



**Town of Zionsville  
1100 West Oak Street  
Zionsville, IN 46077**

TRANSMITTAL

**TO: Town of Zionsville Advisory Plan Commission  
FROM: Wayne DeLong - Director of Planning and Economic Development  
RE: Materials for consideration for the May 18, 2020 Meeting of  
the Plan Commission.**

*Enclosed for your information and review are the following:*

1. Plan Commission Meeting Agenda
2. Planning Department April 2020 Monthly Report
3. April 20, 2020 Plan Commission Meeting Minutes
4. Docket #2020-08-Z, Prologis Petitioners Request to Continue
5. Docket # 2020-10-Z Windhaven Remonstrance Letter(s)
6. Petition Applications, Requests, and Information for Review and Consideration

January 21, 2020 Plan Commission Meeting Memo (Minutes) are forthcoming



**MEETING NOTICE AND AGENDA ZIONSVILLE PLAN COMMISSION**  
**Monday, May 18, 2020**  
**7:00 PM (Local Time)**

**THIS PUBLIC MEETING WILL BE CONDUCTED PURSUANT TO GOVERNOR ERIC J. HOLCOMB'S EXECUTIVE ORDERS 20-02, 20-04 AND 20-08, and 20-26 AND GOVERNOR HOLCOMB'S EXERCISE OF HIS POWERS UNDER INDIANA'S EMERGENCY MANAGEMENT AND DISASTER LAW, IND. CODE 10-14-3, *et seq.* ADDITIONAL INFORMATION REGARDING THE MEETING IS PROVIDED IN THE ANNEX PUBLISHED WITH THIS NOTICE.**

1. Members of the public shall have the right to attend Plan Commission Public Meetings via the following forms of electronic communication:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84335012472>

Or iPhone one-tap :

US: +13017158592,84335012472# or +13126266799, 84335012472#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656 or +1 253 215 8782 or +1 346 248 7799  
or +1 669 900 9128

Webinar ID: 843 3501 2472

International numbers available: <https://us02web.zoom.us/u/kbOgpueYe9>

**The following items are scheduled for consideration:**

- I. Pledge of Allegiance
- II. Attendance
- III. Approval of the January 21, 2020 Meeting Memo, and April 20, 2020 Plan Commission Meeting Minutes
- IV. Continuance Requests
- V. Continued Business

<b>Docket Number</b>	<b>Name</b>	<b>Address of Project</b>	<b>Item to be Considered</b>
2020-08-Z	Prologis	5190 S. State Road 267 Lebanon, IN 46052	<b>Request by the Petitioner to continue from the April 20, 2020 and May 18, 2020 Plan Commission meetings to the regularly scheduled June 15, 2020 meeting.</b> Petition for Zone Map change to rezone 76 +/- acres from the Rural (AG) Agricultural Zoning District to the Rural (I1) Industry Zoning District
2020-10-Z	Windhaven	8175 & 8775 W. Oak Street	<b>Request by the Petitioner to continue to the regularly scheduled May 18, 2020 Plan Commission meeting</b> Petition for Zone Map change to rezone 24.283+/- acres from the Rural (R1) Residential Zoning District to the (PUD) Planned Unit Development Zoning District

VI. New Business

<b>Docket Number</b>	<b>Name</b>	<b>Address of Project</b>	<b>Item to be Considered</b>
2020-15-Z	Creekside PUD	10771-10903 Creek Way	Petition for Zone Map Change to rezone 49.874+/- acres from the (PUD) Planned Unit Development to a (PUD) Planned Unit Development District (Town of Zionsville Owned Land within the Creekside PUD as per Ord. 2018-08)
2020-13-DP	Zionsville Community Schools Building Corporation	4400 S. 875 East	Petition for Development Plan approval to allow for the construction of a 91,151 square foot elementary school in the (SU-1) Special Use Zoning District
2020-14-DP	Hoosier Village Sales And Marketing Office	5415 Bearberry Lane (Est)	Petition for Development Plan approval to allow for the construction of an approximately 5600 square foot single story sales and marketing office in the (SU-7) Special Use Zoning District

VII: Other Matters to be considered

<b>Docket Number</b>	<b>Name</b>	<b>Address of Project</b>	<b>Item to be Considered</b>
			None at this time

Please note that a quorum of the Zionsville Town Council may be in attendance at the meeting.

Respectfully Submitted:

Wayne DeLong, AICP, CPM  
Director of Planning and Economic Development

May 12, 2020

## ANNEX TO PUBLIC NOTICE FOR THE MAY 18, 2020, REGULAR MEETING OF THE ZIONSVILLE PLAN COMMISSION

In his Executive Orders 20-02, 20-04, 20-08, AND 20-26 (collectively, the “**Executive Orders**”), Governor Eric J. Holcomb has ordered all political subdivisions of the State of Indiana to limit public gatherings and to implement the Centers for Disease Control and Prevention’s and the Indiana State Department of Health’s recommended virus mitigation strategies. The Executive Orders suspend certain requirements for Essential Governmental Functions that facilitate Essential Infrastructure with respect to public meetings and open door laws, including suspending physical participation requirements by members of public agency governing bodies and permitting public attendance through electronic means of communications. As a political subdivision of the State of Indiana, the Zionsville Plan Commission (the “**Plan Commission**”) must comply with the Executive Orders throughout the duration of the COVID-19 Public Health Emergency. According, all public meetings of the Plan Commission shall be conducted in the following manner until the end of the COVID-19 Public Health Emergency:

1. Members of the public shall have the right to attend Plan Commission Public Meetings via the following forms of electronic communication:

Please click the link below to join the webinar:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84335012472>

Or iPhone one-tap:

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Webinar ID: 843 3501 2472

International numbers available: <https://us02web.zoom.us/j/84335012472>

2. Members of the public shall have the option of recording their attendance at Plan Commission Public Meetings via electronic roll call at the start of the meeting or via e-mail at [wdelong@zionsville-in.gov](mailto:wdelong@zionsville-in.gov).
3. If a member of the public would like to attend a Plan Commission Public Meeting, but cannot utilize any of the access methods described above, please contact Wayne DeLong at 317-873-5108 or [wdelong@zionsville-in.gov](mailto:wdelong@zionsville-in.gov) to arraign in-person attendance.
4. The Plan Commission will continually revisit and refine the procedures in this Annex to address public accessibility to Plan Commission Public Meetings during the COVID-19 Public Health Emergency.
5. If you need technical assistance in logging into Zoom for this webinar, please contact: Roger Kilmer, [rkilmer@zionsville-in.gov](mailto:rkilmer@zionsville-in.gov), or 317-690-6539.



# Town Of Zionsville

## Planning and Economic Development Combined Permit Activity

### April 2020

Total permits issued for the month of April: 60

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#### Permit Activity Breakdown

Commercial Permits	April 2020	April 2019	YTD 2020	YTD 2019	YTD Diff
New	0	0	5	1	4
Interior Remodel	5	2	13	33	-20
Addition	2	0	2	2	0
Sign	3	11	9	23	-14
Electric	5	3	11	4	7
Other	0	5	8	18	-10
Sewer	0	1	0	1	-1
<b>Commercial Totals</b>	<b>15</b>	<b>22</b>	<b>48</b>	<b>82</b>	<b>-34</b>
<b>Residential Permits</b>					
Single Family	6	12	82	51	31
Addition	9	15	34	40	-6
Remodel	6	8	34	38	-4
Electric	3	4	12	12	0
Pool/Spa	4	9	12	20	-8
Demolition	1	3	4	11	-7
Other	16	38	44	65	-21
Sewer/Repairs	0	5	1	11	-10
<b>Residential Totals</b>	<b>45</b>	<b>94</b>	<b>223</b>	<b>248</b>	<b>-25</b>
<b>Combined Totals</b>	<b>60</b>	<b>116</b>	<b>271</b>	<b>330</b>	<b>-59</b>

Building/Site Inspections: 342      Number Of Inspections: 507

Certificates Of Occupancy Issued: 44

Easement Encroachments Authorized: 0      Denied: 5

#### Zoning Code Enforcement Activity

Number of New Zoning Code Investigations: 2

Number of violations that resulted in a violation and/or stop work order: 2

Number of Investigations closed this month: 0

Total number of zoning code violations to date: 5



# Town Of Zionsville

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### CombinedPermit Activity Detail

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Permit #	Permit Month	Permit Day	Sewer Cost	Park Impact Fee	Road Impact Fee	Builder	Owner	Type Of Construction	Subdivision	Lot #	Address	Zip Code
U2020-199	April	8	\$0	\$0	\$0	A Sign By Design	John Adams	Comm Sign			10650 BENNETT PKWY	46077
U2020-213	April	1	\$0	\$0	\$0	Capehart Landscape and Design	Troy & Jennifer Griffith	Res Other	Pleasant View	14	9765 EQUESTRIAN WAY	46077
U2020-214	April	1	\$0	\$0	\$0	Douglas Eriks	Douglas & Lynn Eriks	Res Remodel	Cobblestone Lakes	32	5042 PEBBLEPOINTE PASS	46077
U2020-215	April	1	\$0	\$0	\$0	Finney & Sons	Jason and Laura Moore	Res Reroof			370 W HAWTHORNE STREET	46077
U2020-216	April	1	\$0	\$0	\$0	Casey-Bertram Construction	TIMOTHY & KATHRINE DONNAR	Res Demo			145 N MAIN STREET	46077
R2020-217	April	2	\$0	\$0	\$0	The Skillman Corporation	Zionsville Comm. School	Comm Remodel			5555 S MAIN STREET	46075
U2020-218	April	6	\$0	\$0	\$4,134	Alderson Commercial Group	Clay Township Regional Waste	Comm Add			7236 S MAYFLOWER PARK DRIVE	46077
R2020-219	April	6	\$0	\$0	\$0	Mike McGhee & Assoc	Brad & Cheryl Baber	Res Add Pool			8182 HUNT CLUB ROAD	46077
U2020-220	April	6	\$4,025	\$1,221	\$1,009	Fischer Homes	Fischer Homes	Res New	Hampshire	87	4837 ABERDEEN DRIVE	46077
U2020-221	April	6	\$0	\$0	\$0	Lennar	Lennar	Res New	Hampshire	180	4412 OAKLEY TERRACE	46077
R2020-222	April	6	\$4,025	\$1,221	\$1,009	Old Town Design Group	John & Ruth Twenty	Res New	THE CLUB AT HOLLIDAY	E29	10721 BARRINGTON WAY	46077
R2020-223	April	6	\$0	\$0	\$0	WarrenCo Construction & Paving	Ashley Palmer	Res Other	Royal Run	281	6733 DORCHESTER DRIVE	46077
U2020-224	April	7	\$0	\$0	\$0	John Pataky	Steven and Karen Ivy	Res Other	Inglenook of Zionsville	14	10485 DUSTY ROSE DRIVE	46077
U2020-225	April	7	\$0	\$0	\$0	Deck Store	JEANNE L MOOSEY	Res Add Deck	RAVINA	10	4554 SUMMERSONG ROAD	46077
U2020-226	April	7	\$0	\$0	\$0	WarrenCo Construction & Paving	BRITTEN & CHELSEA MAUGHAN	Res Add Deck	Cobblestone Lakes	219	8732 WINDPOINTE PASS	46077
U2020-227	April	8	\$0	\$0	\$0	Gene Deardoff	Andrew & Amy Michie	Res Remodel	Oak Ridge	146	10141 HICKORY RIDGE DRIVE	46077
R2020-228	April	8	\$0	\$0	\$0	Dennis White	Dennis & Patricia White	Res Electric			1690 S 1100 EAST	46077
U2020-229	April	9	\$0	\$0	\$0	Blue Haven Pools	Kelley Gay	Res Add Pool	Rock Bridge	203	3605 OLD QUARRY DRIVE	46077



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U2020-230	April	9	\$0	\$0	\$0	The Skillman Corporation	Zionsville Comm. School	Comm Remodel			350 N SIXTH STREET	46077
U2020-231	April	9	\$0	\$0	\$0	Ken Woods	J & T Properties LLC	Comm Sign	Cross's second addit	16	70 S Main Street	46077
R2020-232	April	10	\$0	\$0	\$0	Outdoor Enviroments Group	Shaun & Carolyn McDonald	Res Add Pool	THE CLUB AT HOLLIDAY	A31	10919 HOLLIDAY FARMS BLVD	46077
R2020-233	April	10	\$0	\$0	\$0	Moss Roofing	CORY DALE & JESSICA SHOWALTER	Res Reroof	Cooper Heights	1 and 2	8405 COOPER LANE	46077
U2020-234	April	13	\$0	\$0	\$0	Bill Michalak	William & Shelby Maurer	Res Add	Russell Minor	1	4815 COTTONWOOD COURT	46077
U2020-235	April	13	\$0	\$0	\$0	Cochran Exteriors	DANIEL D GORDON & ELISA M SAVI	Res Reroof	Brittany Chase	113	4301 CHASE CIRCLE	46077
U2020-236	April	15	\$0	\$0	\$0	Cross Electric	Lennar	Comm Electric	Manchester Estates	COMMON AREA - L	926 Yorkshire Lane	46077
U2020-237	April	15	\$0	\$0	\$0	Cross Electric	Lennar	Comm Electric	Manchester Estates	COMMON AREA - D	995 Yorkshire Drive	46077
U2020-238	April	15	\$0	\$0	\$0	Cross Electric	Lennar	Comm Electric	Manchester Estates	COMMON AREA - J	297 Brunswick Way	46077
U2020-239	April	16	\$0	\$0	\$0	Wildwood Designs, Inc	Kevin & Danielle Trulock	Res Remodel	Thornhill	89	1963 CAMARGUE DRIVE	46077
U2020-240	April	16	\$0	\$0	\$0	Best Barns of Indiana	JAROD & FLETCHER GRACE LANTZ	Res Add	Zion Hills	6	12205 DAUGHERTY DRIVE	46077
U2020-241	April	16	\$0	\$0	\$0	Bone-Dry Roofing	Timothy Duncan & Nieves Juarbe	Res Reroof	Colony Woods	167	20 CEDAR MILL COURT	46077
U2020-242	April	17	\$14,200	\$0	\$17,384	FCC Development Corp	Zionsville OMS Partners	Comm Remodel	Eagle Village	1,2,5,6	12036 N MICHIGAN ROAD	46077
U2020-243	April	17	\$0	\$0	\$0	B & D Lighting	Lennar	Comm Electric	Manchester Estates	106	299 FAIRFAX WAY	46077
U2020-244	April	20	\$0	\$0	\$0	Sign Solutions, Inc.	SOUTH ZIONSVILLE VILLAGE WEST, LLC	Comm Sign			640 S Main Street	46077
U2020-245	April	20	\$0	\$0	\$0	Pulte Homes	Pulte Homes	Res New	ASHBURN	10	5236 ROSE DRIVE	46077
U2020-246	April	21	\$0	\$0	\$0	Chuck's Construction	Alexander & Katie Orlowski	Res Add	Cobblestone Lakes	251	8995 SNOWBERRY COURT	46077
R2020-247	April	22	\$0	\$0	\$0	Electric Today	David & Dorothy Strahl	Res Electric			1115 S US 421	46077



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U2020-248	April	22	\$0	\$0	\$0	Timothy Sparks	Timothy & Carole Sparks	Res Finish Permit	Eagle View Court	2	520 EAGLE VIEW COURT	46077
U2020-249	April	23	\$0	\$0	\$0	Case Design and Remodeling	Mark & Shelley Lakshmanan	Res Remodel	Thornhill	31	1955 MULSANNE DRIVE	46077
R2020-250	April	23	\$0	\$0	\$0	Robert Cari	Robert Cari	Res Finish Permit			7749 E 300 SOUTH	46077
19U2020-251	April	23	\$0	\$0	\$0	Blue Haven Pools	Brandon & Ashley Holman	Res Add Pool	Brookhaven	196	11141 GLEN AVON WAY	46077
U2020-252	April	24	\$0	\$0	\$0	JB Adams Designs LLC	106TH & BENNETT LLC	Comm Tenant Finish		Suite 300	10650 BENNETT PKWY	46077
U2020-253	April	24	\$0	\$0	\$0	Lennar	Lennar	Res New	Hampshire	181	4392 FORRES AVE	46077
U2020-254	April	24	\$0	\$0	\$0	Lennar	Lennar	Res New	Hampshire	185	8126 OXFORD TRACE	46077
U2020-255	April	24	\$0	\$0	\$0	Bone-Dry Roofing	Michael & Molly Murphy	Res Reroof	Cobblestone Lakes	119	9401 SHADOW ROCK CIRCLE	46077
R2020-256	April	24	\$0	\$0	\$0	Universal Roofing	Robert & Tereze Inveiss	Res Reroof	Old Hunt Club	21	6805 OLD HUNT CLUB	46077
U2020-257	April	24	\$0	\$0	\$0	Black Acre Brewing Company LLC	98 SOUTH MAIN LLC	Comm Remodel	Cross's second addit	22	98 S MAIN STREET	46077
R2020-258	April	27	\$0	\$0	\$0	Universal Roofing	James Bowers	Res Reroof			8660 HUNT CLUB ROAD	46077
U2020-259	April	27	\$0	\$0	\$0	New Generation Homes	MICHAEL & CAROLYN LAWRENCE	Res Add	Cross's Third Additi	14	120 S 6TH STREET	46077
13U2020-260	April	27	\$0	\$0	\$0	Pulte Homes	Pulte Homes	Res Remodel	HIDDEN PINES	67	3947 SUGAR PINE LANE	46077
U2020-261	April	28	\$0	\$0	\$0	Stay Dry Roofing	James Marshall	Res Reroof	Raintree	5	680 EAGLE CREEK COURT	46077
U2020-262	April	28	\$0	\$0	\$0	Bone-Dry Roofing	Jared & Patricia Williams	Res Reroof	Colony Woods	281	220 REDDING COURT	46077
U2020-263	April	28	\$0	\$0	\$0	Nazareth Construction	KERRY & PAMELA Wagoner	Res Electric			4501 S 975 EAST	46077
R2020-264	April	28	\$0	\$0	\$0	Bone-Dry Roofing	Lowell & Mary Snow	Res Reroof	Spring Hill	14	671 SPRING HILLS DRIVE	46077
R2020-265	April	28	\$0	\$0	\$0	Phil Sundling	The Club at Holliday Farms	Comm Electric	THE CLUB AT HOLLIDAY	COMMON AREA	3900 S US 421	46077



# Town Of Zionsville

## Planning and Economic Development Permit Detail

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19U2020-266	April	28	\$0	\$0	\$0	Jeff Buckley	Jeff & Jeri Buckley	Res Add Deck	Shannon Springs	6	6600 MONTANA SPRINGS DRIVE	46077
U2020-267	April	28	\$0	\$0	\$0	Leveridge Inc	Jeffrey & Laura Wensink	Res Add Deck	Colony Woods	297	130 LYNN COURT	46077
U2020-268	April	29	\$0	\$0	\$0	James Uland	James & Kelly Uland	Res Remodel	Hampshire	116	4550 KETTERING PLACE	46077
U2020-269	April	29	\$0	\$0	\$0	American Dream Home Improvement	JIMMY D EWING	Res Reroof	Zion Hills	34	12142 DAUGHERTY DRIVE	46077
R2020-270	April	29	\$0	\$0	\$0	KP Meiring Company	KENNETH & PATRICIA MEIRING	Res Add			823 EAGLEWOOD DRIVE	46077
U2020-271	April	30	\$0	\$0	\$0	Cityscape Construction - Aria, LLC	ARIA ZIONSVILLE LLC	Comm Add	ARIA	Pool Equipment	10919 Octave Drive	46077



# Town Of Zionsville

## Planning and Economic Development C of O Detail

April 2020

Total: C of O issued for the month of April: 44

**C of O Detail**

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Permit #	Builder	Owner	Type Of Construction	Subdivision	Lot#	Address	Zip Code	C of O Approved
R2018-762	Drees Homes	MICHAEL & MICHELLE AMORE	Res New	DEROSSI ESTATES	6	8845 WHITESTOWN ROAD	46077	2020/04/20
R2018-844	Drees Homes	Drees Homes	Res New	Stonegate	355	6627 E DEERFIELD COURT	46077	2020/04/10
R2018-886	Drees Homes	LEWIS AGRICULTURE	Res New			1605 S 825 East	46077	2020/04/28
U2018-916	RL Turner	SEAKE, LLC	Comm New	Zionsville Bus.	3 Seake SHELL	1120 W OAK STREET	46077	2020/04/03
R2019-176	Drees Homes	Drees Homes	Res New	Stonegate	345	7651 DEERFIELD WAY	46077	2020/04/08
R2019-199	C-Ray Pools LLC	Stacy & Audrey Johnson	Res Add Pool	Stonegate	211	7648 CARRIAGE HOUSE WAY	46077	2020/04/27
U2019-206	Trent Companies	Jason & Beth Whittington	Res Other	Rock Bridge	208	9232 KEYSTONE COURT	46077	2020/04/08
R2019-211	Reasa Pabst	CURTIS J MIDDGAUGH	Res Remodel			8090 E 550 SOUTH	46077	2020/04/02
19U2019-221	Neer Development	Neer Development Company, Inc.	Res Other	Courtyards of Zionsville	13	1703 ARBOR WAY	46077	2020/04/30
U2019-223	RL Turner	SEAKE, LLC	Comm Remodel	Zionsville Government	SEAKE - EYE CARE 3	1120 W OAK STREET	46077	2020/04/03
19U2019-322	Indy Decorative Concrete	Gary & Mary Magoni	Res Other	Brookhaven	201	11134 GLEN AVON WAY	46077	2020/04/30
U2019-374	RL Turner	SEAKE, LLC	Comm Tenant Finish		Storen Financial	1120 West Oak Street	46077	2020/04/03
R2019-437	Brad Sloan	Stephen & Susan Alford	Res Remodel			4995 S 200 EAST	46077	2020/04/29
U2019-526	Loy Construction	Ramiro & Alejandra De La Cruz	Res Add Deck	SCHICKS	1, 2	324 S NINTH STREET	46077	2020/04/07
U2019-553	Innovative Homes & Remodeling	David & Catherine Sears	Res New	OLIVERS	30	160 N MAIN STREET	46077	2020/04/08
U2019-572	Fischer Homes	Fischer Homes	Res New	Hampshire	176	4462 OAKLEY TERRACE	46077	2020/04/09



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## Planning and Economic Development C of O Detail

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**C of O Detail**

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Permit #	Builder	Owner	Type Of Construction	Subdivision	Lot#	Address	Zip Code	C of O Approved
U2019-641	RL Turner	SEAKE, LLC	Comm Remodel	Zionsville Government	3 DILLMAN LAW	1120 W OAK STREET	46077	2020/04/03
R2019-652	Pools of Fun	Matthew & Melissa Stump	Res Add Pool			5301 S 875 East	46077	2020/04/30
U2019-681	Pools of Fun	KEVIN & AMY WHITLOCK	Res Add Pool	Buttondown Farms	34	9973 BUTTONDOWN LANE	46077	2020/04/17
R2019-714	Perma Pools	Edward & Pamela Humphreys	Res Add Pool	SHAFFER MINOR PLAT	4	2608 S 875 EAST	46077	2020/04/08
U2019-801	Fischer Homes	Fischer Homes	Res New	Hampshire	109	4573 KETTERING PLACE	46077	2020/04/09
U2019-802	Fischer Homes	Fischer Homes	Res New	Hampshire	105	4651 KETTERING PLACE	46077	2020/04/09
U2019-829	Fischer Homes	Fischer Homes	Res New	Hampshire	122	4680 KETTERING PLACE	46077	2020/04/09
R2019-833	Woodstock Custom Homes	Woodstock Custom Homes	Res New	Stonegate	64	7639 E STONEGATE DRIVE	46077	2020/04/16
R2019-843	Robin Campbell Builders	Jason & Kelly Smith	Res New	J Marshall Minor	3	6249 S CR 275 EAST	46052	2020/04/17
U2019-847	Fischer Homes	Fischer Homes	Res New	Hampshire	175	4476 OAKLEY TERRACE	46077	2020/04/09
R2019-925	Emerald Group, Inc	Ronald & Karla Piniacki	Res Finish Permit			9301 E 300 SOUTH	46077	2020/04/30
U2019-944	Lennar	Lennar	Res New	Hampshire	215	4325 KETTERING DRIVE	46077	2020/04/22
19U2019-959	Neer Development, Inc.	Neer Development Company, Inc.	Res New	Courtyards of Zionsville	42	1729 Cypress Drive	46077	2020/04/29
19U2019-980	Lennar	Lennar	Res New	Vonterra	75	5937 WELDRA DRIVE	46077	2020/04/28
13U2020-7	Booher Building	Walter & Jodi Virkus	Res Remodel	WILLOW RIDGE	34	11544 WILLOW SPRINGS DRIVE	46077	2020/04/22
19U2020-24	Cutting Edge Hardscapes	Qin Ziao & Feu Yu	Res Other	Brookhaven	240	2497 STILL CREEK DRIVE	46077	2020/04/28



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U2020-48	Marksman Construction	SEAKE, LLC	Comm Remodel	Government Center Minor	3 Meridian Title	1120 W OAK STREET	46077	2020/04/27
U2020-60	Chuck's Construction	Kenneth & Lori Elsbury	Res Add	THORNHILL SEC 1	8	280 BENTLEY DRIVE	46077	2020/04/10
U2020-73	Case Design and Remodeling	CHRISTOPHER & NICOLE HOUGH	Res Remodel	COLONY SQUARE SEC 1	18	57 PENN PLACE	46077	2020/04/15
U2020-98	CK PRICE PROPERTIES LLC	CK PRICE PROPERTIES LLC	Comm Remodel	Cross's second addit	3	60 N Main Street	46077	2020/04/27
U2020-100	Innovative Homes & Remodeling	Tom Dugan	Res Remodel	Cross's second addit	105-106	40 N Main Street	46077	2020/04/29
U2020-113	Bullseye Commercial	Ken Woods	Comm Remodel	Oak Center	Great Clips	1209 W OAK STREET	46077	2020/04/20
R2020-128	Perma Pools	CHRISTOPHER S & KELLY J DIASIO	Res Add Pool	Stonegate	10	6115 STONEGATE RUN	46077	2020/04/29
U2020-157	Jeff Davidson	Ryan Evans	Res Add Deck	Schicks Subdivision	21,21	965 W PINE STREET	46077	2020/04/23
U2020-159	Render Home Solutions	CHRISTOPHER E & BETH M	Res Add Deck	Austin Oaks	41	11844 PROMONTORY TRAIL	46077	2020/04/27
U2020-169	Young's Construction	ALLAN TODD & CHRISTINE	Res Remodel	Colony Woods	245	225 WOODSTOCK COURT	46077	2020/04/30
U2020-209	Bone Dry Roofing	Anthony Brewer	Res Reroof	PRESERVE AT SPRING KNOLL	129	4330 ASH COURT	46077	2020/04/14
U2020-240	Best Barns of Indiana	JAROD & FLETCHER	Res Add	Zion Hills	6	12205 DAUGHERTY DRIVE	46077	2020/04/21



# Town Of Zionsville

## Planning and Economic Development Permit Activity

Year: 2020

Printed 2020/05/07 12:53 PM

### Activity Report

	Commercial/Industrial						Residential									Sewer Reporting		Summary Of Field Activity				
	New Building	Add	Remodel	Sign	Elec	Other	New Home	Add	Remodel	Electric	Pool	Demolition	Other	New Res Sewer Or Repair Permits	New Comm Sewer Or Repair	Total New Permits	New Comm Sewer (Informational Reporting Only)	New Home Res Sewer (Informational Reporting Only)	Building Inspects Site Visits	Number Of Inspections Per Site Visit	Temp C of O	C of O
January	1	0	4	2	2	2	26	6	6	5	2	2	9	1	0	68	1	25	321	495	17	20
February	0	0	3	3	3	1	15	5	11	1	0	0	7	0	0	49	0	10	282	426	12	26
March	4	0	1	1	1	5	35	14	11	3	6	1	12	0	0	94	1	21	290	474	19	24
April	0	2	5	3	5	0	6	9	6	3	4	1	16	0	0	60	1	2	342	507	14	44
May																						
June																						
July																						
August																						
September																						
October																						
November																						
December																						
Totals	5	2	13	9	11	8	82	34	34	12	12	4	44	1	0	271	3	58	1235	1902	62	114





**MEETING RESULTS - ZIONSVILLE BOARD OF ZONING APPEALS APRIL 1, 2020, 6:30 p.m.**

**THIS PUBLIC MEETING WAS CONDUCTED PURSUANT TO GOVERNOR ERIC J. HOLCOMB’S EXECUTIVE ORDERS 20-02, 20-04 AND 20-08 AND GOVERNOR HOLCOMB’S EXERCISE OF HIS POWERS UNDER INDIANA’S EMERGENCY MANAGEMENT AND DISASTER LAW, IND. CODE 10-14-3, *et seq.* ADDITIONAL INFORMATION REGARDING THE MEETING WAS PROVIDED IN THE ANNEX PUBLISHED WITH THE AGENDA.**

The following items were scheduled for consideration:

- I. Approval of the March 4, 2020 Meeting Minutes– **approved 5-0 as written**
- II. Continued Business

<b>Docket Number</b>	<b>Name</b>	<b>Address of Project</b>	<b>Item to be considered</b>
2020-04-DSV	T. Donnar	145 N Main Street	<b>Continued as Requested by Petitioner’s Representative from the April 1, 2020 to the May 6, 2020 Meeting</b> <b>Continuance request by Interested Party from March to April</b> Petition for Development Standards variance in order to provide for the construction of a Single-Family Home & accessory uses which: 1) Exceeds the required lot coverage of 35%, to 42.2% in the Urban Residential Village Zoning District (R-V).
2020-06-DSV	M. Marlowe	140 N 4th Street	<b>Approved as presented &amp; filed w/exhibits dated 4/1/20 &amp; per staff report – 4 in Favor, 1 Opposed</b> <b>Continued by Petitioner’s Representative from March to April</b> Petition for Development Standards variance in order to provide for the construction of an addition to a Single-Family Home which: 1) Deviates from the required side & aggregate yard setbacks and 2) Exceeds the required lot coverage of 35%, to 40% in the Urban Residential Village Zoning District (R-V).

III. New Business

Docket Number	Name	Address of Project	Item to be considered
2020-07-DSV	Hotel Tango	10615 Zionsville Road	<p><b>Approved with Commitments and as presented &amp; filed w/exhibits &amp; per staff report – 5 in Favor, 0 Opposed</b></p> <p>Petition for Development Standards Variance to provide for the redevelopment of a commercial center which deviates from the required number of parking spaces in the Urban General Business District (B-2).</p>
2020-08-DSV	K. Meiring	823 Eaglewood Drive	<p><b>Approved as presented &amp; filed w/exhibits &amp; per staff report – 5 in Favor, 0 Opposed</b></p> <p>Petition for Development Standards Variance in order to provide for the construction of a detached garage which:</p> <ol style="list-style-type: none"> <li>1) Deviates from the required minimum front yard setback; and</li> <li>2) Deviates from the required maximum permissible height associated with an accessory structure in the Rural Low-Density Single-Family and Two-Family Residential Zoning District (R2).</li> </ol>
2020-09-DSV	A. Chavez	324 S 9th Street	<p><b>Approved as presented &amp; filed w/exhibits &amp; per staff report – 5 in Favor, 0 Opposed</b></p> <p>Petition for Development Standards Variance to allow for an existing outdoor fireplace to continue to:</p> <ol style="list-style-type: none"> <li>1) encroach into the required minimum 5-foot side yard setback in the Residential Village Zoning District (RV).</li> </ol>

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



**ZIONSVILLE PLAN COMMISSION MEETING RESULTS**  
**Monday, April 20, 2020**  
**7:00 PM (Local Time)**

**THIS PUBLIC MEETING WAS CONDUCTED PURSUANT TO GOVERNOR ERIC J. HOLCOMB’S EXECUTIVE ORDERS 20-02, 20-04 AND 20-08 AND GOVERNOR HOLCOMB’S EXERCISE OF HIS POWERS UNDER INDIANA’S EMERGENCY MANAGEMENT AND DISASTER LAW, IND. CODE 10-14-3, et seq. ADDITIONAL INFORMATION REGARDING THE MEETING WAS PROVIDED IN THE ANNEX PUBLISHED WITH THIS NOTICE.**

The following items are scheduled for consideration:

**I. Continuance Requests**

<b>Docket Number</b>	<b>Name</b>	<b>Address of Project</b>	<b>Item to be Considered</b>
2020-08-Z	Prologis	5190 S. State Road 267 Lebanon, IN 46052	<b>Request by the Petitioner to continue to the regularly scheduled May 18, 2020 Plan Commission meeting</b> <b>Approved</b> <b>7 in Favor</b> <b>0 Opposed</b> Petition for Zone Map change to rezone approximately 75.98 acres from the Rural (AG) Agricultural Zoning District to the Rural (I1) Industry Zoning District
2020-10-Z	Windhaven	8175 & 8775 W. Oak Street	<b>Request by the Petitioner to continue to the regularly scheduled May 18, 2020 Plan Commission meeting</b> <b>Approved</b> <b>7 in Favor</b> <b>0 Opposed</b> Petition for Zone Map change to rezone approximately 24.283 acres from the Rural (R1) Residential Zoning District to the (PUD) Planned Unit Development Zoning District

**II. Continued Business**

<b>Docket Number</b>	<b>Name</b>	<b>Address of Project</b>	<b>Item to be Considered</b>
2020-04-CA	Appaloosa Crossing	10901 E. 300 South	<b>Approved as presented at the April 20, 2020 Plan Commission Meeting</b> <b>7 in Favor</b> <b>0 Opposed</b> Petition for a Commitment Amendment of 57.53± acres to amend the location of a water feature along U.S. 421 from the midpoint of the overall development’s frontage to the southern portion of the frontage along U.S. 421

2020-01-PP	Appaloosa Crossing	10901 E. 300 South	<b>Approved as Presented at the April 20, 2020 Plan Commission Meeting</b> <b>6 in Favor</b> <b>1 Opposed</b> Petition for a Primary Plat of 57.53± acres for 12 lots, 2 blocks, and 4 common areas within the Rural (GB) General Business Zoning District, the Rural (PB) Professional Business District, and the (R-2) Low Density Single-family and Two-family Residential District
2020-03-DP	Appaloosa Crossing	10901 E. 300 South	<b>Approved as Presented at the April 20, 2020 Plan Commission Meeting</b> <b>7 in Favor</b> <b>0 Opposed</b> Petition for Development Plan Approval of 23,000± square foot, multi-tenant retail building on 3.40± acres within the Rural (GB) General Business Zoning District and the Rural Michigan Road Overlay (MRO). Waivers of Building Materials and Architectural Design requirements requested
2020-05-RP	V. Ranieri	3733 Olde Well Run	<b>Approved as Presented at the April 20, 2020 Plan Commission Meeting</b> <b>7 in Favor</b> <b>0 Opposed</b> Petition for Replat to allow for Lot D7 of Section 1 in the Holliday Farms Subdivision to be removed from the requirements of lot configuration of Subarea F and adhere to the requirements in Subarea G as reflected on the plat of Holliday Farms Section 1 located in the Planned Unit Development Zoning District
2020-07-MP	K. Wagoner	4501 S. 975 East	<b>Approved as Amended (Petitioner amended platted Front Yard Setback from 100 feet to 7 feet-See exhibit dated April 17, 2020) at the April 20, 2020 Plan Commission Meeting</b> <b>7 in Favor</b> <b>0 Opposed</b> Petition for Minor Plat approval for the establishment of two lots in the (R-SF-2) Urban Residential Zoning District

VI. New Business

Docket Number	Name	Address of Project	Item to be Considered
2020-06-DP	Hotel Tango	10615 Zionsville Road	<b>Approved as Presented at the April 20, 2020 Plan Commission Meeting</b> <b>7 in Favor</b> <b>0 Opposed</b> Petition for Development Plan Approval to allow for repair and remodel of the existing structure, and for the addition of an approximately 682 square foot Smart Pergola, and to allow for a waiver of Architectural Design requirements in the (B-2) Urban General Business Zoning District

VII: Other Matters to be considered

Docket Number	Name	Address of Project	Item to be Considered
			Discussion occurred regarding a future Petitioner's potential to seek a waiver of noticing requirements supporting first class mailings to parties entitled to receive personal notice due to Social Distancing practices

Respectfully Submitted:

Wayne DeLong, AICP, CPM

Director of Planning and Economic Development



**MEETING NOTICE & AGENDA- ZIONSVILLE BOARD OF ZONING APPEALS MAY 6, 2020, 6:30 p.m. (Local Time)**

**MEETING WILL FACILITATE REMOTE ATTENDANCE - NO IN PERSON PARTICIPATION BY THE BOARD OF ZONING APPEALS OR THE PUBLIC WILL OCCUR**

Members of the public shall have the right to attend BZA Public Meetings via the following forms of electronic communication:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/86797595863>

Or iPhone one-tap :

US: +16465588656,,86797595863# or +13017158592,,86797595863#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799

Webinar ID: 867 9759 5863

International numbers available: <https://us02web.zoom.us/j/86797595863>

Members of the public shall have the option of recording their attendance at BZA Public Meetings via electronic roll call at the start of the meeting or via e-mail at [wdelong@zionsville-in.gov](mailto:wdelong@zionsville-in.gov).

The following items are scheduled for consideration:

- I. Pledge of Allegiance
- II. Attendance
- III. Introduction of New Member
- IV. Approval of the December 10, 2019 and April 1, 2020 Meeting Minutes
- V. Withdrawal Requests - #2020-04-DSV T. Donnar
- VI. Continuance Requests

VII. Continued Business

Docket Number	Name	Address of Project	Item to be considered
2020-04-DSV	T. Donnar	145 N Main Street	<p><b>Continuance request by Petitioner’s Representative from April to May Meeting.</b></p> <p><b>Continuance request by Interested Party from March to April</b></p> <p>Petition for Development Standards variance in order to provide for the construction of a Single-Family Home &amp; accessory uses which: 1) Exceeds the required lot coverage of 35%, to 42.2% in the Urban Residential Village Zoning District (R-V).</p>

VIII. New Business

Docket Number	Name	Address of Project	Item to be considered
2020-10-DSV	A. Nester	720 W Pine Street	<p>Petition for Development Standards Variance in order to provide for the addition of a carport to a Single-Family Home which:</p> <p>1) Deviates from the required side yard setback and</p> <p>2) Deviates from the required rear yard setback in the Urban Residential Village Zoning District (R-V).</p>

IX. Other Matters to be considered:

Docket Number	Name	Address of Project	Item to be considered
			Unsigned Findings of Fact
2019-38-SE	T. Ball	325 S 1100 East	Status of Commitments/Right to Farm
2018-19-DSV	Wildwood Designs	2720 S 875 East	Status of Commitments

If you need technical assistance in logging into Zoom for this meeting, please contact Chrissy Koenig, [ckoenig@zionsville-in.gov](mailto:ckoenig@zionsville-in.gov), or 317-995-4471.

Please note that a quorum of the Zionsville Town Council may be in attendance at the meeting.

Respectfully Submitted:

Wayne DeLong AICP, CPM  
 Town of Zionsville  
 Director of Planning and Economic Development

## MAY 6, 2020, REGULAR MEETING OF THE ZIONSVILLE BOARD OF ZONING APPEALS

### ANNEX TO PUBLIC NOTICE

In his Executive Orders 20-02, 20-04, 20-08, AND 20-26 (collectively, the “**Executive Orders**”), Governor Eric J. Holcomb has ordered all political subdivisions of the State of Indiana to limit public gatherings and to implement the Centers for Disease Control and Prevention’s and the Indiana State Department of Health’s recommended virus mitigation strategies. The Executive Orders suspend certain requirements for Essential Governmental Functions that facilitate Essential Infrastructure with respect to public meetings and open door laws, including suspending physical participation requirements by members of public agency governing bodies and permitting public attendance through electronic means of communications. As a political subdivision of the State of Indiana, the Zionsville Board of Zoning Appeals (the “BZA”) must comply with the Executive Orders throughout the duration of the COVID-19 Public Health Emergency. According, all public meetings of the BZA shall be conducted in the following manner until the end of the COVID-19 Public Health Emergency:

1. Members of the public shall have the right to attend BZA Public Meetings via the following forms of electronic communication:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/86797595863>

Or iPhone one-tap :

US: +16465588656,,86797595863# or +13017158592,,86797595863#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799

Webinar ID: 867 9759 5863

International numbers available: <https://us02web.zoom.us/j/86797595863>

2. Members of the public shall have the option of recording their attendance at BZA Public Meetings via electronic roll call at the start of the meeting or via e-mail at [wdelong@zionsville-in.gov](mailto:wdelong@zionsville-in.gov).
3. If a member of the public would like to attend a Board of Zoning Appeals Public Meeting, but cannot utilize any of the access methods described above, please contact Wayne DeLong at 317-873-5108 or [wdelong@zionsville-in.gov](mailto:wdelong@zionsville-in.gov).
4. The BZA will continually revisit and refine the procedures to address public accessibility to BZA Public Meetings during the COVID-19 Public Health Emergency.



**MEETING NOTICE AND AGENDA ZIONSVILLE PLAN COMMISSION**  
**Monday, May 18, 2020**  
**7:00 PM (Local Time)**

**THIS PUBLIC MEETING WILL BE CONDUCTED PURSUANT TO GOVERNOR ERIC J. HOLCOMB'S EXECUTIVE ORDERS 20-02, 20-04 AND 20-08, and 20-26 AND GOVERNOR HOLCOMB'S EXERCISE OF HIS POWERS UNDER INDIANA'S EMERGENCY MANAGEMENT AND DISASTER LAW, IND. CODE 10-14-3, *et seq.* ADDITIONAL INFORMATION REGARDING THE MEETING IS PROVIDED IN THE ANNEX PUBLISHED WITH THIS NOTICE.**

1. Members of the public shall have the right to attend Plan Commission Public Meetings via the following forms of electronic communication:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84335012472>

Or iPhone one-tap :

US: +13017158592,84335012472# or +13126266799, 84335012472#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656 or +1 253 215 8782 or +1 346 248 7799  
or +1 669 900 9128

Webinar ID: 843 3501 2472

International numbers available: <https://us02web.zoom.us/u/kbOgpueYe9>

**The following items are scheduled for consideration:**

- I. Pledge of Allegiance
- II. Attendance
- III. Approval of the January 21, 2020 Meeting Memo, and April 20, 2020 Plan Commission Meeting Minutes
- IV. Continuance Requests
- V. Continued Business

<b>Docket Number</b>	<b>Name</b>	<b>Address of Project</b>	<b>Item to be Considered</b>
2020-08-Z	Prologis	5190 S. State Road 267 Lebanon, IN 46052	<b>Request by the Petitioner to continue to the regularly scheduled May 18, 2020 Plan Commission meeting</b> Petition for Zone Map change to rezone 76 +/- acres from the Rural (AG) Agricultural Zoning District to the Rural (I1) Industry Zoning District
2020-10-Z	Windhaven	8175 & 8775 W. Oak Street	<b>Request by the Petitioner to continue to the regularly scheduled May 18, 2020 Plan Commission meeting</b> Petition for Zone Map change to rezone 24.283+/- acres from the Rural (R1) Residential Zoning District to the (PUD) Planned Unit Development Zoning District

VI. New Business

<b>Docket Number</b>	<b>Name</b>	<b>Address of Project</b>	<b>Item to be Considered</b>
2020-15-Z	Creekside PUD	10771-10903 Creek Way	Petition for Zone Map Change to rezone 49.874+/- acres from the (PUD) Planned Unit Development to a (PUD) Planned Unit Development District (Town of Zionsville Owned Land within the Creekside PUD as per Ord. 2018-08)
2020-13-DP	Zionsville Community Schools Building Corporation	4400 S. 875 East	Petition for Development Plan approval to allow for the construction of a 91,151 square foot elementary school in the (SU-1) Special Use Zoning District
2020-14-DP	Hoosier Village Sales And Marketing Office	5415 Bearberry Lane (Est)	Petition for Development Plan approval to allow for the construction of an approximately 5600 square foot single story sales and marketing office in the (SU-7) Special Use Zoning District

VII: Other Matters to be considered

<b>Docket Number</b>	<b>Name</b>	<b>Address of Project</b>	<b>Item to be Considered</b>
			None at this time

Please note that a quorum of the Zionsville Town Council may be in attendance at the meeting.

Respectfully Submitted:

Wayne DeLong, AICP, CPM  
Director of Planning and Economic Development

May 5, 2020

## ANNEX TO PUBLIC NOTICE FOR THE MAY 18, 2020, REGULAR MEETING OF THE ZIONSVILLE PLAN COMMISSION

In his Executive Orders 20-02, 20-04, 20-08, AND 20-26 (collectively, the “**Executive Orders**”), Governor Eric J. Holcomb has ordered all political subdivisions of the State of Indiana to limit public gatherings and to implement the Centers for Disease Control and Prevention’s and the Indiana State Department of Health’s recommended virus mitigation strategies. The Executive Orders suspend certain requirements for Essential Governmental Functions that facilitate Essential Infrastructure with respect to public meetings and open door laws, including suspending physical participation requirements by members of public agency governing bodies and permitting public attendance through electronic means of communications. As a political subdivision of the State of Indiana, the Zionsville Plan Commission (the “**Plan Commission**”) must comply with the Executive Orders throughout the duration of the COVID-19 Public Health Emergency. According, all public meetings of the Plan Commission shall be conducted in the following manner until the end of the COVID-19 Public Health Emergency:

1. Members of the public shall have the right to attend Plan Commission Public Meetings via the following forms of electronic communication:

Please click the link below to join the webinar:

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Webinar ID: 843 3501 2472

International numbers available: <https://us02web.zoom.us/j/84335012472>

2. Members of the public shall have the option of recording their attendance at Plan Commission Public Meetings via electronic roll call at the start of the meeting or via e-mail at [wdelong@zionsville-in.gov](mailto:wdelong@zionsville-in.gov).
3. If a member of the public would like to attend a Plan Commission Public Meeting, but cannot utilize any of the access methods described above, please contact Wayne DeLong at 317-873-5108 or [wdelong@zionsville-in.gov](mailto:wdelong@zionsville-in.gov) to arraign in-person attendance.
4. The Plan Commission will continually revisit and refine the procedures in this Annex to address public accessibility to Plan Commission Public Meetings during the COVID-19 Public Health Emergency.
5. If you need technical assistance in logging into Zoom for this webinar, please contact: Roger Kilmer, [rkilmer@zionsville-in.gov](mailto:rkilmer@zionsville-in.gov), or 317-690-6539.

Zionsville Plan Commission  
April 20, 2020

In attendance: David Franz, Sharon Walker, Josh Fedor, Jeff Papa, Larry Jones, Mary Grabianowski, George Lewis.

Staff attending: Dan Taylor, attorney, and Wayne DeLong.

A quorum is present.

Franz All right. I want to welcome everybody to the Zionsville Plan Commission meeting of Monday, April 20, 2020. Start by saying the pledge of allegiance please.

All Pledge of Allegiance.

Franz Not all the best. So, all right. Wayne, would you like to take attendance please?

DeLong Certainly. Mr. Papa?

Papa Present.

DeLong Mr. Fedor?

Fedor Present.

DeLong Ms. Walker?

Walker Present.

DeLong Ms. Grabianowski?

Grabianowski Present.

DeLong Mr. Franz?

Franz Present.

DeLong Mr. Lewis?

DeLong Mr. Jones?

Jones Present.

Franz So, we have a quorum at six people. Any matter would need a vote of at least four for it to pass or be denied. In your packet there was a set of meetings from the February 18, 2020 Plan Commission meeting. I understand that Commissioner Papa provided some corrections to those minutes. Aside from what he provided, is there anything else that needs to be noted or changed? If there are none, is there a motion to approve the minutes?

Papa I think Mr. Lewis sent some corrections today. They're very minor.

Franz Okay. All right. Thank you. All right. Aside from those, if there are no other comments, is there a motion to approve?

Grabianowski So moved.

Franz Second?

Papa Second.

Franz All in favor, signify by aye.

All Aye.

Franz Opposed by nay.

[No response.]

Franz Motion carries 6-0. Minutes are approved. Before we get started, I want to make a comment. I'm extremely disappointed in some of the accusations being made by remonstrators to the Wind Haven petition. I'm not addressing this to people who are attempting to work with the petitioner to better understand the requests, but I'm addressing it to those of you who think being in the COVID-19 situation has slipped something by the public. Not only are your accusations intentionally inflammatory, they are inexcusable as they wrongfully call into question the integrity of the employees of the Zionsville planning department. They have a job to do and they do it well with integrity and appropriate disclosure is required by the law. To be honest, I'm embarrassed for you. The simple fact as time does not stand still during this crisis. The planning process must continue, and has been determined that virtual meetings are the appropriate way to proceed until further notice. I want to state that I have no doubt that the planning department will require all petitioners to meet the requirements under the laws of Indiana and the ordinance of Zionsville. If the May meeting is virtual, and the petitioners are ready, we will open the public hearing on both zone change ordinances. With that, we have two motions for a continuance. Docket # 2020-08-Z, Prologis, petition for zone map change to rezone approximately 75.98 acres from the rural AG agricultural zoning district to the rural I1 industrial zoning district.

DeLong Dave?

Franz Yes.

DeLong Before we jump in, that was a great segue when you mentioned about the public. I mean, certainly all members of the public have the right to attend this meeting, and dial in as they have been able to do for the electronic communication. Are there any members of the public that would like their attendance logged as a part of the public hearing process, public meeting process here now? If so, please raise your hand and if Roger, if you could read off their names if I don't see them. I see Ms. Zelonis has raised her hand, **Ross Gregaline**, Matt Price, Ned Broadwater, A. Strapp, Vincent Margolita. Sorry if I did not pronounce that 100% correct. I think that covers every party that has raised their hand. Certainly,

appreciate the pause here to note these for public record. Dave, I think you're ready to continue. Thank you.

Franz Thanks, Wayne. As I said, we've got the request for continuance on Prologis. Is there any discussion, or is there a motion to continue the matter to the May, what is the date?

Grabianowski Eighteenth.

Franz Meeting.

DeLong And, Dave, just to jump in, sorry. We want to do a roll call vote, and I'd be happy to administer that for each.

Franz All right. Is there a motion to continue?

Papa So moved.

Grabianowski So moved.

Franz Is there a second?

Walker Second.

Franz All right. Wayne, roll call please.

DeLong Jeff Papa?

Papa Yes.

DeLong Mr. Fedor?

Fedor Aye.

DeLong Ms. Walker?

Walker Aye.

DeLong Ms. Grabianowski?

Grabianowski Aye.

DeLong Mr. Franz?

Franz Aye.

DeLong Mr. Lewis?

Lewis Aye.

DeLong Mr. Jones?

- Jones Aye.
- Franz Motion carries, 7-0. Matter is continued to the May 18 meeting. We have a request for continuance from Docket # 2020-10-Z Wind Haven, 8175 and 8775 West Oak Street. Petition for zone map change to rezone approximately 24.283 acres from the rural R1 residential zoning district to the PUD planned unit development zoning district. Is there any discussion or, if not, will someone make a motion to continue?
- Jones So moved.
- Grabianowski Second.
- Franz All in favor. Wayne, please take the roll. Sorry.
- DeLong Mr. Fedor?
- Fedor Aye.
- DeLong Ms. Walker?
- Walker Aye.
- DeLong Ms. Grabianowski?
- Grabianowski Aye.
- DeLong Mr. Franz?
- Franz Aye.
- DeLong Mr. Lewis?
- Lewis Aye.
- DeLong Mr. Jones?
- Jones Aye.
- DeLong Mr. Papa?
- Papa Aye.
- Franz Motion carries 7-0, so it's continued to the May 18 meeting. Next is continued business. Docket # 2020-04-CA, Appaloosa Crossing, 10901 East 300 South. A petition for commitment amendment of 57.53 plus or minus acres to amend the location of the water feature along US 421 from the mid-point of the overall development frontage to the southern portion of the frontage along US 421. Should we handle, I mean, you think we should handle them all together, or do you want to handle that one first, and then go on to the next two? Any thought

from any of the Plan Commissioners on that one? All right, well, we'll go ahead and read them all then. # 2020-01-PP, Appaloosa Crossing, same address. Petition for primary plant of 57.53 plus or minus acres for 12 lots, 2 blocks and 4 common areas within the rural GB, general business zoning district, the rural PB professional business district and the R2 low density single-family and two-family residential district. And, Docket #2020-03-DP, Appaloosa Crossing, same address. Petition for development plan approval of 23 plus or minus square foot multi-tenant retail building on a 3.4 plus or minus acres within the rural GB, general business zoning district in the rural Michigan Road Overlay waivers and building materials and architectural design requirements requested. Is the petitioner present?

