



**MEETING NOTICE AND AGENDA ZIONSVILLE PLAN COMMISSION MEETING  
Monday September 19, 2016**

The Regular meeting of the Zionsville Plan Commission was scheduled for Monday September 19, 2016, at 7:00 p.m. in the Beverly Harves Meeting Room at Zionsville Town Hall, 1100 West Oak Street.

The following items were scheduled for consideration:

- I. Pledge of Allegiance
- II. Attendance
- III. Approval of July 18, 2016 Meeting Memorandum and August 15, 2016 Meeting Minutes
- IV. Continuance Requests-None at this time
- V. Continued Business

Docket Number	Name	Address of Project	Item to be Considered
2016-37-PP	Cobble Creek	9085 E. Oak Street	<b>Continued from the August 15, 2016 and September 19, 2016 Meeting, to the October 17, 2016 Plan Commission Meeting</b> <b>6 in Favor</b> <b>0 Opposed</b> 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	<b>Continued from the August 15, 2016 and September 19, 2016 Meeting, to the October 17, 2016 Plan Commission Meeting</b> <b>6 in Favor</b> <b>0 Opposed</b> Petition for Development Plan Approvals to provide for a 105 lot subdivision in an (R1) and (R2) Rural Residential Zoning Districts

VI. New Business

Docket Number	Name	Address of Project	Item to be Considered
2016-45-CA	Harris FLP	10901, 10985 E. 300 South, and 3201 S. U.S. 421	<b>Continued at the request of the Petitioner, to the October 17, 2016 Plan Commission Meeting</b> <b>6 in Favor</b> <b>0 Opposed</b> Petition for Commitment Amendment to provide for modification of Commitments associated with Boone County Ordinance No. 2008-13, and recorded instrument No. 2008-00010861 in the (GB) Rural Business Zoning District

2016-49-DPA	Getgo	7011 Whitestown Parkway	<b>Approved 6 in Favor 0 Opposed</b> Petition for Development Plan Amendment to provide for a modification specific to signage, associated Zionsville Plan Commission Docket # 2016-14-DP, to allow for a LED pricing sign (EVMS) in the (GB) Rural Business Zoning District
2016-44-MP	M. Squires	1567 N. 1000 East, Sheridan IN	<b>Approved 6 in Favor 0 Opposed</b> Petition for Minor Plat approval in order to establish a 13.73 acre lot, Lot 1), and a 6.64 acre lot, (Lot 2), in the (AG), Rural Agricultural Zoning District
2016-46-MP	S. Crenshaw	4560 S. 975 East	<b>Approved 6 in Favor 0 Opposed</b> Petition for Minor Plat approval in order to establish a 3.01 acre lot (Lot 1), a 3.39 acre lot (Lot 2), and a 3.85 acre lot (Lot 3) in the (R-SF-2) Urban Residential Zoning District
2016-47-PP	200 West	125, 165, 235 W. Sycamore Street	<b>Continued at the request of the Petitioner, to the October 17, 2016 Plan Commission Meeting 6 in Favor 0 Opposed</b> Petition for Primary Plat approval to establish (2) two lots in the (B2) and (B3) Urban Business Zoning Districts
2016-48-DP	200 West	125, 165, 235 W. Sycamore Street	<b>Continued at the request of the Petitioner, to the October 17, 2016 Plan Commission Meeting 6 in Favor 0 Opposed</b> Petition for Development Plan Approval to provide for (2) two, commercial structures with office uses on the frontage of the site in the (B2) and (B3) Urban Business Zoning Districts

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
2016-40-DP	Hoosier Village North	10201 Zionsville Road	Status Update: Commitments

<b>Address Assignment Based on the Town of Whitestown's Action</b>	<b>Old Address:</b> 6490 E. 650 South	<b>New Address</b> 6490 Royal Run Boulevard
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Respectfully Submitted:  
Wayne DeLong, AICP  
Director of Planning and Economic Development  
Town of Zionsville

September 20, 2016



**Petition Numbers:** 2016-37-PP & 2016-38-DP (Combined Summary Report)

**Subject Site Address:** 9085 E. Oak Street

**Petitioner:** 9085 Project LLC

**Representative:** Pulte Homes of Indiana

**Requests:** Petition for Primary Plat to subdivide 99.671 acres into 105 lots in the R1 and R2 Rural Residential Zoning Districts  
  
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

**Exhibits:** Exhibit 1 - Town Engineer review comments (dated August 22, 2016)  
Exhibit 2 - Town Engineer review comments (dated September 13, 2016)

**Staff Reviewer:** Wayne DeLong, AICP

## Petition History

### PROJECT OVERVIEW

#### Petition History and Status of Review

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. Since that time both the Primary Plat Petition 2016-37-PP and Development Plan Petition 2016-38-DP were heard at the August 15, 2016 Plan Commission meeting. A significant amount of testimony was offered at that meeting related to both the Preliminary Plat and Development Plan, including the request for a traffic study. At that hearing both petitions were continued to the September meeting to allow the Petitioner additional time to assemble and file a traffic study (as requested by the Plan Commission)<sup>1</sup>. On September 13, 2016 the requested study, as well as additional information, was filed with the office of the Plan Commission. On September 13, 2016, based on the receipt of the submitted information and upon initial review, the Town Engineer indicated that additional time was necessary in order to complete its review of the submittal based on the totality of submitted information.

**Staff Recommendation:** With the comments captured within the Engineers letter dated September 13, 2016, Staff has confidence that each item can be resolved to the satisfaction of Staff, however, additional time to review the materials is in order. Staff anticipates that the Town Engineer's comments will be available prior to the hearing on September 19, 2016 and additional information will be provided at that time.

#### Recommended Motions

**Recommended Motions related to both the Preliminary Plat and Development Plan are forthcoming at the September 19, 2016 meeting, based on review comments from the Town Engineer.**

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<sup>1</sup> On August 22, 2016 the Town Engineer provided comments related to the August 8, 2016 submitted Drainage Report (comments captured as Exhibit 1 to this Combined Summary Report).



To: Wayne DeLong, Director of Planning and Economic Development  
 From: Mark DeBruler, P.E., Town Engineer *md*  
 Date: August 22, 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	#2	
Documents Reviewed		Document Name	Document Date
		Jade Court Ladder 93 Autoturn Exhibit	7/29/2016
		Drainage Report	7/29/2016 (Created 8/8)
		Primary Plat	7/29/2016
		Development Plan	
		Lift Station Report	
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. In the Drainage Summary Soil Types paragraph, the language indicates the soil groups were changed in the developed condition to the next higher infiltrating group. The change should be to the next lower, reduced infiltration group due to construction activity damaging the soil structure.

B. Indicate the pre-developed soil groups and curve number calculations.

- C. Most stormwater will discharge to ravines, running through these undisturbed wooded ravines to inlets for the dry detention ponds. The peak flow rates and volumes from these discharges to the ravines will, in many cases, be significantly higher than the natural flow through the ravines due to the increased impervious area, resulting in increased erosion of the ravines. Additionally, it is likely the stormwater will gather leaves and other debris to a significantly greater extent than typical stormwater runoff through a storm sewer in a developed area. Please explain how these three issues – increased peak flow rate, increased volume, and increased solids loadings of both soil and debris - will be mitigated to control erosion in the ravines and solids loadings in the detention pond inlet structures and within the ponds.
- D. Please provide seasonal high water table information for dry detention ponds.
- E. It does not appear that Pond 9 utilizes 2 BMPs and that flow is collected by overland flow across much of its western side. Please revise to provide the required two BMPs, for example with a back-lot swale to a forebay, or explain how two BMPs cannot be installed.
- F. 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 detention ponds along the creek or alternatively how this tailwater is to be managed. Tailwater calculations were not located in the report.
- G. Hydrographs were not included in the report. The hydrographs included in the comment letter depicted stages for the Channel Protection Volume (1-year storm) instead of the required stages from the 100-year storm.

## II. DEVELOPMENT PLANS

- A. Indicate the location of WQ1.
- 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. Please install backyard SSDs for foundation drains for Lots 87-102, connecting to the storm sewers to Lake 3 and Russell Lake, or explain why these SSDs cannot be installed.
- D. It appears that gravity sanitary sewer service can be extended in lieu of low pressure sewers on:
  - 1. Copper Circle to the Lot 20/21 property line to serve Lots 18-21 and 30-33.
  - 2. Onyx Circle to near Topaz Court to serve Lots 36-38 and 50-55.
  - 3. Sapphire Court to near the end to serve Lots 56-63 and 69-76.

Please provide gravity sanitary sewer service to these Lots or provide documentation why gravity service cannot be extended to these Lots.

### III. PRIMARY PLAT

- A. For LID credit for undisturbed areas along Irishman's Run as indicated in the Drainage Report, 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 review letter indicates Lots 46 and 47 required a 25' BSL to achieve the 3:1 lot width:depth ratio, but Lot 47 indicates a 20' BSL. Lots 45 and 46 have 40' BSLs. Please revise the Lot 47 BSL to a minimum 25' if needed to achieve the required lot ratio or indicate that the review letter reference was for Lot 45 instead of Lot 47.

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

### IV. LIFT STATION DESIGN REPORT

- A. EDU calculations in the West Oak Street Sewer Study used in the Lift Station Design Report included significant flows from the proposed Assisted Living Facility. The property proposed for this Assisted Living Facility is now unlikely to develop in the manner envisioned at the time of the report. Please revise the lift station calculations with projections for 1 EDU/acre from this property, consistent with other undeveloped properties in the sewershed.
  - 1. This revision will significantly impact the design report calculations, so a detailed review of the calculations was not performed.
- B. The reduction in projected sewershed flows opens the option for an alternative force main discharge point at MH 03-38 on the north side of Oak Street at Irongate. Use of this discharge location will necessitate reconstruction of portions of a 12" sewer from Oak Street to the Western Interceptor due to capacity issues created by negative grades in this sewer. Details of survey data for this interceptor sewer has been provided to the subdivision site engineer for consideration.

### V. FUTURE FOLLOW-UP ITEMS AND NOTES

- A. Notes
  - 1. The Spillway/Dam reconstruction and lake fill area was not reviewed.

B. Development 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.
3. The detention pond access drive and some pond outfall pipes encroach on the preliminarily identified floodway. Obtain approval from DNR and other applicable regulatory agencies if construction is proposed in the final, determined, floodway.



# ZIONSVILLE

FOR ALL THE RIGHT REASONS

To: Wayne DeLong, Director of Planning and Economic Development  
From: Mark DeBruler, P.E., Town Engineer *md*  
Date: September 13, 2016

### PROJECT DESCRIPTION

Project	Name	Cobble Creek
	Location	9085 West Oak Street
	Developer	Pulte Homes of Indiana, L.L.C.
	Submittal	#3

The Town received a third submittal for the Cobble Creek subdivision today in anticipation of seeking approval from the Plan Commission of the subdivision next Monday, September 19<sup>th</sup>. Significant drainage questions remained to be resolved as of the last submittal, including issues along Irishman's Run, which flows through the property. The Town's participation in regionalizing the proposed sanitary sewer lift station for the project has yet to be finalized, as well.

Considering the significant issues remaining after the last submittal and the short time available for review of the latest submittal before board packets are completed, I am not comfortable in recommending the Plan Commission approve the subdivision subject to resolution of these issues.



**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.

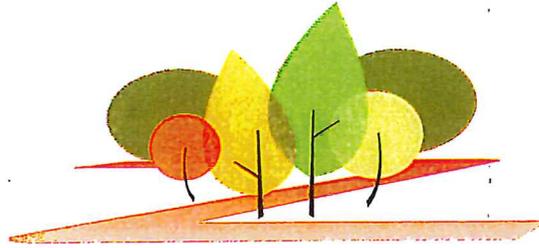


Date: 01/24/2018 Plot: 02/20/2018 File Name: W:\Public\Homes\2017-2018-A\Phase 2\Zionsville Russell Lake\Drawings\OverallPlan\_Lake Overall\Map\Site\Exhibit.Lake\_Layout\_Misc\with Address\17x17 By: dhananid



RUSSELL LAKE  
OVERALL PLAN  
ZIONSVILLE, BOONE COUNTY, INDIANA

Exhibit 1



# 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

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.



**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.



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 accel/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.

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**

**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

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# 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

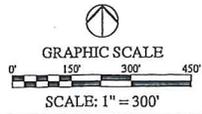
With the comments captured within this report as well as review letters as Exhibit 6, Exhibit 7, and Exhibit 8, Staff has full confidence that each future item can be resolved to the satisfaction of Staff. Therefore, Staff recommends approval subject to the resolution of each future item identified in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

## RECOMMENDED MOTIONS

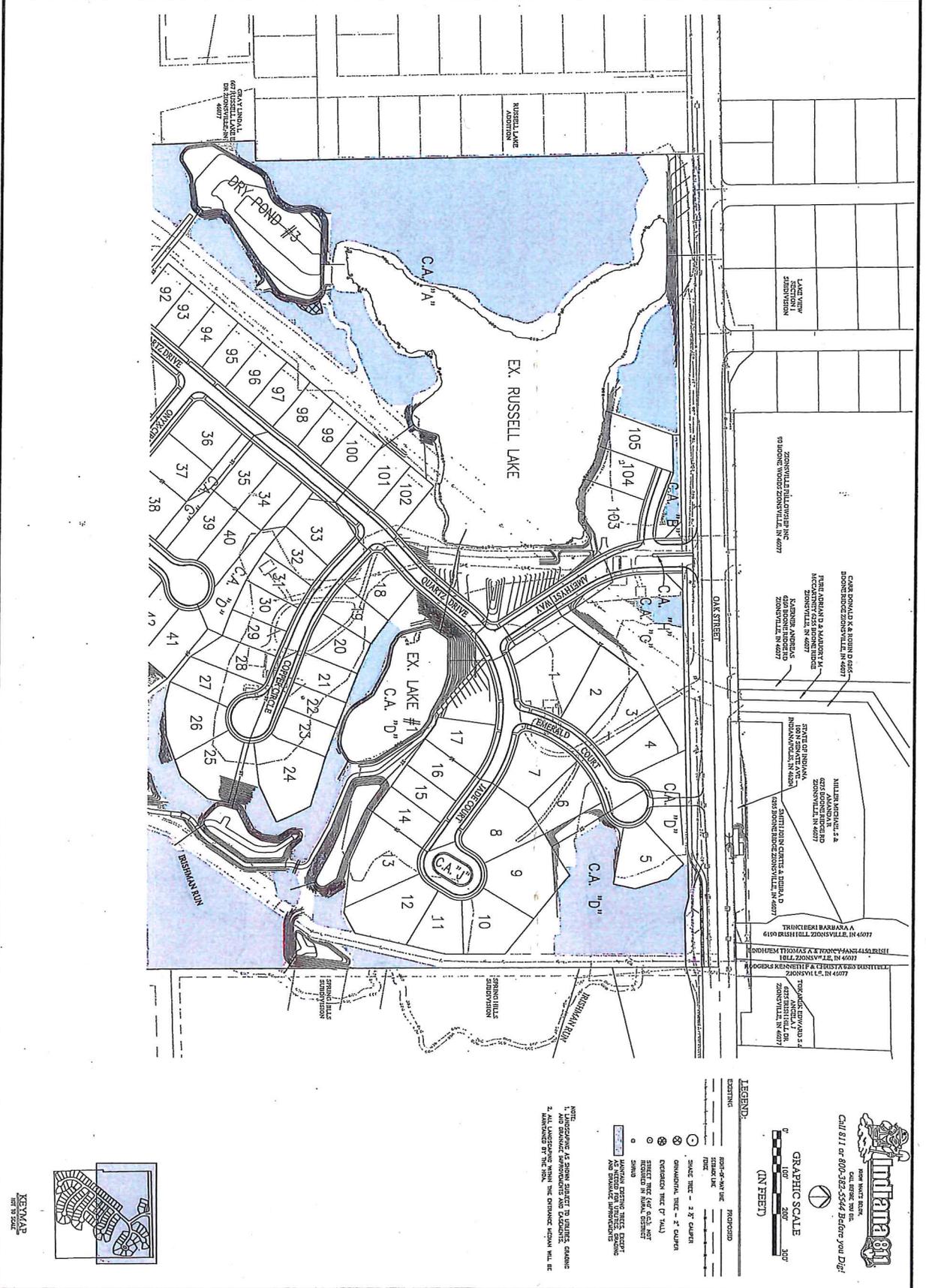
I move that Docket #2016-38-DP Development Plan approval to provide for a 105 lot subdivision, in the R1 and R2 Rural Residential Zoning Districts be (Approved with the conditions noted in the staff report and based upon the findings / Denied/ Continued ) as presented.



