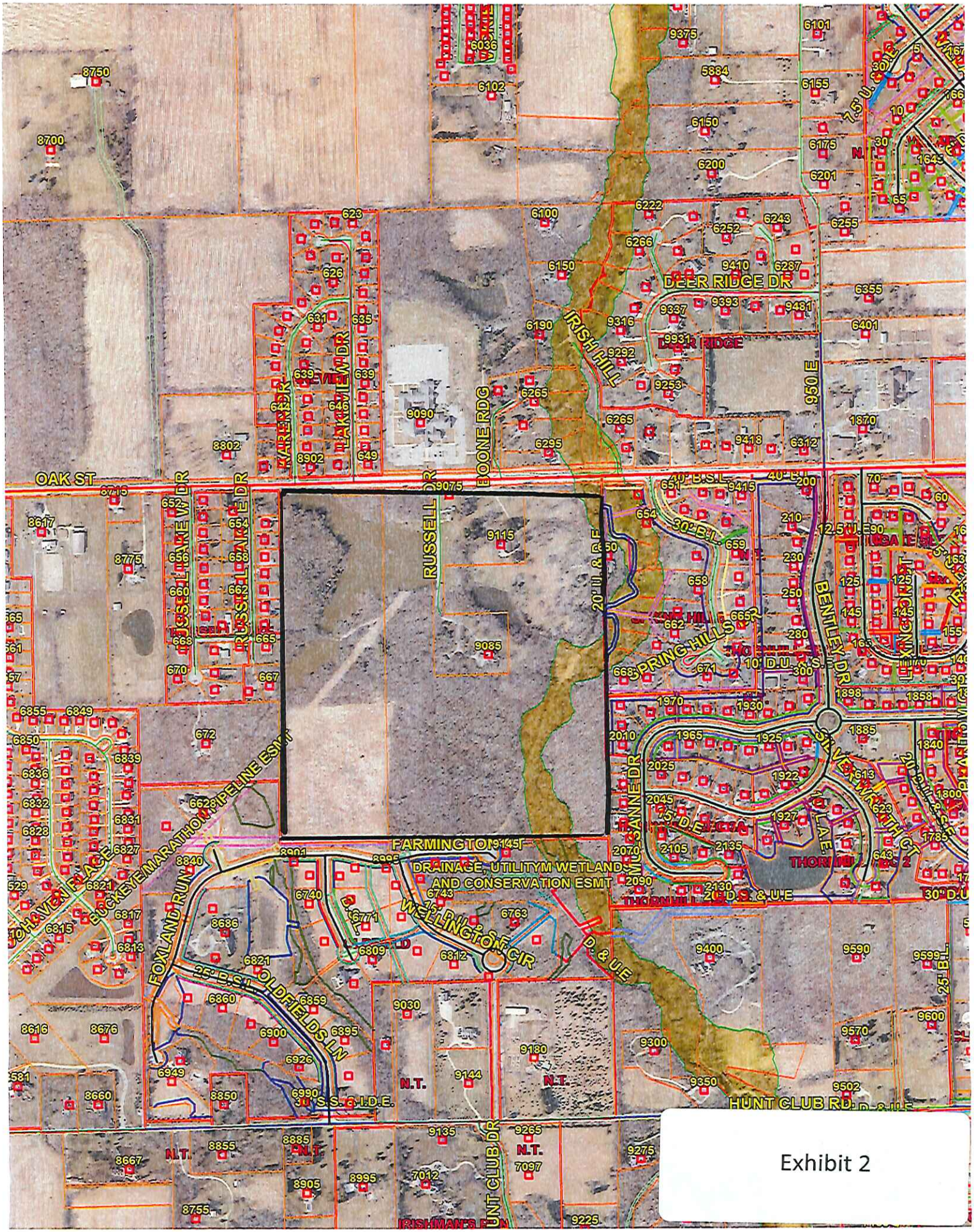

OAK ST
RUSSELL DR
BOONE RDG
IRISH HILL
DEER RIDGE DR
950 E
BENTLEY DR
SPRING HILLS DR
FARMINGTON
DRAINAGE, UTILITYM WETLANDS AND CONSERVATION ESMT
WELLINGTON CIR
FOXLAND RUN
OLDFIELDS LN
HUNT CLUB RD
HUNT CLUB DR
IRISHMAN'S RUN
N.T.

Exhibit 2

GRAPHIC SCALE

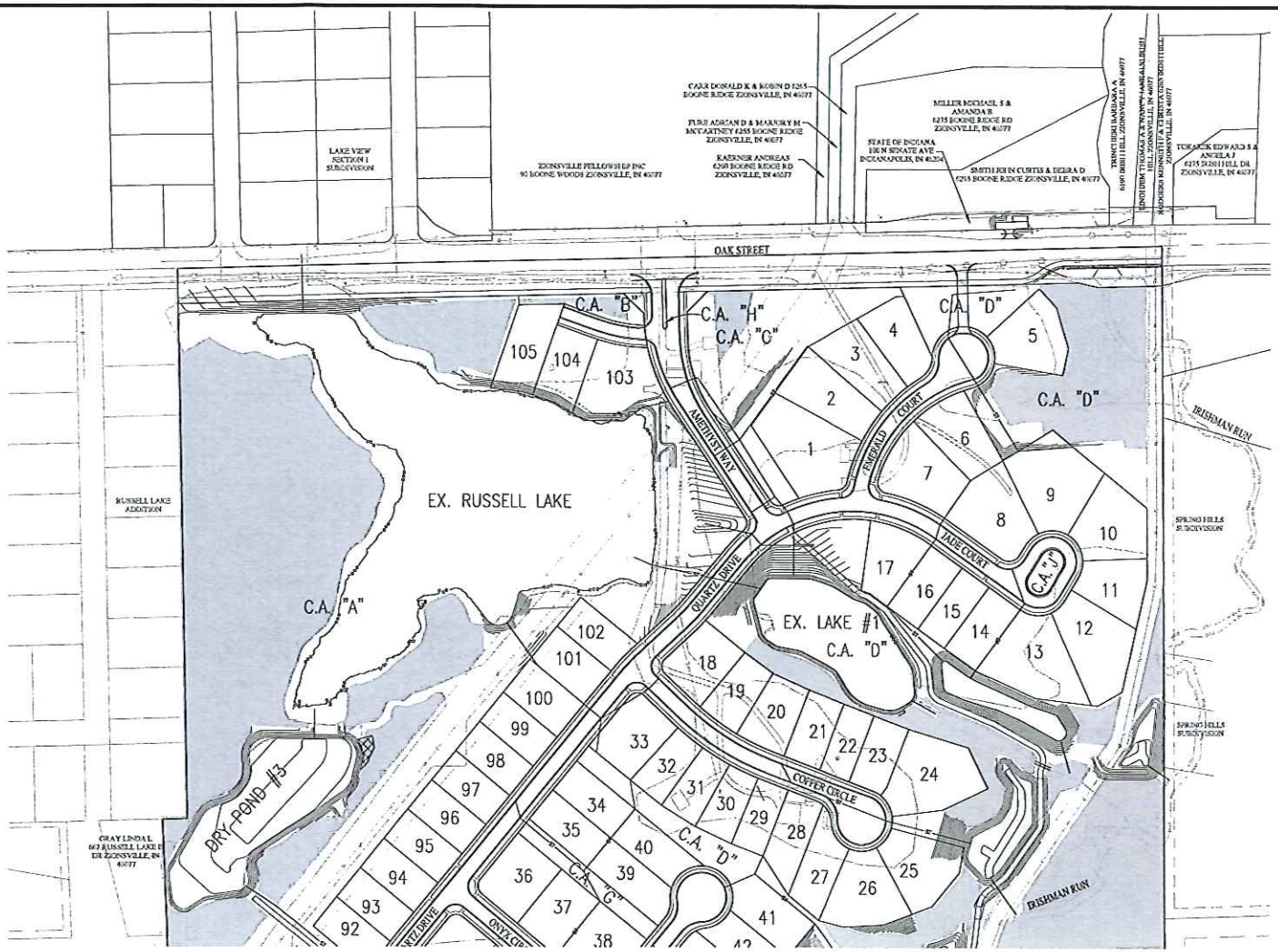
0' 150' 300' 450'

SCALE: 1" = 300'

HWC ENGINEERING

RUSSELL LAKE
OVERALL PLAN
ZIONSVILLE, BOONE COUNTY, INDIA
JULY 26, 2015

Exhibit 3



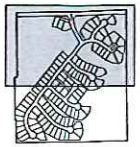
Indiana 811
KNOW WHAT'S BELOW. CALL BEFORE YOU DIG.
Call 811 or 800-382-5544 Before you Dig!

GRAPHIC SCALE
0 100' 200' 300'
(IN FEET)

LEGEND:

EXISTING		PROPOSED
	RIGHT-OF-WAY LINE	
	SETBACK LINE	
	FENCE	
	SHADE TREE - 2 1/2" CALIPER	
	ORNAMENTAL TREE - 2" CALIPER	
	EVERGREEN TREE (7' TALL)	
	STREET TREE (40' O.C.) NOT REQUIRED IN RURAL DISTRICT	
	SHRUB	
	MAINTAIN EXISTING TREES EXCEPT AS NEEDED FOR UTILITIES, GRADING AND DRAINAGE IMPROVEMENTS	

NOTE:
1. LANDSCAPING AS SHOWN SUBJECT TO UTILITIES, GRADING AND DRAINAGE IMPROVEMENTS AND EASEMENTS.
2. ALL LANDSCAPING WITHIN THE ENTRANCE MEDIAN WILL BE MAINTAINED BY THE HOA.



KEYMAP
NOT TO SCALE

Exhibit 4

COBBLE CREEK
ZIONSVILLE, INDIANA

LANDSCAPE PLAN

PRELIMINARY
NOT FOR CONSTRUCTION

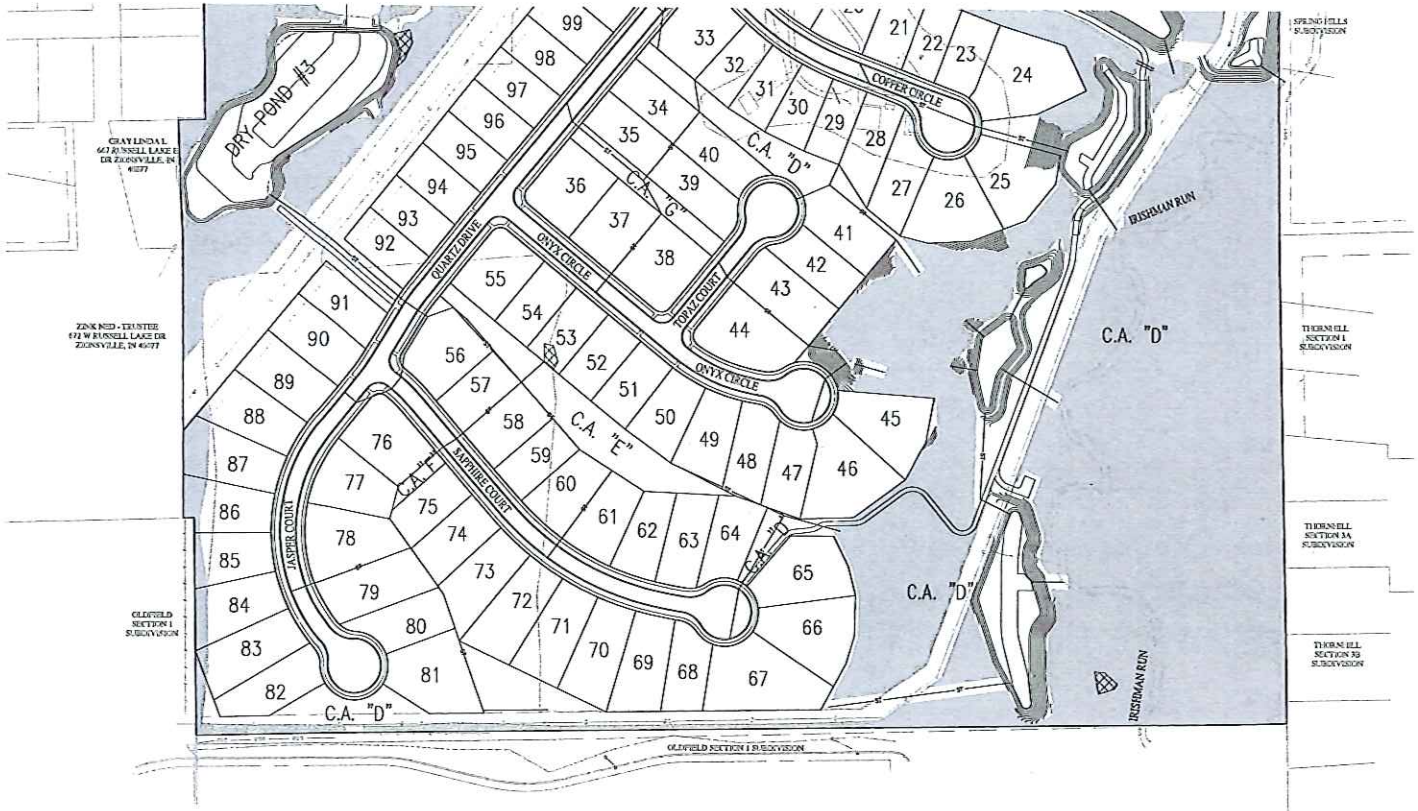
BRANDON T. BURKE
REGISTERED
No. 10000075
STATE OF INDIANA
PROFESSIONAL ENGINEER

DRAWN BY DC	JOB NUMBER 2015-203-A
CHECKED BY BB	
DATE JULY 12, 2016	
SCALE AS SHOWN	
SHEET L1.0 LANDSCAPE PLAN	

©2016

Plot Date: Jul 29, 2016 Plot Time: 1:37pm File Name: W:\Pulte Homes\2015-203-A Pulte- Zionsville Russell Lake\Design\CAD\Development Plan Set\15203A Landscape Plan.dwg, Layout: L1.0 By: dchesterfield

Exhibit 4



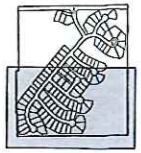
Indiana 811
KNOW WHAT'S BELOW
CALL BEFORE YOU DIG
Call 811 or 800-382-5544 Before you Dig!

GRAPHIC SCALE
0' 100' 200' 300'
(IN FEET)

LEGEND:

EXISTING		PROPOSED
	EDGE-OF-PAVT LINE	
	SUTRON LINE	
	FENCE	
	SHADE TREE - 2 ½" CALIPER	
	ORNAMENTAL TREE - 2" CALIPER	
	EVERGREEN TREE (7' TALL)	
	STREET TREE (40' O.C.) NOT REQUIRED IN RURAL DISTRICT	
	SHRUB	
	MAINTAIN EXISTING TREES, EXCEPT AS NEEDED FOR UTILITIES, GRADING AND DRAINAGE IMPROVEMENTS	

NOTE:
1. LANDSCAPING AS SHOWN SUBJECT TO UTILITIES, GRADING AND DRAINAGE IMPROVEMENTS AND EASEMENTS.
2. ALL LANDSCAPING WITHIN THE ENTRANCE MEDIAN WILL BE MAINTAINED BY THE HOA.



KEYMAP
NOT TO SCALE

COBBLE CREEK
ZIONSVILLE, INDIANA

LANDSCAPE PLAN

PRELIMINARY
NOT FOR CONSTRUCTION

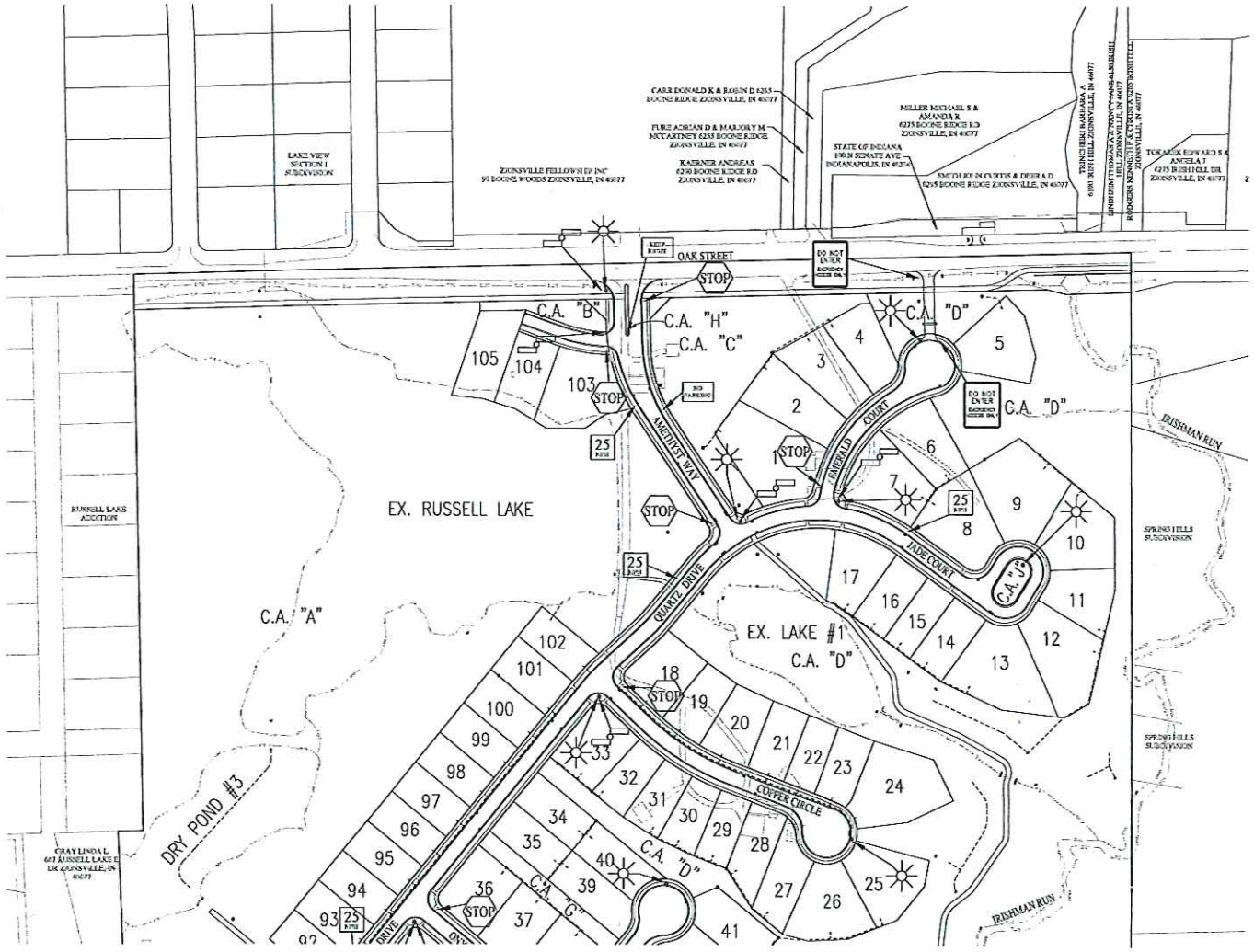
BRANDON T. BUCK
REGISTERED
No. 10000075
STATE OF INDIANA
PROFESSIONAL ENGINEER

DRAWN BY DC	JOB NUMBER 2015-203-A
CHECKED BY BB	
DATE JULY 12, 2016	
SCALE AS SHOWN	
SHEET L1.1 LANDSCAPE PLAN	

©2016

Plot Date: Jul 29, 2016 Plot Time: 1:37pm File Name: W:\Pulte Homes\2015-203-A Pulte- Zionsville Russell Lake\Design\CAD\Development Plan Set\15203A Landscape Plan.dwg, Layout: L1.1 By: dchesterfield

Exhibit 5



Indiana811
KNOW WHAT'S BELOW
CALL BEFORE YOU DIG
Call 811 or 800-382-5544 Before you Dig!

GRAPHIC SCALE
0 100' 200' 300'
(IN FEET)

SIGNAGE LEGEND:

STOP SIGN	STOP
SPEED LIMIT SIGN	25 R3-9
NO PARKING NEAR TO CORNER	R7-2a
KEEP RIGHT & TYPE 3 OBJECT MARKER (L)	25 R4-7 & D4-3L
STREET NAME SIGN	
THE WALT APS STREET LIGHT ON 14' POLE	(SEE SHEET C5.1 FOR DETAIL)
DO NOT ENTER SIGN	DO NOT ENTER

NOTE:
1. ALL SIGNAGE WITHIN THE ENTRANCE MEDIAN WILL BE MAINTAINED BY THE HOA.

LEGEND:

EXISTING		PROPOSED
	RIGHT-OF-WAY LINE	
	EASEMENT LINE	
	SETBACK LINE	
	CENTERLINE	
	SUBSURFACE DRAIN (WITH SERVICE LATERAL)	
	STORM MANHOLE	
	STORM INLET	
	STORM END SECTION	
	SSD OUTLET STRUCTURE	

LOTS 82-102, 18-24
BASEMENT SUMP PUMP LATERALS TO STREET. 6" SOLID DUAL WALL HDPE PIPE BE END CURB ALONG STREET. LOT 102 TO DISCHARGE TO EX. POND. LATERAL TO EXTEND 5' INTO LOT AND TURN UP. MARK W/ STAKE.