Price I'm wanting to get permission to speak, and we'd also like to be on video that would be great.

Franz All right, Matt. Go ahead.

Price Very good. Thank you, Mr. President, members of the Commission. First off, I wanted to say thank you to each of you and, in particular, to the staff because they have worked very diligently through this situation and have really gone to great lengths to make sure that business continued. Can you hear me okay?

Franz Yes.

Price Okay. So, let me just, I'll dispense with the wind-up and then get to the pitch. The first of the three petitions that Mr. Franz listed off is the commitment modification, and just to refresh a little bit, when we got our last round of commitment modifications at the end of last year, we had a concept plan at the time, which showed a centrally located water feature along 421. Really, right along US 421, and what we're proposing to accomplish through his commitment modification is to relocate that water feature to the very southern portion of the property. So, it does a couple of things. One, it provides some additional buffering with the Bridlewood subdivision to the south, and then it also works well with the drainage plan that has definitely further evolved as you can tell from our staff comments back and forth with the Town engineer. It works from a functional standpoint, as well. And, so that's in some of the commitment modification petition. And, what would happen should this be approved is we would then record the new site plan that goes with the commitments to show the movement of that pond from a central location along US 421 to where it's proposed to be now, which is the extreme southern southwestern corner of the property. The second petition is our plat, and what this does is you can tell from the materials that have been submitted is allows us to split the parcels into twelve distinct out-lots into two blocks and four common areas. And, so initially what you see is the perimeter out-lots along County Road 300 South, and US 421. And, very much the same configuration, virtually identical as the same configuration as was contemplated back in December when we did the commitment modifications. Pond is being relocated from along 421 to the south with the outline of the lots as essentially the same as what you see. You may recall, although it feels like a minor lifetime ago when we last discussed this together, we had several engineering comments relating to the plat, which we have addressed. They dealt in part with regard to our drainage plan, and

providing additional documentation, labeling, clarification with the Town engineer, and as I mentioned, we've been working on an ongoing basis to resolve and answer any questions related to drainage and believe we have done that through today. And, then the second part of the comments related primarily to the traffic study, and we provided to the Town an updated traffic study, which more closely correlates to our proposed uses, and the traffic engineer, Matt Brown, who I believe is on this call with us, as well. He provided his recommendations, and those recommendations were essentially the same recommendations that were made as part of the original traffic study, but they have been validated through this exercise of updating that traffic impact study. And, then the third petition is the development plan, and the development plan is focused primarily on the, it's the part of the project that's about, I think it's 3.4 acres, and it's where the retail center is located. It's the 23,000-square foot retail center. A couple of things have changed since the last time we were able to get together, which is you may recall that during that hearing we were still working through a couple of variances relating to that site. Both of those variances were approved at the March 4 meeting of the Board of Zoning Appeals. And, we can get into it in more detail, but what they related to was the elimination of foundation plantings for the building, and the elimination of a perimeter parking strip, buffer strip, along the western perimeter of the parking lot, and what we did is make some commitments relative to our landscaping to support those variances. And, we can delve into that landscaping plan, as well, which is in your packet, and I can direct you to it, because I know you've got a big packet. Again, worked through a number of comments relating to the development plan, including again, drainage and traffic being the two principle areas of concern during our last round of comments. I think we've got that in good, very good shape now. The case summary at the beginning, I just want to remind everybody of this because it's part of the relief we're asking for tonight, is we are seeking two waivers relative to the retail center structure. One relates to the design for the building. Our architect from Axis was with us back in February, and he explained kind of what his inspiration was, but to summarize, it's a modern kind of interpretation of historic barns, and is meant to blend in with the rural character of the area, and really serve as the template for the architecture for future buildings that will be coming online in additional phases as we work through the development. And, then the second waiver dealt with materials. All the materials, building materials that we're proposing for the building, are permitted building materials in the overlay zone, but it's the, again, it's that modern expression use of those materials as incorporated in this building that is different than the precise terms on the overlay zone. We are requesting those two waivers in connection with the development plan. One other thing I'd like to mention because we've provided, I think, some additional definition with regard to this attribute of the project.

Franz Matt?

Price Can you hear me?

Franz Yes. Now we can.

DeLong Now we can.

Price Well, let me apologize. Something happened there with my screen. But, in any event, with regard to connectivity, and this may not be particularly helpful to you, but it's on page 350 of your packet. So, if you can just flip to that real quick. We provided an exhibit that shows our connectivity, both with regard to a pathway system that runs along the perimeter of the project, which we're calling the multi-use path, that it could be used for things, in addition to pedestrians. Then we also show how it connects with the pedestrian pathway system that we envisioned going through the entire project, and, in particular, we show how the pedestrian, there will be pedestrian accessibility from our initial retail center lot to the rest of the development. And, I know that was a concern, easy for us to say. We were at the February 18 meeting, but we wanted to show in a more illustrative way how that connectivity would actually work as the projects unfold. I'll close just with a couple of remarks, which just occurred to me, which is that we feel very good about where the project is right now, from a marketability and a viability standpoint. We are under contract with multiple users, and, in fact, one of the reasons why we've stated that we believe the hearing is essential from our standpoint is that we have certain contractual obligations that we're striving to meet with regard to, in particular, the out-lot for 21<sup>st</sup> Amendment, which was a package liquor store user that we anticipate filing their development plan. They'll go through a similar review to what the retail center has gone through in the very near term. We also, because the project does include the extension of certain utilities, including, for example, sewer from south to north, it also includes essential infrastructure that we're coordinating with the sewer provider at Trico, and as we have been working through the land use issues we were also contacted by the Town's financial advisers, who may recall at various times we have sought some tax increment financing support for various aspects of the project, including the sewer that I just mentioned, and we've continued to work through those financial details with the Town, as well, and are hopeful that will be on their agenda for next Monday's re-development commission meeting. I neglected to say this at the beginning of the meeting, but I want to make sure that you're aware of that I'm hopeful they're in the green room or somewhere out there in the ether, my client, most importantly, Bob Harris, was joining and then our two professional support, Greg Snelling, our civil engineer, and I mentioned Matt Brown before, our traffic engineer. Both available to answer questions, along with myself, and again, our sincere thanks for the Town's ingenuity, and attentiveness and fortitude in allowing commerce to go forward and we appreciate that very much and are available to answer any questions that you have. Thank you.

Franz All right. Thanks, Matt. At this point in time, is there anybody from the public who would like to speak? I guess if you do, you raise your hands. Roger, you're on mute.

DeLong Mr. Franz. I am not seeing any hands raised.

Franz All right. At this point, can I have the staff report, please, Wayne? You're also on mute, Wayne. Wayne, are you able to hear us?

DeLong If you will repeat the question again please.

Franz Staff report, please.

DeLong Okay. Thank you. Staff is supportive of certainly the request for the amendment as presented for the commitment. Certainly, the staff has not taken a strong stance as to how many ponds are necessary. That's more of a drainage concern. Certainly, staff is supportive of certainly supporting the drainage features in the area, but as far as the amendment goes, staff is supportive of the filing as it's been presented.

Franz Okay. Do you want to go through all three?

DeLong I'd be happy to do that, as well. As it's been covered, the project was supported by the Board of Zoning Appeals with some variances related to the landscaping and setbacks. Both of those variance requests have been, were supported by the Board. Certainly, is supported by the staff as augmented and prepared by the petitioner. Specific to the development plan for the project, staff recognizes the strong work the petitioner has gone through related to developing the site plan, and certainly meeting the expectations of the Town. As the Plan Commission recalls, there have been several iterations of this development that you have seen, and certainly this petition has been continued several times. As far as the plat, staff is supportive of the division of the ground, again, recognizing the efforts the petitioner has gone through in working with the Plan Commission on several meetings here to get to this point, and I'll be happy to take and answer any questions.

Franz All right. Thanks, Wayne. At this time, I'll open it up to members of the Commission for any questions, comments they would have.

Jones Sir, I've got two. First, in regards to the water feature and moving of the, moving whatever that is down to the south end, [REDACTED] 25:35 to provide some architectural features and details to commission your own façade, or however you want to call it, the treatment. My concern is as much as what is being moved down to the south [REDACTED] costs no different than just another detention pond. I'm glad you provided more detail with this packet, as it gives us an opportunity to go through it. I'd just like my other Commission members to be aware of, you're looking at that blue, what appears to be, the blue on the exhibit appears to be edge of water. I think it's actually the 100-year maximum retention level, but the true level is about 5 feet below that. Take a minute and trace down the connection of all the drainage. Once again, this isn't really a water feature. It is going to be a series of linked retention ponds, and once again, my concern is, it's just, you know, more detail being stripped out of the overlay district that it's creating, which I don't think is quite as an appealing project. It's my same statement over and over again. What is being said sounds nice, but [REDACTED] comes through it's just a series of linked retention ponds. We've gone round and round about Item #2, and building variances, and I think everybody is in approval of that. I think the architectural details and some of the changes we've made there. My third issue, I see two blocks on the drawings. They use the phrase mixed use. But as I'm scaling through here, I'm trying to find out where are the commitments to it being mixed use. Mixed-use to me is a combination of retail, [REDACTED]. It's the same issue. We see something presented saying it's going to mixed-use; we don't find any hard commitments. Same thing as the water

feature. There are no hard commitments as to what that thing's going to look like, but we do know from looking through the details it will be a detention pond.

Franz Matt, would you like to respond?

Price Yes. Well, we appreciate the questions. Let me take the last one, maybe first, about the commitments relative to the mixed uses. I guess the one thing I would offer is that we have an extensive set of commitments relative to the mixed-use aspect of the project from the December 19 commitments. And, those go to what uses. They go to connectivity. They go to - -

Jones --Impossible.

Price What's that?

Jones That's what's committed to. There is a difference between saying it's possible we could do this.

Price True. True. I guess what I mean. I understand the distinction you're drawing, Mr. Jones. I think that's your right. I would just submit, though, that I believe that within the realm of what is possible, there are certainly some things that have been eliminated to occur pursuant to what those commitments provide. And, so, I think it's not only permissive in terms of, yes, it allows these things. What the nature of those commitments that have evolved over the last almost 10 years, have evolved over the last 10 years, is that they have also proscribed certain things. And, they've not only permitted certain things, they have eliminated certain things and provided that they occur in a certain fashion. And, so, I think it does set up very nicely for a mixed-use project. One of the elemental aspects of it was the division of the property between general business uses and professional business uses. That's been expanded on slightly by permitting potentially a residential use, which would make it particularly of a mixed-use nature. But, even without that. Even if no residential occurs, the entire structure of those commitments is to promote and enable a mixed-use development. And, so, I think that commitment, that set of commitments provides the framework for that. With regard to the drainage facility and the water feature, it still plays a very important function for us as a water feature. One of the things that felt like, one of the ways the project have evolved from its initial conception was that southern-most out-lot was originally thought to be the location for a fire station. And, as that has evolved and been eliminated from the plan, the addition of that property to the south, and the placement of a water feature there does add some additional buffering between the project out-lots and the residential subdivision to the south, and then what we've sought to do as far as providing an attractive façade and feature is to have the building design that we proposed that we'd like to have a rural and equestrian nature of the vicinity with a robust, I think, when we went through this before the Board of Zoning Appeals, I think one of the things at least that became evident to me was that this is perhaps the most robust landscaping package that's been proposed for a project within the overlay zone, in Zionsville, and so I think that helps create the softened features and enhanced architecture along US 421 and helps achieve really what the goals of the overlay zone were.

Jones [REDACTED] 32:42 which is my core concern. [REDACTED] no difference than what's sitting out in front of the Village Pantry down there at 106<sup>th</sup> and Michigan. You keep backing away from the details that makes things a little different. Yes, you've committed a lot to the one single building, [REDACTED] at this point, not so much the building of the overall development. It's my same thing I'm going to say about, you know, yes, it says mixed-use. There is opportunities to do, but when we went through The Farm project, and they said they wanted to do mixed-use, we knew block by block what to expect and still they had the ability to have some sort of variance. Here, we don't have that same level of commitment. We have words and phrases on one hand, and we have documents on the other, and in the end, the documents will rule as for what happens. So, that's what I'm, I'm seeing all the words and phrases for a very nice mixed-use water feature architectural for the project, but in the details, there is no commitment to actually have to do that. And, that's my concern. And, it's the same concern [REDACTED]. I'll be back.

Franz Matt, do you have a response? Does anybody else have any comments, questions?

Price I can try to respond quickly before he gets back. You're too quick, Larry.

Jones Yes. Less echo.

Price One of the things that I think it's one of the challenges for us with this project, and I know we'll be held to account as we go through this, that each one of the lots is going to go through the same development plan review. I think it's important to keep in mind that, and I think The Farm project was an excellent project. It is an excellent project. And, there is no question that they made some very definitive commitments, but part of the reason that they did that at the stage that they did was because they were seeking relief in the form of a rezone. That where they needed to be able to do that at the outset of their project, rather than at a later stage through the development plan process, because they were seeking a project that needed to be shown to be consistent, for example, with the comprehensive plan, and the needs of the neighbors, and so I think there is a distinction there. We come back in to develop future lots, we will be held to account in the same way we have been on the retail center lot, where I think it's fair to say that the design of that building, the architecture, the landscaping treatments, are all very robust and compare very, very favorable with anything you see built in the overlay, or frankly, anything proposed to be built in the overlay. And, so I think we stand up at the challenge, and if we don't, I'm confident the Plan Commission will hold us to those standards.

Jones Both the blocks A and B, or 1 and 2, fall outside of the overlay district.

Price They do. They do. The blocks do, but keep in mind - -

Jones --They're not held to the standards. Then, the reason, part and parcel, the reason the current building that we've improved has come before us is we've asked for variances from the overlay district, and there were some other changes with setbacks to [REDACTED] 37:00. Wayne, stop me if I'm wrong, but once these two

blocks were approved as part of this plan, as long as they conform to what has been approved, they don't have to come back in from of us. Is that correct?

Price I don't mean to interrupt, Wayne. Go ahead.

DeLong Correct. The project is built as it's been approved. It does not have to come back to the Plan Commission. That was correct.

Price Yes. Just to clarify maybe for the individual lot, that the rec center is on, for the other lots that are along Michigan Road, and within the overlay, each one of those lots, I guess why I was focusing on it primarily is because some of it was being directed towards our pond on the southern end. Each one of the lots, though, that are within the overlay zone, will need to come forward for a development plan, and for that matter, any development further east between Willow Glen and those out-lots will similarly become before the Plan Commission for a development plan review. And, so to shed a little color on that, you know, we've been in discussion already with the residents of Willow Glen about what they would like to see as far as buffering treatments, connectivity, perhaps even off-site improvements that are helpful in this TIF, if it goes forward. And, so, all of those things are in the works, and the Plan Commission will have a very, very significant voice in maturing that those plans are done in accordance with the Town's ordinance. And, I might also add any project, including, for example, The Farm. My recollection of The Farm, for example is, but not withstanding the detail that they provided during the zoning phase, they nevertheless arrived with a development plan, which the Plan Commission, at that time, took issue with and held them to account for what was shown under their zoning ordinance, and so I think what that illustrates. I don't mean to criticize The Farm or the development there, but what I think it illustrates is that the Zionsville Plan Commission is a powerful mechanism, or placing a check on future development components or phases of this project. And, they almost certainly will critique it and make it as fine a component of the project as they have the retail center.

Jones My recollection of The Farm is part and parcel [redacted] 39:45 come back was they needed some [redacted] and some other functionality issues of the grocery store that probably weren't available since they didn't have it finalized at the time you brought it through. But I thought once they got the original overall master plan, or master PUD approved, there wasn't much reason for that. I could be wrong. You know, it goes back to my - -

Price --Well, as a citizen, in that case, and not as a lawyer, I can tell you I, and I don't mean to single you out, Mr. Jones, but I believe it was you that were the voice of the public in that matter and held that project to the standard, just like you did with Walgreens and you have done on a variety of other projects. I could go through other ones. And, I'm confident you will here, as well, and that's why I hear what you're saying, but I think, to some extent, the processes in place to hold us to account, and we look forward to coming back hopefully sooner rather than later, and hopefully in person with the future phases of this project. I wish I could say more. There are many things that are in the works. I mentioned a couple, but there are hopefully things we're going to be in front of you with in the very near term.

- Franz Does anybody have any additional questions for Mr. Price?
- Lewis What are the engineering comments, had a note about making sure that that right-of-way was being dedicated for the trail and the front. There was something about an easement too, and making sure that those are, does that create any kind of problem, or are you guys going to address that comment?
- Price Yes. Mr. Lewis, I appreciate you mentioning that. I saw that in my preparations, as well. I believe that is a dated comment. We have accounted for that in the project, and it poses no difficulty as far as meeting the Town's requirements and fully contemplated within our plans, as well. And, I don't know if Mr. Snelling, perhaps he could raise his hand if he wants to say something further about that point, or if that answers your question, Mr. Lewis.
- Lewis No. That answers my question. And, the only other one I have, and I'm sure this has been looked at, but looking at all this stuff online, it's hard to make sure all the comments are addressed, but we are leaving adequate right-of-way both on 421 and 146<sup>th</sup> Street for accommodating the expansion of the road that takes place. As I noticed they are clearing right up to the Boone/Hamilton line to keep expanding 146<sup>th</sup> Street right now.
- Price That was one of my field trips the other day, was walking along the north side of 146<sup>th</sup> Street just to investigate that area myself to see what they were doing, but yes, the project does fully contemplate additional traffic lanes for 146<sup>th</sup> Street as required by the Zionsville transportation plan for this leg of 146<sup>th</sup> Street.
- Lewis Okay. Thanks.
- Price Yes.
- Papa Quick question for Matt. Just for clarifying, so, I'm glad Mr. Jones brought up that question about the water feature, where there is just a detention pond, or something else, but is there any change in the nature of that based on just moving it? Are we just in the same situation in a different location? Or, am I in misunderstanding?
- Price I'm not certain. We, you know, one of the things that just to kind of frame the issue maybe a little bit, as far as the nature of the relief, is that the commitment requires a water feature, as currently drafted, requires a water feature along US 421. On our concept plans, we had historically shown that in a central location as opposed to at its southern location. And, so what we've done is simply chosen for a couple of reasons, to relocate it so that it's still along 421 and meets the letter of the commitment as far as the words. What it does not match up to in its southern location is the central location that was originally shown on the concept plan. So, we're just switching out the location of it. And, it does, we think, provide an important buffering component, or feature, for the community to the south, Bridlewood, and while at the same time, there is no question about this. That at the same time, it also works from a functional standpoint with our overall drainage plans, which was very challenging. Drainage from this property has historically been challenging. One of the things that will improve in the vicinity

is the drainage. And, so we've had to add and subtract water features that serve that dual function all over the project to make it work. And, this is definitely an element of that.

Papa Does your request give you any more leeway or less leeway in determining what that water feature is, or just the location?

Price It's the location of the it. It's the location. We were actually, we were actually, I guess, we initially had not filed for a commitment modification because we did not feel like it required one, but we were asked to because the concept plan had historically shown that concept plan at a central location, even though the wording of the commitment did not tie it to a specific location, but the concept plan showed it there and so out of abundance of caution we're seeking relief to conform the, what is really no longer a concept plan, right? Now, it's turned into a definitive design for the project. We are showing it now where it needs to go, and where it works for the project as a developed entity as opposed to just a concept plan.

Franz Matt, you state that it's a nice break to the right-of-way, I guess it is. Is there going to be landscaping between the pond and the homeowner adjacent to the pond?

Price Yes. I think first of all, the zoning ordinance would require that if us, but yes, our intention is to provide robust landscaping and buffering for the residential land uses, both the east and west.

Franz And, prior to the movement, I can't find the document in the pack. But, prior to the proposed change in the water feature, was that going to be a building, or a lot that was just going to be backed up to Bridlewood?

Price Yes. What we've done there is we've actually added some property to the south. So, the sequence that you see now from the southern entrance. I'm apologizing. I'm trying to find where in your packet that is. Let me just try to verbally describe it. I apologize. The property to the south now will have the 21<sup>st</sup> Amendment parcel is immediately south of the southern entrance along 421.

Franz That's out-lot I.

Price Out-lot I. And, then there is a, I think that's right. Then there is right now an empty lot, one that has not been spoken for yet. Then, there is what we anticipate to be a future daycare, and then we'll have the additional water feature to the south.

Franz Does the Michigan overlay, does that, it requires a water feature. Does it state anything about location of the water feature?

Price No. The overlay does not require the water feature. It was a commitment that was made when the property was originally rezoned back in 2008, and we just had not changed that when we went through our modifications back at the end of last year, and as Mr. Harris was texting me just a minute ago. One of the things that, as we drilled down and worked with the ground as we find it, including the

contours from the property itself, it just set up better to have that water feature located at the south end of the project. It conveniently, and appropriately, I think provides a nice buffer for that neighbor to the south, but it also has a functional place within the development, and allows us to, you know, allows us to have a drainage plan that addresses, you know, when you drive by, it's a cornfield over the last few years, but there is a complex drainage situation there. Both with regard to the properties to the south, Bridlewood, and the properties to the east. We've met with the property owner to the north, Mr. Raab, Jim Raab. Many property owners are looking forward to seeing us have improved drainage to address their existing conditions, and so we've been consulting with really all of them to arrive at this plan that works for them, and works for the Town's drainage ordinance, and then, you know, hopefully still provides an important buffering function as well, so we've been able to incorporate it into our plans in a way that, you know, departs from the original commitment made several years ago only slightly.

Franz So, you guys just acquired this land? Is that how it worked?

Price Yes. Mr. Harris acquired additional property, and that's made, that's helped make the current configuration possible.

[START OF SECOND VOICE FILE]

DeLong We're now recording, yes.

Franz All right. So, I'll say, I was done with my questions for Mr. Price. Does anybody else have anything? Any comments or questions?

Jones I just, while we were gone, I kind of scrolled through. So, when it comes to Docket # 2020-01-PP, which is the part about turning the 57 acres 0:29, that's two blocks and four common areas, there is just, other than the phrase mixed-use be used, there is no commitment to this being anything other than  . It's wide open. There is nothing that commits it to being anything more than level strip center. Period. Now, Mr. Harris and Mr. Price and everybody wants to do something better or different, or more unique, or more integrated or whatever, they are free to do so, but we, as the Town of Zionsville, have no way to enforce anything if I understand this correctly. Is that correct? Somebody back me up one way or the other. Am I wrong? Tell me I'm wrong.

Price But what make it, I'm not going to tell you you're wrong. But what I would say to clarify is that what makes a project mixed use or not are what those uses permit. And, no plat, there is no plat that makes a commitment to a specific mixed use. It's the underlying zoning, or in the case of The Farm.

Jones Correct. Why has why the Town of Zionsville adopted the planned urban development classifications where we could establish those, and enforce, but they didn't use accordingly. So, that's my point. Using the word mixed-use with the request and the way this is written, does not give the Town of Zionsville the ability to enforce anything other than the minimum. And, if we want the minimums, everybody speak up and say we are fine with doing the minimum and

we'll let it go. We'll quit calling water feature, we'll quit calling detention ponds water features. We'll call this what it can be. 2:42. It is what it is.

Price And, keep in mind, I think you're right as a general matter, Mr. Jones, about PUDs. I've never been a person to argue against the effective use of a PUD. What we've built on here, though, is that we've set up this set of original commitments, which do provide for the mixed use and do provide for, you know, also take certain uses off the table, and help prescribe the way the development is to unfold. Now, it's true we're having to amend one of those commitments here today to address the location of the water feature along 421, but in lieu of that, we've located it at a place where it also serves a very important function with regard to buffering and the development of the parcel that would have been immediately adjoining a centrally located water feature has been shown to have a robust landscaping plan, and a fully compliant plan with regard to the location of the perimeter pathway, the expansion of 421, and a robust landscaping package. And, so it's far from the minimum. And, I think that that was part of the, I think one of the things that came out of reviews the BZA did, and insistent upon we're to grant the variances with regard to the foundation plantings, was that that project, the approval of those variances was subject to the landscaping that we provided. And, we simply, we've worked with them the framework was put in place when it was originally rezoned in 2008, and I think modernized it over the last year to reflect more of a neighborhood commercial-type district, but have not sacrificed quality, and I don't feel like we've sacrificed the quality, certainly with the building design, materials, landscaping, the connectivity that we built into the project. Where as a PUD, while it might establish new, or perhaps similar standards and new standards, it would be starting over, and that was not what our chosen pathway was, was to not completely start over from scratch, but to modernize the commitments, which was done even within the last several months.

Franz These original commitments are for - -

Jones Wayne, I've got a question for you.

DeLong Yes, Larry.

Jones Do we have in our zoning ordinance a mixed-use 6:12 classification.

DeLong The best we have are some of the rural classifications for PB. They allow for residential and commercial. But those are in your rural, and that would be the PB.

Jones So, my question is, what we're being asked to approve is that this parcel gets approved for GB, general business, PB, which is professional business, R2, which is 6:50, low density and 2-family residential, and Michigan Road overlay. So, they actually wanted to do a mixed-use building with some sort of residential over retail, it wouldn't be permitted by what we're approving.

DeLong That's correct. The classifications as the commitments limit those would make that challenging without future zoning relief.

- Price But, to Mr. DeLong's point, be the southern portion is zoned PB, which is, you know, the closest that we have to an underlying zoning ordinance that permits mixed use, other than probably the business district.
- Jones I'm just stuck on terms. Retention pond is not a water feature. And mixed use is definite characteristics, none of which we're going to see your faced in what we're getting after approved without additional variances or changes.
- Franz Well, we're only being asked to approve the water feature. Everything else is already in place. The commitments that were in 2008, Matt.
- Price Yes. The original commitments, which showed, it's evolved. I don't want to create the impression that the water feature has not evolved since 2008, even in the last iteration that we did last year. It's changed shape, its precise location has changed a little bit, as shown on the concept plan. But certainly, as you drill down to an actual set of construction plans, the precise use of that water feature along 421 at a central location, as opposed to being in a southern location, just wasn't feasible. And, it's not feasible to locate the water feature there as the engineering actually demonstrated, and in fact, we need that commitment modification more to carry out the rest of the development, for example, that we're showing in the development plan for the retail center. It's, you know, they're integrated with one another. And, so we've modified the commitment only to the extent of where that water feature it, and not whether it's along 421 or not, and it is certainly serving a dual function as far as being part of our drainage plan, while also, I think, serving an important aesthetic component of the project. But the original concept plan that showed a water feature along the central portion of 421, that was something that dated all the way back to 2008. It's changed shapes, slightly changed location when we actually got into more of what can you really do. This is what we can really do and make it work for our project. And, I might also add, and preserve other water features that are contemplated for other parts of the project, including along our eastern boundary.
- Lewis So, I'm looking at the zoning map here. I guess the way I see it is future mixed-use Block A is in the GB rural zoning, and Block B is in the PB rural zoning. Is that correct?
- Price That's correct.
- Lewis So, whatever is permitted in those zonings is what you're allowed to build, unless you get zoning changes or something else.
- Price And, subject to the commitments that are on the property. That's correct.
- Franz I look at this as something that we've been shown one thing, obviously, to begin with. I look at it this way. If this was presented as you guys are presenting it now, would the, you know, water feature at the location where you want to place it, would we have approved it based upon that? I mean, I'm looking at it that way, and I mean, I probably wouldn't have thought twice if that's where the location was. But I understand where Larry's coming from, because, you know, you guys present something, and then it switches, and you know, I mean, I see both sides.

Jones My concern is if you're going to 12:12 water feature, what Matt is telling us, and Matt, you can correct me if I'm wrong, is this is a detention pond that's connected to the rest of the detention ponds on the property, so to get drainage to work, this needs to be part of the detention pond system for the amount of hardscape currently. So, the problem with water features is they usually set up a little higher. They've got a fountain. They need a stable, higher level of water in them, and they're not 12:51 retention ponds. Back to the drawings that we've been provided, the blue that you're being shown is not water's edge. It is the 100-year mark for what those retention ponds can hold. They're not going to be that prominent. Am I incorrect, Matt? Am I looking at the drawings wrong? Am I reading the engineering data wrong?

Price The, can you hear me okay?

Jones Sure.

Price The blue shading that you're showing was basically proof that we were asked to provide with regard to how the pond functioned as part of our drainage system. It's not meant to depict the pond elevation from, and a purely an aesthetic standpoint. And, you know, what we've done our best to do is to preserve, for the reasons I described earlier, preserve the aesthetic appeal of the front of the project through our architecture and our landscaping, or compliance with, the buffering requirements under the overlay zone, while at the same time having an open piece of property that is not going to be developed at the southern portion of the property that incorporates a water feature, and so it certainly was not done with the idea of, if we could have made this work with a water feature centrally located like that, along US 421. I think that, you know, our thinking is when we went and actually designed the site, and you're having a civil engineering calculations, which you're seeing there with the, where it shows the various functionality of that given certain rainfall events, you're just limited in where you can place those features. And, so it was not done with the idea of detracting from the aesthetic component of the project. In fact, I think even it's fair to say that when we went through some of our initial TAC review relative to the commitment modifications, I think there was even some concern at the time about having a feature that included water along the US highway. And, so I don't think we were left with the impression with relocating that, particularly if it was made necessary by engineering constraints, would necessarily be a bad thing. And, that's why I noted at the beginning that when we first came in with the development plan and the plat, we didn't really believe, and we didn't prepare a filing as such that this even was a required modification of commitments. What Mr. Tillner told us is that because the concept plan showed the water feature being centrally located, and not was being located in a southerly place on the concept plan. We went from a concept plan and actual plat, that we should go ahead and petition to have the commitment modified because it's in a different location on the plan than what was shown at the concept plan stage as part of the rezoning. And, I think where Mr. Franz was going with regard to the landscaping, perhaps to the south of the pond, between the property owner and that pond, we could certainly commit that when we come in for development plan approval of the southernmost developed, lot to be developed, that that will include the landscaping features for that pond. We can incorporate that perhaps as a mechanism for assuring the aesthetic quality of the pond.

Franz All right. Is there any additional questions, comments? So, this would require three separate motions. Is there a motion on the commitment change?

Jones I'll make a motion. The commitment change, which is, hand on a second. Let me see if I can find what Wayne wrote up.

Franz It's 20, no. Yes, # 2020-04-CA, Appaloosa Crossing integrated center.

Walker We wouldn't need a motion on that, I wouldn't think.

DeLong The motion that you'd want to craft is either in favor or opposition to the commitment amendment as it's been presented.

Jones All right. You've got something you put together in here, haven't you, Wayne?

Franz No, he doesn't have it in here.

Jones He didn't?

DeLong Yes. With the memo format we did not. Typically, have not included a specific language.

Jones Oh, all right. Okay. Then I'll make a motion. I move that Docket # 2020-04-CA, for a commitment amendment to relocate the water feature along US 421 from the mid-point of the overall development frontage to the southern portion of the frontage along US 421 be approved as presented.

Walker I'll second.

Franz All right. Wayne, do you want to take roll call please?

DeLong I will do that. Ms. Walker?

Walker Aye.

DeLong Ms. Grabianowski?

Grabianowski Aye.

DeLong Mr. Franz?

Franz Aye.

DeLong Mr. Lewis?

Lewis Aye.

DeLong Mr. Jones?

Jones Aye.

DeLong Mr. Papa?

Papa Aye.

DeLong Mr. Fedor?

Fedor Aye.

Franz All right. Motion carries 7-0. So, you'll update the commitments and have those recorded, I assume?

Jones We going to do the next one?

Franz On to, let's see.

Jones # 2020-01? So, I move that Docket # 2020-01-PP, petition for primary plat approval of 57.53 acres for twelve lots, two blocks and four common areas within the rural GB, general business zoning district, the rural PB, professional business district, and the R2 low-density single-family and two-family residential district be denied as presented.

Franz All right. So, this is denied. It is, of note, motion to deny. So, an aye favor would be in favor of denial. A nay would be, would oppose that. Wayne, will you please take roll?

Grabianowski There wasn't a second yet.

Fedor Yes, we need a second.

Franz Oh, sorry. Is there a second? I'll offer a second again. If there is no second, motion dies for lack of a second. Is there another motion on this matter?

Fedor I move that Docket # 2020-01-PP, petition for primary plat petition approval to establish twelve lots, two blocks, and four common areas presented in the rural general business zoning district, the rural professional business district, and the low-density single-family and two-family residential district R2, and also being within the Michigan Road overlay be approved based on findings of facts as provided that the secondary plat shall not be approved unless the unit, or until all commits, I've got to get glasses. It's noted when the Town engineer's comments, Exhibit 5 and 6 are satisfied.

Franz Is there a second?

Walker Second.

Franz Wayne.

DeLong Yes, roll call will be, Ms. Grabianowski?

Grabianowski Aye.

DeLong Mr. Franz?

Franz Aye.

DeLong Mr. Lewis?

Lewis Aye.

DeLong Mr. Jones?

Jones Nay.

DeLong Mr. Papa?

Lewis He's muted.

DeLong Jeff Papa?

Papa Aye.

DeLong Mr. Fedor?

Fedor Aye.

DeLong Ms. Walker?

Walker Aye.

Franz All right. Motion carries 6 to 1. Next on the Docket is Docket # 2020-03-DP. Would somebody like to make a motion on that one?

Jones Sure, I'll make a motion. I move that Docket # 2020-03-DP, petition for development plan approval of the 23000-square foot multi-tenant retail building on 3.4 acres within the rural GB, general business zoning district and the rural Michigan Road overlay, MRO, be approved, including the waivers of building materials, and architectural design requirements as requested and permitted.

Grabianowski Second.

Franz All right. Wayne, will you please take roll call?

DeLong Yes. Starting with Mr. Franz?

Franz Aye.

DeLong Mr. Lewis?

Lewis Aye.

DeLong Mr. Jones?

Jones Aye.

DeLong Mr. Papa?

Papa Aye.

DeLong Mr. Fedor?

Fedor Aye.

DeLong Ms. Walker?

Walker Aye.

DeLong Ms. Grabianowski?

Grabianowski Aye.

Franz And, motion carries 7-0. Mr. Price, thank you very much.

Price Thank you, sir. Thank you, all members of the Plan Commission. I appreciate it very much.

Franz Next on the Docket is # 2020-05-RP, V. Ranieri, 3733 Old Well Run. Petition for a re-plat to allow for a Lot D7 of Section 1 in the Holliday Farms subdivision to be removed from the requirements of lot configuration of Sub Area F, and adhere to the requirements in Sub Area G as reflected on the plat of Holliday Farms Section 1, located in the planned unit development zoning district. Is the petitioner present?

Ranieri Yes.

Franz Please state your name and address, and begin. Thank you.

Ranieri Yes. My name is Vincent Ranieri. I represent myself and my wife. Our permanent home address today prior to this construction is 255 Woodstock Court in Zionsville, Indiana 46077. First time doing this, so please bear with me. I appreciate the time and appreciate the flexibility giving all that's going on with COVID-19. My request, as stated with the application, is to convert my, let me get my video started here for you, is to convert my Lot D7 within Section 1 of Holliday Farms from a Sub Area F to a Sub Area G to accommodate building and construction for a plan that we completed a little over 5 months ago, shortly after acquiring the lot. My builder, Wedgewood builders, used the then available CAD/CAM drawings, which were not final. We understood. What we built are construction plans, preliminary construction plans based upon the CAD/CAM drawings, which then were modified slightly based upon the setbacks with the final submitted plats. So, as such, I was required to go through the process to submit the re-plat request. Effectively, in a nutshell, what I'm seeking is to build 5 feet closer to our rear property line than what the current Sub Area F restriction allows. I should point out that my request to re-plat in no way changes the lot

itself, the dimensions of the lot, in any way shape or form. I also have confirmation from the builder, Henke Development, specifically Phil A. Sunling, and I have a letter supporting, which is in the packet you have before you, confirming their support of the request, but also going so far as to confirm that if approved, this has zero impact on any drainage on our property, and will not have any encroachment on any easements, and the properties will still be 20 feet from the nearest rear easement on our lot. I've also notified all my neighbors, future neighbors. Two of them, both called me personally to give me support. One would have been present had this meeting taken place on March 16, just to be there in show of support. but I've had no other remonstrators or negative feedback to my request.

Franz All right. Thank you. Is there anybody from the public who would like to make a comment on this matter?

DeLong Mr. Franz, there are no hands raised.

Franz All right. Wayne, may I have the staff report please?

DeLong Certainly, thank you, Mr. Franz. Staff is supportive of the petition as filed. Certainly, the setbacks that are requested ultimately resulting, and as described by the petitioner, while it is a reduction from the district that it's in right now, it is certainly not a deviation from the setbacks that are supported within the development. The requested setback is actually 21 feet. As far as the covered deck, that would be constructed on the rear of the residence. Again, that setback does conform to other setbacks within this development. Again, staff is supportive of the petition as filed, and I'd be happy to answer any questions.

Franz All right. Thank you, Wayne. At this point, is there any questions or comments from any members of the Plan Commission?

Walker I was really glad to hear your explanation of why and how, and that it didn't change the lot. So, thank you for answering my questions.

Ranieri Thank you. You're welcome.

Franz Is there anybody else?

Jones 29:58 due to the lot coverage problems with this?

Ranieri You cut out a little bit on, I wasn't able to hear if that was a question.

Franz Are there any lot coverage issues? Wayne, do you know?

DeLong I'm not aware of any being created by this additional four feet of home being constructed on this lot.

Franz Is there any other questions or comments?

Jones Last question, Wayne. Is this truly a deck, or does it have a foundation?

- Franz Mr. Ranieri, would you like to answer that?
- Ranieri Yes, I'd be happy to. This is actually a covered porch with only poured footings for the foundation, corners of the actual covered porch. The actual home construction itself in no way has changed from the original design. It's simply the addition of a covered porch in the rear that, if I had to comply with the existing Sub Area F, would only leave me 8 feet, part of our original desired plan.
- Jones And, then, Wayne 31:16
- Franz We didn't get that, Larry.
- Jones Is there a reason we didn't do this as a variance instead of a change the zoning of the, or the zoning and the lot?
- DeLong That certainly would have been an option. Of course, the variance process would have looked to identify what is peculiar with the property that would necessitate the variance, and certainly that test could have been something that could have been pursued, however, we envision that there could be more than one of these types of modifications in the future with different lots as the projects build out, so we felt it best to establish this process that revisiting the Plan Commission in order to facilitate this, and future potential requests.
- Jones And, then this parcel backs up to as pond. Is that right? Is that what I'm seeing?
- Ranieri Yes.
- Franz Any other questions, comments?
- Jones I just want to say something. So, the lot depth then was kind of dictated by the lay of the land, for lack of a better term. That sound, in order words, when their laying out the development to do the lots on the other side of the road of a certain depth, you've got to pick a point. Because obviously there, it's not pretty much, it's not really a cookie cutter type development. Correct? Do you see where I'm driving?
- DeLong Correct. Each lot is uniquely laid out, be it from aesthetic features, the golf course, or drainage features, and so, correct. I think the lay of the land dictated the road network, which then dictated the depth of the lots on each side of the street.
- Jones Okay. So, the request for the change is more or less peculiar to the land, and not so much the house?
- DeLong Correct.
- Jones Okay.
- Franz All right. Any other questions? If there are none, is there a motion on this matter?

- Lewis Sure. I'll do it. I move to approve that Docket # 2020-05-RP, re-plat to allow for Lot D7 of Section 1 in the Holliday Farms subdivision to be vacated from the requirements of lot configuration of Sub Area F and re-platted in a manner that establishes Sub Area G as the applicable requirements with the requirements being reflected on the recorded plat of Holliday Farms Section 1 located in the planned unit development zoning district be approved as based on the findings established in the public hearing as presented.
- Franz Is there a second?
- Papa Second.
- Franz All right. Wayne, would you take roll?
- DeLong Certainly. Mr. Lewis?
- Lewis Aye.
- DeLong Mr. Jones?
- Jones Aye.
- DeLong Mr. Papa?
- Papa Aye.
- DeLong Mr. Fedor?
- Fedor Aye.
- DeLong Ms. Walker?
- Walker Aye.
- DeLong Ms. Grabianowski?
- Grabianowski Aye.
- DeLong Mr. Franz?
- Franz Aye. Motion carries 7-0. Mr. Ranieri, have fun building.
- Ranieri Thank you very much. All be safe and healthy.
- Franz All right. Thank you. Next on the Docket is Item # 2020-07-MP, for 501 South County Road 975 East, Kerry and Pamela Wagoner, petition for minor plat approval for the establishment of two lots in the RSF2 Urban Residential zoning district. Is the petitioner present?
- ? 35:30 Kerry Wagoner are you available? Mr. Gibson, are you available?

Franz Mr. Gibson, you're on mute.

Gibson We good?

Franz Yep, we can hear you now. Please state your name and address.

Gibson All right. Thank you. Good evening. My name is Harold Gibson.

Franz He just dropped off.

Gibson Hello?

Franz Yes. You dropped off for a second. So, if you would start over please.

Gibson All right. Thank you very much. My name is Harold Gibson, G-I-B-S-O-N. I am with H. Gibson Land Surveying in Greenfield, Indiana. I'm here tonight representing Kerry and Pam Wagoner in a request for a two-lot minor subdivision at 4501 South 975 East. We, Mr. President and Commission members, I too echo the same congratulations to you that Mr. Price had earlier in the evening. Your ingenuity and willingness to have this hearing this way is certainly a credit to your IT wizards. That's not who I am. That's probably why you don't see my video up there, is because I'm not astute enough to figure this out. But we do appreciate that and the willingness to continue business. Mr. Wagoner has employees who are in the construction business. He is a home building. He's been a home builder over 30 years, and it's imperative to him that he can hopefully get his employees back to work through building a spec home on one of these lots, and we certainly appreciate your willingness to consider us an essential hearing this evening. Mr. Wagoner and his wife, they own 1.7 acres for which is on the east side of County Road 975 East. It's at the entrance to Oak Ridge subdivision. This acreage has been in existence for over 10, 15 years. He's owned it that long. It is not part of the Oak Ridge subdivision. The Oak Ridge subdivision did go around it and excluded it. It's a very wooded area. It was an existing home was there until Mr. Wagoner just recently tore that down and cleared it of that home. Mr. Wagoner has wanted to divide this into two lots for some time. His hope was to enter into the Oak Ridge subdivision, however, there is a little common area for events and from having access into that. So, we are forced to have frontage onto 975 East. We have divided the lot, the 1.7 acres, in a way that is very close to the lot size that is common to the two adjoining lots in Oak Ridge. Both are about  $\frac{3}{4}$  of an acre large, which is consistent with that. So, we believe we're consistent with the neighborhood. We are larger than the residential zoning that we're located in. We have added some covenants to the plat to meet a wish of one of the neighbors to the east. He wanted the fences to be similar or consistent, so we didn't have multi-types of fences and we've been agreeable to that, and did, in fact, add that. So, the two lots that Mr. and Mrs. Wagoner want to create would be homes that would probably be around the one-million-dollar sale price with the lot included. He has prepared a spec home that he is planning to get a permit for Lot 1, hopefully if you folks see fit to approve this as soon as possible. There would be a common entrance due to the location, the proximity to the entrance into Oak Ridge. We would only have a shared entrance on Lot 2 to the south, which then would split off and go to Lot 1 to the north. We believe we complied with all the tech comments. We've added

easements as the engineering office has asked for. These lots would be on sanitary sewer and water, which is both available to the site. Other than that, I see Kerry has joined you and hopefully he can give me some lessons on how to get a video up there, but you probably don't want to see me anyway. But we'll be happy to answer any questions you have.

Franz All right. Thank you. At this time, is there anybody from the public who would like to comment on this matter?

DeLong I'm seeing no hands raised.

Franz All right. Wayne, may we have the staff report please?

DeLong Certainly. Staff is supportive of the petition as it's been filed. We would note that for the record, this is a division of one piece of ground into two individual lots. Both will access the street frontage from the established roadway 975 East. The developer has requested a 75-foot front yard setback. The original plat showed a 100-foot front yard setback. Staff would not object to that setback. The setbacks would only need to mandate to be matching to your minimum standards of your ordinance. Certainly, staff would be interested to know if members of the public, specifically in Oak Ridge, or other neighboring areas, had any interest in a 100-foot setback, but again, as long as the setback meets your minimum standards, it is supportable. Again, staff is supportive of the petition as it's been filed. Certainly, as it's been amended earlier this week, or last week, I should say. And, I'd be happy to answer any questions.

Franz All right. Thank you, Wayne. At this point, is there any questions, comments from any of the members of the Plan Commission?

Walker I drove by there, out there yesterday. Is the house that sits behind this property, Kerry, will the houses be in front of that one? Or was I looking at the lot wrong?

Gibson Kerry, I think that was to you.

Walker Or Mr. Gibson, whomever.

Gibson Were you driving along 975 East?

Walker Yes. I was on 975, and just looking at them from the road, and I couldn't stop very long because there was some traffic and that kind of stuff.

Gibson So, the house that you seen off through the woods, that would be the first lot in Oak Ridge, and that would be behind the houses.

Walker Okay. I see. Thank you. That's what I thought, but I wanted to ask anyway.

Gibson Yes. Good question. Thank you. If I could add, the reason that we changed the building line from 100 to 75 is because the plan that Kerry and Pam have right now has a 3-car garage, and the house plan is so large that we didn't realize how much it was going to impact the rear yard. And we had voluntarily placed a 100-foot building line, and we knew we were much larger than the ordinance, so by

shortening it up 25 feet, it gives us a chance to pull that just a little bit closer and have a little more bigger back yard.

Franz All right. Is there any other questions, comments?

Lewis The proposed driveway location is the same as the existing driveway that was to that house that got demolished?

Gibson It is. Yes, sir. And, again, the reason there was we thought that that traffic pattern had been established for many, many years, so would we have preferred to maybe have it a little more centrally located? Yes. But, since that traffic pattern has already been established for many years, those driving through there would not have to readjust.

Franz Any other comments or questions? If there are none, is there a motion on this matter?

Grabianowski I'll make a motion, but I don't have the thing to read in front of me. But I move that Docket # 2020-07-MP, minor plat approval for 2 lots in the urban residential district be approved.

Franz Does anything need to be added to that, Wayne? Or our attorney?

Walker There is some more verbage.

Grabianowski Well, I don't have it.

Jones Did we get the reduction of the setback?

DeLong Yes, the reduction of the setback, you could certainly mention that the petition to approve the plat as presented, noting the 75-foot front yard setback, that we want to have that in the record.

Grabianowski What Wayne said.

Franz All right. So, actually, Mr. Jones, modified the motion to include language for the setback. Does the proposer agree?

Grabianowski Absolutely. I accept that.

Franz All right. With the modified motion, is there a second?

Walker Second.

Franz All right. Wayne, would you please take roll call?

DeLong Certainly. Mr. Jones?

Jones Aye.

DeLong Mr. Papa?

Papa Aye.

DeLong Mr. Fedor?

Fedor Aye.

DeLong Ms. Walker?

Walker Aye.

DeLong Ms. Grabianowski?

Grabianowski Aye.

DeLong Mr. Franz?

Franz Aye.

DeLong Mr. Lewis?

Lewis Aye.

Franz Motion carries 7-0. Thank you very much.

Gibson Thank you all very, very much, and I just got a text from Kerry and he says, unfortunately, his computer is not allowing him to hear anything, or Mrs. Walker or he would have responded to you. So, and I would say hello to Wayne. I don't mean to be rude to you. Wayne was in Greenfield for many years and disappointed to lose Wayne, but obviously you guys are doing very, very well there with him and keep up the good work. Thank you very, very much.

Franz All right. Thank you. All right. On to the next matter on the Docket. New business. # 2020-06-DP, Hotel Tango, 10615 Zionsville Road. Petition for a development plan approval to allow for repair and model of an existing structure and the addition of approximately 682-square foot Smart pergola and to allow for a waiver of architectural design requirements in the B2 urban general business zoning district. Is the petitioner present?

Lese Can you all hear me?

Franz Yes, we can. Please state your name and address.

Lese Joseph Lese, principal architect with Progress Studio. Our address is 5915 North College Avenue, Indianapolis, Indiana. Thank you, Commission members, for hearing this case this evening. Our petition includes the Smart pergola as described, which is a, when they call it Smart pergola, it's a structure that has adjustable louvers on the roofs of that. It's tied to the weather, so if it rains, the louvers can close. They can be adjusted in inclement weather. It is self-draining, where the posts also act as downspouts. All the gutters are integral to the system, and, as well as proposing removable vinyl panels so that in inclement weather, or

during winter, these panels would be fixed in place so that the space can be used throughout the year, and then during nice weather in the late spring, summer and fall time the panels can be removed and it would be an open-air structure. The other item on the exterior is, we would be constructing a wood-burning fireplace adjacent to the Smart pergola, and then other miscellaneous improvements to the exterior would be a refurbishment of the pylon sign that exists today. We would salvage the existing structure, refurbish the back lid changeable text at the bottom portion of the sign, and then the upper portion of the sign would be reskinned, re-clad with materials that match the existing building with downlit signage. We do not have any other internally illuminated signage anywhere other than the changeable text that we would need refurbishing, so all the signage on the building would be of a downward nature. The posts that support the existing metal canopy structure are deficient, so we need to replace those posts, and so those posts would be replaced with treated wood that would be skinned with either a cement board panel, trimmed out so that it would be weather resistant, and the entire building would be repainted and any materials that are deteriorated or failing would be replaced in kind. The materials existing today consist of a mix of Team 111 vertical wood-oriented siding and some masonry along the west façade. Any refurbishment of that would solely be tuck-pointing in setting the brick back in place. There is some concrete block on the south and east and north facades, as well, that would be painted. I'll be happy to answer any questions that you may have. Thank you.

Franz All right. Thank you. At this point in time, is there any questions or comments from the public?

DeLong Mr. Franz, there are no hands raised.

Franz All right. At this point, Wayne, may we have the staff report, please?

DeLong Certainly. Staff is supportive, again, of the petition as it's been filed. The project itself represents a major change for this particular parcel as it's been utilized for the same land uses for a number of years. The Positively Canine land use would remain, and be a part of the multi-tenant building, where Hotel Tango would take over as the major tenant, replacing the now former Village Pizza King. With that in mind, this is an integrated center, which makes it eligible for a pylon sign of an appropriate height and setback. Those components have not been reviewed as part of this project, but certainly as described sound like something that is conforming. Certainly, if there is a need to do things differently, the sign could slide backwards a little bit to pick up a little extra height, if that is supported, but we'll work on those details in the coming days. The project itself re-skinning the building, providing a small addition for a Smart pergola area, is all supported by your zoning ordinance, and as modified by the Board of Zoning Appeals. This project did receive a variance for a parking lot, I'm sorry, the parking reduction due to its integrated center nature. Again, staff is supportive of the petition as it's been filed, and I'll be happy to answer any questions.

Franz All right. Thank you, Wayne. At this point in time, is there any questions, comments from any of the members of the Plan Commission?

- Jones Quick question, Wayne. I was driving [REDACTED] 52:19 a path or sidewalk along the east side of Zionsville Road going down through there. As I thought at the BZA meeting we talked about it and we didn't think that was going to happen. Was I looking at the right thing?
- DeLong Well, I had believed that the east side of the road was pretty tight with the number of utilities. I know there has been some water-line work through that area. Certainly, Mr. Lese with his strong knowledge of the site, what other comment you might have on that.
- Lese I do not believe, at least at the moment, that there is a sidewalk proposed on the east side of Zionsville Road. On Exhibit 3, the dashed lines that you see there are to take the building off of septic and a well system and to convert things into, connecting to city sanitary and city water. Certainly, we would entertain if there is a proposed path or sidewalk along the east side, or a cross-walk that maybe stripes across Zionsville Road that we would somehow stripe the site to accommodate that accessible route.
- Jones When this project came before the BZA, one of the items we did talk about [REDACTED] 53:51 was part of the reason we requested or granted a variance for the lesser amount of parking space needed was basically because they improved flow on the property in case emergency vehicles ever need to come and go. The doggy daycare business actually probably enough of the parking space that they'd ever, that the restaurant use have an issue, and then it might get a little tight if there was ever another office use, or retail use, that took the other space, hence the reason we requested that [REDACTED] another restaurant go in there because that would probably over-stress the parking lot. But and the point I'm trying to make about the sidewalks and stuff is that, you know, if we connect the Village in this area down through there, I think that will further reduce the need for the use of parking. Other than that, these guys have been downtown for [REDACTED] and they've got a fine facility down there, and I think they'll be a great addition to the area.
- Franz Is there any other comments, questions? I'll say the renderings look very nice, and will be a significant improvement. That's for sure.
- Lese Thank you.
- Lewis So, just to be clear, like looking at the plans, the remodeling is all in the southern half of the building say, but the entire building is going to be re-painted essentially?
- Lese That's correct. So, any damaged materials, they will be replaced. The entire building is going to be painted so everything will look fresh. Everything will look like the renderings that you see presented.
- Franz Unfortunately, these renderings look too familiar right now with no traffic outside of the building. All right, with that, is there any other questions or comments? If not, is there a motion?
- Jones Sure. I move that Docket # 2020-06-DP, petition for development plan approval to allow for repair and remodel of existing structure for the addition of

approximately 682 square foot Smart pergola, and allow for the waiver of architectural design requirements in the B2 urban general business zoning district be approved as presented.