File Name: W:\Projects\Russell Lake\Design\Russell Lake Overall\McCher Exhibit\Layouts\McCher with Adjacent 11x17 Dwg.dwg  
Plot Time: 6/25/10  
File Date: Jul 24, 2010

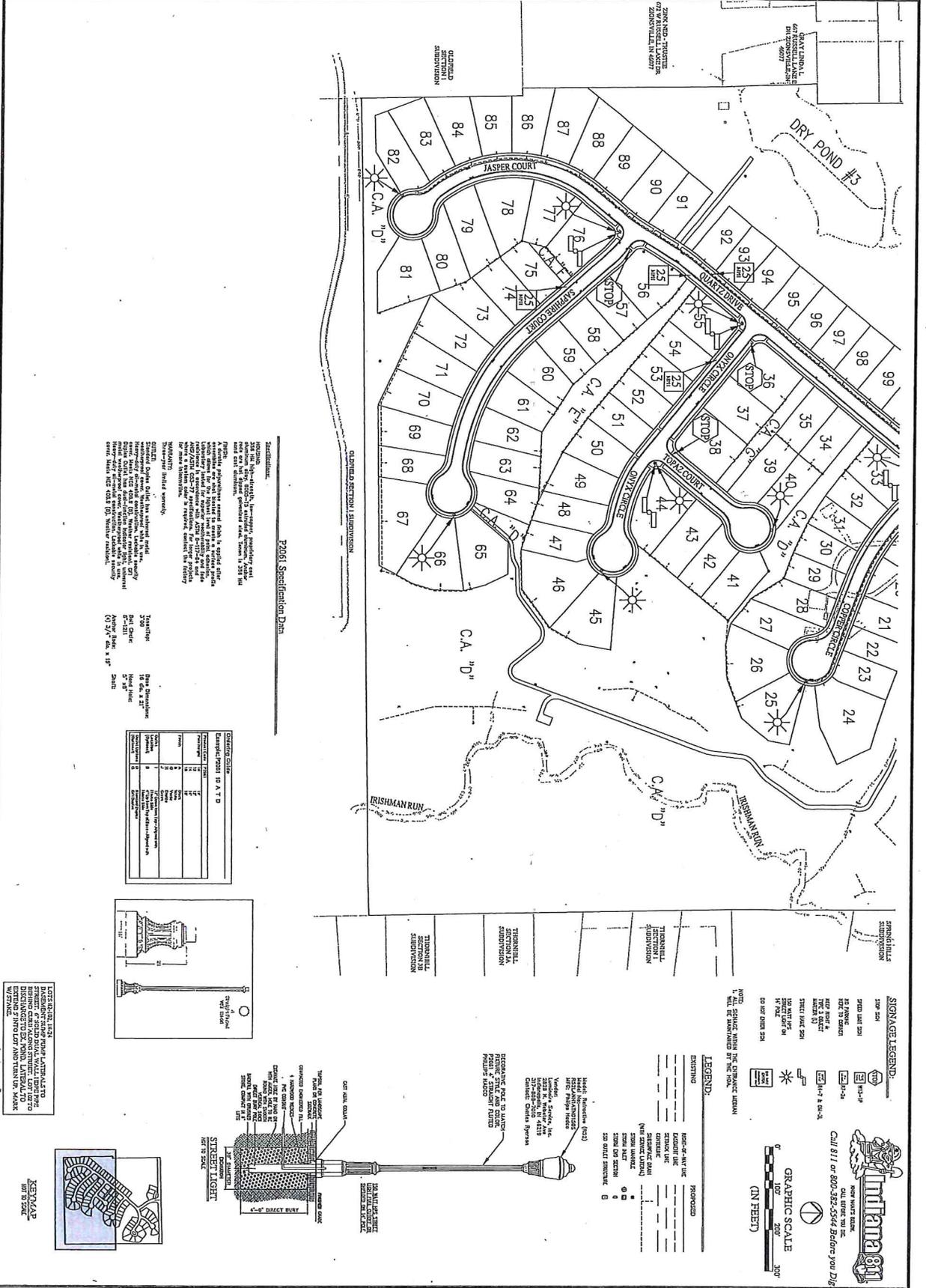


RUSSELL LAKE  
OVERALL PLAN  
ZIONSVILLE, BOONE COUNTY, INDIAN  
JULY 26, 2015







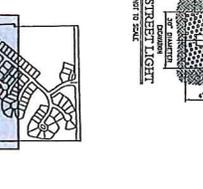
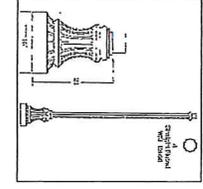


**P2001 Specification Data**

**Submittals:**  
 Provide manufacturer's literature, including cut sheets, showing the proposed lighting fixture and its mounting hardware, and a copy of the manufacturer's warranty. The manufacturer's literature should include the following information:  
 A. A complete description of the fixture, including the manufacturer's name, model number, and the name of the manufacturer's representative in the area.  
 B. A complete description of the mounting hardware, including the manufacturer's name, model number, and the name of the manufacturer's representative in the area.  
 C. A complete description of the electrical wiring, including the manufacturer's name, model number, and the name of the manufacturer's representative in the area.  
 D. A complete description of the lighting fixture, including the manufacturer's name, model number, and the name of the manufacturer's representative in the area.  
 E. A complete description of the mounting hardware, including the manufacturer's name, model number, and the name of the manufacturer's representative in the area.  
 F. A complete description of the electrical wiring, including the manufacturer's name, model number, and the name of the manufacturer's representative in the area.  
 G. A complete description of the lighting fixture, including the manufacturer's name, model number, and the name of the manufacturer's representative in the area.  
 H. A complete description of the mounting hardware, including the manufacturer's name, model number, and the name of the manufacturer's representative in the area.  
 I. A complete description of the electrical wiring, including the manufacturer's name, model number, and the name of the manufacturer's representative in the area.  
 J. A complete description of the lighting fixture, including the manufacturer's name, model number, and the name of the manufacturer's representative in the area.  
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 L. A complete description of the electrical wiring, including the manufacturer's name, model number, and the name of the manufacturer's representative in the area.  
 M. A complete description of the lighting fixture, including the manufacturer's name, model number, and the name of the manufacturer's representative in the area.  
 N. A complete description of the mounting hardware, including the manufacturer's name, model number, and the name of the manufacturer's representative in the area.  
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 Q. A complete description of the mounting hardware, including the manufacturer's name, model number, and the name of the manufacturer's representative in the area.  
 R. A complete description of the electrical wiring, including the manufacturer's name, model number, and the name of the manufacturer's representative in the area.  
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 U. A complete description of the electrical wiring, including the manufacturer's name, model number, and the name of the manufacturer's representative in the area.  
 V. A complete description of the lighting fixture, including the manufacturer's name, model number, and the name of the manufacturer's representative in the area.  
 W. A complete description of the mounting hardware, including the manufacturer's name, model number, and the name of the manufacturer's representative in the area.  
 X. A complete description of the electrical wiring, including the manufacturer's name, model number, and the name of the manufacturer's representative in the area.  
 Y. A complete description of the lighting fixture, including the manufacturer's name, model number, and the name of the manufacturer's representative in the area.  
 Z. A complete description of the mounting hardware, including the manufacturer's name, model number, and the name of the manufacturer's representative in the area.

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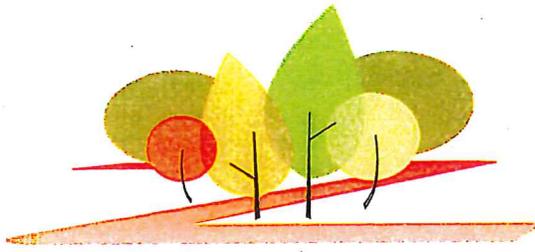


**COBBLE CREEK  
 ZIONSVILLE, INDIANA  
 LIGHTING, SIGNAGE AND REAR YA  
 SUB-SURFACE DRAIN (SSD) PLAN**

**CS.1**  
 LIGHTING, SIGNAGE AND  
 SUB-SURFACE DRAIN (SSD) PLAN

DATE: 12.28.15  
 SCALE: AS SHOWN  
 SHEET: 15 OF 15

PROJECT: COBBLE CREEK  
 LOCATION: ZIONSVILLE, INDIANA  
 CLIENT: PULTE HOMES



# 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

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.



**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.



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 accel/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.

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 utilities.
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 adequate 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\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**Petition Number:** 2016-44-MP

**Subject Site Address:** 1567 N. 1000 East Sheridan, IN 46069

**Petitioner:** Madalyn Squires

**Representative:** Michael Andreoli

**Request:** Petition for Minor Plat approval in order to establish a 13.73 acre lot, Lot 1), and a 6.64 acre lot, (Lot 2), in the (AG), Rural Agricultural Zoning District

**Current Zoning:** (AG), Rural Agricultural Zoning District

**Current Land Use:** Residential

**Approximate Acreage:** 20.37 acres

**Related Petitions:** 2016-23-SE: Board of Zoning Appeals Petition for Special Exception to allow for a new residential building an (AG) Agricultural Zoning District (pending).

**Exhibits:**  
Exhibit 1 – Staff Report  
Exhibit 2 – Aerial Location Map  
Exhibit 3 – Plat  
Exhibit 4 – Town Engineer Comments letter dated September 13, 2016  
Exhibit 5 – Findings of Fact

**Staff Reviewer:** Wayne DeLong, AICP

## **PROJECT OVERVIEW**

### **Project Location**

The subject property is approximately 20.37 acres located south of 200 North and north of 100 North, and is located on the east side of County Road 1000 East.

### **Project Description**

The subject property is currently zoned (AG) Rural Agricultural. The petitioner is requesting plat approval to divide one (1) lot from two (2) existing parcels, with drive cut being partially located on a commonly owned adjacent parcel. The intention of the Petitioner is to create one new buildable site (Lot 1) consisting of 13.73 Acres with a remainder of the parcel to include the existing dwelling and related accessory structures of 6.64 acres.

Petition 2016-23-SE will be considered by the Board of Zoning Appeals on October 11, 2016, and will request approval to build a residential home in the Agricultural Zoning District. Additionally, it is anticipated that the Petitioner will also file with the Board of Zoning Appeals seeking approval to deviate from road frontage requirements (supporting the contemplated subdivision).

## **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 Exhibit 4).

### **Zoning Ordinance**

The plat has been reviewed using the standards of the Zionsville Zoning Ordinance and found to be in compliance (except as noted in the Project Description portion of this report).

### **Street and Highway Access / Sidewalks**

The two (2) lots will utilize County Road 1000 East 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 pathway (parallel to the road frontage) in conformance with Town standards. The plat reflects these requirements.

### **Stormwater Management**

Both lots will utilize surface drainage to manage stormwater.

### **Utility Capacity / Utility Easements**

Limited utilities are available to the site. The use of both septic systems and wells will be required as a part of the contemplated subdivision.

## **PUBLIC POLICY**

### **Comprehensive Plan**

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

the Comprehensive Plan (as the agricultural recommendation recognizes the potential residential uses in the agricultural area).

**Water and Sewer**

Currently, the property does not have access to potable water systems nor sanitary sewer systems.

**STAFF COMMENTS**

Staff recommends approving the petition, subject to the approval of the pending Special Exception and forthcoming variance filing (associated with access to the subdivision).

**RECOMMENDED MOTIONS**

**Primary Plat Motion**

I move that Docket #2016-44-MP minor plat approval establishing a two (2) lot plat at 1567 N. 1000 East Sheridan, IN 46069 be (Approved based the findings in the staff report / Denied/ Continued) as presented, subject to the Petitioner obtaining the required variance relief (associated with access to the lots) and Special Exception approval prior to the recordation of the Secondary Plat associated with contemplated subdivision.