KEYMAP
NOT TO SCALE

COBBLE CREEK
ZIONSVILLE, INDIANA

LIGHTING, SIGNAGE AND REAR YARD SUB-SURFACE DRAIN (SSD) PLAN

PRELIMINARY NOT FOR CONSTRUCTION

BRANDON T. BURK
STATE OF INDIANA
No. 10000075
PROFESSIONAL ENGINEER

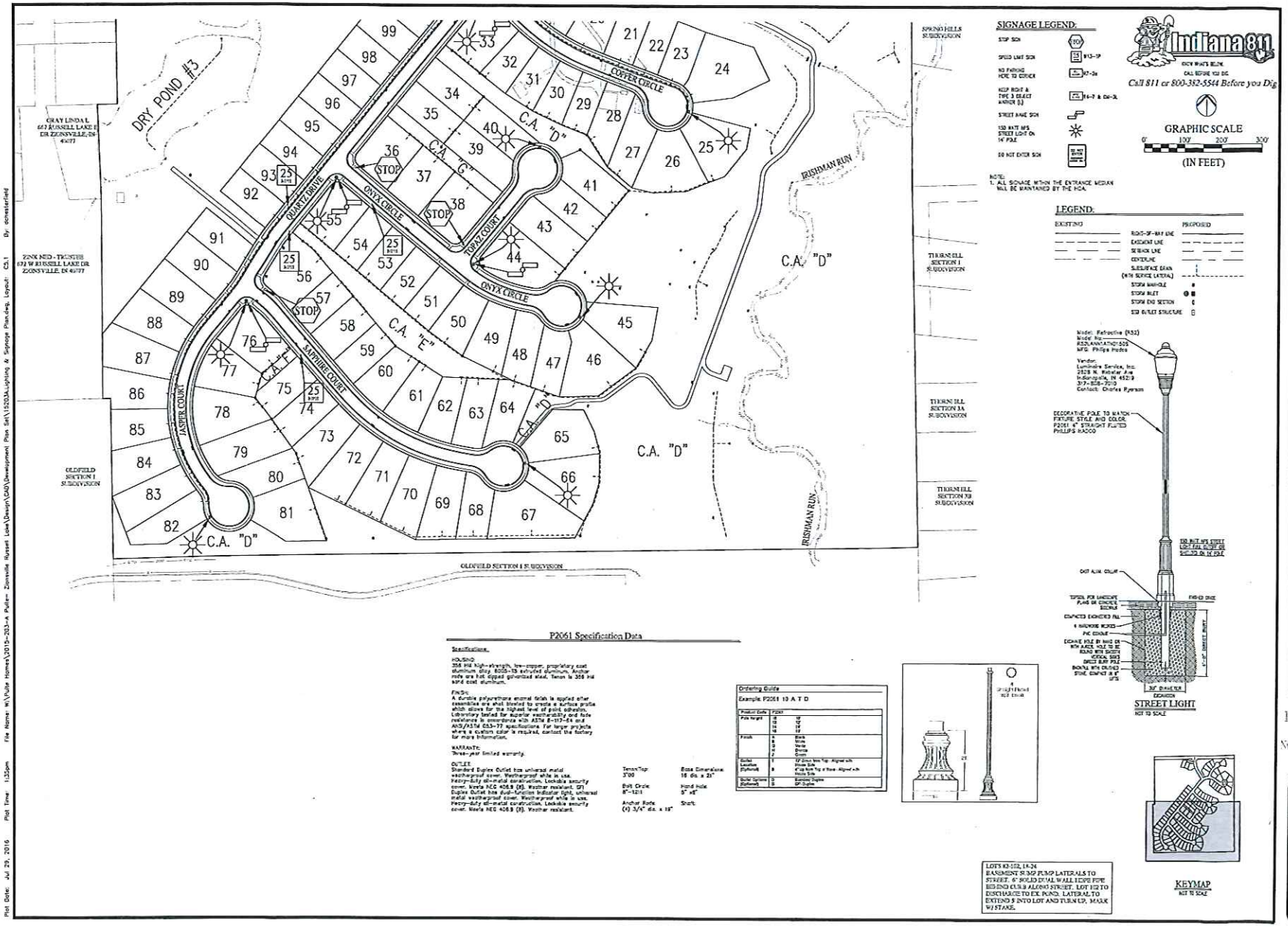
DRAWN BY	DC
CHECKED BY	BB
DATE	JULY 12, 2016
SCALE	AS SHOWN
JOB NUMBER	2015-203-A
SHEET	C5.0

LIGHTING, SIGNAGE AND REAR YARD SUB-SURFACE DRAIN (SSD) PLAN

©2016

Plot Date: Jul 29, 2016 Plot Time: 1:35pm File Name: W:\Pulte Homes\2015-203-A Pulte- Zionsville Russell Lake\Design\CAD\Development Plan Set\15203A Lighting & Signage Plan.dwg Layout: C5.0 By: dchesterfield

Exhibit 5



COBBLE CREEK
ZIONSVILLE, INDIANA

LIGHTING, SIGNAGE AND REAR YA
SUB-SURFACE DRAIN (SSD) PLAN

PRELIMINARY
NOT FOR CONSTRUCTION

BRANDON T. BURKE
REGISTERED
No. 10000075
STATE OF INDIANA
PROFESSIONAL ENGINEER

DRAWN BY DC	JOB NUMBER 2015-203-A
CHECKED BY BB	
DATE JULY 12, 2016	
SCALE AS SHOWN	
SHEET C5.1	

LIGHTING, SIGNAGE AND REAR YARD SUB-SURFACE DRAIN (SSD) PLAN

©2016

Plot Date: Jul 29, 2016 Plot Time: 1:35pm File Name: m:\Pulte Homes\2015-203-A Pulte- Zionsville Russell Lake\Design\CAD\Development Plan Set\1520A-Lighting & Signage Plan.dwg, Layout: C5.1 By: donesterfield

ZIONSVILLE
FOR ALL THE RIGHT REASONS

To: Wayne DeLong, Director of Planning and Economic Development
From: Mark DeBruler, P.E., Town Engineer MD
Date: July 21, 2016

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

PROJECT DESCRIPTION

Project	Name	Cobble Creek	
	Location	9085 West Oak Street	
	Developer	Pulte Homes of Indiana, L.L.C.	
	Submittal	#1	
Documents Reviewed		Document Name	Document Date
		Primary Plat	7-12-2016
		Development Plans	7-12-2016
		Drainage Report	7-12-2016
Zoning	Current	R-1 and R-2	
	Proposed	R-1 and R-2	
Land Use	Current	Residential	
	Proposed	Residential	
Requested Variances		Front Building Set Back of 25 from R/W	

Based on our review, we have developed the following list of items that do not appear to be consistent with the Town's standards or requirements:

I. DRAINAGE REPORT

A. The Spillway/Dam reconstruction and lake fill area was not reviewed. Please provide approvals from the Indiana DNR and other regulating agencies.

B. Please provide inlet capacities and ponding depths.

C. Please provide seasonal high water table information for dry detention ponds.

D. Please indicate normal pool elevation of Irishman's Run at the storm sewer outfalls. Explain how tailwater into these outfall sewers and into the dry detention pond underdrains from Irishman's Run will not impact storage in the dry

Exhibit 6

detention ponds along the creek or alternatively how this tailwater is to be managed.

E. Hydrograph's not included in calculations. Unable to verify detention times.

II. DEVELOPMENT PLANS

A. Lot 1 is a triple-frontage lot. Please revise as these types of lots are not allowed.

B. The Garnet Drive road spur to Lots 103-105 does not meet the standards for cul-de-sacs and is too close to the subdivision entrance to meet AASHTO intersection safety recommendations.

C. Provide accel/decel lanes on Oak Street at Amethyst Way.

D. The current BMP locations are inaccessible for maintenance. Relocate or otherwise revise the BMPs to be accessible by vehicles for maintenance.

E. Obtain approval from the Oldfields homeowners for use of the easements on their property for the off-site storm sewer connection.

F. There is a 20' Emergency Access Drive connecting Oak Street to Emerald Court. Provide a gated entrance with Knox box or other drive access security acceptable to Public Safety agencies.

G. Provide an AutoTurn or similar vehicular path analysis showing the Fire Department's largest vehicle can negotiate the proposed turnaround at the end of Jade Court.

H. Extend the Oak St. pathway to the property limits.

I. Please provide additional detail on the stilling basin shown in the Dry Detention Basin with Infiltration Trench typical section shown on sheet C4.0.

J. Please provide light type and intensity on Lighting Plan.

K. Please provide a tree inventory and tree preservation method if outside of a tree preservation easement if seeking landscaping credits.

L. Please provide Protective Care and Restraint Barrier Description.

M. Please review corner lots to ensure drives can be located at least 75' from the intersection. Request a waiver where this standard cannot be met.

Exhibit 6

III. PRIMARY PLAT

A. For LID credit for undisturbed areas along Irishman's Run, include the undisturbed areas in a Tree Preservation or similar easement that will ensure these areas will not be disturbed in the future. Common areas can be designated as preservation areas.

B. Please include back of curb radii.

C. The 3:1 lot width to depth ratio is exceeded. These lots include but are not limited to lots 2 and 3..

The following items are provided for reference only to aide in tracking follow-up provisions on future secondary plat, construction plan, or other related administrative submittals.

IV. FUTURE FOLLOW-UP ITEMS

A. Construction Plans
   1. Provide approval letters from IDNR and other regulatory agencies for modifications to Russell Lake and its dam.
   2. Provide documentation from FEMA on its determinations resulting from the studies of Irishman's Run Zone "A" floodway.

ZIONSVILLE
STREET & STORMWATER DEPARTMENT

To: Wayne DeLong, Director of Planning and Economic Development

From: Gavin Merriman, Stormwater Program Manager GM

Date: August 10, 2016

Subject: Cobble Creek

After reviewing the revised development plan received on July 29, 2016 for the above-referenced project, I offer the following comments:

1. Access issues remain for Dry Detention Pond #9.
2. The asphalt pathway used for BMP access must be constructed to support heavy equipment access.
3. Clearly delineate on the plans the integrated infiltration trench areas in all dry detention basins where this practice is called for.
4. Dry detention basins with forebays or "stilling basins" do not constitute two stand-alone BMPs in-series. For example, not all runoff inputs to ponds #4, #6, and #8 appear to meet this treatment standard.
5. Wet ponds must have a naturally vegetated riparian buffer or vegetated safety ledge.
6. The indirect discharge of piped runoff to BMPs may create erosion and BMP sedimentation issues. For example, where structures 160 & 163 discharge to 158 & 157 and then ultimately to 181 & 182. Direct discharges are preferable where possible but where obstacles exist, this may be addressed through conveyance and/or structure design and long-term maintenance practices.

The above comments may be best addressed at the time of stormwater permitting through construction plan and Stormwater Pollution Prevention Plan review.

These are the comments that I have at this time and additional comments may result for future plan submittals and amendments.

Exhibit 7

BOONE COUNTY
Highway Department

1955 INDIANAPOLIS AVE
Lebanon, IN 46052
Phone: (765) 482-4450 | Fax: (765) 483-4451

TO: Wayne DeLong, Director of Planning and Economic Development

FROM: Jason Holmes, Boone County Inspector

CC: Janice Stevanovic (Town of Zionsville), Lance Lantz (Town of Zionsville), Nick Parr (Boone County Highway), Craig Parks (Boone County Highway)

DATE: 8/9/2016

SUBJECT: Cobble Creek Primary Plat/ Development Plan Review

The Boone County Highway Department has performed a review of the Primary Plat/ Development Plan submittal and we offer the following comments to the developer:

Roadways

1. Typical sections were not included in the plans. I am attaching applicable Boone County Typical Standards for residential subdivisions.
   - Amethyst Way and Quartz Drive should be constructed in accordance with the Boone County standard for Residential Feeder with Curb and Gutter. (See Attached)
   - Emerald Ct., Jade Ct., Copper Circle, Onyx Circle, Topaz Ct, Sapphire Ct, and Jasper Ct. should be constructed in accordance with Boone County standard for a Residential Roadway with Curb and Gutter. (See attached)
2. Typical sections for underdrains were not included in the submittal; please provide a typical section in future submittals.
3. We recommend an acel/decel Lane on Oak Street, however we will defer this to the Town of Zionsville as Oak Street is their jurisdiction.
4. We recommend a stop bar to be placed northbound on Amethyst Way at the intersection of Oak Street.
5. Driveway locations should be installed no less than 75' from any intersection measured from edge of pavement. It will be necessary for the drives to be permitted through the Highway Department before a building permit can be issued through the town of Zionsville.
6. What is the snow removal plan for this subdivision? Typically, Zionsville residents prefer a higher level of service than our department is capable of providing.

Exhibit 8

7. Please provide plan and profiles for the streets in future submittals and make sure the vertical profile meets current AASHTO and INDOT design standards for local streets.

8. Please submit actual Auto turn prints showing that a large vehicle can navigate this odd shaped cul-de-sac.

Signage/ Landscaping

1. Street signs located on lamp posts and/ or decorative posts will not be maintained by the Boone County Highway Department. All signs should be in accordance with current MUTCD standards.

2. The Boone County Highway Department recommends the use of Town of Zionsville's Standards for street signs and posts.

3. The Boone County Highway Department will not maintain areas listed as common areas.

4. The Boone County Highway Department will not accept responsibility for damage caused to public infrastructure due to tree plantings between the sidewalk and the curbs. Please include written commitments on the plat from the developer to maintain all trees and pay for damage the trees cause to the underdrain, curb, pavement and sidewalk systems.

Russell Lake

1. The proposed elevations for the intersection of Amethyst Way and Quartz Drive are significantly lower than the emergency overflow elevations for Russell Lake. In an overflow situation this intersection will be under water and there will not be any access to lots 18-102. posing a significant safety issue during emergency situations.

General Comments

1. The Boone County Highway Department will require future submittals of development construction plans incorporating the items requested above. We reserve the right to review, comment on and approve those development plans.

If you have any questions, or would like to schedule a meeting to discuss my recommendations further, do not hesitate contacting me at (765) 482-4550.

TOWN OF ZIONSVILLE PLAN COMMISSION
BOONE COUNTY, INDIANA

PETITION FOR PLAN COMMISSION APPROVAL
OF A DEVELOPMENT PLAN / MODIFICATION OF DEVELOPMENT PLAN

FINDINGS

1. The Development Plan/Modification of Development Plan (is/~~is not~~) compatible with surrounding land uses because: it includes only single family dwellings with associated amenities, which is wholly consistent with the surrounding area, which is also predominately single family uses.

2. The Development Plan/Modification of Development Plan (does/~~does not~~) demonstrate availability and coordination of water, sanitary sewers, storm water drainage, and other utilities because:
the drawings submitted with the Development Plan show the extension of water, sanitary sewer and other existing utitlies.

3. The Development Plan/Modification of Development Plan (does/~~does not~~) demonstrate the management of traffic in a manner that creates conditions favorable to health, safety, convenience and the harmonious development of the community because:
access to the subdivision will be from Oak Street, which is a Primary Arterial under the Zionsville Thoroughfare plan.

4. The Development Plan/ Modification of Development Plan (does/~~does not~~) utilize building materials and building style compatible with the Zionsville theme because:
the primary building materials, which include brick, stone, masonry, wood and cement fiber board, and the architectural style and consistent with other single family homes in the general area.

5. The Development Plan/Modification of Development Plan (does/ ~~does not~~) provide for the calculation of storm water runoff because:
the plans include storm water design, which provides for adequate detention and discharge into the existing lake/pond located on the subject real estate

6. The Development Plan/Modification of Development Plan (does/~~does not~~) provide for current and future right-of-way dedications because:
the accompanying plat dedicates right-of-way in compliance with existing Town Ordinances.

7. The Development Plan/Modification of Development Plan (does/~~does not~~) provide for building setback lines, coverage, and separation; vehicle and pedestrian circulation; parking; landscaping; recreation area or green space; outdoor lighting because:
the Development Plan complies with all development requirements of the Zionsville Zoning Ordinance, and includes adquate streets, sidewalks and open space. Adequate parking is provided at each home, and each home will have a minimum landscape package.

DECISION

It is therefore the decision of this body that this Development Plan/Modification of Development Plan is **APPROVED / DENIED.**

Adopted this _____ day of _____, 20____.

_____ _____ _____

_____ _____ _____

_____

Exhibit 9

ZIONSVILLE
FOR ALL THE RIGHT REASONS

Petition Number:	2016-39-Z
Subject Site Address:	10201 Zionsville Road
Petitioner:	BHI Senior Living, Inc
Representative:	Tim Ochs
Request:	Petition for Zone Map change to rezone 68.6+/- acres from the R-SF-2 Urban Residential Zoning District, to the (SU-7) Special Use Zoning District, to provide for a residential housing development for seniors
Current Zoning:	R-SF-2 Urban Residential Zoning District
Current Land Use:	Undeveloped
Approximate Acreage:	68.6 acres
Related Petitions:	2016-40-DP (Pending) Petition for Development Plan Approval to provide for residential housing including 156 duplex units and 7 estates lots designed for seniors
Exhibits:	Exhibit 1 - Staff Report Exhibit 2 - Aerial/Location Map Exhibit 3 - Conceptual Site Layout Plat Exhibit 4 - Comprehensive Plan Map (2012 Economic Development Strategic Plan)
Staff Reviewer:	Wayne DeLong, AICP

PROJECT OVERVIEW

Project Location
The subject property is approximately 68.6 acres located south of 106th street, east of Zionsville Road, west of 1000 east, north of 96th street.

Project Description
The proposed 68.6 acre area is currently zoned as R-SF-2 Urban Residential Zoning District. The Petitioner requests to rezone the property to the (SU-7) Special Use Zoning District in anticipation of the construction of a residential housing development for seniors.

Zoning Ordinance

In preparing and considering rezoning proposals under the 600 series of Indiana Code, the Plan Commission and the Town Council shall pay reasonable regard to:
(1) the comprehensive plan;
(2) current conditions and the character of current structures and uses in each district;
(3) the most desirable use for which the land in each district is adapted;
(4) the conservation of property values throughout the jurisdiction; and
(5) responsible development and growth.

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

Comprehensive Plan
While the Comprehensive Plan recommends office, medical, and transitional uses for the southern portion of the subject site and single-family residential uses for the northern portion of the subject site, Special Uses typically located where the Use is needed. Further, the site is adjacent to residentially utilized property on two sides and industrial uses on a third. The proposed rezoning to a special use classification should include the provision of residential characteristics to be included in the proposed improvements (Example: pitched roof, lap siding) and be accomplished at a density which is comparable to a typical single-family residential classification (Example: RSF-2). As illustrated in petition 2016-40-DP (a companion to the rezoning petition), the development results in a density of 1.88 units per acre (which is in conformance with the RSF-2 development standards) while including residential characteristics commonly associated with the surrounding area.

Current conditions and the character of current structures and uses in each district
As the use to the west and north consists of existing single-family dwellings, the proposed rezoning serves to increase the stability of the area and further the mission and programs associated with the Special Use located to the south of the subject site.

The most desirable use for which the land in each district is adapted
While the land is located directly adjacent to an SU-7 Special Use Development District to the south, industrial uses to the east, and established residential uses are located to the west and north, it has access to an improved roadway as well as adequate utilities. A rezoning zoning that is consistent with the established residential pattern while being supportive of the Special Use to the south is the most desirable use of the land.

The conservation of property values throughout the jurisdiction

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

Responsible growth and development

The petition represents responsible growth and development as it is following the recommendations of the Comprehensive Plan for the Town of Zionsville.

STAFF COMMENTS

Staff recommends a favorable recommendation of the rezoning petition.

RECOMMENDED MOTIONS

Motion

I move that Docket #2016-39-Z, Zone Map Change to rezone 68.6 acres from the R-SF-2 Urban Residential Zoning District to the (SU-7) Special Use Zoning District receive a (favorable recommendation based upon the findings in the staff report / unfavorable recommendation / Continued) as presented, with the recommendation being certified to the Town Council for adoption or rejection.

PROCEDURAL NOTE

The recommendation of the Plan Commission, if finalized on August 15, 2016, will be forwarded (as certified) to the Town Council for consideration at its next regular meeting.

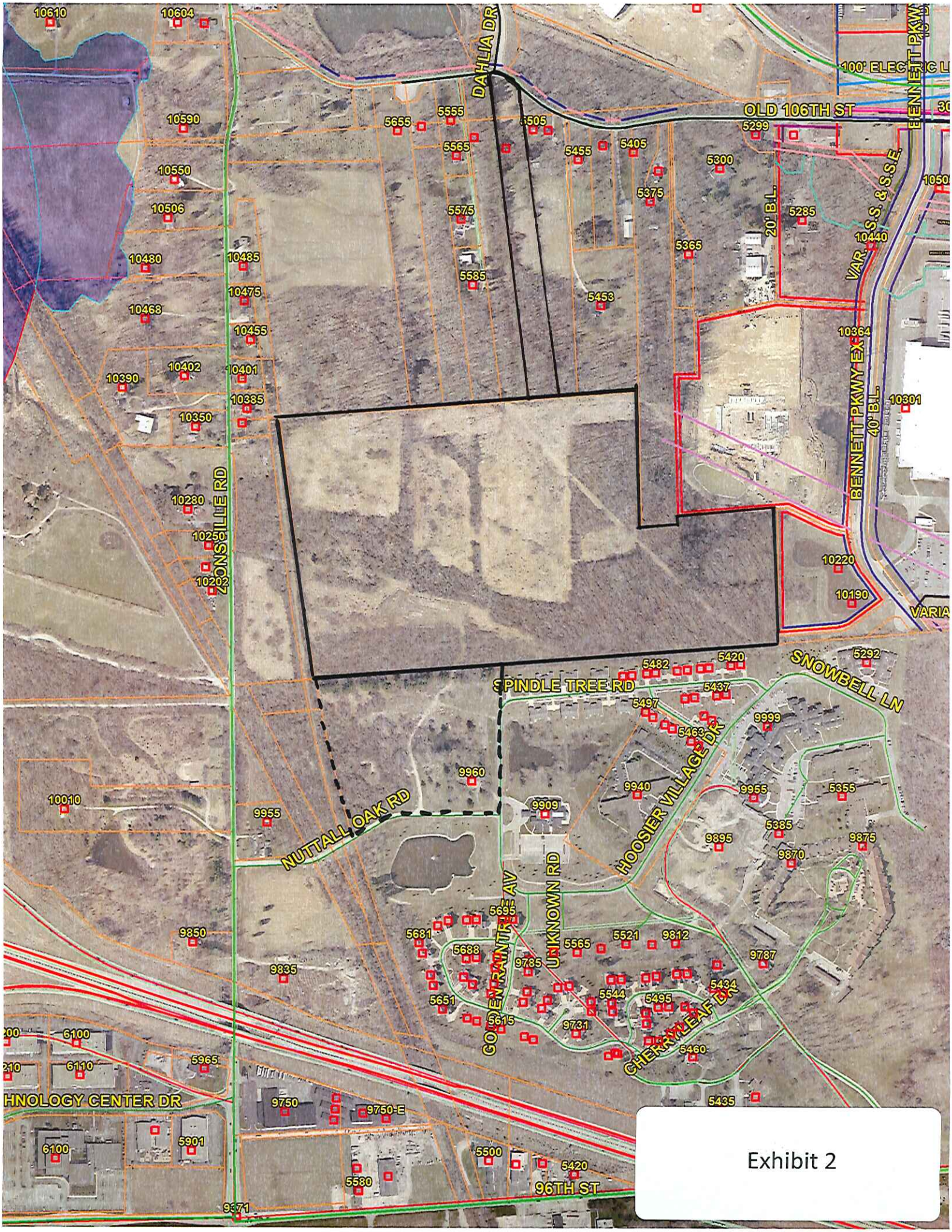

DAHLIA DR
OLD 106TH ST
100' ELECTRIC L
BENNETT PKWY
VAR. S.S. & S.S.E.
20' B.L.
BENNETT PKWY EX
40' B.L.
ZIONSVILLE RD
SPINDLE TREE RD
SNOWBELL LN
HOOSIER VILLAGE DR
NUTTALL OAK RD
UNKNOWN RD
GOLDENRAINTREE AV
CHERRYLEAF DR
HNOLOGY CENTER DR
96TH ST
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Exhibit 2

HOOSIER VILLAGE PLAN

ZIONSVILLE, IN
JULY 28, 2016

BEDROCK BUILDERS INC.