Franz Is there a second?

Grabianowski Second.

Fedor Second.

Franz Wayne, roll call please.

DeLong Yes. Mr. Papa?

Papa Aye.

DeLong Mr. Fedor?

Fedor Aye.

DeLong Ms. Walker?

Walker Aye.

DeLong Ms. Grabianowski?

Grabianowski Aye.

DeLong Mr. Franz?

Franz Aye.

DeLong Mr. Lewis?

Lewis Aye.

DeLong Mr. Jones?

Jones Aye.

Franz Motion carries 7-0. Look forward to it. Thank you very much.

Lese Thank you all for your time. I appreciate it.

Franz At this point, other matters to be considered. Are there any other matters to be considered? I do have a question, Wayne. Do you just, you know, rotate the roll call just to keep us on our toes?

DeLong Sort of random order.

Walker I was wondering the same thing but wasn't going to ask.

DeLong Well, certainly for the purposes of the roll call, and clarity, certainly doing a rolling roll call is something that I have implemented since day one here. Certainly, as these meetings do get two hours long, it does keep things a bit on your toes. And, I do have two other points for you, rather quickly. First, I would think that we would suggest, as we move forward with notice requirements under COVID-19, is the Plan Commission may want to consider favorably, for the short-term, waivers of personal notice to allow petitioners to mail notice via first class. What we're hearing is that the mail carrier having to interface with 34 neighbors, all the same time, with certified mailings. Not the most encouraged practice. We've had no complaints. Don't get me wrong. I just think it's something we can be proactive on to correct, in the meantime. So, with your support, we'll recommend to petitioners to go first class, for at least the short term.

Franz Isn't there certified mail that doesn't require a signature?

DeLong There is certified mail. That would just be a white receipt. That would be another option that would not require interaction with any additional folks.

Franz But, then they'd have to go to the post office and get that, wouldn't they? I don't know.

DeLong It's an extra trip. Yes.

Franz And personal interaction, I guess I'm okay with first class while this is ongoing. Anybody else?

Grabianowski I'm good with it.

Walker I'm good.

Fedor I don't see a problem with it right now.

DeLong Okay. That's fine. Duly noted. And, certainly, my apologies for the previous interruption of the meeting. What I was attempting to do, and I was doing it successfully, was communicating with interested parties, and providing the webinar information for dial-in, and when I thought after an hour of providing that communication, I would close out of that application and that since I was no longer the host, Roger is the host. However, the Zoom webinar decided to shut things down anyway. So, lesson learned from my point, even though we had assigned the host duties to a different person, and duly noted. Again, apologies.

Franz All right. What was the highest number of people on the call? Do you know? Roger?

Roger? At one point, the total number between panelists and attendees, I believe we were right around 40.

Franz Okay. All right. So, they must have caught wind that we were going to continue those two items. All right. Well, let's be prepared to do this again the same way next month. I think it's going to be that way, but I could be wrong.

Papa Mr. Franz?

Franz Yes.

Papa Sorry. Do we need to take any formal action on that mailing issue? Or is that just the consensus?

DeLong I would think that waiver would be granted once it's offered and requested by a petitioner at a future meeting. So, tonight I was looking to just get your consensus if that was a request, could potentially be your justification and support if somebody does elect to just utilize first class.

Papa Okay.

Franz All right. Anything else? If not, is there a motion to adjourn?

Walker So moved.

Franz Second?

Fedor Second.

Franz We don't need a roll on this one, Wayne. All in favor, aye.

All Aye.

Franz All right. Thanks a lot guys. Good night.

May 12, 2020

Via Email to [WDeLong@zionsville-in.gov](mailto:WDeLong@zionsville-in.gov)

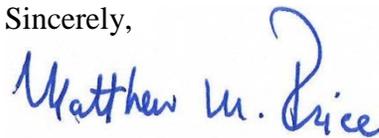
Wayne DeLong, Director  
c/o Zionsville Plan Commissioner  
1100 West Oak Street  
Zionsville, IN 4607

Re: Prologis – Docket No. 2020-08-Z

Dear Wayne:

We represent Prologis in connection with the referenced rezoning. We respectfully request a second continuance of this petition to the June 20, 2020. Prologis appreciates the opportunity to present its case on a digital platform and recognizes the extraordinary steps Zionsville has taken to assure the continuation of public meetings during the pandemic. However, it is Prologis' preference to attend its public hearing in person, if possible. Hopefully, this additional time will permit meetings to resume in that format.

Sincerely,



Matthew M. Price  
Partner

MMP/rea

Received  
5-12-2020  
Town of Zionsville

Michael & Stephanie Woodhams  
6555 Bainbridge Way  
Zionsville, IN 46077

4/18/2020

Zionsville Plan Commission  
Plan Commission Members – Town of Zionsville  
CO Zionsville Town Hall  
1100 W Oak St  
Zionsville, IN 46077

RE:  
Docket # 2020-10-Z  
April 20, 2020 Agenda

Dear Zionsville Plan Commission Members:

We are writing to voice our concerns regarding the Petition to rezone Windhaven to PUD. We are concerned about the amount of purposed space between homes and from the property's edge. Our ability to understand the specifics of zoning is hampered due to Covid-19, and with extremely limited discussion with one other.

It is our understanding that a PUD type zoning is uncommon for Zionsville. When we moved to Zionsville from Chicago two years ago, the biggest appeal to us about this community vs other Indianapolis suburbs was the amount of green space and open areas between homes. Things are just more spread out in Zionsville, and it is worth the extra money to have our space.

The proposed plans have homes 10 feet from each other and 30 feet from the edge of the property. Through limited research, it seems that a type 2 residential zoning would be more in line with the look and feel of the Zionsville community.

Further, we are concerned as citizens of the community that others may not realize this or voice concerns due to the national emergency keeping us apart and unable to share ideas. We also fear complications of the public being able to attend an e-conference where decisions are made.

Thank you for your time and consideration.

Sincerely,

Michael & Stephanie Woodhams

Received  
4-21-2020  
Town of Zionsville

**From:** [IAIN PROVAN](#)  
**To:** [Janice Stevanovic](#)  
**Subject:** Re: Petition No. 2020-10-Z Requesting unfavorable recommendation  
**Date:** Wednesday, May 6, 2020 1:47:11 PM  
**Attachments:** [image002.jpg](#)  
[image003.jpg](#)

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Thank you!

On May 6, 2020, at 1:22 PM, Janice Stevanovic <[JStevanovic@zionsville-in.gov](mailto:JStevanovic@zionsville-in.gov)> wrote:

Good Afternoon Mr. & Mrs. Provan,  
I have received your email which has been included as a part of the Public File and will be shared with the Plan Commission members.

Sincerely,

**Janice Stevanovic**

Planning II/Project Manager  
Town of Zionsville

O: (317) 873-1574

C: (317) 416-1920

[jstevanovic@zionsville-in.gov](mailto:jstevanovic@zionsville-in.gov)

[www.zionsville-in.gov](http://www.zionsville-in.gov)



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**From:** IAIN PROVAN [<mailto:irprovan@aol.com>]  
**Sent:** Wednesday, May 6, 2020 1:17 PM  
**To:** Chrissy Koenig <[CKoenig@zionsville-in.gov](mailto:CKoenig@zionsville-in.gov)>  
**Cc:** Wayne DeLong <[WDeLong@zionsville-in.gov](mailto:WDeLong@zionsville-in.gov)>; Janice Stevanovic <[JStevanovic@zionsville-in.gov](mailto:JStevanovic@zionsville-in.gov)>  
**Subject:** Re: Petition No. 2020-10-Z Requesting unfavorable recommendation

Thank you for the prompt attention to this and passing it along to Janice.

Received  
5/6/2020  
Town of Zionsville

Have a great afternoon.

On May 6, 2020, at 1:00 PM, Chrissy Koenig <[CKoenig@zionsville-in.gov](mailto:CKoenig@zionsville-in.gov)> wrote:

Hello Mr. & Mrs. Provan,

Thank you for contacting our department. Janice Stevanovic, Planner II/Project Manager, works with Plan Commission filings so I have copied her on this email as this is a Plan Commission petition you are referencing. You can reach Janice at #317-873-1574 or at [JStevanovic@zionsville-in.gov](mailto:JStevanovic@zionsville-in.gov).

If we can be of further assistance please let us know.

**Chrissy Koenig**

Planner I – Petitions

Town of Zionsville

O: (317) 873-1575

C: (317) 995-4471

[ckoenig@zionsville-in.gov](mailto:ckoenig@zionsville-in.gov)

[www.zionsville-in.gov](http://www.zionsville-in.gov)



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**From:** IAIN PROVAN <[irprovan@aol.com](mailto:irprovan@aol.com)>

**Sent:** Wednesday, May 6, 2020 12:39 PM

**To:** Chrissy Koenig <[CKoenig@zionsville-in.gov](mailto:CKoenig@zionsville-in.gov)>

**Cc:** Wayne DeLong <[WDeLong@zionsville-in.gov](mailto:WDeLong@zionsville-in.gov)>

**Subject:** Petition No. 2020-10-Z Requesting unfavorable recommendation

We do not believe the proposed Windhaven development at the intersection of Oak Street (334) and Cooper Road (currently the site of a horse farm) represents responsible or smart development for the Town of Zionsville, Indiana. Specifically, we are opposed to the Petition for Zone Map Change from R-1 (Rural Single-Family Residential) to PUD (Planned Unit Development) currently pending before the Zionsville Plan Commission as Petition No. 2020-10-Z (the

proposed subdivision development known as Windhaven and filed by M/I Homes) due to, among other grounds: 1) serious concerns about adverse safety and traffic impacts on W. Oak Street / 334 (for example, in light of the high density nature of the proposed project and its proximity to a roundabout currently being constructed, we believe it could create traffic hazards and congestion); 2) serious concerns about the project's high density, which is inconsistent with the Town's Comprehensive Plan, all adjacent land uses, and the status of this property as a "gateway" node into the Town of Zionsville (i.e., this is one of the first properties countless people entering the Town see); 3) potential drainage problems/issues; and/or 4) the potential lack of adequate bufferyards and landscaping standards. Thus, Petition No. 2020-10-Z does not represent responsible growth and development. We request the Zionsville Plan Commission give Petition No. 2020-10-Z an unfavorable recommendation to the Town Council and that the Town Council deny the petition.

\*\*\*We also ask that, in general, the commission enhances efforts to follow the guidelines already established and make zoning changes and variances the rare exception.

Thank you,  
Iain and Alison Provan  
115 N. 8th Street

**From:** [Melissa Garrard](#)  
**To:** [Wayne DeLong](#); [Janice Stevanovic](#)  
**Subject:** Petition 2020-10-Z (Windhaven)  
**Date:** Thursday, May 7, 2020 1:53:48 PM  
**Attachments:** [Windhaven-Letter to Planning 5-7-20.pdf](#)

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Wayne and Janice,

Attached please find my comments on the above-referenced Petition. I am providing these comments earlier than technically required in the hopes that you may consider my comments as you prepare the Staff Report on this matter. In addition, please forward my letter to the members of the Plan Commission when the packets go out.

I will forward a copy of my letter to Jonathan Isaacs by separate e-mail.

As always, please feel free to contact me if you have any comments or questions and thank you for your attention to this matter.

Best,

Melissa

MELISSA R. GARRARD, ATTORNEY AT LAW, P.C.  
P.O. Box 478  
Lebanon, Indiana 46052  
Tel. (765) 482-4000  
Cell (317) 403-5643

**MELISSA RHODES GARRARD**  
**ATTORNEY AT LAW, P.C.**

May 7, 2020

*Via E-mail*

Wayne DeLong  
Director of Planning & Economic Development  
Town of Zionsville  
1100 West Oak Street  
Zionsville, Indiana 46077

Janice Stevanovic  
Planning II/Project Manager  
Department of Planning & Economic Development  
Town of Zionsville  
1100 West Oak Street  
Zionsville, Indiana 46077

Re: Petition 2020-10-Z (Windhaven) Pending Before the Plan Commission of the Town of Zionsville (the "Petition")

Dear Wayne and Janice:

I represent various adjoining landowners and remonstrators to the Petition, including, without limitation, The Enclave II Property Owners Association, Inc. (collectively, Remonstrators"). I write to express various concerns about the Petition. I am directing this letter to your attention in the hopes that you will address our concerns in your Staff Report, but I would also request that you forward this letter to the Members of the Plan Commission with their packet for the May meeting and then subsequently to the Members of the Town Council as well. We have a number of objections to the Petition as delineated seriatim in this letter.

**1. A PUD is not an appropriate tool for this project.**

Traditionally, PUDs are used to address multi-use projects. They are typically not desirable for single-use residential projects absent extraordinary circumstances, such as aggregation of open space (which really does not justify single-use residential PUDs in Zionsville since the Town has separate cluster provisions available in its existing residential zone classifications to accomplish this purpose) or variety of residential products to be included. Neither of these exceptional circumstances exists with respect to this project. It is a single-use, single builder residential development with uniform density and only one level of product.

The Town of Zionsville's Zoning Ordinance reflects the same considerations. Section 194.142 of the Town Code states clearly: "It is the intent of the PUD to provide flexibility with regard to the *mixture of land uses*." (emphasis added). Further, Section 194.024(B) defines a Planned Unit Development as "[a] district established to allow development of an area of land as a single entity for a *number of uses* conforming to an approved development plan..." (emphasis added). Table 1 of Section 194.081 indicates that PUD's are intended to "allow a *variety of innovative uses*." (emphasis added). Indeed, "conformity to the purpose and intent of the PUD"

ordinance is the very first criteria specified in the standards for review. *See Town Code § 194.148 (A)*. It is clear that the Zoning Ordinance contemplates that there must be some compelling reason for using a PUD in lieu of one of the existing zoning classifications.

A review of the PUD Ordinances available on the Town of Zionsville's website also suggests that single-use residential PUD's are disfavored and only approved upon demonstration of a compelling reason why the existing residential classifications are not practical. There are seven PUD's listed on the Town's website. The overwhelming majority of them—five out of seven—are mixed-use developments. The only two residential PUDs (The Cove and The Inglenook) had unique products that did not fit well into any of the Town's existing zoning classifications.

There is nothing “innovative” about this developer's project which warrants a PUD. There are also no “mixed-uses” or “mixed densities” in the developer's proposal. It is plain vanilla, straight up residential—all a single density (2.39 units per acre).

In fact, the sole purpose for using a PUD in this case appears to be merely as a device to disguise the density of the project and to grant mass waivers from the aesthetic and landscaping requirements of the Town's Zoning Ordinance (not to mention highly substantial—and unusual, given past planning practice in this community—waivers from technical standards). However, except for the density, which I will address in further detail below, the developer could achieve ***EVERY SINGLE ONE*** of its reduced Development Standards (Exhibit 3 to the Petition) by simply utilizing the existing cluster/open space subdivision provisions available to the R-SF-2 zoning classification. Attached to this letter as Exhibit A please find a chart where I have compared the development standards and densities of the various residential zone classifications available in the Town (including separate columns for Open Space Subdivisions in the R-SF-1 and R-SF-2 districts), the standards specified in Exhibit 3 to the Petition, and the standards and densities of various neighboring subdivisions (Russell Lakes, Enclave, and Shannon Springs).

**2. The density and development standards specified in the proposed PUD Ordinance are too intense.**

While the developer cannot achieve the density it seeks if the property were zoned R-SF-2, Remonstrators would suggest that the density sought is excessive, not justified, and not consistent with the surrounding land uses. Pursuant to Section 194.141 of the Town Code, the Plan Commission **MUST** find that “the characteristics of the specific site development and its land uses proposed for the subject real estate are compatible with the surrounding area.” Pursuant to Section 194.148, the Plan Commission should also consider “compatibility with adjacent and neighboring land uses.” As the chart attached as Exhibit A demonstrates, the density of the proposed PUD is about a third more dense than the adjacent Enclave and Russell Lakes subdivisions (which are both comparable in density at 1.83 and 1.8, respectively) and almost 7 times more dense than neighboring Shannon Springs. The lot sizes are generally about half the size of the lots in Enclave and Russell Lakes.<sup>1</sup> In fact, the closest comparable lot area standard is in the R-V (Residential Village district)

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<sup>1</sup> While the Concept Plan generally depicts 9,000 square foot lots, Exhibit 3 to the proposed PUD Ordinance allows a minimum of 7,500 square feet of Lot Area. As you know, the numbers that are on the picture are not binding on the Petition. Rather, only the PUD Ordinance is binding, and in the event of any conflict, the text controls over the picture. Thus, the developer would be allowed 7,500 square foot lots. But even if it employed 9,000 square foot lots, this is still

with 8,000 square feet. While that size lot may be appropriate in the Town's core district, it is not appropriate in this area.<sup>2</sup>

Other development standards proposed by the developer are also concerning. Exhibit A attached hereto sets forth a comparison of the development standards proposed by the developer with the existing standards of various residential zone classifications set forth in Zionsville's Zoning Ordinance. The green shading on Exhibit A shows where the proposal meets the R-SF-2 standard. The yellow shading shows where the developer's PUD standard is concerning and the closest match to the standard in the Town's residential districts. And the red shading shows where the developer's standard is completely unacceptable—either because it has been omitted entirely or because it corresponds to a residential zone classification which is too intense for this property. As you can see, most of the standards specified in the developer's PUD Ordinance correspond to an R-SF-4 or R-V. We can only surmise that the reason for employing a PUD in this case is because the developer knows that neither the Plan Commission nor the Town Council would ever approve R-SF-4 or R-V zoning outright on these parcels.

### **3. The Petition is inconsistent with the Comprehensive Plan.**

The first bullet-point under the Vision Statement reflects a goal to “ensur[e] overall low-density development.” In fact, in its Land Use Goals, the Comprehensive Plan is quite specific in its density aspirations reflecting an intent to “maintain an overall residential density between 1.5 and 2.0 dwelling units per acre.” *See Comprehensive Plan* at 1-7 and 6-3; *see also id.* at 1-7, 1-8, and 6-3 (“the intensity and density of development, specifically residential development, decreases as it is located further from the core of the Town” and “[n]ew development occurring adjacent to existing/established areas of development shall be designed so as to be compatible with, and form a transition to, the existing/established development to which it is adjacent”). The Comprehensive Plan designates the property that is the subject of the Petition as “Single-Family Residential-Low Density.” The Comprehensive Plan explains that “Single-Family Residential-Low Density category provides for a mixture of housing opportunities similar in scale with a density ranging from less than

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40% smaller than the smallest lot in Russell Lakes, over 40% smaller than the average lot size in Enclave, and 30% smaller than most of the smaller lots in Enclave (while there are exactly two lots just slightly below 12,000 square feet, most of the lots are between 13,000 and 21,000 square feet).

<sup>2</sup> I do acknowledge that the Rural Residential zone classifications specify an even smaller minimum (and higher maximum lot coverage percentages). First, I would note that the Rural components of Town's Zoning Ordinance were essentially copied from the corresponding parts of the Boone County Zoning Ordinance at the time of reorganization with Eagle Township. The smaller lot sizes (and higher maximum lot coverages) were intended by the County to act as a cluster option, as the overall densities were required to remain the same. The County did not have separate cluster provisions at the time of reorganization as set forth for the Urban districts in the Town's Zoning Ordinance. (I was counsel for the Boone County Area Plan Commission at the time this version of the County's Zoning Ordinance was being prepared). Thus, it is inappropriate to pick and choose various development standards from the County ordinance. They were intended to work together as a whole, with the most important being the density limitations. The developer cannot cherry pick the lot size and lot coverage standards while abrogating the applicable density limitation. Second, I would point out that the only unincorporated areas which the County had in mind at the time it drafted this Ordinance were the older portions of Whitestown (which was then under County planning jurisdiction) and Advance. It seems appropriate that Zionsville should desire more than the minimum standards applicable in Advance, particularly in a Gateway Corridor such as SR 334/Oak Street. And finally, as the lawyer who represented the developer of the Enclave subdivision, I can tell you unequivocally that even the County planners would have had an absolute conniption fit if we had sought County R-3 zoning for Enclave. Even the County would not have allowed it.

1.0 to 2.0 Dwelling Units per gross acre.” At a density of 2.4 units per acre and with other development standards that deviate greatly from existing development to which it is adjacent, the proposed Windhaven PUD is not consistent with the Comprehensive Plan.<sup>3</sup> The developer even admits that this project is a “medium density” residential project which is not supported by the Comprehensive Plan. *See M/I PowerPoint Presentation filed on May 1, 2020*, at p. 5. Moreover, almost all of the other development standards other than the overall density correlate to an R-SF-4 or R-V zoning classification.

#### **4. The proposed PUD Ordinance is poorly drafted and insufficient.**

There are also glaring omissions in the PUD Ordinance. No Minimum Ground Floor Area is specified at all. Neither is any Minimum Lot Frontage. The proposed PUD Ordinances purports to abrogate the terms of the Zionsville Zoning Ordinance such that the development “shall be governed entirely” by the terms of the PUD Ordinance and those provisions of the Zionsville Zoning Ordinance which are specifically referenced herein. So, by implication, if a standard is not included in the PUD Ordinance or incorporated by specific reference, there is no standard. It simply doesn’t exist for Windhaven.

Most troubling, the PUD Ordinance does not even contain a default zone classification to address issues not specifically referenced in the proposed PUD Ordinance. This is a standard and ordinary provision for PUD’s (and **REQUIRED** pursuant to Section 194.147(Q) of the Town Code), yet it has been omitted for the proposed Windhaven PUD. This means that if issues come up in the future which are not specifically prohibited or regulated by the prohibited PUD Ordinance, they are allowed because there is no fallback zoning provision to prohibit or regulate them.

Much of the proposed PUD Ordinance is superfluous and invites ambiguity. Why do we need new definitions for “Accessory Structure,” “Accessory Use,” “Building,” “Building Height,” “Board of Zoning Appeals/BZA,” “Concept Plan,” “Department/Staff,” “Development Requirements/Development Standards,” “Director,” “Dwelling,” “Open Space,” “Parking Space,” “Plan Commission” when those definitions already exist in the Ordinance? In addition, several of the definitions merely refer back to the Zoning Ordinance. (“Home Occupation,” “Primary Plat,” “Secondary Plat,” “Sign,” “Sign Area”). In fact, one definition refers back to the Zoning Ordinance where no such definition exists in the Zoning Ordinance (“Sign, Height of Ground”). Others are not necessary to an ordinance and could be defined just as easily in covenants. (“Architectural Review Board,” “Controlling Developer,” “Declaration of Covenants,” “Real Estate,” “Town,” and “User”). If you are counting, that is 25 out of 33 definitions which are completely unnecessary.

Moreover, some of the definitions of the proposed Ordinance effect inadvertent substantive changes to the Zoning Ordinance. For example, compare the definition of Open Space in the Zionsville Zoning Ordinance with the definition of Open Space in the PUD:

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<sup>3</sup> In fact, the Windhaven PUD’s 2.4 density is on the higher end of the range designated for Single-Family Residential-Medium Density which is not prescribed for this area by the Comprehensive Plan.

...[A]n area of land not covered by buildings, parking structures or accessory ~~uses structures except for recreational structures.~~ **OPEN SPACE** may include nature areas; streams, ~~ponds, and floodplains;~~ meadows or open fields ~~containing baseball, football and soccer fields, golf courses and the like; swimming pools; bicycle paths; and the like.~~ **OPEN SPACE** does not include street right-of-way, platted **residential** lot area, **or private yard, patio areas or land scheduled for future development.**

These deviations would allow the developer to include the drainage pond and patio areas in their Open Space calculations where the Zoning Ordinance would not.

Many desirable standards/definitions have been omitted from the PUD Ordinance and thus no longer exist because the PUD Ordinance purports to abrogate the Zoning Ordinance except where specifically incorporated by the PUD Ordinance. Some of examples would include, without limitation: “Bufferyard,” “Child Care Home,” “Day Care Center,” “Deck,” “Drainage Pond,” “Easement,” “Family,” “Floor Area,” “Floor Area, Finished,” “Floor Area, Gross,” “Floor Area, Main,” “Frontage,” “Garage,” “Landscape Easement,” “Patio,” and “Porch.”

There are also internal inconsistencies in the proposed PUD Ordinance. Section 4.1 says there are additional use limitations included under Section 11. But Section 11 deals with drainage and streets. Section 12 does contain some additional language regarding uses, but, instead of “limiting” use, most of these provisions appear to grant greater rights of use to the developer. Section 12.6 permits “Construction Facilities”—which is a capitalized term, but not defined in the PUD Ordinance—and other “Temporary Uses”—which is again a capitalized term, not defined. While Section 12.5 purports to prohibit “Outdoor Storage”—again a capitalized term, not defined—there is an exception for the developer during the construction period (which is not a capitalize term, but maybe warrants some definition) so, by implication, the import is to allow some “Outdoor Storage” where it might otherwise not be allowed.

Other sections of the proposed PUD Ordinance appear to refer to Sections of the Town Code which do not exist. For example, Section 11.6 of the proposed PUD Ordinance purports to grant a waiver from “Section 193.052(B)(14)(b).” However, while Section 193.052(B)(14) (cul-de-sac curve radius) does exist, there is no Section 193.052(B)(14)(b). (Emphasis added).

The PUD Ordinance also deletes by abrogation all of the property development standards set forth in Section 194.097 of the Town Code, the regulations relating to home occupations set forth in Section 194.099 of the Town Code, and the lighting standards of Section 194.113 of the Town Code.

## **5. A Traffic Impact Study is warranted.**

Although a Traffic Impact Study is not technically required, Section 194.023(A) of the Zoning Ordinance gives the Building Commissioner discretion to require one if he finds it justified. SR 334/Oak Street is a very busy, congested thoroughfare. It is extremely dangerous even now. Serious accidents—some even with fatalities—are a regular occurrence here. *See* <https://www.theindychannel.com/news/local-news/boone-county/road-near-zionsville-concerns->

[neighborhood-after-deadly-crash-this-weekend](#) (one neighbor described a recent accident as like hearing a transformer blow up). While the town has installed a stop light at the intersection of SR 334/Oak Street and Kissel Road, that has only increased congestion further to the east.

SR 334/Oak Street is also a Gateway Entry Corridor into Zionsville and is likely to increase in congestion as both Whitestown and Zionsville grow and cross-traffic between the two communities increases.

Moreover, as currently proposed, this PUD does not meet the Town's standards for an accel/decal lane and passing blister. I do not know how the Town can even consider waiving those requirements—and on Oak Street no less—without a traffic impact study to support a finding that they are not necessary.

## **6. Other street design elements are deficient.**

In addition, it would appear that Town Code may require the developer to donate additional right-of-way for Oak Street. *See Town Code § 193.052(B)(16)(A)*. There is nothing in the proposal which would suggest that the developer is dedicating such right-of-way. *Compare* <https://www.theindychannel.com/news/local-news/boone-county/road-near-zionsville-concerns-neighborhood-after-deadly-crash-this-weekend> (even the local neighbors indicate they would be willing to grant right-of-way to expand the road to improve its safety).

As an aside, I would note that if the developer is, in fact, dedicating right-of-way, it cannot include any such land to be dedicated in its open space calculations. *See Definition of "Open Space" in Town Code § 194.024(B)*. At this point, I have no idea whether the developer is including it or not because it has not provided the open space calculations required by Town Code § 194.147(O).

As to the interior roadway design, Section 11.5 of the proposed PUD ordinance seeks a waiver from Section 193.052(B)(14) for the excessive length of the cul-de-sac. Per Banning Engineering's submission on 5-1-2020, "[t]he entire subdivision does not meet [this] requirement." In addition, the developer is seeking a waiver from the requirement specified in Section 193.052(B)(4) for a secondary means of access for the subdivision. To my personal knowledge and experience, the Town has been very resistant to granting such waivers. As former Deputy Mayor Mitro can attest, I was the counsel for the Villa Francesca subdivision on Turkeyfoot Road. The Villa Francesca subdivision also had far fewer lots than proposed in this PUD, was already properly zoned, and met every single one of the other requirements of the Zoning Ordinance but for these two standards. The Town steadfastly refused to grant waivers on these two items. On behalf of the developer of Villa Francesca, I even proposed a non-standard driveway means of secondary emergency access similar to what is being proposed by the developer in this case. Again, the Town refused this compromise. Ultimately, the Town would not and did not approve the Villa Francesca plat until we redesigned the subdivision to add a secondary access which fully met the Town's street standards and also reduced the length of the cul-de-sac.

The waiver sought in Section 11.4 of the proposed PUD Ordinance seems a bit unsafe. And the waiver sought in Section 11.7 of the proposed PUD Ordinance would seem to limit the ability of

fire safety vehicles and school buses to access the site and is particularly concerning due to the excessive length of the cul-de-sac.

**7. The bufferyards are inadequate.**

If this were a Rural R-3 project (to which it is compared on page 5 of M/I's PowerPoint submission filed on May 1, 2020), a Bufferyard D would be required along the entire perimeter of the project. *See Town Code § 194.111(L)(3)(b)(1) and Table 7* (R-3 to either R-1 or R-2=Bufferyard D). Bufferyard D requires a minimum of 15-30 feet of area, and the planting requirements become more intense at the lower widths.

The east, west, and south portions of perimeter of this project do not meet even the minimum width standard. The proposed PUD proposes to reduce the required bufferyard to 10 feet when a minimum 15 feet would otherwise be required. Moreover, at the time of the reorganization of Eagle Township, it appears that the Town may have inadvertently modified this County's bufferyard scheme. While Zionsville essentially adopted the County's Zoning Ordinance, it did not adopt its definitions and used the Town's own definitions. The definition of "bufferyard" under the County's Zoning Ordinance does not include landscape easements and thus would not have allowed the bufferyards to be included as part of bulk area requirements for lots. Indeed, even the portion of the County Zoning Ordinance which Zionsville did retain reflects a strong preference for required bufferyard to be held as common area or conservancy districts for purposes of maintenance and to achieve aesthetic harmony (vs. 43 separate homeowners deciding what they will plant or place in the back 10 feet of their yard and how they will maintain it—"It's my yard; nothing says I can't put a my vegetable patch back there, right?" "Sorry I haven't mowed the grass for a while; I've been busy.") *See Town Code § 194.111(L)(3)(e)*(bufferyards may be retained by the original developer, subjected to deed restrictions and conveyed, or transferred to an adjoining owner or public entity). The bufferyards should be included in the common area which is developed and maintained (by and HOA) in a harmonious and uniform manner.

The developer has deleted portions of the Zoning Ordinance which specify the replacement of plantings which die.

In addition to the minimum required Bufferyard D, the Town has the discretion to require a higher level Bufferyards and Fence/Berm/Wall combinations in connection with a PUD. *See Town Code § 194.111(L)(3)(b)(1) and Table 7*. Remonstrators would request a Bufferyard I with a BW1 berm/wall requirement.

**8. The landscaping standards and specifications are inadequate.**

Section 194.147(F) of the Town Code requires that an application for a PUD include the "[l]ocation, height and material of all fences, walls, screens, planting and landscaping" and "[p]lans for protection of abutting properties, including buffers, screening and landscaping." The one-page picture submitted by Petitioners can hardly be called a "landscape plan." Although it does purport to specify a location for plantings, it is not clear whether these are just "conceptual" or the actual plans. By way of example, this one-page document does not include depict any entrance features or signage. One would think that this would be an important landscape detail in a subdivision deriving

ingress and egress from a principal Gateway Corridor into the Town of Zionsville. Neither does it depict any sidewalks along Oak Street. *See Town Code § 193.053* (“Sidewalks shall be required for all public streets, including any perimeter public streets along the outer boundaries of the subdivision”). Regardless, this one-page document does not specify the “height” or the “material” of the plantings or signage, let alone any fences, walls, or screens. The one-page document is not a landscape plan, and it is not sufficient for the consideration of a PUD pursuant to Section 194.147(F) of the Town Code.

**9. In addition to a real landscape plan, the PUD submission is also missing several other components required by the Zoning Ordinance.**

In addition to the landscape plan required by subsection (f), Section 194.147 of the Town Code also requires the following to be submitted in connection with an application for a PUD, all of which are missing in this case:

- (D) ...restrictive covenants;
- (E) A discussion as to how accessory uses and buildings will be considered;

\* \* \* \* \*

- (G) Proposed development timetable, including all planned phases of the project;
- (H) ...the location of all existing easements, section lines and property lines, existing ... buildings and other existing physical features in or adjoining the project;
- (I) The location and character of construction of proposed ... driveways ... and outdoor lighting systems;
- (J) The location and sizes of existing and proposed sanitary and storm sewers, water mains, culverts and other underground facilities in or near the project;

\* \* \* \* \*

- (N) Location, character, size and height of proposed signs and their orientation in relation to surrounding properties;
- (O) A tabulation of ... the percentage square footage thereof proposed to be devoted to ... green space...;
- (Q) A discussion of the mechanism for matters not covered by the PUD to default to zoning regulations of the town; and

Town Code § 194.147. The PUD application cannot be approved in light of such glaring deficiencies.

**10. The architectural standards of the proposed PUD are inadequate.**

Section 5.2 of the proposed PUD Ordinance states that the proposed “Architectural Standards” are “set forth in Exhibit 4.” However, Exhibits 4A-4G are just pictures. They are meaningless and completely unenforceable. The sum total of their “Architectural Standards” is contained in Exhibit 4H which states:

Dwellings on lots designated with a black circle [essentially lots abutting the portions of Enclave on the west and south with no real buffer] shall incorporate two (2) or more of the following features:

- a. Façade offset (a minimum of 15' wide and 7' deep)
- b. Masonry on all four sides, but in all cases , a minimum of three (3) foot wainscot;
- c. Real sun room
- d. Rear pergola
- e. Additional rear exterior material (e.g. masonry or texture change in siding)
- f. Enhanced window treatment (trim a minimum of 3 1/2") on all four (4) sides of the home except where brick surrounds the windows.

Dwellings on lots designated with a red circle [essentially most—but not all—interior corner lots] shall incorporated a minimum of three (3) foot wainscot on all four (4) sides.

All homes shall have two (2) or more materials on the front façade.

This is a pretty bare bones list. There are no anti-monotony standards. There are no limitations on vinyl or aluminum siding. There are no standards on roof pitches. There are no standards for windows on back or side elevations which may be seen from the road or adjoining subdivisions.

At a minimum, all of the lots adjoining both Enclave and Russell Lakes should have masonry on all four sides at least to the full height of the first floor elevation. It should not be part of a package of options. Enhanced window treatment (trim a minimum of 3 1/2") should also be required on all facades and on all four (4) sides of the home where the side or rear elevations are visible from a right-of-way or adjoining subdivisions. Then, in addition to those elements, there can be a cafeteria choice from a range of other options. No vinyl or aluminum siding should be permitted. Roof pitches should be specified. Anti-monotony standards should be included. Remonstrators have included a list of requested architectural standards below under Section 13 of this letter.

#### **11. The drainage is inadequate.**

Drainage is a huge problem with this project. Its importance cannot be underestimated. There is a reason why it is near the top of the Town Engineer's technical comments. ("The capability, capacity, and suitability of the development will need to be identified and adequately coordinated"); *see also County Surveyor* ("The developer will need to locate a proper drainage outlet for this site").

In this regard, the PUD application fails to satisfy Town Code Section 193.055(B)(1)(a) which provides in pertinent part:

Whenever a change of land use occurs, concentrated storm water discharge to adjacent areas shall not be permitted unless the discharge is conveyed through a suitable drainage feature to:

1. An approved outlet within the right-of-way;
2. An existing drainage easement;
3. A defined drainageway as approved by the town's Engineer; or
4. An open ditch which appears as a dashed or solid blue line on the 7.5 Minute Series Topographic Quadrangle Map as published by the United States Geological Survey.

The developer has not identified an approved outlet within the right-of-way. Indeed, documents filed to date suggest that the project is draining south and east—towards Enclave and Russell Lakes—and not north to the right-of-way along SR 334/Oak Street. There is no existing drainage easement or defined drainageway. I have confirmed with the County Surveyor that this site does not have access to a County Legal Drain. And there is no open ditch which appears as a dashed or solid blue line on the USGS. Simply put, the developer currently has no legal right to outlet drainage in a manner which complies with the Town Code.

This is not something which can simply be swept under the rug and dealt with at a later time. Aside from the fact that the Town Code requires this outlet to be identified at the time of a “change in land use” (which is now), it is an existential problem for this development. Simply put, if they can't convince some poor landowner (actually, probably more than one) in Russell Lakes (and possibly Enclave too) to allow their yard to be dug up and permanently dedicated and kept clear of any sort of improvements or landscaping (remember, no landscaping in drainage easements), they cannot outlet their drainage in a manner which complies with the Town Code. Neither the Town (if it even has a right to condemn unannexed areas for this purpose) nor the County are going to use eminent domain to acquire this drainage easement for them.

Moreover, even if they can acquire a drainage easement, the capacity of the pond at Russell Lakes to accept this drainage remains a looming question. This pond has flooded for at least decades. Sometimes the flooding from this pond even spills over to SR 334/Oak Street. Everyone (even the Town Engineer and the County Surveyor) need further information in order to determine whether the pond at Russell Lake has capacity to accept drainage from the proposed subdivision. Based on conversations with the County Surveyor, I understand that at least preliminary drainage calculations (which we don't have) would be desirable to ascertain whether this pond has capacity, whether it could be improved to have capacity, what sort of improvements would be necessary to improve its capacity, and whether these improvements would even be feasible given the adjacent development. These are all inquiries to which the Plan Commission should have answers in order to determine whether to rezone this property to a significantly more intense use and to determine what extractions or written commitments relating to improvements would be necessary or desirable to seek in connection with a rezoning.

As to the drainage matters addressed in the proposed PUD, remonstrators would object to the waiver requested in Section 11.8 of the proposed PUD Ordinance. This is a ruse to avoid

adequate bufferyards. As you know, the original plans specified a co-extensive 30' drainage easement (which would have been in compliance with the Town's Zoning Ordinance) and a 10' landscape easement (which is itself inadequate as addressed above, but this skimpy easement is all that the developer is proposing by way of bufferyards). The Town Engineer objected to the colocation of the drainage easement and the landscape easement insisting that "landscaping is not permitted in drainage easements"). Subsequently, in its May 1 revised filing, the developer separately called out the drainage and the landscape easements, but reduced the drainage easement to 20' feet so the total was still the same.

To my knowledge, the Boone County Surveyor has NEVER accepted a reduction in the 30' drainage easement, and to my knowledge, neither has the Town of Zionsville. While this may be the way of things in other jurisdictions, we just don't do that in Boone County. Moreover, the colocation of the drainage and the landscape easements are unacceptable to the remonstrators as well. Any landscaping in a drainage easement is subject to being torn up at any time, with no obligation to replace the buffering that was intended to protect the adjoining landowners.

**12. The Petition does not satisfy statutory and ordinance requirements for approval.**

Attached hereto as Exhibit B is a checklist of all the standards found Ind. Code § 36-7-4-603 and the Town Zoning Ordinance for approval of rezoning requests, in general, and then PUD applications in particular. Of the 18 separately identified criteria, only one—provision for an appropriate performance bond and its maintenance upon approval of the proposed development (Town Code § 194.148(I))—supports a PUD rezoning. And, I am assuming that one as I have no reason to believe that the developer does not have the financial resources to post a bond. But this consideration is obviously small in light of the magnitude of the 17 other criteria which do not support a PUD rezoning.

**13. Responsible development of these parcels would include the following elements.**

The maximum intensity that can be supported under the circumstances is R-SF-2. Remonstrators are not unreasonable and are not opposed to any development of the parcel. Neither are we insisting that the parcels retain their current R-1 zoning. Indeed, we recognize that these former County zone classifications—which were designed with municipalities like Advance in mind—may not be appropriate to a Gateway Entrance Corridor into the Town of Zionsville. If the zoning is to be changed, it makes sense to bring it into alignment with the Town's development standards. However, R-SF-2 is the maximum density supported by the Comprehensive Plan. Even that, though, is a compromise from Remonstrators. We would rather the property be developed at the 1.8 density reflected in adjoining Enclave and Russell Lakes (Rural R-2). But...we can live with the 2.0 density allowed by R-SF-2 providing no waivers are given from the standards in R-SF-2 and subject to the following Written Commitments in accordance with Ind. Code § 36-7-4-608:

- a. The entire perimeter of the project will be improved with a Bufferyard I and a BW1 berm/wall requirement as defined in the Tables included in Section 194.111(L)(3). In areas where drainage will not allow a berm, the wall

component (with conduit for drainage) should be used. The Bufferyard should be owned and maintained by the Homeowner's Association for harmony and consistency. The Bufferyards should also be constructed and installed before the issuance of the first improvement location permit in order to shield adjoining property owners from construction activities.

- b. The minimum total finished floor are for all dwellings shall be 1800 square feet, and in the case of a two-story building, there shall be at least a minimum finished floor area of 1,000 square feet.
- c. Exterior materials shall be brick, stone, wood, wood composite, or fiber cement board. All homes shall have masonry (brick, stone, textured and colored concrete masonry units) on a minimum fifty percent (50%) of the front elevation, excluding doors, windows, and other openings or the entire first floor elevation, whichever is greater.
- d. All of the lots adjoining both Enclave and Russell Lakes should have masonry on all four sides at least to the full height of the first floor elevation.
- e. Exterior chimneys for fireplaces shall be entirely masonry.
- f. Side and rear home elevations abutting a public or private street shall have at least thirty percent (30%) masonry as the exterior building material on that visible elevation (excluding doors, windows, and other openings).
- g. Residences built on corner lots, with side or rear elevations visible from public streets or visible from Enclave or Russell Lakes shall include a minimum of three windows of minimum size three (3) feet by five (5) feet, on the side of the home facing or visible from the street or visible from Enclave or Russell Lakes.
- h. All windows should have a minimum one by three and one-half inch (1" x 3½") wood surround, shutters, decorative trim or headers. All doors and corners shall have a minimum nominal one inch by six inch (1"x 6") wood surround, decorative trim or headers.
- i. Covered porches must be included on each dwelling. Each porch shall be a minimum of 40 feet and may not encroach into the front yard setback.
- j. The concrete or block foundation of any dwelling or accessory building shall be covered on the exterior with wood, brick, or stone veneer such that no portion of the exterior thereof is left exposed above ground.
- k. In addition to the requirements specified herein, all houses shall have a minimum of four (4) features from the following list: Façade offset (a minimum of 15' wide and 7' deep); Rear sun room; Rear pergola; Additional

rear exterior material (e.g. masonry or texture change in siding); Veranda/balcony; Reverse gable; Two (2) or more roof planes visible on the front of the house; Decorative garage doors or windows in garage doors; A separate overhead door for each single garage bay; Side-loaded or court-entry garage (2 points); Brick, stone or textured concrete masonry on one hundred percent (100%) of the front elevation (excluding openings); At least four (4) feet of relief at one or more points along the front or rear elevations; Sunroom, screened porch, or breakfast nook on rear for relief; Transom windows; Bay windows; Two (2) or more dormers; Shutters (all elevations). Sideload or court-entry garages each count as two (2) features towards the required four (4).

- l. In addition to minimum requirements specified in subsection (k) above, side and rear home elevations abutting a public or private street shall have at least one of the following additional architectural features on the elevation visible from the public street: Façade offset (a minimum of 15' wide and 7' deep); Rear sunroom; Rear pergola; Additional rear exterior material (e.g. masonry or texture change in siding); Veranda/balcony.
- m. In addition to minimum requirements specified in subsection (k) above, rear elevations facing Enclave or Russell Lakes shall have at least one of the following architectural features: Rear sunroom; Rear pergola; Additional rear exterior material (e.g. masonry or texture change in siding).
- n. A single-family dwelling facade shall comprise at least fifty-five percent (65%) of the total facade width. The garage shall not exceed more than forty-five percent (35%) of the facade width.
- o. Homes located in close proximity shall not be of the same front elevation. Mirror images of the same configuration/elevation do not meet the requirement. No house shall be of the same front elevation design as any other house within four (4) lots along the same block face or directly across the street. No single front elevation house design may constitute more than twenty-five (25) percent of the front elevation house design within any single phase of a development.
- p. No above-grade fencing should be permitted on any lot visible from Oak Street or Enclave or Russell Lakes. Only invisible fences should be permitted. If a swimming pool is desired for one of these lots, it must employ an automatic pool cover as opposed to a fence.
- q. Where permitted, above-grade fences must be PVC or decorative metal. Fences constructed of bare or natural, or transparently stained wood, chain link, or powder or vinyl coated chain link should be prohibited. Any fences in a street sideyard (corner lots) must be at least 50% open. Fences shall be no higher than forty-two (42) inches from the adjacent finished grade. A

fence may be located no closer than five feet from the right-of-way and shall be located no closer than ten feet from the primary facade of the residence. A fence shall also be located outside of the sight visibility triangle if higher than thirty-six (36) inches. Fences may not encroach into any required front, side, or rear setback area.

- r. Except for covered porches, garage extensions, and sunrooms, all roof pitches should be at least 8:12, and all elevations should include a 12 inch overhang.
- s. Patio enclosures located in the permitted building area of a lot (pad) may not exceed eight feet in height; if not so located, the maximum height of patio enclosures is six feet.
- t. The Written Commitments should be privately enforceable by adjoining landowners.

Thank you for your consideration.

Regards,

A handwritten signature in blue ink that reads "Melissa Garrard". The signature is written in a cursive style with a large, looped initial "M".

Melissa Garrard

**Exhibit A - Town of Zionsville Development Standards as Compared to Standards of M/I Windhaven PUD**

	RE	Urban R-E	Shannon Springs	R1	R-SF-1	R-SF-1 (Open Space)	R2	Russell Lakes	Enclave (Secs. II & III only)	R-SF-2	R-SF-2 (Open Space)	M/I Windhaven PUD	R-SF-3	R3	R4	R-SF-4	R-V
Minimum Acres Per Dwelling Unit (with utilities)	3	3	2.55	1	1	1	0.6	0.56	0.55	0.5	0.5	0.37	Not specified	0.33	0.23	Not specified	Not specified
Calculated Maximum Density (units per acre)	0.33	0.33	0.39	1	1	1	1.67	1.8	1.83	2	2	2.39	2.9*	3	4.35	4.36*	5.45*
Minimum Lot Size (square feet per unit)	5000	130,680	approx. 43,560	5,000	43,560 avg. 21,780 min.	6000	5,000	15,000	Only two lots under 12,000 Most 13,000-21,000	21,780 avg. 15,000 min.	6,000	7,500	15,000	5,000	5,000	10,000	8,000
Minimum Lot Width	45	200	130	45	80-150	80-100	45	100	80-90 (most)	80-150	50	60	80	45	45	70	50
Minimum Lot Frontage (feet, measured at lot line, excluding cul-de-sac lots)	45	100	130	45	80-150	15	45	100	80-90 (most)	40-75	15	Not specified	40	45	45	35	50
Front Setback (feet, excluding cul-de-sac lots)	20	40-60	45	20	40	40	20	30	45	35	35	20	25-35	20	20	35	20-30
Side Sideback (feet)	5 individual	25 individual	Not specified on plat	5 individual	25-45 aggregate/ 10-20 individual	0-5	5 individual	45 aggregate/ 20 individual	Not specified	25-45 aggregate/ 10-20 individual	0-5	5 (individual?)	20 aggregate/ 7 individual	5 individual	5 individual	16 aggregate/ 6 individual	15 aggregate
Rear Setback (feet)(primary structures)		50	25	20	25	15	20	25	30-40	25	15	20	25	20	20	20	20
Maximum Building Height (feet)		40	35	35	35	35	35	35	35	35	35	35	35	35	35	35	35
Maximum Lot Coverage	50%	15%	Not specified	60%	15%	50%	60%	20%	Not specified	20%	50%	55%	25%	70%	70%	30%	35%
Minimum Total Living Area (square feet)	1200	1500	Not available	1,200	1,800	1,800	1,200	Not available	2,400	1,500	1,500	900	1,200	900	900	900	900
Minimum Ground Floor Area (square feet)	900	1000	Not available	900	1,200	1,200	900	Not available	Not available	1,000	1,000	NO MINIMUM GROUND FLOOR AREA REQUIRED!!!	800	750	750	660	650

\* Based on minimum lot size only, without allowing for acreage in use for roads, utilities, drainage or open space. Actual density achievable will be much lower when allowance is made for roads, utilities, drainage, and open space.

**Exhibit B - Factors to Consider for PUD**

<b>Pursuant to Ind. Code § 36-7-4-603, the Plan Commission and Town Council <b>MUST</b> consider the following in connection with any rezoning request:</b>	Against Petition	Neutral	In Favor of Petition	Not Applicable	Notes
The comprehensive plan	X				Comprehensive Plan designates this area as Single-Family Residential-Low Density with a prescribed density of 1.0-2.0 units per acre
Current conditions and the character of current structures and uses in each district	X				Development standards in the PUD deviate greatly from the existing development to which it is adjacent
The most desirable use for which the land in each district is adapted;	X				This land is adapted for residential use, but the residential use for which it is adapted is far less intense than what is proposed
The conservation of property values throughout the jurisdiction	X				Too intense, insufficient architectural and landscaping standards, inadequate road design, inadequate drainage
Responsible development and growth	X				Too intense, insufficient architectural and landscaping standards, inadequate road design, inadequate drainage

**Additional Town requirements for approving a zoning change to a PUD:**

<b>Pursuant to Town Code § 194.141, the Plan Commission and the Town Council <b>MUST</b> find <b>ALL 4</b> of the following conditions are met:</b>	Against Petition	Neutral	In Favor of Petition	Not Applicable	Notes
The characteristics of the specific site development and its land uses proposed for the subject real estate are compatible with the surrounding area if the development were limited to those plans and uses as submitted	X				Proposed development substantially exceeds density of adjoining subdivisions
Land uses, which would not otherwise be permitted to locate within the existing zoning districts, are proposed for development on a parcel under single or multiple ownership or management	X				Except for density, Petitioner could achieve exact same standards with R-SF-2 Open Space Subdivision.
Exceptions or variations from the size, setback, frontage, density, uses or other development standards which are established for a given land use in the other zoning districts are permitted as a part of the Planned Unit Development District		X			Variances from development standards are proposed, but except for density, all other variations could be achieved with an R-SF-2 Open Space Subdivision
The objectives and goals of smart growth are incorporated through the utilization of such initiatives as conservation developments, integrated mixed-use developments and performance-based implementation developments	X				Not mixed use and nothing special or innovative about this development

<b>Pursuant to Town Code § 194.148, the Plan Commission and Town Council <b>SHOULD</b> consider:</b>	Against Petition	Neutral	In Favor of Petition	Not Applicable	Notes
Conformity to the purpose and intent of the PUD	X				PUD's are intended for mixed uses
Quality of site design	X				Nothing special or innovative about this design; also design does not meet Zionsville standards for two means of ingress/egress with 30+ lots
Integration of a variety of land uses, building types and densities	X				Only one land use, building type and density
Preservation of natural features				X	No special natural features on this property
Compatibility with adjacent and neighboring land uses	X				
Provision and type of open space and the provision of other	X				
Consistency with the goals and objectives of the Comprehensive Plan	X				Comprehensive Plan designates this area as Single-Family Residential-Low Density with a prescribed density of 1.0-2.0 units per acre
Adequacy of utilities and other public works	X				Sewer will not be available for six months; drainage is a real problem
Provision for an appropriate performance bond and its maintenance upon approval of the proposed development			X		Although not addressed in Petition, assume this won't be a problem for M/I

## [Oppose Proposed High Density Development in Zville at Oak St. & Cooper Rd.](https://www.gopetition.com/petitions/oppose-proposed-high-density-development-in-zville-at-oak-st-cooper-rd.html)

<https://www.gopetition.com/petitions/oppose-proposed-high-density-development-in-zville-at-oak-st-cooper-rd.html>



**Target:**

[Zionsville Plan Commission, Zionsville Town Council, & Zionsville Mayor](#)

**Region:**

[United States of America](#)

**Website:**

[www.zionsville-in.gov](http://www.zionsville-in.gov)

Development in Zionsville, IN should be done in a thoughtful and responsible way, particularly on main access points to the town and on heavily traveled roads, such as W. Oak St. There currently is a petition to re-zone some significant parcels of land along Oak St. for a high density housing development. We believe there are potential significant problems with the proposed development, including: 1) potential adverse safety and traffic impacts on W. Oak Street / 334 (for example, in light of the high density nature of the proposed project and its proximity to a roundabout currently being constructed, we believe it could create traffic hazards and congestion); 2) the project's high density is inconsistent with the Town's Comprehensive Plan, all adjacent land uses, and the status of this property as a "gateway" node into the Town of Zionsville (i.e., this is one of the first properties countless people entering the Town see); 3) we believe there are potential drainage problems/issues; and 4) the proposal, in our view, lacks adequate bufferyards and does not have a meaningful landscaping plan. For these and other reasons, we believe the proposed development should be rejected.