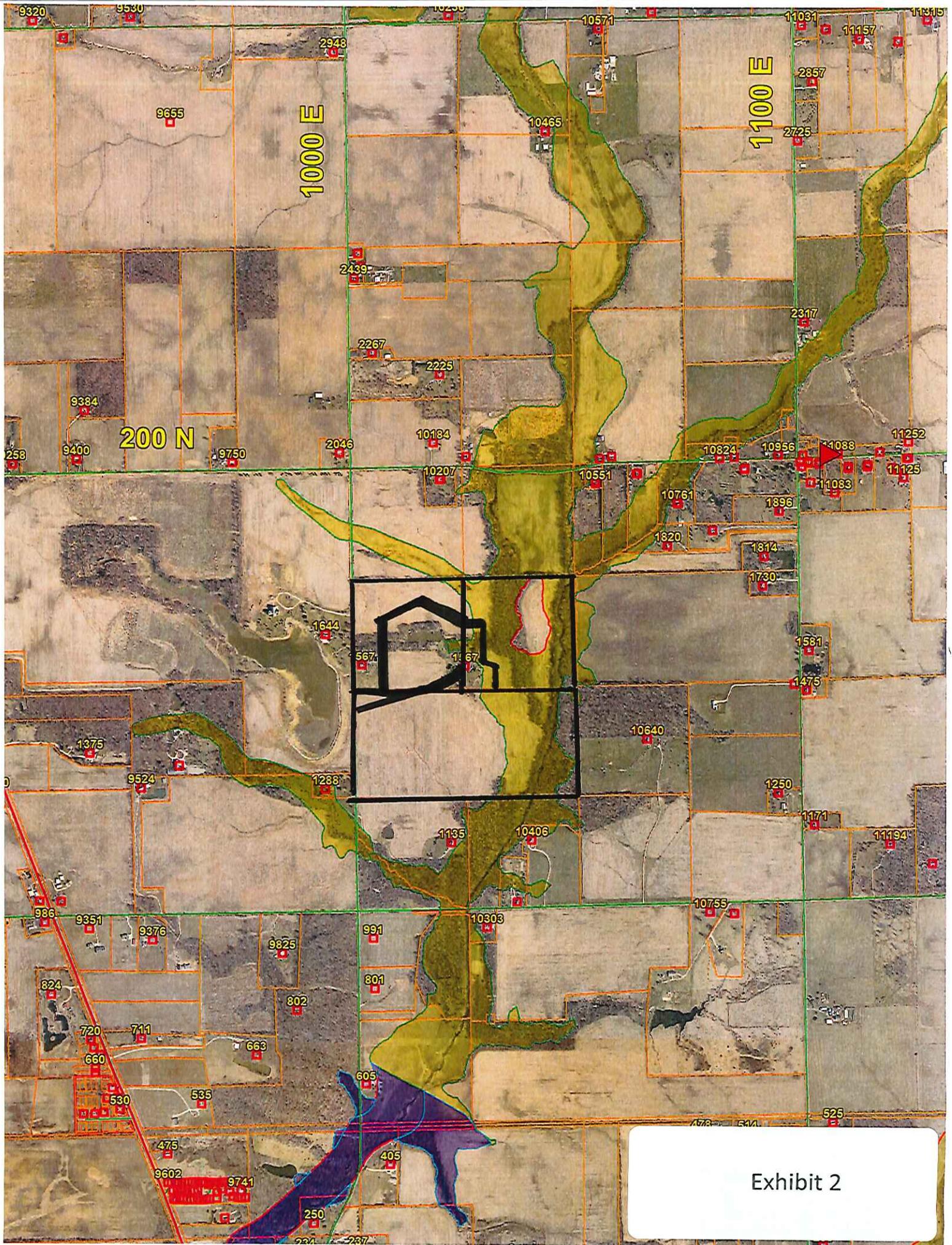
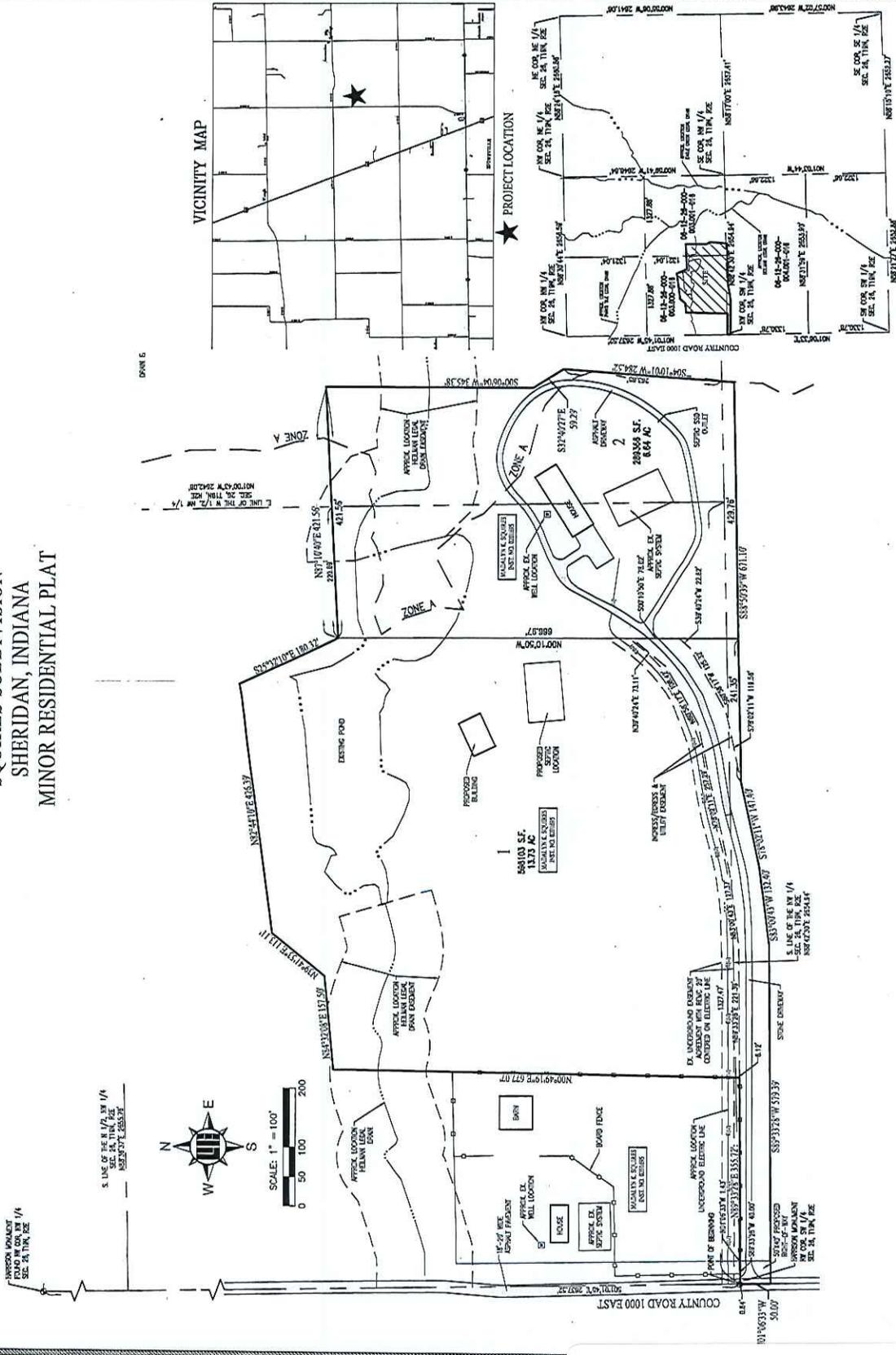


Exhibit 2

**SQUIRES SUBDIVISION  
SHERIDAN, INDIANA  
MINOR RESIDENTIAL PLAT**



This instrument prepared for:  
**MADALYN K. SQUIRES PROPERTY**  
 CLIENT ADDRESS: 1567 NORTH 1000 EAST  
 SHERIDAN, INDIANA 46260  
 PHONE: 317-853-4424

This instrument prepared by: Kevin Sumner as agent for owner:  
 15565 N. College Avenue  
 N. Indiana 46119  
 wks@kci.net  
 317 845-6811  
 101 435-6118  
 317 140-0546  
 MADE IN THE U.S.A. PRINTED

**WEIHE  
ENGINEERS**  
 Land Surveying & Engineering  
 Landscape Architects





To: Wayne DeLong, Director of Planning and Economic Development  
 From: Mark DeBruler, P.E., Town Engineer *MD*  
 Date: September 13, 2016

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

**PROJECT DESCRIPTION**

Project	Name	Squires Subdivision	
	Location	1567 North 1000 East Sheridan, Indiana	
	Developer	Madalyn K. Squires Property	
	Submittal	#2	
Documents Reviewed	Document Name	Document Date	
	Minor Plat	9/07/2016	
Zoning	Current	AG	
	Proposed	AG	
Land Use	Current	Agriculture	
	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. MINOR PLAT**

- A. Provide a statement about the existence of the Zone A floodway on the property, including source and extent of potential error in location.
- B. Please provide an address plan.

**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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



Town of Zionsville  
1100 West Oak Street  
Zionsville, IN 46077

MEMORANDUM

**TO:** Town of Zionsville Advisory Plan Commission  
**FROM:** Wayne DeLong, AICP, Director of Planning and Economic Development  
**RE:** Docket # 2016-45-CA  
Petition for Commitment Amendment to provide for modification of Commitments,  
Ordinance # 2008-13, in the GB and PB Rural Business Zoning Districts

Zoning Commitments for 57.53 acres, (which presently encompasses the proposed site submitted for this petition), were recorded in the Boone County Recorder's office in 2008 (subsequent to approval by the Boone County Area Plan Commission). As part of that approval:

- 1) 44.25 acres were rezoned from the R-1 Zoning Classification to the GB Zoning Classification
- 2) 13.28 acres were rezoned from the R-1 Zoning Classification to the PB Zoning Classification
- 3) Instrument 200800010861 identifies the list of a) Prohibited Uses and b) specific development commitments.

Per the filing, the petitioner seeks to modify the commitments, in order to allow the use of an automobile fuel station use, and to eliminate the provision of the Michigan Road Overlay Ordinance, specific to the prohibition of "drive through facilities."

Per the current zoning, the sales and dispensing of fuels and oil causes the contemplated use to require to seek a modification from the current commitments (as the sales of merchandise, food, and "convenience" items is permissible, today, without the need for modification to the prior commitments). As to facilities utilizing drive-thru, the prior zoning petition focuses its limitations on the presence of fast-food restaurants (and not on drive-thru facilities as a whole).

**Fuel Service Station:** Staff is in support of the petition to modify the prior commitments, and this support is directly related to the illustrative information contained within the petition filing. If this application seeking to modify the prior commitment did not have information to supplement our understanding of the filing, staff would have been less enthusiastic about the requested modification.

**Drive-Thrus: Staff is supportive of the concept of allowing facilities with drive-thru components** within the contemplated shopping center given the regional nature of the center and the Plan Commission's continuing jurisdiction over the siting and location of facilities utilizing drive-thru components.

Please reference Ordinance No. 2008-13 (enclosed as Exhibit 1).

If there are any questions as to the content, please do not hesitate to contact me.

Wayne DeLong, AICP

25:00  
COMMISSIONERS

200800010861  
Filed for Record in  
BOONE COUNTY, INDIANA  
MARY ALICE "SAM" BALDWIN  
11-21-2008 At 08:16 am.  
ORDINANCE 26.00

ORDINANCE NO. 2008 - 13

AN ORDINANCE REZONING PROPERTY  
AND CHANGING THE ZONING MAPS  
OF BOONE COUNTY, INDIANA  
(Harris FLP; 07EA-16-839)

WHEREAS, the Petitioner, Harris FLP, filed their Zoning Amendment Application before the Boone County Area Plan Commission, seeking to rezone approximately 57.53 acres, more or less, in Eagle Township, Boone County, Indiana, from the R-1 Residential Zoning Classification to the GB General Business Zoning Classification and the PB Professional Business Zoning Classification; and

WHEREAS, pursuant to Indiana Code 36-7-4-608, the Area Plan Commission conducted the required public hearing and determined its favorable recommendation, by a 6-0 vote, on August 6, 2008; and certified its recommendation to the legislative body, the Board of Commissioners of Boone County, on August 20, 2008; and

WHEREAS, pursuant to Indiana code 36-7-4-608, the Board of Commissioners of Boone County, having considered the Application and the recommendation of the Area Plan Commission, now adopts the proposal and approves the requested rezoning with any stated condition of a commitment (Covenants/Commitments), all as hereinafter set out.

IT IS THEREFORE CONSIDERED, ORDAINED AND ADOPTED as follows:

1. That the Applicant is Harris FLP.
2. That the Applicant seeks to have the following described property, which is currently located in the R-1 Zoning Classification rezoned to the GB Zoning Classification:

A part of the northeast quarter of Section 23 and a part of the northwest quarter of Section 24, both in Township 18 North, Range 2 East of the Second Principal Meridian, Boone County, Indiana, described as follows:

Beginning at the northwest corner of the northwest quarter of Section 24, Township 18 North, Range 2 East; thence South 89 degrees 56 minutes 41 seconds East (all bearing recited in this description are referenced to the north line of the northwest quarter of Section 24, Township 18 North, Range 2 East, the bearing of which is assumed to be South 89 degrees 56 minutes 41 seconds East) along the north line of said northwest quarter section 289.95 feet; thence South 01 degrees 02 minutes 43 seconds West 1,358.82 feet; thence South 89 degrees 56 minutes 41 seconds West 261.30 feet; thence South 70 degrees 42 minutes 11 seconds West 782.00 feet to the centerline of U.S. Highway 421 (Michigan Road); thence North 19 degrees 11 minutes 47 seconds West along said centerline 1,715.14 feet to a 1 inch diameter iron rod in a monument box in the north line of the northeast quarter of Section 23 Township 18 North, Range 2 East; thence South 89 degrees 53 minutes 13 seconds East along said north line 1,298.64 feet to the point of beginning, containing 1,927,261 square feet or 44.25 acres, more or less.

3. That the Applicant seeks to have the following described property, which is currently located in the R-1 Zoning Classification rezoned to the PB Zoning Classification:

Ordinance No. 2008 - 13  
Page 2

A part of the northeast quarter of Section 23 and a part of the northwest quarter of Section 24, both in Township 18 North, Range 2 East of the Second Principal Meridian, Boone County, Indiana, described as follows:

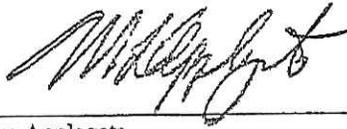
Beginning at the northwest corner of the northwest quarter of Section 24, Township 18 North, Range 2 East; thence South 89 degrees 56 minutes 41 seconds East (all bearing recited in this description are referenced to the north line of the northwest quarter of Section 24, Township 18 North, Range 2 East, the bearing of which is assumed to be South 89 degrees 56 minutes 41 seconds East) along the north line of said northwest quarter section 289.95 feet; thence South 01 degrees 02 minutes 43 seconds West 1,358.82 feet to the point of beginning; thence continuing South 01 degrees 02 minutes 43 seconds West 741.92 feet to the north line of Bridlewood Subdivision (Plat Book 6, pages 105-107, Office of the Recorder, Boone County, Indiana); thence South 89 degrees 59 minutes 55 seconds West along said north line 415.11 feet to a 4 inch by 4 inch concrete monument at the northwest corner of said Bridlewood Subdivision also being in the eastern line of the land of Joe Lee and Lynda Sue Chambers; thence north 11 degrees 32 minutes 25 seconds West along said eastern line 91.15 feet to the northeast corner thereof; thence South 79 degrees 58 minutes 04 seconds West along the northern line of said Chambers 397.69 feet to the centerline of U.S. Highway 421 (Michigan Road); thence North 19 degrees 11 minutes 47 seconds West along said centerline 490.53 feet; thence North 70 degrees 42 minutes 11 seconds East 782.00 feet; thence North 89 degrees 56 minutes 41 seconds East 261.30 feet to the point of beginning, containing 578,479 square feet or 13.28 acres, more or less.

4. That the Board of Commissioners has paid reasonable regard to applicable comprehensive plans; current conditions and the character of current structures and uses in each district; the most desirable use for which the land in each district is adapted; the conservation of property values throughout the jurisdiction; and responsible development and growth.
5. That from and after this date, the official zoning maps of Boone County, Indiana shall be changed to rezone the subject property from the R-1 Zoning Classification to the GB and PB Zoning Classifications. Further, the Executive Director of the Boone County Area Plan Commission is hereby authorized to change the official zoning maps consistent with this ordinance.
6. Attachment A includes commitments and are hereby made a part of this ordinance.
7. Attachment B includes a concept plan for the property and shall be used in comparison of future development plans.

ALL OF WHICH IS ADOPTED this 3rd day of November, 2008, by the Board of Commissioners of Boone County, Indiana.

BOARD OF COMMISSIONERS OF  
BOONE COUNTY, INDIANA

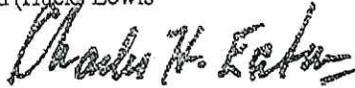
Ordinance No. 2008 - 13  
Page 3



Marc Applegate

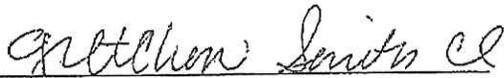


Harold (Huck) Lewis



Charles Eaton

ATTEST:



Gretchen Smith, Auditor

This instrument was prepared by Steven C. Niblick,  
Executive Director of the Boone County Area Plan Commission

"I AFFIRM, UNDER THE PENALTIES FOR PERJURY,  
THAT I HAVE TAKEN REASONABLE CARE TO REDACT  
EACH SOCIAL SECURITY NUMBER IN THIS  
DOCUMENT, UNLESS REQUIRED BY LAW."