KEVIN K. PARSONS & ASSOCIATES, INC.

Exhibit 3

Future Land Use Plan Map

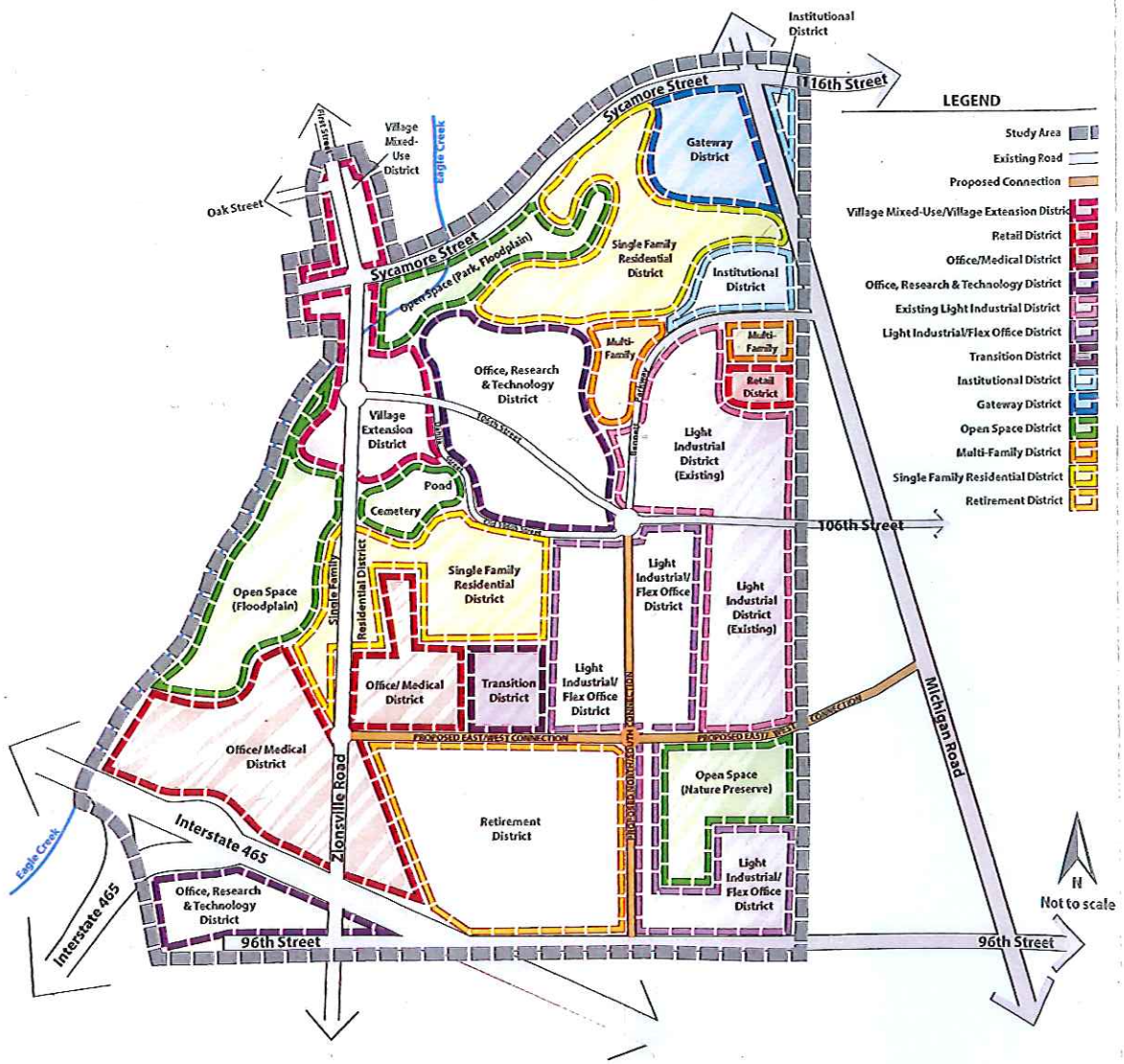

Exhibit 4

ZIONSVILLE
FOR ALL THE RIGHT REASONS

Petition Number: 2016-40-DP

Subject Site Address: 10201 Zionsville Road

Petitioner: BHI Senior Living, Inc

Representative: Tim Ochs

Request: Petition for Development Plan Approval to provide for residential housing including 156 duplex units and 7 estate lots designed for seniors

Current Zoning: R-SF-2 Urban Residential Zoning District, rezoning to the (SU-7) Special Use Zoning District pending (2016-39-DP)

Current Land Use: Undeveloped

Approximate Acreage: 82.2

Zoning History: 2016-39-Z (Pending) Petition for Zone Map change to rezone 68.6+/- acres from the R-SF-2 Urban Residential Zoning District, to the (SU-7) Special Use Zoning District, to provide for a residential housing development for seniors

Exhibits:
Exhibit 1 – Staff Report
Exhibit 2 – Aerial Location Map
Exhibit 3 – Site Plan
Exhibit 4 – Conceptual Elevations
Exhibit 5 – Town Engineer Review Comments (dated July 21, 2016)
Exhibit 6 – Storm Water Review Comments (dated July 25, 2016)
Exhibit 7– Findings of Fact

Staff Reviewer: Wayne DeLong, AICP

PETITION HISTORY

Petition 2016-39-Z and 2016-40-DP will receive a public hearing at the August 15, 2016 Plan Commission meeting. Any favorable consideration of 2016-40-DP is subject to the effective date of 2016-39-Z.

PROPERTY HISTORY

The majority of the subject site (68.6 acres) is comprised of acreage which was acquired by a prior owner with the intention of developing a residential community (it has since been acquired by BHI Senior Living, Inc. The balance of the subject site was acquired by BHI Senior Living, Inc with the intention of campus expansion.

ANALYSIS

As proposed, the Petitioner requests to improve the site with 156 duplex units, 7 estates lots, a maintenance building, a pavilion, community gardens, and a bark park (concept architectural renderings and proposed site plan are contained within the Petitioner's submitted materials).

The established land use pattern for the area supports a variety of land uses in the area and the area in question serves as a transition between the established industrial area to the east, the established single-family community to the north and west, and established Special Use to the south.

DEVELOPMENT PLAN REVIEW

Zoning Ordinance

The development plan has been reviewed using the standards of the Zionsville Zoning Ordinance (Ordinance) and found to be in compliance (except as noted in Exhibit 5 and 6). A Technical Advisory Committee (TAC) meeting was conducted on July 21, 2016, and Town staff comments were provided to the Petitioner.

Architecture

The proposed improvements utilize a variety of materials and colors (rendering are attached to this report with additional supporting documents within the Petitioner's materials). As filed, staff is supportive of the proposed architecture and color palette and finds that the proposed elements are in conformance with Zionsville's Architectural Theme.

Utility Access

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

Streets & Vehicular Circulation

The development would derive access from both Zionsville Road and 96th Street via an adequately designed road cut intended to serve a variety of vehicles. A secondary (emergency only) entrance is planned from old 106th Street).

Parking

The proposed site development complies with ordinance standards as the site would be improved with parking to serve the proposed use.

Landscaping / Buffering

Per the Zoning Ordinance, yards parallel to the east and north shall include a minimum 25 foot deep Type B buffer yard (unless reduced in width during the Public Hearing process) and be kept free of buildings and structures, including parking lots (fencing is permitted). Preservation of existing stands of trees or tree rows is encouraged, and planting requirements can be reduced based on the Plant Unit Value credit for the preserved trees.

Lighting & Signage

As proposed, the site would utilize a variety of wall mounted and pole mounted lighting elements. Per the submitted plan set, pole lights would not exceed 18 feet in height with all lighting elements utilizing LED components. As filed, staff is supportive of the updated lighting plan.

Drainage / Storm Water Plan

A detailed review of the site drainage has been conducted by the Town Engineer, the Street and Stormwater Department. Staff is confident that specifics to the storm water plan (Exhibit 6) can be resolved prior to the issuance of permits related to the contemplated project.

FINDINGS

The Plan Commission shall hear, and approve or deny, Development Plans based on Findings of the Building Commissioner or Plan Commission. Per Section 4.3.C of the Ordinance the Plan Commission finds:

1. The Development Plan **is** compatible with surrounding land uses because:

2. The Development Plan **does** demonstrate availability and coordination of water, sanitary sewers, storm water drainage, and other utilities because:

3. The Development Plan **does** demonstrate the management of traffic in a manner that creates conditions favorable to health, safety, convenience and the harmonious development of the community because:

4. The Development Plan **does** utilize building materials and building style compatible with the Zionsville theme because:

5. The Development Plan **does** provide for the calculation of storm water runoff because:

6. The Development Plan **does** provide for current and future right-of-way dedications because:

7. The Development Plan **does** provide for building setback lines, coverage, and separation; vehicle and pedestrian circulation; parking; landscaping; recreation area or green space; outdoor lighting because:

The petitioner has prepared findings which are a part of the packet for Plan Commission review.

STAFF RECOMMENDATIONS

Staff recommends approval of the petition as filed subject to finalization of development plan (inclusive of drainage and other components) prior to the issuance of an Improvement Location Permit (recommendation may be updated at the meeting based on evolution of the development plan review).

RECOMMENDED MOTIONS

I move that Docket # 2016-40-DP Development Plan Approval establishing improvements associated with 156 duplex units, 7 estates lots, a maintenance building, a pavilion, community gardens, and a bark park all at 10201 Zionsville Road be (Approved based the findings in the staff report, staff recommendation, and submitted findings of fact / Denied/ Continued) as presented.

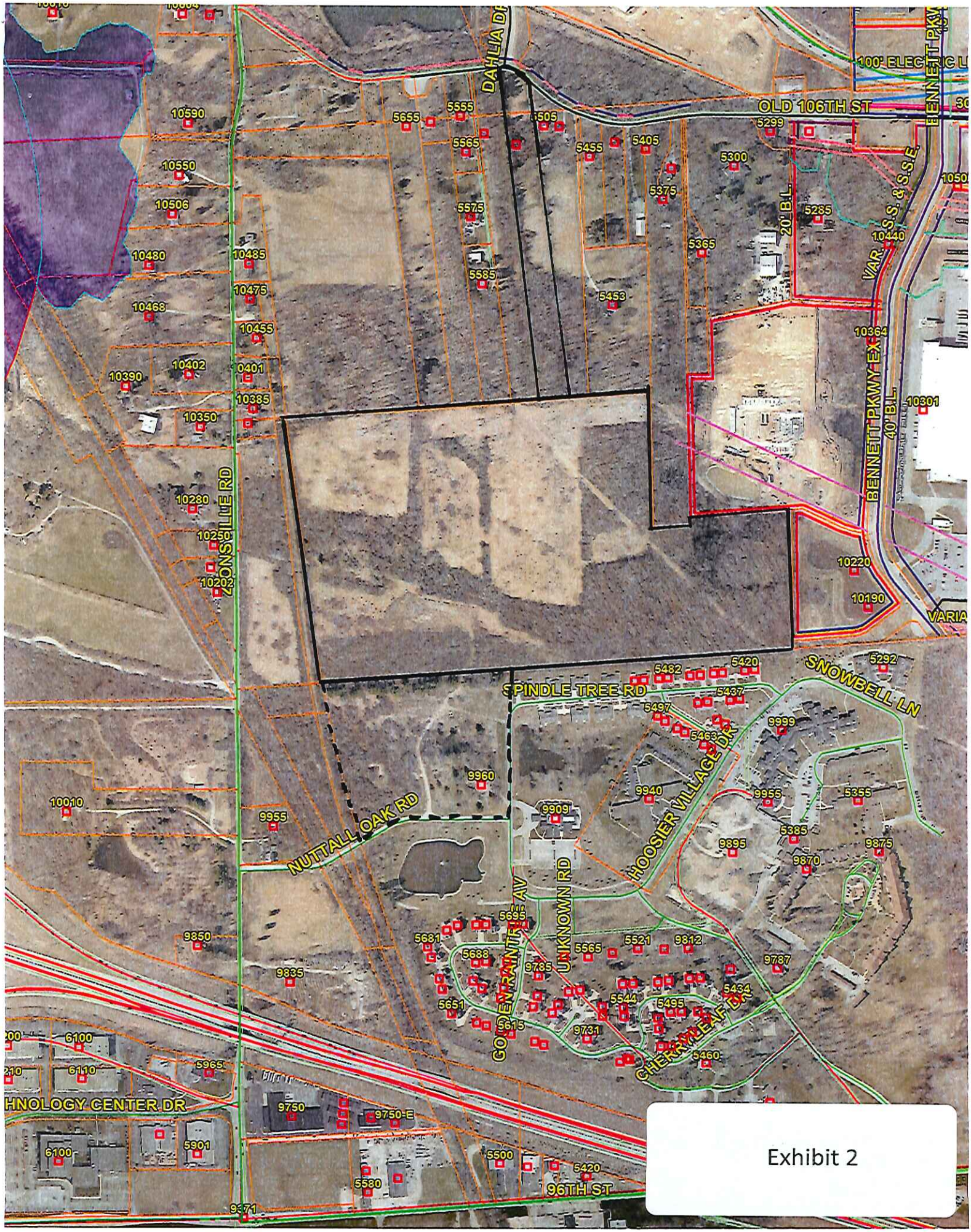
OLD 106TH ST
DAHLIA DR
100' ELECTRIC L
BENNETT PKWY
VAR. S.S. & S.S.E.
20' B.L.
40' B.L.
BENNETT PKWY EX
ZIONSVILLE RD
SPINDLE TREE RD
SNOWBELL LN
HOOSIER VILLAGE DR
NUTTALL OAK RD
UNKNOWN RD
GOLDENRAINTREE AV
CHERRYLEAF DR
HNOLOGY CENTER DR
96TH ST
VARIA
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Exhibit 2

HOOSIER VILLAGE PLAN

ZIONSVILLE, IN
JULY 28, 2016

BEDROCK BUILDERS INC.

KEVIN K. PARSONS & ASSOCIATES, INC.

Exhibit 3

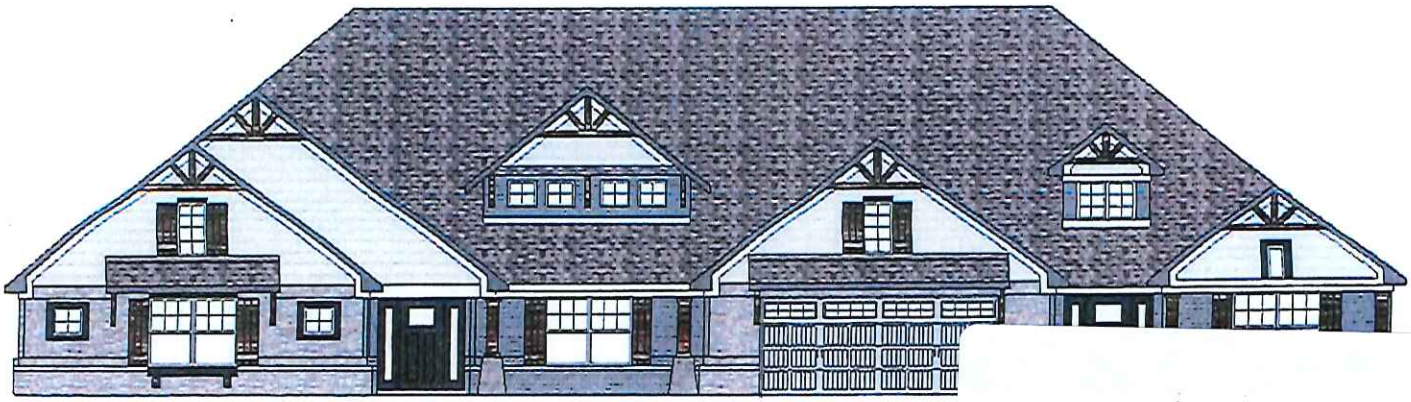
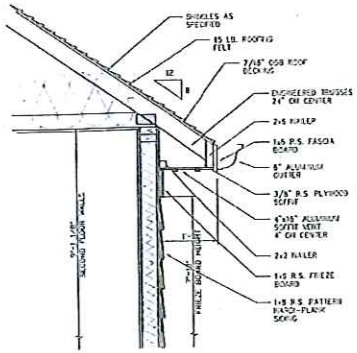


Exhibit 4

Exhibit 4

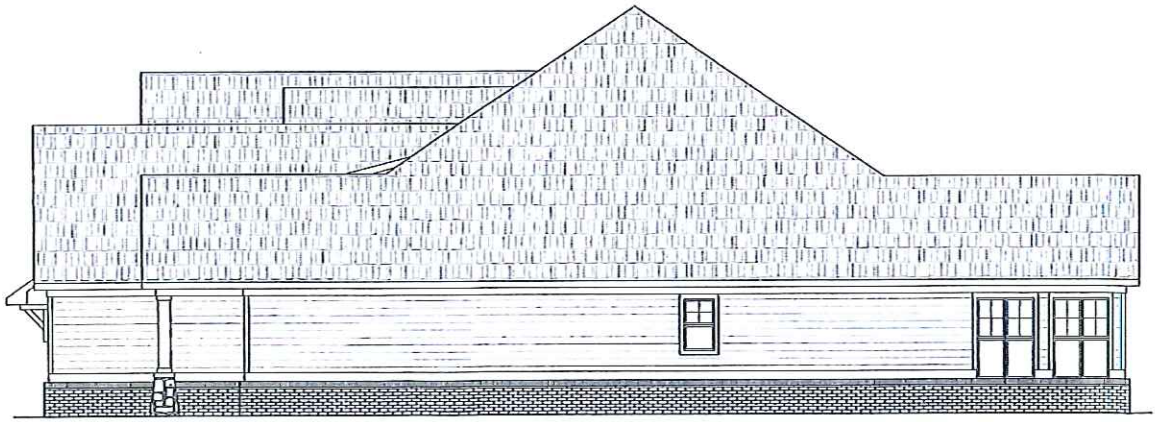
FRONT ELEVATION

SCALE: 1/8" = 1'-0"



OVERHANG DETAIL

SCALE: 1" = 1'-0"



RIGHT SIDE ELEVATION

SCALE: 1/8" = 1'-0"

TOWN OF
ZIONSVILLE

BEDROCK BUILDERS INC.
14701 CUMBERLAND RD., SUITE 170

BEDROCK BUILDERS
HOOSIER VILLAGE
5300 W. 96TH ST.
INDIANAPOLIS, IN 46268

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REVISION #_	00/00/00	
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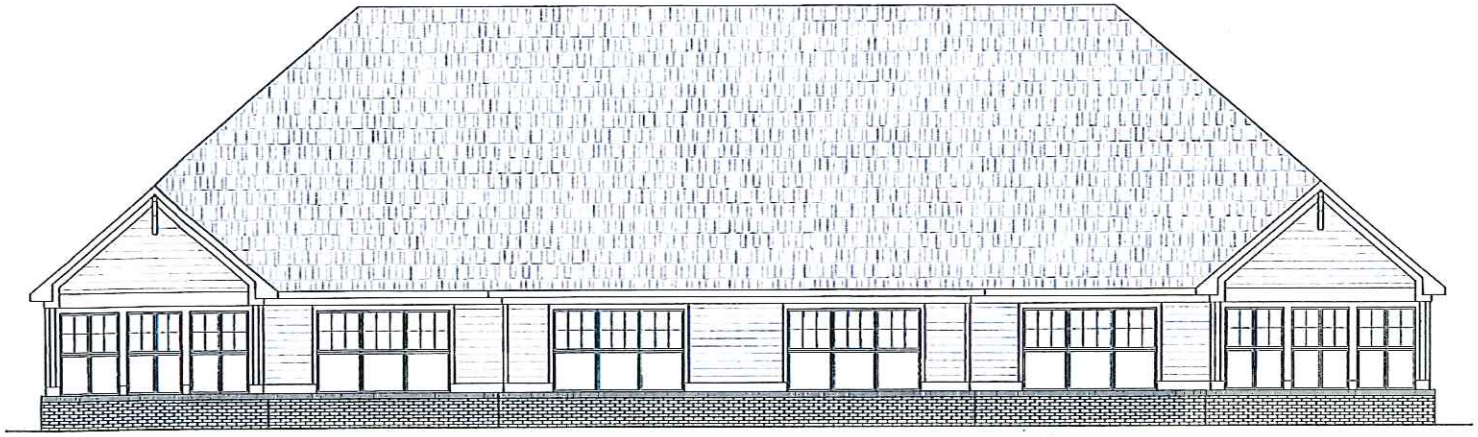
ELEVATION A

DRAWN BY: WSM

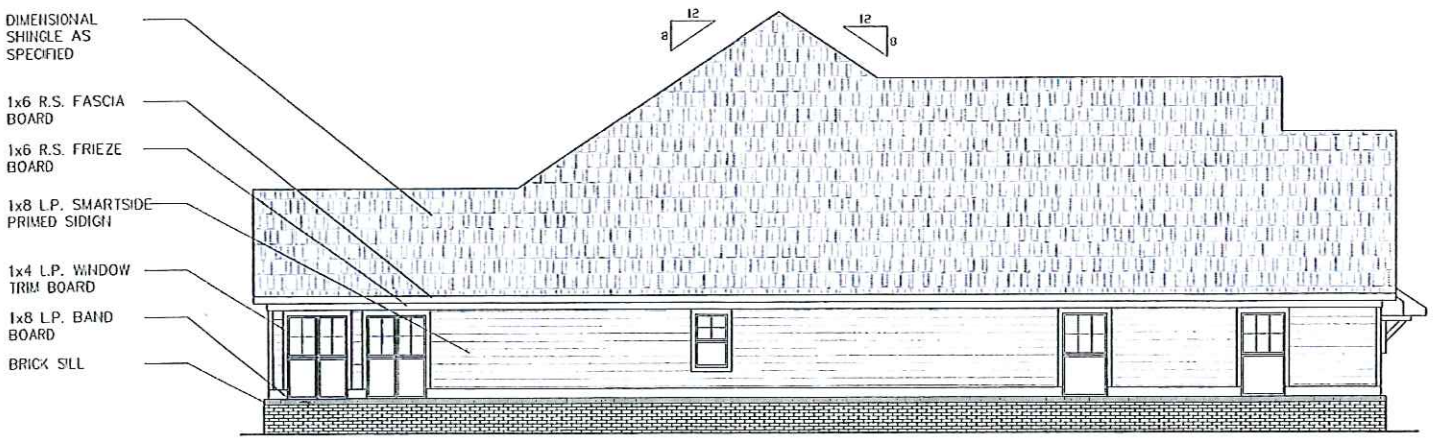
SHEET NO

1



REAR ELEVATION

SCALE: 1/8" = 1'-0"



LEFT SIDE ELEVATION

SCALE: 1/8" = 1'-0"

14701 CUMBERLAND RD., SUITE 170

BEDROCK BUILDERS INC.