We do not believe the proposed Windhaven development at the intersection of Oak Street (334) and Cooper Road (currently the site of a horse farm) represents responsible or smart development for the Town of Zionsville, Indiana. Specifically, we, the undersigned residents of Zionsville are opposed to the Petition for Zone Map Change from R-1 (Rural Single-Family Residential) to PUD (Planned Unit Development) currently pending before the Zionsville Plan Commission as Petition No. 2020-10-Z (the proposed subdivision development known as Windhaven and filed by M/I Homes) due to, among other grounds: 1) serious concerns about adverse safety and traffic impacts on W. Oak Street / 334 (for example, in light of the high density nature of the proposed project and its proximity to a roundabout currently being constructed, we believe it could create traffic hazards and congestion); 2) serious concerns about the project's high density, which is inconsistent with the Town's Comprehensive Plan, all adjacent land uses, and the status of this property as a "gateway" node into the Town of Zionsville (i.e., this is one of the first properties countless people entering the Town see); 3) potential drainage problems/issues; and/or 4) the potential lack of adequate bufferyards and landscaping standards. Thus, Petition No. 2020-10-Z does not represent responsible growth and development. We accordingly respectfully request that the Zionsville Plan Commission give Petition No. 2020-10-Z an unfavorable recommendation to the Town Council and that the Town Council deny Petition 2020-10-Z. I state under oath this is my opinion and my signature and address appear below (please be sure to include your name and address below).

## Public Signature List

#	Title	Name	Town/City	S/C/P	Region	Date
1	Mrs.	Rachel Pryzbylski	Zionsville		Indiana USA	27-Apr-20
2	Mrs.	Sara Seguin	Zionsville		Indiana USA	27-Apr-20
3	Mrs	Anonymous	Zionsville		Indiana USA	27-Apr-20
4	N/G	Joe Gregoline	Zionsville		IN USA	27-Apr-20
5	N/G	Rebecca Janneck	6544 Briarwood Pl.		IN USA	27-Apr-20
6	Mr	Arthur Janneck	ZIONSVILLE		IN USA	27-Apr-20
7	N/G	David Pryzbylski	Zionsville		Indiana USA	27-Apr-20
8	N/G	Anonymous	Zionsville		Indiana USA	27-Apr-20
9	Mr	Kyle Morris	Zionsville		Indiana USA	27-Apr-20
10	Mr	James Brooks	Zionsville		IN USA	27-Apr-20
11	N/G	Mary Hill	Zionsville		Indiana N/G	27-Apr-20
12	Dr.	Ian Ferries	Zionsville		Indiana N/G	27-Apr-20
13	Mrs	Kara Yaraschefski	Zionsville		IN USA	27-Apr-20

14	Mrs	Gretchen Stark	ZIONSVILLE	Indiana	N/G	27-Apr-20
15	Ms	Anonymous	Zionsville	In	N/G	27-Apr-20
16	Mrs	Jamie Brooks	Zionsville	In	USA	27-Apr-20
17	N/G	Anonymous	Zionsville	Indiana	N/G	27-Apr-20
18	N/G	Ryan Woodall	Zionsville	IN	N/G	27-Apr-20
19	Mr	Robert Alonso	Zionsville	Indiana	N/G	28-Apr-20
20	Mrs.	Rachel Krupp	Zionsville	IN	N/G	28-Apr-20
21	N/G	Emily Chappo	Zionsville	Indiana	N/G	28-Apr-20
22	N/G	Katelynne Podell	Zionsville	Indiana	USA	28-Apr-20
23	N/G	Ryan Podell	Zionsville	Indiana	USA	28-Apr-20
24	Mrs.	Carrie Bain	Zionsville	Indiana	USA	28-Apr-20
25	Mr.	Matt Bain	Zionsville	Indiana	USA	28-Apr-20
26	Mr	Stephen Hackett	Zionsville	Boone County	N/G	28-Apr-20
27	N/G	Carrie Hackett	Zionsville	USA	N/G	28-Apr-20
28	N/G	Jennifer Gregoline	Zionsville, IN	Boone County	N/G	28-Apr-20
29	N/G	Jennifer Starnes	Zionsville	In	N/G	28-Apr-20
30	Mr	Doug Starnes	Zionsville	Indiana	USA	28-Apr-20
31	Mrs	Leslie Hall	Zionsville	IN	USA	29-Apr-20
32	N/G	Marisa Parmer	Zionsville	IN	N/G	29-Apr-20
33	Dr	Nathan Parmer	Zionsville	Indiana	N/G	29-Apr-20
34	Mrs	Lilo Smock	Zionsville	Indiana	N/G	29-Apr-20
35	N/G	Colleen & Mark Gierlach	Zionsville	In	USA	29-Apr-20
36	Ms	Anonymous	IN Zionsville	N/G		29-Apr-20
37	Ms	Anna Dehnke	Zionsville	IN	N/G	29-Apr-20
38	Mr	Anonymous	Zionsville	Indiana	USA	29-Apr-20
39	N/G	Chad Antcliff	Zionsville	Indiana	N/G	29-Apr-20
40	N/G	Brooke Nates	Zionsville	IN	USA	29-Apr-20
41	Mr	Anonymous	Zionsville	IN	USA	29-Apr-20
42	Mrs	Angie Kolman	Zionsville	IN	USA	29-Apr-20
43	Dr	Christy Wessel Powell	Zionsville	IN	N/G	29-Apr-20
44	N/G	Anonymous	Zionsville	Indiana	USA	29-Apr-20
45	N/G	Kara Poore	Zionsville	IN	USA	29-Apr-20
46	N/G	Anonymous	Zionsville	Indiana	N/G	29-Apr-20

47	Mrs	Anonymous	Zionsville	IN	N/G	29-Apr-20
48	N/G	Emily Hughie	Zionsville	Indiana	USA	29-Apr-20
49	Mr	Travis Hall	Zionsville	IN	N/G	29-Apr-20
50	Mrs	Stephanie Lewis	Zionsville	15: Indiana	N/G	29-Apr-20
51	Mrs	Stephanie Woodhams	Zionsville	Indiana	USA	29-Apr-20
52	Mrs	Mandy Miller	Zionsville	Indiana	USA	29-Apr-20
53	Ms.	Heather Hanlon	Zionsville	IN	USA	29-Apr-20
54	Mr.	Ned Broadwater	Zionsville	IN	USA	29-Apr-20
55	Mrs	Amber Trowbridge	Zionsville	IN	N/G	29-Apr-20
56	Ms	Meghann Supino	Zionsville	Indiana	N/G	29-Apr-20
57	Mr	Anonymous	Zionsville	IN	N/G	30-Apr-20
58	Mrs	Anonymous	Zionsville	IN	N/G	30-Apr-20
59	Mrs	Mary Jane Milewski	Zionsville	IN	USA	30-Apr-20
60	N/G	Anonymous	Zionsville	Indiana	N/G	30-Apr-20
61	Mrs	Kristina Moreland	Zionsville	IN	N/G	30-Apr-20
62	Mr.	Michael Woodhams	Zionsville	Indiana	N/G	30-Apr-20
63	N/G	Anonymous	Zionsville	Indiana	USA	30-Apr-20
64	N/G	Anonymous	Zionsville	Indiana	N/G	30-Apr-20
65	Mr	Anonymous	Zionsville	Indiana	N/G	30-Apr-20
66	N/G	Anonymous	Zionsville	Indiana	N/G	1-May-20
67	Mr.	Jeff Rieth	Zionsville	Indiana	USA	1-May-20
68	N/G	Christen Dittmer	Zionsville	Indiana	N/G	1-May-20
69	Mr	Jared Milewski	Zionsville	Indiana	USA	1-May-20
70	Mr	Richard Milewski	Zionsville	IN	USA	1-May-20
71	N/G	Anonymous	Zionsville	IN	USA	1-May-20
72	Dr	Sara Stephenson	Zionsville	IN	N/G	1-May-20
73	N/G	Jane Brown	Zionsville	Indiana	USA	1-May-20
74	Mrs	Anonymous	Zionsville	Indiana	N/G	1-May-20
75	N/G	Ryan Keith	Zionsville	Indiana	USA	1-May-20
76	Mr	Sean Arnold	Zionsville	In	USA	1-May-20
77	N/G	Anonymous	Zionsville	IN	N/G	1-May-20
78	N/G	Anonymous	Zionsville	IN	N/G	1-May-20
79	Ms	Anonymous	Zionsville	Indiana	USA	1-May-20

80	Mrs.	Anonymous	Zionsville	Indiana	USA	1-May-20	
81	Mr	Anonymous	Zionsville	IN	USA	1-May-20	
82	Mr	Brian Earnhart	Zionsville	IN	USA	1-May-20	
83	Dr	Anonymous	Zionsville	Indiana	USA	1-May-20	
84	Mr	James Morrison	Zionsville	Indiana	N/G	1-May-20	
85	Mrs.	Anonymous	Zionsville	IN	N/G	1-May-20	
86	Mrs	Sarah Morrison	Zionsville	Indiana	N/G	1-May-20	
87	N/G	Craig Knight	Zionsville	IN	N/G	1-May-20	
88	Mrs	Anonymous	Zionsville	indiana	N/G	1-May-20	
89	Mr	Anonymous	Zionsville	indiana	USA	1-May-20	
90	N/G	John Coop	Zionsville	IN	USA	1-May-20	
91	Mrs	Anonymous	Zionsville	Indiana,Boone County	N/G	1-May-20	
92	Ms	Mary Specht	Zionsville	In	N/G	1-May-20	
93	Mrs	Kathy Thompson	Zionsville	Indiana	USA	1-May-20	
94	Mrs.	Anonymous	Zionsville	IN	USA	1-May-20	
95	Dr	Scott Reef	Zionsville	IN	N/G	1-May-20	
96	N/G	Julia Brainerd	Zionsville	Indiana	USA	1-May-20	
97	Mrs.	Michaela Wehr	Zionsville	IN	USA	1-May-20	
98	Mrs.	Kristen Miller	Indianapolis	Indiana	N/G	1-May-20	
99	Mr.	Anonymous	Zionsville	IN	USA	1-May-20	
100	Dr.	Anonymous	Zionsville	In	USA	1-May-20	
101	Mrs	Lori House	Zionsville	Indiana	N/G	1-May-20	
102	Ms.	Dominique Leveque	Zionsville	IN	USA	1-May-20	
103	Mrs	Pamela Slibeck	Zionsville	Boone	USA	1-May-20	
104	Mrs	Anonymous	Zionsville	In	N/G	1-May-20	
105	Mrs	Nancy Wadle	Zionsville	Indiana	USA	1-May-20	
106	N/G	Jerry Cheung	Zionsville	boone	USA	1-May-20	
107	Mr	Anonymous	Zionsville	IN	USA	1-May-20	
108	Mrs	Anonymous	Zionsville	Indiana	USA	1-May-20	
109	Mrs	Kellie Adams	Zionsville	IN	USA	1-May-20	
110	Mr	David Ullmar	Zionsville	IN	USA	1-May-20	
111	Mrs	Anonymous	ZIONSVILLE	USA	N/G	1-May-20	
112	Ms.	Barbara Horine	Zionsville	Indiana, Boone County	USA	1-May-20	

113	Mrs	Bridget Kizer	Zionsville	In, Boone	USA	1-May-20
114	Mr.	Anonymous	Zionsville	Indiana	USA	1-May-20
115	Mr	Steve Kizer	Zionsville	In	USA	1-May-20
116	N/G	Anonymous	Zionsville	Indiana	USA	1-May-20
117	Dr	Anonymous	Zionsville	IN	USA	1-May-20
118	Mr	Brian Kizer	Zionsville	Indiana	USA	1-May-20
119	Mr.	Anonymous	Zionsville	Indiana	N/G	1-May-20
120	Dr	Mike Niemeier	Indianapolis	IN	USA	1-May-20
121	Ms	Amy Montgomery	Zionsville	IN	N/G	1-May-20
122	Mr	David Stevenson	Zionsville	IN	USA	1-May-20
123	Me.	Anonymous	Zionsville	Indiana	N/G	1-May-20
124	Ms	Angela Vidovich	Zionsville	IN	USA	1-May-20
125	N/G	Elizabeth Prokopik	Zionsville	Zionsville	N/G	1-May-20
126	N/G	Jim Martindale	Zionsville	Indiana	USA	1-May-20
127	N/G	Josh Helvie	Zionsville	Indiana	USA	1-May-20
128	N/G	Anonymous	Zionsville	Indiana	USA	1-May-20
129	Mr	Anonymous	Zionsville	Indiana	N/G	1-May-20
130	Mr.	Anonymous	Zionsville	Indiana	USA	1-May-20
131	Dr	Anonymous	Zionsville	IN	N/G	1-May-20
132	N/G	Patricia Schroeder	Indianapolis	IN	USA	1-May-20
133	N/G	Carla Glidewell	Indianapolis	Marion	N/G	1-May-20
134	Dr	Stephen Kempson	Zionsville	IN	N/G	1-May-20
135	N/G	Anonymous	Zionsville	Indiana	USA	2-May-20
136	Mrs	Anonymous	Zionsville	IN	USA	2-May-20
137	Ms	Karen Strandjord	Zionsville	IN	USA	2-May-20
138	N/G	Anonymous	Zionsville	IN	USA	2-May-20
139	Dr.	Brice Keefer	Zionsville	IN	USA	2-May-20
140	N/G	Anonymous	Zionsville	IN	N/G	2-May-20
141	Dr.	James Haines	Zionsville	Indiana	USA	2-May-20
142	Mrs	Vicki Pieratt	Zionsville	IN	USA	2-May-20
143	Dr.	Anonymous	Zionsville	IN	N/G	2-May-20
144	N/G	Anonymous	Zionsville	Indiana	USA	2-May-20
145	N/G	Diane Monceski	Zionsville	In	N/G	2-May-20

146	N/G	Anonymous	Zionsville	IN	N/G	2-May-20
147	Ms	Anonymous	Zionsville	Indiana	N/G	2-May-20
148	N/G	Derek Walton	Zionsville	IN	N/G	2-May-20
149	Mrs	Karrie Nesbit	Zionsville	IN	N/G	2-May-20
150	N/G	Timothy Wilson	Zionsville	Indiana	USA	2-May-20
151	N/G	Kimberly Wilson	Zionsville	Indiana	USA	2-May-20
152	Mrs	Anonymous	Zionsville	Indiana	USA	2-May-20
153	N/G	Caroline Wilson	Zionsville	Indiana	USA	2-May-20
154	N/G	Thomas Wilson	Zionsville	Indiana	USA	2-May-20
155	Mr	Jason Metz	Zionsville	Indiana	USA	2-May-20
156	N/G	Anonymous	Zionsville	Indiana	N/G	2-May-20
157	Mrs.	Susan Rizzo	Zionsville	IN	N/G	2-May-20
158	N/G	Anonymous	Zionsville	Indiana	N/G	2-May-20
159	Mr.	Matthew Munz	Zionsville	Indiana	USA	2-May-20
160	N/G	Anonymous	Zionsville	IN	USA	2-May-20
161	Mr	Anonymous	Zionsville	IN, Boone	USA	2-May-20
162	N/G	Anonymous	Zionsville	Indiana	USA	2-May-20
163	Mrs	Anonymous	Zionsville	In	N/G	2-May-20
164	Mr.	Thomas Barnes	Zionsville	Indiana	USA	2-May-20
165	Mr	Benjamin Cox	Zionsville	IN	USA	2-May-20
166	Mrs.	Anonymous	Zionsville	Indiana	USA	2-May-20
167	N/G	Betsy Pitts	ZIONSVILLE	Indiana	USA	2-May-20
168	Mrs	Anonymous	Zionsville	IN	N/G	2-May-20
169	Mr	Thomas Turner	Zionsville	IN	N/G	2-May-20
170	Mrs	Gretchen Stewart	Zionsville	Indiana	USA	2-May-20
171	Ms.	Anonymous	Zionsville	Indiana	N/G	2-May-20
172	mr	donald quick	zionsville	Indiana	USA	2-May-20
173	Mr	Anonymous	ZIONSVILLE	Indiana	USA	2-May-20
174	Mrs	Anonymous	Zionzville	Indiana	N/G	2-May-20
175	N/G	Anonymous	Zionsville	IN	USA	2-May-20
176	Mrs	Carolyn Rodgers	Zionsville	Indiana	USA	2-May-20
177	Mrs.	Rita Brown	Zionsville	Indiana	USA	3-May-20
178	Mrs	Anonymous	Zionsville	Indiana	USA	3-May-20

179	Ms	Anonymous	Zionsville	Indiana	USA	3-May-20
180	N/G	Anonymous	Zionsville	IN	USA	3-May-20
181	Mrs.	Anonymous	Zionsville	Indiana	N/G	3-May-20
182	N/G	Anonymous	Zionsville	Indiana	N/G	3-May-20
183	Dr	Anonymous	Zionsville	Indiana	USA	3-May-20
184	Mr.	Anonymous	Zionsville	Indiana	N/G	3-May-20
185	N/G	Regina Brown	Zionsville	IN	USA	3-May-20
186	N/G	Greg Brown	Zionsville	Indiana	USA	3-May-20
187	Ms.	Calvalyn Day	Zionsville	Indiana	USA	3-May-20
188	N/G	Anonymous	Zionsville	Indiana	USA	3-May-20
189	Mrs.	Anonymous	Zionsville	Indiana	N/G	3-May-20
190	N/G	Anonymous	Zionsville	Indiana	USA	3-May-20
191	Ms	Anonymous	Zionsville	IN	USA	3-May-20
192	Dr.	Anonymous	Zionsville	IN	N/G	3-May-20
193	Mrs	Anonymous	Zionsville	IN	USA	3-May-20
194	Mrs.	Heather Lusk	Zionsville	IN	USA	3-May-20
195	N/G	JAMES BROOKS	ZIONSVILLE	BOONE	N/G	3-May-20
196	mr	simon marshall	zionsville	IN	USA	3-May-20
197	Ms	Anonymous	ZIONSVILLE	IN	USA	3-May-20
198	Mrs.	Audra Carrel	Zionsville	Indiana	USA	3-May-20
199	Mr.	Matthew Carrel	Zionsville	Indiana	USA	3-May-20
200	Mrs	Anonymous	Zionsville	Boone	USA	3-May-20
201	Mr	Anonymous	Zionsville	Boone	USA	3-May-20
202	Ms.	Anonymous	Zionsville	IN	USA	3-May-20
203	Mr.	Anonymous	Zionsville	IN	USA	3-May-20
204	N/G	Anonymous	Zionsville	In	USA	3-May-20
205	N/G	Anonymous	Zionsville	Indiana	USA	3-May-20
206	Ms.	Ramona Watts	Indianapolis	IN	USA	3-May-20
207	N/G	Deborah Goodchild	Zionsville	IN	USA	3-May-20
208	Mr	Matthew Weghorst	Zionsville	Indiana	USA	3-May-20
209	Mrs.	Anonymous	Zionsville	IN	N/G	3-May-20
210	Mrs	Sara Reprogle Duiser	Zionsville	Indiana, Boone	N/G	4-May-20
211	N/G	Rebecca Larson	ZIONSVILLE	Indiana	USA	4-May-20

212	N/G	Anonymous	Zionsville	IN	N/G	4-May-20
213	Ms.	Anonymous	zionsville	Indiana	N/G	4-May-20
214	N/G	Anonymous	Zionsville	In	N/G	4-May-20
215	N/G	Anonymous	Indianapolis	In	N/G	4-May-20
216	N/G	Anonymous	Zionsville	IN	USA	4-May-20
217	Mr.	Anonymous	Zionsville	Indiana	USA	4-May-20
218	Mr.	Jason Hill	Zionsville	Indiana	USA	4-May-20
219	N/G	Katie Penola	Zionsville	Indiana	USA	4-May-20
220	Mrs.	Maureen May	Zionsville	In	USA	4-May-20
221	N/G	Anonymous	Zionsville	Indiana	N/G	4-May-20
222	Mr.	Donald Perkins	Indianapolis	Indiana	USA	4-May-20
223	N/G	Anonymous	zionsville	boone	USA	4-May-20
224	N/G	Anonymous	Zionsville	IN	USA	4-May-20
225	N/G	Anonymous	Zionsville	Indiana	USA	4-May-20
226	Ms	Michelle Henn	Zionsville	Indiana	USA	4-May-20
227	Mr.	Maurice Kessler	Zionsville	IN	USA	4-May-20
228	Mrs.	Lou Ann Kessler	Zionsville	IN	USA	4-May-20
229	N/G	Anonymous	Zionsville	Indiana	N/G	4-May-20
230	N/G	Anonymous	Zionsville	Indiana	N/G	4-May-20
231	Mr	Douglas Farber	Zionsville	INDIANA	USA	4-May-20
232	Mrs	Andrea Hester	Zionsville	Indiana	USA	4-May-20
233	Mr.	Anonymous	Zionsville	In	N/G	5-May-20
234	Mrs.	Julie Jozwiak-Rice	INDIANAPOLIS	IN	N/G	5-May-20
235	N/G	Lora Spargur	Zionsville	Indiana	USA	5-May-20
236	Ms.	Linda Wilcox	Zionsville	IN	USA	5-May-20
237	N/G	Anonymous	Zionsville	Indiana	USA	5-May-20
238	N/G	Linda Hardin	Zionsville	Indiana	USA	6-May-20
239	N/G	Anonymous	Zionsville	IN	USA	6-May-20
240	Dr	Anonymous	Zionsville	Indiana	N/G	6-May-20
241	Ms	Petra Jones	Marrickville	NSW	Australia	6-May-20
242	Dr.	Andrew Swearingen	Zionsville	Indiana	USA	7-May-20
243	Mrs.	Terri Kashman	Zionsville	IN	USA	7-May-20
244	Mr.	Thomas Kashman	Zionsville	IN	USA	7-May-20

245	N/G	Cheryl Miller	Zionsville	IN	USA	7-May-20
246	Mr. & Mrs	Kelley House	Zionsville	Indiana	N/G	7-May-20
247	Mrs	Shawnee Hilligoss	Zionsville	Indiana	N/G	7-May-20
248	Mr	Anonymous	Zionsville	IN	USA	7-May-20
249	Mrs.	Elizabeth Keefer	Zionsville	Indiana	USA	7-May-20
250	N/G	Callie Rheinheimer	Zionsville	IN	N/G	7-May-20
251	N/G	Michael Rogers	Lebanon IN	USA		7-May-20
252	Mrs	Dani Ter Horst	Zionsville	IN	USA	7-May-20
253	Mrs.	sumi swearingen	Zionsville	IN	USA	7-May-20
254	Mrs.	Jane Goergen	Zionsville	Indiana	USA	7-May-20
255	N/G	Anonymous	Zionsville	Indiana	USA	7-May-20
256	N/G	Kristine Engebretsen	Zionsville	IN	UK	7-May-20
257	N/G	Anonymous	Zionsville	IN	USA	7-May-20
258	Ms.	Candace Buckmaster	Zionsville	Boone	USA	7-May-20
259	Mrs.	Alison Schein	Zionsville	IN	N/G	7-May-20
260	N/G	Paige House	Zionsville	Indiana	USA	7-May-20
261	Ms	Anonymous	Sheridan IN	USA		7-May-20
262	N/G	Anonymous	Zionsville	IN	N/G	8-May-20
263	Ms.	Toni Thompson	Zionsville	Indiana	USA	8-May-20
264	N/G	Anonymous	Zionsville	IN	USA	8-May-20
265	Mrs	Anonymous	Zionsville	Indiana	USA	8-May-20
266	Mr	Anonymous	Zionsville	IN	USA	8-May-20
267	N/G	Anonymous	Zionsville	Indiana	N/G	9-May-20
268	Mrs	Bessie Maltby	Zionsville	IN	N/G	10-May-20
269	Mr	Anonymous	Zionsville	IN	USA	10-May-20
270	Mr	Ryan Wolok	Zionsville	IN	USA	10-May-20
271	N/G	Adam Auvil	Zionsville	IN	N/G	10-May-20
272	Ms	Anonymous	Zionsville	Indiana Boone County	USA	10-May-20
273	N/G	Anonymous	Indianapolis	Indiana	USA	11-May-20
274	N/G	Anonymous	Zionsville	Indiana	USA	11-May-20
275	Mr	George Hofer	Zionsville	Indiana	N/G	11-May-20
276	Mrs.	Anonymous	Zionsville	Indiana	USA	11-May-20
277	N/G	Rich Guard	ZIONSVILLE	IN	USA	11-May-20

278	N/G	Michael Peregrim	Zionsville	IN	N/G	11-May-20
279	N/G	Alice Peregrim	Zionsville	Indiana	USA	11-May-20
280	N/G	Andrew Sepanski	Zionsville	Indiana	N/G	11-May-20
281	Mrs.	Britani Sepanski	ZIONSVILLE	IN	USA	11-May-20

May 14, 2020

Wayne DeLong  
Director of Planning  
C/O Zionsville Town Hall  
1100 W Oak Street  
Zionsville, IN 46077

Re: Proposed Windhaven Residential Development

Dear Wayne,

As a longtime commercial real estate developer, I am incredibly pro-development. I believe that when done responsibly, development plays a vital role in the continued success and growth of a community, and it is important that we make strategic investments when it is the right opportunity. However, I firmly believe the proposed Windhaven Residential Development is the wrong opportunity for our community for various reasons, including:

- **The proposed location** – MI is branding this as a development for active adults. This location directly on Oak Street offers little incentive to active adults. There is no trail connectivity, walkable retail or restaurants near this location. A truly active adult development belongs closer to downtown. In addition, the Comprehensive Plan suggests this development would be superfluous based on the demographics of our community.
- **It lacks vision and clarity** – The proposed documentation from MI is substandard in many respects. For example, it fails to provide adequate detail on how it will effectively provide the 10' landscape buffer and drainage for the development. No documentation was provided to show that MI has option agreements on the necessary land for drainage easements, nor were any landscape elevations and rendering provided.
- **Zionsville needs commercial tax revenue** – As a community, it is time to focus on generating non-residential tax revenue. By continuing to allow single-family residential developments, we are limiting the property tax revenue that can be collected, further burdening our infrastructure, and increasing student population in the schools. Commercial tax revenue can help fill the coffers and increase the amenities the town can provide (trails, bike paths, etc.). I am not advocating for commercial development of these particular land parcels, but the need to diversify our tax base by focusing on commercial development and overwhelming need to ease the burden on our schools leaves me staunchly opposed to any high density, poorly planned single-family residential development.

Received  
5-14-2020  
Town of Zionsville

Wayne DeLong

May 14, 2020

Page 2

I would welcome my letter being read aloud as part of the record at the plan commission hearing on May 18<sup>th</sup> in remonstrance of the development. Should you have any questions, I can be reached at edington.kyle@gmail.com.

Sincerely,

A handwritten signature in cursive script that reads "Kyle A. Edington".

Kyle Edington  
Enclave Resident  
6532 Briarwood Place



**Petition Number:** 2020-10-Z

**Subject Site Address:** 8617 & 8775 West Oak Street

**Petitioner:** MI Home of Indiana, LP

**Representative:** Matthew Skelton (Church Church Hittle & Antrim)

**Request:** Petition for Zone Map change to rezone approximately 24.283 acres from the Rural (R1) Residential Zoning District to the (PUD) Planned Unit Development Zoning District

**Current Zoning:** Rural (R1) Residential Zoning District

**Requested Zoning:** (PUD) Planned Unit Development Zoning District

**Current Land Use:** Residential, Agricultural, & Commercial

**Approximate Acreage:** 24.283 ± acres

**Related Petitions:** 2014-27-Z. Petition for Zone Map Change to rezone 15.33 acres from the Rural (R1) Rural Single-Family Residential Zoning District to a (PUD) Planned Unit Development  
**Result:** Given an Unfavorable Recommendation to the Town Council at the February 17, 2014 meeting date

2015-04-PP Petition for Primary Plat approval for an Assisted Living Facility in the (R1) Rural Single-Family Residential Zoning District (PUD Pending)  
**Result:** Withdrawn by Petitioner

**Exhibits:** Exhibit 1 - Staff Report  
Exhibit 2 - Zoning /Location Map  
Exhibit 3 – Town of Zionsville Comprehensive Plan Map  
Exhibit 4 - Town Engineer Review Comment Letter dated May 7, 2020  
Exhibit 5 – Town of Zionsville Process Flow Chart

**Staff Presenter:** Wayne DeLong, AICP, CPM

## **PROJECT OVERVIEW**

### **Project location**

The subject property is approximately 24.283 acres located south of Oak Street, east of 800 east north of the Enclave Subdivision and west of the Russel Lake Subdivision.

### **Project Description**

The two (2) parcels comprising the subject 24.283-acre properties are currently zoned as (R1) Rural Residential District. The parcels were previously used as a horse stable and for residential purposes. The Petitioner requests to rezone the two (2) parcels to the (PUD) Planned Unit Development to provide for 58 single family residential home sites.

### **Analysis**

On May 7, 2020 the Applicant received the most recent comments on the project from the Town Engineer (see Exhibit 4). The Applicant is in the process of generating a response letter to these comments and submitting additional materials for review.

Per Section 194.023 of the Town of Zionsville Zoning Ordinance-REQUIREMENTS FOR SUBMITTAL OF A TRAFFIC STUDY, the project is below the Zoning Ordinance established threshold of the requirement of a Traffic Study. The Town Engineer will provide a recommendation to the Building Commissioner regarding justifications of requiring a traffic study in conjunction with this filing.

## **REVIEW PROCESS**

### **Rezoning-Zoning Ordinance**

In preparing and considering rezoning proposals under the 600 series of *Indiana Code*, the Plan Commission and the Town Council shall pay reasonable regard to:

- (1) the comprehensive plan;
- (2) current conditions and the character of current structures and uses in each district;
- (3) the most desirable use for which the land in each district is adapted;
- (4) the conservation of property values throughout the jurisdiction; and
- (5) responsible development and growth.

### **Planned Unit Development-General Conditions**

Any real estate may be rezoned Planned Unit Development District in order to accomplish the following:

- a) The characteristics of the specific site development and its land uses proposed for the subject real estate are compatible with the surrounding area if the development were limited to those plans and uses as submitted.

b) Land uses, which would not otherwise be permitted to locate within the existing zoning districts, are proposed for development on a parcel under single or multiple ownership or management.

c) Exceptions or variations from the size, setback, frontage, density, uses, or other development standards which are established for a given land use in the other zoning districts are permitted as a part of the Planned Unit Development.

d) The objectives and goals of smart growth are incorporated through the utilization of such initiatives as conservation developments, integrated mixed-use developments, and performance-based implementation developments.

#### Planned Unit Development-Guidelines for Design

The following design principles are recommended by Section 194.143 of the Zoning Ordinance (note, this list is not inclusive):

a) The proposed development should be designed to produce an environment of stable and desirable character not out of harmony with its surrounding neighborhood and the Town's Comprehensive Plan.

b) Interest and variety should be sought, by means of street design and changes in mixture of building types, heights, facades, setbacks, plantings, or size of open space. The design should be harmonious as a whole and not simply from street-to street.

c) Streets should curve to discourage fast movement of traffic; traffic calming devices should be integrated into street design; group parking areas should be screened, so that the vehicles are substantially hidden from the street.

d) The natural amenities of the land should be preserved through maintenance of conservation areas and open spaces. A minimum of at least twenty (20) percent of the gross area of the site should be retained in open space.

e) Height of buildings in excess of thirty-five (35) feet should be designed and planned to be reasonably consistent with the neighboring property and foster efficient use of existing public services and facilities.

f) Within a primarily residential development, commercial and office uses, if proposed, should be scaled so that they primarily serve the occupants of the development. Commercial and office uses within the development should be at the front of the development and be accessed by an internal collector road.

g) Structures or buildings located at the perimeter of the development should face outwardly and be properly screened in a manner that sufficiently protects the privacy and amenities of the adjacent and neighboring property uses.

### **STAFF RECOMMENDATION**

Based on ongoing collective conversations occurring with interested parties, the Town Engineer, and Staff, a continuance of the petition encompassing the Planned Unit Development Ordinance for Windham residential subdivision, being Docket # 2020-10-Z, is recommended, to the June 2020 Plan Commission meeting.

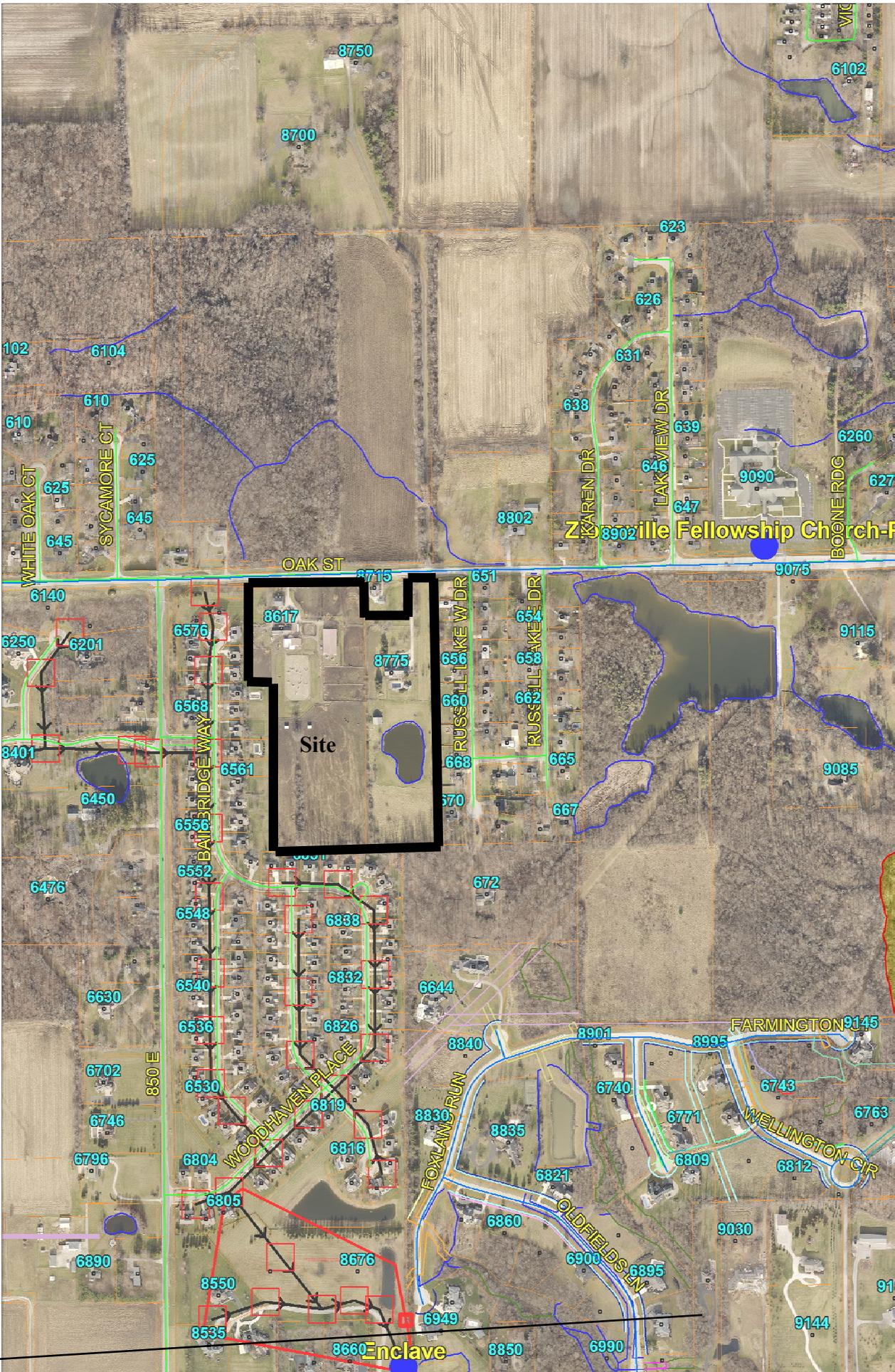
### **RECOMMENDED MOTION**

#### **Motion**

I move that the public hearing associated with Docket #2002-10-Z, Zone Map to rezone approximately 24.283 acres from the Rural (R1) Residential Zoning District to the (PUD) Planned Unit Development Zoning District for Windham residential subdivision, be Continued to the June 15, 2020 meeting of the Plan Commission.

### **PROCEDURAL NOTE**

Upon the conclusion of the Public Hearing and Certification of the Plan Commission's recommendation to the Town Council, the Town Council will then set the matter on its Agenda for future consideration (as outlined in the attached flow chart-see Exhibit 5).



**Regional Roads**  
 Highway:  
 — Yes

**Sewer Pipes**  
 Force Main:  
 —>

**Flood Hazard BC 2013**  
 FLD\_ZONE:  
 A  
 X

Regional Counties  
 Townships  
 Parcels  
 Easements  
 Water

Sewer Manhole  
 Lift Stations  
 Sanitary System+++  
 Boone County Address

Regional County  
 Easements  
 Utility Notes  
 Utility Discrepancy  
 Drainage  
 Sanitary System  
 Sanitary System  
 Sanitary Basins  
 Water  
 Bridges  
 Railroads  
 Roads  
 Highways  
 Boone County Address  
 Urban District

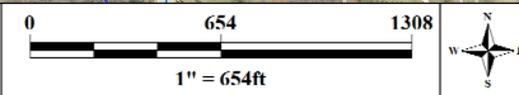
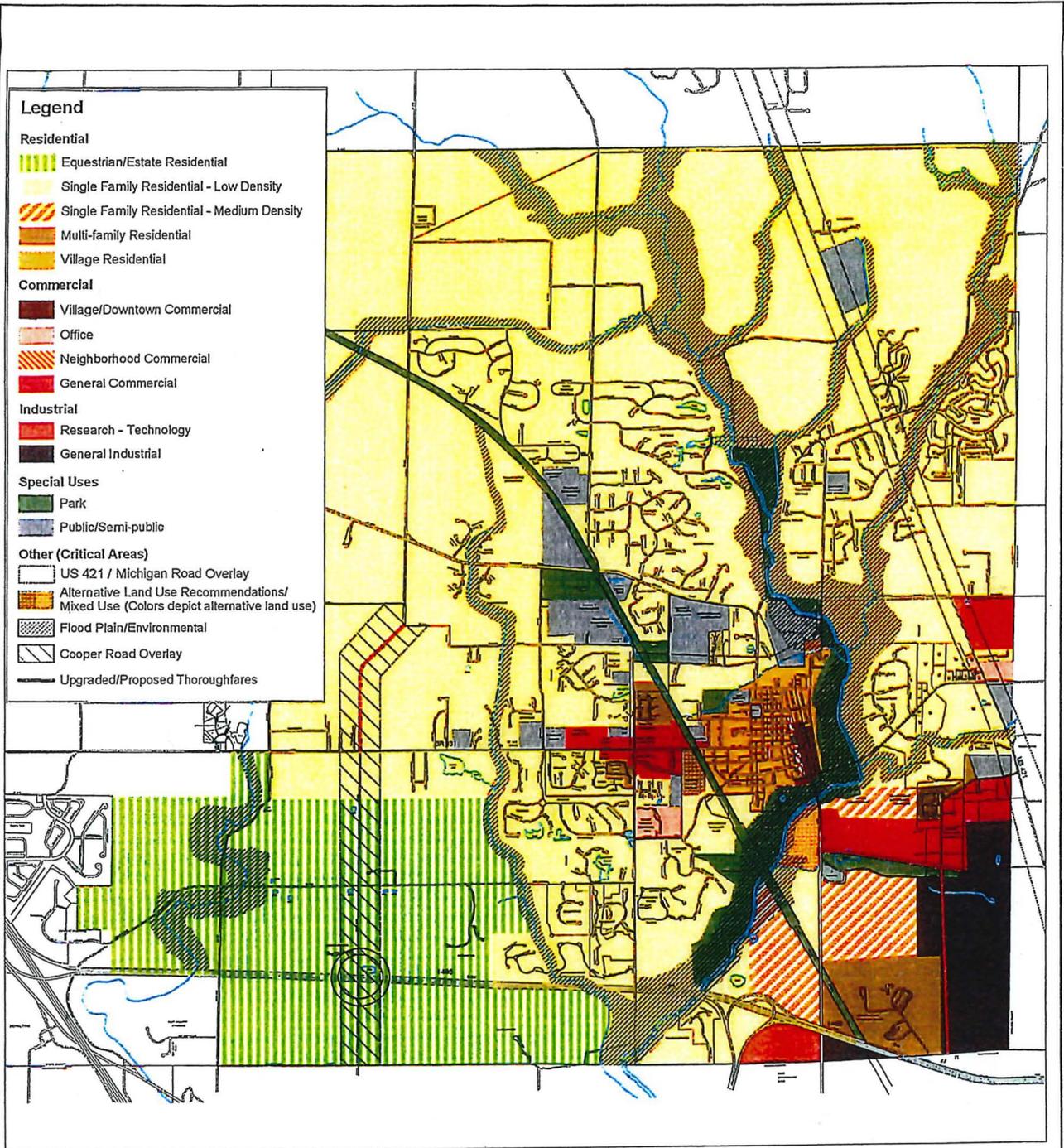
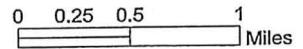


Exhibit 2



Note: See Text for Detailed Description of Land Use Classification



**Zionsville Comprehensive Plan**



**Figure 6.2 Proposed Land Use**

July 2003

Exhibit 3



To: Wayne DeLong, Director of Planning and Economic Development  
 From: Beam, Longest & Neff, LLC., Town Engineer  
 Mark DeBruler, P.E.  
 Date: May 7, 2020

**PROJECT DESCRIPTION**

Project	Name	Windhaven Subdivision PUD Filing	
	Location	8617 & 8775 West Oak Street, Zionsville, IN 46077	
	Developer	M/I Home	
	Submittal	No. 2	
Documents Reviewed	Document Name		Document Receipt Date
	Windhaven PUD ordinance (2020_05_01)		May 4, 2020
	Windhaven MI Homes Presentation (2020_05_01)		May 4, 2020
	Windhaven - Banning responses to TAC comments (2020_05_01)		May 4, 2020
	Windhaven - Responses to TAC comments		May 4, 2020
Zoning	Current	R-1	
	Proposed	PUD	
Land Use	Current	Residential Agricultural	
	Proposed	Single Family Residential	
Requested Variances			

A review was completed for the submittal and the following comments were noted.

Item	R-1 Zoning Requirement/Description	Windhaven District PUD Ordinance	Comments
<b>GENERAL COMMENTS</b>			
Purpose of PUD Ordinances	194.151(B) Land uses, which would not otherwise be permitted to locate within the existing zoning districts, are proposed for development. . . .	None listed	Since the proposed land use is solely residential, which is permitted under the current zoning, it does not appear this proposed ordinance meets the intent of the PUD Ordinance.
Prior Commitments		"all prior commitments and restrictions applicable to the Real Estate shall be null and void and replaced and superseded by the Windhaven Ordinance"	Overly broad. Town does not have authority over "all prior commitments and restrictions".
Governance		Section 1.2 - "Development in the Windhaven District shall be governed <i>entirely</i> by (i) the provisions of this the Windhaven Ordinance and its exhibits, and (ii) those provisions of the Zoning Ordinance specifically referenced in the Windhaven Ordinance" [italics added]	Overly broad. General portions of zoning ordinance, including administration, should not be excluded. Subdivision Control Ordinance and technical standards should also apply.
Duplicate Definitions			Accessory Structure Accessory Use Building Building Height* BZA Development Requirements* Dwelling Open Space Parking Space Plan Commission  * Note that these definitions in the zoning ordinance and the PUD ordinance differ significantly

Item	R-1 Zoning Requirement/Description	Windhaven District PUD Ordinance	Comments
Difficult to Manage Definitions			"Minor Alteration" and "Substantial Alteration" will be difficult to apply.
<b>PERMITTED USES</b>			
Primary use requirements	(i) Single-family Dwelling, (ii) Minor or Major Subdivisions, (iii) Farms, (iv) Stables, (v) Golf Courses	Detached Dwellings	Detached dwellings is undefined in PUD ordinance or zoning ordinance and is subject to interpretation. Recommend using defined term "Single-Family Dwelling, excluding a modular dwelling or a manufactured dwelling" for consistency with zoning ordinance.
Special exception use requirements	Bed & Breakfast	None listed	
Requires Development Plan	Subdivisions, Mobile Home Parks	??	No mention is made of this essential development management tool required of other subdivisions.
<b>DEVELOPMENT STANDARDS - COMPARISON OF R-1 ZONING TO PROPOSED PUD ORDINANCE</b>			
Accessory uses	On same or contiguous lot	Yes, not used for occupancy	Recommend using zoning ordinance definition.
Accessory structures subordinate to primary	Yes, by definition	Yes, by different definition	Recommend using zoning ordinance definition.
Lot area	≥ 5,000 SF w/public water & sewer	>7,500 SF	Meets current zoning requirements.
Access	Street or private drive	Street per conceptual plan	Meets current zoning requirements.
Primary Building Max. Height	35'	35'	Measurement of height varies between zoning ordinance and proposed PUD ordinance.
Min. Main Floor Area	Single Story: 1,200 SF	900 SF	Applicant indicates average homes >1,200 SF.
Max. lot coverage	60%	55%	Meets current zoning requirements.
Min. structure width	18'		All renderings appear to show structures >18'.

Item	R-1 Zoning Requirement/Description	Windhaven District PUD Ordinance	Comments
Lot depth:width ratio	3:1		The proposed development appears to meet this current zoning requirement.
Utility connection required	> 15 lots	Yes	Since subdivision > 15 lots, it meets current zoning requirements.
Front Yard Setback	Greater of 20' from ROW or 70' from road centerline	20'	This standard is a common issue with R-1 and R-2 subdivisions.
Min. rear yard setback	20' for primary structure, 5' for accessory structure	20'	Meets current zoning requirements.
Min. side yard setback	5'	5'	Meets current zoning requirements.
Min. parking spaces/lot	2		All renderings appear to show 2-car garages, so appears to meet current zoning requirements.
Legal drains	Structures > 75' from top of bank		Also county drainage board standard.
Structures in floodway	Structures in floodway meets regulations		Also county drainage board standard.
Bulk storage	> 50' from property line		
Requires Traffic Study	150 or more dwelling units		Would not apply for this small residential subdivision.
<b>DEVELOPMENT STANDARDS - REVIEW OF PROPOSED PUD ORDINANCE WITH R-1 ZONING AND TECHNICAL STANDARDS</b>			
PUD Section 5 - Development Standards		Section 5.4 - Pedestrian amenities and <i>furniture</i> shall be permitted . . . <i>[italics added]</i>	Unknown purpose and interpretation of "furniture".
PUD Section 6 - Landscaping Requirements	No R-1 Residential landscaping standards	Landscape treatment for . . . stormwater areas	Further define as natural floodways or omit.
		6.1A LID features	Coordinate with LID features as approved by Town to minimize maintenance issues with features.
		6.1C Ornamental grasses	Define area of ornamental grasses to replace a

Item	R-1 Zoning Requirement/Description	Windhaven District PUD Ordinance	Comments
			shrub (i.e., cannot be one blade).
		6.1D Existing vegetation	The zoning ordinance already has provisions for credit for existing trees (see 194.109(I)) that applies more specific standards than "is of suitable quality and health".
		6.1E Low maintenance plantings	Recommend limiting to HOA-owned property.
		6.3A Perimeter landscaping easements	Landscaping easements should not overly utility easements.
		6.3B Buffering	Berms and ground-mounted signs should not be located over utility easements. Utility easements should have the right of entry across HOA common property.
		6.5 Storm water retention	Shrubs should not be planted on stormwater retention/detention pond embankments due to root damage to the embankment.
		6.6 Maintenance	The term "Owner" used in this section appears to already be defined as "User" in the definitions.
		6.6 Maintenance	Unrelated to zoning or Town authorities.
PUD Section 7 - Lighting Requirements		Section 7 Lighting requirements	Section just references zoning ordinance.
		7.1B Street light locations	In conflict with Town policy. Street lights are also required at ends of cul-de-sacs and periodically along longer blocks.
PUD Section 8 - Signage Requirements		8.2 Dwelling signs	Addressed in zoning ordinance.

Item	R-1 Zoning Requirement/Description	Windhaven District PUD Ordinance	Comments
		8.3 Temporary signs	Addressed in zoning ordinance.
		8.4	No section. Numbering jumps from 8.3 to 8.5.
		8.5 Incidental signs	Addressed in zoning ordinance.
		8.6 Decorative poles and pole-mounted banners	Recommend banners mounted in a manner to avoid blocking traffic control signage and reducing effectiveness of lighting. Should be subject to prior Town approval.
PUD Section 9 - Parking Requirements		Section 9 Parking requirements	Addressed in zoning ordinance.
PUD Section 10 - Pedestrian Circulation		Section 10 Pedestrian circulation	Unrelated to zoning. Sidewalks and pathways are addressed in the Comprehensive Plan.
		Section 10.5 Secondary plats	Walkways and paths are typically addressed in the Development Plan and are not depicted in Secondary Plats. Certain features of secondary plats may prevent their filing.
PUD Section 11 - Environmental Systems, Drainage, and Streets and Streetscapes		Section 11.1 LID storm-water techniques	Unrelated to zoning. LID systems are addressed in the Town's storm-water standards.
		Section 11.2 Drainage design	Unrelated to zoning. Drainage system design is addressed in the Town's stormwater standards.
		Section 11.2 Drainage design	Proposed drainage design standard may be in conflict with Town's standards and state drainage law.

Item	R-1 Zoning Requirement/Description	Windhaven District PUD Ordinance	Comments
PUD Section 11 – Environmental Systems, Drainage, and Streets and Streetscapes (con't)		Section 11.3 Street dedications	This PUD ordinance proposes variations to street geometries from Town standards, so streets are not proposed to be constructed to the "standards of the Town", creating conflict of intent.
		Section 11.3 Street dedications	This PUD ordinance proposes use of LID features, many of which are typically constructed in streets. Town policy is to not accept maintenance of these LID features, contrary to PUD language.
		Section 11.4 Intersection angles	First intersection in subdivision creates potentially dangerous situation, including northbound t-bone risk and line-of-sight issues. Minor modifications to alignment will resolve and make this section irrelevant. Intersection angles are illegible or not present in Concept Plan.
		Section 11.6 Driveway location	Referenced lot numbers are illegible. Propose alternative standard for these lots instead of entirely eliminating standards.
		Section 11.7 Street radii	See comments for Section 11.4, which is related to reverse curves. Minor modifications to intersection may eliminate the need for this clause. Radii are illegible in Concept Plan.

Item	R-1 Zoning Requirement/Description	Windhaven District PUD Ordinance	Comments
PUD Section 11 – Environmental Systems, Drainage, and Streets and Streetscapes (con't)		Section 11.8 Drainage easement widths	Not a zoning issue.
		Section 11.8 Drainage easement widths	Limit drainage infrastructure in reduced width easements to mutually acceptable types/sizes (i.e., only pipes of a certain size or smaller, or open swales of a max width).
		Section 11.8 Drainage easement widths	Lots 7 through 16 are not legible in the Concept Plan.
PUD Section 12 - Additional Requirements and Standards		Section 12.4 Home occupations	Does not appear to modify zoning ordinance.
		Section 12.4 Home occupations	Apparent broken reference. There is no Article 11.2 Definitions in zoning ordinance.
		Section 12.5 Outdoor storage	Unknown intent or effect. Undefined term in PUD ordinance or zoning ordinance.
		Section 12.6 Temporary uses	Already covered in temporary uses in zoning ordinance.
	Required for >15 lots	Section 12.7 Utilities	Already required per zoning ordinance.
		Section 12.7 Utilities	Greywater reuse and rainwater collection systems should be private. As private systems, this is irrelevant to zoning.
PUD Section 15 - Controlling Developer's Consent		Section 15 Controlling Developer's Consent	This section is irrelevant to zoning. May limit the Town regarding its own constitutional and lawfully required responsibilities.
PUD Section 16 - Violations and Enforcement		Section 16 Violations and Enforcement	Appears to require Town to take action for ALL violations. Term only references existing zoning ordinance. Improper reference to Article 10 of zoning ordinance.