NAME: Karen Lasley

Ordinance No. 2008 - 13  
Page 4

ATTACHMENT A

PETITIONER'S COMMITMENTS TO INDUCE

FAVORABLE ZONE MAP CHANGE

- I. Notwithstanding the uses permitted as a matter of Right or by way of Special Exception in the GB-General Business Zoning Classification, the following uses shall be prohibited on the subject property; to-wit:

Boone County Zoning Ordinance  
Table 2, Authorized Uses

Non-Industrial Farm, Agricultural, Animal Related Uses

- Animal Day Care
- Commercial Greenhouse
- Kennel (Small, Large and/or Unlimited)
- Roadside Produce Stand
- Sale Barn for Livestock
- Farm
- Hay, Grain, Feed Stores

Government

- Penal or Correctional Institutions
- Industrial Uses
- Auction Sales Yard
- Mineral Extraction
- Warehouse (General)
- Warehouse (Grain Storage)
- Wholesale Produce Terminal
- Farm Product Processing
- Food Processing
- Linen Supply

Recreation, Amusement, Tourism

- Hotel or Motel
- Outdoor Theatre
- Billiard and Pool Establishment

Ordinance No. 2008 - 13  
Page 5

- Public Stable
- Outdoor Shooting Range
- Public or Private Camp Ground or Recreational Vehicle Park

Residential

- Minor Residential Subdivision
- Mobile Home Park
- Customary Home Occupation
- Multi-Family Dwelling
- Single-Family Dwelling
- Two-Family Dwelling
- Farm Seasonal Worker Housing
- Fraternity, Sorority or Student Housing
- Group Residential Facility
- Major Residential Subdivision
- Temporary Mobile Home

Retail, Trade, Food Stores

- Maximum of two Fast Food Drive-thru Restaurants
- Liquor Store (Wine Store with more than 75% of its inventory in wine would be permitted)
- Night Club

Retail, Trade, General Merchandise

- Monument Sales
- Tobacco Stores (a Cigar Shop with the majority of its inventory geared towards cigars would be excluded from this restriction)

General Services

- Coin Operated Laundry
- Commercial Testing Laboratories

Vehicle Dealers, Repair and Services

- Self-Service Automatic Car Wash (the intent is to exclude open bayed self-car wash)
  - Automobile or Motorcycle Sales
  - Automobile Repair Service Station (no sale of gasoline or overnight storage of vehicle allowed but a quick service oil change will be permitted)
  - Mobile home, Travel Trailer, Camper Sales & Service
  - Passenger Car Rental
- 
-

Ordinance No. 2008 - 13  
Page 6

Industrial

- Anhydrous Ammonia
- Commercial Facility for Breeding Non-Farm Fowl & Animals
- Confined Feeding
- Contractors Storage
- General Industrial
- Mineral Extraction
- Truck Freight Terminal

II. Notwithstanding the uses permitted as a matter of Right or by way of Special Exception in the PB-Professional Business Zoning Classification, the following uses shall be prohibited on the subject property; to-wit:

Boone County Zoning Ordinance  
Table 2, Authorized Uses

Residential

- Minor Residential Subdivision
- Major Residential Subdivision
- Customary Home Occupation
- Multi-Family Dwelling
- Two-Family Dwelling
- Temporary Mobile Home

Utilities, Transportation and Communication

- Airport or Heliport

III. The Petitioners agree to further site development Commitments and Limitations as follows:

- Square Footage  
In the GB-General Business classification, the maximum square footage for any one user will be 150,000 square feet with no other building exceeding 75,000 square feet.
- Fast Food Restaurants  
No more than two (2) fast food restaurants being allowed on the GB portion of the property. Further, that the two (2) fast food restaurants shall not be located adjacent to each other.

Ordinance No. 2008 - 13  
Page 7

- Buffer along East and South Property  
That the east and south ponds depicted on the conceptual plan will be installed for protection of Willow Glen and Bridlewood Subdivision.
  - Minimum Distance for South and East Property Line  
That the building set-back line on the south property line will be a minimum of 150 feet which is depicted on the concept plan.
  - Water features on the property  
That a minimum of two (2) sizeable water features be placed along U.S. 421 as depicted in the concept plan.
  - Public Road Commitment on the Major Access point on U.S. 421  
That the major access point on U.S. 421 connecting to the pre-established access cut in Willow Glen will be built to Boone County Highway Standards and dedicated as a public road.
  - Number of Outlets on U.S. 421  
That Outlots on U.S. 421 be limited to a total of seven (7) outlots. All outlots will be a minimum of one (1) acre in size.
  - Number of Outlots on County Road 300 South  
That Outlots be limited to a total of four (4) outlots. All outlots will be a minimum of one (1) acre in size.
  - Multiple Tenants  
That no more than three (3) outlots out of the total eleven (11) commercial outlots would be allowed to have more than (2) tenants.
  - Signage  
The signage for the development will comply with the US 421 Overlay District and as depicted in the Signage and Concept Plans. Further, the applicant commits to not more than eleven (11) freestanding tenant signs and not more than one (1) multi-user/identification sign along CR 3000 South and not more than two (2) multi-user/identification signs along US 421, one in the GB and one in the PB Zoning Classifications. No pole signs shall be allowed in either district.
  - Dark Skies  
The applicant commits to dark sky lighting technologies.
  - Building Height  
The office building on the South and West part of the PB-Professional Business classification shall be a maximum of two stories in height. The office building on the North and East part of the PB-Professional Business classification shall be a maximum of three (3) stories in height.
-

Ordinance No. 2008 - 13  
Page 8

- Architecture and Landscaping

The architecture and landscaping plans shall substantially comply with the renderings submitted and presented with the concept plan.

- Road Cuts

Petitioner will be limited to two (2) access cuts onto 300 South as follows:

1. The main entrance (full access) from CR 300 South will line up with the future development of the Greenhouse property on the North side of CR 300 South;
2. A right-in/right-out access point to be located to the east of the main entrance.

Petitioner will be limited to two (2) access cuts onto US 421 as follows:

1. Right-in/right-out;
2. The main entrance from US 421;
3. A third southern cut onto US 421 was originally depicted in the concept plan for this proposed development. It has been eliminated as a public access point. However, should the southernmost out lot develop as a fire or emergency services use, developer reserves the right to seek approval for this access cut onto US 421 for emergency services vehicles only.

These Commitments are conditioned upon a favorable zone map change as requested by Petitioner and subject to a favorable zone map change by the Board of Commissioners of Boone County. These Commitments may not be amended except after a hearing before the Boone County Area Plan Commission and approval of the Board of Commissioners of Boone County.

The Petitioner acknowledges that these Material Representations and Commitments are to induce a Zone Map change and may be enforced pursuant to I.C. 36-7-4-610.5.



**Petition Number:** 2016-46-MP

**Subject Site Address:** 4560 S. 975 East

**Petitioner:** Susan Crenshaw

**Representative:** Roger Burrus

**Request:** Petition for Minor Plat approval in order to establish a 3.01 acre lot (Lot 1), a 3.39 acre lot (Lot 2), and a 3.85 acre lot (Lot 3) in the (R-SF-2) Urban Residential Zoning District.

**Current Zoning:** R-SF-2 Urban Residential Zoning District

**Current Land Use:** Residential

**Approximate Acreage:** 10.39 acres

**Related Petitions:** 2016-22-DSV Petition for Development Standards Variance to allow for a reduction of the minimum road frontage (minimum dimensions between zero feet and 139.20 feet) and to allow an for an accessory structure to exist prior to a primary in the (R-SF-2) Urban Residential Zoning District

**Exhibits:** Exhibit 1 – Staff Report  
Exhibit 2 – Aerial Location Map  
Exhibit 3 – Plat  
Exhibit 4 – Site Plan  
Exhibit 5 – Petitioners Narrative  
Exhibit 6 – Town Engineer Comments letter dated September 13, 2016  
Exhibit 7 – Findings of Fact

**Staff Reviewer:** Wayne DeLong, AICP

## **PROJECT OVERVIEW**

### **Project Location**

The location of the parcel is on 975 East, south of 400 South and North of 500 South.

### **Project Description**

The subject property received Board of Zoning Appeals approval at their September 13, 2016 meeting. The approval included a reduction of the minimum road frontage (minimum dimensions between zero feet and 139.20 feet), and to allow an for an accessory structure to exist prior to a primary with the condition that a Primary structure would be built within three (3) years or the Accessory Structure (barn) would be demolished. The Board also required the recordation of a shared access easement (establishing perpetual maintenance of the shared drive). The petitioner is requesting plat approval to split the current parcel into three (3) lots. The intention of the Petitioner is to create two (2) new buildable sites 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.

### **Zoning Ordinance**

The plat has been reviewed using the standards of the Zionsville Zoning Ordinance and found to be in compliance (note Town Engineer's Letter, Exhibit 6, provides suggestions and comments related to maintaining compliance with Town requirements).

### **Street and Highway Access / Sidewalks**

All three (3) lots will utilize County Road 975 East for vehicular access via a private access easement. The plat approval requires the dedication of additional right of way parallel to County Road 975 East per the Town's Thoroughfare Plan.

### **Stormwater Management**

The lot will utilize surface drainage to manage stormwater.

### **Utility Capacity / Utility Easements**

Utilities are available to the site. Attachment to existing utilities is proposed to be facilitated via existing infrastructure.

## **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 #2016-46-MP minor plat approval establishing three (3) lots at 4560 S. 975 East in the R-SF-2 Urban Residential Zoning District be (Approved based the findings in the staff report / Denied/ Continued) as presented.

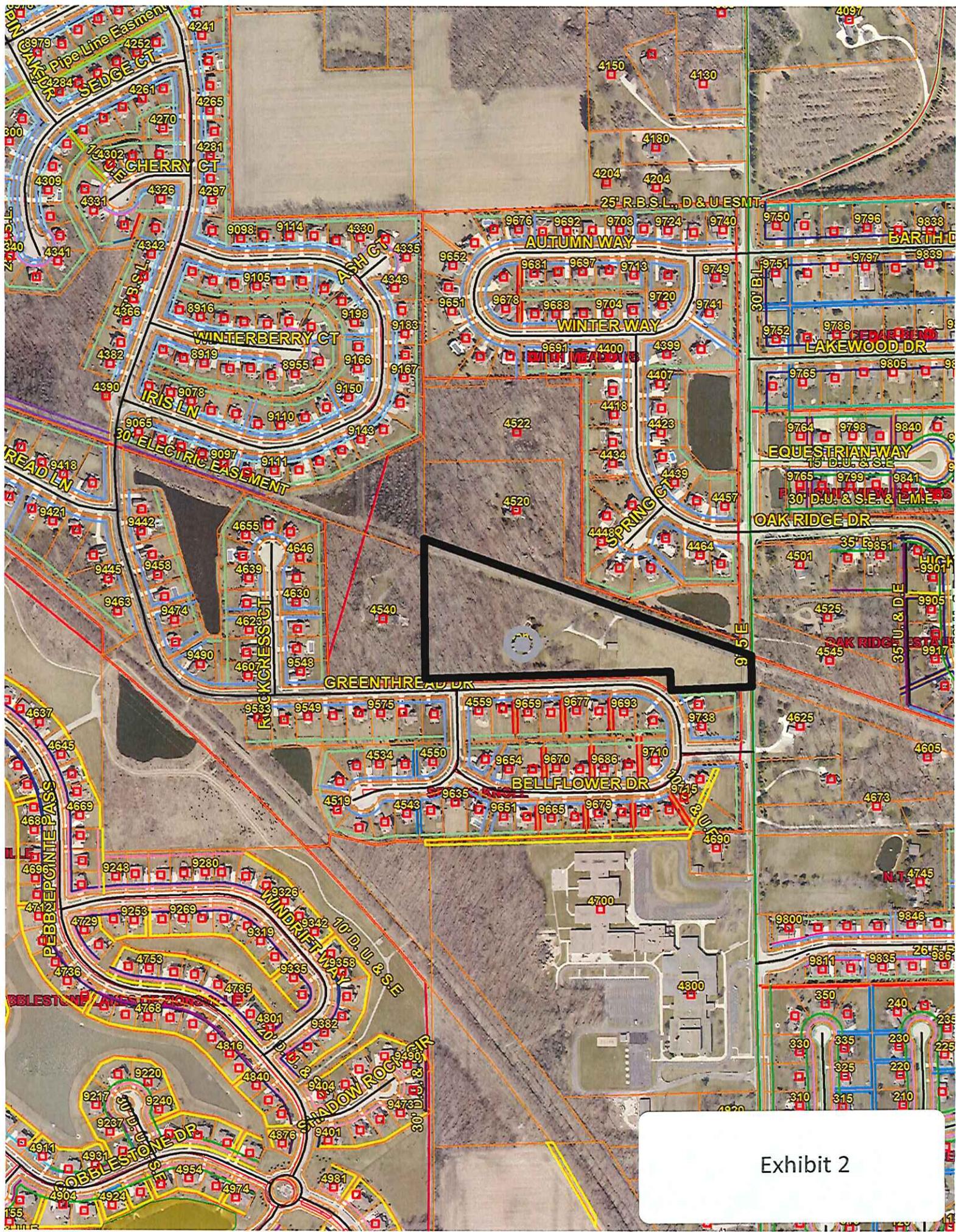
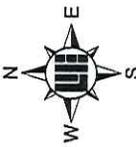