BEDROCK BUILDERS
HOOSIER VILLAGE
5300 W. 96TH ST.
INDIANAPOLIS, IN 46268

ISSUED	
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ELEVATION
A

DRAWN BY
KMM

SHEET NO
2

Exhibit 4

ZIONSVILLE
FOR ALL THE RIGHT REASONS

To: Wayne DeLong, Director of Planning and Economic Development
From: Mark DeBruler, P.E., Town Engineer MD
Date: July 21, 2016

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

PROJECT DESCRIPTION

Project	Name	Hoosier Village Expansion	
	Location	10201 Zionsville Road	
	Developer	Hoosier Village	
	Submittal	#1	
Documents Reviewed		Document Name	Document Date
		Development Plans	7-12-2016
		Drainage Report	7-12-2016
		Construction Plans – Phase 1	7-12-2016
Zoning	Current	SU-7 (South), R-SF-2	
	Proposed	SU-7 (South), R-SF-2	
Land Use	Current	Woods/Meadow	
	Proposed	Single-Family and Duplex Residential Units	
Requested Variances			

Based on our review, we have developed the following list of items that do not appear to be consistent with the Town's standards or requirements:

I. DEVELOPMENT PLANS

A. Please provide a scale on the title sheet location map.

B. Please consider providing a more explicit name for this development area as there have been a significant number of "Hoosier Village Expansion" projects.

C. Change the Town Wastewater Utility address and phone number to:
855 Starkey Road
Zionsville, IN 46077
(317) 873-2332

Exhibit 5

D. Change the Storm Sewer Service address to:
   1075 Parkway Drive
   Zionsville, IN 46077

E. Replace the Fort Wayne Sewer sanitary sewer specifications with Zionsville's sanitary sewer specifications or a reference to those specifications.

F. Note that the reference to Ohio EPA Watermain Notes is likely inappropriate.

G. Ensure that the 100-year elevation of stormwater ponds is at least 25 feet from all buildings and the LAG of buildings is at least 2' above the 100-year pond elevation and the pond emergency overflow weir. Top of foundation elevations are given instead of FFEs.

H. Please correct overprints, including the 25' Gas Line Easement on Sheet C1.0, unit number on Sheet C5.0.

I. Provide calculations to show the asphalt road section and the gravel road section will accommodate the loads required by the Fire Protection Ordinance or use the Town's standard local asphalt road section.

J. Please provide AutoTurn or other analyses of the ability for the Fire Department's largest emergency vehicle to negotiate the cul-de-sacs and the loop on the end of Road 2.

K. Indicate the emergency flood routing through the development.

L. Confirm with the Public Safety agencies that the 20' width of the gravel access drive is adequate for their services.

M. Please show inlet protection at all inlets on Sheet C5.0. It appears structures may have shifted or been added.

N. Please provide Sign Plan.

O. Develop an agreement with the Town for maintenance and operation of the private sanitary sewer infrastructure to ensure excessive clear water, inappropriately flushed items, and other related issues that can impact the Town's sewer system are addressed.

II. CONSTRUCTION PLANS

A. Wetland mitigation has not been reviewed.

B. Please provide a scale on the title sheet location map.

Exhibit 5

C. Please consider providing a more explicit name for this development area as there have been a significant number of "Hoosier Village Expansion" projects.

D. Change the Town Wastewater Utility address and phone number to:
855 Starkey Road
Zionsville, IN 46077
(317) 873-2332

E. Change the Storm Sewer Service address to:
1075 Parkway Drive
Zionsville, IN 46077

F. Replace the Fort Wayne Sewer sanitary sewer specifications with Zionsville's sanitary sewer specifications or a reference to those specifications.

G. Note that the reference to Ohio EPA Watermain Notes is likely inappropriate.

H. The asphalt repairs on Spindle Tree should include asphalt replacement.

I. Provide debris guards on all storm pipe inlets.

J. It does not appear that the 2 BMP requirement has been met. Please either provide the required 2 BMPs or explain how that standard has been met.

K. The sanitary sewer connection elevation differs slightly from the elevation values we have. Please field confirm this elevation if not already done.

L. The Town requires a minimum of SDR-26 PVC pipe for sanitary sewers. Please indicate SDR-26 PVC on the sanitary sewer profiles.

M. Indicate the standards to be met for compaction and stabilization of fill where sanitary or storm sewer pipes will be laid through the fill area. These standards should ensure a well compacted and stable fill area that will not settle or shift, potentially damaging pipes installed in the fill.

N. Align the gravel access drive with the Dahlia/Old 106th Street intersection.

O. Several low spots appear to existing along the alignment of the gravel access drive. Please provide culverts where necessary to provide drainage along the drive route.

P. Please add structure D33 to Structure Data Table on sheet C3.0.

Q. Please provide signage at temporary dead ends.

Exhibit 5

R. The drainage report indicates outlet control orifice diameters will be constructed as 6" minimum; however, construction plan details, sheet C6.1, show a 3.5" and 4" orifice. Please review and revise as necessary.

S. Pond 5 is a dry detention pond and the inflow point does not include a sediment forebay.

T. Wet detention ponds with security fences need a 10' maintenance ledge 12" above the NWL and a safety ledge 10 wide at either 6" (vegetated) or 18" (non-vegetated) below the NWL. The Pond 3 plan and section do not meet this standard. Please provide elevations in the pond section for the ledges.

U. Dry detention ponds shall have the lowest elevation at least two feet above the seasonal high water table. Please review and revise as necessary.

III. DRAINAGE REPORT

A. Please provide proof of E & O insurance.

B. Reviewed with no other comments at this time.

ZIONSVILLE
STREET & STORMWATER DEPARTMENT

July 25, 2016

Mr. Bill Butz
Kimley-Horn & Associates
600 E. 96th Street, Ste. 460
Indianapolis, IN 46240

Re: Hoosier Village North

Mr. Butz:

After reviewing the development plans, construction plans, Stormwater Pollution Prevention Plan (SWPPP), and BMP Operation and Maintenance Manual submitted on July 12, 2016 for the above-referenced project, I offer the following comments:

Development Plans/Drainage Report/O & M Manual

1. The Certificate of Completion and Compliance submitted for the project is not applicable until the project is complete. The Certificate documents that all improvements associated with the project have been constructed as approved, meeting all applicable standards.
2. The project site owner listed on the Stormwater Management Permit must be the person with financial control over the project, typically the property owner. Resubmit a revised application as appropriate.
3. The BMP O & M Manual must have an Owner Acknowledgement Agreement using the town's form from the Stormwater Technical Standards. The Manual will not be finalized until drainage approval is obtained and all BMPs for the project are finalized in type and design.
4. Wet ponds must have vegetated safety ledge or native plant buffer. These must be shown on the plans and corresponding planting mix provided. Both these areas and the bioretention basin plantings should have "No Mow" signs provided.
5. Demonstrate that two approved stand-alone BMP's are provided to treat all runoff from the development.
6. Evaluate downstream capacity and infrastructure condition for culvert structures located under the former railroad berm and under Zionsville Rd. where much of the northern project area runoff will be discharged.

1100 W. Oak Street ▪ Zionsville, IN 46077 ▪ Phone (317) 873-4544 ▪ Fa

Exhibit 6

SWPPP - Plan Sheets C5.0-5.4

1. The erosion control plans must be sufficiently detailed to cover initial site work and final site work, which is best accomplished by developing two separate plans. For example, it must be clearly shown how existing waterways on the project will be protected or downstream sediment control will be provided during the initial demo and earthwork phases, prior to final grading and the installation of utilities.
2. Show all storm sewer infrastructure, including pipes and outlet structures.
3. All concentrated flow areas, including swales, and slopes 6:1 or steeper, including all pond banks, must be stabilized with blanket.
4. End section "culvert" inlet project must be either a rock or coir-type donut. Show on plans and replace silt fence protection with corresponding detail.
5. Outlet control structures in detention basins must be protected with rock donuts or other suitable sediment control.
6. Construction entrance must be 150' minimum length. Update plans and detail accordingly.
7. Provide detail for curb inlet protection, such as below grate basket.
8. SWPPP narrative Section B2 on Sheet C5.3 must be project specific covering all construction phase BMPs proposed for the site sequenced to align with phases of construction.
9. SWPPP narrative Section C on Sheet C5.3 must clearly describe post-construction BMPs proposed for the project.
10. If post-construction BMPs such as detention basins are to be used as construction phase sediment control (sediment basins), this must be clearly outlined in the plans and corresponding details provided.
11. Provide dewatering plan for pond draining and any other planned dewatering activities.

These are the comments that I have at this time and additional comments may result from future amendments and submittals.

Please contact me with any questions that you may have.
Regards,

Gavin Merriman

Gavin Merriman
Stormwater Program Manager

Cc. Wayne DeLong, Director of Planning and Economic Development
Lance Lantz, Street and Stormwater Department Superintendent
Mark DeBruler, Town Engineer
Dan Wolf, Bedrock Builders

Exhibit 6

TOWN OF ZIONSVILLE PLAN COMMISSION
BOONE COUNTY, INDIANA

PETITION FOR PLAN COMMISSION APPROVAL
OF A DEVELOPMENT PLAN / ~~MODIFICATION OF DEVELOPMENT PLAN~~

FINDINGS

1. The Development Plan/~~Modification of Development Plan~~ **(is/~~is not~~)** compatible with surrounding land uses because: *the proposed Development Plan is an expansion of the use existing to the south of the subject property and the adjacent R2 & R-SF-2 zoned properties permit two-family dwellings which is similar to the proposed residential units of the Development Plan.*
2. The Development Plan/~~Modification of Development Plan~~ **(does/~~does not~~)** demonstrate availability and coordination of water, sanitary sewers, storm water drainage, and other utilities because: *the proposed Development Plan provides for the use of existing utilities, including those that are currently used by Hoosier Village.*
3. The Development Plan/~~Modification of Development Plan~~ **(does/~~does not~~)** demonstrate the management of traffic in a manner that creates conditions favorable to health, safety, convenience and the harmonious development of the community because: *vehicular access into this newest portion of Hoosier Village will be primarily from internal drives of the existing development, supplemented with a single emergency point of access from 106th Street.*
4. The Development Plan/ ~~Modification of Development Plan~~ **(does/~~does not~~)** utilize building materials and building style compatible with the Zionsville theme because: *the proposed development will utilize building materials, including brick, stone, masonry and cement fiber board, and an architectural style which is consistent with and complementary to the existing Hoosier Village development.*
5. The Development Plan/~~Modification of Development Plan~~ **(does/ ~~does not~~)** provide for the calculation of storm water runoff because: *appropriately sized retention ponds are designed within the Development Plan to account for storm water runoff.*

6. The Development Plan/~~Modification of Development Plan~~ **(does/~~does not~~)** provide for current and future right-of-way dedications because: *all proposed right-of-way is contained within the internal design of the Development Plan and will remain as private drives. Therefore, no current or future dedication is needed.*
7. The Development Plan/~~Modification of Development Plan~~ **(does/~~does not~~)** provide for building setback lines, coverage, and separation; vehicle and pedestrian circulation; parking; landscaping; recreation area or green space; outdoor lighting because: *the proposed Development Plan is designed as a complementary extension of the existing Hoosier Village development providing the same level of amenities within this new section of residential living units.*

DECISION

It is therefore the decision of this body that this Development Plan/Modification of Development Plan is **APPROVED / DENIED.**

Adopted this _____ day of _____, 20____.

_____ _____ _____

_____ _____ _____

_____

Exhibit 7

ZIONSVILLE
FOR ALL THE RIGHT REASONS

Petition Number:	2016-41-MP
Subject Site Address:	8250 E. 100 South
Petitioner:	PL Properties, LLC
Representative:	Nick Churchill
Request:	Petition for Primary Plat approval in order to establish 32.31 acres into four (4) lots in the Rural (R1) Residential Zoning District
Current Zoning:	(R1) Rural Residential Zoning District
Current Land Use:	Agricultural
Approximate Acreage:	32.31 acres
Related Petitions:	2016-20-DSV Petition for Development Standards Variance to provide for 4 (four) lots with a lot width to depth ratio exceeding 3 to 1 in the (R1) Rural Residential Zoning District (Approved, with Conditions and Commitments)
Exhibits:	Exhibit 1 – Staff Report Exhibit 2 – Aerial Location Map Exhibit 3 – Plat Exhibit 4 – Town Engineer Review Comments (dated July 21, 2016) Exhibit 5 – Findings of Fact
Staff Reviewer:	Wayne DeLong, AICP

PROJECT OVERVIEW

Project Location

The subject property is approximately 32.31 acres located on the north side of 100 South. The property currently is utilized for agricultural purposes.

Project History

At its August 9, 2016 meeting, The Board of Zoning Appeals approved Docket # 2016-20-DSV, which requested a variance to provide for four (4) lots with a lot width to depth ratio exceeding 3 to 1 lot width to depth ratio with the conditions that the division of the property be limited to four (4) (and be recorded as a Commitment), that the contemplated division be in substantial compliance with the site plan presented to the BZA at its August 2016 meeting, and that the Right to Farm acknowledgment be executed by the owner.

Project Description

The subject property is currently zoned (R1), Rural Agricultural. By right, the applicant may split that parcel once which would allow for parcel (1) by right as represented on the plat. In order to subdivide there parcel further, a petition for subdivision has been filed for the consideration of the Plan Commission.

MINOR PLAT REVIEW

Subdivision Control Ordinance

The subdivision plat has been reviewed using the standards of the Zionsville Subdivision Control Ordinance (SCO) and found to be in compliance (except as noted in the Town Engineer's letter dated July 21, 2016).

Zoning Ordinance

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

Street Access / Sidewalks

The plat approval requires the dedication of right of way and the establishment of appropriate easements, and provisions for the future construction of a pathway (parallel to the road frontage) in conformance with Town standards.

Stormwater Management

Both lots will utilize surface drainage to manage stormwater.

Utility Capacity / Utility Easements

Residential improvements made to the individual parcels will utilize private wells and private wastewater systems.

PUBLIC POLICY

Comprehensive Plan

The Proposed Land Use Map in the Zionsville Comprehensive Plan identifies the property as residential. The proposed subdivision is an appropriate land use consistent with the policies in the Comprehensive Plan.

Water and Septic

The property would utilize private well and private septic disposal systems.

STAFF COMMENTS

Staff recommends approving the petition as filed.

RECOMMENDED MOTIONS

Minor Plat Motion

I move that Docket #2016-41-MP minor plat approval establishing a four (4) lot subdivision at 8250 E. 100 South be (Approved based the findings in the staff report / Denied/ Continued) as presented.

PROCEDURAL NOTE

As a portion of the property is within the Special Flood Hazard Area (SFHA) associated with Mount Run Ditch, it is subject to additional development restrictions (limitations of size, placement, and floor elevation of buildings). Dependent on the location of any contemplated improvements, approvals from the Federal Emergency Management Agency, Indiana Department of Natural Resources, the Boone County Surveyor, and / or the Town (in conjunctions with the Town's Ordinance for Flood Hazard Areas) may be necessary (specific to the SFHA).

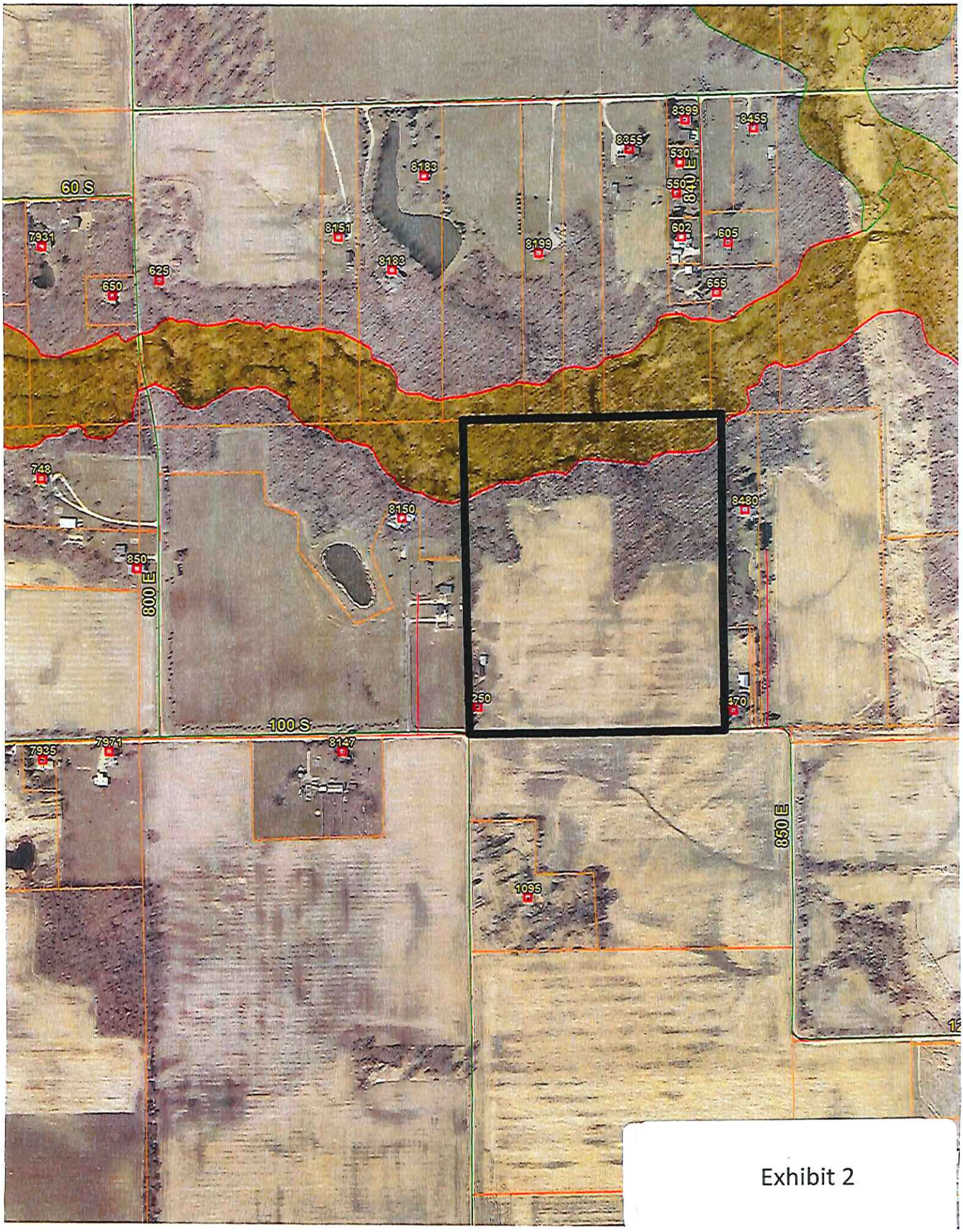
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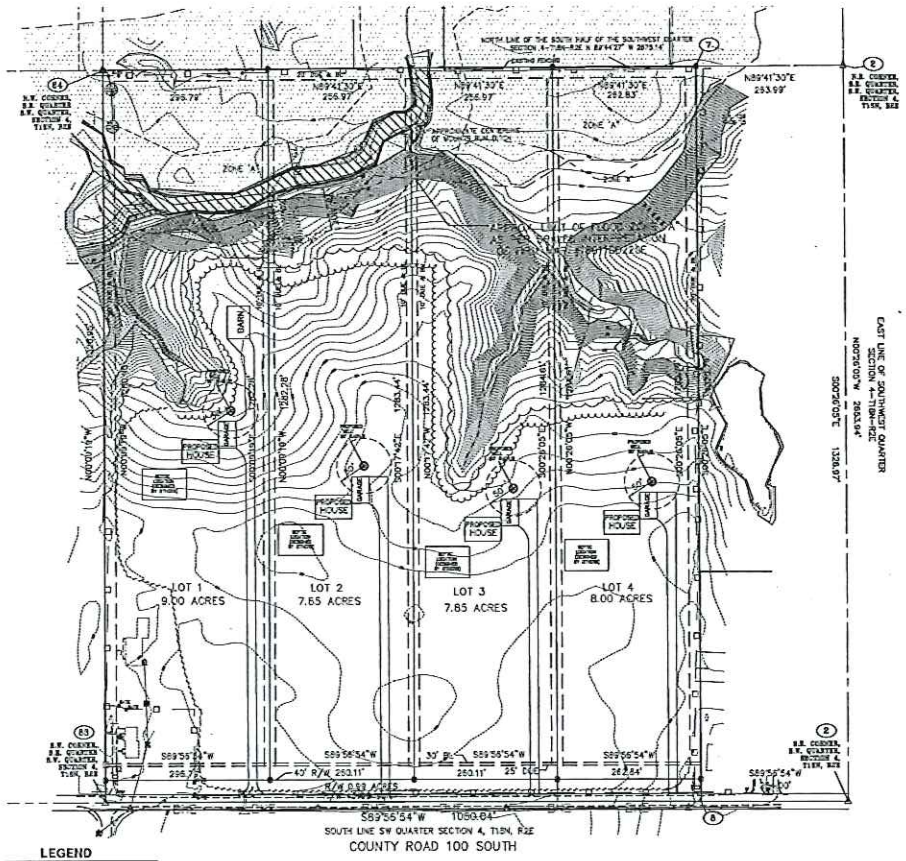
Exhibit 2

Exhibit 3

PRIMARY PLAT of DERR FARM

PART OF THE S.W. QUARTER, SECTION 4, TOWNSHIP 18 NORTH, RANGE 2 EAST
UNION TOWNSHIP, BOONE COUNTY, INDIANA



LAND DESCRIPTION

DESCRIPTION OF REAL ESTATE PER INSTRUMENT #2003022

THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 18 NORTH, RANGE 2 EAST, EXCEPT A STRIP OF SIXTEEN (16) RODS OFF THE EAST SIDE THEREOF SITUTED IN UNION TOWNSHIP BOONE COUNTY, INDIANA.