**PUBLIC PROCESS FOR CHANGE OF ZONING REQUESTS (I.C. 36-7-4-600) integrated with Town of Zionsville Plan Commission Rules of Procedure**

**PLAN COMMISSION HEARING PROCESS-FOR CHANGE IN ZONING (filing date is a minimum of 31 days prior to the initial hearing)**

STEP ONE	DAY 1	DAYS 3-5	DAYS 12-14	DAYS 12-20	DAY 31
ACTION	Public Filing	Plan Commission Agenda Posted to Town Website	Legal Notice of Plan Commission Meeting Published in Newspaper	Legal Notice Mailed to Adjoiners	<u>Public Hearing Occurs</u> <i>first public interaction</i>
DETAILS ON ACTION:	Indiana Code requires Plan Commission to hold a hearing within 60 days of the filing	Second opportunity of public to learn of a filing (first is to check with staff after passing of deadline for filing)	Published in a newspaper of general circulation at least 10 days prior to the hearing (regulated by Indiana Code). (Third opportunity for public to be made aware of a rezoning request)	Notices are mailed to interested parties (interested parties are defined by the Plan Commission) (Fourth opportunity for public to be made aware of a rezoning)	Hearing can be continued from time to time and results in a recommendation being forwarded to the Town Council within 10 business days of the final determination (Indiana Code stipulates timing)
INTERESTED PARTIES:	Call on Town Hall to confirm what has been filed	Watch website for updates	Publication occurs on Wednesdays (typically, using Zionsville Sentinel Times)	Mail arrives certified	Hearing(s) occur at Town Hall -Public Hearing (& fifth time public to be made aware of rezoning request) is on a set schedule published yearly



**TOWN COUNCIL MEETING PROCESS-FOR CHANGE IN ZONING**

STEP TWO	DAYS 32-41	DAYS 41-119	DAYS 42-135
ACTION	Matter is Forwarded to Town Council	Town Council Posts Agenda to Town Website	Town Council Holds <u>Public Meeting</u> <i>second public interaction</i>
DETAILS ON ACTION:	Town Council discusses request at an agenda setting meeting (& sixth time public to be made aware of a rezoning request)	Seventh opportunity of public to be made aware of a rezoning request (Note: Town Council, by Indiana Code, has up to 90 days to take action on a change in zoning)	Eighth opportunity of public to be made aware of a rezoning request

**Notes:**

- 1) This listing does not include any reference to Staff review of the filing (though a part of the process).
- 2) Indiana Code does not require the Town Council to hold a meeting (a request not scheduled for a meeting is deemed effective/adopted as recommended by the Plan Commission).
- 3) This shall serve as a guide of the rezoning process as regulated by state law and further described in local ordinance as well as the Plan Commission's Rules of Procedure (the "Laws"). This document is only a guide and is not intended to circumvent or deviate from the Laws associated with rezoning land in Indiana.

**Town of Zionsville**  
Petition for Plan Commission Approval

<b>Office Use Only</b>
Petition No.: <u>2020-10-Z</u>
Hearing Date: _____
Recommendation: _____

**1. SITE INFORMATION:**

Address of Property: 8617 & 8775 West Oak Street, Zionsville, IN 46077  
Existing Use of Property: residential, agricultural  
Proposed Use of Property: single family residential  
Current Zoning: R-1 Requested Zoning: PUD Area in acres: 24.283

**2. PETITIONER/PROPERTY OWNER**

Petitioner:	Owner (If different from Petitioner):
Name: <u>M/I Homes of Indiana, LP, Jonathan Isaacs</u>	Name: <u>Katherine Kruse</u> <u>Lee R. Ford &amp; Michael S. Hamm</u>
Address: <u>8425 Woodfield Crossing Blvd, Indpls</u>	Address: <u>7702 Bayshore Dr Indpls 11595 N Meridian St, Ste 320, Carmel</u>
Phone: <u>317.475.3629</u>	Phone: _____
Fax: _____	Fax: _____
E-Mail: <u>jisaacs@MIHOMES.com</u>	E-Mail: _____

**3. PETITIONER'S ATTORNEY/CONTACT PERSON AND PROJECT ENGINEER (IF ANY):**

<b>Attorney / Contact Person:</b>	<b>Project Engineer / Architect:</b>
Name: <u>Church Church Hittle + Antrim by Matthew Skelton</u>	Name: _____
Address: <u>2 N. 9th St, Noblesville 46060</u>	Address: _____
Phone: <u>317.773.2190</u>	Phone: _____
Fax: <u>317.773.5320</u>	Fax: _____
E-Mail: <u>mskelton@cchalaw.com</u>	E-Mail: _____

**4. DETAILED DESCRIPTION OF REQUEST (Describe reason(s) for request / attach additional pages if necessary):**

Development of Windhaven, a 58-lot single family residential subdivision.  
\_\_\_\_\_  
\_\_\_\_\_

**5. ATTACHMENTS:**

- |   |   |
|---|---|
| <input type="checkbox"/> Legal description of property                          | <input type="checkbox"/> Proof of Ownership (copy of Warranty Deed) |
| <input type="checkbox"/> Owner's Authorization (if petitioner is not the owner) | <input type="checkbox"/> Copies of the Preliminary Site Plan        |
| <input type="checkbox"/> Statement of Commitments (if proposed)                 | <input type="checkbox"/> Draft of Proposed Legal Notice             |
| <input type="checkbox"/> Application Fee  |   |

The undersigned, having been duly sworn on oath states the above information is true and correct as (s) he is informed and believes. Further, the applicant understands that this project may be assigned Engineering review fees, which are payable upon invoicing.

Signature of Owner or Attorney for Owner: [Handwritten Signature]

Date: May 13 - 2020

State of Indiana  
County of Hamilton ) SS:

Subscribed and sworn to before me this, day of May 13<sup>th</sup>, 2020.

Joan E. Guilkey / Joan E. Guilkey  
Notary Public Signature / Notary Public Printed

My commission expires 02/19/2024

My county of residence is Hamilton County.

My Commission No. is 678833



JOAN E. GUILKEY  
MY COMMISSION EXPIRES: 2-19-2024  
MY COMMISSION NUMBER IS: 678833  
MY COUNTY OF RESIDENCE IS: HAMILTON

**PROCEDURES AND REQUIREMENTS:**

1. A complete Zone Map Change Petition must be submitted by 3:00 PM a minimum of 31 days prior to the initial hearing before the Plan Commission.
2. **Only complete** Petitions will be placed on the agenda for the next Plan Commission meeting. If a Petition is incomplete 31 days prior to the next Plan Commission meeting, the Petition will not be placed on an agenda until the Petitioner submits a complete Petition.
3. **Fifteen sets** of the following information must be submitted, with the notarized Petition, for internal staff review:
  - Legal description of property (Metes and bounds description must include a perimeter survey, drawn to scale – or – recorded subdivision legal description must include lot number, section number, subdivision name, either the plat book number of the recorded instrument number and a copy of the plat map.)
  - Proof of Ownership (copy of deed)
  - Owner's Authorization (if Petitioner is not the owner)
  - Site Plan (if applicable)
  - Statement of Commitments (if proposed)
  - Draft of Proposed Legal Notice
  - Application Fee: \$ \_\_\_\_\_ (Checks should be payable to *Town of Zionsville*)

**PUBLIC HEARING NOTIFICATION:**

Notice of Public Hearing for Zone Map Change is to be completed as set forth in the Zoning Ordinance and Rules of Procedure for the Plan Commission. The procedures relating to notification of public hearings that are contained in this Packet are provided for convenience purposes only.

1. Approval of Notice: The Petitioner shall submit a proposed Notice of Public Hearing with its petition for review and approval by the Secretary of the Plan Commission.

**OWNER'S AUTHORIZATION**

The undersigned, Katherine M. Kruse, being the owner of the property commonly known as 8617 W Oak Street, hereby authorize(s) MI Homes of Indiana, L.P. to file a Petition for (zone map change / variance / special exception / subdivision plat approval / other ) for the aforementioned property.

\_\_\_\_\_  
(Company name)

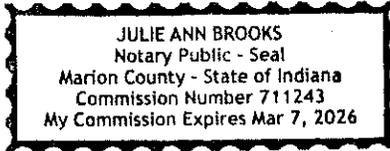
Katherine M. Kruse  
(Owner signature)

By: \_\_\_\_\_  
(Authorized signature)

- or - KATHERINE M. KRUSE  
(print owner name)

\_\_\_\_\_  
(Printed name)

\_\_\_\_\_  
(Title)



State of Indiana  
County of Marion SS:

Subscribed and sworn to before me this February 15 day of 2020.

Julie Ann Brooks Notary Public Signature  
Julie Ann Brooks Notary Public Printed

My commission expires 3-7-2026

My county of residence is Marion County.

My Commission No. is 711243

OWNER'S AUTHORIZATION

The undersigned, Lee R. Ford and Michael S Hamm, Co- Trustees, being the owner of the property commonly known as 8775 W Oak Street, hereby authorize(s) MI Homes of Indiana, L.P. to file a Petition for (zone map change / variance / special exception / subdivision plat approval / other ) for the aforementioned property.

OF PAUL A HAMM REVOCABLE TRUST

PAUL A HAMM REVOCABLE TRUST

(Company name)

By: [Signature]  
(Authorized signature)

LEE R FORD  
(Printed name)

CO- TRUSTEE  
(Title)

[Signature]

(Owner signature)

MICHAEL S. HAMM  
(print owner name)

- or -

CO-TRUSTEE  
TITLE

State of Indiana

County of Hamilton ) SS:

Subscribed and sworn to before me this January 28, 2020 day of

[Signature] Busan M Howard  
Notary Public Signature Notary Public Printed

My commission expires 12/5/2020

My county of residence is Hamilton County.

My Commission No. is 640325



**SMALL ESTATE AFFIDAVIT FOR THE TRANSFER OF REAL ESTATE**

That Affiant, Lee R. Ford, being first duly sworn upon his oath, deposes and states as follows:

1. That Paul A. Hamm is the record title owner of the following described real estate located in Boone County, Indiana:

See Legal Description as Exhibit A;

Said real estate is more commonly known as 8775 East State Road 334, Zionsville, IN 46077.

2. That Paul A. Hamm departed this life on December 22, 2013.

3. That the Last Will and Testament of Paul A. Hamm was probated in the Boone County Superior Court I as Cause No. 06D01-1809-EM-109.

4. That pursuant to I.C. § 29-1-7-23 and the Last Will and Testament of Paul A. Hamm, the above described real estate vested in Lee R. Ford and Michael S. Hamm, as the Trustees of the Restated Paul A. Hamm Revocable Living Trust, dated August 14, 2013 upon the death of Paul A. Hamm.

5. That it appears that the decedent's gross estate, less liens and encumbrances, does not exceed the sum of the following: Fifty Thousand Dollars (\$50,000), less the costs and expenses of administration, and reasonable funeral expenses.

6. That there was no inheritance or estate tax due as a result of the death of Paul A. Hamm.

7. That more than forty-five (45) days have elapsed since the date of decedent's death.

8. That no application or petition for the appointment of a personal representative is pending or has been granted in any jurisdiction.

9. That there is no other person or party entitled to receive notification of the presentation of this affidavit.

10. That pursuant to I.C. 29-1-8-3(b), this Affidavit is presented to show the death of Paul A. Hamm and to transfer fee simple record title of the above described real estate from Paul A. Hamm to:

Lee R. Ford and Michael S. Hamm, Co-Trustees of the  
Restated Paul A. Hamm Revocable Living Trust, dated August 14, 20  
11595 N. Meridian Street, Suite 320  
Carmel, IN 46032

DULY ENTERED  
SUBJECT TO FINAL ACCEPTANCE

**AUDITOR**

BOONE COUNTY, INDIANA

*Heather R. Myers*

HEATHER R. MYERS

Sep 18 2018 - MM

Further, Affiant sayeth naught.

*Lee R Ford*

Lee R. Ford

STATE OF INDIANA )  
 )SS:  
Hamilton COUNTY )

Before me, a Notary Public in and for said County and State personally appeared Lee R. Ford, who acknowledged the execution of the foregoing, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 27th day of August, 2018.



*Susan M. Howard*  
Notary Public - Signature

Susan M. Howard  
Notary Public - Printed Name  
Resident of Hamilton County

My Commission Expires:  
December 5, 2020

Commission # 640325

Send Tax Bills To: 11595 N. Meridian Street, Suite 320  
Carmel, IN 46032

Grantee's Mailing Address: 11595 N. Meridian Street, Suite 320  
Carmel, IN 46032

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, Amy Comer Elliott.

This instrument was prepared by Amy Comer Elliott, Comer Law Office, LLC, 71 West Marion Street, Danville, Indiana 46122.

## Exhibit A

The following described real estate in Boone County, in the State of Indiana:

## TRACT 1

A part of the southwest quarter of the northeast quarter of section 4, township 17 north, range 2 east in Boone County, Indiana, more particularly described as follows: beginning at a point on the north line of the aforesaid quarter quarter section, said point being 129.81 feet west of the northeast corner of the aforesaid quarter quarter section: Continue thence along the said north line of an assumed bearing of south 90 degrees 00 minutes 00 seconds west 209.00 feet; thence south 00 degrees 00 minutes 00 seconds east 209.00 feet; thence north 90 degrees 00 minutes 00 seconds east, parallel to the north line of the aforesaid quarter quarter section 209.00 feet; thence north 00 degrees 00 minutes 00 seconds west 209.00 feet to the place of beginning.

## TRACT II

A part of the southwest quarter of the northeast quarter of section 4, township 17 north, range 2 east in Boone County, Indiana, more particularly described as follows: beginning at the northeast corner of said quarter quarter section; thence south 90 degrees 00 minutes 00 seconds west (assumed bearing) along the north line of said quarter-quarter section 129.81 feet: thence south 00 degrees 00 minutes 00 seconds east 209.00 feet; thence south 90 degrees 00 minutes 00 seconds west 209.00 feet; thence south 00 degrees 00 minutes 00 seconds east 1,100.12 feet; thence north 90 degrees 00 minutes 00 seconds east 328.67 feet to an existing fence on the east line of said quarter-quarter section; thence north 0 degrees 31 minutes 53 seconds east 1,309.18 feet along said existing fence and east line to the point of beginning, subject to right of ways and easements of record.

Being the same property conveyed by deed recorded in volume 227, page 276 of the Boone County, Indiana records.

②  
18.00  
+ 2.00 Nam  
TFA Natl.  
RETURN TO:

200900004867  
Filed for Record in  
BOONE COUNTY, INDIANA  
MARY ALICE "SAM" BALDWIN, RECORDER  
05-08-2009 At 03:06 PM.  
DEED 20.00

1393684  
**TITLE FIRST NATIONAL**  
2944 Fuller Avenue  
Grand Rapids, MI 49505

**WARRANTY DEED**  
Parcel No. 003-12370-00

THIS INDENTURE WITNESSETH, That A & Z Farms, LLC, an Indiana limited liability company ("Grantor"), CONVEYS AND WARRANTS to Katharine M. Kruse ("Grantee"), for the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the following described real estate located in Boone County, Eagle Township, state of Indiana:

A part of the Northeast Quarter of Section 4, Township 17 North, Range 2 East, in Eagle Township, Boone County, Indiana, described as follows:

Commencing at the Southwest corner of said Quarter Section; thence North 89 degrees 09 minutes 37 seconds East (assumed bearing) along the South line of said Quarter Section 542.44 feet to a 5/8 inch rebar with red cap at the POINT OF BEGINNING; thence North 0 degrees 07 minutes 03 seconds East 808.49 feet to a 5/8 inch rebar with red cap; thence South 89 degrees 09 minutes 37 seconds West 116.85 feet to a 5/8 inch rebar with a red cap; thence North 0 degrees 07 minutes 03 seconds East 516.99 feet to a PK nail on the North line of the Southwest Quarter of said Northeast Quarter Section; thence North 89 degrees 28 minutes 48 seconds East along said North line 564.71 feet to a PK nail at the Northwest corner of the real estate described in Deed Record 227, page 276 in the Office of the Recorder of Boone County, Indiana; thence South 0 degrees 35 minutes 45 seconds East 1309.73 feet measured (1309.12 feet record) to a 1/2 inch rebar found at the Southwest corner of said real estate, thence North 87 degrees 25 minutes 10 seconds East 326.50 feet measured (326.67 feet record) to a 1/2 inch rebar found at the Southeast corner of said real estate said rebar also being on the accepted East line of the Southwest Quarter of said Northeast Quarter Section; thence South 0 degrees 24 minutes 27 seconds East 10.95 feet to a 3/4 inch iron pipe found at the accepted Southeast Corner of the Southwest Quarter of said Northeast Quarter Section; thence South 89 degrees 09 minutes 37 seconds West along the South line of said Northeast Quarter Section 790.84 feet to the point of beginning.

The address of such real estate is commonly known as 8615-17 East State Road 334, Zionsville, Indiana 46077.

The undersigned person executing this deed on behalf of Grantor represents and certifies that she has been fully empowered, by proper action of the governing body of Grantor, to execute and deliver this deed; that Grantor has full capacity to convey the real estate described herein; and that all necessary action for the making of such conveyance has been taken and done.

Grantor has been administratively dissolved and is no longer duly organized and in good standing under the laws of the state of Indiana. This Warranty Deed is being executed by Grantor for the purpose of winding up and liquidating its business and affairs, pursuant to the provisions of IC 23-18-10-3.

DULY ENTERED FOR TAXATION  
5-08-09  
*Melody Price*  
SUBJECT TO FINAL ACCEPTANCE  
AUDITOR, BOONE COUNTY

IN WITNESS WHEREOF, Grantor has executed this deed this 1 day of May, 2009.

GRANTOR: A & Z Farms, LLC

By: x Katharine M. Kruse

Printed: Katharine M. Kruse

Title: Sole Member

STATE OF INDIANA )  
                                  )  
COUNTY OF Marion )

SS: ACKNOWLEDGMENT

Before me, a Notary Public in and for said County and State, personally appeared Katharine M. Kruse, who acknowledged the execution of the foregoing Warranty Deed for and on behalf of Grantor, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 1 day of May, 2009.

My Commission Expires:

2-6-2013



Notary Public

Stacey A. Miller

Printed Stacey A. Miller

County of Residence:

Hamilton

This instrument was prepared by Jon F. Spadorcia, Attorney at Law, Hall, Render, Killian, Heath & Lyman, P.C., One American Square, Suite 2000, Box 82064, Indianapolis, IN 46282.

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. Jon F. Spadorcia

Send tax bills to: 7443 N. Washington Blvd. Indianapolis, IN 46240

815675



## **LEGAL DESCRIPTIONS**

### **HAMM PARCEL (Per Commitment) Approximately 8.98 AC**

A Part of the Southwest Quarter of the Northeast Quarter of Section 4, Township 17 North, Range 2 East in Boone County, Indiana, more particularly described as follows:

Beginning at the northeast corner of said quarter quarter section; thence South 90 degrees 00 minutes 00 seconds west (assumed bearing) along the north line of said quarter-quarter section 129.81 feet; thence South 00 degrees 00 minutes 00 seconds east 209.00 feet; thence South 90 degrees 00 minutes 00 seconds west 209.00 feet; thence South 00 degrees 00 minutes 00 seconds east 328.67 feet to an existing fence on the east line of said quarter-quarter section; thence North 0 degrees 31 minutes 53 seconds east 1,309.18 feet along the existing fence and east line to the Point of Beginning.

### **KRUSE PARCEL (Per Commitment): Approximately 15.303 AC**

A part of the Northeast Quarter of Section 4, Township 17 North, Range 2 East, in Eagle Township, Boone County, Indiana, described as follows:

Commencing at the Southwest corner of said Quarter Section; thence North 89 degrees 09 minutes 37 seconds East (assumed bearing) along the South line of said Quarter Section 542.44 feet to a 5/8 inch rebar with red cap at the POINT OF BEGINNING; thence North 0 degrees 07 minutes 03 seconds East 808.49 feet to a 5/8 inch rebar with a red cap; thence South 89 degrees 09 minutes 37 seconds West 116.85 feet to a 5/8 inch rebar with red cap; thence North 0 degrees 07 minutes 03 seconds East 516.99 feet to a PK nail on the North line of the Southwest Quarter of said Northeast Quarter Section; thence north 89 degrees 28 minutes 48 seconds East along said North line 564.71 feet to a PK nail on the Northwest corner of the real estate described in Deed Record 227, page 276 in the Office of the Recorder of Boone County, Indiana; thence South 0 degrees 35 minutes 45 seconds East 1309.73 feet measured (1309.12 feet record) to a 1/2 inch rebar found at the Southwest corner of said real estate, thence North 87 degrees 25 minutes 10 seconds East 326.50 feet measured (326.67 feet record) to a 1/2 inch rebar found at the Southeast corner of said real estate said rebar also being on the accepted East line of the Southwest Quarter of said Northeast Quarter Section; thence South 0 degrees 24 minutes 27 seconds East 10.95 feet to a 3/4 inch iron pipe found at the accepted Southeast Corner of the Southwest Quarter of said Northeast Quarter Section; thence South 89 degrees 09 minutes 37 seconds West along the South line of said Northeast Quarter Section 790.84 feet to the point of beginning.

Attribute report for active ID 1

ID name	add1	add3
38584 GLOBER NANCY K	672 W RUSSELL LAKE DR	ZIONSVILLE, IN 46077
38676 PRYZBYLSKI DAVID J & RACHEL	6847 WOODHAVEN PL	ZIONSVILLE, IN 46077
38677 PEREGRIM MICHAEL & ALICE	6845 WOODHAVEN PL	ZIONSVILLE, IN 46077
38678 HACKETT STEPHEN J & CARRIE A H	6849 WOODHAVEN PL	ZIONSVILLE, IN 46077
38679 WILEY MICHAEL ROBERT & DANA E	6851 WOODHAVEN PLACE	ZIONSVILLE, IN 46077
38680 THOMAS JEFFREY & NANCY	6853 WOODHAVEN PL	ZIONSVILLE, IN 46077
38681 GOODCHILD PHILLIP E & DEBORAH	6553 BAINBRIDGE WAY	ZIONSVILLE, IN 46077
38682 GREGOLINE JOSEPH C & JENNIFER	6855 WOODHAVEN PL	ZIONSVILLE, IN 46077
38726 KRUSE KATHERINE M	7702 BAYSHORE DR	ZIONSVILLE, IN 46077
38727 WOODHAMS MICHAEL D & STEPHANIE	6555 BAINBRIDGE WAY	INDIANAPOLIS, IN 46240
38728 FORD LEE R & MICHAEL S HAMM CO	11595 N MERIDIAN ST STE 320	ZIONSVILLE, IN 46077
38734 GLOBER NANCY K	672 W RUSSELL LAKE DR	CARMEL, IN 46032
38743 CALLAHAN PATRICK L	670 RUSSELL LAKE W DR	ZIONSVILLE, IN 46077
38744 STAPP JOHN W IV & LORI J	6557 BAINBRIDGE WAY	ZIONSVILLE, IN 46077
38781 KEITH RYAN & JAIME B	6559 BAINBRIDGE WAY	ZIONSVILLE, IN 46077
38807 TUCKER ANGELA M	668 RUSSELL LAKE WEST DR	ZIONSVILLE, IN 46077
38810 SWEARINGEN ANDREW J	6561 BAINBRIDGE WAY	ZIONSVILLE, IN 46077
38839 STARNES DOUGLAS J III & JENNIF	6563 BAINBRIDGE WAY	ZIONSVILLE, IN 46077
38846 ALEXANDER DEBRA L	664 RUSSELL LAKE W DR	ZIONSVILLE, IN 46077
38862 HILL JASON & MARY A	6565 BAINBRIDGE WAY	ZIONSVILLE, IN 46077
38878 MANEMANN SCOTT	662 RUSSELL LAKE W DR	ZIONSVILLE, IN 46077
38879 RUSSELL ANDREW A & MICHELLE L	6567 BANINBRIDGE CR	ZIONSVILLE, IN 46077
38902 PARMER NATHAN M & MARISA W	660 RUSSELL LAKE W DR	ZIONSVILLE, IN 46077
38905 WAHL ROBERT A & MELINDA S	3430 W 46TH ST	ZIONSVILLE, IN 46077
38931 MUNZ MATTHEW & RHONDA A	6571 BAINBRIDGE CIRCLE	INDIANAPOLIS, IN 46228
38932 ANTCLIFF CHAD A	658 RUSSELL LAKE W DR	ZIONSVILLE, IN 46077
38962 BROWN JANE A	656 W RUSSELL LAKE DR	ZIONSVILLE, IN 46077
38967 SCHUTTE WENDY	6573 BAINBRIDGE CIR	ZIONSVILLE, IN 46077
38993 MINNICH JOHN B & KIMBERLY A	6575 BAINBRIDGE CR	ZIONSVILLE, IN 46077
38994 EMMONS MARY C	654 RUSSELL LAKE W DR	ZIONSVILLE, IN 46077
39009 JONES JENNIFER H	6577 BAINBRIDGE CIRCLE	ZIONSVILLE, IN 46077
39012 EMMONS MARY C	654 RUSSELL LAKE W DR	ZIONSVILLE, IN 46077
39027 PHILLIPS BRIAN J	6579 BAINBRIDGE CR	ZIONSVILLE, IN 46077
42801 CROWELL MICHAEL A	652 RUSSELL LAKE W DR	ZIONSVILLE, IN 46077
42803 CROWELL MICHAEL A	652 W RUSSELL LAKE DR	ZIONSVILLE, IN 46077
42815 EAGLE STANDARD LLC	PO BOX 5031	INDIANAPOLIS, IN 46255
42950 MARGIOTTA VINCENT D	8715 WEST OAK STREET	ZIONSVILLE, IN 46077
42961 EAGLE STANDARD LLC	PO BOX 5031	INDIANAPOLIS, IN 46255

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<b>Total Postage and Fees</b>	<b>\$</b>	<b>6.67</b>



**Sent to:** Scott Manemann  
662 Russell Lake W Dr  
Zionsville, IN 46077

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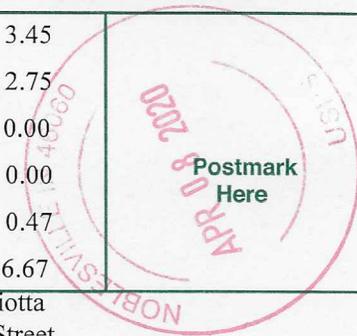
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Zionsville, IN 46077

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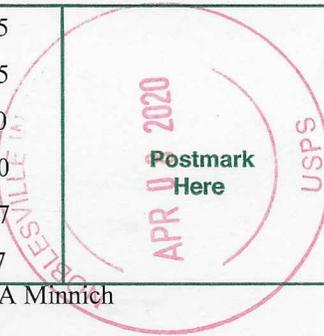
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Zionsville, IN 46077

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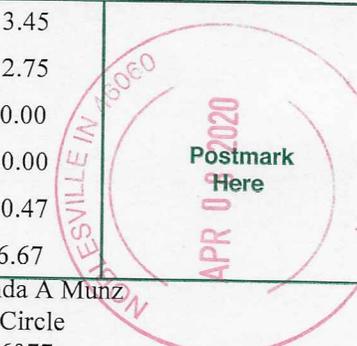
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Zionsville, IN 46077

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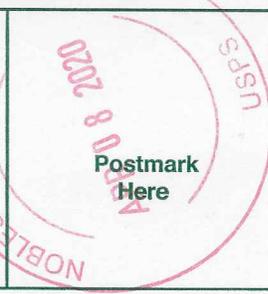
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Zionsville, IN 46077

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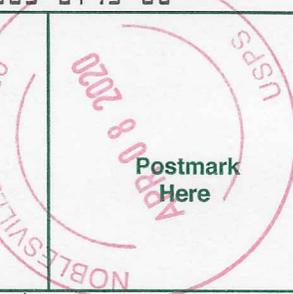
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6845 Woodhaven Pl  
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6579 Bainbridge Cr  
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Zionsville, IN 46077

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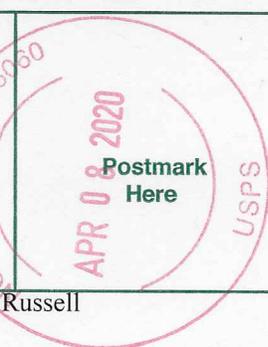
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**Sent to:** Andrew A & Michelle L Russell  
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Zionsville, IN 46077

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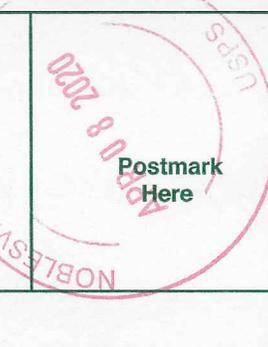
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**Sent to:** Wendy Schutte  
6573 Bainbridge Cir  
Zionsville, IN 46077

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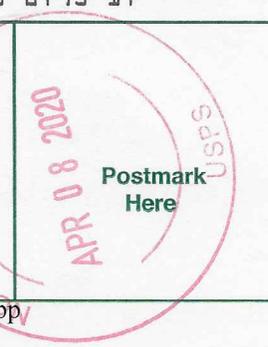
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**Sent to:** John W, IV & Lori J Stapp  
6557 Bainbridge Way  
Zionsville, IN 46077

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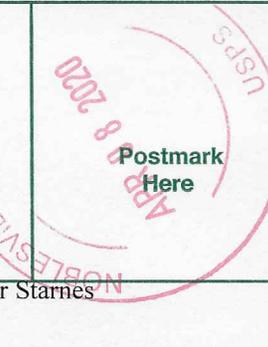
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**Sent to:** Douglas J III & Jennifer Starnes  
6563 Bainbridge Way  
Zionsville, IN 46077

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**Sent to:** Andrew J Swearingen  
6561 Bainbridge Way  
Zionsville, IN 46077

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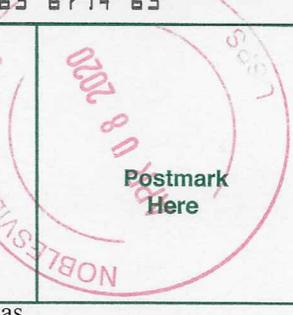
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**Sent to:** Jeffrey & Nancy Thomas  
6853 Woodhaven Pl  
Zionsville, IN 46077

Reference Information

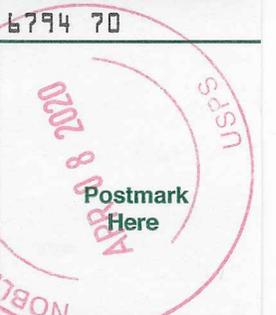
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Return Receipt (Electronic)	\$	0.00
Certified Mail Restricted Delivery	\$	0.00
Postage	\$	0.47
Total Postage and Fees	\$	6.67



**Sent to:** Angela M Tucker  
668 Russell Lake West Dr  
Zionsville, IN 46077

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Total Postage and Fees	\$	6.67



**Sent to:** Robert A & Melinda S Wahl  
3430 W 46th St  
Indianapolis, IN 46228

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Total Postage and Fees	\$	6.67



**Sent to:** Michael Robert & Dana E Wiley  
6851 Woodhaven Pl  
Zionsville, IN 46077

Reference Information

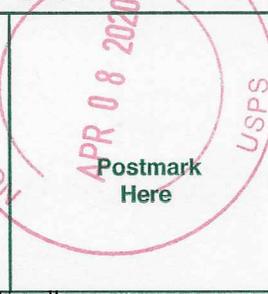
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Return Receipt (Electronic)	\$	0.00
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Postage	\$	0.47
Total Postage and Fees	\$	6.67



**Sent to:** Michael D & Stephanie Woodhams  
6555 Bainbridge Way  
Zionsville, IN 46077

Reference Information

aw  
Windhaven

**AFFIDAVIT OF PUBLICATION**

**STATE OF INDIANA**  
**County of Boone**

**City of Zionsville**

**ISSUED:**

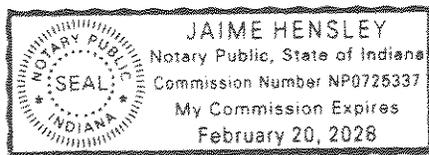
The subscriber, being duly sworn, deposes and says that  
he (she) is the said Rita Northern of ZIONSVILLE TIMES SENTINEL  
and that the foregoing notice for  
**NOTICE OF PUBLIC HEARING**  
was published in said newspaper in one editions  
of said newspaper issued between 04/08/2020 and 04/08/2020  
Cost: 55.20

*Rita Northern*  
\_\_\_\_\_

SUBSCRIBED AND SWORN BEFORE ME THIS 8th day of April, A.D. 2020

*Jaime Hensley*  
\_\_\_\_\_

Notary Public Seal, State of Indiana



**NOTICE OF PUBLIC HEARING  
BY THE TOWN OF ZIONSVILLE  
PLAN COMMISSION**

Notice is hereby given of a Public Hearing to be held by the Town of Zionsville Plan Commission On, Monday, April 20, 2020 at 7:00 p.m. In the Zionsville Town Hall, 1100 West Oak Street Zionsville, Indiana 46077 to consider the following

**Petition:**  
2020-10-Z, M/I Homes of Indiana, LP, Jonathan Issacs requests a Zone Map Change to **REZONE 24.283 acres from the Rural R-1 Residential District to the PUD Planned Unit Development District** to allow for:

**Petition for Zone Map change to rezone approximately 24.283 acres from the Rural (R1) Residential Zoning District to the (PUD) Planned Unit Development Zoning District.**

The property involved more commonly known as: 8617 & 8775 West Oak Street, Zionsville, IN 46077, and is legally described as:

**HAMM PARCEL (Per Commitment) Approximately 8.98 AC**

A Part of the Southwest Quarter of the Northeast Quarter of Section 4, Township 17 North, Range 2 East in Boone County, Indiana more particularly described as follows:

Beginning at the northeast corner of said quarter quarter section; thence South 90 degrees 00 minutes 00 seconds west (assumed bearing) along the north line of said quarter-quarter section 129.81 feet; thence South 00 degrees 00 minutes 00 seconds east 209.00 feet; thence South 90 degrees 00 minutes 00 seconds west 209.00 feet; thence South 00 degrees 00 minutes 00 seconds east 328.67 feet to an existing fence on the east line of said quarter-quarter section; thence North 0 degrees 31 minutes 53 seconds east 1,309.18 feet along the existing fence and east line to the Point of Beginning.

**KRUSE PARCEL (Per Commitment): Approximately 15.303 AC**

A part of the Northeast Quarter of Section 4, Township 17 North, Range 2 East, in Eagle Township Boone County, Indiana, described as follows:

Commencing at the Southwest corner of said Quarter Section; thence North 89 degrees 09 minutes 37 seconds East (assumed bearing) along the South line of said Quarter Section 542.44 feet to a 5/8 inch rebar with red cap at the POINT OF BEGINNING; thence North 0 degrees 07 minutes 03 seconds East 808.49 feet to a 5/8 inch rebar with a red cap; thence South 89 degrees 09 minutes 37 seconds West 116.85 feet to a 5/8 inch rebar with a red cap; thence North 0

degrees 07 minutes 03 seconds East 516.99 feet to a PK nail on the North line of the Southwest Quarter of said Northeast Quarter Section; thence north 89 degrees 28 minutes 48 seconds East along said North line 564.71 feet to a PK nail on the Northwest corner of the real estate described in Deed Record 227, page 276 in the office of the Recorder of Boone County, Indiana; thence South 0 degrees 35 minutes 45 seconds East 1309.73 feet measured (1309.12 feet record) to a 1/2 inch rebar found at the Southwest corner of said real estate, thence North 87 degrees 25 minutes 10 seconds East 326.50 feet measured (326.67 feet record) to a 1/2 inch rebar found at the Southeast corner of said real estate said rebar also being on the accepted East line of the Southwest Quarter of said Northeast Quarter Section; thence South 0 degrees 24 minutes 27 seconds East 10.95 feet to a 3/4 inch iron pipe found at the accepted Southeast Corner of the Southwest Quarter of said Northeast Quarter Section; thence South 89 degrees 09 minutes 37 seconds West along the South line of said Northeast Quarter Section 790.84 feet to the point of beginning.

A copy of the Petition for Zone Map Change, and all plans pertaining thereto are on file and may be examined prior to the Public Hearing at Zionsville Town Hall, 1100 West Oak Street, Zionsville, Indiana 46077, or at: <http://www.zionsville-in.gov/231/Planning-Economic-Development>. Written comments in support of or in opposition to the Petition for Plan Commission Approval are filed with the Secretary of the Town of Zionsville Plan Commission prior to the Public Hearing will be considered. The Public Hearing is open to the public. Oral comments to the Petition for Plan Commission Approval will be heard at the Public Hearing.

The Public Hearing may be continued from time to time as may be found necessary.

Members of the public shall have the right to attend plan Commission Public Meetings via a form(s) of electronic communication as indicated in the Agenda associated with the Plan Commission Meeting. Further, upon request, the Town of Zionsville will provide auxiliary aids and services. Please provide advance notification to Wayne DeLong, at [wdelong@zionsville-in.gov](mailto:wdelong@zionsville-in.gov) or 317-873-5108, to ensure the proper accommodations are made prior to the meeting.

David Franz  
President  
Wayne DeLong  
Secretary  
Z-68 4/8 hspaxlp 1634541

# WINDHAVEN PLANNED UNIT DEVELOPMENT



Zionsville Plan Commission  
April 20, 2020

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## WINDHAVEN



### Petitioner:

M/I Homes of Indiana, LP  
Jonathan Isaacs  
8500 Keystone Crossing, Suite 590  
Indianapolis, IN 46240

### Law Firm:

Church, Church, Hittle & Antrim  
Matthew Skelton, Attorney  
Andrew Wert, Land Use Professional  
2 North 9th Street  
Noblesville, IN 46060

### Engineer:

Banning Engineering  
Jason Coyle  
853 Columbia Road, Suite 101  
Plainfield, IN 46168

- Tab 1 Executive Summary**
- Tab 2 Aerial Location Exhibit**
- Tab 3 Subdivision Exhibit**
- Tab 4 Current Zoning Map**
- Tab 5 Concept Plan**
- Tab 6 Landscape Plan**
- Tab 7 Home Elevations**
- Tab 8 Typical House Layout**
- Tab 9 Architectural Standards**

# **TAB 1**

# EXECUTIVE SUMMARY

## WINDHAVEN



**T**he applicant, M/I Homes of Indiana, LP, is proposing to develop a single-family residential subdivision to be called “Windhaven” on 24 acres on the south side of Oak Street, just east of County Road 850. To the north is an agricultural field. East is Russell Lake subdivision. The Enclave subdivision is located to the south and west.

The subject property is currently comprised of two tax parcels and two property owners. The proposal is to construct 58 single family homes. M/I Homes has filed to rezone the property from its current R-1 Rural Single-Family Residential district to a PUD Planned Unit Development district. The planned sanitary sewer extension along West Oak Street by the Town of Zionsville is enabling the opportunity for the development to be possible.

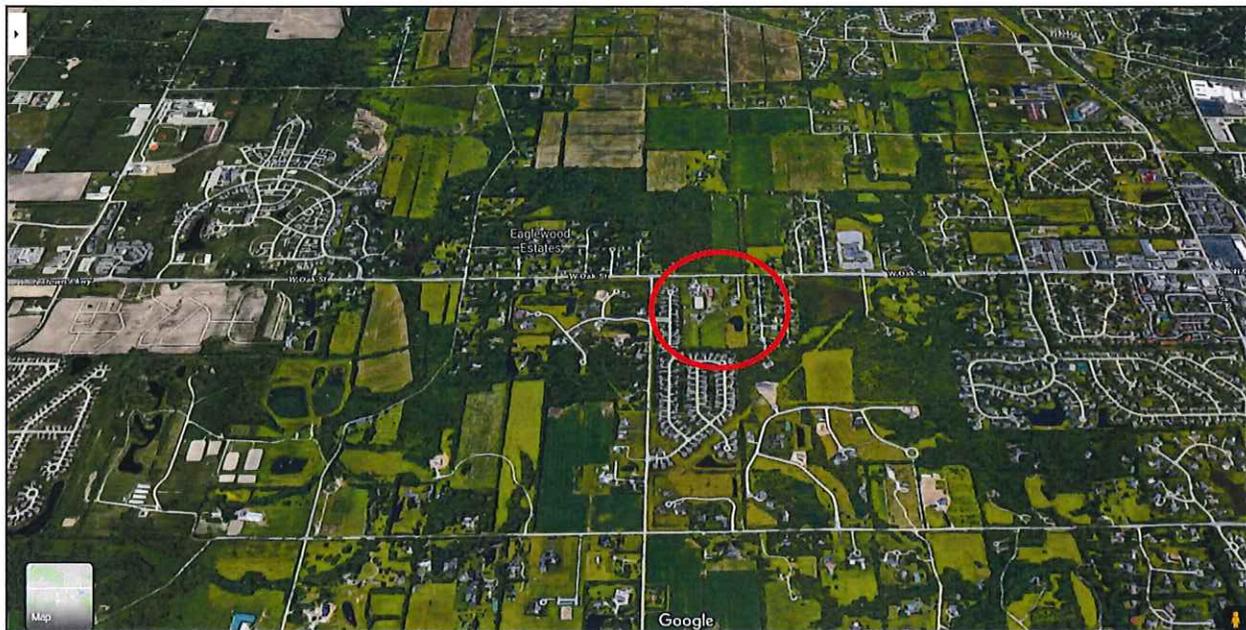
The Planned Unit Development zoning proposal is preferred for its flexibility, and capacity to optimize appearance, compatibility with adjacent neighborhoods, and efficient application of public infrastructure. It also provides the Town of Zionsville ultimate authority, through the public hearing process, should any change to the development occur in the future.

The subdivision will feature one entrance from West Oak Street, with a secondary access provided for emergency vehicles only from Oak Street. Proposed homes are targeted to the active adult market and feature single story living with optional second story lofts. The “Summit Series” of homes are a luxury single family ranch style of home which are currently being built in Legacy At Hunter’s Run in Fishers.

# **TAB 2**

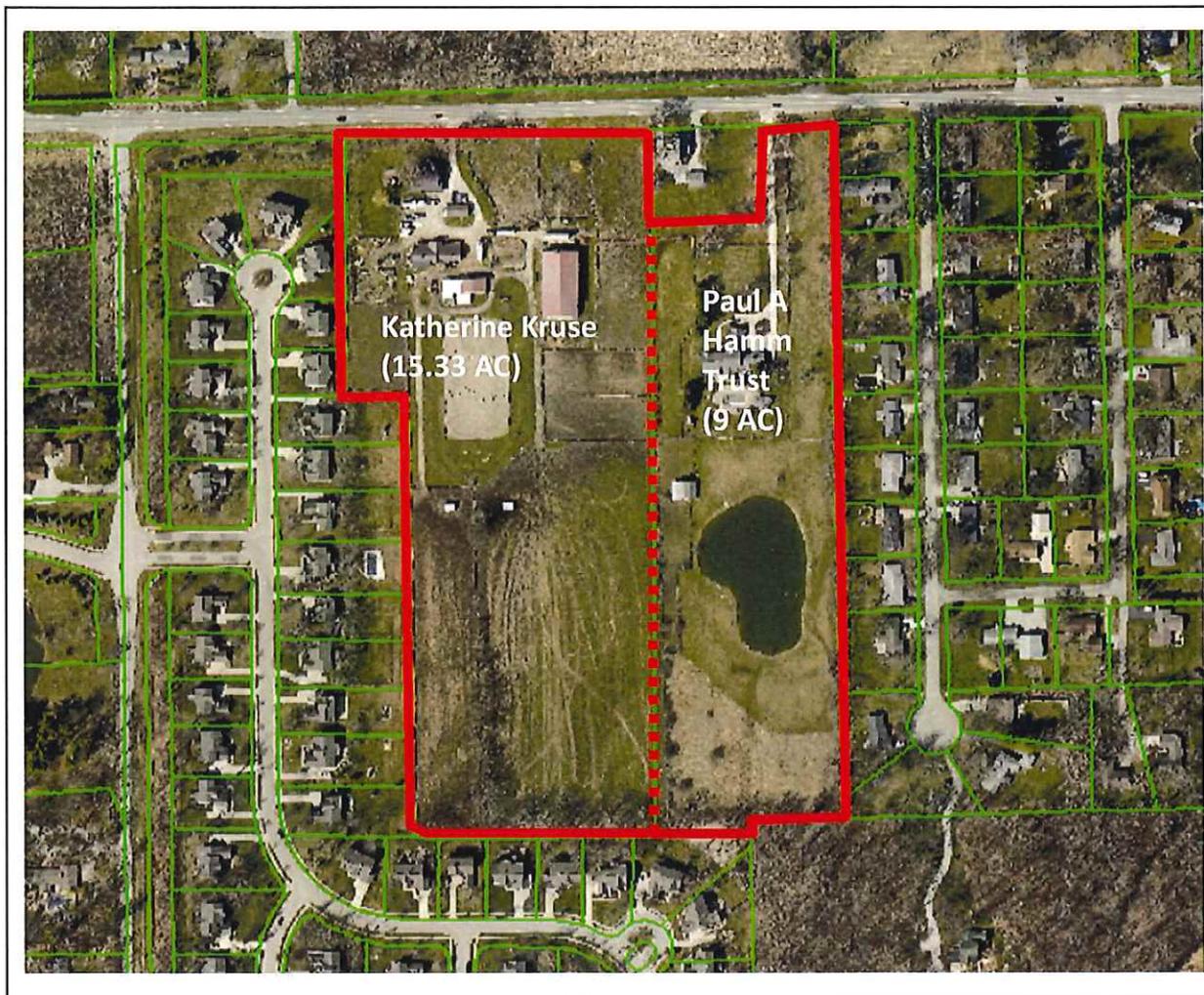
# AERIAL LOCATION EXHIBIT

## WINDHAVEN



# AERIAL LOCATION EXHIBIT

## WINDHAVEN



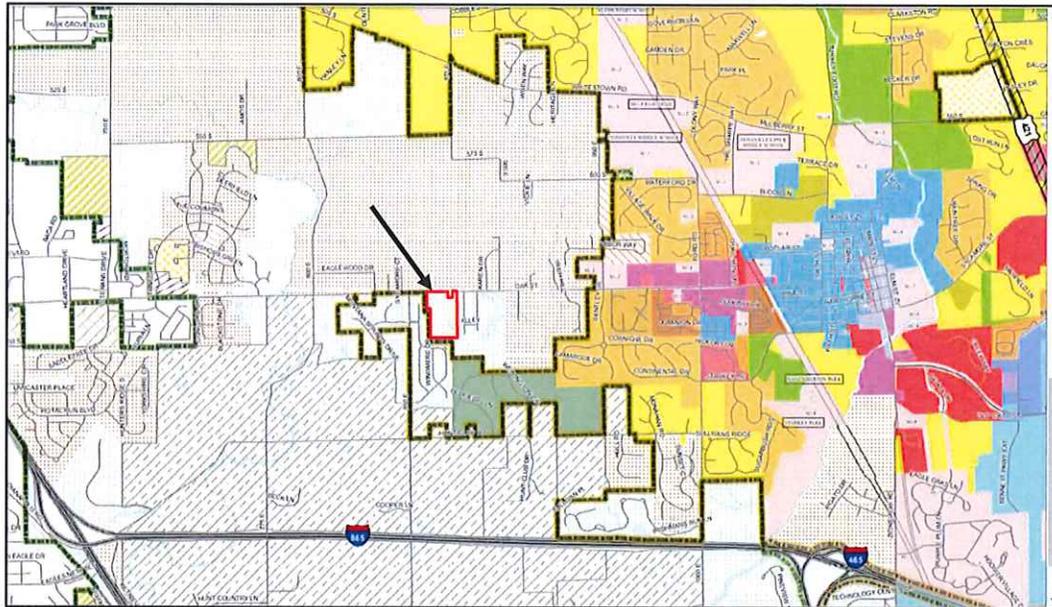
# **TAB 3**



**TAB 4**

# CURRENT ZONING MAP

## WINDHAVEN



### TOWN OF ZIONSVILLE

#### ZONING MAP

JANUARY 1, 2015



**ZIONSVILLE**  
FOR ALL THE RIGHT REASONS



1 in = 2,000 ft

LEGEND	
<b>Urban Zoning Districts</b>	<b>Rural Zoning Districts</b>
RE	AG
R-SF-1	RE
R-SF-2	R1
R-SF-3	R2
R-SF-4	R3
R-MF-1	R4
R-MF-2	LB
B-0	PB
B-1	UB
B-2	GB
B-3	I-1
VED	I-2
I-ORT	AZ
I-1	Zionsville Town Service District
I-2	Zionsville Rural Service District
I-3	Lebanon
<b>SPECIAL USE ZONING</b>	Michigan Road Overlay
OPEN LAND	Whitesboro
R-V	Parcels
FUD	County Line
	Township Line
	Water Features
	Highways
	Streets

# **TAB 5**

# CONCEPT PLAN

## WINDHAVEN



CONCEPT PLANNED UNIT DEVELOPMENT 'K'  
WEST OAK STREET - EAST OF COUNTY ROAD 850 EAST  
TOWN OF ZIONSVILLE, INDIANA

TOTAL AREA: 34.3 ACRES ±  
TOTAL NUMBER OF LOTS: 58  
DENSITY: 2.39 UNITS PER ACRE

PLANS PREPARED BY:  
**BANNING**  
ENGINEERING  
853 COLUMBIA ROAD, SUITE #101  
PLAINFIELD, IN 46168  
BUS: (317) 707-3700, FAX: (317) 707-3800  
E-MAIL: [Banning@banningengineering.com](mailto:Banning@banningengineering.com)  
WEB: [www.banningengineering.com](http://www.banningengineering.com)

Scale: 1" = 30'  
Date: 10/11/2010  
Project No: 10104  
Drawing No: 10104.P01.X

# **TAB 6**

# LANDSCAPE PLAN

## WINDHAVEN



**TAB 7**

# HOME ELEVATIONS

## WINDHAVEN



# MI HOMES SUMMIT SERIES

## ANDES



# HOME ELEVATIONS

## WINDHAVEN



## MI HOMES SUMMIT SERIES

### CASCADE



# HOME ELEVATIONS

## WINDHAVEN



# MI HOMES SUMMIT SERIES

## GLACIER



# HOME ELEVATIONS

## WINDHAVEN



# MI HOMES SUMMIT SERIES

## OLYMPIC



# HOME ELEVATIONS

## WINDHAVEN



## MI HOMES SUMMIT SERIES

### SIERRA



# HOME ELEVATIONS

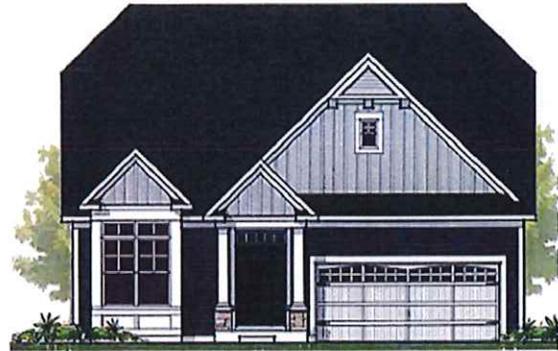
## WINDHAVEN



### Luxury Ranch Homes (Prototypes) Colored Renderings from Chicago, Illinois



Front Elevation - Colonial Revival



Front Elevation - Artisan



Front Elevation - Cottage



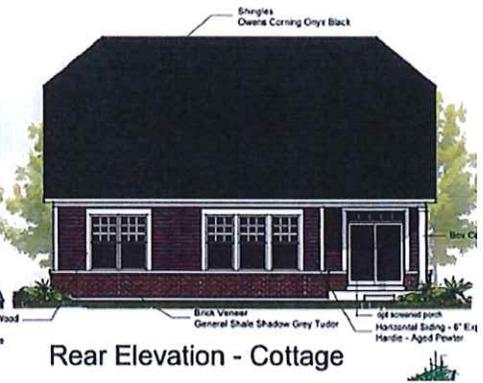
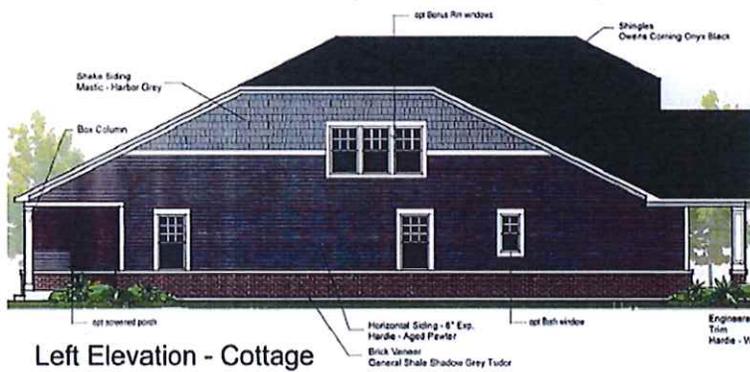
Front Elevation - English Country

# HOME ELEVATIONS

## WINDHAVEN



### Luxury Ranch Homes (Prototypes) Sides and Rear Example Colored Renderings from Chicago, Illinois



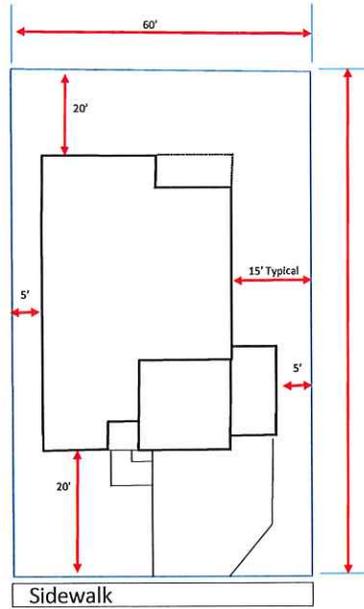
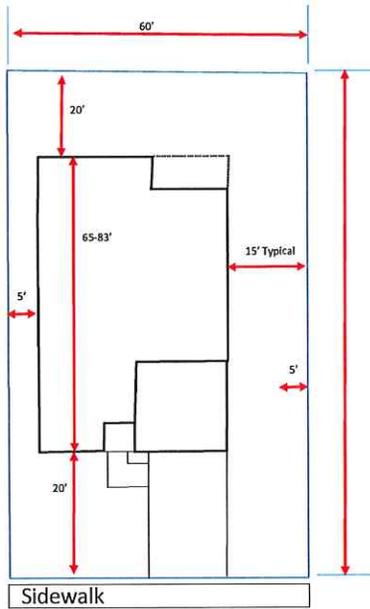
# **TAB 8**

# TYPICAL HOUSE LAYOUT

## WINDHAVEN



Typical House Layout (Lot size and setbacks)



**Setbacks Required**  
 FY: 20 feet  
 SY: 5 feet (10 feet separation)  
 RY: 20 Feet

**Lot size:**  
 Width: 60 feet at Building line  
 Depth: 125 feet  
 Area: 7,500 SF

**Lot Coverage:** 55% (if needed)

**We will use Hardie Plank siding:**

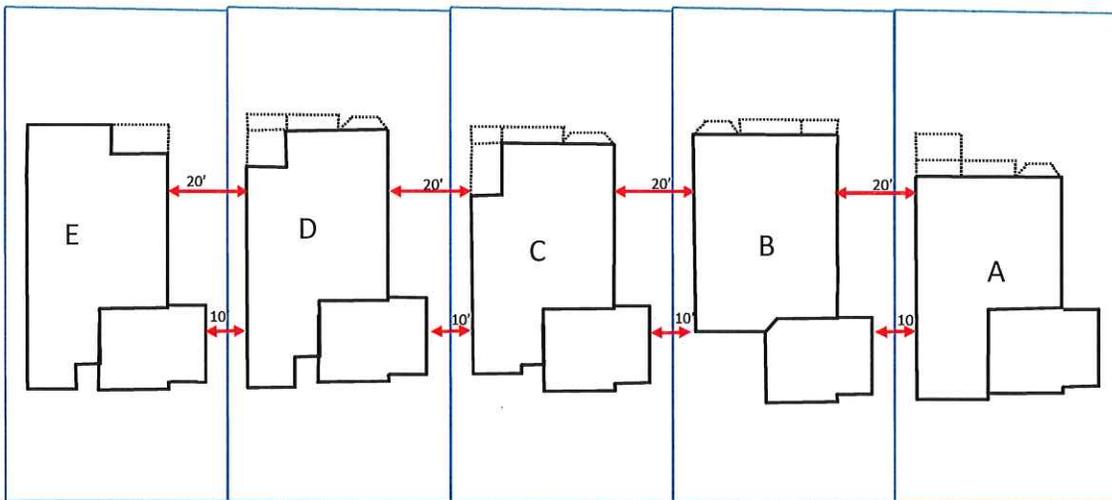
66 lots  
 24.33 acres  
 2.71 units per acre

# TYPICAL HOUSE LAYOUT

## WINDHAVEN



Typical House Layout with the 3 car garage (House Separation)



# **TAB 9**

# TYPICAL HOUSE LAYOUT

## WINDHAVEN



Dwellings on lots designated with a black circle shall incorporate two (2) or more of the following features:

- Façade offset (a minimum of 15' wide and 7' deep)
- Masonry on all four sides, but, in all cases, a minimum three (3) foot wainscot;
- Rear sun room
- Rear covered porch
- Rear pergola
- Additional rear exterior material (e.g. masonry or texture change in siding)
- Enhanced window treatment (trim a minimum of 3½") on all four (4) sides of the home except where brick surrounds the windows.