Exhibit 2

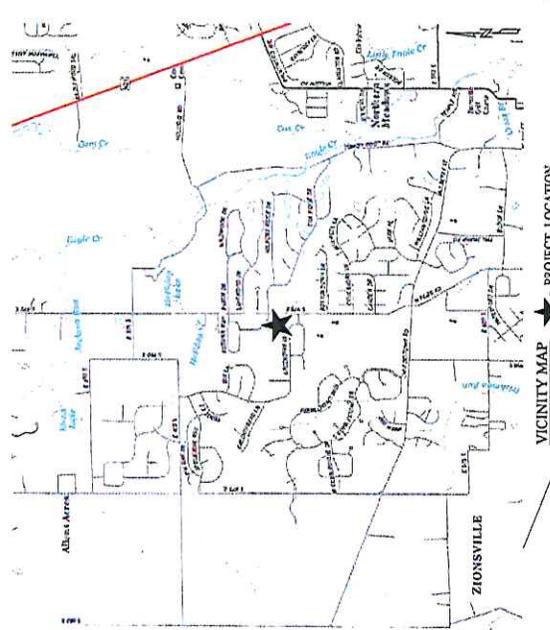
# CRENSHAW SUBDIVISION ZIONSVILLE, INDIANA MINOR RESIDENTIAL PLAT



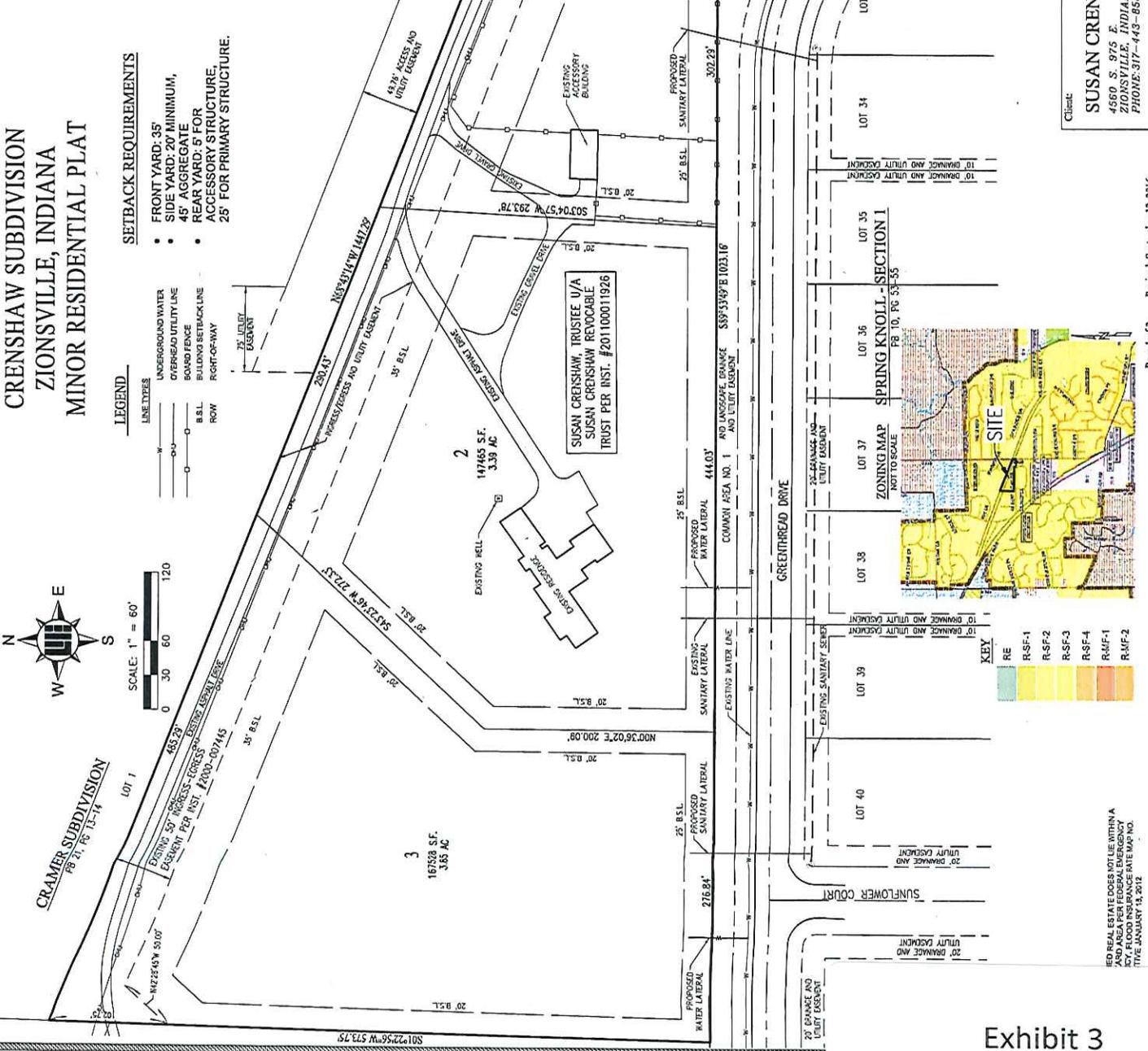
SCALE: 1" = 60'  
0 30 60 120

- LEGEND**
- LINE TYPES**
- UNDERGROUND WATER
  - OVERHEAD UTILITY LINE
  - BOARD FENCE
  - BUILDING SETBACK LINE
  - RIGHT-OF-WAY
  - B.S.L.
  - ROW

- SETBACK REQUIREMENTS**
- FRONT YARD: 35'
  - SIDE YARD: 20' MINIMUM, 45' AGGREGATE
  - REAR YARD: 5' FOR ACCESSORY STRUCTURE, 25' FOR PRIMARY STRUCTURE.



VICINITY MAP  
NOT TO SCALE



SUSAN CRENSHAW, TRUSTEE V/A  
SUSAN CRENSHAW REVOCABLE  
TRUST PER INST. #201100011926

**KEY**

RE	RSF-1
	RSF-2
	RSF-3
	RSF-4
	RMF-1
	RMF-2

NO REAL ESTATE DOES NOT LIE WITHIN A  
FLOOD INSURANCE RATE MAP NO.  
DATE JANUARY 15, 2012

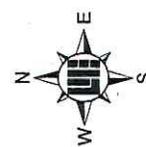
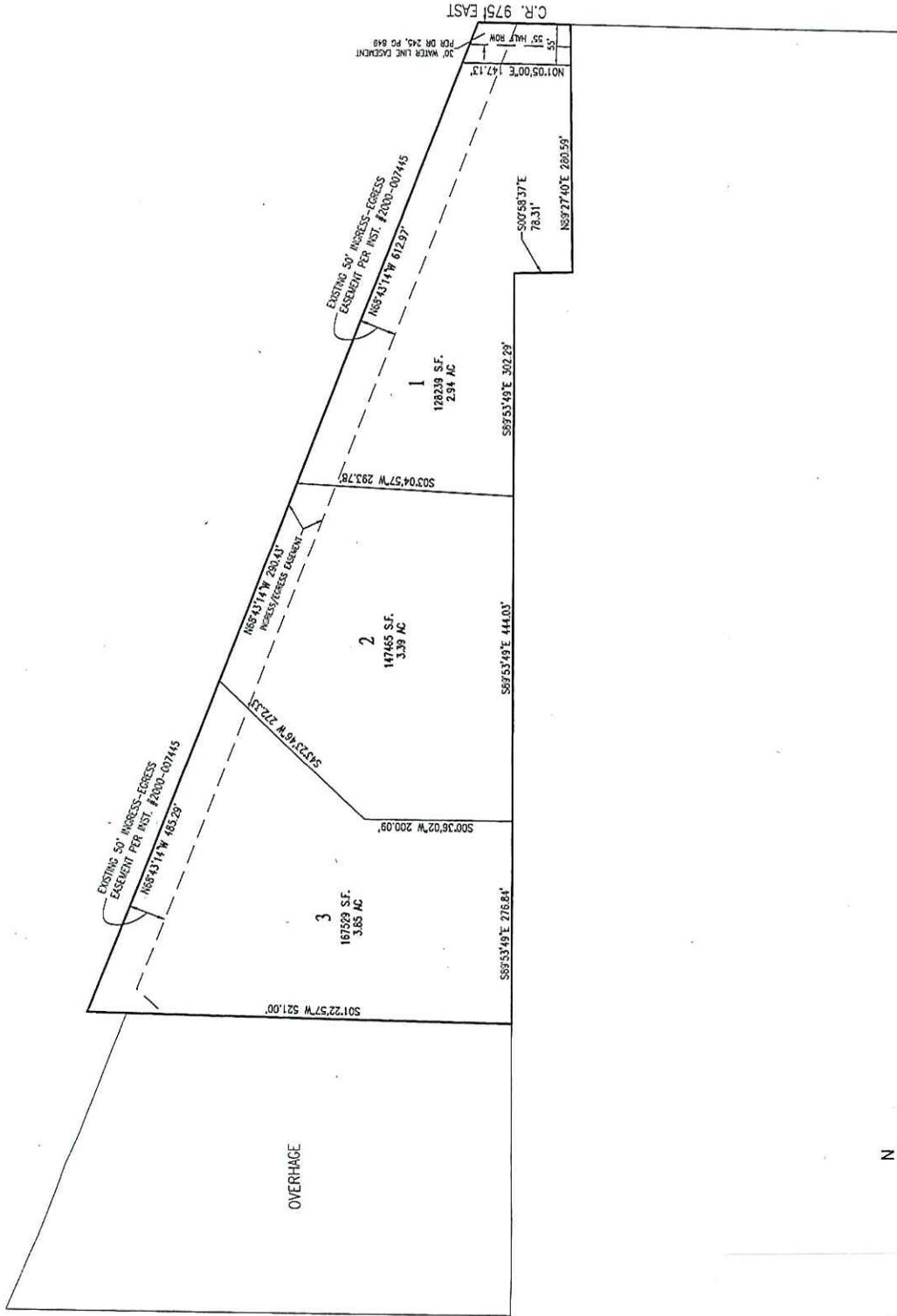
This instrument prepared by Brady Kuhn as agent for owner  
1853 N. College Avenue  
Indianapolis, Indiana 46110  
written  
317 846 - 6611  
317 846 - 6611  
317 846 - 6616/64

**WEIHE  
ENGINEERS**  
Land Surveying | Civil Engineering  
Landscape Architecture

Client:  
**SUSAN CRENSHAW**  
45800 S. 975 E.  
INDIANAPOLIS, INDIANA 46077  
PHONE: 317-443-6566

Exhibit 3

CRENSHAW SUBDIVISION  
 ZIONSVILLE, INDIANA  
 SITE PLAN



This instrument prepared by Brady Khan as agent for owner  
 1639 N. College Avenue  
 Indianapolis, Indiana 46204  
 weber@at

**WEIHE ENGINEERS**  
 Land Surveying | Civil Engineering  
 Landscape Architecture

ALMAE WEIHE P.L.L.C. - PRINCIPAL

Property Owner:  
**SUSAN CRENSHAW, TRUSTEE OF  
 THE SUSAN CRENSHAW REVOCABLE  
 TRUST**  
 4560 S. 975 E  
 ZIONSVILLE, INDIANA 46077  
 PHONE: 317-443-8586

Revised September 12, 2016  
 Page 1 of 1

Exhibit 4

---

BURRUS  
& SEASE<sup>LLP</sup>

ATTORNEYS AT LAW

410 W. OAK STREET  
ZIONSVILLE, IN 46077  
(317) 873-2150  
(317) 873-2420 FAX

ROGER L. BURRUS  
rburrus@burrusandsease.com  
*Board Certified Indiana Trust & Estate Lawyer  
by the Trust and Estate Specialty Board*

BETH A. SEASE  
bsease@burrusandsease.com

To: Owners of property adjoining 4560 S. 975 East, Zionsville, IN  
Re: Zionsville Board of Zoning Appeals Petition # 2016-22-DSV  
Zionsville Plan Commission Petition # 2016-46-MP  
Date: September 2, 2016

We represent Susan Crenshaw, Trustee of The Susan Crenshaw Revocable Trust, owner of the home and 10.39 acres of land at 4560 S. 975 East, Zionsville, Indiana. Enclosed are the legal notices as required by law for our client's petitions to subdivide the 10.39 acres into three lots, and to seek variances of two development standards under the Zionsville Zoning Ordinance. If the variances and plat are approved, Lot #1 would be approximately 3 acres, with the existing barn/garage, lot #2 would include the existing home and 3.39 acres, and lot #3 would be 3.85 acres of all wooded land. Protective covenants would ensure that future homes and structures are of high architectural standards, consistent with the Crenshaw's existing home.

Also enclosed is a copy of the proposed plat for your information. The enclosed legal notices provide additional details on the petitions and the public hearings, which will be held in the Zionsville Town Hall, located at 1100 W. Oak Street, Zionsville, Indiana, on the following dates and times:

September 13, 2016, at 6:30 p.m.: Zionsville Board of Zoning Appeals  
September 19, 2016, at 7:00 p.m.: Zionsville Plan Commission

Plans for the project are on file in the Offices of Planning and Development at the Zionsville Town Hall and are also available at my office, if you wish to review them. If you have any questions regarding the petitions, we welcome the opportunity to discuss them with you.

Very truly yours,

BURRUS & SEASE LLP

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Roger L. Burrus

RLB:bk  
Enc.

Exhibit 5



To: Wayne DeLong, Director of Planning and Economic Development  
 From: Mark DeBruler, P.E., Town Engineer *md*  
 Date: September 13, 2016

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

**PROJECT DESCRIPTION**

Project	Name	Crenshaw Subdivision	
	Location	4560 S. 975 E. Zionsville, IN 46077	
	Developer	Susan Crenshaw	
	Submittal	#2	
Documents Reviewed		Document Name	Document Date
		Minor Plat	9/02/2016
Zoning	Current	R-SF-2	
	Proposed	R-SF-2	
Land Use	Current	Rural Residential	
	Proposed	Rural Residential	
Requested Variances		No ROW Frontage	

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. MINOR PLAT

- A. Water and service laterals extend through the common area/ utility easement of the Spring Knoll Subdivision. Verify with Spring Knoll Property Owner Association to determine whether their consent is required for the service laterals extending beyond Crenshaw Subdivision.
- B. Encroachment agreement required for fence within the 55' ½ ROW along C.R. 975 East.
- C. Subdivision Covenants shall include right for continued access through shared driveway for adjacent property to the west.

**TOWN OF ZIONSVILLE PLAN COMMISSION  
BOONE COUNTY, INDIANA**

**FINDINGS OF FACT**  
*Crenshaw Subdivision*

The Town of Zionsville Plan Commission (the "Commission"), after Public Hearing held on Monday, September 19, 2016 has determined that the Crenshaw Subdivision Minor Plat is 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, or a waiver has been granted; 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 September, 2016, subject to any conditions agreed to at the public hearing and listed in the Letter of Grant.

\_\_\_\_\_  
President, Town of Zionsville Plan Commission

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**Petition Number:** 2016-49-DPA

**Subject Site Address:** 7011 Whitestown Parkway (newly assigned address)

**Petitioner:** 7105 E. State Road 334 LLC

**Representative:** Paul Lambie

**Request:** Petition for Development Plan Amendment to provide for a modification specific to signage, associated Zionsville Plan Commission Docket # 2016-14-DP, to allow for a LED pricing sign (EVMS) in the GB Rural Business Zoning District

**Current Zoning:** GB Rural General Business Zoning District

**Current Land Use:** Commercial (in progress)

**Approximate Acreage:** 2.26 Acres

**Related Petitions:** 2016-13-CA-Petition for Commitment Amendment to provide for modification of Commitments, Ordinance # 2009-05, in the (GB) Rural General Business Zoning District (approved)

2016-14-DP-Petition for Development Plan Approval to provide for a fuel station and convenience store in the (GB) Rural General Business Zoning District (approved)

**Exhibits:** Exhibit 1 – Staff Report  
Exhibit 2 – Aerial Location Map  
Exhibit 3 – Conceptual Sign Elevation  
Exhibit 4 – Petitioners Narrative  
Exhibit 5 – Findings of Fact

**Staff Reviewer:** Wayne DeLong, AICP

### PETITION HISTORY

This petition will receive a public hearing at the September 19, 2016 Plan Commission meeting.

### PROPERTY HISTORY

The Town Council approved the Petitioners Commitments Amendment (Docket # 2016-12-CA) at their May 2, 2016 Meeting. The Plan Commission approved the Development Plan (Docket # 2016-14-DP) at their May 16, 2016 Meeting.

### ANALYSIS

As proposed, the approximately 2.263 acre site would be improved with a 6,233 square foot one story building serving as a sales area for the retail component associated with the use, a canopy associated with the fueling component, and a surface parking lot (as per 2016-14-DP).