NOTE:

THE PROPOSED HOME LOCATION SHOWN ON THIS PRIMARY PLAT ARE PROPOSED LOCATIONS. THE FOUR LOTS WILL BE CUSTOM HOMES SITES AND THE FINAL HOME PLACEMENT WILL BE DETERMINED WITH THE SITE PLAN AND BUILDING PERMIT PROCESS

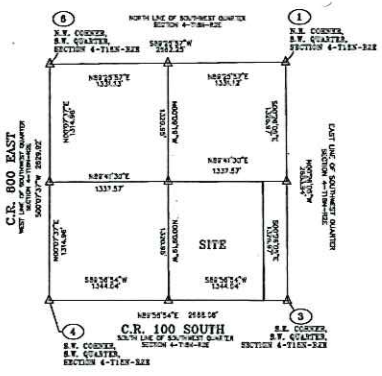
THE SUBJECT PARCEL IS ONLY A PROPOSED FOUR LOT RESIDENTIAL PLAT.

PUBLIC PATHWAY
PUBLIC PATHWAY / SIDEWALK, AS APPROVED BY THE ZIONSVILLE PLAN COMMISSION, SHALL BE CONSTRUCTED TO THE TOWN CONSTRUCTION STANDARDS, AT THE TIME SAID PUBLIC INFRASTRUCTURE IS EXTENDED TO THE PROPERTY LINE OF THE SUBDIVISION. CONSTRUCTION COSTS SHALL BE AT THE EXPENSE AND RESPONSIBILITY OF THE SUBDIVIDER.

FLOOD ZONE DEFINITION

ZONE	EXPLANATION
"A"	AREAS OF 100-YEAR FLOOD; BASE FLOOD ELEVATIONS AND HAZARD FACTORS NOT DETERMINED
"X"	AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN.

THE SUBJECT PROPERTY IS PARTLY LOCATED IN A SPECIAL FLOOD HAZARD AREA AS ESTABLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY NATIONAL FLOOD INSURANCE PROGRAM AS PER SCALED INTERPRETATION OF PANEL #220 OF FLOOD RATE MAP #18011C0220E. AREA IN ZONE "X" AND "A" MAP DATED JANUARY 18, 2012



SURVEYOR'S REPORT

IN ACCORDANCE WITH TITLE 865, ARTICLE 1, CHAPTER 12 OF THE INDIANA ADMINISTRATIVE CODE (RULES FOR LAND SURVEYS IN INDIANA), THE FOLLOWING OBSERVATIONS AND OPINIONS ARE SUBMITTED REGARDING THE VARIOUS UNCERTAINTIES IN THE LOCATIONS OF THE LINES AND CORNERS ESTABLISHED THIS SURVEY AS A RESULT OF UNCERTAINTIES IN REFERENCE MONUMENTATION: IN RECORD DESCRIPTIONS AND PLATS; IN LINES OF OCCUPATION; AND AS INTRODUCED BY RANDOM ERRORS IN MEASUREMENT ("RELATIVE POSITIONAL ACCURACY"). THERE MAY BE UNWRITTEN RIGHTS ASSOCIATED WITH THESE UNCERTAINTIES. THE CLIENT SHOULD ASSUME THERE IS AN AMOUNT OF UNCERTAINTY ALONG ANY LINE EQUAL IN MAGNITUDE TO THE DISCREPANCY IN THE LOCATION OF THE LINES OF POSSESSION FROM THE SURVEYED LINES.

THERE MAY BE DIFFERENCES OF DEED DIMENSIONS VERSUS MEASURED DIMENSIONS ALONG THE BOUNDARY LINES SHOWN HEREON AND LIKEWISE, THERE MAY BE FOUND SURVEY MARKERS NEAR, BUT NOT PRECISELY AT, SOME BOUNDARY CORNERS. IN CASES WHERE THE MAGNITUDE OF THESE DIFFERENCES ARE LESS THAN THE RELATIVE POSITIONAL ACCURACY AND LESS THAN THE UNCERTAINTY IDENTIFIED FOR THE REFERENCE MONUMENTATION (DISCUSSED BELOW), THE DIFFERENCES MAY BE CONSIDERED INSIGNIFICANT AND ARE SHOWN ONLY FOR PURPOSES OF MATHEMATICAL CLOSURE. SUCH DIFFERENCES THAT ARE GREATER THAN THE RELATIVE POSITIONAL ACCURACY AND THE UNCERTAINTY IN REFERENCE MONUMENTATION SHOULD BE CONSIDERED WORTHY OF NOTICE AND ARE THEREFORE DISCUSSED FURTHER BELOW.

THIS SURVEY AND REPORT ARE BASED IN PART UPON OPINIONS FORMED IN ACCORDANCE WITH AN INDIANA LAND SURVEYOR'S RESPONSIBILITY TO CONDUCT A SURVEY IN ACCORDANCE WITH "LAW OR A PRECEDENT" (865 IAC 1-12-11(5), RULES OF THE INDIANA STATE BOARD OF REGISTRATION FOR LAND SURVEYORS). SINCE INDIANA HAS NO STATUTES ADDRESSING HOW TO RESOLVE BOUNDARY LINES, A SOLUTION BASED ON PRINCIPLES DERIVED FROM COMMON LAW PRECEDENT MUST BE RELIED UPON AS THE BASIS FOR A BOUNDARY RESOLUTION, UNLESS OTHERWISE NOTED OR DEPICTED HEREON, THERE IS NO EVIDENCE OF OCCUPATION ALONG THE PERIMETER LINES OF THE SUBJECT TRACT. ALL SURVEY MONUMENTS SET OR FOUND THIS SURVEY ARE FLUSH WITH EXISTING GRADE UNLESS OTHERWISE NOTED.

THE RELATIVE POSITIONAL ACCURACY (DUE TO RANDOM ERRORS IN MEASUREMENT) OF THE CORNERS OF THE SUBJECT TRACT ESTABLISHED THIS SURVEY DOES NOT EXCEED THAT ALLOWABLE FOR A RURAL CLASS SURVEY (0.25 FEET PLUS 200 PPM) AS DEFINED IN IAC 865.

THE WITHIN SURVEY IS A SURVEY OF A TRACT OF REAL ESTATE DESCRIBED IN INSTRUMENT #2003022.

BASIS OF BEARING:

CONTROLLING MONUMENTS:

1. N.E. CORNER, S.W. 1/4, SECTION 4-T18N-R4E
   5/8" IRON REBAR FOUND 0.2'± BELOW SURFACE (PER CO. SURVEYOR REFERENCE)
2. S.E. CORNER, S.W. 1/4, SECTION 4-T18N-R4E
   COMPUTED LOCATION IN AGREEMENT WITH SURVEY RECORD 1 PAGE 52
4. S.W. CORNER, S.W. 1/4, SECTION 4-T18N-R4E
   HARRISON MARKER FOUND AT 0.6' BELOW SURFACE (PER CO. SURVEYOR REFERENCE)
6. N.W. CORNER, S.W. 1/4, SECTION 4-T18N-R4E
   HARRISON MARKER FOUND 1.0'± BELOW SURFACE (PER CO. SURVEYOR REFERENCE)

IN MY OPINION, THERE IS 0.5 FEET OF UNCERTAINTY IN THE LOCATION OF THESE MONUMENTS.

1. POSSESSION TO THE EAST, WEST AND SOUTH IS TO EXISTING FENCING. POSSESSION TO THE SOUTH IS TO THE ROAD IMPROVEMENTS OF COUNTY ROAD 100 SOUTH.

2. THE ACCURACY OF ANY FLOOD HAZARD DATA SHOWN ON THIS REPORT IS SUBJECT TO MAP SCALE UNCERTAINTY AND TO ANY OTHER UNCERTAINTY IN LOCATION OR ELEVATION OF THE REFERENCED FLOOD INSURANCE RATE MAP. THE WITHIN DESCRIBED TRACT OF LAND LIES WITHIN ZONE "X" AND "A" AS SAID TRACT PLOTS BY SCALE ON COMMUNITY PANEL NUMBER 220 OF MAP NUMBER 18011C0220E OF THE FLOOD INSURANCE RATE MAPS FOR BOONE COUNTY, INDIANA (MAPS DATED JANUARY 18, 2012)

3. OWNERSHIP INFORMATION INDICATED HEREON IS AS IDENTIFIED IN COUNTY RECORDS.

4. THE SURVEY HEREIN DOES NOT PURPORT TO SHOW THE WATERSHED AREAS AFFECTING THE SUBJECT PARCELS NOR DOES IT PURPORT TO SHOW THE PRESENCE OR ABSENCE OF ALL REGULATED OR NON-REGULATED DITCHES OR DRAINS.

5. THE WITHIN PLAT AND SURVEY WERE PREPARED WITHOUT BENEFIT OF A CURRENT TITLE POLICY FOR THE SUBJECT TRACT OR THE ADJOINING TRACTS AND ARE THEREFORE SUBJECT TO ANY STATEMENT OF FACTS REVEALED BY EXAMINATION OF SUCH DOCUMENTS.

LEGEND

B. L.	BUILDING LINE
D/E	DRAINAGE & UTILITY EASEMENT
R/W	RIGHT-OF-WAY
●	5/8" IRON ROD W/ YELLOW CAP STAMPED MILLER SURVEYING SET
	PROPERTY ADDRESS NUMBER
—— g ——	UNDERGROUND GAS LINE
	GAS WARNING FLAG
RDE	REGULATED DRAIN EASEMENT MEASURED 75' EACH SIDE OF THE OPEN DITCH.
IEE	INGRESS AND EGRESS EASEMENT

UTILITY NOTE

THIS SURVEY REFLECTS ABOVE GROUND INDICATIONS OF EXISTING UTILITIES. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

POINT #	REMARKS
7 8 83 84	5/8" IRON ROD WITH YELLOW CAP STAMPED "MILLER 50083" SET

BENCHMARK INFORMATION

HORIZONTAL AND VERTICAL CONTROL:

COORDINATE SYSTEM:
US STATE PLANE 1983 (AT GROUND)

PROJECT DATUM:
WORLD GEODETIC SYSTEM (WGS 1984)

VERTICAL DATUM
NAVD 88

ZONE:
INDIANA EAST 1301

GEOID MODEL:
GEOID03 (CONUS)

COORDINATE UNITS US SURVEY FEET
DISTANCE UNITS US SURVEY FEET
HEIGHT UNITS US SURVEY FEET

OWNER / DEVELOPER

PL PROPERTIES, LLC
P.O. BOX 554
CARMEL, IN 46082

SOURCE OF TITLE

INSTRUMENT No. 200503022

SURVEYOR

THIS INSTRUMENT PREPARED BY:
K. NATHAN ALTHOUSE
MILLER SURVEYING, INC.
948 CONNER STREET
NOBLESVILLE, IND. 46060
Ph: 773-2644 Fx: 773-2694
DATE: JULY 10, 2015
Job No. B36635

THE WITHIN PLAT AND SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE POLICY AND ARE THEREFORE SUBJECT TO ANY STATEMENT OF FACTS REVEALED BY EXAMINATION OF SCHEDULE "A" AND SCHEDULE "B" OF A TITLE POLICY.

THIS SURVEY PLAT HAS BEEN PREPARED FOR USE ON THIS PARTICULAR PROJECT AND FOR THE EXCLUSIVE USE OF THE PERSON(S) OR ENTITY HEREON NAMED AND IS NOT CERTIFIED TO OR TO BE USED BY ANY OTHER PARTY. THE EVIDENCE, POSSESSION, OWNERSHIP, CONDITIONS ETC. COULD CHANGE CONSTANTLY AND THE USE OF THIS SURVEY IS LIMITED ONLY TO THE DATE INDICATED HEREIN.

THE LOCATION OF THE TITLE LINES AND CORNERS ARE SUBJECT TO THE EVIDENCE FOUND IN THE PERFORMANCE OF THIS SURVEY. ADDITIONAL EVIDENCE PRESENTED TO MILLER SURVEYING, INC. MAY ALTER THE LOCATION OF THE TITLE LINES AND CORNERS.

UTILITY NOTE

THIS SURVEY REFLECTS ABOVE GROUND INDICATONS OF EXISTING UTILITIES. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITES.

GRAPHIC SCALE
0 50 100 200
SCALE : 1" = 100'

REVISIONS

REV. DATE	BY	DESCRIPTION

8250 E 100 SOUTH ZIONSVILLE
PARCEL #010-02020-00

R.L.S. LICENSED 7-7-18 DATE

MILLER SURVEYING INC.
948 CONER STREET
NOBLESVILLE INDIANA 46060
PH. # (317) 773-2644 FAX 773-2694

LOCATION: PART OF THE SOUTHWEST QUARTER, SECTION 4, T18N, R2E UNION TWP., BOONE COUNTY, INDIANA	DRAWN BY: KNA	PREPARED BY: KNA
	SCALE: 1" = 100'	FIELD BOOK:
FIELD WORK COMPLETED: 06-12-18	DATE: 7-7-18	PAGE:
CLIENT: PITMAN	JOB NUMBER	SURVEY & FILE:
DESCRIPTION: EXHIBIT SURVEY	B36635	

ZIONSVILLE
FOR ALL THE RIGHT REASONS

To: Wayne DeLong, Director of Planning and Economic Development
From: Mark DeBruler, P.E., Town Engineer mD
Date: July 21, 2016

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

PROJECT DESCRIPTION

Project	Name	Derr Farms	
	Location	8250 E 100 South	
	Developer	Pl Properties, LLC	
	Submittal	#1	
Documents Reviewed		Document Name	Document Date
		Primary Plat	7-7-2016
		Secondary Plat	7-12-2016
Zoning	Current	R-1	
	Proposed	R-1	
Land Use	Current	Residential	
	Proposed	Residential	
Requested Variances			

Based on our review, we have developed the following list of items that do not appear to be consistent with the Town's standards or requirements:

I. PRIMARY PLAT

A. Please provide owner phone number

B. Please provide proposed covenants, commitments, conditions, and restrictions.

C. Please provide an address plan consistent with the address patterns of Zionsville and Boone County

II. SECONDARY PLAT

A. Please provide lot address plan.

Exhibit 4

B. Please provide drainage easement language: "No fences or landscaping can be construction within the easement areas that may impede the free flow of stormwater."

C. Please label each easement and/or setback line within each lot.

D. Lot width to depth ratio (3:1) requirement is not met. Variance required.

E. Side yard drainage and utility easements appear to be disconnected from front and rear drainage and utility easements. Please make continuous.

F. C.R. 100 South is a collector street requiring an 80' R/W (40' ½ R/W); however, the plans show a 50' ½ R/W. Please review and clarify or revise as necessary.

G. Mount Run Ditch is a regulated legal drain. Provide the necessary legal drain easement in coordination with the Boone County Surveyor's Office.

TOWN OF ZIONSVILLE PLAN COMMISSION
BOONE COUNTY, INDIANA

FINDINGS OF FACT

The Town of Zionsville Plan Commission (the "Commission"), after a Public Hearing held on Monday August 15, 2016 has determined that the Primary Plat **is/is not** in full compliance with all terms and provisions of the Town of Zionsville Subdivision Control Ordinance and the Town of Zionsville Zoning Ordinance.

The Town of Zionsville Plan Commission finds that:

a. Adequate provisions have been made for regulation of minimum lot depth and minimum lot area;

b. Adequate provisions have been made for the widths, grades, curves and coordination of subdivision public ways with current and planned public ways; and,

c. Adequate provisions have been made for the extension of water, sewer, and other municipal services.

TOWN OF ZIONSVILLE PLAN COMMISSION

The Primary Plat was APPROVED/DENIED on the _____ day of _____, 20_____, subject to any conditions agreed to at the public hearing and listed in the Letter of Grant.

_____ _____

President, Town of Zionsville Plan Commission

_____ _____

_____ _____

_____

Exhibit 5

Zionsville Plan Commission
August 15, 2016

In attendance:	David Franz, Kevin Schiferl, Larry Jones, Sharon Walker, Jay Parks, Franklin McClelland, Josh Fedor. Staff attending: Wayne DeLong, Carol Sparks Drake, attorney. A quorum is present.
Franz	Call to order the Plan Commission meeting of Monday, August 15. We'll start by saying the Pledge of Allegiance.
All	Pledge of Allegiance.
Franz	Mr. Secretary, would you please call the roll?
DeLong	Mr. Franz?
Franz	Present.
DeLong	Mr. Schiferl?
Schiferl	Present.
DeLong	Mr. Jones?
Jones	Present.
DeLong	Ms. Walker?
Walker	Present.
DeLong	Mr. Parks?
Parks	Present.
DeLong	Mr. McClelland?
McClelland	Present.
DeLong	Mr. Fedor?
Fedor	Present.
Franz	You'll notice you do not have a packet of minutes from the July 18 meeting. Those are being prepared, and they'll be ready at the September meeting. There are no continuances, no continued business, so we'll go on to new business. First on the Docket is # 2016-39-Z and # 2016-40-DP Hoosier Village North. Petition for zone map change and a petition for development plan approval. Representative, please.

Ochs Good afternoon. For the record, my name is Tim Ochs. I'm an attorney at Ice Miller with offices at One American Square, Suite 2900, Indianapolis, Indiana 46282-0200 here this evening on behalf of BHI Senior Living. Also present tonight with me are Dan Wolf with Bedrock Homes who is, the simplest way to put it, is the project manager for BHI for this project which has finally arrived at a name. I believe they are going to call it The Oaks, O-a-k-s- in case you're wondering and Bill Butz, the civil engineer with Kimley Horn. This is two requests, and I'll go through this project without distinguishing between the two requests but just to be clear, this is 68.6 acres for a rezoning from the RSF-2 to SU-7. The SU-7 would match the zoning that exists for Hoosier Village to the south and if you turn to—you should have a booklet—if you turn to Tab 2, the portion of the property being rezoned is the straight line or the widest part of the project. Everything north is part of the rezone. A small portion just to the east of Spindle Tree Road is the portion that is being—part of the development plan. It's been owned by BHI. This was acquired after the fact after it went through an approval process, I believe, for Estridge Homes. If you turn to Tab 3, it shows with a little bit more clarity what I just described which is the area to be zoned SU-7 and then the additional area to be included in the development plan. If you turn to Tab 11 in the booklet now, we can go through what this project entails.

The simplest way to put it, this will be an extension, a new section or portion of Hoosier Village. It may be titled The Oaks separately, but it is part of Hoosier Village. That means it's part of the CCRC, Continuing Care Retirement Community. As a result, these homes, which are duplexes, will never be sold. They will be owned by BHI and part of the CCRC program. They are licensed to individuals that live in them pursuant to a contract. When they move out, they get a certain percentage of their money back, and they can move on or they can move on to more intensive care all the way up to actual nursing care or skilled nursing facilities there on the Hoosier Village campus. If you look at Tab 1 under Tab 11, you'll see what are the proposed duplexes for this project: architectural shingles, cement fiberboard lap siding with masonry trim. If you turn to the next tab, you'll see the rear elevations as well as a typical floor plan. The next page or the next tab, you'll see the development plan itself with a topographic map. There are a few challenges to the site. You can see on the existing conditions which includes the topo, there are a few wetlands. The large wetlands area to the west, we are going to stay out of and preserve or, excuse me, to the east. We're going to preserve and completely stay out of given the existence of the natural gas pipeline that cuts across the eastern half of the property at a northwest to southeast angle. Everything in that triangle over by those wetlands will remain in a natural state.

The next page which is C2.0 is the site plan itself. As you will note, there are 157 proposed units. In addition to the units, that are proposed and across the northern boundary of this site is a rather large overhead electric transmission line easement so along that back line, we have starting on the very northwest corner, a maintenance facility which I'll come back to in just a moment. Then, we have a parking area that will provide access to the community garden area as well as a dog park, and then just to the east of that is a pavilion that will be suitable for family gatherings. Also, located just to the south of what is labeled Pond 4 will be a little pocket park with a gazebo. There are trails throughout. You can see the proposed trail that runs along the existing drainage swale. The trail interconnects

through large portions of the site and includes two connections, two potential future connections to the proposed trail that would run along the old railroad line located directly to the west of this project. Sidewalks are also proposed in this project. Now, they are only on one side of the road but that is consistent with the entirety of the balance of Hoosier Village. That has worked out well for BHI.

We appreciate the work that staff put into this. We didn't want to duplicate what staff put in their report but we think it accurate. We think it's appropriate. It's a very suitable extension of the Hoosier Village campus north, and it does preserve ground between the railroad, the old abandoned railroad line and Zionsville Road which we think will be suitable at some point in time in the future for maybe medical or commercial development but that's for another evening. So, with that, we'd be happy to answer any questions that the Commission may have.

Franz Okay, thank you. Is there any comment from the public on this matter? When you approach, please come up and state your name and residence.