Dwellings on lots designated with a red circle shall incorporate a minimum of three (3) foot wainscot on all four (4) sides.

All homes shall have two (2) or more materials on the front façade.

**ORDINANCE NO. 2020-\_\_\_\_\_**  
**OF THE TOWN OF ZIONSVILLE, INDIANA**

**AN ORDINANCE ESTABLISHING**  
**THE WINDHAVEN PLANNED UNIT**  
**DEVELOPMENT DISTRICT**

**Plan Commission Petition No. 2020-##-Z**

**WHEREAS**, I.C. 36-7-4-600, confers upon the Zionsville Town Council the power to determine reasonable zoning requirements for property within the Town's corporate boundaries, and Section 7.3 of the Town of Zionsville Zoning Ordinance sets forth the process to amend the Town's Official Zone Map; and,

**WHEREAS**, Article 5.1 of the Town of Zionsville Zoning Ordinance, as amended (the "Zoning Ordinance"), provides for the establishment of a Planned Unit Development District in accordance with the requirements of I.C. § 36-7-4-1500 *et seq.*; and,

**WHEREAS**, the property described in Exhibit A to the Certification, attached hereto as Exhibit 1 (the "Real Estate"), in the Town of Zionsville, is currently zoned Rural R-1 Single Family Residential Zoning District; and,

**WHEREAS**, the Town of Zionsville Advisory Plan Commission certified on \_\_\_\_\_, 2020 to the Zionsville Town Council a \_\_\_\_\_ recommendation for rezoning the Real Estate to The Windhaven Planned Unit Development District (the "Windhaven District") established by this planned unit development district ordinance (the "Windhaven Ordinance"), with respect to the Real Estate legally described in Exhibit 1 (the "Real Estate"); and,

**WHEREAS**, the Zionsville Town Council has been requested to amend the Official Zone Map for the Town of Zionsville, Indiana, as amended.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ZIONSVILLE, BOONE COUNTY, INDIANA, THAT:** (i) pursuant to IC § 36-7-4-1500 *et seq.*, the Council adopts the Windhaven Ordinance, as an amendment to the Zone Map, (ii) all prior ordinances or parts thereof inconsistent with any provision of the Windhaven Ordinance and its exhibits are hereby made

inapplicable to the use and development of the Real Estate, (iii) all prior commitments and restrictions applicable to the Real Estate shall be null and void and replaced and superseded by the Windhaven Ordinance, and (iv) the Windhaven Ordinance shall be in full force and effect from and after its adoption by the Town Council.

### **Section 1. Applicability of Ordinance.**

Section 1.1 The Zone Map is hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the Windhaven District.

Section 1.2 Development in the Windhaven District shall be governed entirely by (i) the provisions of this the Windhaven Ordinance and its exhibits, and (ii) those provisions of the Zoning Ordinance specifically referenced in the Windhaven Ordinance. In the event a standard, required for the approval by the Town of a Plat, is not defined within this the Windhaven Ordinance, the provisions of the required standard within the Zoning Ordinance shall apply.

### **Section 2. Rules of Construction.**

Section 2.1 General Rules of Construction. The following general rules of construction and definitions shall apply to the Windhaven Ordinance:

- A. The singular number includes the plural and the plural the singular, unless the context clearly indicates the contrary.
- B. Words used in the present tense include the past and future tenses, and the future the present.
- C. The word “shall” indicates a mandatory requirement. The word “may” indicates a permissive requirement.

**Section 3. Definitions.** The definitions (i) of the capitalized terms set forth below in this Section 3, as they appear throughout The Windhaven Ordinance, shall have the meanings set forth below in this Section 3 and (ii) of all other capitalized terms included in the Windhaven Ordinance and not defined below in this Section 3, shall be the same as set forth in the Zoning Ordinance.

Accessory Structure: A structure which is subordinate to a Dwelling or primary use located on the Real Estate and which is not used for permanent human occupancy.

Accessory Use: A use subordinate to the primary use, located on the Real Estate or in the same Building as the primary use, and incidental to the primary use.

Architectural Character Imagery: These comprise photographs, elevations, and renderings and are intended to generally and conceptually illustrate an application of the Development Requirements and elements of the anticipated character of the Windhaven District. Architectural Character Imagery are not intended to delineate exactly what will be built and developed. The Architectural

Character Imagery establishes a benchmark for the architecture and design of the Buildings.

Architectural Review Board: A board, established by the Declaration(s) of Covenants, responsible for reviewing all improvements after the initial, original construction of Dwellings, and other improvements.

Architectural Standards: The Architectural Standards shall be as set forth in Exhibit 4 and as further administered by the Architectural Review Board.

Building: A structure having a roof supported by columns and walls, for the shelter, support, enclosure or protection of persons, animals, chattel, or property.

Building Height: The vertical distance from the first finished floor elevation to the highest point of the roof, excluding parapet walls, and entry elements for a flat roof, to the deck line of a mansard roof and to the mean height between the eaves and the ridge for gable, hip and gambrel roofs.

BZA: The Town's Board of Zoning Appeals.

Concept Plan: The Concept Plan shall mean the plan attached hereto and incorporated herein by reference as Exhibit 2 (Concept Plan). The Concept Plan conceptually illustrates one of the possible layouts of the internal drives, Dwellings, and parking areas permitted by this, the Windhaven Ordinance.

Controlling Developer: The Controlling Developer shall mean M/I Homes of Indiana L.P., until the earlier of (i) M/I Homes of Indiana L.P. no longer owns any portion of the Real Estate; or (ii) M/I Homes of Indiana L.P. transfers or assigns, in writing, its rights as Controlling Developer. Such Rights may be transferred by the Controlling Developer, in its sole discretion, in whole or in part, but only by a written instrument, signed by the Controlling Developer.

Declaration(s) of Covenants: Declaration(s) of Covenants, Conditions and Restrictions applicable to the Real Estate, or any portion thereof, which may be prepared and recorded by the Controlling Developer in the office of the Recorder of Boone County, Indiana, and which may, from time to time, be amended.

Department: The Town of Zionsville Department of Planning and Economic Development.

Development Requirements: Written development standards and any written requirements specified in The Windhaven Ordinance, which must be satisfied in connection with the approval of a Plat.

Development Standards Matrix: Shall mean Exhibit 3 (Development Standards Matrix) identifying the bulk requirements applicable to each use.

Director and/or Plan Director: The Director of Planning and Economic Development for the Town of Zionsville, Indiana.

Dwelling: A portion of a building intended for occupancy by a residential User.

Home Occupation: A use as defined in the Zoning Ordinance.

Material Alteration: Any change to any plan approved as part of a Plat that involves the substitution of one material, species, element, etc. for another equivalent quality.

Minor Alteration: Any change to any plan approved as part of a Plat that involves the revision of less than fifteen percent (15%) of the plan's total area or approved materials and cannot include an increase in the amount of approved units, a decrease in the amount of Open Space.

Open Space: An area of land not covered by Buildings, parking structures, parking lots, or Accessory Structures. Open Space may include nature areas, streams, creeks, ponds, meadows or open fields. Open Space does not include street right-of-way, platted residential lot area, or private yards.

Parking Space: An area, unenclosed or enclosed in a Building or in an Accessory Building, reserved for the temporary storage of one automobile and connected with a street or alley.

Plan Commission: The Zionsville Plan Commission.

Primary Plat: A drawing as defined by the Zoning Ordinance.

Real Estate: The Real Estate legally described in Exhibit 1 (Legal Description).

Secondary Plat: A drawing as defined by the Zoning Ordinance.

Sign: As defined by the Zoning Ordinance.

Sign Area: As defined by the Zoning Ordinance.

Sign, Height of Ground: As defined by the Zoning Ordinance.

Substantial Alteration: Any change to any plan approved as part of a Plat that involves the revision of fifteen percent (15%) or more of the plan's total area or approved materials.

Town: The Town of Zionsville, Indiana.

User: An owner or tenant of a particular area within The Windhaven District.

Zone Map: The Town's official Zone Map corresponding to the Zoning Ordinance.

Zoning Ordinance: The Town of Zionsville Zoning Ordinance, as amended.

#### **Section 4. Permitted Uses.**

##### Section 4.1 Primary Uses:

- A. Detached Dwellings
- B. Additional Use Limitations are included under Section 11 of the Windhaven Ordinance.

Section 4.2 Accessory Uses and Buildings: All Accessory Structures and Accessory Uses allowed under the Zoning Ordinance shall be permitted in the Windhaven District; provided, however, that any detached Accessory Structure shall have on all sides the same architectural features and construction materials, and be architecturally compatible with the principal Building(s) with which it is associated. Detached garages are not permitted.

**Section 5. Development Standards.** The intent of these standards is to enable the construction of a thoughtfully designed active adult neighborhood; creating a vibrant living environment that promotes walkability and neighborhood interaction featuring homes that exhibit craftsmanship, attention to detail, and high operating performance.

##### Section 5.1 Development Standards:

- A. Applicable bulk requirements are contained in Exhibit 3 "Development Standards Matrix".
- B. Applicable landscaping requirements are contained in Section 6 of the Windhaven Ordinance.
- C. Applicable lighting requirements are contained in Section 7 of the Windhaven Ordinance.
- D. Applicable signage requirements are contained in Section 8 of the Windhaven Ordinance.
- E. Applicable parking requirements are contained in Section 9 of the Windhaven Ordinance.
- F. Applicable pedestrian circulation standards are contained in Section 10 of the Windhaven Ordinance.
- G. Applicable environmental systems, drainage and street standards are contained in Section 11 of the Windhaven Ordinance.
- H. Applicable additional requirements and standards are contained in Section 12 of the Windhaven Ordinance.

Section 5.2 The applicable Architectural Standards, set forth in Exhibit 4, will be administered by the Architectural Review Board.

Section 5.3 The character imagery of Dwelling architecture is contained within Exhibits 4A-4H inclusive (Architectural Character Imagery).

Section 5.4 Pedestrian amenities and furniture shall be permitted and are subject to the requirements of the Windhaven Ordinance as applicable.

**Section 6. Landscaping Requirements.** The landscaping in the Windhaven District shall be a combination of native and ornamental plants combined in design to complement the architectural character of the Dwellings. Landscape treatment for buffers, plazas, roads, paths, service areas and storm water areas shall be designed as an integral and coordinated part of the landscape plan for the Windhaven District as a whole.

Section 6.1 General Landscaping Standards. Landscaping shall be integrated with, and complement other functional and ornamental site design elements, where appropriate such as hardscape materials, paths, sidewalks, fencing, or any water features. The perimeter and entry landscaping is depicted within Exhibit 5 "Conceptual Landscape Plan".

- A. Plantings along Dwellings and streets should be designed with repetition, structured patterns, and complementary textures and colors, to reinforce the overall character of the area. Alternate or pervious paving material and alternative planting media is permitted in the areas where planting space is limited by restrictions such as Buildings, asphalt or concrete paving, parking lots, etc.
- B. All trees, shrubs and ground covers shall be planted according to American Standard for Nursery Stock (ANSI Z60.1), and following the standards and best management practices (BMPs) established by the Town. Landscaping materials shall be appropriate for local growing and climatic conditions. Plant suitability, maintenance and compatibility with site construction features are critical factors that should be considered. The Town's planting details shall be used.
- C. Shade trees shall be at least two and one half (2.5) inches in caliper diameter when planted, as measured at six (6) inches above the ground. Ornamental trees shall be at least one and one half (1.5) inches caliper diameter when planted, as measured at six (6) inches above the ground. Evergreen trees shall be six (6) feet in height when planted and can be substituted for (in place of) shrubs with one (1) evergreen tree equal to three (3) shrubs. Shrubs shall be at least eighteen (18) inches in height when planted. Ornamental grasses of at least nine (9) inches in height when planted and that obtain a mature height of at least three (3) feet may be substituted (in place of) shrubs on a one to one (equivalent) basis.
- D. Existing vegetation may be used to comply with project landscaping requirements if (i) the vegetation located on the subject parcel is of suitable quality and health, and (ii) the vegetation is required to be preserved using accepted best management practices (BMPs) for tree protection during construction.

- E. Low maintenance plantings such as low mow turf and native prairie plantings may be used to minimize water use and mowing in open areas.

#### Section 6.2 Areas to be Landscaped.

- A. Perimeter Buffering. See Section 6.3 below.
- B. Street Trees. See Section 6.4 below.
- C. Foundation Plantings. See Section 6.5 below.
- D. Screening Areas: See Section 6.6 below.
- E. Storm Water Retention Ponds. See Section 6.7 below.

#### Section 6.3 Perimeter Buffering.

- A. Perimeter landscaping along the property lines shall be provided in the form of (i) a minimum fifteen (15) foot landscape easement for portions of the Real Estate perimeter abutting Oak Road, (ii) a minimum of ten (10) foot landscape easements for all other portions of the Real Estate not abutting a street right-of-way.
- B. Buffering may be composed of grass, ponds, storm water management elements, berms and landscape areas. The incorporation of walkways and bikeways into the design is permitted; however, no buildings or accessory structures shall be established within areas designated for perimeter buffering. Ground mounted signs and lighting standards are permitted within areas designated for perimeter buffering.
- C. Landscape buffer planting requirements of three (3) shade trees, two (2) ornamental trees, and nine (9) shrubs per one hundred (100) linear feet shall be provided within the green belt buffer along Oak Road.
- D. Landscape buffer planting requirements of three (3) shade trees, and two (2) ornamental trees per one hundred (100) linear feet shall be provided for portions of the perimeter not abutting a public right-of-way. The preservation of existing trees shall count toward the perimeter landscape buffer planting requirements where applicable.
- E. Required buffer plantings may be grouped to allow a more natural planting scheme and to provide view sheds, where appropriate, into the neighborhood, and required buffer plantings may be computed as an average across the total linear footage of frontage.

#### Section 6.4 Street Trees.

- A. Street trees shall be planted parallel to each public street. Street trees shall be planted a minimum of twenty-five (25) feet and a maximum of forty-five (45) feet on center.
- B. In instances where street trees are required within perimeter buffer areas, all street trees shall count toward the perimeter buffer planting standards provided above in Section 6.3.
- C. Per Town standards, no street trees shall be planted in conflict with drainage or utility easements or structures and underground detention (unless so

designed for that purpose), or within the Vision Clearance Area for Intersecting Streets as specified in the Zoning Ordinance. However, where the logical location of proposed utilities would compromise the desired effect, the Controlling Developer may solicit the aid of the Plan Director in mediating an alternative.

- D. Street tree species shall be selected from the Town's list of recommended street trees, as specified in Chapter 100 of the Town's code of ordinances. Street trees shall be pruned to a minimum height of eight (8) feet over sidewalks and twelve (12) feet over streets, to allow free passage along sidewalks and streets.

**Section 6.5 Storm Water Retention.** Storm water retention ponds, if necessary for storm water management, will be designed in non-geometric shapes. The primary landscaping materials used when adjacent to ponds shall be shrubs, ground covers, ornamental grasses and wetland specific plantings, appropriately cited for a more natural rather than engineered appearance.

**Section 6.6 Maintenance.** It shall be the responsibility of the Owner(s), with respect to any portion of the Real Estate owned by such Owner(s) and on which any landscaped area exists per the requirements of the Windhaven Ordinance, to ensure proper maintenance of landscaping in accordance with the Windhaven Ordinance. This maintenance is to include, but is not limited to (i) mowing, tree trimming, planting, and mulching of planting areas, (ii) replacing dead, diseased, obtrusive or overgrown plantings with identical varieties or a suitable substitute, and (iii) keeping the area free of refuse, debris, rank vegetation and weeds. Street trees shall be maintained by the Owner of the adjacent property.

## **Section 7. Lighting Requirements.**

### **Section 7.1 Street Lights.**

- A. Street light design shall be consistent throughout the Real Estate.
- B. Street lighting shall be confined to intersections and vehicular access points.
- C. Street lighting shall otherwise conform to the standards set forth in the Zoning Ordinance.

## **Section 8. Signage Requirements.**

**Section 8.1 Neighborhood Identification Ground Sign.** One Neighborhood Identification Ground Sign shall be permitted at the entrance on Oak Road.

- A. Area: Maximum sign area per sign shall be seventy-five (75) square feet.
- B. Height: Maximum sign height shall be six (6) feet.
- C. Location: Minimum five (5) feet from street right-of-way. Provided however, if applicable, the sign cannot be within the required Vision Clearance Area for Intersecting Streets as specified in the Zoning Ordinance.

- D. Design: All such Signs must be of a similar design, lighting and style of construction.
- E. Illumination: Illumination shall comply with the specifications set forth in the Zoning Ordinance.

Section 8.2 Dwelling Signs.

- A. Any other Sign for a residential use, not covered in the Windhaven Ordinance, shall meet the requirements of the Zoning Ordinance.
- B. Home occupation signs shall be governed by the requirements of the Zoning Ordinance.

Section 8.3 Temporary Signs. Temporary Signs shall be permitted. Temporary signs shall include signs displayed for the marketing of real estate for sale and/or for lease and other temporary such purposes. Temporary signs shall not be larger than sixteen square feet in Sign Area per side and shall not exceed six (6) feet in height when ground mounted. All other aspects of the sign shall meet the requirements of the Zoning Ordinance.

Section 8.5 Incidental Signs. (Signs less than three (3) square feet in Sign Area and less than three (3) feet in height where ground mounted) shall be permitted and shall be approved by the Controlling Developer.

Section 8.6 Decorative poles and street light poles with fabric banners are not defined as a sign and any copy (letters and/or logos) on a banner shall be limited to six (6) square feet in area. These fabric banners may depict or advertise community, town and other on and off premise events, businesses or Users and shall be approved by the Controlling Developer.

**Section 9. Parking Requirements.** Off-street parking standards shall comply with the Zoning Ordinance.

**Section 10. Pedestrian Circulation.** Specific provisions for incorporating pedestrian and bicycle access, circulation and amenities shall be included in the development of the Real Estate.

Section 10.1 Sidewalks and paths within public street right-of-way shall meet the requirements of the Subdivision Ordinance for the Town.

Section 10.2 Sidewalks and paths and walkways shall be provided on a minimum of both sides of all interior streets and shall allow for pedestrian mobility with the Windhaven District.

Section 10.3 Sidewalks shall be a minimum of sixty (60) inches in width.

Section 10.4 Construction of walkways and paths within natural areas shall be permitted to be comprised of crushed limestone aggregate or a similar material

and shall not have a minimum width requirement in order to minimize the impact of the improvements on the natural environment.

Section 10.5 As Secondary Plats are brought forth, all proposed walkways and paths will be depicted within those plans to ensure compliance with the requirements of this Section 10.

## **Section 11. Environmental Systems, Drainage, and Streets and Streetscapes.**

Section 11.1 Low Impact Development (LID) techniques shall be permitted as an environmental system to help attain water quality standards in conjunction with development of the storm water drainage plan for the Windhaven District. Examples of permitted systems include the use of bioswales, bioretention, rain gardens, infiltration trenches and permeable pavers/pavement.

Section 11.2 The drainage design for the Windhaven District shall accommodate detention volume for the fully developed site and for 50% of the fully developed thoroughfare plan right-of-way for perimeter road frontages.

Section 11.3 All streets within the Windhaven District which are to be dedicated for public use and accepted for maintenance by the Town shall be constructed to the standards of the Town as applicable at the time of enactment of this the Windhaven Ordinance.

Section 11.4 Section 193.052(B)(13)(e) of the Zoning Ordinance regarding angles of intersections shall not apply to the Windhaven District. Instead, substantial compliance with the Concept Plan shall rule.

Section 11.5 Section 193.052(B)(14) of the Zoning Ordinance regarding cul-de-sac length shall not apply to the Windhaven District. Instead, substantial compliance with the Concept Plan shall rule.

Section 11.6 Section 193.052(B)(14)(b) of the Zoning Ordinance regarding driveway location shall not apply to Lots 5, 6, 10 and 11 as depicted in the Concept Plan.

Section 11.7 Table 1, Design Standards for Streets of the Zionsville Design and Construction Standards shall not apply with respect to minimum radius horizontal curve and minimum length of tangents between reverse curves. Instead, substantial compliance with the Concept Plan shall rule.

Section 11.8 Section 50.043(B)(4) of the Zionsville, Indiana Code of Ordinances with respect to width drainage easement widths shall not apply to Lots 7 through 16 as depicted in the Concept Plan. Instead, a 20 foot drainage easement plus a 10 foot landscape easement shall be provided along the rear of the aforementioned lots.

## **Section 12. Additional Requirements and Standards.**

Section 12.1 Maximum Number of Dwellings. Without the approval of the Plan Commission, there shall be no more than fifty-eight (58) Dwellings within the Windhaven District.

Section 12.2 Minimum Open Space Requirements. Without the approval of the Plan Commission, there shall be no less than twenty-two and seven-tenths percent (22.7%) of the total area comprised of the Real Estate allocated to Open Space within the Windhaven District.

Section 12.3 Premises Identification. Premises identification shall meet the requirements of the postal numbering system provided by the Plan Director.

Section 12.4 Home Occupations. Home Occupations shall meet the requirements of Article 11.2 Definitions of the Zoning Ordinance.

Section 12.5 Outdoor Storage. Outdoor Storage shall not be permitted on the Real Estate except during the construction period as authorized by the Controlling Developer.

Section 12.6 Temporary Uses. Temporary Uses including Construction Facilities and Model Homes, shall be permitted and the applicable requirements of Article 6, Urban Exempt Signs of the Zoning Ordinance.

Section 12.7 Utilities. Any building constructed within the Windhaven District, requiring water and sanitary service shall connect to the water utility and sanitary sewer utility for such service. Private septic systems will not be permitted in these areas. Greywater reuse and rainwater collection systems shall be permitted.

## **Section 13. Declaration of Covenants and Owners' Association(s).**

Declarations of Covenant(s) shall be prepared by the Controlling Developer and recorded with the Recorder of Boone County, Indiana. The Declaration(s) of Covenants shall establish an Architectural Review Board, which shall establish guidelines regarding the design and appearance of all Buildings.

## **Section 14. Procedural Provisions.**

Section 14.1 Approval or Denial of Plats.

- A. With respect to any portion of the Windhaven District other than the areas on which lots are developed for Dwellings, the platting into smaller sections shall be permitted, but shall not be required in order to divide the Real Estate into smaller parcels for purposes of conveying title to a parcel or creating separate tax parcels. Platting or otherwise dividing the Real Estate into smaller parcels

for the purposes of conveying title or creating separate tax parcels shall not create property lines to which setback or any other standards of this the Windhaven Ordinance shall be applied, provided that development of the parcels conforms to the Windhaven Ordinance.

- B. Primary and secondary platting shall be required with respect to any portion of the Windhaven Ordinance on which lots are developed for Dwellings. All Secondary Plats for any portion of the Windhaven District shall be approved administratively by the Department, and shall not require a public hearing before the Plan Commission, so long as the proposed Secondary Plat substantially conforms with the corresponding approved Primary Plat.
- C. If there is a Substantial Alteration in an approved Primary Plat, review and approval of the amended plans shall be made by the Plan Commission or a committee thereof, pursuant to the Plan Commission's Rules of Procedure. Minor alterations and material alterations may be approved by the Director.

**Section 15. Controlling Developer's Consent.** Without the written consent of the Controlling Developer, no other developer, User, owner, or tenant may obtain any permits or approvals, whatsoever, with respect to the Real Estate or any portion thereof and, as such, by way of example but not by limitation, none of the following may be obtained without the approval and consent of the Controlling Developer:

- A. Improvement location permits for any improvements within the Real Estate;
- B. Sign permits for any Signs within the Real Estate;
- C. Building permits for any Buildings within the Real Estate;
- D. Primary or secondary plat approval for any part of the Real Estate; and
- E. Any text amendments, variances, modifications of development requirements or other variations to the terms and conditions of this the Windhaven Ordinance.

**Section 16. Violations and Enforcement.** All violations and enforcement of the Windhaven Ordinance shall be subject to Article 10 of the Zoning Ordinance.

Introduced and filed on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**DULY PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020, by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

**TOWN COUNCIL OF THE TOWN OF ZIONSVILLE,  
BOONE COUNTY, INDIANA**

**YEA**

**NAY**

**Signature**

**Signature**

Josh Garrett, President		
Bryant Traylor, Vice President		
Kevin Spees, Member		
Elizabeth Hopper, Member		
Thomas Schuler, Member		
Jason Plunkett, Member		
Susana Suarez, Member		

I hereby certify that the foregoing Ordinance was delivered to Town of Zionsville Mayor Emily Styron on the \_\_\_\_\_ day of \_\_\_\_\_ 2020, at \_\_\_\_\_ m.

ATTEST: \_\_\_\_\_

Amelia Lacy, Director  
Department of Finance and Records

**MAYOR'S APPROVAL**

\_\_\_\_\_  
**Emily Styron, Mayor**

\_\_\_\_\_  
**Date**

**MAYOR'S VETO**

\_\_\_\_\_  
**Emily Styron, Mayor**

\_\_\_\_\_  
**Date**

*This document prepared by:  
Matthew S. Skelton, Attorney-At Law, 2 North 9<sup>th</sup> Street, Noblesville, IN 46060*

*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: Matthew S. Skelton.*

## EXHIBIT 1

### Legal Description

#### **HAMM PARCEL (Per Commitment)** Approximately 8.98 AC

A Part of the Southwest Quarter of the Northeast Quarter of Section 4, Township 17 North, Range 2 East in Boone County, Indiana, more particularly described as follows:

Beginning at the northeast corner of said quarter quarter section; thence South 90 degrees 00 minutes 00 seconds west (assumed bearing) along the north line of said quarter-quarter section 129.81 feet; thence South 00 degrees 00 minutes 00 seconds east 209.00 feet; thence South 90 degrees 00 minutes 00 seconds west 209.00 feet; thence South 00 degrees 00 minutes 00 seconds east 328.67 feet to an existing fence on the east line of said quarter-quarter section; thence North 0 degrees 31 minutes 53 seconds east 1,309.18 feet along the existing fence and east line to the Point of Beginning.

#### **KRUSE PARCEL (Per Commitment):** Approximately 15.303 AC

A part of the Northeast Quarter of Section 4, Township 17 North, Range 2 East, in Eagle Township, Boone County, Indiana, described as follows:

Commencing at the Southwest corner of said Quarter Section; thence North 89 degrees 09 minutes 37 seconds East (assumed bearing) along the South line of said Quarter Section 542.44 feet to a 5/8 inch rebar with red cap at the POINT OF BEGINNING; thence North 0 degrees 07 minutes 03 seconds East 808.49 feet to a 5/8 inch rebar with a red cap; thence South 89 degrees 09 minutes 37 seconds West 116.85 feet to a 5/8 inch rebar with red cap; thence North 0 degrees 07 minutes 03 seconds East 516.99 feet to a PK nail on the North line of the Southwest Quarter of said Northeast Quarter Section; thence north 89 degrees 28 minutes 48 seconds East along said North line 564.71 feet to a PK nail on the Northwest corner of the real estate described in Deed Record 227, page 276 in the Office of the Recorder of Boone County, Indiana; thence South 0 degrees 35 minutes 45 seconds East 1309.73 feet measured (1309.12 feet record) to a 1/2 inch rebar found at the Southwest corner of said real estate, thence North 87 degrees 25 minutes 10 seconds East 326.50 feet measured (326.67 feet record) to a 1/2 inch rebar found at the Southeast corner of said real estate said rebar also being on the accepted East line of the Southwest Quarter of said Northeast Quarter Section; thence South 0 degrees 24 minutes 27 seconds East 10.95 feet to a 3/4 inch iron pipe found at the accepted Southeast Corner of the Southwest Quarter of said Northeast Quarter Section; thence South 89 degrees 09 minutes 37 seconds West along the South line of said Northeast Quarter Section 790.84 feet to the point of beginning.

# EXHIBIT 2

## Concept Plan



**EXHIBIT 3**  
**Development Standards Matrix**

Minimum Lot Area	7500 square feet
Minimum Lot Width At Building Line	60 feet
Maximum Lot Coverage	55%
Minimum Front Yard Setback	20 feet
Minimum Side Yard Setback	5 feet
Minimum Rear Yard Setback	20 feet
Maximum Building Height	35 feet
Minimum Floor Area	

**EXHIBIT 4A**  
**Architectural Character Imagery**

**MI Homes Summit Series**  
**Andes**



**EXHIBIT 4B**  
**Architectural Character Imagery**

**MI Homes Summit Series**  
**Cascade**



**EXHIBIT 4C**  
**Architectural Character Imagery**

**MI Homes Summit Series**  
**Glacier**



**EXHIBIT 4D**  
**Architectural Character Imagery**

**MI Homes Summit Series**  
**Olympic**



**EXHIBIT 4E**  
**Architectural Character Imagery**

**MI Homes Summit Series**  
**Sierra**



**EXHIBIT 4F**  
**Architectural Character Imagery**

**Luxury Ranch Homes (Prototypes)**  
**Colored Renderings from Chicago, Illinois**



Front Elevation - Colonial Revival



Front Elevation - Artisan



Front Elevation - Cottage



Front Elevation - English Country

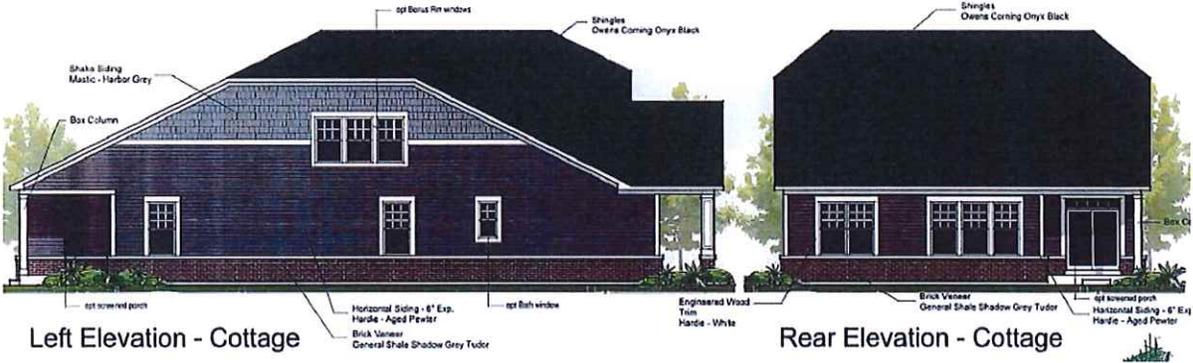
# EXHIBIT 4G

## Architectural Character Imagery

### Luxury Ranch Homes (Prototypes) Sides and Rear Example Colored Renderings from Chicago, Illinois



Right Elevation - Cottage



Left Elevation - Cottage

Rear Elevation - Cottage

## EXHIBIT 4H

### Architectural Standards



Dwellings on lots designated with a black circle shall incorporate two (2) or more of the following features:

- a. Façade offset (a minimum of 15' wide and 7' deep)
- b. Masonry on all four sides, but, in all cases, a minimum three (3) foot wainscot;
- c. Rear sun room
- d. Rear covered porch
- e. Rear pergola
- f. Additional rear exterior material (e.g. masonry or texture change in siding)
- g. Enhanced window treatment (trim a minimum of 3½") on all four (4) sides of the home except where brick surrounds the windows.

Dwellings on lots designated with a red circle shall incorporate a minimum of three (3) foot wainscot on all four (4) sides.

All homes shall have two (2) or more materials on the front façade.

# EXHIBIT 5

## Landscape Plan



**Town of Zionsville**  
Petition for Plan Commission Approval

<b>Office Use Only</b>
Petition No.: _____
Hearing Date: _____
Recommendation: _____

**1. SITE INFORMATION:**

Address of Property: 8617 & 8775 West Oak Street, Zionsville, IN 46077  
Existing Use of Property: residential, agricultural  
Proposed Use of Property: single family residential  
Current Zoning: R-1 Requested Zoning: PUD Area in acres: 24.283

**2. PETITIONER/PROPERTY OWNER**

<b>Petitioner:</b>	<b>Owner (if different from Petitioner):</b>
Name: <u>M/I Homes of Indiana, LP, Jonathan Isaacs</u>	Name: <u>Katherine Kruse Lee R. Ford &amp; Michael S. Hamm</u>
Address: <u>8425 Woodfield Crossing Blvd, Indpls</u>	Address: <u>7702 Bayshore Dr Indpls 11595 N Meridian St, Ste 320, Carmel</u>
Phone: <u>317.475.3629</u>	Phone: _____
Fax: _____	Fax: _____
E-Mail: <u>jisaacs@MIHOMES.com</u>	E-Mail: _____

**3. PETITIONER'S ATTORNEY/CONTACT PERSON AND PROJECT ENGINEER (IF ANY):**

<b>Attorney / Contact Person:</b>	<b>Project Engineer / Architect:</b>
Name: <u>Church Church Hittle + Antrim by Matthew Skelton</u>	Name: _____
Address: <u>2 N. 9th St, Noblesville 46060</u>	Address: _____
Phone: <u>317.773.2190</u>	Phone: _____
Fax: <u>317.773.5320</u>	Fax: _____
E-Mail: <u>mskelton@cchalaw.com</u>	E-Mail: _____

**4. DETAILED DESCRIPTION OF REQUEST (Describe reason(s) for request / attach additional pages if necessary):**

Development of Windhaven, a 58-lot single family residential subdivision.

\_\_\_\_\_

\_\_\_\_\_

**5. ATTACHMENTS:**

- |   |   |
|---|---|
| <input type="checkbox"/> Legal description of property                          | <input type="checkbox"/> Proof of Ownership (copy of Warranty Deed) |
| <input type="checkbox"/> Owner's Authorization (if petitioner is not the owner) | <input type="checkbox"/> Copies of the Preliminary Site Plan        |
| <input type="checkbox"/> Statement of Commitments (if proposed)                 | <input type="checkbox"/> Draft of Proposed Legal Notice             |
| <input type="checkbox"/> Application Fee  |   |

The undersigned, having been duly sworn on oath states the above information is true and correct as (s) he is informed and believes. Further, the applicant understands that this project may be assigned Engineering review fees, which are payable upon invoicing.

Signature of Owner or Attorney for Owner: see attached Owner's Authorization forms

Date: \_\_\_\_\_

State of \_\_\_\_\_ )

County of \_\_\_\_\_ ) SS:

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_  
Notary Public Signature / Notary Public Printed

My commission expires \_\_\_\_\_

My county of residence is \_\_\_\_\_ County.

My Commission No. is \_\_\_\_\_

**PROCEDURES AND REQUIREMENTS:**

1. A complete Zone Map Change Petition must be submitted by 3:00 PM a minimum of **31 days** prior to the initial hearing before the Plan Commission.
2. **Only complete Petitions will be placed on the agenda for the next Plan Commission meeting.** If a Petition is incomplete 31 days prior to the next Plan Commission meeting, the Petition will not be placed on an agenda until the Petitioner submits a complete Petition.
3. **Fifteen sets** of the following information must be submitted, with the notarized Petition, for internal staff review:
  - Legal description of property (Metes and bounds description must include a perimeter survey, drawn to scale – or – recorded subdivision legal description must include lot number, section number, subdivision name, either the plat book number of the recorded instrument number and a copy of the plat map.)
  - Proof of Ownership (copy of deed)
  - Owner's Authorization (if Petitioner is not the owner)
  - Site Plan (if applicable)
  - Statement of Commitments (if proposed)
  - Draft of Proposed Legal Notice
  - Application Fee: \$ \_\_\_\_\_ (Checks should be payable to *Town of Zionsville*)

**PUBLIC HEARING NOTIFICATION:**

Notice of Public Hearing for Zone Map Change is to be completed as set forth in the Zoning Ordinance and Rules of Procedure for the Plan Commission. The procedures relating to notification of public hearings that are contained in this Packet are provided for convenience purposes only.

1. **Approval of Notice:** The Petitioner shall submit a proposed Notice of Public Hearing with its petition for review and approval by the Secretary of the Plan Commission.

OWNER'S AUTHORIZATION

The undersigned, Katherine M. Kruse, being the owner of the property commonly known as 8617 W Oak Street, hereby authorize(s) MI Homes of Indiana, L.P. to file a Petition for (zone map change / variance / special exception / subdivision plat approval / other ) for the aforementioned property.

(Company name)

Katherine M. Kruse (Owner signature)

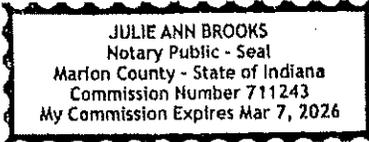
By: (Authorized signature)

- or -

KATHARINE M. KRUSE (print owner name)

(Printed name)

(Title)



State of Indiana County of Marion SS:

Subscribed and sworn to before me this day of February 15, 2020.

Notary Public Signature and Notary Public Printed names for Julie Ann Brooks.

My commission expires 3-7-2026

My county of residence is Marion County.

My Commission No. is 711 243

OWNER'S AUTHORIZATION

The undersigned, Lee R. Ford and Michael S Hamm, Co- Trustees <sup>OF PAUL A HAMM REVOCABLE TRUST</sup>, being the owner of the property commonly known as <sup>LOCATED AT</sup> 8775 W Oak Street, hereby authorize(s) MI Homes of Indiana, L.P. to file a Petition for (zone map change / variance / special exception / subdivision plat approval / other ) for the aforementioned property.

PAUL A HAMM REVOCABLE TRUST  
(Company name)  
By: [Signature]  
(Authorized signature)  
LEE E FORD  
(Printed name)  
CO. TRUSTEE  
(Title)

[Signature]  
(Owner signature)  
TRUSTEE  
MICHAEL S. HAMM  
(print owner name)  
CO-TRUSTEE  
TITLE

State of Indiana  
County of Hamilton ss:

Subscribed and sworn to before me this January 28, 2020 day of

[Signature] [Signature]  
Notary Public Signature Notary Public Printed

My commission expires 12/5/2020

My county of residence is Hamilton County.

My Commission No. is 640325



**SMALL ESTATE AFFIDAVIT FOR THE TRANSFER OF REAL ESTATE**

That Affiant, Lee R. Ford, being first duly sworn upon his oath, deposes and states as follows:

1. That Paul A. Hamm is the record title owner of the following described real estate located in Boone County, Indiana:

See Legal Description as Exhibit A;

Said real estate is more commonly known as 8775 East State Road 334, Zionsville, IN 46077.

2. That Paul A. Hamm departed this life on December 22, 2013.

3. That the Last Will and Testament of Paul A. Hamm was probated in the Boone County Superior Court I as Cause No. 06D01-1809-EM-109.

4. That pursuant to I.C. § 29-1-7-23 and the Last Will and Testament of Paul A. Hamm, the above described real estate vested in Lee R. Ford and Michael S. Hamm, as the Trustees of the Restated Paul A. Hamm Revocable Living Trust, dated August 14, 2013 upon the death of Paul A. Hamm.

5. That it appears that the decedent's gross estate, less liens and encumbrances, does not exceed the sum of the following: Fifty Thousand Dollars (\$50,000), less the costs and expenses of administration, and reasonable funeral expenses.

6. That there was no inheritance or estate tax due as a result of the death of Paul A. Hamm.

7. That more than forty-five (45) days have elapsed since the date of decedent's death.

8. That no application or petition for the appointment of a personal representative is pending or has been granted in any jurisdiction.

9. That there is no other person or party entitled to receive notification of the presentation of this affidavit.

10. That pursuant to I.C. 29-1-8-3(b), this Affidavit is presented to show the death of Paul A. Hamm and to transfer fee simple record title of the above described real estate from Paul A. Hamm to:

Lee R. Ford and Michael S. Hamm, Co-Trustees of the  
Restated Paul A. Hamm Revocable Living Trust, dated August 14, 2013  
11595 N. Meridian Street, Suite 320  
Carmel, IN 46032

DULY ENTERED  
SUBJECT TO FINAL ACCEPTANCE

**AUDITOR**  
BOONE COUNTY, INDIANA  
*Heather R. Myers*  
HEATHER R. MYERS  
Sep 18 2018 - MM

Further, Affiant sayeth naught.

Lee R Ford  
Lee R. Ford

STATE OF INDIANA        )  
                                  )SS:  
Hamilton COUNTY        )

Before me, a Notary Public in and for said County and State personally appeared Lee R. Ford, who acknowledged the execution of the foregoing, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 27th day of August, 2018.



Susan M. Howard  
Notary Public - Signature

Susan M. Howard  
Notary Public - Printed Name  
Resident of Hamilton County

My Commission Expires:  
December 5, 2020

Commission # 640325

Send Tax Bills To: 11595 N. Meridian Street, Suite 320  
Carmel, IN 46032

Grantee's Mailing Address: 11595 N. Meridian Street, Suite 320  
Carmel, IN 46032

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, Amy Comer Elliott.

This instrument was prepared by Amy Comer Elliott, Comer Law Office, LLC, 71 West Marion Street, Danville, Indiana 46122.

Exhibit A

The following described real estate in Boone County, in the State of Indiana:

TRACT I

A part of the southwest quarter of the northeast quarter of section 4, township 17 north, range 2 east in Boone County, Indiana, more particularly described as follows: beginning at a point on the north line of the aforesaid quarter quarter section, said point being 129.81 feet west of the northeast corner of the aforesaid quarter quarter section: Continue thence along the said north line of an assumed bearing of south 90 degrees 00 minutes 00 seconds west 209.00 feet; thence south 00 degrees 00 minutes 00 seconds east 209.00 feet; thence north 90 degrees 00 minutes 00 seconds east, parallel to the north line of the aforesaid quarter quarter section 209.00 feet; thence north 00 degrees 00 minutes 00 seconds west 209.00 feet to the place of beginning.

TRACT II

A part of the southwest quarter of the northeast quarter of section 4, township 17 north, range 2 east in Boone County, Indiana, more particularly described as follows: beginning at the northeast corner of said quarter quarter section; thence south 90 degrees 00 minutes 00 seconds west (assumed bearing) along the north line of said quarter-quarter section 129.81 feet; thence south 00 degrees 00 minutes 00 seconds east 209.00 feet; thence south 90 degrees 00 minutes 00 seconds west 209.00 feet; thence south 00 degrees 00 minutes 00 seconds east 1,100.12 feet; thence north 90 degrees 00 minutes 00 seconds east 328.67 feet to an existing fence on the east line of said quarter-quarter section; thence north 0 degrees 31 minutes 53 seconds east 1,309.18 feet along said existing fence and east line to the point of beginning, subject to right of ways and easements of record.

Being the same property conveyed by deed recorded in volume 227, page 276 of the Boone County, Indiana records.

②  
18.00  
+ 2.00 Nam  
TFA NWTA  
RETURN TO:

200900004867  
Filed for Record in  
BOONE COUNTY, INDIANA  
MARY ALICE "SAM" BALDWIN, RECORDER  
05-08-2009 At 03:06 PM.  
DEED 20.00

1393084  
**TITLE FIRST NATIONAL**  
2944 Fuller Avenue  
Grand Rapids, MI 49505

**WARRANTY DEED**  
Parcel No. 003-12370-00

THIS INDENTURE WITNESSETH, That A & Z Farms, LLC, an Indiana limited liability company ("Grantor"), CONVEYS AND WARRANTS to Katharine M. Kruse ("Grantee"), for the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the following described real estate located in Boone County, Eagle Township, state of Indiana:

A part of the Northeast Quarter of Section 4, Township 17 North, Range 2 East, in Eagle Township, Boone County, Indiana, described as follows:

Commencing at the Southwest corner of said Quarter Section; thence North 89 degrees 09 minutes 37 seconds East (assumed bearing) along the South line of said Quarter Section 542.44 feet to a 5/8 inch rebar with red cap at the POINT OF BEGINNING; thence North 0 degrees 07 minutes 03 seconds East 808.49 feet to a 5/8 inch rebar with red cap; thence South 89 degrees 09 minutes 37 seconds West 116.85 feet to a 5/8 inch rebar with a red cap; thence North 0 degrees 07 minutes 03 seconds East 516.99 feet to a PK nail on the North line of the Southwest Quarter of said Northeast Quarter Section; thence North 89 degrees 28 minutes 48 seconds East along said North line 564.71 feet to a PK nail at the Northwest corner of the real estate described in Deed Record 227, page 276 in the Office of the Recorder of Boone County, Indiana; thence South 0 degrees 35 minutes 45 seconds East 1309.73 feet measured (1309.12 feet record) to a 1/2 inch rebar found at the Southwest corner of said real estate, thence North 87 degrees 25 minutes 10 seconds East 326.50 feet measured (326.67 feet record) to a 1/2 inch rebar found at the Southeast corner of said real estate said rebar also being on the accepted East line of the Southwest Quarter of said Northeast Quarter Section; thence South 0 degrees 24 minutes 27 seconds East 10.95 feet to a 3/4 inch iron pipe found at the accepted Southeast Corner of the Southwest Quarter of said Northeast Quarter Section; thence South 89 degrees 09 minutes 37 seconds West along the South line of said Northeast Quarter Section 790.84 feet to the point of beginning.

The address of such real estate is commonly known as 8615-17 East State Road 334, Zionsville, Indiana 46077.

The undersigned person executing this deed on behalf of Grantor represents and certifies that she has been fully empowered, by proper action of the governing body of Grantor, to execute and deliver this deed; that Grantor has full capacity to convey the real estate described herein; and that all necessary action for the making of such conveyance has been taken and done.

Grantor has been administratively dissolved and is no longer duly organized and in good standing under the laws of the state of Indiana. This Warranty Deed is being executed by Grantor for the purpose of winding up and liquidating its business and affairs, pursuant to the provisions of IC 23-18-10-3.

DULY ENTERED FOR TAXATION  
5-08-09  
*Melody L. ...*  
SUBJECT TO FINAL ACCEPTANCE  
AUDITOR, BOONE COUNTY

IN WITNESS WHEREOF, Grantor has executed this deed this 1 day of May, 2009.

GRANTOR: A & Z Farms, LLC

By: Katharine M. Kruse

Printed: Katharine M. Kruse

Title: Sole Member

STATE OF INDIANA )  
 ) SS: ACKNOWLEDGMENT  
COUNTY OF Marion )

Before me, a Notary Public in and for said County and State, personally appeared Katharine M. Kruse, who acknowledged the execution of the foregoing Warranty Deed for and on behalf of Grantor, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 1 day of May, 2009.

My Commission Expires:  
2-6-2013



Notary Public  
Stacey A. Miller  
Printed Stacey A. Miller

County of Residence:  
Hamilton

This instrument was prepared by Jon F. Spadorcia, Attorney at Law, Hall, Render, Killian, Heath & Lyman, P.C., One American Square, Suite 2000, Box 82064, Indianapolis, IN 46282.