Subsequent to that approval, the Applicant has identified that it desires to install an electronic variable message sign (EVMS) sign which deviates from the signage approved by the Plan Commission at the May 16, 2016 Meeting. While the Ordinance permits the use of EVMS, the specific use was not identified as intended to be incorporated into the contemplated improvements.

Staff is supportive of the use of EVMS to communicate information related to pricing of goods and services and recognizes that the use of EVMS already exists along the Whitestown Parkway corridor (specifically for fueling center uses).

### 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 the submitted sign elevations.

**RECOMMENDED MOTIONS**

I move that Docket # 2016-49-DPA Development Plan Amendment Approval requesting modification specific to signage, associated Zionsville Plan Commission Docket # 2016-14-DP, to allow for a LED pricing sign utilizing EVMS in the (GB) Rural Business Zoning District at 7011 Whitestown Parkway be (Approved based the findings in the staff report, staff recommendation, and submitted findings of fact / Denied/ Continued ) as presented.

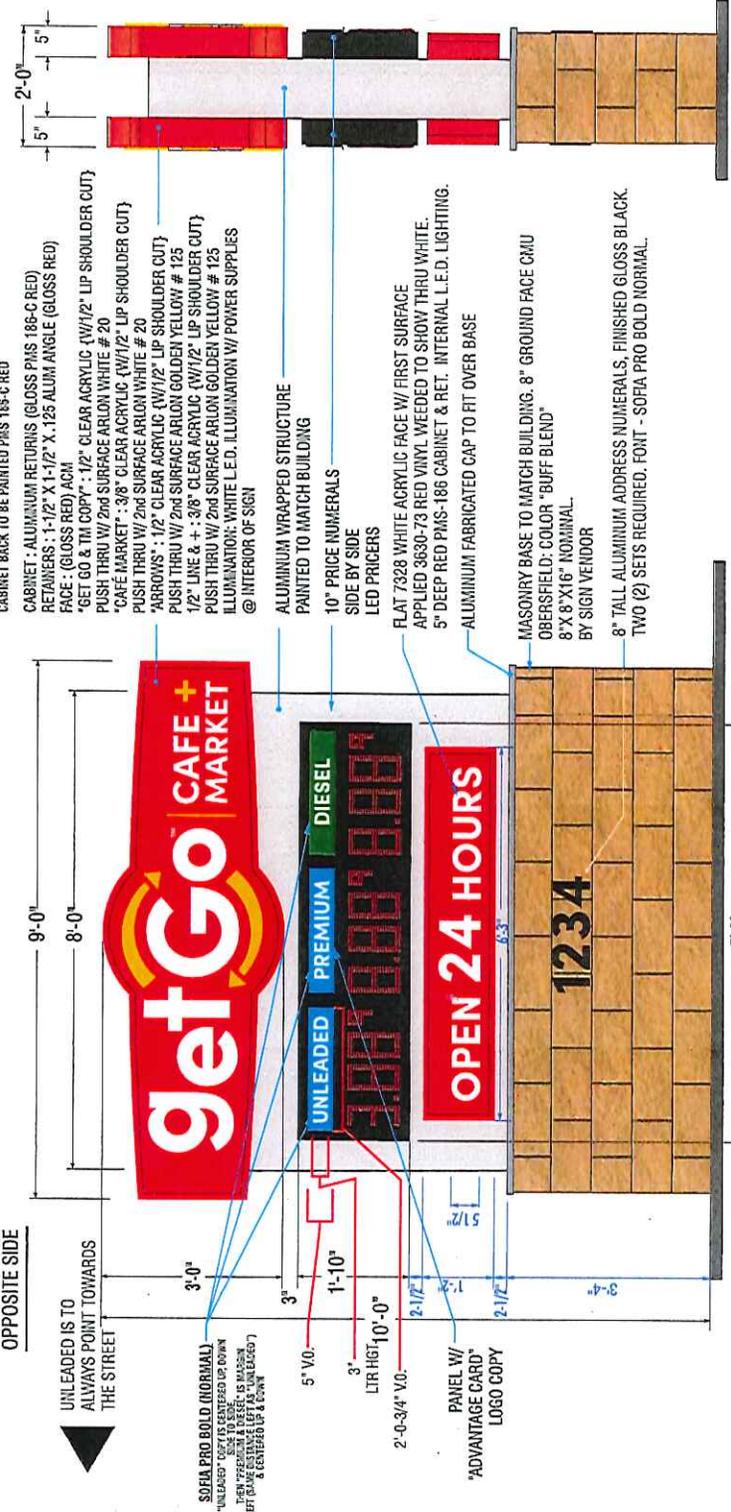


**SIGN TYPE "D1"**  
**MONUMENT SIGN**  
**ROUTED OUT SIGN FACE**  
**FOR: "INDIANA" SITES ONLY**



**GET GO COLOR KEY (PAINT & VINYL)**

<b>G</b>	PMS 3596 CVC	PAINT: POLYURETHANE ALUMINUM # 73	<b>W</b>	WHITE	PAINT: POLYURETHANE ALUMINUM # 73
<b>R</b>	PMS 186 CVC	PAINT: POLYURETHANE ALUMINUM # 73	<b>B</b>	BLACK	PAINT: POLYURETHANE ALUMINUM # 73
<b>B</b>	PMS 3877 SILVER	PAINT: POLYURETHANE ALUMINUM # 73	<b>Y</b>	PMS 123 CVC	PAINT: POLYURETHANE ALUMINUM # 73



PRODUCTION NOTE: ALL CABINET CORNERS TO BE MITERED  
 GET GO CABINET TO HAVE SIDE DOORS FOR SERVICE ACCESS  
 CABINET BACK TO BE PAINTED PMS 165-C RED

CABINET: ALUMINUM RETURNS (GLOSS PMS 186-C RED)  
 RETAINERS: 1-1/2" X 1-1/2" X 1-1/2" ALUM ANGLE (GLOSS RED)  
 FACE: (GLOSS RED), ACM  
 \*GET GO & TM COPY\* - 1/2" CLEAR ACRYLIC (W/1/2" LIP SHOULDER CUT)  
 \*CAFE MARKET\* - 3/8" CLEAR ACRYLIC (W/1/2" LIP SHOULDER CUT)  
 \*ARROWS\* - 1/2" CLEAR ACRYLIC (W/1/2" LIP SHOULDER CUT)  
 \*PUSH THRU W/ 2nd SURFACE ARLOH WHITE # 20  
 \*PUSH THRU W/ 2nd SURFACE ARLOH WHITE # 20  
 \*PUSH THRU W/ 2nd SURFACE ARLOH GOLDEN YELLOW # 125  
 \*PUSH THRU W/ 2nd SURFACE ARLOH GOLDEN YELLOW # 125  
 ILLUMINATION: WHITE L.E.D. ILLUMINATION W/ POWER SUPPLIES  
 @ INTERIOR OF SIGN

ALUMINUM WRAPPED STRUCTURE  
 PAINTED TO MATCH BUILDING

10" PRICE NUMERALS  
 SIDE BY SIDE  
 LED PRICERS

FLAT 7328 WHITE ACRYLIC FACE W/ FIRST SURFACE  
 APPLIED 3630-73 RED VINYL WEDED TO SHOW THRU WHITE.  
 5" DEEP RED PMS-186 CABINET & RET. INTERNAL L.E.D. LIGHTING.  
 ALUMINUM FABRICATED CAP TO FIT OVER BASE

MASONRY BASE TO MATCH BUILDING. 8" GROUND FACE CMU  
 OVERFIELD: COLOR "BUFF BLEND"  
 8" X 8" X 16" NOMINAL.  
 BY SIGN VENDOR

8" TALL ALUMINUM ADDRESS NUMERALS, FINISHED GLOSS BLACK.  
 TWO (2) SETS REQUIRED. FONT - SOPA PRO BOLD NORMAL.

**SIDE VIEW**

**DOUBLE FACED INTERNALLY ILLUMINATED MONUMENT SIGN**  
 (2) TMD REQUIRED  
 SCALE: 1/2" = 1'-0"

Hello

This request is to ask the city to consider allowing Get Go to replace the currently approved automated scrolling fuel price sign with an LED illuminated Fuel Price sign. Because scroller style signs are in extremely low demand, companies who historically provided this type of pricing unit are phasing out inventory production of these signs and have shifted their fabrication to quantity commitment orders only. Additionally, they are only producing replacement parts on an as needed basis. Because the scrolling style signs are mechanically driven, there tends to be more service and replacement part needs, and unfortunately with the lack of readily available replacement parts for repairs these signs can often be non-functional for several weeks. Of the 200+/- fuel stations in Get Go's fleet, there are only three other locations currently using this old technology and on all of these three locations we are working to entitle a change to LED driven signs.

The electronic digital price sign we are proposing to use at the Get Go fuel store at 7105 E. SR 334, Zionsville, IN. is an LED illuminated sign and only displays numerical digits for fuel pricing. The proposed LED sign only displays red colored digits and is not capable of scrolling or animated messages. The only change in copy would be an updated dollar and cents numerical display changing only when fuel pricing changes.

Over the last year Get Go has made the move to control fuel pricing through their corporate office via an automated Point of Sale system which controls pricing at the pumps and cash registers simultaneously. This technology is depended on reliable hardware in order to avoid issues in the field due to inconsistent pricing at the pump and cash registers, a situation which is detrimental to business operations and could put the stores in conflict with State regulations.

We're respectfully requesting your consideration in this request and remain available to answer any questions, or provide any additional information you might need.

Sincerely

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: *similar signage exists along this corridor.*
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: *this is not affected by this modification*
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: *this is not affected by this modification.*
4. The Development Plan/ Modification of Development Plan (does/does not) utilize building materials and building style compatible with the Zionsville theme because: *this modification is compatible with this area of Zionsville*
5. The Development Plan/Modification of Development Plan (does/ does not) provide for the calculation of storm water runoff because: *this is not affected by this modification.*
6. The Development Plan/Modification of Development Plan (does/does not) provide for current and future right-of-way dedications because: *this was previously accommodated.*
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: *this was previously accommodated.*

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\_\_\_\_.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Zionsville Plan Commission**

September 19, 2016

In attendance: David Franz, Larry Jones, Sharon Walker, Jay Parks, Franklin McClelland, Josh Fedor. Not present: Kevin Schiferl

Staff attending: Wayne DeLong, Carol Sparks Drake, attorney.  
A quorum is present.

Franz Call to order the September 19, 2016, Plan Commission meeting. We'll start by saying the Pledge of Allegiance.

All Pledge of Allegiance.

Franz Wayne, will you please take roll?

DeLong Mr. Franz?

Franz Present.

DeLong Mr. Schiferl?

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 We have a quorum. In your packet you will see a set of minutes from the August 15, 2016, meeting. Are there any additions, changes, comments related to those? There being none, can I have a motion for approval?

Parks So moved.

Franz Is there a second?

Zionsville Plan Commission  
September 19, 2016

- Walker Second.
- Franz All in favor say aye.
- All Aye.
- Franz Opposed? Motion carries. We also have the July minutes that were suppose to be here tonight. If I recall correctly there was a malfunction with the taping machine, whatever you want to call it, and those have been put into a memorandum form which should be presented at the next meeting. With that, we will go onto continuances from last month. Docket #2016-37-PP and 2016-38-DP plan primary plat for Cobble Creek and development plan for Cobble Creek.
- Ochs I don't know if you want to handle requests for –
- Franz Yeah, I just saw that. Sorry about that. So we do have a couple of continuance requests on #2016-45-CA, for the Harris FLP. They have asked for, Wayne, did they just ask for a continuance or present? Oh okay, sorry about that. I didn't realize you were here.
- Price That's fine. Thank you Mr. President and Members of the Commission. My name is Matt Price. I'm representing Harris FLP. We confirmed after seeing the paper come out last Wednesday, we confirmed today that the newspaper inadvertently dropped our legal notice, which was to be published on September 7 and we coordinated with them to have that republished at the earliest opportunity, but would respectfully ask for our hearing to be continued until I believe it's October 17, your next meeting.
- Franz Okay, is there any discussion or questions?
- Jones I have a quick question. All we're really looking at is the change in some of the zoning commitments. This isn't going to be any kind of approval of any kind of site plan or anything else, correct?
- Price Correct.
- Jones So the site plan that we've been given to date is just sort of a placeholder?
- Price Correct, it's a concept plan, yes.
- Franz Any other questions, comments? Can I have a motion?
- Parks I move that the Plan Commission accept the request for a continuance on 2016-45-CA to our October 17 meeting.
- Franz Is there a second?
- Fedor Second.
- Franz All in favor signify by saying aye.

Zionsville Plan Commission  
September 19, 2016

- All Aye.
- Franz Opposed by nay. Motion carries. And then we have a continuance requested for Item 2016-47-PP and 2016-48-DP, primary plat development plan for 200 West, representative. please.
- Ochs For the record, Tim Ochs representing the petitioner. After going through the TAC process, we had simply determined that there was not adequate time to revise the plans as would be necessary to respond appropriately to the comments plus we wanted to meet with the VRA before the public hearing to get their input on the new plans and we just couldn't squeeze that all in, especially with the Labor Day weekend, so with that, we request a continuance to the October hearing.
- Franz Is there any questions or comments? Seeing none, may I have a motion?
- Parks Yes, I move the Plan Commission accept the request for continuance for items #2016-47-PP and 2016-48-DP to our October 17 meeting.
- Franz Is there a second?
- Jones Do we mean 37 and 38 or?
- Franz No, it's 47 and 48.
- Parks 47 and 48.
- Franz Is there a second?
- McClelland Second.
- Franz All in favor by aye.
- All Aye.
- Franz Opposed? Motion carries. Continuance is granted. All right. So now we can get to 2016-45-CA, Harris FLP, petition for commitment amendment.
- Parks We've already done that.
- Franz Oh. I'm a little bit, yeah okay. Sorry about that. Now let's go to old business. I'll get this right eventually. All right 2016-37-PP and 2016-38-DP, Cobble Creek. These are two items continued from the August 15, 2016, meeting. Representative, please?
- Ochs Good evening. Again for the record Tim Ochs, attorney for the petitioner, Pulte Homes of Indiana. This is a continued item which the continuance occurred after a full public hearing, so I will try to focus on responses to the questions that were raised by the Commission at the first hearing as well as the changes that resulted from further discussions with the various Town Departments; however, to the

extent there are questions on anything else, I am certainly willing to delve into those as well.

With respect to the changes, we made a whole litany of technical changes, submitted a drainage plan, and have another round of comments there. Brandon from HWC Engineering, the engineering firm for this project, is here this evening. If there are any questions there, but it is our opinion that those remaining issues are technical in nature and of a kind that they could be worked out as the process moves forward past the development plan and primary plat stage. With respect to other changes, we went back and took a much more careful look at the boundary, particularly the legal description of the property, and what we realized as we had to redesign the entrance into the subdivision is that there is a few acres that were actually not right-of-way in the sense of right-of-way that is an easement, but that the right-of-way had actually been dedicated to INDOT as part of a prior project, so the legal description has been tweaked slightly to remove that for purposes of accuracy. Everything that is in the new booklets that were sent out to Commission Members is accurate and uses the correct legal description and the aerial that you see on Tab 4 of the booklet, that is accurate and the legal description that is at Tab 5, that is accurate as well. The total acreage is actually 97.310. The good news here is that this acreage is part of the larger parcel that was noticed, so from a notice perspective it doesn't create any issues and we're still well under the density allowed on the site. 32 homes would be permitted on the R-1 side and 109 would be permitted on the R-2 for maximum total of 141 lots, and we are asking for 105 lots.