Gerard Yes, my name is Mason Gerard. I live at 228 Manchester Drive right across the street. I was just curious. I'm an archeology major and I was curious if this project, if this development site had any requirement for like, you know, excavation of any cultural heritage site or if there is any sort of requirement for that and if all, you know, proper steps had been taken in that respect. Is that a proper question? I don't entirely know all the ins and outs of this. I just wanted to know about it.

Franz All right. Do you want to respond?

Ochs There is nothing specifically planned. The owner, BHI, is not aware of any cultural resources or historical artifacts that are present on the site. Now, having said that, by state law if any historical artifacts and that's a term of art and under state statute it means anything that was in essence manipulated or made by man prior to the date on which Indiana became a state which is 200 years ago, that's an historical artifact. By state law, we are required to immediately stop any construction activities on the site, contact DNR, the Division of Archeology and Historical Resources, and they would then come out, and we would then commence a process that would probably involve what's called a Phase I Archeological Reconnaissance to go out and do a study of the site and make sure that there isn't more there than just maybe finding an arrowhead or two. So, that is something that we are required to do by law.

Franz Okay, thank you.

Ochs I hope that answers your question.

Gerard It very much does. Thank you very much.

Ochs Oh, you're very welcome.

Franz Is there any further comment from the public?

Rottmann My name is Bob Rottmann and I own the property that is just to the north on Zionsville Road. In fact, this kind of wraps around my property, and I have two questions that I wanted to ask. First of all, he talked about the trail that goes along the old railway site and there's been a lot of discussions with the Zionsville Department of Transportation and Mayor and so on. That has never come up before, that there was any such plan to do anything with that property. In fact, behind me, the ownership of the property ends with Baptist Homes. They own the piece right behind me of that old railroad line. Then, from there on, it's actually owned by another individual that lives on Zionsville Road also. So, I'd like to have some comments on that for my first question.

Franz Wayne, can you speak to that?

DeLong Certainly. The Parks Department on their trail plan has illustrated the potential to utilize any old railroad corridor for public purposes. However, the complexity of doing that, there are a number of issues with any use of a railroad corridor as the majority of them are also occupied by power companies. And, so the placement of power poles and other pieces of infrastructure can complicate the placement of the trail but that certainly does not reduce the Parks Department's potential interest in that concept. A parallel topic to that is Zionsville Road and how that roadway will be improved also with pathways. So, there lies the question about dual infrastructure servicing pathways. None of that is resolved this evening. That's discussions of the Parks Board and for others and the Pathways Committee. This particular drawing that's in front of you this evening does not necessarily contemplate the creation of that trail as Mr. Ochs spoke to the concept of, you know, potential commercial development along Zionsville Road. It sounds like that conversation would occur at that time.

Franz Thank you. Did you have another questions, comment?

Rottmann Yes, the information we had heard, the people on Zionsville Road, had heard that the other railroad trail, you know, the other part on the other side of the road is being developed with the other development that's going on, that that area was probably going to be a trail and it would probably meet up with Zionsville Road somewhere, you know, also. So, I was just curious as to what the current tie between those two might be and how this might fit in with that or not.

DeLong I'd be happy to expound upon that. So, in Vonterra which the Plan Commission is familiar with, from the 100-foot bridge, if you will, south would be an extension of the trail system through Vonterra. How that intersects with the former alignment of the Interurban is unknown but certainly, as far as Vonterra goes, they would construct the pathway to a point where it intersects with Zionsville Road and then to the east of Zionsville Road, is an unknown at this time because that land is outside of conversation. But, certainly, just like we talked about along the Interurban, there is an interest in seeing that connectivity and, in speaking with representatives of BHI there is an acknowledgment of that interest and certainly embracing that idea of connectivity for all residents. But, again, having the answers on those specifics tonight is something that's beyond, beyond staff.

Rottmann I was very surprised as maybe some people were when the City of Indianapolis put the water lines up there. There had never been any notification of that and two months ago, when we visited with the Transportation Department, there was no knowledge of those water lines going up. And that water meter or not water meter, the water hydrant that is right next to my driveway, because my driveway is right on the edge of the property lines is right in the middle of my house if it were to continue going, and it's probably less than a car length from where my garage sits as far as if that became the property line, I probably couldn't even have people pull into my driveway and stop in front of the garage door without being on public land. Of course, there's always space so this probably is not really an issue. But, that ended up being a very big surprise to us, and I was wondering if anybody add any knowledge as to why that was not even—

Franz That's beyond the purview of the Plan Commission. I don't think anyone here can answer—

Rottmann Okay, it wasn't. It obviously—I don't know if that's part of the City of Zionsville or not, south of my house where Baptist Homes owns.

DeLong It is, all the way down to 96th Street would be the Town of Zionsville. The Citizens Water Project is directly associated with the Vonterra project. Certainly, Inglenook to the north of this area will look to as well constructing a water line along the—along Zionsville Road and, at some point in time, there is interest on the Fire Department among others to provide for a connection between the two, just for pressure and other benefits to the community. How that is done, when those easement acquisitions would occur are something that is beyond my personal knowledge. Certainly, if any entity needs to acquire an easement from your property, they would be in contact with you to have that conversation.

Rottmann We were just surprised that there wasn't any kind of a notice or anything coming out saying that that major—because as far as we knew it was basically stopping at the other side of the power line and I understand why it's coming, coming all the way. My other questions had to do with the maintenance building which you indicated you were going to talk about later.

Ochs Have you passed that out, I hope? Last, late Wednesday, this past Wednesday, I was contacted by Mr. Rottmann's son, Todd, who is an architect, and they expressed some concerns about the maintenance building and this is where I come back to it, on the far northwest corner of the property. Their concerns were, what is it going to look like and how is it going to be landscaped. We were able to get the design team to jump into action very quickly, and we provided renderings of the maintenance building and also an updated landscape plan. When Todd was comfortable with what we showed him, he asked that we put this in the form of a written commitment so that we would, in fact, be required to do what we told him we would do. So, that is what is before you. We put this together very quickly but it does require that we landscape around the east, west and north sides of the maintenance building with six-foot tall evergreen trees at planting spaced no more than 10 feet on center and then the last page of the last tab, Exhibit C I should say, to the commitments is the conceptual plan for that maintenance building. It has intentionally been designed to use the architecture of the proposed dwelling so it has a pitched roof with shingles. We require that the

garage doors face to the south. The garage doors would duplicate what are on the homes as would the coloring and the exterior materials. I believe, at least Todd indicated he was comfortable with these and these commitments would be executed and placed in the record if this is approved.

Franz Okay. Thank you. Any additional questions from the public?

Drake I would just note that we did receive the commitments this afternoon. There are a few what I'd call non-substantive housekeeping matters that Tim and I can work out. Those would include that you are not the body who approves the rezoning, so that language needs to be tweaked. There was nothing in setting out the plantings that those would be maintained thereafter and it's my understanding that's also part of this—but I think Tim and I can work those matters out if you opt to include the commitments.

Franz Okay, thank you. Any other comments? Being none, can I have the staff report, Wayne?

DeLong Thank you. Speaking to both the development plan and the rezoning petition that's in front of you, the rezoning being the first item, it's—staff is certainly focusing on the Comprehensive Plan. The Comprehensive Plan for this area is your 2012 Economic Development Strategic Plan which addressed this overall property and spoke to it specific to the southern half being nonresidential office transitional district or office district and/or transitional district certainly with the idea that an entity would own this property that was looking to maximize the east/west corridor that is contemplated on the plan. That is, neither of those are the case today. The east/west connector is certainly something that has proven to be a bit more complicated in real life than it is on paper between wetlands and power lines and some other issues, so the Town has moved that project off the board if you will and is focusing on the Bennett Parkway north/south connector which really would give the Town the mile grid system that the rest of the Central Indiana area relies upon with half mile north/south connection points.

But, back to the land use questions, to the north of this site is recommended for single-family residential development, again reflective of the party that owned the land at the time the plan was done. The plan that is in front of you this evening is proposing a residential classification, I'm sorry, a residential land use that is in conformance with what staff would look at as the RSF-2 residential density be it owner-occupied, whatever that relationship is, is beyond what staff is focusing on. It's focusing on the land use and its compatibility with the surrounding areas. The staff report speaks to that compatibility and how it would fit in with the area, how there are appropriate utilities in place to provide for the development. Specific to the development plan, staff is certainly supportive of the petition as filed, certainly supportive of the rezoning. The one thing we touch on in the staff report is related to the buffer yards. Those buffer yards can be raised or lowered dependent on what the Plan Commission, their view of the project. Certainly as proposed, the buffer roads would, you know, contain some level of activity but that's, you know, would be passive activity and those areas would be limited based upon how the power company would view that future use, if you will. Again, staff is supportive of the petitions as filed, and I would note that the rezoning itself would be forwarded, whatever recommendation

comes out of this evening, if there were to be one, be forwarded to the Town Council for its next available agenda, and I believe that would be their first meeting in September.

Franz Okay, thank you. Does anybody on the Plan Commission have questions, comments?

Schiferl I have a couple questions, Mr. Ochs. Conceptually on the rezone, I don't have any issue with it, but I wonder why and this affects my questions I will ask on the development plan part of it, why the—what I'm going to call the north spur, what's right now an emergency exit, why that would be necessary to rezone that to SU-7.

Ochs I think we did it just for consistency. It's part of this project, and we wanted it all to be an SU-7. We do not intend to use it at this juncture for anything other than an access road. So, if there was a zoning classification that was preferred that still allowed the access road, we would not certainly be opposed to that. That's all we're going to use it for.

Schiferl That leads into my questions which really are on development plan. And maybe this is first for staff. This is the first development plan in my six years that I've seen that hasn't had a traffic study submitted or involved at some level, some mention of traffic. While I would admit I'm much closer to the CCRC world than my present housing world, I took note of the beautiful buildings that have garages and with 156 units, there's traffic in addition to whatever units are there now. I have traffic concerns and don't know what staff took into account or not because there's already, I don't know how many housing units there. But, then we add to it 156 potential units with garages which tells me there will be cars, all of that traffic to be dumped onto 196th Street or, I'm sorry, 96th Street. I'm just wondering what staff's view of that was.

DeLong Happy to speak to that and also relate it back to a previous project that came in front of the Plan Commission where a traffic study was not specifically asked for by staff and certainly the Plan Commission thought that it was a good thing to have available to them. And, the same thing would be here. The—in starting back 10, 11, 12 years ago when the Town first adopted a road impact study. That in essence replaced the need for a traffic study specific to a project. The reason being is the traffic study of the whole town, where the staff is identifying parcels that we believe would be developed out, this would be one of those parcels. In essence, the traffic study that was completed 12 years ago and then, four years—six years ago earmarks sites for improvement, sets a projection and then calculates a price for each of the units per the trip and that trip then heads into a fee that is collected by the Street Department. So, in essence, each unit would be paying—I want to say our fee is $109—so each building, each half of a building. So, in essence, that impact is already calculated. It's already reviewed, and a fee is associated with that. Now, if there is something specific that you might feel could come out of a very specific traffic study or if the project engineer could speak to something tonight, that certainly could be addressed as well.

Schiferl I guess I'd like to hear more about—I'm aware of that. I'm also aware that this is a not-for-profit so this will be private and taken off tax rolls. I mean, these are

going to be private streets, right? And my concern isn't about the private streets. It's about the public streets that are serviced by this. And, and, maybe Mr. Ochs, and it gets to that spur to the north—on the plans, it shows that as an emergency exit or entrance. And, I'm just concerned as to why it isn't a permanent entrance and exit with the number—because we're talking more than 156, right? I mean, how many existing units are there now?

Ochs — There are, there are a number. The intent is that that road be gated in a manner similar to the emergency access that extends from Zionsville Road. Long-term plans are once the Zionsville Road improvements that are currently contemplated by the Town, as you extend north of 96th Street up to Main Street, all the way up to Sycamore Street, are done that that access point would become probably the front door to be honest to all of Hoosier Village. So, that would be a second access point. But, maybe most importantly here is yes, these are for active seniors. Many of these seniors, most of them, it's been BHI's experience, they are retired. So, they make a point unless they absolutely have to, not to drive during a.m. peak or p.m. peak hours because from their perspective it's not worth it, and those are the time periods that drive, in many instances, the traffic impacts and the traffic improvements that are necessary. So when you have a project like this, you have—yes you have traffic, but it's a little bit less traffic and the timing of the traffic is such that it's usually during the non-peak hours which means that the road systems are usually able to handle any of that traffic.

Schiferl — How many existing units are there now as part of BHI's property?

Ochs — I'm being told in terms of duplexes, there are about 100 now. But, there's all levels of care. So, you've got skilled nursing care where those residents are not driving.

Schiferl — I do appreciate that, but I guess if we take 156 plus 100 plus workers that are there, etc. that's 250 units and I do appreciate that everyone's not driving, I just—maybe go back to staff, I'm just wondering why it makes development sense, and I'm looking at criteria for what we approve, it says, "The development plan is supposed to demonstrate the management of traffic in a manner that creates conditions favorable to the health, safety, convenience and harmonious development of the community." I can't imagine an RSF-2 subdivision with 256 units having one access point is what, I guess, I'm getting at.

DeLong — Well, it's staff's understanding that certainly Zionsville Road would be available as access, currently is there any plan to—and they may have answered this question already when I was focusing on something else—the 96th Street access. Is that going to stay?

Ochs — It would, it would stay. So, you have ultimately access on 96th Street, access onto Zionsville Road and then emergency access up to 106th. Again, this is 156 units, not 256. I know the 100 already exist but BHI has not experienced any traffic issues in large degree because the traffic that is generated by this use is just during non-peak hours and does not cause any problems.

DeLong The 106th Street, old 106th gated access directly from Dahlia is reviewed and approved by the Fire Department. This would be there—if they can't open the gate, they would drive through the gate type of situation.

Schiferl So, can I get a clarification, Mr. Ochs? When you say you're talking about down the road having access off Zionsville Road, are you talking about the road on the plans labeled Nuttall Oak Road?

Ochs Yes, that swings down. It goes off the drawing but it continues to the south a little bit and over to Zionsville Road.

Schiferl And that's where the seven estate homes are?

Ochs Yes, correct.

Schiferl So, the bigger homes would be there to access to everybody else's properties. I guess it's still private property. And, there's no—that's not part of this development plan to propose that that be made a separate second entrance, correct?

Ochs Well, the thought process there was that it didn't make sense to do it right now because of the, we believe, in the near future, the pending improvements to Zionsville Road. Once the improvements to Zionsville Road are made, which we believe will be extensive, at that point in time, that would be improved to a point where it would be a main access point. We do not have a problem with that as a condition of approval.

Walker I drove out there yesterday and I know exactly what you're talking about. I thought as communities go for us older people, it's laid out very well. There were people out enjoying one of the little shelter house areas that you already have, much fancier than any shelter house I've ever seen. But, it's laid out so well, it doesn't appear that there are that many units out there now. And, I found, excuse me, because I was just trying to see what this was going to look like, and I drove to the gate there that would go onto Zionsville Road. You have plenty of room there to make that a very nice entrance, it would appear to me, and I'm not an engineer. So, I hadn't any concerns about how you were going to route that traffic because those buildings are spread out so well and each of them have an area for the people who are either working, and the ones who are living there, don't have a vehicle. You do have places for guests. So, after I drove through there, I thought it was very well done, and I don't think I have any concerns about the traffic because of the types of—put another 10 years on me, and I know when there's traffic, I'm not going to want to get out there on that busy street. So, I can kind of understand where you're coming from. Thank you.

Schiferl Getting back to the spur, I guess, maybe for staff. Here's my concern or question about that. I'm calling it the northern spur with the emergency entrance. If you look at what's under Tab 3, this drawing shows the adjoining property owners. And, I'm just where I'm getting about, not only traffic concerns on providing ingress and egresses, if we want to encourage future development in a good and safe manner, it seems as though what is on here is this spur may perhaps down the road for non-BHI right now best be a road that actually becomes a public

deeded road for these other parcels that may or may not be sold down the road, down the line. Otherwise, they're long "skinny" parcels that either would be subject to having long, skinny driveways, multiple ones off 106—old 106th Street or perhaps just be unable to be used. So, I guess I'm concerned about that in addition to the traffic aspects of it. And, I started this all out by saying why does that even need to be rezoned SU-7 if , in fact, it is just a drive or an emergency drive anyways.

Ochs The emergency drive is being requested, is desired by the Zionsville Fire Department for access. And, I don't think this project and the way it's being done necessarily precludes that from becoming a street at some point in time, even a public street. We don't think that's appropriate right now. It could be in the future, and BHI has always been willing to work with the utilities and the Town of Zionsville in that regard. The water line that was referenced earlier, the easements for that were gifted by BHI to get that done. So, this isn't—doesn't necessarily preclude that from happening in the future. It's just not appropriate now, especially given the fact that, as you point out, this is a 501C3, a non-profit. Until such time as the public has occasion to use it, it's probably more appropriate that its maintenance be the responsibility of BHI.

Schiferl And, I don't have a problem with the responsibility. I appreciate that, Mr. Ochs. I guess what I'm getting at is why does it need to be rezoned. Assuming it's something the Fire Department mandated and assuming people disagree with my viewpoint that there should be a road there permanently, I still don't understand why the road, if all it's going to be is a road with a gate at the end of it, needs to be rezoned SU-7 versus just taking the existing zoning if BHI owns it.

Ochs It was done as a matter of convenience. I'm not sure it matters one way or the other from our perspective.

Franz Wayne, if I look at the long-term plan, the strategic plan, can I correctly concludethis use will be less intensive than what was originally planned?

DeLong That is correct. The—and the staff report speaks to the overall density that's resulting from this project. That overall density is less intense than, you know, what you would find if this area were to be built out based upon the recommendations of the Comp Plan.

Franz Any further questions or any other comments? If not, I would entertain a motion.

Drake I would just—I have one question for Mr. Ochs. In your proposed findings on the development plan, in finding #6, it indicates, "Therefore no current or future dedication is needed." I think that probably is related to the internal roadway but my recommendation would be that we strike, "Therefore no current or future dedication is needed" in order to be responsive to Mr. Schiferl's comments.

Ochs I would have no objection to that.

Drake Thank you.

Franz Is there a motion?

Walker In making a motion do we include what you just said needed to be struck so I need to word it correctly?

Drake Your first motion would be on the rezoning which would be a favorable or an unfavorable recommendation since that's the first docket item.

Parks Okay. I move that Docket # 2016-39-Z for a zone map change to rezone 68.6 acres from RSF-2 urban residential zoning district to the SU-7 or special use zoning district receive a favorable recommendation based upon the findings in the staff report as presented with the recommendation being certified to the Town Council for adoption or rejection.

Franz Is there a second?

Walker Second.

Franz All in favor signify by aye.

All Aye.

Franz Opposed by nay? Motion carries 7-0. Do we have a motion on the development plan?

Schiferl I have a motion. I'd like—I mean, we have to have the Town approve the rezone first before the development plan can be effective, correct, Carol?

Drake That's correct.

Schiferl In seeing that's not happened, I would just move to table the petition for development plan approval and my reason specifically is exactly what Carol was focusing on which is proposed finding of fact #6. I'd like to see the Town come through with the rezone first and perhaps have a little bit more information on the single access point to multiple hundred plus houses accepting, of course, there's traffic. I accept all that anecdotal information. But, I don't think we should just work off anecdotal information and to the extent we request or require traffic information of other developments, I don't see being any different, so I move to table until after the Town approves the rezone.

Franz Would you like to comment?

Ochs Yeah, I would. Um, I certainly believe that the approval can be conditioned upon the adoption of the rezoning. I don't think that's an issue. Second, this has been vetted with the Town during the TAC process. It's been reviewed by the Fire Department, Police Department, and the Street Department, as well as the planning staff, and I don't think any issues have been raised with respect to the access points so we would request that it not be tabled but that it be approved subject to approval of the rezoning by the Town Council. If the Council has an issue with the access point, they can deal with it at the rezoning level.

Franz Thank you. Carol, what are your comments on that?

Drake It's discretionary with the Plan Commission. Mr. Ochs is correct. You can approve this, and I believe that's the way the motion is drafted in the staff report, so that your approval is conditional upon the Town Council accepting your favorable recommendation or you certainly can defer action upon this. But, that would be your option.

Franz Okay, thank you. Any discussion?

Parks There is a motion on the table.

Franz Okay, the motion on the table is to table?

Schiferl Until after the rezone is approved, yes.

Franz Okay. Is there a second to that motion? Being no second, the motion dies. Do I have a motion on the development plan?

Parks I move that Docket 2016-40-DP development plan approval establishing improvements associated with 156 duplex units, seven estate lots, a maintenance building, a pavilion, community gardens and bark park all at 10201 Zionsville Road be approved based upon the findings in the staff report, the staff recommendation and the submitted findings of fact as amended and as presented.

Franz Is there a second?

Walker I'll second.

Drake Before you call for the question, I would note you do have commitments that have been proposed. If you want to include those in your approval, they should be included in the motion.

Franz And do we also have to make this subject to Town Council approval of the rezone?

Schiferl You mean these commitments we just got this evening?

Drake Yes.

Schiferl Which we haven't had time to review.

Franz Would the motioner like to modify?

Parks I would add to the motion that this approval of the development plan is conditional upon the approval of the zoning change that supports and also that it includes the commitments related to the maintenance facility that have been submitted, subject to some minor modifications that need to be corrected.

Franz Does the second accept those changes?

Walker I'll second.

Franz All those in favor signify by saying aye.

6 members Aye.

Franz All those opposed signify by saying nay.

Schiferl Nay.

Franz Motion carries 6-1.

Ochs Thank you.

Franz Next on the docket are items 2016-37-PP and 2016-38-DP Cobble Creek, 9085 East Oak Street, petition for primary plat and petition for development plan approval.

Ochs Again, good evening. For the record, Tim Ochs with offices at One American Square, Suite 2900, Indianapolis, Indiana 46282-0200 here this evening on behalf of the petitioner, Pulte Homes of Indiana. Also with me this evening are Ashley Bedell, Director of Entitlements for Pulte Homes of Indiana and David Compton, Vice-President of Land Acquisition for Pulte Homes of Indiana.