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. Jon F. Spadorcia

Send tax bills to: 7443 N. Washington Blvd. Indianapolis, IN 46240  
815675

## **LEGAL DESCRIPTIONS**

### **HAMM PARCEL (Per Commitment) Approximately 8.98 AC**

A Part of the Southwest Quarter of the Northeast Quarter of Section 4, Township 17 North, Range 2 East in Boone County, Indiana, more particularly described as follows:

Beginning at the northeast corner of said quarter quarter section; thence South 90 degrees 00 minutes 00 seconds west (assumed bearing) along the north line of said quarter-quarter section 129.81 feet; thence South 00 degrees 00 minutes 00 seconds east 209.00 feet; thence South 90 degrees 00 minutes 00 seconds west 209.00 feet; thence South 00 degrees 00 minutes 00 seconds east 328.67 feet to an existing fence on the east line of said quarter-quarter section; thence North 0 degrees 31 minutes 53 seconds east 1,309.18 feet along the existing fence and east line to the Point of Beginning.

### **KRUSE PARCEL (Per Commitment): Approximately 15.303 AC**

A part of the Northeast Quarter of Section 4, Township 17 North, Range 2 East, in Eagle Township, Boone County, Indiana, described as follows:

Commencing at the Southwest corner of said Quarter Section; thence North 89 degrees 09 minutes 37 seconds East (assumed bearing) along the South line of said Quarter Section 542.44 feet to a 5/8 inch rebar with red cap at the POINT OF BEGINNING; thence North 0 degrees 07 minutes 03 seconds East 808.49 feet to a 5/8 inch rebar with a red cap; thence South 89 degrees 09 minutes 37 seconds West 116.85 feet to a 5/8 inch rebar with red cap; thence North 0 degrees 07 minutes 03 seconds East 516.99 feet to a PK nail on the North line of the Southwest Quarter of said Northeast Quarter Section; thence north 89 degrees 28 minutes 48 seconds East along said North line 564.71 feet to a PK nail on the Northwest corner of the real estate described in Deed Record 227, page 276 in the Office of the Recorder of Boone County, Indiana; thence South 0 degrees 35 minutes 45 seconds East 1309.73 feet measured (1309.12 feet record) to a 1/2 inch rebar found at the Southwest corner of said real estate, thence North 87 degrees 25 minutes 10 seconds East 326.50 feet measured (326.67 feet record) to a 1/2 inch rebar found at the Southeast corner of said real estate said rebar also being on the accepted East line of the Southwest Quarter of said Northeast Quarter Section; thence South 0 degrees 24 minutes 27 seconds East 10.95 feet to a 3/4 inch iron pipe found at the accepted Southeast Corner of the Southwest Quarter of said Northeast Quarter Section; thence South 89 degrees 09 minutes 37 seconds West along the South line of said Northeast Quarter Section 790.84 feet to the point of beginning.

## 19154 WINDHAVEN

### PLANNING AND ZONING REVIEW

193.051(C) (3) (a) Side lot lines are at right angles to street lines (or radial to curving street lines) unless a deviation from this rule will give a better street or lot plan;

Generally, lot lines are at right angles or are radial to streets with a few exceptions.

193.052 (B) (4) *Secondary means of access.* Any major residential subdivision which contains 30 or more lots shall:

- (a) Provide a secondary means of access to an improved perimeter public street; or
- (b) Provide a divided collector street as the means of access to an improved perimeter public street.

Total of 58 lots, emergency secondary access is available through a proposed common area and a robust asphalt path.

193.052 (B) (13) (e) All streets shall intersect at 90 degrees whenever possible for a minimum distance of 100 feet; however, in no instance shall they intersect at less than 75 degrees. If the intersection of two streets is less than 90 degrees, the back-of-curb radius of the arc at the intersection of the property lines noted above shall be increased as deemed advisable by the town's Engineer and approved by the Plan Commission.

The below intersection has an angle that is less than 75 degrees and does not have 100' of tangent prior to the intersection.



193.052 (B) (14) *Cul-de-sac streets.* In no event shall a cul-de-sac street measure more than 800 feet in length, measured from centerline of an intersecting street (excluding another cul-de-sac) to the center point of the radius of the vehicle turnaround.

The entire subdivision does not meet the above requirement.

193.052 (B) (14) (b) No driveway shall be located within 75 feet of the intersection of the two streets.

Driveways for Lot 5, 6, 10, & 11 will be within the 75 feet of intersection.



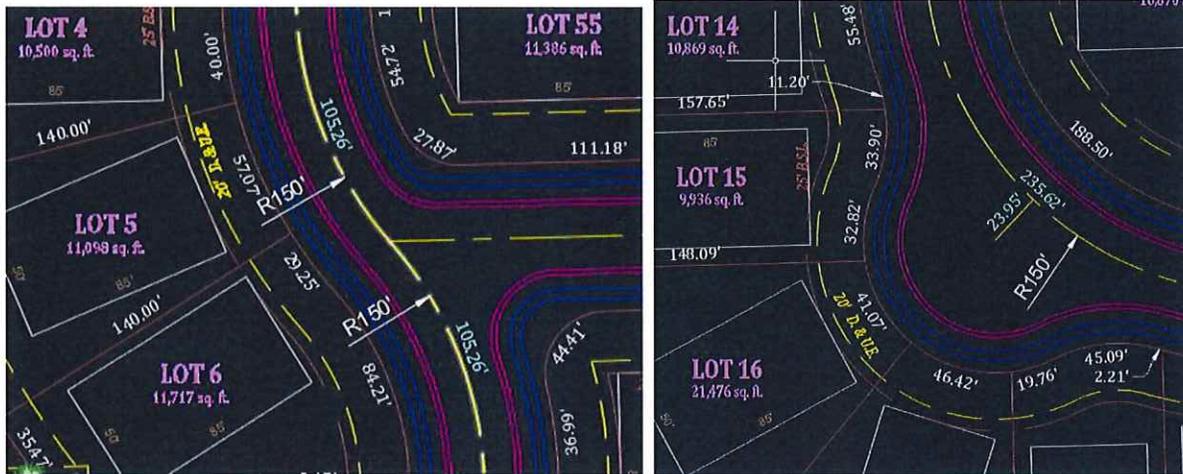
Design Standards for Street per Zionsville Design and Construction Standards

PART 4 - TABLES

TABLE 1 - DESIGN STANDARDS FOR STREETS

Street Type	Design Speed (Mph)	R-O-W Width (Ft)	Street Width (Ft) <sup>1</sup>	Maximum Grade (%)	Minimum Grade (%)	Min. Radius Horizontal Curve (Ft)	Min. Length Tangent (Ft) <sup>2</sup>	Min. Vertical Curve Length (Ft) <sup>3</sup>		Corner Radius (Ft)	Cul-De-Sac Transition Radius
								SAG	CREST		
Local	30	60	30	8.0	0.5	300	100	40*A	30*A	25	--
Collector	30	80	36	5.0	0.5	300	150	40*A	30*A	40	--
Arterial	40	110	52	4.0	0.5	675	200	70*A	80*A	40	--
Cul-de-sac											
Residential	--	R=50	R=38	--	0.5	--	--	--	--	--	R=60
Other	--	R=60	R=50	--	0.5	--	--	--	--	--	R=100

The current layout does not meet the minimum radius horizontal curve and the minimum length of tangents between reserve curves.



50.043 Drainage Easement Requirements (4) Rear-yard swales, 100-year and emergency overflow paths and emergency overflow routes associated with detention ponds shall be included as part of the storm water system of the town, and a minimum of 30-foot width (15 feet from centerline on each side) needs to be designated as drainage easement.

The current layout has a 20' drainage easement plus a 10' landscaping easement at the rear of Lots 7 -16.

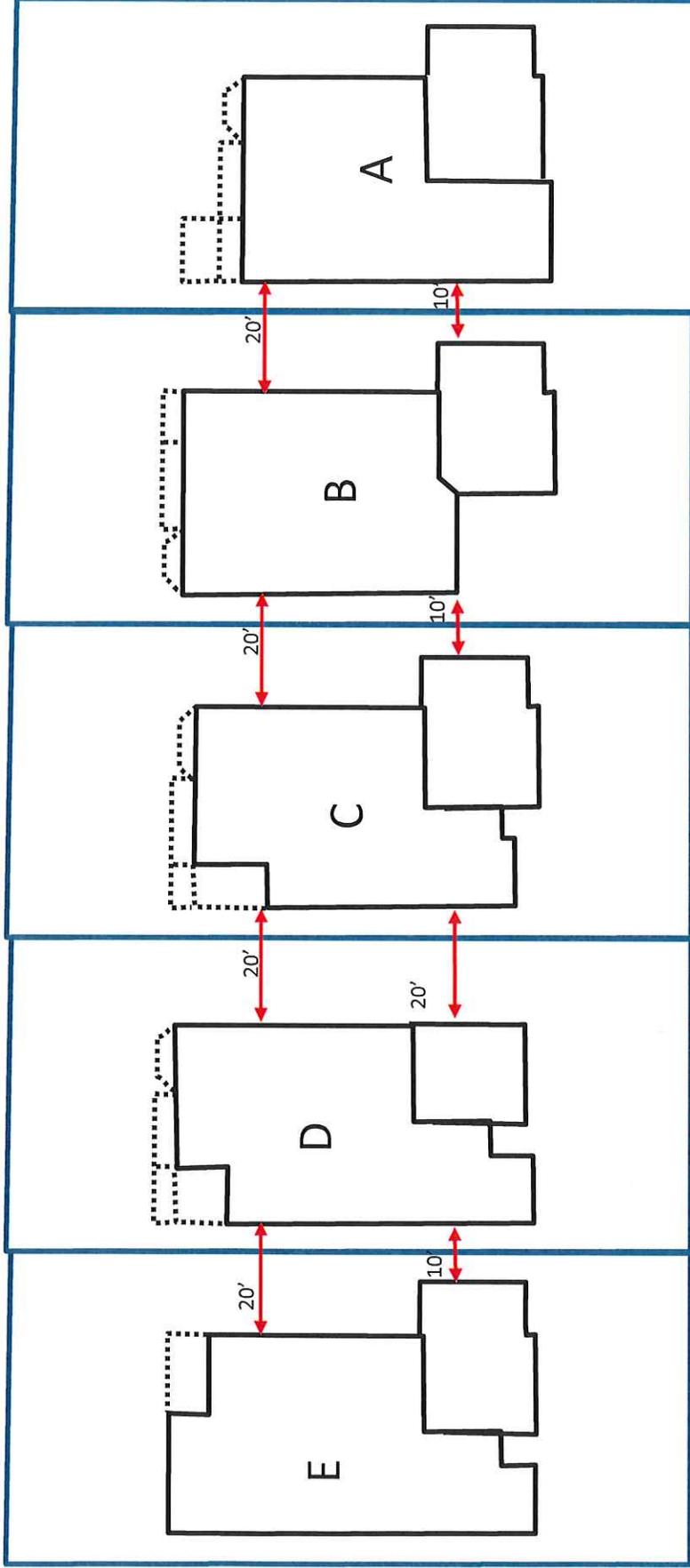
# Windhaven

## Perimeter Easements to The Enclave



10' Landscape Easement outlined in Red  
20' drainage easement outline in Blue

# Typical House Layout (House Separation)





**Petition Number:** 2020-15-Z

**Subject Site Address:** 10771-10903 Creek Way

**Petitioner:** Town of Zionsville

**Representative:** Town of Zionsville, by its Department of Redevelopment

**Request:** Petition for Zone Map Change to rezone 49.874+/- acres from the (PUD) Planned Unit Development to a (PUD) Planned Unit Development District (Town of Zionsville Owned Land within the Creekside PUD as per Ord. 2018-08)

**Current Zoning:** (PUD) Planned Unit Development

**Current Land Use:** Professional office, active and passive recreational use facilities, developing Research/Development/Office Park

**Approximate Acreage:** 49.874 +/-acres

**Related Petitions:** 2010-24-Z-(Rezone from I-3 Heavy Industrial to PUD)  
2015-02-Z-(PUD) Amendment  
2016-16-Z-(PUD) Amendment  
2016-18-PP-(Primary Plat)  
2016-43-SP-(Secondary Plat-Lot 6)  
2017-33-SP-(Secondary Plat)  
2018-15-Z-(PUD) Amendment

**Exhibits:** Exhibit 1 – Staff Report  
Exhibit 2 – Zoning / Location Map  
Exhibit 3 – Comprehensive Plan Map  
Exhibit 4 – Creekside Corporate Park Boundary map  
Exhibit 5 – Creekside Corporate Park Revised PUD Map  
Exhibit 6 – Permitted Uses In Subarea D  
Exhibit 7 – Town of Zionsville Process Flow Chart

**Staff Presenter:** Wayne DeLong, AICP, CPM

## **PROJECT OVERVIEW**

### **Project Location / Property Status**

The subject property is approximately 49.874 acres located predominately on the north side of the West 106<sup>th</sup> Street.

### **Project History / Project Description**

75 acres of the current CREEKSIDE PUD (the “PUD”) was rezoned in 2015 to the Planned Unit Development classification in anticipation of redevelopment but under the ownership of the Town of Zionsville for the use and benefit of its Department of Redevelopment. The need for the rezoning was in response to allow for additional uses to be permitted with certain areas within the PUD (see Exhibit 5) as well as refinement of specific development standards as described in the amended Planned Unit Development Ordinance.

At its May 18, 2020 Plan Commission meeting, the Commission will review the (PUD) Planned Unit Development Ordinance for revisions in order to support the 1) presence of specifically designed improvements to be occupied by an Automobile Race Team (“Team”), consider modifications of development standards related to wall signage, and the establishment of Sub Area D.

## **ANALYSIS**

As identified above, the CREEKSIDE PUD document is proposed to be updated with text changes as listed below. A complete list is contained in the Draft PUD Ordinance.

1. Page 2: removed unbuildable acreage being 0.5961-acres (titled Block A on the Secondary Plat) from the map that has been sold to an adjoining landowner for purposes of redevelopment by the adjacent land owner
2. Pages 3, 17-21: updated to reflect creation of Subarea D
3. Pages 4, 9, 11-13: updated to clarify that Subarea A does not have frontage on 106<sup>th</sup> Street
4. Pages 6 & 7: replicated Subarea A description, retitled it Subarea D, and added Automobile Racing Team as a permissible use

## **PROCEDURE**

Rezoning is a legislative process which begins with the Plan Commission and results in the recognition of responses to five (5) items found in Indiana Code (outlined below).

Upon the conclusion of the Public Hearing and Certification of the Plan Commission’s recommendation to the Town Council, the Town Council will then set the matter on its Agenda for future consideration.

## **Rezoning-Zoning Ordinance**

In preparing and considering rezoning proposals under the 600 series of Indiana Code, the Plan Commission and the Town Council shall pay reasonable regard to:

- (1) the comprehensive plan;
- (2) current conditions and the character of current structures and uses in each district;
- (3) the most desirable use for which the land in each district is adapted;
- (4) the conservation of property values throughout the jurisdiction; and
- (5) responsible development and growth.

600 Series suggested responses for the Plan Commission's consideration:

- (1) the comprehensive plan;

The property is recommended for Office, Research & Technology District; the proposed development pattern shares characteristics with land uses which are supportable by the Plan's recommendations.

- (2) current conditions and the character of current structures and uses in each district;

The current conditions and character of the structures and uses in the district are complementary to the character and uses contemplated within the Creekside Corporate Park Planned Unit Development document.

- (3) the most desirable use for which the land in each district is adapted;

The land is adapted for development which has the ability to utilize the available acreage while meeting the expectations of the Community. The most desirable land use is one which as the ability to utilize the property while being cognizant of the natural features of the property.

- (4) the conservation of property values throughout the jurisdiction; and

The proposed rezoning which supports the location of a mixed-use development with the development characteristics as outlined in the submitted Planned Unit Development document will serve to conserve property values throughout the jurisdiction.

- (5) responsible development and growth.

The Petition represents responsible development and growth

## **Planned Unit Development-General Conditions**

Any real estate may be rezoned Planned Unit Development District in order to accomplish the following:

- a) The characteristics of the specific site development and its land uses proposed for the subject real estate are compatible with the surrounding area if the development were limited to those plans and uses as submitted.

- b) Land uses, which would not otherwise be permitted to locate within the existing zoning districts, are proposed for development on a parcel under single or multiple ownership or management.
- c) Exceptions or variations from the size, setback, frontage, density, uses, or other development standards which are established for a given land use in the other zoning districts are permitted as a part of the Planned Unit Development.
- d) The objectives and goals of smart growth are incorporated through the utilization of such initiatives as conservation developments, integrated mixed-use developments, and performance-based implementation developments.

### **Planned Unit Development-Guidelines for Design**

The following design principles are recommended by Section 194.143 of the Zoning Ordinance:

- a) The proposed development should be designed to produce an environment of stable and desirable character not out of harmony with its surrounding neighborhood and the Town's Comprehensive Plan.
- b) Interest and variety should be sought, by means of street design and changes in mixture of building types, heights, facades, setbacks, plantings, or size of open space. The design should be harmonious as a whole and not simply from street-to street.
- c) Streets should curve to discourage fast movement of traffic; traffic calming devices should be integrated into street design; group parking areas should be screened, so that the vehicles are substantially hidden from the street.
- d) The natural amenities of the land should be preserved through maintenance of conservation areas and open spaces. A minimum of at least twenty (20) percent of the gross area of the site should be retained in open space.
- e) Height of buildings in excess of thirty-five (35) feet should be designed and planned to be reasonably consistent with the neighboring property and foster efficient use of existing public services and facilities.
- f) Within a primarily residential development, commercial and office uses, if proposed, should be scaled so that they primarily serve the occupants of the development. Commercial and office uses within the development should be at the front of the development and be accessed by an internal collector road.
- g) Structures or buildings located at the perimeter of the development should face outwardly and be properly screened in a manner that sufficiently protects the privacy and amenities of the adjacent and neighboring property uses.

## **STAFF COMMENTS**

The proposed changes are intended to enhance the marketability of the real estate as well as reflect updates that are necessary to the overall boundary of the acreage zoned Planned Unit Development. The Ordinance as originally written always encouraged the establishment of headquarter operations of a corporation, however, it did not anticipate that the headquarters would be associated with an Automobile Race Team. The proposed modifications support the inclusion of the contemplated land use and associated development standards, and Staff is supportive of a favorable recommendation of the rezoning petition being forwarded to the Town Council for its consideration.

Staff recommends approval of the proposed Planned Unit Development Ordinance.

## **RECOMMENDED MOTIONS**

### **Motion**

I move that Docket #2020-15-Z to modify to rezone 49.874+/- acres from the (PUD) Planned Unit Development to a (PUD) Planned Unit Development District (Town of Zionsville Owned Land within the Creekside PUD as per Ord. 2018-08) receive a (favorable recommendation based upon the findings in the staff report / unfavorable recommendation / continued) as presented, with the recommendation being certified to the Town Council for adoption or rejection.

## **PROCEDURAL NOTE**

Upon the conclusion of the Public Hearing and Certification of the Plan Commission's Recommendation to the Town Council, the Town Council will then set the matter on its Agenda for future consideration.

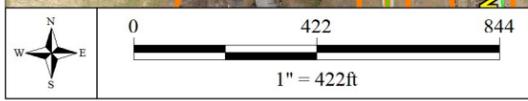


Exhibit 2

Creekside Corporate Park - Adjoiner Map for Notices

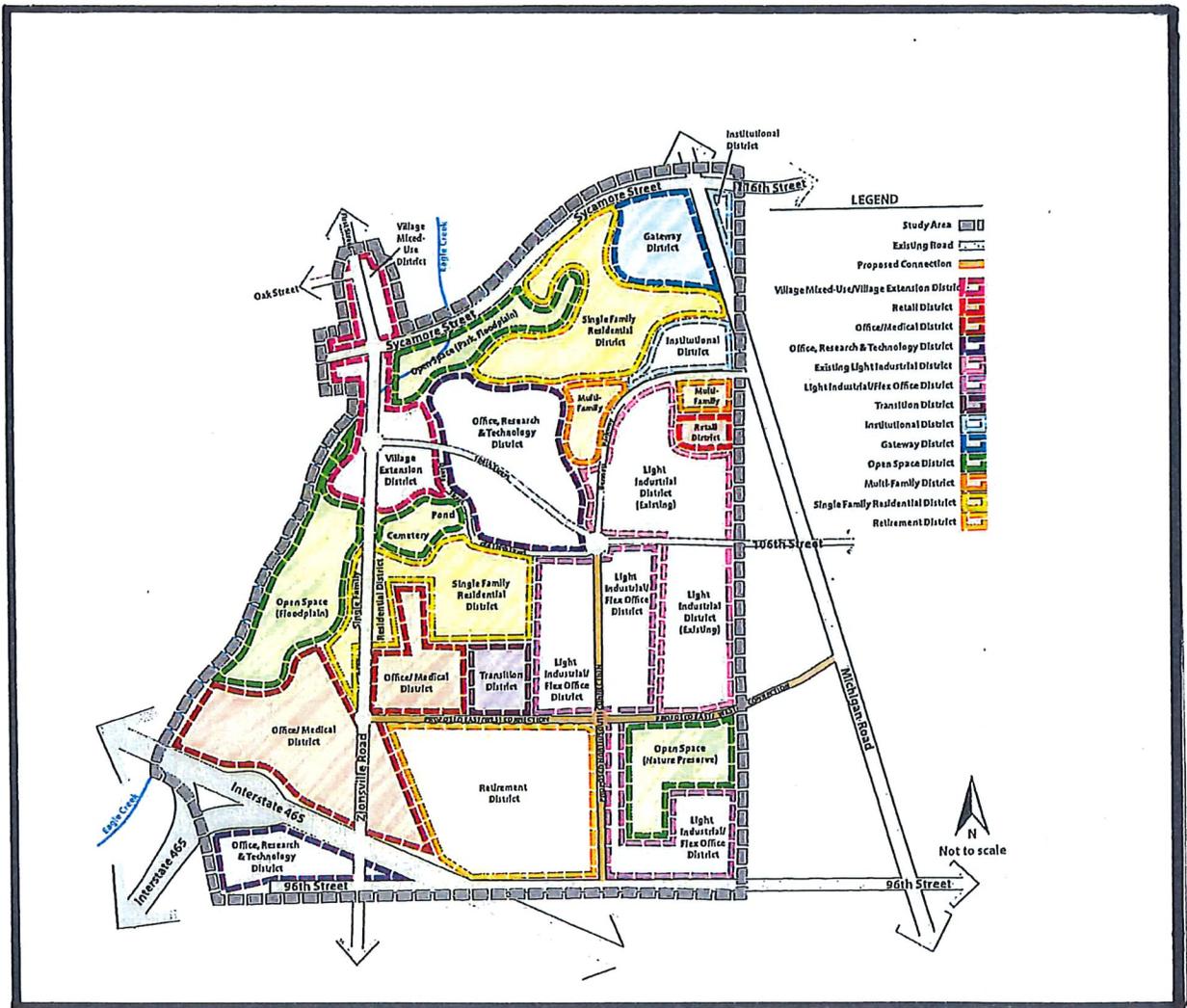


Exhibit 3

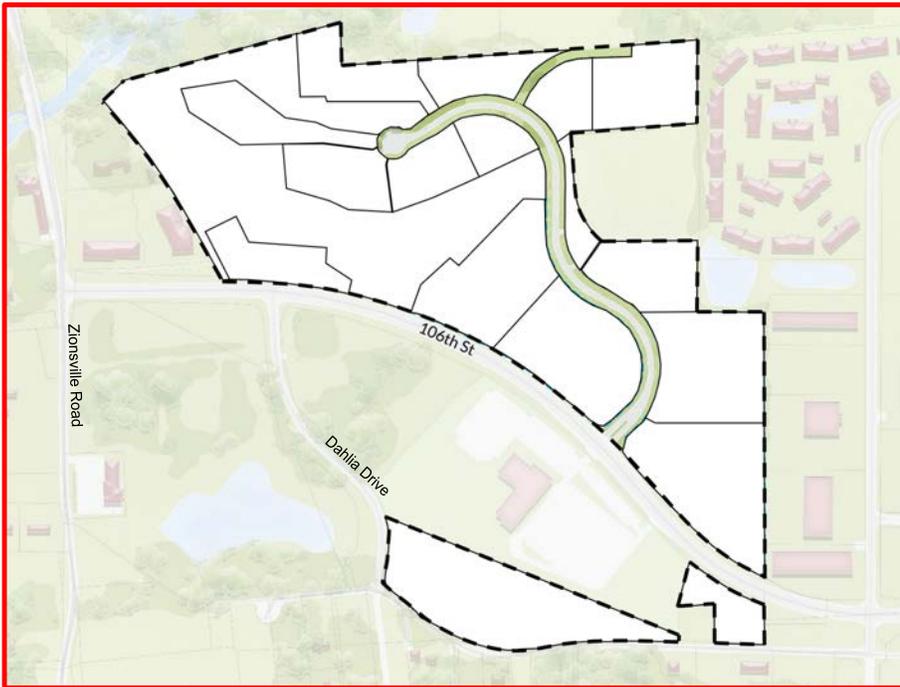
### 1.1 Intent

The intent of Creekside Corporate Park is to:

- A. Develop sensitively, providing a transition from the industrial zoning to the east to the village zoning to the west and north west;
- B. Develop responsibly, preserving the terrain and prime natural amenities that exist on the site;
- C. Enhance the gateway into Zionsville via 106th Street;
- D. Set the benchmark for undeveloped or under-developed land along 106th Street;
- E. Not require each developable lot to have its own open space, but instead preserving the ravines for aesthetic and recreation purposes;
- F. Not require each developable lot to have storm water detention basins, but instead utilizing low impact development techniques to meet storm water regulations;
- G. Allow land uses that will complement the region, add high quality jobs, and encourage higher quantity of jobs per square foot of building space;
- H. Allow complementary support businesses that are subordinate to the primary permitted uses; and
- I. Provide a trail network for recreation and pedestrian transportation purposes, allowing employees an expedited route to South Main and the Village.

### 1.2 Applicable Land

See Exhibit A for the boundaries of the Creekside Corporate Park PUD. Exhibit A shows a conceptual location for an internal street and internal curb cuts. The exact design, length and alignment of this route is subject to change upon further engineering study.



**Exhibit A – Creekside Corporate Park PUD Boundary**

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## Creekside Corporate Park PUD

### 1.3 Subareas of the Creekside Corporate Park PUD

- A. Subarea A: Subarea A ~~is the largest district and~~ represents one of the districts the land on which the principal uses would be constructed. See Subarea A on Exhibit B.
- B. Subarea B: Subarea B is the smallest district and is isolated from Subarea A by natural areas. Because this subarea fronts a future rail-trail and 106th Street and because of lot size limitations, it is believed to be significantly different than Subarea A. See Subarea B on Exhibit B.
- C. Subarea C: Subarea C is predominantly the ravines and conservation areas being set aside for aesthetic, recreation and storm water confluence purposes. See Subarea C on Exhibit B.
- ~~C~~.D. Subarea D: Subarea D is the largest district and represents the land on which the principal uses would be constructed. See Subarea D on Exhibit B.
- ~~D~~.E. Delineation: The exact delineation between subareas is subject to change upon further engineering and environmental study. Subarea A may increase by up to 10% and subarea B may increase by up to 30%. Both Subareas A and B may be decreased by as much as 55%

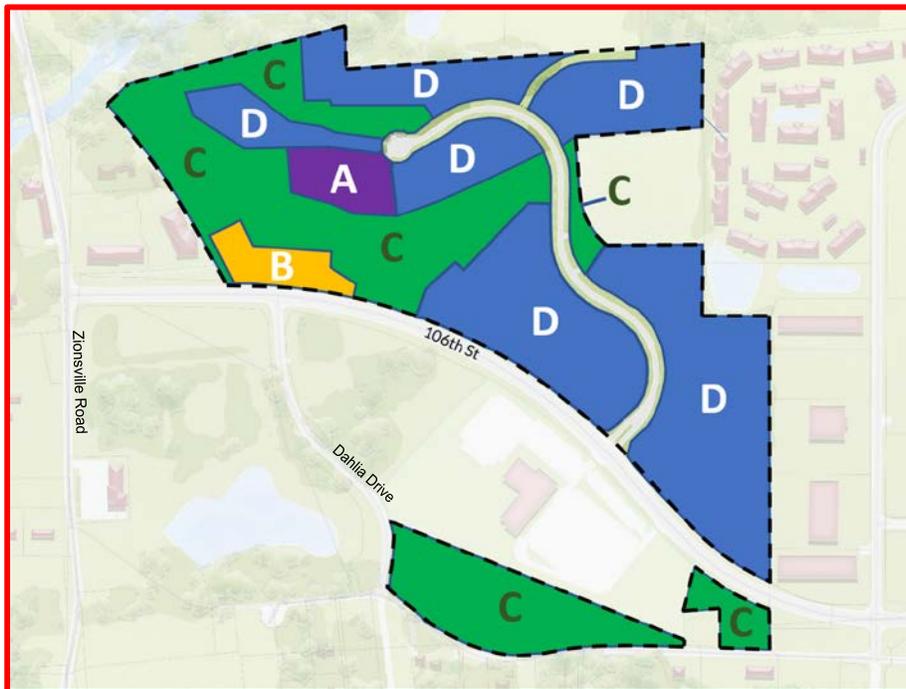


Exhibit B – Subareas of the Creekside Corporate Park PUD

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# Creekside Corporate Park PUD

## 1.7 Permitted Uses for Subarea D

### A. Permitted Uses for Single-Tenant Building:

1. Corporate Headquarters
2. Regional Headquarters
3. Financial Services Office (not retail banking)
4. Engineering Firm
5. Architecture Firm
6. Design and Planning Services
7. Law Firm
8. Product Research and Development
9. Agricultural Science
10. Life Science (inclusive of medical institutions without 24 hour operations)
11. Software Development
12. Technology Development
13. Event Center (not including lots along 106th Street)
- ~~12-14.~~ Automotive Racing Team (may exceed maximum main floor area percentages and loading bays outlined under next section "B. Accessory Uses for a single-Tenant Building")

### B. Accessory Uses for a Single-Tenant Building:

1. Warehouse, if 20% or less of the main floor area and having two (2) or less loading bays
  2. Assembly, if 30% or less of the main floor area and having two (2) or less loading bays
  3. Light Manufacturing, if 30% or less of the main floor area and having two (2) or less loading bays
- Any combination of the above listed accessory uses shall not exceed 30% of the main floor area.

### C. Permitted Uses for a Multiple-Tenant Building:

1. Corporate Headquarters
2. Regional Headquarters
3. Financial Services Office (not retail banking)
4. Engineering Firm
5. Architecture Firm
6. Medical Office (e.g. physician, dentist, testing, orthodontist, optometrist)
7. University Satellite Classrooms
8. Business School
9. Trade School
10. Design and Planning Services
11. Insurance Agency
12. Real Estate Office
13. Service Organization Office
14. Law Firm
15. Product Research and Development
16. Agricultural Science
17. Life Science
18. Software Development
19. Technology Development
- ~~13-20.~~ Business Incubator

### D. Accessory Uses for a Multiple-Tenant Building: Under no circumstances shall all accessory uses in a multiple-tenant building exceed twenty-five percent (25%) of the gross floor area.

1. Restaurant or Cafe, with or without outdoor dining
2. Coffee Shop, with or without outdoor dining
3. Child Care Center

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## Creekside Corporate Park PUD

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4. *Package Shipping Service (e.g. UPS Store, FedEx Store)*
5. *Dry Cleaning Pick-up and Delivery*
6. *Office Supplies Store*
7. *Health Spa*
- 14.8. *Fitness Center*

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**PUBLIC PROCESS FOR CHANGE OF ZONING REQUESTS (I.C. 36-7-4-600) integrated with Town of Zionsville Plan Commission Rules of Procedure**

**PLAN COMMISSION HEARING PROCESS-FOR CHANGE IN ZONING (filing date is a minimum of 31 days prior to the initial hearing)**

STEP ONE	DAY 1	DAYS 3-5	DAYS 12-14	DAYS 12-20	DAY 31
ACTION	Public Filing	Plan Commission Agenda Posted to Town Website	Legal Notice of Plan Commission Meeting Published in Newspaper	Legal Notice Mailed to Adjoiners	<u>Public Hearing Occurs first public interaction</u>
DETAILS ON ACTION:	Indiana Code requires Plan Commission to hold a hearing within 60 days of the filing	Second opportunity of public to learn of a filing (first is to check with staff after passing of deadline for filing)	Published in a newspaper of general circulation at least 10 days prior to the hearing (regulated by Indiana Code). (Third opportunity for public to be made aware of a rezoning request)	Notices are mailed to interested parties (interested parties are defined by the Plan Commission) (Fourth opportunity for public to be made aware of a rezoning)	Hearing can be continued from time to time and results in a recommendation being forwarded to the Town Council within 10 business days of the final determination (Indiana Code stipulates timing)
INTERESTED PARTIES:	Call on Town Hall to confirm what has been filed	Watch website for updates	Publication occurs on Wednesdays (typically, using Zionsville Sentinel Times)	Mail arrives certified	Hearing(s) occur at Town Hall -Public Hearing (& fifth time public to be made aware of rezoning request) is on a set schedule published yearly



**TOWN COUNCIL MEETING PROCESS-FOR CHANGE IN ZONING**

STEP TWO	DAYS 32-41	DAYS 41-119	DAYS 42-135
ACTION	Matter is Forwarded to Town Council	Town Council Posts Agenda to Town Website	Town Council Holds <u>Public Meeting second public interaction</u>
DETAILS ON ACTION:	Town Council discusses request at an agenda setting meeting (& sixth time public to be made aware of a rezoning request)	Seventh opportunity of public to be made aware of a rezoning request (Note: Town Council, by Indiana Code, has up to 90 days to take action on a change in zoning)	Eighth opportunity of public to be made aware of a rezoning request

**Notes:**

- 1) This listing does not include any reference to Staff review of the filing (though a part of the process).
- 2) Indiana Code does not require the Town Council to hold a meeting (a request not scheduled for a meeting is deemed effective/adopted as recommended by the Plan Commission).
- 3) This shall serve as a guide of the rezoning process as regulated by state law and further described in local ordinance as well as the Plan Commission's Rules of Procedure (the "Laws"). This document is only a guide and is not intended to circumvent or deviate from the Laws associated with rezoning land in Indiana.

# Creekside Corporate Park

## Planned Unit Development

Petition for Zone Map Change

DOW PUD, 2011-02 (rezoned)

CREEKSIDE PUD, 2015-02 (rezoned)

CREEKSIDE PUD, 2016-08 (approved)

CREEKSIDE PUD, 2018-08 (approved)

CREEKSIDE PUD, 2020-XX (DRAFT)

DRAFT

**Owner:**

Town of Zionsville for the use and benefit of its  
Department of Redevelopment  
1100 West Oak Street  
Zionsville, IN 46077

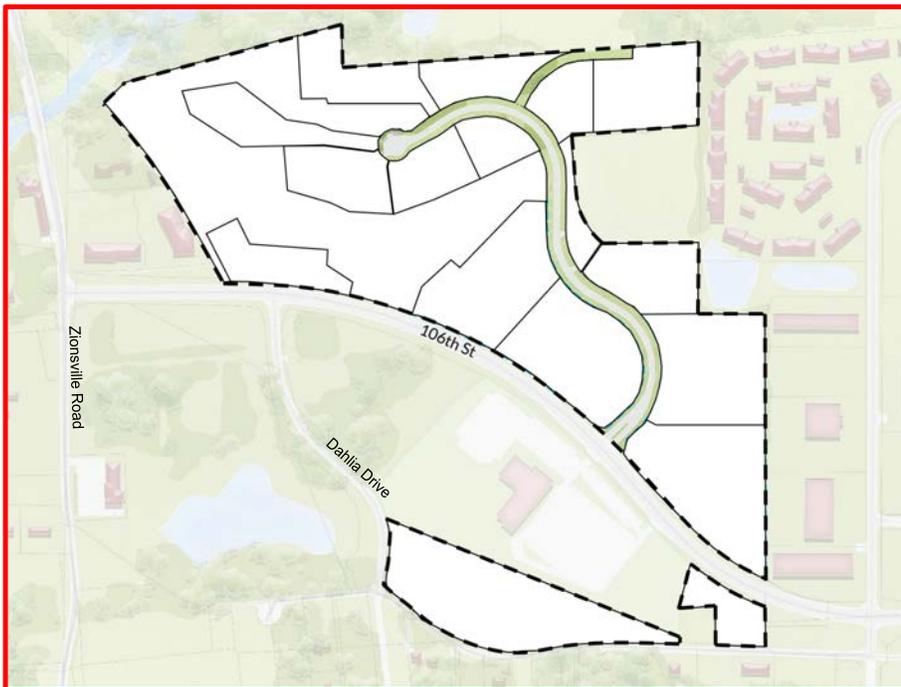
### 1.1 Intent

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- A. Develop sensitively, providing a transition from the industrial zoning to the east to the village zoning to the west and north west;
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- C. Enhance the gateway into Zionsville via 106th Street;
- D. Set the benchmark for undeveloped or under-developed land along 106th Street;
- E. Not require each developable lot to have its own open space, but instead preserving the ravines for aesthetic and recreation purposes;
- F. Not require each developable lot to have storm water detention basins, but instead utilizing low impact development techniques to meet storm water regulations;
- G. Allow land uses that will complement the region, add high quality jobs, and encourage higher quantity of jobs per square foot of building space;
- H. Allow complementary support businesses that are subordinate to the primary permitted uses; and
- I. Provide a trail network for recreation and pedestrian transportation purposes, allowing employees an expedited route to South Main and the Village.

### 1.2 Applicable Land

See Exhibit A for the boundaries of the Creekside Corporate Park PUD. Exhibit A shows a conceptual location for an internal street and internal curb cuts. The exact design, length and alignment of this route is subject to change upon further engineering study.



**Exhibit A – Creekside Corporate Park PUD Boundary**

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## Creekside Corporate Park PUD

### 1.3 Subareas of the Creekside Corporate Park PUD

- A. Subarea A: Subarea A ~~is the largest district and~~ represents one of the districts the land on which the principal uses would be constructed. See Subarea A on Exhibit B.
- B. Subarea B: Subarea B is the smallest district and is isolated from Subarea A by natural areas. Because this subarea fronts a future rail-trail and 106th Street and because of lot size limitations, it is believed to be significantly different than Subarea A. See Subarea B on Exhibit B.
- C. Subarea C: Subarea C is predominantly the ravines and conservation areas being set aside for aesthetic, recreation and storm water confluence purposes. See Subarea C on Exhibit B.
- ~~C~~.D. Subarea D: Subarea D is the largest district and represents the land on which the principal uses would be constructed. See Subarea D on Exhibit B.
- ~~D~~.E. Delineation: The exact delineation between subareas is subject to change upon further engineering and environmental study. Subarea A may increase by up to 10% and subarea B may increase by up to 30%. Both Subareas A and B may be decreased by as much as 55%

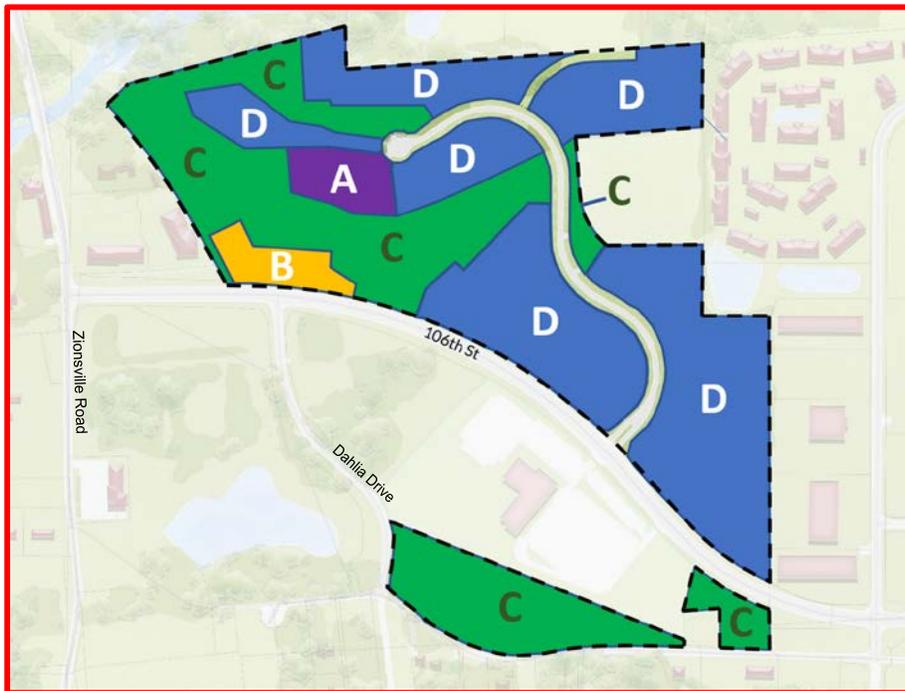


Exhibit B – Subareas of the Creekside Corporate Park PUD

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# Creekside Corporate Park PUD

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## 1.4 Permitted Uses for Subarea A

### A. Permitted Uses for Single-Tenant Building:

1. *Corporate Headquarters*
2. *Regional Headquarters*
3. *Financial Services Office (not retail banking)*
4. *Engineering Firm*
5. *Architecture Firm*
6. *Design and Planning Services*
7. *Law Firm*
8. *Product Research and Development*
9. *Agricultural Science*
10. *Life Science (inclusive of medical institutions without 24 hour operations)*
11. *Software Development*
12. *Technology Development*
13. *Event Center (not including lots along 106th Street)*

### B. Accessory Uses for a Single-Tenant Building:

1. *Warehouse, if 20% or less of the main floor area and having two (2) or less loading bays*
  2. *Assembly, if 30% or less of the main floor area and having two (2) or less loading bays*
  3. *Light Manufacturing, if 30% or less of the main floor area and having two (2) or less loading bays*
- Any combination of the above listed accessory uses shall not exceed 30% of the main floor area.

### C. Permitted Uses for a Multiple-Tenant Building:

1. *Corporate Headquarters*
2. *Regional Headquarters*
3. *Financial Services Office (not retail banking)*
4. *Engineering Firm*
5. *Architecture Firm*
6. *Medical Office (e.g. physician, dentist, testing, orthodontist, optometrist)*
7. *University Satellite Classrooms*
8. *Business School*
9. *Trade School*
10. *Design and Planning Services*
11. *Insurance Agency*
12. *Real Estate Office*
13. *Service Organization Office*
14. *Law Firm*
15. *Product Research and Development*
16. *Agricultural Science*
17. *Life Science*
18. *Software Development*
19. *Technology Development*
20. *Business Incubator*

### D. Accessory Uses for a Multiple-Tenant Building: Under no circumstances shall all accessory uses in a multiple-tenant building exceed twenty-five percent (25%) of the gross floor area.

1. *Restaurant or Cafe, with or without outdoor dining*
2. *Coffee Shop, with or without outdoor dining*
3. *Child Care Center*
4. *Package Shipping Service (e.g. UPS Store, FedEx Store)*
5. *Dry Cleaning Pick-up and Delivery*

## Creekside Corporate Park PUD

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6. *Office Supplies Store*
7. *Health Spa*
8. *Fitness Center*

### 1.5 Permitted Uses for Subarea B

#### A. Permitted Uses for a Single-Tenant or Multiple-Tenant Building:

1. *Corporate Headquarters*
2. *Regional Headquarters*
3. *Restaurant or Cafe*
4. *Bakery*
5. *Coffee Shop*
6. *Ice Cream Shop*
7. *Micro Brewery*
8. *Micro Distillery*
9. *Bike Shop*
10. *Apparel Shop*
11. *Gift Shop*
12. *Wine Shop*
13. *Office Supplies Shop*
14. *Book Shop*
15. *Recreation Center*
16. *Package Shipping Service (e.g. UPS Store, FedEx Store)*
17. *Computer Repair and Service Shop*
18. *Dry Cleaning Pick-up and Delivery*
19. *Child Care Center*
20. *Real Estate Office (upper floors only)*
21. *Insurance Agency (upper floors only)*
22. *Law Firm (upper floors only)*
23. *Design Services (upper floors only)*
24. *Engineering Firm (upper floors only)*
25. *Architecture Firm (upper floors only)*
26. *Financial Services (upper floors only)*
27. *General Office (upper floors only)*
28. *Medical Office (not exceeding 50% of the total floor area of the building)*

#### B. Accessory Uses for a Single-Tenant or Multiple-Tenant Building:

1. *Outdoor Dining*
2. *Farmers Market*

### 1.6 Permitted Uses for Subarea C

#### A. Permitted Uses:

1. *Public Park*
2. *Passive Recreation*
3. *Basketball Court*
4. *Fitness Court*
5. *Pedestrian Trails, Bridges, Tunnels*
6. *Nature Center*
7. *Interpretive Center*
8. *Interpretive Stations*
9. *Fitness Stations*
10. *Stormwater Management*
11. *Stormwater Filtration*
12. *Forest Management*

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# Creekside Corporate Park PUD

## 1.7 Permitted Uses for Subarea D

### A. Permitted Uses for Single-Tenant Building:

1. Corporate Headquarters
2. Regional Headquarters
3. Financial Services Office (not retail banking)
4. Engineering Firm
5. Architecture Firm
6. Design and Planning Services
7. Law Firm
8. Product Research and Development
9. Agricultural Science
10. Life Science (inclusive of medical institutions without 24 hour operations)
11. Software Development
12. Technology Development
13. Event Center (not including lots along 106th Street)
- ~~12-14.~~ Automotive Racing Team (may exceed maximum main floor area percentages and loading bays outlined under next section "B. Accessory Uses for a single-Tenant Building")

### B. Accessory Uses for a Single-Tenant Building:

1. Warehouse, if 20% or less of the main floor area and having two (2) or less loading bays
  2. Assembly, if 30% or less of the main floor area and having two (2) or less loading bays
  3. Light Manufacturing, if 30% or less of the main floor area and having two (2) or less loading bays
- Any combination of the above listed accessory uses shall not exceed 30% of the main floor area.

### C. Permitted Uses for a Multiple-Tenant Building:

1. Corporate Headquarters
2. Regional Headquarters
3. Financial Services Office (not retail banking)
4. Engineering Firm
5. Architecture Firm
6. Medical Office (e.g. physician, dentist, testing, orthodontist, optometrist)
7. University Satellite Classrooms
8. Business School
9. Trade School
10. Design and Planning Services
11. Insurance Agency
12. Real Estate Office
13. Service Organization Office
14. Law Firm
15. Product Research and Development
16. Agricultural Science
17. Life Science
18. Software Development
19. Technology Development
- ~~13-20.~~ Business Incubator

### D. Accessory Uses for a Multiple-Tenant Building: Under no circumstances shall all accessory uses in a multiple-tenant building exceed twenty-five percent (25%) of the gross floor area.

1. Restaurant or Cafe, with or without outdoor dining
2. Coffee Shop, with or without outdoor dining
3. Child Care Center

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## Creekside Corporate Park PUD

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4. *Package Shipping Service (e.g. UPS Store, FedEx Store)*
5. *Dry Cleaning Pick-up and Delivery*
6. *Office Supplies Store*
7. *Health Spa*
- 14.8. *Fitness Center*

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## Creekside Corporate Park PUD

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### 4-71.8 Interpretation of Land Uses

- A. Uses Not Listed: Any use not listed shall be considered not-permitted. However, uses that are significantly similar and of no greater intensity or impact may be considered a permitted use or accessory use by the Zoning Administrator. For example: a frozen yogurt shop is not specifically permitted in Section 1.04, but Ice Cream Shop is permitted. Therefore, the Zoning Administrator may interpret a yogurt shop as a permitted use because it is significantly similar and of no greater intensity or impact than an ice cream shop.
- B. Ancillary Uses: Uses that are clearly subordinate, customary, and incidental to a permitted use or accessory use shall also be permitted when it is otherwise in full compliance with the Creekside Corporate Park PUD. A good example is a retail store with a parking lot. The parking lot would be an ancillary use.

# Creekside Corporate Park PUD

## 4-81.9 Development Standards for Subarea A

- A. **Review and Approval Authorization:** The development standards listed below shall be subject to Zoning Administrator review and approval in perpetuity.
- B. **Variances:** Any variance to the below listed development standards shall be considered by the Zionsville Board of Zoning Appeals.
- C. **Minimum Lot Width:** 50 feet; 30 feet for lots connecting with the Creek Way cul-de-sac. Minimum lot width shall be measured at the Minimum Front Yard Setback.
- D. **Minimum Lot Frontage:** 50 feet on a Public Street or Private Street; 20 feet for lots connecting with the Creek Way cul-de-sac. Minimum lot width shall be measured at the right-of-way line.
- E. **Minimum Front Yard Setbacks:** Measured from the right-of-way.
  - ~~1. From 106th Street: 40 feet for buildings, 20 feet for parking lots.~~
  - ~~2.1. From Internal Public or Private Streets:~~ 30 feet for buildings, 15 feet for parking lots.
- F. **Maximum Building Setback:** Measured from the right-of-way.
  - ~~1. From 106th Street: 120 feet for buildings.~~
  - ~~2.1. From Internal Public or Private Streets:~~ Not applicable.
- G. **Minimum Side and Rear Yard Setback:** Measured from the lot lines.
  - 1. *Minimum Side Yard:* 30 feet for buildings, 5 feet for parking lots.
  - 2. *Minimum Rear Yard:* 30 feet for buildings, 10 feet for parking lots and where adjacent to Subarea C.
  - 3. *Minimum Property Boundary Setback:* The minimum building setback from the rear property line, adjacent to single-family residential, shall be forty (40) feet; and the minimum parking lot setback from the rear property line, adjacent to single-family residential, shall be thirty (30) feet.
- ~~H. **Maximum Front Yard Parking Lot:** Any parking lot located between the front building line and 106th Street's right-of-way shall be limited to either a single loaded parking area or a double loaded parking area, served by not more than one (1) interior access drive or aisle, and where the interior access drive or aisle is located generally parallel to the street right-of-way.~~
- ~~H.I. **Maximum Height:** 60 feet for all buildings, provided that the minimum required setbacks be increased by one-half (1/2) foot for each one (1) foot of building height above forty-five (45) feet.~~
- ~~H.J. **Off-Street Parking:** See the Zionsville Zoning Ordinance, as amended.~~
- ~~K.J. **Off-Street Loading:** Shall be limited to two (2) truck loading bays for buildings over 20,000 main floor square feet and one (1) bay for buildings between 8,000 and 20,000 main floor square feet. Buildings smaller than 8,000 square feet are not permitted truck loading bays. Any building that is not able to locate truck loading bays in a non-conspicuous facade or otherwise aesthetically shield them from view from a Public Street shall not be permitted truck loading bays.~~
- ~~L.K. **Wall Signs for Single-Tenant Buildings and Multiple-Tenant Buildings with Interior Entrances:** The following provision applies to single-tenant buildings and multiple-tenant buildings that have entrances off of interior hallways. Each facade facing a Public Street may have one (1) wall sign above a featured main entrance, in the parapet at the top of the building, or in an architecturally designed location on the front facade. Under no circumstance shall more than two (2) wall signs be permitted on one (1) primary structure. Wall signs shall be limited by one of the following:
  - 1. *Large Front Facade (parapet):* Maximum of 120 square feet of sign area for front facades greater than 4,000 square feet when the sign is located along a parapet at the top edge of the building.
  - 2. *Large Front Facade (above entrance):* Maximum of 80 square feet of sign area for front facades greater than 4,000 square feet when located above a featured main entrance.
  - 3. *Small Front Facade (parapet):* 3% of the total front facade area shall be the maximum square feet of sign area. This standard applies to front building facades less than 4,000 square feet in area.
  - 4. *Small Front Facade (above entrance):* 2% of the total front facade area shall be the maximum square feet of sign area for a sign located above a featured main entrance. This standard applies to front building facades less than 4,000 square feet in area.
  - 5. *Façade Visible from West 106<sup>th</sup> Street (oriented to rear yard):* shall be permitted to be improved with a rear facing sign not exceeding 12 square feet in size (being illuminated or non-illuminated).~~

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## Creekside Corporate Park PUD

- L. Wall Signs for Multiple-Tenant Buildings with Exterior Entrances: The following provision applies to multiple-tenant buildings with entrances to tenant spaces from the exterior. Each tenant with an exterior entrance may have one (1) wall sign limited to thirty (30) square feet, or one (1) foot of sign area per lineal foot of tenant frontage, whichever is greater. Each tenant sign shall be located in a space designed for wall signs above that tenants entrance.
- M. Ground Signs: Ground Signs are not permitted by right. See the Architectural and Landscape Requirements for Subarea A in the next section for consideration of ground signs.
- N. Screening Requirements: Parcels adjacent to the Williams Glen apartment complex shall be required to install screening along the common property line, and within twenty (20) feet of that property line. Landscaping shall consist of native canopy tree species planted at a rate of one tree per forty (40) feet of contiguous boundary. The spacing of those trees should be irregular such to create a natural looking buffer. Therefore, the minimum spacing shall be twenty (20) feet and maximum spacing sixty (60) feet.
- O. Outside Storage and Operations: Not permitted
- P. Pedestrian Connectivity: All buildings shall have a pedestrian/bikeway system in compliance with the following requirements:
1. Sidewalk Connection: A minimum six (6) foot wide sidewalk shall functionally and efficiently connect the primary building entries with the public sidewalk or path system. These sidewalk connections are not required off of the sidepath along 106th Street.
  2. Internal Trail System Connection: Any lot which abuts the internal trail system located in Subarea C shall provide a connection between those trails and the building. Said connection shall be a sidewalk or otherwise improved path, allowing a connection for pedestrians and bicyclists. If the internal trail system in Subarea C has not yet been installed, this requirement may be delayed up until the internal trail system is built. Upon its completion, the adjacent property owner shall be required to install their connection within six (6) months.