One of the requests at the prior meeting was that we conduct a traffic study. That traffic study is found at Tab 9 of the booklet. The result of the traffic studies, which are summarized on Page 12 of the traffic study showed that a westbound left turn lane was warranted for turning into Cobble Creek. It also recommended utilizing the existing eastbound right turn lane for the proposed development and finally a proposed driveway exiting onto Oak Street was modified, so that there was a right out and a left straight, two separate lanes coming out of the subdivision. Up on the screen are the revised entry plans and if you look at Page C3.8 under the primary plat and development plan, which is Tab 11, you can see the entrance details I think much more clearly than you can up on the screen. As you'll see, we did add that left turn lane for cars coming west on Oak that want to turn left into the subdivision. That's been added. Because of that, it afforded us the opportunity to create an opposing left turn lane into the church, so on Sundays if this project is developed, that will be an added benefit to them as well. And then the distances in stacking the length of the tapers are all as recommended by A&F Engineering.

Another focus as a result of the first hearing was landscape and we met with some of the surrounding stakeholders on this project and I'm going to break the landscaping up into three parts. The first was the entry landscaping or monumentation. If you turn to Tab 10 in the booklet, especially the second page, shows the proposed entry monumentation. This is included on the landscape plan that is part of the primary plat development plan package that is back on Tab 11. We think that the entrance monumentation is very tasteful and consistent with what you would expect to see in the Town and that is shown on this slide in the dashed black box on the screen.

The other two are perimeter landscaping for purposes of the surrounding property owners, so what we've done here is there are a number of lots where, nine of them in fact, where we have agreed to add landscaping in the rear of those homes and the landscaping we've agreed to is shown on the screen now. These are Lots 10, 11, and 12 that are located on the eastern boundary of the proposed development. The requirement, which we have put in writing at Tab 8, which are proposed commitments for the project, does require that there be two shade trees and three evergreen trees planted between the homes and the lot lines for those three lots. It does provide a minimum size, 1-1/2 caliper for the shade trees, and 7 feet in height for the evergreen trees at planting and it gives a timeline for those plantings as well. Then for Lots 67, 68, 69, and 70, this is down on the southern boundary, same requirement as well. And then for Lots 81 and 82, because of the orientation of those lots, the requirement for those exist for the side yard instead of the rear yard to provide the screening to the perimeter of the project and those are all included within commitment #2, which is in the proposed commitments on Tab 8 of the booklet.

The other item is, I'll call the larger if you will, landscaping plan for the Oldfields project to our south, we did have follow-up meetings with the developer and owner of Oldfields to see if we couldn't reach an agreement with respect to that landscaping plan and with one item that I will explain in a moment, I think we got there. If you again go towards the rear of the development plan primary plan in Tab 11 of your booklet and you look for sheet L1.2, that's what's up here. You'll probably be able to see it a little bit better in your booklet. It's our understanding and we believe the developers confirmed this that they are in agreement with this landscape plan. What we're doing is planting quite a few trees and the size and variety are noted on this landscape plan. They will be planted on the property that's owned by that developer, but they prefer that, and we are in agreement with that landscaping plan. The one issue that we believe the developer still has relates to the end of the cul-de-sac, which is called Jasper Court. That is the southwest most cul-de-sac and if you look on sheet L1.2 you'll see there's a break, if you will, right in between the landscaping located in the common areas. So if I can show you on this map here, right here, and the reason that there is a break there is because Citizens is requiring us to loop the water main, and they want us to loop the water main that is actually being used by Oldfields, so there is a benefit to Oldfields. The main is looped, so there is redundancy plus it helps out with pressure. What Oldfields doesn't like is the fact that it's a due north/south easement that is relatively close to a north/south road in their subdivision. So if you're coming north on the road in Oldfields, you might be able to see up the easement area and because it's a water easement we're not allowed to plant trees in there. So they wanted to know if there was any way that we could angle the easement to take care of that issue. We approached Citizens and we said we're willing to angle it at 45-degrees to the east or 45-degrees to the west. We don't care. We're willing to do that. Citizens said, "No, we don't like that." Citizens says come up with a response of joggling the line to the east and then down. What that does is it creates a larger offset between the north/south road and the easement. And, again we are willing to do that.

We believe Oldfields' indication is we can live with that, but we don't like it, so we said well we'll do whatever we can in that area, but it's ultimately up to Citizens, so what we've agreed to do with them is to have another meeting with Citizens where they're along with us and we try our best to convince Citizens to let us angle that easement, but that's the best we can do.

I believe all of the other issues have been resolved. We had previously submitted a school impact analysis and there were several questions that raised some concerns about the number of school age children that the plan projected. It projected roughly 0.33 I believe students per house that was used for the analysis and based on our average sales price of \$525,000.00 that resulted in a very small benefit to the school system, not really worth mentioning other than the fact that it is not a detriment. There was some questions about how do we justify the number of students being generated, so what we did was we went to four other projects across northern Indianapolis, you know, in Hamilton County and Boone County and we looked for projects that were similar empty nester projects, none of which, by the way, have age restrictions in them. They're just designed for empty nesters and where the price points were somewhat similar to what we're proposing today with Cobble Creek and as you can see the number of children per home based on that analysis, I'll read it for you, Ravinia, which is here in Zionsville, 50 homes have been sold. There's no children. The Sanctuary here in Zionsville, 65 homes sold, nine children for a ratio of 0.14. Lakes at Stone Bridge, which is where Dave Compton actually lives. He would be here, but his wife had surgery. That's 104 homes and there are 0 children. And then The Haven, which is a project under construction in Fishers, where 27 homes have been sold, where only three school age children are located. So 246 homes, 17 children. It's actually less than the number that we used, which again, that number was provided by the school corporation. So we think that school analysis that was originally submitted at the first hearing is more than sound in terms of the conclusions that it has reached.

Finally, just again a brief overview. This is the home that is very, very similar to what would be constructed at this site. This is part of the Heritage Collection and then again these are elevations of various homes that would be present on the site. So with that we'd like to thank Staff and the Departments from the Town for their diligence and efforts to review this project, and we'd be happy to answer any questions that the Plan Commission might have.

Franz            Okay, thanks very much. At this time, are there any questions or any comments from the public regarding this matter? If there are, please approach the mic and state your name and address.

Bohak            My name is Rod Bohac. I live down the road from the addition. My question is about the storm sewer.

Franz            Can you state your address please?

Bohak            Oh, 9402 Oak Street.

Franz            Thanks.

Bohac My question is about the sanitary sewer. In their brochure they said they were going to, it was going to sort of be changed to Oak Street and I didn't know if the Town was going to condemn any of our septic systems. Well it depends on two, which way is it going to go. Is it going towards Whitestown or whether their storm sewer comes toward Zionsville?

Franz Wayne, can you answer?

DeLong Certainly. One, I'm not an Attorney and I'm not aware of the Town moving forward with any projects within Town historically when sewer lines are extended to require any attachments. Certainly it's an opportunity to attach in the future for somebody, but the use of Barrett Law is not something I'm familiar with the Town exercising.

Bohac I was just wondering if, you know, because I know it's an expense to hook into one of those and I wanted to know if anybody knew anything that's happening. The only thing I'm worried about is the amount of traffic on the road. There are a lot of, summers not so bad, but when kids go back to school there is a lot of traffic on that road, and I don't know, I think you're going to have to look into may be lowering the speed limit a little bit more because, were they going to have three kids per house for the whole subdivision? How is that?

Franz Well their estimates were 0.33 children per household is what the school –

Bohac Yeah. I'd be worried about them pulling out because it is a bad road. 950 we are right there, and you hear a lot of sirens. So I don't know. I'd be worried if there was going to be that many kids per, you know if they drove it would be, might be hard on them. Because it's hard on us. Sometimes, I have to wait may be two or three minutes to get out and if you're in a hurry it's a busy road so. That's all I have.

Franz All right thank you. Any other comments from the public? Please come forward and state your name and address.

Brusseau My name is Molly Brusseau, 668 Spring Hills Drive, Zionsville. The first part, I have two.

Franz Could you move the mic down?

Brusseau I have two things that are of concern to me. One has to do with Pulte and one has to do with a comment for you all. So it's not really a question. I have a couple of questions for Pulte that I'm concerned about, and it is concerning the property that's coming up on my property and what exactly, there are no trees on it. Is this flood plain is what I need to know from Pulte. And, can I get that answer tonight from Pulte?

Franz They'll have an opportunity to respond.

Brusseau        Okay great. And for you I'm a widow and, of course, I get in and out of Spring Hills Drive on 334. My concern is this, and it's really your responsibility. They're now building 50 new homes next to, on the street next to St. Alphonsus Catholic Church that have been approved and building has started. So they'll be 50 new homes coming out onto 334 just up the road from this development with 105 homes being built. And, I think both are designated senior citizens. They don't say senior citizens, but since I'm one, I can say senior citizens are going to be in both places. I submit to you two things. One, we're not as sharp as you guys and so speed on 334 coming from both places, and the second thing is where do you establish a demarcation point that starts people coming from 65 over 334 to understand they have to slow down? They're entering a town. They're entering the surrounding area of a town. Where's the demarcation point for that? I don't have an answer for it. I'm giving it to you to think about. But, I think it's important. I think it's important. Okay, so I need to ask Pulte.

Franz            He'll respond. He'll respond when he comes back up.

Brusseau        Okay.

Franz            All right. Thank you very much.

Brusseau        Thank you.

Franz            Anybody else who would like to comment on this matter? Being none, Mr. Ochs, would you like to respond?

Ochs             Sure. Molly was kind enough to show me where we were at, and I'll address that. The first thing I wanted to address though is the first gentleman that asked questions about sanitary sewer. We showed this at the first hearing and this is, as part of this project, the blue line that extends from the existing sanitary sewer, which is the red line on the right side of the aerial to the east will be extended. It will be a forced main, and there will be a lift station constructed. The lift station has been sized with the assistance of the Town to serve the area in yellow, so all of that area, because of this, ultimately will be, can be connected to sanitary sewer. Whether that's required or not would be up to the Town, and then there are limitations on how far away somebody must be before you can require them, but certainly that is up to the Town. We think the traffic study does a good job of designing the entrance to the subdivision to avoid any impacts and to avoid any dangerous situations. We now have dedicated turn lanes, dedicated accel-decel and turning lanes on the south side of the road as well. And then, finally, with respect to that flood plain, and her question involved this area down to the very, very southeast corner of the property along the creek there and the simple answer is yes, there is extensive flood plain there, and that area will not be disturbed. So with that again, we'd be happy to answer any questions that the Plan Commission might have.

Franz            Okay thank you. Wayne, can you give us the Staff Report?

DeLong Thank you. Certainly, as distributed to the Plan Commission there was a number of items that were coming in. The petitioner's comments were received and certainly distributed to the Plan Commission's Attorney and the Staff as well as the Town Engineer. The Town Engineer reviewed the product that was submitted, and we got its final set of comments to you today. Certainly, this was a five-day turnaround time, which is not abnormal, but with the volume of items that the Town is experiencing right now and certainly the size of this project, certainly drove it to the last minute so to speak. Certainly, the Town has had this information for several days related to the traffic study. The other information, those number of comments have been received related to the drainage study, those numbers were provided and given to the Plan Commission with minimal time for you to digest and review and articulate your comments and thoughts. Subsequently, Staff is a bit concerned, if you will, that you have had enough time to review everything and are prepared this evening to come up with a recommendation. Certainly, Staff is supportive of the project. Staff, we routinely work through these types of situations, where there's a number of items where we feel that need to be resolved. They need to be worked through as the project gets the remainder of its entitlements, but again seeking thoughts from the Plan Commission as to your reaction to the filing.

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

Parks I'll tell you the one thing that bothered me from the last presentation that we had is when you look at that drawing of the floodplain up there, if there is anything like a rain like we had over the, really part of the weekend, you've got 80 lots or so there, and they are going to be blocked from getting out and I just, I'm uncomfortable until the Town has really had a chance to digest what they've been presented in just the recent few days, and we've had a chance to digest that to make any kind of decision at this point in time. I, for one, would vote to continue this to our next meeting because I want to make sure that we have that time to go through the drainage in detail in order to make certain that we don't build a subdivision where we've got people that have to be pulled out by boat.

Walker I tend to agree with you on that. I'm still concerned about the streets in there where we're still getting things back from the Highway Department that says the intersection of this street, and this street would be under water in a deluge like we have had. Those kind of things I need more time to, I read and I compare this one with this one with this one with the other one that you've given us, and I appreciate the wonderful amount of information, but when you lay those down side by side, there are not as many changes as it sounds like there are. There are still a lot of unresolved issues, or at least the way I see it, there are. Trust Staff to know what they're doing and everything, but I'm still not sure that there's been enough change done.

Franz Anybody else have any more questions/comments? I mean I don't think I, I mean me personally commenting, I don't think I've seen this many drainage issues on one report since I've been doing this. When I saw this I was, had a lot of questions and concerns and I'm not sure these things are, I'm comfortable just letting, I know Wayne does a good job and his group does a good job, but I'm

not so sure I'm comfortable letting them be, work through as we go through this process. Would you like to comment?

Ochs We're very confident that we can resolve those drainage issues, but at the same time, we certainly do not want to ask the Plan Commission to vote on something that they're not prepared to vote on, so we would not be opposed to a one-month continuance to get those issues resolved, in large degree because we think we can.

Franz Okay, thank you. Is there any additional questions/comments?

Parks Then I would move that the Plan Commission continue these two items, 2016-37-PP and 2016-38-DP, to our October 17 meeting.

Franz Is there a second?

Walker Second.

Franz All in favor signify by aye.

All Aye.

Franz Those opposed by nay. Motion carries 6-0. Continuance granted. The next item on the docket is #2016-49-DPA, GetGo, 7011 Whitestown Parkway, petition for development plan amendment to provide for a modification specific to signage. Representatives, please state your name and address.

Lambie Thank you President Franz, Members of the Commission. My name is Paul Lambie, land use consultant with AI Expeditors, address 1200 Madison Avenue, Suite LL40, Indianapolis 46225, here today representing GetGo Portfolio LP, operator of GetGo convenience stores and fuel stations. We are just simply asking for modification to the plan that was approved by this Commission earlier this year to allow for the convenience store and gas station development on Old State Road 334 or Whitestown Parkway at the southeast corner of the intersection with County Road 700. I'm just going to go through our packet with you briefly. I know you have other items on your Agenda, so I don't want to take up more time than necessary, but I do want to make sure I go through our request, then a letter from GetGo just indicating their need for modern LED technology signage as opposed to the old manual type of signage. I'm not going to spend a lot of time on that and then obviously we have the regular petition requirements for the application. You have a copy of the sign elevation in your packet. It's very typical of what you'd see at gas stations throughout Central Indiana although it is obviously a much shorter sign than you'd see in some locations such as Indianapolis or you know locations closer to an interstate where you'd see much taller signs. We've submitted findings. Obviously, most of the findings I don't think there's a lot of issue with because those items were addressed with the development plan approval. The only change we're asking for is from the original sign approval, which was for a manual pricing sign to one that lights up in LED.