Before you this evening is a request for primary plat and development plan approval only. I will start by noting that last Tuesday night, the Zionsville Board of Zoning Appeals approved a development standards variance from the requirement that the front yard be the greater of 20 feet or 60 feet from the center line of the adjacent roadway so that the required front yard is now 20 feet for a side load and 25 feet for a front load garage. No other development standards variances are being requested. This is a straight development plan and primary plat approval. This is a bit unusual in the sense that a portion of this property is zoned R1 which requires one acre per dwelling unit and also R2 which requires a minimum of 0.6 acres per dwelling unit. The R1 is comprised, according to CORE Consulting, the civil engineer and surveyor on the project, the R1 consists of 32.33 acres of real estate. That would amount to 32.33 units. We can round down to 32, I suppose, for ease of reference. The R2 at 67.35 acres at 0.6 acres per dwelling unit, that results in 112.25 units. So, total permitted number of units on this property would be 144 units. It's actually a little bit more than that but I rounded down to the nearest whole units. 144 are permitted. We are proposing 105. We are aware, based on the BZA hearing as well as letters submitted to the Planning Department, that there is remonstrance. It seems to be centered to a large degree on the density of this project. Simply put, however, the density of this project is appropriate. It meets all the requirements of the zoning ordinance, actually entitled to have 144 units. We are proposing 105.

So, what is on this is already in your packets. Here is the overall site plan. This site does present several challenges but in challenges lie opportunity, opportunity to develop a very high-quality single-family housing project that preserves and takes advantage of the natural features that this site offers. In particular, the creek along the southeast corner of the property and associated natural area are being preserved. There is a lot of grade change including there and up towards the

northwest part of the property where what's commonly called Russell Lake is located due to a dam that is fairly old. It is worth noting here that part of Pulte's due diligence involved investigating the dam. When it was built, the trees were not cleared from directly in front of the dam. Those old trees have now rotted. There are holes in the ground and the dam is in very, very poor shape. We've been working with DNR to make sure that this is an appropriate structure, and it will require approximately, almost 7 figures worth of work to make it suitable for this project but we think it an important enough amenity for the site that we're going to go ahead and do that.

This is the southwest corner of the development, southeast corner of the development plan. In between the dotted lines is the special flood hazard area. We're staying out of that obviously. There is a detention area here. I also wanted to point out at this level of detail, there is a multipurpose trail that would be constructed right along the edge of the natural area and that will connect to the sidewalks through the project. We think this is a very nice amenity. I think also worth noting and it's shown on this picture, down along the entire southern boundary of the property, it is a natural, is a pipeline easement. It extends from here—I think it's about 33-35 feet wide along the entire southern boundary of the property. That's something that we cannot disturb in any way, shape or form. So, the southern boundary of the lots do not coincide with the southern boundary of the property. They coincide with the northern boundary of that easement.

This very quickly is the lighting, signage and rear yard subsurface drain plan. There will be streetlights appropriately located throughout the project. This is the southern part. There's the detail for those streetlights. This is the landscape plan, and it's intentionally colored this way. The gray areas that are shown on this plan are natural areas that will be left undisturbed to the greatest extent possible as part of this project. The only reason we would disturb them is if it was absolutely necessary for some type of utility or grading work, but the intent is that we leave those as natural as possible and you can tell just by looking, this is just the north half, how much gray area exists, particularly along the perimeters of this project. And, this is the gray area along the southern portion of the property as well. Again, particularly down here, down here on the southeast corner, there will be a large natural area left. Because of these constraints, 105 lots are being proposed instead of 144. As part of the infrastructure necessary for this project, sanitary sewer will have to be extended and currently, as you see on the aerial, that's showing how now the existing western interceptor extends and ends to the east of this project on Oak Street.

If this project is approved and developed, a new 10-inch force main would be constructed along the length of Oak Street as shown here. This is the approximate location of what would be a lift station. Here's the property itself. But, as a result, and through working with the Sanitary Sewer Department with the Town, the lift station will be sized not just to service this project but it is designed to service all of the real estate located within the yellow multisided geometric box, if you will. So, as a result of this project, there are a number, quite a few homes, that would have the potential to have sanitary sewer service instead of having to rely on septic systems which do, unfortunately, sometimes fail so we view that as a real benefit to the community.

This is a typical home that would be constructed. This will be marketed, although there's no requirement, but certainly marketed for empty nesters. It's a somewhat unusual situation in the fact that Pulte Homes has a subdivision in Zionsville where this product is currently being constructed which is the Hidden Pines project up off Michigan Road or U. S. 421. And, they've been selling very, very well. It affords us not only the ability to know what Pulte's customers in Zionsville are demanding but to anticipate things like what is desired as well as cost and assessed value which I'll get to in a moment. These are typical front elevations of the Heritage Collection home plans for Pulte. As you'll see there's side load and front load homes. Some more homes. Um, we asked and I believe the school has submitted directly. They did not submit it to us; we were told they would be submitting it directly to staff and the Plan Commission a summary of the projected annual fiscal impact of the proposed development. And, the result of the analysis is a net benefit to the school district of $201,000 per year and an estimated percentage difference in total school property tax rate, a reduction of 1.1%. We think this is extremely accurate because we have experiences with the very home types that exist in Hidden Pines. We can apply it to this site. The average construction cost for a home up in Hidden Pines is about $508,000. Given the additional land costs and quite frankly, more desirable land features here, we believe that we are looking at an average of $525,000 which is what was used to generate the summary of the projected annual fiscal impact done by the schools so we believe in terms of Zionsville Community Schools, this project will benefit the school district.

We have met and representatives of Pulte Homes have gone out of their way to set up meetings with surrounding neighbors. They had two open houses as well as a number of individual meetings as well as a meeting with the developer of the subdivision immediately south of this project. And, we are working with those folks to try to mitigate any potential impact, but at the end of the day, as noted in the staff report, this does meet the requirements of the zoning ordinance and does meet, we believe, the requirement of the subdivision control ordinance. So, with that, we'd be happy to answer any questions that the Commission might have. I thank you for your time.

Franz Thank you. Are there are any comments from the public regarding this matter? When you come up please state your name and residence.

Kaerner My name is Andreas Kaerner. I live at 6260 Boone Ridge, right across the street from the proposed development. I submitted some written comments. Hopefully, you've got some of those. I think maybe I misquoted what the R1 zoning was. I was under the understanding that it was two per, or one house per two acres so I guess I was incorrect in that regard. So, apologies for that. Um, but, one question I do have is, you know, when it comes to zoning and the housing density, is it buildable acres or is it total acres? Because there's a large area here that's just not buildable. And, if we look at some of the planning documents, so, for example, if we look at the sanitary sewer master plan, they have projections based on developable acres, not actual acreage. So, where, how does that actually work? I'm just curious.

Franz Wayne, can you speak to that?

DeLong Development from an ordinance point of view is governed by the subdivision control ordinance. So, the Town's sewer plan, our transportation plan, any number of plans that we are doing are looking at potential projections to establish budgets and criteria. So, the subdivision control ordinance and the RSF-2 chapter in the zoning call out very specific things. I'm not saying this property is zoned R2; I'm just using the RSF-2 as a comparison where the ordinance says something like a property is not able to utilize land that is underneath the power lines to count towards their open space requirements. So, there are very specific things that are in the ordinances. For example, another example is land must be above water. If you plat a lot that's three acres and 1-1/2 acres is underneath the 100-year flood elevation and minimum lot size is 3 acres, I'm sorry you're going to have to beef it up because of the way the ordinance reads. In this particular case, they are staying out of all of the—anything that would be under water, so that's not even a question for discussion. It's certainly their choice to not spend the money to fill the ravines and clear the trees and to be more sensitive to the built environment but as—if—as long as the land is not in a floodway, it is game for consideration for a developer to change.

Kaerner So, then if you were to calculate the area that is the floodplain that's not developable and the number of houses being 105 for that area, is that appropriate or not based on the acreage? Or if you don't build on it, it doesn't count.

DeLong If they were putting it into a lot we would have a conversation about it but if they're leaving it alone, as is demonstrated on the illustrations, it's a non-issue.

Kaerner Okay, okay, okay. The other comment I do have is around the driving safety. So, being right across the street, I think all of you have been on Oak Street a number of times. There's been a lot of accidents on that street. It's a 45 mph zone heading in, 40 heading out towards 65. As the folks in Boone Ridge, as we are heading towards town heading east and want to turn left, there's a convenient turn lane. People go around us on which is great. I mean, it's nice and wide there. It's reasonably safe. But the issue is that their secondary entrance is right where that turn lane ends and I've had a number of times where I keep looking in my rearview mirror and people just barely make it around me when I'm turning into the complex into our housing area, and my concern is that somebody is going to pull out at the same time somebody is going to be coming around because that's what everybody's going to do. I'm really concerned there's going to be a three-car crash and it won't be at slow speed. So, if there's any way to accommodate a better safety, another way to get onto there that makes it a little bit safer for us, to extend that turn lane further or something like that because that turn lane ends pretty much where they want to have that entrance. And, I'm really worried that that's going to be dangerous.

Franz Thank you.

Kaerner And, then the rest I think has already been addressed. So, thank you.

Franz Okay. Thank you. Any body else have any comments?

Painter Dave Painter, Spring Hills. I'm just east of the property on the other side of the crick that they're building it on. My concern, somewhat like the other gentleman,

is the added traffic to 334 or Oak Street. We've got 23 homes in our addition with no turn lane. We have to constantly be aware of getting rear-ended from people coming over the hill coming out of Zionsville. I call it the train coming from the other direction where you have to wait before you can get out with a string of cars coming into Zionsville. This is going to be one more property with the only way to feed in and out of the property is onto 334 or Oak Street. You got Russell Lake, you got Spring Hills, you got a number of developments that are all feeding onto 334 or Oak Street with no other relief. My concern is with 105 homes that is a potential of 210 cars. They aren't all going to come out at once but still that's more traffic and have there been any traffic studies on 334 because it needs widened or some of these new developments need other access to feed on other roads other than 334.

Franz Thank you. Any additional comments?

Smith Hi. Curt Smith, 6295 Boone Ridge, and we own two acres along Oak Street/334 along with my wife who is here tonight as well. We oppose the project and the density. I think Andreas captured well that the site is really not 100-acre site in terms of what's buildable. I think you got a lot of lots that are going to be stacked in there. In that vein, did I understand that the standard for R2 is every lot has to be 0.6 acre?

DeLong That is incorrect.

Smith What is the standard just to help a novice out here?

DeLong The minimum lot area in any district is 5000 square feet with public sewer in R1, R2, R3 and R4.

Smith Okay. So, what does it mean in R1, you can only have one house per acre?

DeLong There is the chart on Table 3 which speaks to minimal acreage with well and septic, minimum acreage with utilities and that is the minimum acreage associated with any given project. So, for example, in R2, it speaks to 0.6 of acre, R1 it's 1 acre and then two lines below that, it speaks to minimum lot area 5000 square feet in all districts with public sewers, 2 acres in all districts without, 3 acres in RE. So, the table is a bit misleading to the public where it establishes one criterion and then two sentences below it, it then throws out 5000 square feet across the board.

Smith And the distinction is sewers, public sewers?

DeLong Correct.

Smith Okay, all righty. Well, again as a neighbor across the street with 500 feet on Oak Street, we're probably more affected than anyone else and it just doesn't make a lot of sense to us to put that many cars and homes in there. To Andreas' point about the traffic, a school bus picks up kids right across the street there so there's school bus delays every morning that schools are in session. You might want to consider reducing the speed limit along there. That's probably a decision for a different tribunal but may want to go from 40 to 30, back a ways and start

slowing things down. And, I also wanted to comment on something I heard at the last meeting that speaks to this site. Someone said that the corridor, Oak Street/334, is going to be an urbanized corridor. I just didn't know that was part of Zionsville's plan for anything. I'm a seventh generation Boone County resident. I subscribe to the local paper, try to keep up on what's going on, served in the Chamber for several years and, you know, know a lot of people in the community including two people on this group tonight, Jay and Carol. Um, I just didn't think that was what—I didn't think we were into urban corridors here and this kind of density. We went to extraordinary legal lengths to keep the word Town in our name, even though we wanted to have a mayor. We call ourselves a village. We're the tree city and, yet, we're going to have these kind of density projects and pour a lot of traffic out. I thought we wanted to go for manufacturing and business which had 3 and 2 percent tax rates, not more residential that's got a 1% cap. And, when I served on the Chamber Committee, the School Board always wanted the higher tax things to come in, things like Lids and DK and get the high tech stuff, too, that everyone else is going after but this just strikes me, as someone who knows this community well, and has been around here for a long time as inconsistent with Zionsville's plan, self-image of itself and desire for the community. So, I'm rather surprised we're going to pour 100 homes in one street and send all the traffic out onto my front yard so to speak. So, thank you for your time.

Franz Thank you. Any additional comments?

Cullin My name is Rob Cullin. I'm at 650 Spring Hills Drive. In all deference to my neighbor, I would contend I'm probably the most impacted. I'm at this location right here so my house is, my 2-1/2 acres is the closest to any of the construction, any of the site work that's going to go on. And, although I would agree with all the previous—um, my neighbors' comments, I-I think I will just go a little selfish and just ask that if you do approve this project that you, to whatever is within your power to include commitments on landscaping and the kind of additional, kind of protections against for the residents in and around the area. I've learned today that there has been some—at least some kind of agreements between the developers and Oldfields on the southern tier and that at least there's some kind of request by the Commission to make sure that those kind of commitments are kept standard across all the boundaries, um, of the property in terms of landscaping. Several of these houses in that upper corner are essentially going to be staring right back into our bedroom glass windows so any kind of protection that could be afforded and can be kind of created by your approval would be appreciated. Thanks you.

Franz Thank you. Further comments?

Enerson Hello, I'm Mark Enerson. I live at 1990 Mulsanne Drive in the Thornhill subdivision. We recently moved into the neighborhood. I'd like to echo what our neighbors have said, the concern with traffic, the concern with—one other aspect is the wildlife. When we moved into this area, we were just thrilled with it. So, I guess that leads to me a consideration of the value, just in terms of the property values for some of our homes and what does that do and what does that take into account in terms of your decision. I also just have a question for the group in terms of I see the proposed plan but what maybe safeguards are in place in terms

of that development and deciding to go right up to our borders and the creek there, potential building pathways or bridges across the creek or further development behind that creek. I don't know whether those are built in or not. But, just safeguards for our own property, our privacy and what we have there. So. Thank you.

Franz Thank you. Any additional comments?

Loviolette Hello. I'm Sandra Loviolette, 8835 Foxland Run. I am also not only a homeowner but I'm also one of the partners of Oldfields. We have been in conversations with Pulte. They are trying to be good neighbors, I believe in theory. We still have not come to an agreement on proper screening between the southernmost part of this development and our boundary. I know that this Commission has been committed for many years to protecting the RE district. And, I know Oldfields, when we developed Oldfields had to jump through a lot of important and we are glad to do it, hoops to protect the RE district. We now have this development which is looking into some yards of some very important real estate in the RE district, and we would ask you to consider sufficient time to make sure that proper screening and landscaping is done so that these properties can be protected and home values be protected. Thank you.

Franz Thank you. Are there any additional comments?

Smith I'm Debbie Smith, Curt's wife and I just live across the street from the property, the development, 6295 Boone Ridge. I just wanted to ask how long this project is going to take from beginning to end.

Compton 5-7 years.

Smith 5-7 years. So, 5-7 years, we're going to have construction across the street. I don't know how this kind of thing goes—I just don't know. If there's anyway that this Commission can try to work with Pulte and have that condensed to a smaller amount of years. I just don't know how this kind of thing goes. But, that sounds like a lot of years to be dealing with that kind of construction across the street. 5-7 years. So. I think we might be able to ask them if they can condense that time.

Franz Okay. Thank you. Any additional comments? Mr. Ochs, would you like to comment?

Ochs Um, I'll just briefly hit what I think were about four or five major points. I think the first one, density, is covered in my primary presentation. This meets the requirements of the ordinance and the subdivision control ordinance. More importantly, this is appropriate in our opinion in the Town of Zionsville. We have a density here of just barely over one unit per acre right along 334. We think that is appropriate. With respect to driving safety. First, with respect to the eastern access point that's connected to the northeast-most cul-de-sac, that is an emergency access and emergency access only. It will not be used by members of the public. The main access point is the boulevard entrance to the west lined up directly across from the church. It was placed there intentionally so that it would be across from the church. To have an offset with the church would, in fact,

create a dangerous situation. Again, this has been vetted through the Town Engineer, Street Department and Boone County Highway Department who have recommended certain improvements, acel-decel lanes on 334 which we are in agreement with and will be required to perform. We think it's entirely appropriate for traffic to enter on an exit off a primary arterial in the Town of Zionsville. With respect to landscaping, we again met with a number of the neighbors. We certainly are very willing to continue to work with those neighbors. We have offered a landscaping package to the project to the south, Oldfields, along portions of lots, and they would be the three lots closest to the southern boundary and the sides of the two lots at the end of the southernmost cul-de-sac. That would include 14 ornamental trees, 15 shade trees and 18 evergreen trees and 46 shrubs. We are willing to do landscaping. We find it a little interesting why there was no landscaping required for the subdivision to the south. It's completely open. And, you know, to be required to do landscaping, which we are willing to do, goes above and beyond what they, in fact, were required to do, and I think that's worth noting.

In terms of the properties to the east up by lots 10, 11 and 12, again, we are more than willing to provide landscaping. As you can see from the site plan, the lots do not—the rear of the lots do not coincide with that eastern boundary and that's intentional. It gives us a little space in which to make sure there's landscaping and here's the important part. Because it will be a in common area, it will be the responsibility of the homeowners' association to, in fact, maintain that landscaping. So, again we're certainly willing to work with the neighbors and with the Town to get that landscaping plan put into place. With respect to the comment on wildlife, again if you remember, the two screens that showed the gray areas where nature was to be preserved, those areas are also the most rich in terms of wildlife and the most sensitive. Quite frankly, we view that as an amenity for our homeowners. They like that, too, just like the current homeowners out there like it. It's in all our best interest to preserve those and maintain them and, in fact, we will. I know the gentleman expressed concern about what guarantee do we have they won't build something different and start encroaching on those areas. Well, as the Plan Commission knows, we can't do that if this project is approved. The lots and their dimensions are locked into place and we can't deviate from that. So, with that, we'd be happy to answer any questions that the Plan Commission might have.

Franz Okay. Thank you. All right, Wayne, can we have the staff report?

DeLong Thank you. Staff is supportive of the petitions that have been filed with the town and reviewed by your Town Engineer, the Storm Water Department, County Highway, County Street Superintend—or Town Street Superintendent and others. Certainly, touching on a couple different points that have been raised. The underlying zoning and the only zoning for this property is R1 and R2 which, of course, ties the Town to respond to requests for development and division based upon the minimal standards in your zoning ordinance and the minimal standards in your subdivision control ordinance.

Certainly, there's conversations to be had such as the variance request that was asked for to reduce the front yard. So, there are certain deviations that have been sought. There are no waivers as a part of this project so that's putting all that

aside, the only variance that's out there is for the front yard. As proposed, the density conforms to the standards within the Town's rules and regulations. Specific to road access, it would be provided from a roadway that's the highest classification within the Town. The project itself would be served by a sanitary sewer that doesn't exist yet. This is all projected to be constructed as a part of this development, which ties back into the terminology of urbanization. This area is at the gateway of some change with the introduction of additional sanitary sewer which would be to the benefit of all properties in the area if they chose to tie in. Would you—I suspect you'll see some additional petitions throughout the years seeking to take advantage of that utility. You recently, last year, saw a petition for an assisted living facility and that's a precursor to other things that will happen along this corridor. Certainly, per your amended thoroughfare plan, there's a north/south connector coming out of Cooper all the way up to basically the school's ball fields.

So, this area in totality is projected to change. So, the utilization of the term urbanization means different things in different communities. Zionsville's interpretation of what that means is radically different than what Massachusetts Avenue urbanization is in downtown Indianapolis. It certainly wasn't the intention of staff to raise that term just randomly. Specific to speed studies, there's definitely—I can speak to some of that—certainly with the Kissel intersection and the things that happened not too long ago, the Town has undertaken different actions along this corridor for speed studies, extra signage, radar gathering of speeds. But, specific to changes to speed limits, that would be something governed, as indicated by the speaker, by a different body which would be your Safety Board.

There are a number of items within the staff report and are covered in the letters that are the exhibits that the staff report notes where items need to be addressed by the petitioner as they move through construction and design. Certainly, the staff is supportive of the concept of continuing to work with the petitioner to finalize these items that are out there that need to be resolved. Certainly, if there is anything in particular that the Plan Commission would like to discuss, I'm happy to touch on those. Specific to the absorption rate, certainly that's not something that the Town—the Plan Commission—can touch upon related to the market side of this conversation. However, the absorption rates that we're seeing are a touch more aggressive than what Mr. Compton touched on. He knows the market, they know the market much better than the Town but we would anticipate a little bit faster absorption. We're hopeful for one a little bit faster than 5-7 years. Again, staff is supportive of the petitions as filed, and I would be happy to answer any questions.

Franz Okay, thank you, Wayne. Are there any questions, comments from the Commissioners?

Parks I have not a question but a comment. I am delighted to hear that the landscape around, the landscape plans are being changed, especially around the edge. I was actually disappointed because you weren't listening to me when we did the Hidden Pines, and I was insistent upon the landscaping on that northern section there where it was open between that and the houses and, you know, that was a disappointment from my perspective that I wasn't being heard six months ago,

and that being carried forward now by the same developer and the same presenter and that bothered me considerably. I, too, am concerned about traffic. As you know, I don't like emergency exits. I like multiple exits to major housing developments, especially on a road—we've done it on Hidden Pines and we've done it on a couple of other places as well on 421 which has even higher traffic than does Oak Street. So, I am still concerned about the ability of being able to access emergency vehicles when there is an accident in front of your main entrance. I would just caution you to make sure that you have not only the right egress and ingress but you also have wide enough access so that you can get an emergency vehicle around the edge.

The other thing, too, is I'm concerned that there was a comment in one of the letters about the area, kind of like the dividing line between the R1 and R2 has a fairly low place that has a tendency to flood. Think of today and the rain that we've had today. I was downtown in Indianapolis and there are a number of streets that were totally flooded in Indy today. That, I would, I would make sure that under no circumstances are you going to have that under water at any point in time. Maybe you have to do something to get that up. The other comment is that you mentioned a 10-inch pipe for a sewer. You know, way back when, when I was on the Boone County Commission and we were working with the Enclave, the ideal was 12. I was wondering what happened to the extra two inches. Because you've got all the area, you've got Russell Lake unserved, you've got Karen Drive area unserved and some of the others out there that way and both the Enclave and one on the other side of the street—other side of Cooper—are both served with that 4-inch pipe. And, that doesn't, I don't know whether 10 inches is going to be adequate.

Franz Larry, did you have questions?

Jones Sure. Tim, I want to confirm the average house price I heard was $525,000 or so, is that what you're saying?

Ochs That is correct.

Jones So, those will be how many square feet, probably?

Ochs 2600-3400 square feet.

Jones So, will most of them be sort of a—

Ochs Not including basements.

Jones So, most of them will be a master bedroom and at least two other bedrooms. Correct?

Ochs Correct.

Jones So, what my concern is, is that means they'll be a total of 405 bedrooms in this community and what you just told us, let's say there's a 105 used, at least one per house by an adult or a couple and then only 35 kids. So, that means, there's 265 extra bedrooms in this community that are going unused. Assuming that half of

those get used by kids, running back through the numbers, to me this thing's going to cost the Zionsville Community Schools about $876,000 a year. There's not going to be $201,000 positive. There's going to be an $800,000 loss. How do you come with these numbers?

Compton 35.

Jones Yeah, so there's going to be 265 extra empty bedrooms?

Compton Larry, let me provide some clarification. For the record, David M. Compton, Vice-President, Land Acquisition of Pulte Homes. This product is not unique to Pulte. John McKenzie has built in your community a similar product. It is defined as an affluent empty nester. It's built all across Indianapolis. I happen to live in one myself in Fishers. I have five bedrooms in my house, two in the basement, three on the main floor. This buyer desires the space when kids come home from college. The key attribute for this purchaser is the master on the main floor. Two out of five floor plans don't even have a loft option. So, there is a very inefficient plan square footage-wise. There is a loft, two bedrooms on the second floor that are often utilized only on a part-time basis. The community I live in, in Fishers, Lake Stonebridge, we have no school children and we have 104 houses. Our ASP is exactly what this price point is at $525,000. The key point is when you have a two-story house, a lot of times when the master is on the second floor, you have more efficiency. You build out over the garage, as you know. You build four bedrooms up, build out, excuse me, a closet or storage area over the garage. These homes are not efficient. They're not designed for families. Other things we do is prohibit basketball goals, we prohibit playgrounds. The lots are smaller. If you want a home that's more dedicated to a family, either one of the two-story products, Larry, in Hidden Pines, the lots are wider. They're 90-foot on the smallest ones. They're 140 feet deep so you've got bigger yards. So, part of it is the design of the product. Part of it is the design of the lots and part of it is the restrictions. But, the target market here is the affluent empty nester. We're not—Wedgewood is another builder that does this—this is a step up. This might be confusing to members of the Plan Commission because Pulte hasn't built this product before in Indianapolis. We have traditionally only seen it in John McKenzie and Wedgewood both who do an outstanding job but it's a move up for us. So, I hope that clarifies the numbers. The school, we actually used their number at 0.33. My original number to the school corporation was 0.2 which our historical across the city is actually less than that. So, we used their number at 0.33. Thanks.

Franz Anybody else?

McClelland So, a traffic question for me. So, we've got 105 homes, two-car garages, 200 cars—somewhat about what we just talked about with the other project. One turn onto a fairly busy thoroughfare, if these are presumably working members of the families. 7 a.m., 5 p.m. Aren't we going to be running into sort of massive traffic jams at that one entrance point as people are going left to 65 or theoretically right to Zionsville Road? Have you thought through that?

Ochs Well, two comments to that. The first one, this is the density that is and has been contemplated for this property for the Town of Zionsville. It's been zoned this

way, my understanding is for quite some time and all of the studies and analysis that the Town does takes into consideration the current zoning of the properties for purposes of density. We could do maybe 144 units on this site. We're only doing 105. So, the plans of the Town itself contemplate a project of this density or perhaps even more. Second, this has been again submitted to and reviewed by the Town Engineer and Street Department, the Boone County Street Department and they've provided comments. To the extent that there's a backup, there's a backup into the subdivision for people waiting to turn, not a backup on 334 which is what would actually create the dangerous situation.

McClelland No, I understand the regulatory point you're making and the statutory point you're making, I guess I'm just trying to think through the practical reality. Yes, I understand the excel/decel lane. I'm thinking about the backup that will occur within the subdivision itself and not necessarily a safety issue, just sort of a neighborhood, sort of dynamic issue.

Ochs If warrants were ever met and they would obviously have to be met, then it's a signal, but until then, if there's a delay in the morning to turn left then that will stack up, and I would suggest many things on the south side of 334 are probably that way. With respect to the comment on what happened on the two inches on the sanitary sewer, I suspect back then was probably referring to a gravity sewer. Since this is a force main, it can handle, it handles a higher volume being a force main. Again, this has gone through sanitary sewer folks for the Town and they're the ones who have said make it a 10-inch force main.

McClelland Just one more question for you, Wayne, obviously a number of comments from the Highway Department, various Town departments, any particular concerns? Is it worth waiting to get some of those resolved before adjudicating this?

DeLong From staff's point of view, all of these can be worked through as the project works towards construction plans and secondary plat. Certainly if there's anything to discuss, you know, we've worked through issues before where, you know, a road system needs it elevations and grades changes so they're not closed by rain events. When we built Bennett Parkway, we had the exact same thing happen to the Town. And, that's you know, the Town is, you know, it's in its own world developing things and building roads and building subdivisions, we're getting even smarter in asking these questions of projects when they come in. But, as far as any particular one item, there is not. But, again, we're definitely focused on the storm water, definitely focused on the life safety issues and looking to see those resolved as this project moves through the review process.

Franz Any additional question?

Schiferl Yes, I do. I-I-just so I'm clear. I heard Mr. Compton say something that I was struck by with the Zionsville school numbers. As I read this, it says right on the document from the schools, "This document was prepared using input data supplied by the requestor. The accuracy of the input data has not been established by Zionsville Schools." Did I hear him say that that was a Zionsville school number and not a Pulte number?

Compton Clarification, Kevin. We came in and I asked at 0.20 based on our empty nester experience across the City of Indianapolis in non age-restricted communities. As you are probably aware, DelWeb is age-restricted so, that would be unfair to utilize that. But, we developed several other age-targeted communities like this across the city and we've actually been less than 0.2. They came back to me and said, you know, we, although it's your numbers, we would suggest and feel more comfortable producing a report that uses 0.33. I agreed to that. It's still my number. They raised my original number from 0.2 to 0.33, okay? I hope that provides clarification.

Schiferl So, it's still your, not the school's number?

Compton Correct.

Schiferl I have the same concerns that Mr. Jones announced on that. My next question is about—none of the stuff I saw, Tim, unless I missed it, shows what is currently zoned R1 and what is currently zoned R2 and I was wondering if you had anything that showed where the zoning lines are.

Ochs It is in the development plan. Sorry, the primary plat on the very first page. It shows the R1 and the R2. Right here.

Schiferl Hold one second. Can you show us what attachment that is?

Ochs I'm sorry. Can you ask that again?

Schiferl We're both talking—what attachment is that?

Walker It's this one.

Ochs It's the actual primary plat.

Schiferl My primary plat starts like this. Oh, it's in the development plan. Well, it's not there either.

Jones I just saw it.

Schiferl What page?

Ochs I think if you keep going you'll get to it.

Schiferl I'm sorry, guys. I'm not finding it. Thank you. Okay, What I'm after is and what some of the commentators talked about. I get your math, Mr. Ochs about the 144. If you take all of the land as if each piece of it is equally developable but I think even you would concede you can't build on a lake, correct?

Ochs Not unless we wanted to drain it, which we don't.

Schiferl So, when you use the number for R1 which would be one unit per acre, you therefore said 32, but if we take the lake out of there, it's actually less, correct?

Ochs If you don't include the lake, it would be less, but we're counting as the ordinance requires.

Schiferl And, then the same thing with the R2 portion with the floodway.

Ochs With the floodplain.

Schiferl Yeah, flood plain. All right. Now, my question on R1 and R2 is really for staff. First of all, Wayne, and I know Jay was on this Board, too, when we did our consolidation, we had Urban and Rural. Is this development all within the Rural area of Zionsville?

DeLong That is correct.

Schiferl Which is why the Boone County Highway Department weighed in on it, not the Town of Zionsville Street Department?

DeLong Right. The internal streets are County-maintained. External street is Town.

Schiferl And, I know the point was made about the Boone County Highway Department. As someone who lives in the Rural area, immediately adjacent to the Zionsville area to my literally 1-inch line to my east, I'm concerned about who is intending to maintain these roads. Because as I understand it and what Boone County was pointing out, it would be the Boone County Highway Department, correct?

DeLong That's correct.

Schiferl And, you were asked if there were concerns in here by the Boone County Highway Department. As I read this, they say that they will not maintain the areas listed as common areas and they actually asked a question about snow removal for the subdivision. I have concerns because I know as a Town, the people in Royal Run which heretofore had been Rural is now Urban as I understand it, had lots of issues with snow removal, etc. Is that not an issue for development that we should be concerned about?

DeLong Typically, what we see is the HOA has a higher standard for snow removal than a municipality can provide such as the Highway Department. So, ultimately, that might—Mr. Ochs or Mr. Compton can speak to that.

Schiferl Which would be spelled out in CCRs.

Ochs Yes, that is correct. That's what will be done here. There will be a homeowners' association that will assess all the lots in the subdivision, and they will do plowing of the streets.

Schiferl Do we have CCRs yet?

Ochs We do not, no.

Walker I had that same question.

Schiferl Wouldn't that be something that would help us with development and primary plat approval?

Ochs Okay. Understand.

Schiferl The other thing about the Rural and Urban areas, and this may be something I'm trying to visit on you, and I don't mean it personally to Pulte or to you guys, but this is something I think we as a Plan Commission and the Town are going to have to come to grips with because we put in place provisions where we would bring subdivisions into the Urban areas versus Rural areas as we go along. And, Wayne, I wholly agree with what you said, this is at the area where we're encroaching on urbanization to use the term. Is there any provision for that to occur here or would we be potentially approving this and having another passage of five years to a decade before that would happen?

DeLong The transitions of properties occurs in odd years. So, we would begin at the end of this year looking at properties to transition in '17. You know, this area would need to—this particular property would need to build out in order to look to be transitioned. Areas that have transitioned already have been portions of the Willows and properties on South Ford Road. So, it could be several years until we saw this area transition.

Schiferl Can we not have consideration of transition on approval versus build-out?

DeLong I'm not certain that's how the reorg documents anticipate transition. It would probably require an amendment to that enabling document.

Parks The thought of that process was to make sure that as they transitioned from the Rural to the Urban, that the services that were added being an Urban development were actually in place and utilized before that transition took place. That was the concept.

Schiferl Correct. That's at least what I understood. So, that's why I'm asking because we're talking about sanitary sewers. We're talking about streets built to the Zionsville standard versus the Boone County standard or the Rural standard. All those things are part of what these folks or has been suggested to Pulte. If that is the case, I don't know why we'd wait until build-out versus having something falling in place ahead of time. Just a comment. But it does get to the area of my favorite drumbeat all the time which is traffic. And, once again, we don't have a traffic study. We just went through this folks with 875 and Oak Street. Despite the fact, and I've got them at home. I've got three four traffic studies that I've accumulated since '04 or '05 from service on the Boone County Plan Commission, now this Plan Commission, we still had to in that instance, with 875 and Oak Street, go and commission as a Town, a new traffic study because there weren't supposedly good traffic studies. I'm wondering why here we don't have a traffic study. I do understand Mr. DeLong's point that we have the traffic impact fee but that's a separate issue from a traffic study which would tell us things such as the need, as the Boone County Highway talked about potential blisters, potential signalization just opposite there where we will now have a cross intersection with the church if this is approved. And, I'm wondering why Pulte didn't do a traffic study for us.

Ochs The discussions to date with the Bonne County Highway Department and other departments, utilities, that we've met with, none has been requested, to date.

Schiferl And none was offered either, correct? I mean, just—

Ochs No, if we had done one, we certainly would be willing to offer it.

Schiferl In light of the concerns which are under Exhibit 6 that the Boone County Highway Department expressed on a number of things, I really would like to see a traffic study. You know, Albert Einstein said the definition of insanity is doing the same thing over and over again expecting different results. I'm getting personally sick and as a member of this Board sick of having petitions come up in a growing area that's becoming more urbanized without traffic studies. It's a safety issue for our community that we have to come to grips with. We're moving north/south traffic in an east/west configuration. That's gotta end. But, we also have to have an idea of why or what effect rooftops have on traffic. And, I'd like to see a traffic study.

Franz Are there any additional questions?

Fedor Dry pond #3? Is that an actual pond there?

Ochs What do you mean is it an actual pond? It will be a low area that is designed as part of the storm water system to hold water when it rains but during normally times it would be dry.

Fedor I thought currently it did have water in it. That's why I asked.

Ochs Today it probably does. There was a dam there. It washed away.

Fedor So there won't be—

Ochs No, no.

Fedor Okay.

Franz This is a request for Wayne. Wayne, has there been any—I realize it's in the plans for the north/south, I mean, there's really been no timeline established for that at this point in time, has there?

DeLong No.

Franz Do you know with the north/south, was there any discussion of the widening or along that line of Oak Street?

DeLong Oak Street, as a former state highway, does have a sizable amount of right-of-way that is provided with it. The right-of-way per the thoroughfare plan is 140 feet so in areas where that right-of-way is not provided when properties come in to develop, that right-of-way has to be dedicated. As far as any project that would

go out and require that right-of-way from, let's say, Russell Lake or other pieces of property, I'm not aware of any program to work on that.

Franz All right.

? I would hate to be on Oak Street on Sunday morning.

Parks As I am.

Franz You guys brought up traffic study which, you know, because of the location on this one, I'm not—I mean, I'm generally in favor of that. Is this something we want to consider possibly a continuance on this?

Ochs We certainly would not be opposed to that. It would also give us time to address a few of the other issues that have been raised by the Plan Commission. We could come back with much more detailed landscaping plans for the perimeter as well.

Parks Building on that, I move that we continue the public hearing on 2016-38-DP and 2016-37-PP to our September meeting which would be September 20—

Drake 19th.

Parks September 19.

Schiferl I would second that without the need for re-notice.

Franz Is that accepted?

Parks Accepted.

Franz All in favor signify by aye.

All Aye.

Franz Opposed by nay. Motion carries. So, this will be continued to September 19th.

Ochs Thank you. Thank you for your time.

Franz Next on the agenda is item 2016-34-MP Poplar Street 120 N. 9th Street petition for minor plat approval to establish a residential lot in the RV zone district. Is the petitioner's representative here?

Evans Hi, my name is Stan Evans, resident of Zionsville with address of 4636 St. John's Circle. I'm here on behalf of Zionsville Christian Church which has property at 120 9th Street, just east from here. The church has previously gotten a rezone for approximately 0.275 acres along Poplar Street to rezone from special use for the church to residential. What you have before you today is a minor plat of that 0.275 acres to turn it into a buildable residential lot. It's fairly straightforward. Any questions?

Franz Any questions from the public?

Evans The public pretty much cleared out. I could say we're going to try to subdivide this into six lots. Would that make it a little bit more—

Parks That would be interesting.

Evans That would make it a little more controversial, wouldn't it?

Schiferl Can you do a traffic study?

Evans I'm sorry. We did not do a traffic study.

Franz Wayne, can we have your report please?

DeLong Thank you, yes. This project was recently rezoned, to the RV classification to provide for exactly what was described, to place a parcel within the marketplace for a new single family dwelling on Poplar Street. Staff is supportive of the petition as filed and certainly happy to answer any questions.

Franz Are there any questions from the Commission? Being, none, is there a motion?

McClelland I move that Docket # 2016-34-MP minor plat approval establishing two lots at 120 N. 9th Street be approved based on the findings in the staff report as presented.

Franz Is there a second?

Parks Second.

Franz All in favor signify by saying aye.

All Aye.

Franz Opposed signify by nay. Motion carries 7-0. Next on the docket item 2016-41-MP, PL Properties LLC, 8250 East 100 South petition for primary plat approval in order to establish four lots on 32.31 acres in the Rural R1 residential zoning district. Please state your name.

Churchill Absolutely. For the record, my name is Nick Churchill with Pittman Partners. Our office is at 12821 E. New Market Street. I'm here tonight representing PL Propertis, the petitioner in this matter. We, too, were at the BZA hearing last Tuesday, the 9th. We requested a variance from the development standard requiring the 3:1 lot depth to width ratio. We were granted that variance on the condition that we would agree to execute the acknowledgment of the right to farm given the rural nature of this area as well as make a commitment that no further subdivision beyond these four proposed lots would be contemplated or allowed. In the time since that hearing, staff has provided us an example of a similar type commitment that actually I believe was applied to the DeRossi petition, and we're going to rework that and submit it for review to the staff as soon as possible. They allowed us 60 days from the BZA hearing in order to get

that on file with the Town. That being said, the property in question is 32 acres. It's on the north side of 100 South which currently today is a gravel road. It lies between 800 East and 850 East. It's a beautiful piece of property with some pretty remarkable topography on the north end. Thus, the depth of the lots. There is a considerable amount of area on the north end that is unbuildable and some that's actually subject to a floodplain. However, the topography is such that it comes up pretty quick and really creates a really nice setting. I believe it fits with the character of the area and we'd ask for your approval of the minor plat this evening.

Franz All right, thank you. Any comments from the public? None. Wayne, can we have the staff report please?

DeLong Thank you. Staff is supportive of the petition as filed. Mr. Churchill summarized the actions of the BZA. Again, staff is supportive of the proposal, and I'd be happy to answer any questions?

Franz Are there any questions, comments from the Commission?

Fedor I guess I'll start. The gravel road, as you mentioned, we just talked about several projects that are traffic concerns. These are—this gravel road is washboard currently within a mile of it. Up until this week when we've gotten rain, I've had to come to a dead stop because you cannot see because the dust is so bad. While there is nothing we can do about the current traffic situation, I feel we're just adding more problems to it currently by adding four more lots. I think it's a beautiful location, I agree. But, until the gravel road is addressed, you're—something needs to be done with the roads before we start developing ground on a gravel road. It's a serious safety issue. It's not the number of vehicles. It's the fact that it is straight dust.

Churchill Absolutely. In fact, the Boone County Highway Department asked for a notation on the plat that indicated that they have no plans on improving that road. We actually have two of the four lots under contract if you can believe that. And the folks that are purchasing out there, when I delivered that news to them, they were actually quite thrilled. They like the fact that it's on a gravel road. They like that rural character. But, I can understand. Gravel roads are obviously not ideal from a safety standpoint. We've actually owned the property for 12 years now and we had our fingers crossed that we'd see some infrastructure creep up that way. We had actually, I believe, and Kevin might remember this, we brought before Boone County back in 2005 as a much more substantial neighborhood. I believe we proposed 11 or 12 lots on the 32 acres and it was such that the infrastructure is just not there so we have kind of defaulted to what we felt was probably the most—the least intense that we could muster. I totally recognize the concern. I wish I could come up here and say that we'd be willing to pave that road. If that were the case, I think you'd see that 12-lot subdivision come back before you. That just simply isn't the case unfortunately.

Walker I had the same concerns having lived on a gravel road. I understand the people that want to get out and they love the country until they've been on that gravel road about six months and then it's like—everybody hates it, so. And, I knew

Boone County probably wasn't going to do anything. But, your explanation is good. I just think—

Fedor Are they going to start building right away?

Churchill I believe, yeah, one couple in particular, they're chomping at the bit. I think if you look at the primary plat, there's a notation that the home locations and the drives are proposed. The lot which I believe is designated as #1 and would be the further west, those folks have pretty refined plans. They're showing a barn already. I think that one will be strikingly similar to what they're proposing but as for Lots 2 and 3, those remain available and Lot 4 is under contract and I think that is truly just a proposed location for the house. I guess, to expound a little further, we had some comments at TAC related to the condition of the soils to support septic. We did a pretty substantial soil study as part of that previous plat. In fact, I think there were actually at least 12 borings and we provided that to the Boone County Health Department. We've addressed all the comments from the Town Engineer on both the primary plat and the secondary plat with the exception of the comment on the secondary plat related to—which obviously you guys are not worried about tonight—but the address plan and the only outstanding, and it's really not outstanding, but I'll just go on the record and say, the reference to proposed covenants, conditions and restrictions, we aren't planning on having any just given the fact that there is no common area and no shared infrastructure.

Franz Are there any additional questions, comments? Being none, is there a motion?

Schiferl I would move that Docket # 2016-41-MP minor plat approval for a 4-lot subdivision at 8250 E. 100 South be approved based upon staff's report as presented.

Franz Can we add the commitment language?

Schiferl Didn't the BZA already add the commitment language? I don't know that we need to. Do we Carol?

Drake The BZA did the commitments because what's in front of you is the minor plat, and under the statute we knew the BZA could include the commitment and they are required to record that within 60 days, that there will be no further subdividing of the four lots.

Schiferl I would just add to my motion, approved based on the findings of staff report and the fact that the BZA already did the heavy lifting.

Franz Is there a second?

Jones Second.

Franz All in favor signify by aye.

All Aye.

Franz Opposed signify by nay?

Voices Nay (Walker and Fedor)

Franz Motion carries 5-2.

Drake Who was the second, please?

Jones Me.

Churchill Thank you so much for your time.

Franz Final item on the docket 2016-05-PP and 2016-06-DP DeRossi. Status update on the commitments.

Drake Those are a work in progress. As you will recall, you added a commitment concerning the pathways, and we have worked with counsel to include that in the commitments that you saw. It's my understanding that should be finalized and recorded before your next meeting.

Franz That being it, is there a motion to adjourn?

Parks So moved.

Franz Second?

Parks Second.