I've included a copy of the Zionsville zoning map showing where our site is. It's zoned rural GB, similar to the Marathon station over closer to Interstate 65, which has a similar sign, albeit much taller. I included a copy of the Zionsville Zoning Ordinance, the rural sign regulations, which show that an animated sign, which is what I believe Staff will stipulate that this qualifies as, is permitted in the zoning district. You guys probably know more about this, but I've learned a lot in working on this. I'm not going to go into great detail on it, but I included a copy of the project agreement between the landowner and the Town that indicated that, you know, along, going along with the de-annexation from Whitestown of this property and the annexation into Zionsville, that there was agreement that the zoning would stay as it was under Whitestown or at least match, you know, what their zoning would allow in perpetuity and a copy of the interlocal cooperation agreement that memorialized that.

There's a map showing that this property was included and then there's a copy of the sign regulations from Whitestown that would allow this same type of sign and then there's a map from the Whitestown GIS just pointing out the other locations along the Whitestown Parkway corridor where the same type of pricing sign is in place for other convenience store fuel stations, the Meijer, the Circle-K, the Marathon and actually the BP TA Truck Stop on the other side of I-65. And then, just including photos on the last page of those signs. Ours would be very similar, albeit much shorter, than Circle-K, Shell sign or the Marathon sign, which I think, and I think the Town, well, meets with generally what the Town would like to see and the sign is just as, was approved as part of the development plan that this Commission approved earlier this year with the exception of the pricing changing to LED. So, I think that summarizes the request, and I'd be happy to answer any questions you might have.

Franz                    Okay. I'll see if there's any questions from the public regarding this matter. Being none, Wayne, could I have the Staff Report?

DeLong                Thank you. Mr. Lambie provides a strong summary of the history. I'll just offer some brief additional information. When the project came in for your review and approval, the petitioner identified a number of items that it sought relief from related to prior commitments and other items. I believe when the petitioner was weighing its prior petition request and the totality of all of the items, they chose to not integrate this particular sign in that proposal for your consideration. Since that time the project has moved on, moved forward, and taking a step back they're re-reviewing the provisions of our ordinance and realizing that this signage is permitted by zoning and certainly is supported by the original agreements related to the disannexation and annexation into the front, right into the Town, but for the prior action of this Plan Commission of not having the opportunity to review and comment on a sign that is, that utilizes electronic variable message systems regardless of the lightbulb. I know the petition mentions LED. That's not really the issue. The issue is the electronic usage and change versus static human intervention if you will. With all those facts in mind, this sign is permitted. It is permissible, but for the fact that the Plan Commission did not have the opportunity to review it, so the last project that you saw simply did not include this as a sign. Therefore it wasn't available for a sign permit.

- Franz            Okay, thank you. Is there any questions/comments regarding this?
- Parks            Just one. I noted in your letter that you were only going to use red letters, but I think diesel is in green right? All of the other sign pictures show that.
- Lambie           Well, the actual light-up numerals would be in red, even for the diesel. It's got a green, little sign, to indicate diesel, but the actual price numbers would all be red.
- Parks            They will be? Okay.
- Franz            Any other questions/comments?
- Parks            Sorry, Josh.
- Franz            Let me ask you a question on this. Right now they're saying it's all red, but should we give them leeway to change it to green? Would we have to put that in the language to say red or green?
- DeLong           As Staff we have the opportunity to review minor changes in the language to make that determination.
- Franz            Okay.
- Parks            That's a minor change.
- Franz            Okay. I just wanted to confirm. All right. That being said, any other questions? May I have a motion then?
- Fedor            I move that Docket 2016-14-DPA, development plan amendment approval requesting the modification of specific signage associated with Zionsville Plan Commission Docket 2016-14-DP to allow LED pricing sign utilizing EVMS in the GB rural business zoning district at 7011 Whitestown Parkway be approved based on the Staff Report, staff recommendations, and submitted findings of fact.
- Franz            Is there a second?
- Parks            Second.
- Franz            All in favor signify by aye.
- All                Aye.
- Franz            Opposed by nay. Motion carries.
- Lambie           Thank you very much. I appreciate your time and consideration.

Franz            Thank you. The next item is 2016-44-MP, M. Squires, 1567 North 1000 East, Sheridan, Indiana, petition for minor plat approval in order to establish 13.73 acre lot, Lot 1, 6.64 acre Lot 2 in the AG Rural Agricultural Zoning District. Is a representative present?

Andreoli        Thank you, Mr. President. For the record my name is Mike Andreoli, offices at 1393 West Oak Street here in Zionsville. I represent Dr. Madeline Squires who has owned a substantial piece of real estate out in the rural area of Boone County up north along County Road 1000 East for those of you that kind of want to get your bearings, that old lake that was up there, the Best Farm, and it was the Wallace Farm. I know Mr. Parks is aware of where this is. This essentially is across the street. She has owned the house that exists on the property in this particular area for many, many, many years. That house was probably built in the late 80's, early 90's and she has lived there during that period of time. She is now wanting to downsize. That's quite a substantial structure. She's a single lady at this particular point in time and wants to downsize, so she wants to stay in the area, loves the property, and she owns significant acreage around it, so we're seeking to go ahead and just doing a minor plat where we have, break this up into two lots. Her lot will be 13+ acres. The existing house will be 6+ acres. It has functioning well and septic. That has been inspected previously. She intends to put that property up for sale and then move into the, a house that she will build of much smaller dimensions on Lot #1 if this is approved.

We have a roadway that has been there, a private gravel drive that's been there since she built her original home. We would access off County Road 1000 East from that particular driveway. It has been memorialized in ingress and egress and a utility easement area. We went through TAC with this particular project and there were some minor changes that were requested to be placed on the plat itself and we believe that we have accomplished that. Staff will elaborate on that further. There aren't any real topographical features about this ground that present any problems. There's not any issues connected with soil conditions out there given the size of these particular lots. One we know is fine and the other one has 13 acres and Weihe Engineering has done the platting for this and will be doing the engineering for the septic system. We're not quite exactly sure how large that will be right now because her house plans have not been finalized yet, but given the dimensions of that we don't anticipate there's going to be any problem with finding a suitable septic field for that. Topographically there is a pond in that area that will be shared by both Lots 1 and 2. We have prepared some very modest declaration of covenants and conditions for this particular parcel that deal with road maintenance, pond use, and those types of things. We really have not isolated anything in the declaration with regard to construction materials and those types of things because the one house is nicely built. That's the one she lived in that will be sold and so she will be living in the remaining house, so she didn't feel the need to try to memorialize anything with regard to that and the declaration of covenants. We will need, since this is in the rural agricultural area, we will need a special exception to locate even one single family house in that area and that will be pending at next months meeting, so any approvals that would be given tonight should be subject to obviously making sure we get approvals from the Board of Zoning Appeals on the special exception.

We're going to be requesting, because of the private nature of the road, variance for the lot ratio, as well as the road frontage with regard to that. I believe we've dedicated what they have requested us to dedicate with regard to any areas of right-of-way, and Staff can elaborate on that further in terms of what shows up on the plat. But I'd be happy to answer any questions. It's fairly straightforward. Two parcels, that one is already developed with the house. The other one with sufficient acreage, so there's not going to be any problem putting a modest home on that acreage. Thank you.

Franz Okay, thank you. Is there any comments from the public on this matter? Being none, Wayne can I have the report?

DeLong Certainly. Staff is supportive of the petition as filed. I certainly appreciate Mr. Andreoli's indication in sharing with you this evening that a special exception and other variance relief will be sought at a future BZA meeting. Other than that, again Staff is supportive of the petition as filed. Certainly, appreciate the suggested covenants related to the driveway sharing, maintenance agreement, and any other language that's used. Always work well now and in the future. Again, Staff is recommending approval and I'd be happy to answer any questions.

Franz Okay, thank you. Is there any questions/comments from the Plan Commissioners?

McClelland So Wayne, just one question. No ability to subdivide further, right, given the zoning here?

DeLong In order to facilitate additional divisions would require additional variance relief.

McClelland Okay, thank you.

Franz Anything else from anybody in the Commission? Being none, is there a motion?

McClelland I move that Docket #2016-44- MP, minor plat approval establishing a two lot plat at 1567 North 1000 East, Sheridan, Indiana 46069 be approved based on the findings in the Staff Report as presented, subject to petitioner obtaining the required variance relief and special exception approval prior to the recordation of the secondary plat associated with the contemplated subdivision.

Franz Is there a second?

Parks Second.

Franz All in favor signify by aye.

All Aye.

Franz Those opposed by nay. Motion carries.

Andreoli Thank you. Have a good evening.

Franz Thank you. The next item on the docket #2016-46-MP, S. Crenshaw, 4560 South 975 East, petition for minor plat approval in order to establish a 3.01 acre lot, Lot 1 and a 3.39 acre Lot 2, and a 3.85 acre Lot 3 in the RSF-2 rural residential zoning district. Representative, please.

Burrus Good evening. My name is Roger Burrus, and I'm an attorney with offices at 410 West Oak Street in Zionsville, and I represent Susan Crenshaw who as trustee is the owner of this property at 4560 South 975 East in Zionsville. Susan is here along with a surveyor, Brady Kuhn, who is with Weihe Engineers and my partner, Beth Sease, is also here. I'm passing out the latest version of the plat. We found out that there was a 50-foot access easement for the neighbor, so we've added that to the plat, and there were a couple of other minor changes that we've been working with Staff on in order to make sure that we've included everything that needs to be there and, so I just passed that out to make sure you have that. Plus, it's a little bigger than the one that I had provided before. But this is property that the Crenshaws bought in 1997.

A couple of interesting things about the area is that it has a very long driveway, which is in that 50 foot access easement and that when the Crenshaws bought the property, there's another home to the west of theirs, which also uses that driveway, so we've made sure that the covenants that we've prepared for this minor plat include provisions on maintaining that access and that that will not be a problem for Dr. Bruner and Dr. Overhage, who own the house to the west and we've also been talking to them about, you know, other aspects of this in order to make sure that their rights are protected. And so they've indicated they're satisfied to date with what we've done. We're still working on one thing, but we expect that to be resolved soon as well. But there's also another similar situation just to the north of us where there was a big lot, our lot is, my client's lot is 10.39 acres and we're proposing to subdivide that into three lots as you see on the drawing and those would be ranging from just under 3 acres to 3.85 acres and Lot #2 would include the existing home that the Crenshaws have lived in since 1997. But, basically the Crenshaws are relocating due to a job change for Mr. Crenshaw and in marketing their home and discussing that with realtors and potential buyers, you know, not everybody wants a 10.39 acre lot, so by subdividing it that would give the Crenshaws and potential buyers options, and it doesn't absolutely mean that there would be two additional homes, but there could be two additional homes. I mean somebody might buy two lots. The Overhages could buy Lot 3 and combine that with theirs, so we're not going to decide that tonight, but we think it makes sense to subdivide this property and because that would provide additional options. But, back to the property to the north, that was owned by a lady by the name of Scarlet Kramer and she did a similar thing. She had one home on 12.5 acres. She did a minor plat to subdivide into 6.7 and 5.8. There's now a new home on the second lot there. I helped her with the covenants as well. I think also this was where the railroad use to go through, so that's why you've got these long strips of ground you know going to different homes. So we have prepared the minor plat and we appeared before the BZA recently and they approved the variances that were required by this, that being the minimum road frontage and also to allow us to maintain that.

There's an accessory structure, which would end up being on Lot 1. It's kind of a small barn or garage depending on what you'd want to call it, but that was approved based on or with the contingency that it might have to be removed. I mean the owner of Lot 1 could remove it or they could try to keep it, but that's up to them to decide. There were a few items in the Staff Report that we've addressed, and I'd just like to briefly mention those. There's a question about whether or not we would need permission by the Spring Knoll Homeowners' Association to extend our sewer laterals through their common area. That area isn't a utility easement, so we don't think that's a problem, but we have asked them for their approval just to make sure that they don't have a problem with it, and they've told us that they couldn't get back to us by now, but that they will get back to us soon, and we don't see any reason why they would object to it. The developer of Spring Knoll attached the Crenshaws sewer lateral to this utility line, so obviously he thought it was a reasonable thing to do. And then there's an existing fence along County Road 975 East that would end up being in this new right-of-way that we're dedicating to the Town and Town Staff have indicated that a consent to encroachment agreement would handle that. I've prepared that agreement. It's been signed by my client and it's just ready to submit to the Town. Then Town Staff wanted to make sure that we were protecting the other owner's rights to the driveway, which we're doing in our covenants, and I've submitted a draft of the covenants to Staff. I'd be happy to discuss those or anything else that you or any members of the public would like to comment on. Thank you very much.

Franz All right, thank you. Is there any comments from the public on this matter? Being none, Wayne can I have the Staff Report?

DeLong Certainly. Staff is supportive of the petition as filed. Certainly this, as indicated by Mr. Burrus, the petition appeared in front of the Board of Zoning Appeals and sought relief related to particular items to support the division. Further, the concerns regarding the driveway, the shared access, and the utilities are all items that are looking to be addressed by the petitioner on behalf of the applicant and other than those items that are certainly being addressed, and the Staff appreciates that, Staff is supportive of the petition as filed, and I'd be happy to answer any questions.

Franz Okay thank you. Is there any questions/comments from the Plan Commissioners? Being none, is there a motion?

Walker I move that Docket #2016-46-MP, minor plat approval, establishing three lots at 4560 South 975 East in the R-SF-2, urban residential zoning district, be approved based on the findings in the Staff Report as presented.

Franz Is there a second?

Jones Second.

Franz All in favor signify by aye.

All Aye.

- Franz Those opposed by nay. Motion carries.
- Burriss Thank you.
- Franz Thank you. Onto other matters to be considered. Docket #2016-05-PP and 2016-06-DP, DeRossi, looking for an update on the commitments on that one.
- Drake We believe those are being finalized and should be received prior to your next meeting.
- Franz Okay.
- Drake The language has been worked out. Janice has been coordinating that with counsel.
- Franz Okay, thank you. And update on commitments on 2016-40-DP, Hoosier Village.
- Drake We were advised by Mr. Ochs that those have been recorded. A recorded copy has not yet returned from the Boone County Recorder's office and when he receives that, he's assured us a copy of the recorded commitments will be provided to the Planning Department.
- Franz Okay, thank you. And then the final item of business tonight is the address assignment based upon the Town of Whitestown's action. The old address is 6490 East 650 South. The new address is 6490 Royal Run Boulevard. Wayne?
- DeLong This is unique for the Plan Commission to just see this on your Agenda. A municipality's chief elective official has responsibility of naming roads, and in this particular case this road is within the Town of Whitestown, and they have elected to change the road name as indicated from East 650 South to Royal Run Boulevard. The Plan Commission is charged with assigning the address. In this case there is no change that is proposed to the numerical assignment of the home. The old address 6490 East 650 South will now become 6490 Royal Run Boulevard. The purpose of just putting this on your Agenda this evening is to memorialize this change and certainly we will move forward with alerting the property owner as to the new address assignment.
- Franz So that does not take any motion or action on our part? It's just notification or do you need to make a motion?
- DeLong I would not look for the Plan Commission to make a motion. Again, this is just for the record only.
- Franz Okay. All right. That looks like it's it for tonight.
- Parks I move for adjournment.
- Franz And a second?

Zionsville Plan Commission  
September 19, 2016

Walker            Second.

Franz            We're adjourned.