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## Creekside Corporate Park PUD

~~M.A. Wall Signs for Multiple Tenant Buildings with Exterior Entrances: The following provision applies to multiple tenant buildings with entrances to tenant spaces from the exterior. Each tenant with an exterior entrance may have one (1) wall sign limited to thirty (30) square feet, or one (1) foot of sign area per lineal foot of tenant frontage, whichever is greater. Each tenant sign shall be located in a space designed for wall signs above that tenants entrance.~~

~~N.A. Ground Signs: Ground Signs are not permitted by right. See the Architectural and Landscape Requirements for Subarea A in the next section for consideration of ground signs.~~

~~O.A. Screening Requirements: Parcels adjacent to the Williams Glen apartment complex shall be required to install screening along the common property line, and within twenty (20) feet of that property line. Landscaping shall consist of native canopy tree species planted at a rate of one tree per forty (40) feet of contiguous boundary. The spacing of those trees should be irregular such to create a natural looking buffer. Therefore, the minimum spacing shall be twenty (20) feet and maximum spacing sixty (60) feet.~~

~~P.A. Outside Storage and Operations: Not permitted~~

~~Q.A. Pedestrian Connectivity: All buildings shall have a pedestrian/bikeway system in compliance with the following requirements:~~

~~1. Sidewalk Connection: A minimum six (6) foot wide sidewalk shall functionally and efficiently connect the primary building entries with the public sidewalk or path system. These sidewalk connections are not required off of the sidewalk along 106th Street.~~

~~2.1. Internal Trail System Connection: Any lot which abuts the internal trail system located in Subarea C shall provide a connection between those trails and the building. Said connection shall be a sidewalk or otherwise improved path, allowing a connection for pedestrians and bicyclists. If the internal trail system in Subarea C has not yet been installed, this requirement may be delayed up until the internal trail system is built. Upon its completion, the adjacent property owner shall be required to install their connection within six (6) months.~~

### 4-91.10 Architecture and Landscape Architecture Requirements for Subarea A:

- A. Review and Approval Authorization: The architecture of all initial buildings shall be subject to the Creekside Committee review and approval. The details of an approved project shall be written into the purchase agreement for the land being sold. Changes to a pre-existing building after the initial construction (e.g. an addition, facade alteration, or the like) shall be reviewed by the Creekside Committee or the Zionsville Redevelopment Commission if the Creekside Committee is no longer in effect.
- B. Interpretation and Application of Guidelines: The Creekside Committee will interpret and determine the applicability of the below guidelines to each project. The Creekside Committee will strive for architecture and site improvements that are high quality, timeless, appropriate for a gateway into downtown Zionsville, and that create a development-wide aesthetic character.
- C. Building Height Guidelines:
- ~~1. Buildings Along 106th Street: Any building located along 106th Street shall be at least two (2) stories, preferably three (3) or more.~~
  - ~~2.1. Buildings Not Along 106th Street: Any building located off of 106th Street is preferred to be two (2) stories or more. However, buildings partially or fully within sixty (60) feet of the northern property line and adjacent to single-family residential lots, shall be no greater than two (2) stories.~~
- D. Building Size Guidelines: A high floor area ratio (FAR) is desired. It is the desire of this development to fully utilize each parcel and to not allow land to be wasted. Green space beyond setbacks, parking lot islands, screening and buffering is discouraged (because the overall development is intended to have a large percentage of greenspace, trails, and park amenities). Similarly, an unnecessarily large parking lot is not desired.

## Creekside Corporate Park PUD

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- E. **Building Facade Guidelines:** Any new building or building addition shall have the following characteristics and features:
- ~~1. **Buildings Along 106th Street:** Any building located along 106th Street shall utilize four-sided architecture such that all facades and building features are highly detailed and aesthetic. These lots are visible from multiple directions and shall be held to the highest standard in the Creekside Corporate Park.~~
  - ~~2.1 **Buildings Not Along 106th Street:** Any building located off of 106th Street shall have high architectural standards, however only the facades and building features clearly visible from Creek Way (the internal street) are required to meet that standard.~~
  - ~~2.2 **Facades that Face Residential Uses:** Any building facade facing Williams Glen Apartments or single-family residential lots to the north shall have a high degree of architectural character as to be a good neighbor to that residential use. This provision shall not apply if the building is greater than 150 feet from the applicable property line.~~
- F. **Building Material Guidelines:** In order to create variation and interest in the built environment, all new buildings or building additions shall:
1. Utilize at least two (2) building materials; excluding: windows (e.g. glass and frames), doors, and roofing material.
  2. The primary exterior material for any facade visible from 106th Street shall be one of the following:
    - a. brick,
    - b. architectural concrete that is colored and textured to closely resemble brick or stone,
    - c. External Insulation and Finish System (E.I.F.S.), or
    - d. stone.
  3. The primary exterior material for any facade not visible from 106th Street shall be one of the following:
    - a. brick,
    - b. wood,
    - c. fiber cement,
    - d. architectural concrete that is colored and textured to closely resemble brick or stone,
    - e. External Insulation and Finish System (E.I.F.S.), or
    - f. stone.
- G. **Roof Guidelines:**
1. **Pitched Roof:** Pitched roofs shall only be permitted on smaller lots toward the rear of the development. Pitched roofs shall be simply and symmetrically pitched and only in the configuration of gables and hips, with pitches ranging from 5:12 to 12:12. Pitched roofs shall be clad in architectural, dimensional shingles or raised seam metal when done so for rainwater collection or other green building practice. Roof color shall be complementary to the design of the building. The Creekside Committee may approve additional material that clearly satisfies the intent of this subsection, and that is complementary of the building's architecture.
  2. **Shed Roofs:** Shed roofs are generally not permitted
  3. **Flat Roofs:** Flat roofs are permitted when consistent with the selected style of architecture, and if the top edge of the facade has some adornment or architectural character. Green roofs are permitted. Additionally, any rooftop mechanical equipment shall be reasonably screened.
  4. **Roof Design:** In no case shall rooftop mechanical equipment be visible from 106th Street. All vents, attic ventilators, turbines, flues and other roof penetrations shall also be discrete.
- H. **Entrance Guidelines:** The main building or tenant space pedestrian entrances shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, and other design elements appropriate to the selected architectural style and details of the building as a whole. The location, orientation, proportion and style of doors shall reflect the chosen style of the building.
- I. **Window Guidelines:** All window designs shall be compatible with the style, materials, color, details and proportion of the building. All facades of a building shall have windows.
- J. **Awning and Canopy Guidelines:** Shall be the discretion of the Creekside Committee.

## Creekside Corporate Park PUD

- K. Lighting Guidelines:
1. *Shielding:* Any exterior lighting on any site shall be shielded to prevent light pollution (i.e. skyward) and light trespass (i.e. shining toward neighbors).
  2. *Height:* The maximum height of any light fixtures, whether freestanding or mounted on a facade, for illumination of the site shall be twenty (20) feet.
  3. *Consistency:* Light standards and fixtures on any lot, including free-standing light fixtures, those attached to buildings, security lights, and architectural lights, shall be of consistent design and material. Additionally, parking lot lights shall be of uniform size and height.
  4. Facade illumination or sign lighting shall be carefully directed and shielded so that the light element is not visible from points along an adjacent public Right- of-Way.
- L. Loading Dock Guidelines: Loading docks shall not face 106th Street or the internal street, be visible from 106th Street, be visible from Williams Glen Apartments or the single-family residential lots to the north, or otherwise be a visual nuisance from an adjacent building.
- M. Landscaping Guidelines: Plants and hardscaping elements shall be chosen and installed to accomplish the following:
1. *General Aesthetic:* To generally enhance the overall character of the site.
  2. *Screen Headlights:* To screen the headlights of cars from shining onto adjacent residential properties, and onto 106th Street and the internal street.
  3. *Relieve Heat Island Effect:* To utilize trees in and/or adjacent to parking lots to provide shade and aesthetic relief, especially in large parking lots. At least one landscape island shall be established per sixty (60) parking spaces, and at least one canopy or ornamental tree shall be planted in said island. Landscape islands shall be at least nine (9) feet square.
- N. Bufferyard: Lots adjacent to the northern property line adjacent to single-family residential lots shall install plant material, and/or a fence or wall for effective buffering. The Creekside Committee shall be responsible for approval of buffering proposals and may participate in the design discussions prior to submittal for approval.
- O. Ground Sign Guidelines: Ground signs are generally discouraged. However, a development-wide internal way-finding system utilizing high-quality sign materials is encouraged where appropriate. ~~Ground Signs located along 106th Street shall be subject to the Creekside Committee and shall be similar in area, height, location, materials, and lighting as to assure a uniform and highly-aesthetic development-wide character.~~

### ~~4-401.11~~ Low Impact Development for Subarea A:

- A. Parking Lot Design: Parking lots shall be designed using low impact development best practices to reduce, absorb, and filter storm water rather than pipe it to a retention pond or other outlet. The use of french drains, cisterns, brick pavers, pervious pavement, rain gardens, swales, vaults, and the like should be considered.
- B. Stormwater Runoff from a Building: The impervious surface created by a building should be offset through utilization of green roofs, pervious sidewalks, brick pavers, rain gardens, rain barrels, cisterns, swales, selection of plant material, and the like.
- C. Retention Pond/Detention Basin: Retention ponds are strongly discouraged. Short-term detention basins are supported.

## Creekside Corporate Park PUD

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### 4.44.12 Development Standards for Subarea B

- A. Minimum Lot Width: 50 feet
- B. Minimum Lot Frontage: 50 feet on a Public Street or Private Street.
- C. Minimum Front Yard Setbacks: 20 feet for buildings and ten (10) feet for parking lots, measured from the right-of-way.
- D. Maximum Building Setback: 60 feet for buildings measured from the right-of-way.
- E. Minimum Side and Rear Yard Setback: Measured from the lot lines.
  - 1. Minimum Side Yard: 10 feet for buildings, 10 feet for parking lots, and 5 feet for an outdoor patio or dining area adjacent to the rail-trail easement.
  - 2. Minimum Rear Yard: 10 feet for buildings, 10 feet for parking lots.
- F. Maximum Front Yard Parking Lot: Any parking lot located between the front building line and 106th Street's right-of-way shall be limited to either a single loaded parking area or a double loaded parking area, served by not more than one (1) interior access drive or aisle, and where the interior access drive or aisle is located generally parallel to the street right-of-way.
- G. Maximum Height: 40 feet and two (2) stories for all buildings.
- H. Off-Street Parking: See the Zionsville Zoning Ordinance, as amended.
- I. Off-Street Loading: Not permitted.
- J. Wall Signs for Single-Tenant Buildings and Multiple-Tenant Buildings with Interior Entrances: The following provision applies to single-tenant buildings and multiple-tenant buildings that have entrances off of interior hallways. Each facade facing a Public Street or side facade facing a parking lot may have one (1) wall sign. Each wall sign shall be limited to 60 square feet of sign area.
- K. Wall Signs for Multiple-Tenant Buildings with Exterior Entrances: The following provision applies to multiple-tenant buildings with entrances to tenant spaces from the exterior. Each tenant with an exterior entrance may have one (1) wall sign limited to thirty (30) square feet, or one (1) foot of sign area per lineal foot of tenant frontage, whichever is greater. Each tenant sign shall be located in a space designed for wall signs above that tenants entrance.
- L. Ground Signs: Ground Signs are not permitted by right. See the Architectural and Landscape Requirements for Subarea B in the next section for consideration of ground signs.
- M. Screening Requirements: Not required.
- N. Outside Storage and Operations: Not permitted.
- O. Pedestrian Connectivity: All buildings shall have a pedestrian/bikeway system in compliance with the following requirements:
  - 1. Sidewalk Connection: A minimum six (6) foot wide sidewalk shall functionally and efficiently connect the primary building entries with the public path system along 106th Street.
  - 2. Internal Trail System Connection: Any lot which abuts the internal trail system located in Subarea C shall provide a connection between those trails and the building. Said connection shall be a sidewalk or otherwise improved path, allowing a connection for pedestrians and bicyclists. If the internal trail system in Subarea C has not yet been installed, this requirement may be delayed up until the internal trail system is built. Upon its completion, the adjacent property owner shall be required to install their connection within six (6) months.

# Creekside Corporate Park PUD

## 4-121.13 Architectural and Landscaping Requirements for Subarea B:

- A. **Review and Approval Authorization:** The architecture of all initial buildings shall be subject to the Creekside Committee review and approval. The details of an approved project shall be written into the purchase agreement for the land being sold. Changes to a pre-existing building after the initial construction (e.g. an addition, facade alteration, or the like) shall be reviewed by the Creekside Committee or the Zionsville Redevelopment Commission if the Creekside Committee is no longer in effect.
- B. **Interpretation and Application of Guidelines:** The Creekside Committee will interpret and determine the applicability of the below guidelines to each project. The Creekside Committee will strive for architecture and site improvements that are high quality, timeless, appropriate for a gateway into downtown Zionsville, and that create a development-wide aesthetic character.
- C. **Overall Architectural Guidelines:** The building or buildings constructed in Subarea B should be complementary to new developments on South Main Street and/or the Village. The building should be pedestrian scale and welcoming. The inside of the ground floor space should be visible and welcoming from 106th Street.
- D. **Building Height Guidelines:** A building shall be two (2) stories.
- E. **Building Size Guidelines:** A high floor area ratio (FAR) is desired. It is the desire of this development to fully utilize each parcel and to not allow land to be wasted. Green space beyond setbacks, parking lot islands, screening and buffering is discouraged (because the overall development is intended to have a large percentage of greenspace, trails, and park amenities). Similarly, an unnecessarily large parking lot is not desired.
- F. **Building Facade Guidelines:** Any building shall utilize four-sided architecture such that all facades and building features are highly detailed and aesthetic. This area is visible from multiple directions (assuming a rail-trial is constructed along the former interurban line) and shall be held to the highest standard in the Creekside Corporate Park.
- G. **Building Material Guidelines:** In order to create variation and interest in the built environment, all new buildings or building additions shall:
  - 1. Utilize at least two (2) building materials; excluding: windows (e.g. glass and frames), doors, and roofing material.
  - 2. The primary exterior material for any facade visible from 106th Street shall be one of the following:
    - a. brick,
    - b. wood,
    - c. fiber cement,
    - d. External Insulation and Finish System (E.I.F.S.), or
    - e. stone.
- H. **Roof Guidelines:**
  - 1. *Pitched Roof:* Pitched roofs are permitted. Such roofs should be symmetrically pitched and only in the configuration of gables and hips, with pitches ranging from 5:12 to 12:12. Pitched roofs shall be clad in architectural, dimensional shingles or raised seam metal when done so for rainwater collection or other green building practice. Roof color shall be complementary to the design of the building.
  - 2. *Shed or Gambrel Roofs:* Shed or gambrel roofs are generally not permitted.
  - 3. *Flat Roofs:* Flat roofs are permitted when consistent with the selected style of architecture, and if the top edge of the facade has some adornment or architectural character. Additionally, any rooftop mechanical equipment shall be reasonably screened.
  - 4. *Roof Design:* In no case shall rooftop mechanical equipment be visible from 106th Street. All vents, attic ventilators, turbines, flues and other roof penetrations shall also be discrete.
- I. **Entrance Guidelines:** The main building and/or tenant space pedestrian entrances shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, and other design elements appropriate to the selected architectural style and details of the building as a whole. The location, orientation, proportion and style of doors shall reflect the chosen style of the building.
- J. **Window Guidelines:** All window designs shall be compatible with the style, materials, color, details and proportion of the building. All facades of the building shall have windows.
- K. **Awning and Canopy Guidelines:** Shall be the discretion of the Creekside Committee.
- L. **Outdoor Dining:** Is encouraged for food service uses.

## Creekside Corporate Park PUD

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M. Lighting Guidelines:

1. *Shielding:* Any exterior lighting on any site shall be shielded to prevent light pollution (i.e. skyward) and light trespass (i.e. shining toward neighbors).
2. *Height:* The maximum height of any light fixtures, whether freestanding or mounted on a facade, for illumination of the site shall be twenty (20) feet.
3. *Consistency:* Light standards and fixtures on any lot, including free-standing light fixtures, those attached to buildings, security lights, and architectural lights, shall be of consistent design and material. Additionally, parking lot lights shall be of uniform size and height.
4. Facade illumination or sign lighting shall be carefully directed and shielded so that the light element is not visible from points along an adjacent public Right-of-Way.

N. Loading Docks: Loading docks shall not be permitted.

O. Landscaping: Plants and hardscaping elements shall be chosen and installed to accomplish the following:

1. *General Aesthetic:* To generally enhance the overall character of the site.
2. *Screen Headlights:* To screen the headlights of cars from shining onto adjacent office properties and onto 106th Street.
3. *Relieve Heat Island Effect:* To utilize trees in and/or adjacent to parking lots to provide shade and aesthetic relief, especially in large parking lots.

P. Ground Sign Guidelines: One (1) ground sign may be permitted by the Creekside Committee if deemed necessary and fitting of the character. If permitted, the ground sign shall be limited to five (5) feet in height, thirty (30) square feet in area, and landscaped around the base. The sign may be internally illuminated, but shall be done so with the minimal amount of light necessary to read the sign.

1.431.14 Low Impact Development for Subarea B:

- A. Parking Lot Design: Parking lots shall be designed using low impact development best practices to reduce, absorb, and filter storm water rather than pipe it to a retention pond or other outlet. The use of french drains, cisterns, brick pavers, pervious pavement, rain gardens, swales, vaults, and the like should be considered.
- B. Stormwater Runoff from a Building: The impervious surface created by a building should be offset through utilization of green roofs, pervious sidewalks, brick pavers, rain gardens, rain barrels, cisterns, swales, selection of plant material, and the like.
- C. Retention Pond/Detention Basin: Retention ponds are strongly discouraged. Short-term detention basins are supported.

# Creekside Corporate Park PUD

## 1.141.15 Development Standards for Subarea C

- A. Minimum Lot Width: Not required.
- B. Minimum Lot Frontage: Not required.
- C. Minimum Front Yard Setbacks: 5 feet for all structures.
- D. Maximum Building Setback: Not applicable.
- E. Minimum Side and Rear Yard Setback:
  - 1. Minimum Side Yard: 5 feet for all structures.
  - 2. Minimum Rear Yard: 5 feet for all structures.
- F. Maximum Front Yard Parking Lot: Not applicable.
- G. Maximum Height: 16 feet for all structures.
- H. Off-Street Parking: Not required.
- I. Off-Street Loading: Not permitted.
- J. Wall Signs for Single-Tenant Buildings and Multiple-Tenant Buildings with Interior Entrances: None permitted.
- K. Wall Signs for Multiple-Tenant Buildings with Exterior Entrances: None Permitted.
- L. Screening Requirements: Not required.
- M. Outside Storage and Operations: Not permitted.
- N. Pedestrian Connectivity: A minimum six (6) foot wide sidewalk shall functionally and efficiently connect the primary amenities to the public pedestrian facilities along the internal street.

## 1.16 Development Standards for Subareas D

- A. Review and Approval Authorization: The development standards listed below shall be subject to Zoning Administrator review and approval in perpetuity.
- B. Variances: Any variance to the below listed development standards shall be considered by the Zionsville Board of Zoning Appeals.
- C. Minimum Lot Width: 50 feet; 30 feet for lots connecting with the Creek Way cul-de-sac. Minimum lot width shall be measured at the Minimum Front Yard Setback.
- D. Minimum Lot Frontage: 50 feet on a Public Street or Private Street; 20 feet for lots connecting with the Creek Way cul-de-sac. Minimum lot width shall be measured at the right-of-way line.
- E. Minimum Front Yard Setbacks: Measured from the right-of-way.
  - 1. From 106th Street: 40 feet for buildings, 20 feet for parking lots.
  - 2. From Internal Public or Private Streets: 30 feet for buildings, 15 feet for parking lots.
- F. Maximum Building Setback: Measured from the right-of-way.
  - 1. From 106th Street: 120 feet for buildings.
  - 2. From Internal Public or Private Streets: Not applicable.
- G. Minimum Side and Rear Yard Setback: Measured from the lot lines.
  - 1. Minimum Side Yard: 30 feet for buildings, 5 feet for parking lots.
  - 2. Minimum Rear Yard: 30 feet for buildings, 10 feet for parking lots and where adjacent to Subarea C.
  - 3. Minimum Property Boundary Setback: The minimum building setback from the rear property line, adjacent to single-family residential, shall be forty (40) feet; and the minimum parking lot setback from the rear property line, adjacent to single-family residential, shall be thirty (30) feet.
- H. Maximum Front Yard Parking Lot: Any parking lot located between the front building line and 106th Street's right-of-way shall be limited to either a single loaded parking area or a double loaded parking area, served by not more than one (1) interior access drive or aisle, and where the interior access drive or aisle is located generally parallel to the street right-of-way.
- I. Maximum Height: 60 feet for all buildings, provided that the minimum required setbacks be increased by one-half (1/2) foot for each one (1) foot of building height above forty-five (45) feet.
- J. Off-Street Parking: See the Zionsville Zoning Ordinance, as amended.
- K. Off-Street Loading: Shall be limited to two (2) truck loading bays for buildings over 20,000 main floor square

## Creekside Corporate Park PUD

feet and one (1) bay for buildings between 8,000 and 20,000 main floor square feet. Buildings smaller than 8,000 square feet are not permitted truck loading bays. Any building that is not able to locate truck loading bays in a non-conspicuous facade or otherwise aesthetically shield them from view from a Public Street shall not be permitted truck loading bays.

- L. Wall Signs for Single-Tenant Buildings and Multiple-Tenant Buildings with Interior Entrances: The following provision applies to single-tenant buildings and multiple-tenant buildings that have entrances off of interior hallways. Each facade facing a Public Street may have one (1) wall sign above a featured main entrance, in the parapet at the top of the building, or in an architecturally designed location on the front facade. Under no circumstance shall more than two (2) wall signs be permitted on one (1) primary structure. Wall signs shall be limited by one of the following:
1. Large Front Facade (parapet): Maximum of 120 square feet of sign area for front facades greater than 4,000 square feet when the sign is located along a parapet at the top edge of the building.
  2. Large Front Facade (above entrance): Maximum of 80 square feet of sign area for front facades greater than 4,000 square feet when located above a featured main entrance.
  3. Large Front Facade (optional feature): if chosen shall replace option for a Large Front Facade (parapet) sign. Maximum of 200 square feet of sign area for front facades greater than 4,000 square feet when the sign is located along a front facade.
  4. Small Front Facade (parapet): 3% of the total front facade area shall be the maximum square feet of sign area. This standard applies to front building facades less than 4,000 square feet in area.
  5. Small Front Facade (above entrance): 2% of the total front facade area shall be the maximum square feet of sign area for a sign located above a featured main entrance. This standard applies to front building facades less than 4,000 square feet in area.
  6. Facade Visible from West 106<sup>th</sup> Street (oriented to rear yard): shall be permitted to be improved with a rear facing sign not exceeding 12 square feet in size (being illuminated or non-illuminated).
- M. Wall Signs for Multiple-Tenant Buildings with Exterior Entrances: The following provision applies to multiple-tenant buildings with entrances to tenant spaces from the exterior. Each tenant with an exterior entrance may have one (1) wall sign limited to thirty (30) square feet, or one (1) foot of sign area per lineal foot of tenant frontage, whichever is greater. Each tenant sign shall be located in a space designed for wall signs above that tenants entrance.
- N. Ground Signs: Ground Signs are not permitted by right. See the Architectural and Landscape Requirements for Subarea A in the next section for consideration of ground signs.
- O. Screening Requirements: Parcels adjacent to the Williams Glen apartment complex shall be required to install screening along the common property line, and within twenty (20) feet of that property line. Landscaping shall consist of native canopy tree species planted at a rate of one tree per forty (40) feet of contiguous boundary. The spacing of those trees should be irregular such to create a natural looking buffer. Therefore, the minimum spacing shall be twenty (20) feet and maximum spacing sixty (60) feet.
- P. Outside Storage and Operations: Not permitted
- Q. Pedestrian Connectivity: All buildings shall have a pedestrian/bikeway system in compliance with the following requirements:
1. Sidewalk Connection: A minimum six (6) foot wide sidewalk shall functionally and efficiently connect the primary building entries with the public sidewalk or path system. These sidewalk connections are not required off of the sidepath along 106th Street.
  2. Internal Trail System Connection: Any lot which abuts the internal trail system located in Subarea C shall provide a connection between those trails and the building. Said connection shall be a sidewalk or otherwise improved path, allowing a connection for pedestrians and bicyclists. If the internal trail system in Subarea C has not yet been installed, this requirement may be delayed up until the internal trail system is built. Upon its completion, the adjacent property owner shall be required to install their connection within six (6) months.

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### 1.17 Architecture and Landscape Architecture Requirements for Subarea D:

- A. Review and Approval Authorization: The architecture of all initial buildings shall be subject to the Creekside Committee review and approval. The details of an approved project shall be written into the purchase agreement for the land being sold. Changes to a pre-existing building after the initial construction (e.g. an addition, facade alteration, or the like) shall be reviewed by the Creekside Committee or the Zionsville Redevelopment

## Creekside Corporate Park PUD

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Commission if the Creekside Committee is no longer in effect.

- B. Interpretation and Application of Guidelines: The Creekside Committee will interpret and determine the applicability of the below guidelines to each project. The Creekside Committee will strive for architecture and site improvements that are high quality, timeless, appropriate for a gateway into downtown Zionsville, and that create a development-wide aesthetic character.
- C. Building Height Guidelines:
1. Buildings Along 106th Street: Any building located along 106th Street shall be at least two (2) stories, preferably three (3) or more.
  2. Buildings Not Along 106th Street: Any building located off of 106th Street is preferred to be two (2) stories or more. However, buildings partially or fully within sixty (60) feet of the northern property line and adjacent to single-family residential lots, shall be no greater than two (2) stories.
- D. Building Size Guidelines: A high floor area ratio (FAR) is desired. It is the desire of this development to fully utilize each parcel and to not allow land to be wasted. Green space beyond setbacks, parking lot islands, screening and buffering is discouraged (because the overall development is intended to have a large percentage of greenspace, trails, and park amenities). Similarly, an unnecessarily large parking lot is not desired.

## Creekside Corporate Park PUD

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- E. Building Facade Guidelines: Any new building or building addition shall have the following characteristics and features:
1. Buildings Along 106th Street: Any building located along 106th Street shall utilize four-sided architecture such that all facades and building features are highly detailed and aesthetic. These lots are visible from multiple directions and shall be held to the highest standard in the Creekside Corporate Park.
  2. Buildings Not Along 106th Street: Any building located off of 106th Street shall have high architectural standards, however only the facades and building features clearly visible from Creek Way (the internal street) are required to meet that standard.
  3. Facades that Face Residential Uses: Any building facade facing Williams Glen Apartments or single-family residential lots to the north shall have a high degree of architectural character as to be a good neighbor to that residential use. This provision shall not apply if the building is greater than 150 feet from the applicable property line.
- F. Building Material Guidelines: In order to create variation and interest in the built environment, all new buildings or building additions shall:
1. Utilize at least two (2) building materials; excluding: windows (e.g. glass and frames), doors, and roofing material.
  2. The primary exterior material for any facade visible from 106th Street shall be one of the following:
    - a. brick,
    - b. architectural concrete that is colored and textured to closely resemble brick or stone,
    - c. External Insulation and Finish System (E.I.F.S.), or
    - d. stone.
  3. The primary exterior material for any facade not visible from 106th Street shall be one of the following:
    - a. brick,
    - b. wood,
    - c. fiber cement,
    - d. architectural concrete that is colored and textured to closely resemble brick or stone,
    - e. External Insulation and Finish System (E.I.F.S.), or
    - f. stone.
- G. Roof Guidelines:
1. Pitched Roof: Pitched roofs shall only be permitted on smaller lots toward the rear of the development. Pitched roofs shall be simply and symmetrically pitched and only in the configuration of gables and hips, with pitches ranging from 5:12 to 12:12. Pitched roofs shall be clad in architectural, dimensional shingles or raised seam metal when done so for rainwater collection or other green building practice. Roof color shall be complementary to the design of the building. The Creekside Committee may approve additional material that clearly satisfies the intent of this subsection, and that is complementary of the building's architecture.
  2. Shed Roofs: Shed roofs are generally not permitted
  3. Flat Roofs: Flat roofs are permitted when consistent with the selected style of architecture, and if the top edge of the facade has some adornment or architectural character. Green roofs are permitted. Additionally, any rooftop mechanical equipment shall be reasonably screened.
  4. Roof Design: In no case shall rooftop mechanical equipment be visible from 106th Street. All vents, attic ventilators, turbines, flues and other roof penetrations shall also be discrete.
- H. Entrance Guidelines: The main building or tenant space pedestrian entrances shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, and other design elements appropriate to the selected architectural style and details of the building as a whole. The location, orientation, proportion and style of doors shall reflect the chosen style of the building.
- I. Window Guidelines: All window designs shall be compatible with the style, materials, color, details and proportion of the building. All facades of a building shall have windows.
- J. Awning and Canopy Guidelines: Shall be the discretion of the Creekside Committee.

## Creekside Corporate Park PUD

### K. Lighting Guidelines:

1. Shielding: Any exterior lighting on any site shall be shielded to prevent light pollution (i.e. skyward) and light trespass (i.e. shining toward neighbors).
2. Height: The maximum height of any light fixtures, whether freestanding or mounted on a facade, for illumination of the site shall be twenty (20) feet.
3. Consistency: Light standards and fixtures on any lot, including free-standing light fixtures, those attached to buildings, security lights, and architectural lights, shall be of consistent design and material. Additionally, parking lot lights shall be of uniform size and height.
4. Facade illumination or sign lighting shall be carefully directed and shielded so that the light element is not visible from points along an adjacent public Right- of-Way.

L. Loading Dock Guidelines: Loading docks shall not face 106th Street or the internal street, be visible from 106th Street, be visible from Williams Glen Apartments or the single-family residential lots to the north, or otherwise be a visual nuisance from an adjacent building.

M. Landscaping Guidelines: Plants and hardscaping elements shall be chosen and installed to accomplish the following:

1. General Aesthetic: To generally enhance the overall character of the site.
2. Screen Headlights: To screen the headlights of cars from shining onto adjacent residential properties, and onto 106th Street and the internal street.
3. Relieve Heat Island Effect: To utilize trees in and/or adjacent to parking lots to provide shade and aesthetic relief, especially in large parking lots. At least one landscape island shall be established per sixty (60) parking spaces, and at least one canopy or ornamental tree shall be planted in said island. Landscape islands shall be at least nine (9) feet square.

N. Bufferyard: Lots adjacent to the northern property line adjacent to single-family residential lots shall install plant material, and/or a fence or wall for effective buffering. The Creekside Committee shall be responsible for approval of buffering proposals and may participate in the design discussions prior to submittal for approval.

O. Ground Sign Guidelines: Ground signs are generally discouraged. However, a development-wide internal way-finding system utilizing high-quality sign materials is encouraged where appropriate. Ground Signs located along 106th Street shall be subject to the Creekside Committee and shall be similar in area, height, location, materials, and lighting as to assure a uniform and highly aesthetic development-wide character.

### 1.18 Low Impact Development for Subarea D:

- A. Parking Lot Design: Parking lots shall be designed using low impact development best practices to reduce, absorb, and filter storm water rather than pipe it to a retention pond or other outlet. The use of french drains, cisterns, brick pavers, pervious pavement, rain gardens, swales, vaults, and the like should be considered.
- B. Stormwater Runoff from a Building: The impervious surface created by a building should be offset through utilization of green roofs, pervious sidewalks, brick pavers, rain gardens, rain barrels, cisterns, swales, selection of plant material, and the like.
- C. Retention Pond/Detention Basin: Retention ponds are strongly discouraged. Short-term detention basins are supported.

### 4.451.19 Administration

- A. Relationship to the Zionsville Zoning Ordinance: Where the Creekside Corporate Park PUD is silent, the most relevant regulations from the Town of Zionsville Zoning Ordinance, as amended, and as determined by the Zoning Administrator shall apply.
- B. Subdivision Control: All lots established within Creekside Corporate Park shall be approved through the subdivision process as set forth in the Town of Zionsville Subdivision Control Ordinance.
- C. Accessory Uses:
  - Accessory Uses shall not be permitted on a lot prior to the erection of the Primary Building.
  - No Accessory Use or Structure shall be permitted in any required Front, Side or Rear Yard.
- D. Access
  - Median Cuts Along 106th Street: There shall be no more than two (2) median cuts along 106th Street within the boundary of Creekside Corporate Park; those being directly across from the main entrance into the Lids development and the other directly across from Dahlia Drive. Any other median cut shall be strongly

## Creekside Corporate Park PUD

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discouraged and shall only be considered for exceptional purposes. An additional median cut shall be approved by the Creekside Committee and the Zionsville Plan Commission.

2. Curb Cut Along 106th Street: There shall be no more than two (2) curb cuts into the Creekside Corporate Park's north side (i.e. land north of 106th Street). Those curb cuts shall be as described in the median cut language above.
- E. Development Timetable: Major infrastructure has been put in place by the Town of Zionsville and development of the site will occur as demand dictates.
- F. Appeals: Any final official determination of the Zoning Administrator under this Creekside Corporate Park PUD, including the determination to issue or not issue an Improvement Location Permit, shall be a determination appealable to the Town of Zionsville Board of Zoning Appeals. Approvals of architecture and landscaping assigned to the Creekside Committee are appealable to the full Zionsville Redevelopment Commission.
- G. Severability: It is hereby declared that the sections, paragraphs, sentences, clauses, and phrases of this Petition for Zone Map Change are severable and, if any such section, paragraph, sentence, clause, or phrase is declared unconstitutional or otherwise invalid by any court of competent jurisdiction in a valid judgment or decree, such unconstitutionality or invalidity shall not affect any remaining sections, paragraphs, sentences, clauses or phrases of this Petition for Zone Map Change because the same would have been enacted without the incorporation into this Petition for Zone Map Change of such unconstitutional or invalid section, paragraph, sentence, clause, or phrase.

## Creekside Corporate Park PUD

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- H. Definitions: As per the Zoning Ordinance, as amended, including:
1. *Williams Glen Apartments*: The multiple-family development east of Creekside Corporate Park.
  2. *Creekside Committee/Redevelopment Commission*: Entity serving as the initial manager of the Covenants and Restrictions for Creekside Corporate Park. Upon initial buildout of 75% of the lots in Creekside Corporate Park, or at a date mutually agreed to by both the Commission and its Assigns (whichever is the earlier of the two), the Covenants and Restrictions for Creekside Corporate Park, as well as the role of the Creekside Committee, shall be assumed by the Assign.



**Petition Number:** 2020-13-DP

**Project Address:** 4400 S. County Road 875 East

**Petitioner:** Zionsville Community Schools Corporation

**Representative:** Andrew Wert  
Church, Church, Hittle & Antrim

**Request:** Petition for Development Plan approval to allow for the construction of a 91,151 square foot elementary school in the (SU-1) Special Use Zoning District

**Current Zoning:** (SU-1) Special Use Zoning District

**Current Land Use:** Agricultural

**Approximate Acreage:** 66.7± Acres

**Related Petitions:** None

**Exhibits:** Exhibit 1 - Staff Report  
Exhibit 2 - Aerial Location Map  
Exhibit 3 - Petitioners Site Location Map  
Exhibit 4 - Petitioner’s Narrative  
Exhibit 5 - Development Plan  
Exhibit 6 – Elevations  
Exhibit 7 – Landscaping Plan  
Exhibit 8 – Photometric Plan  
Exhibit 9 – Proposed Commitments  
Exhibit 10 - Town Engineer’s Comments dated May 11, 2020  
Exhibit 11 – Boone County Surveyors Comments dated May 13, 2020  
Exhibit 12 -Petitioner’s Findings of Fact

**Staff Presenter:** Wayne DeLong, AICP, CPM

## **PETITION HISTORY**

This petition will receive a public hearing at the May 18, 2020 Meeting of the Plan Commission. The adjoining ground received approval on October 20, 2008 to construct the now established Zionsville Community School's athletic complex.

## **PROJECT LOCATION**

The subject site is located at southwest of the intersection of E. County Road 400 South and S. County Road 875 East, north of the existing Zionsville High School Baseball & Softball Complex. The site is approximately 66.7± acres and is currently utilized for agricultural purposes.

## **ANALYSIS**

The Petitioner requests approval for the development of a single story, 91,150± square foot building, with onsite parking, to allow for an Elementary School in the (SU-1) Special Use Zoning District

The Petitioner anticipates a future expansion Phase 2 to the south of this Petition for a potential future school building; however; this future expansion is not included within this Development Plan review. Approval of a Development Plan Amendment for this future expansion will be required by the Plan Commission.

## **DEVELOPMENT PLAN REVIEW**

### **Zoning Ordinance**

Approval of a Development Plan by the Plan Commission is required for "...new development or major additions..." within the (SU-1) Special Use Zoning District.

### **Architecture**

The proposed improvements utilize a variety of materials and colors. Renderings are attached to this report with additional supporting documents within the Petitioner's materials (Exhibit 6). As filed, staff is supportive of the proposed architecture and color palette.

### **Landscaping & Setbacks**

As proposed, the site would be improved with a combination of deciduous, ornamental and evergreen trees and shrubs as well as a variety of other types of plantings (Exhibit 7). As filed, Staff is supportive of the landscape plan.

### **Lighting**

The exterior lighting system for the proposed Zionsville Elementary School utilizes pole-mounted downward-facing LED lights to illuminate access roads and parking lots and recessed and wall-mounted LED lights around the building and under overhangs at the building entrances. Two types of pole-mounted lights (LS1 and LS2) are used in vehicular traffic areas. Slightly brighter LS1 lights (15 lights) are used along access drives (both the new north drive and the drive extension from the athletic fields) as well as drives between parking areas. The slightly smaller LS2 lights (25 lights) are used around parking areas. No lighting revisions are proposed at the existing athletic facility.

Building lighting incorporates LED wall-packs (5 lights) and recessed lighting (35 lights). The recessed lighting is used at the primary front entrance and most secondary entrances. Downward facing wall packs are located exclusively at entrances and on the northwest side of the building where bus pickup and the interior basketball court is located. The color temperature of the building lighting is 4000K (color is “blue” on the spectrum) and complies with Town standards.

The lighting levels at the perimeter of the property are 0.6 lumens or less, which meets the Town’s standard of a maximum of 1.0 lumens.

As filed, Staff is supportive of the lighting plan.

**Signage**

No building/wall mounted signage is proposed. A three (3) foot by six (6) foot dual sided monument signs at the existing entrance of the athletic complex at the entrance median is proposed. This sign will include the elementary school’s name and any future proposed school. A second two (2) foot by six (6) foot single sided monument signs is proposed to be located directly in front of the contemplated elementary school. Directional signage is anticipated at intersection of internal drives and regulatory signs for internal speed limits, stop signs, as well as signage in compliance with the Americans with Disability Act are also anticipated.

**Utility Access**

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

**Drainage**

Management of Drainage for this site is complex and requires the approval of both the Boone County Drainage Board as well as the Town of Zionsville. The Petitioner has submitted and received comments from the Town of Zionsville Engineer (Exhibit 10). With jurisdiction over the management of legal drains, the Boone County Surveyor’s Office has also provided comments (Exhibit 11). The Petitioner is in the process of responding to these comments with the intention to attend and receive approval from a future County Drainage Board meeting.

**Vehicle Access, Parking, Pedestrian pathway**

Vehicular access onto the site for student drop offs and pickups will be from an existing south access drive off 875 East.

A proposed north drive off S. County Road 875 East will be utilized by buses during peak time. A future north access drive will be triggered by the development of the future phase 2 building. Development of Phase 2 will trigger further discussion to utilizing Hasting Drive as an emergency exit route. Until then, it is anticipated that emergency vehicles will utilize the north entrance of S. County Road 875 East during peak times. 393 parking spaces are available for vehicles at the South and East side of the building with availability to the North Side during off peaks bus drop off/pick up times. It is anticipated that the north lot be double striped for buses.

**Commitments**

Exhibit 9 of this report includes commitments from the Owner to the construction of a lead walk to existing pedestrian path at the athletic complex entrance once Town has established a school zone/crosswalk within the paved area of S. County Road 875 East; and to construction of a lead walk to a future E. County Road 400

South entrance with the installation of the drive extension to E. County Road 400 South (including a connection to existing Hampshire asphalt path).

Additionally, Exhibit 9 reflects that the Owner is aware that an existing easement with Country mark Refining and Logistics LLC (“Country mark”) will be required to be resolved, an easement for the entry drive from S. County Road 875 East will need to be obtained, and the owner commits to obtain the necessary right-of-way and/or easement for the acceleration lane associated with the entry drive from S. County Road 875 East.

### **FINDINGS**

The Plan Commission shall hear, and approve or deny, Development Plans based on Findings of the Building Commissioner or Plan Commission. Per Section 194.127 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’s Proposed Findings are attached as Exhibit 12 for the Plan Commission’s consideration.

### **STAFF RECOMMENDATION**

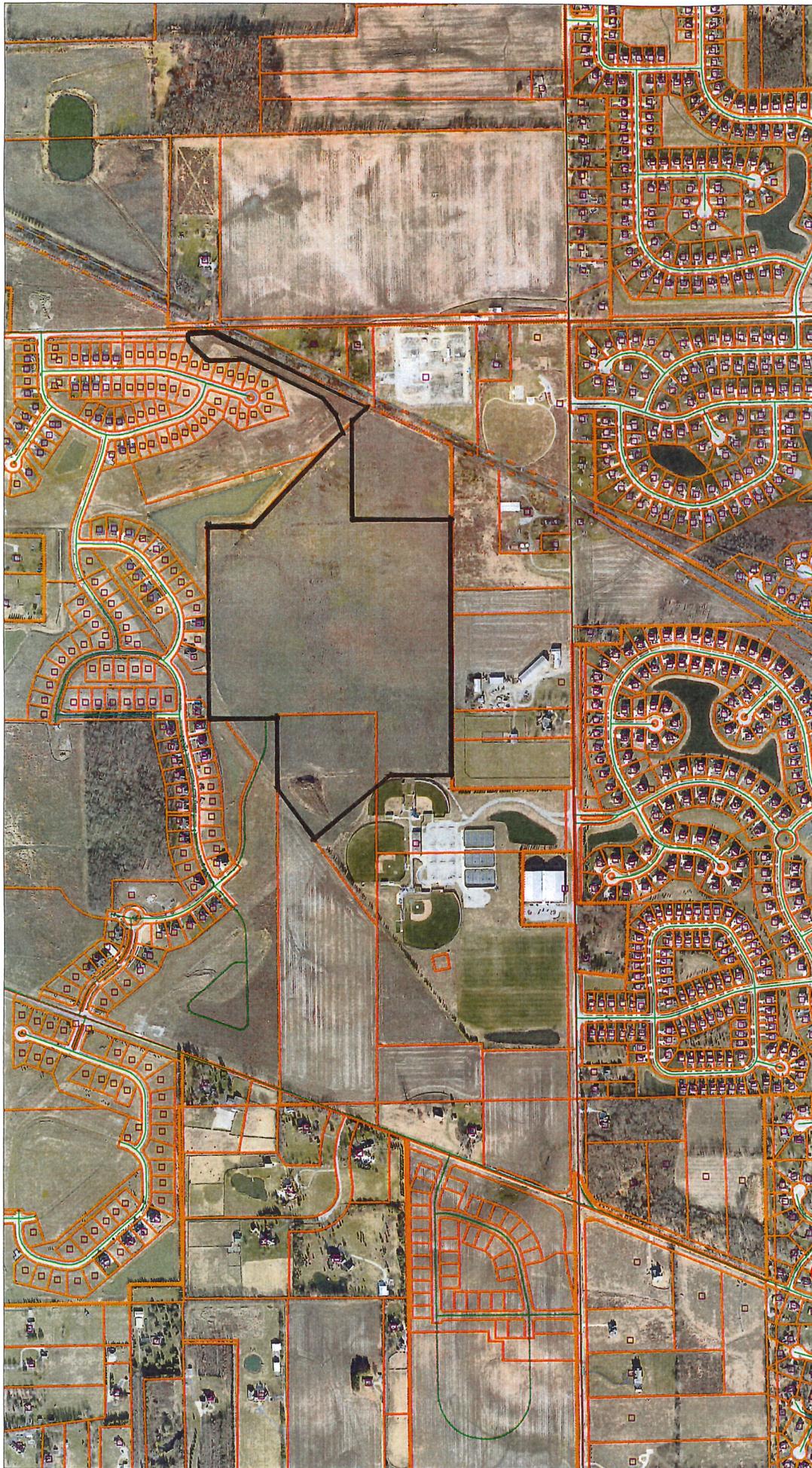
Staff recommends approval of the petition, subject to resolution of the remaining comments provided by the Town Engineer (Exhibit 10) and the Boone County Surveyors comments (Exhibit 11), prior to submittal of an Improvement Location Permit resulting in earth disturbing activities.

### **RECOMMENDED MOTIONS**

I move that Docket #2020-13-DP to allow for the construction of a 91,151 square foot elementary school in the (SU-1) Special Use Zoning District be Approved based on the findings in the staff report, staff recommendation, and submitted findings of fact / Denied/ Continued) as presented.

### **PROCEDURAL NOTES**

An Improvement Location Permit will be required to be obtained from the Town prior to the commencement of any site work and/or building construction.



**Flood Hazard BC 2013**  
**FLD\_ZONE:**  
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 AE  
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**Regional Counties**  
 Townships  
 Zionsville Corporate  
 Boone Co Corporate  
 Parcels

Boone County Address  
 Regional County  
 Railroads  
 Roads  
 Highways  
 Boone County A

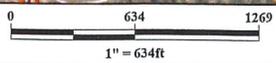


Exhibit 2



# ZIONSVILLE ELEMENTARY SCHOOL

4400 S 875E  
Zionsville, IN 46077



ARCHITECT



317.848.0966 WWW.FHAI.COM  
350 East New York Street, Suite 300, Indianapolis, IN 46204

CIVIL ENGINEER



3901 W 86th Street, Suite 200  
Indianapolis, IN 46268  
Phone: (317) 334-1500  
www.tlf-engineers.com

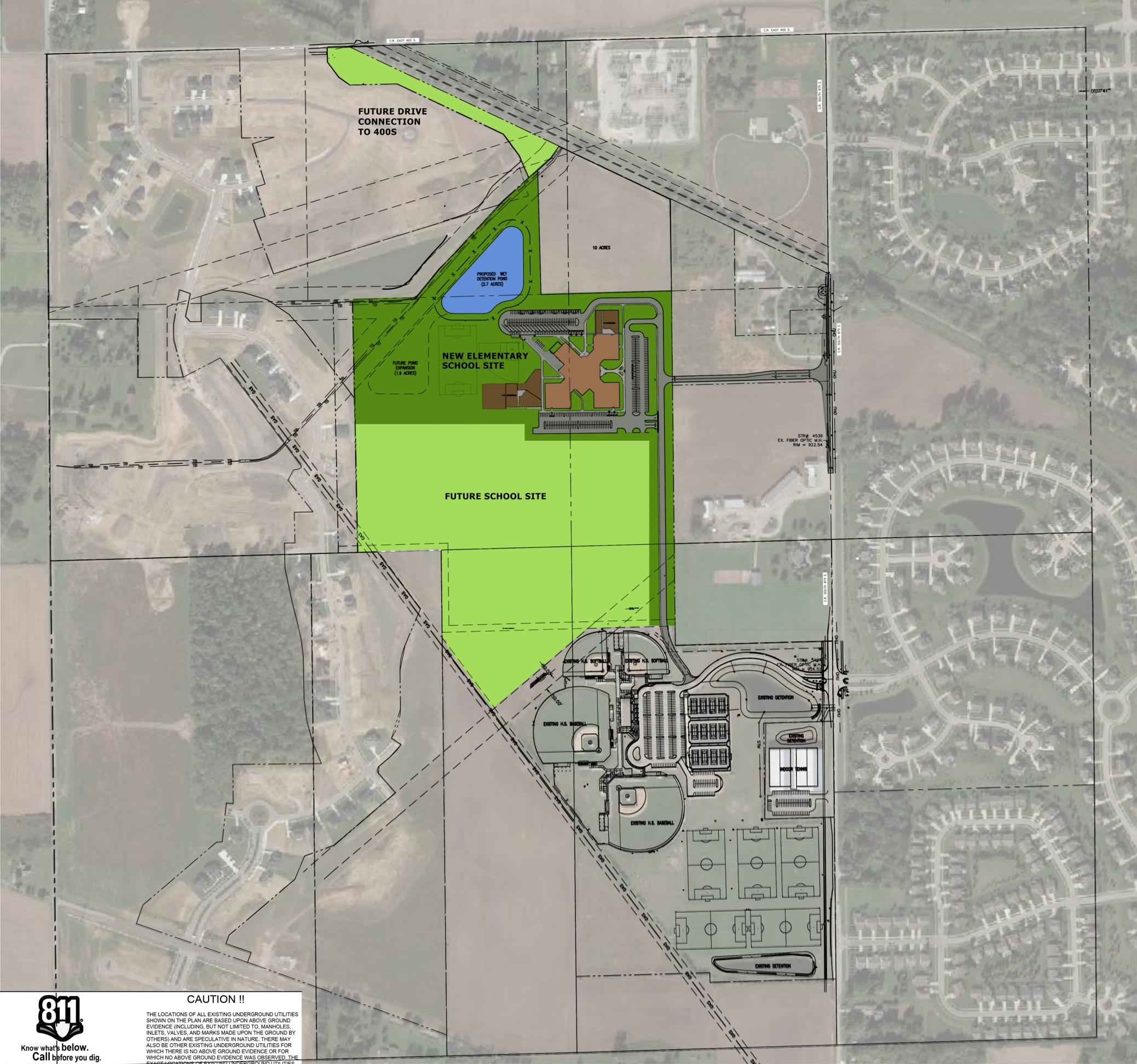


PROJECT MANAGER: BNH  
DRAWN BY: HHW  
PROJECT NUMBER: 219124.00 / 2019.520  
PROJECT ISSUE DATE: 04/03/2020

REV. NO.	DESCRIPTION	DATE

OVERALL SITE PLAN

# G1.0



**CAUTION !!**

THE LOCATIONS OF ALL EXISTING UNDERGROUND UTILITIES SHOWN ON THE PLAN ARE BASED UPON ABOVE GROUND EVIDENCE (INCLUDING, BUT NOT LIMITED TO, MANHOLES, INLETS, VALVES, AND MARKS MADE UPON THE GROUND BY OTHERS) AND ARE SPECULATIVE IN NATURE. THERE MAY ALSO BE OTHER EXISTING UNDERGROUND UTILITIES FOR WHICH THERE IS NO ABOVE GROUND EVIDENCE OR FOR WHICH NO ABOVE GROUND EVIDENCE WAS OBSERVED. THE EXACT LOCATIONS OF EXISTING UNDERGROUND UTILITIES SHALL BE VERIFIED BY CONTRACTOR PRIOR TO ANY AND ALL CONSTRUCTION.



Know what's below.  
Call before you dig.

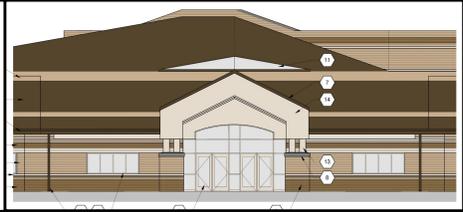
Call 811 or 1-800-362-5544 before starting any digging project.  
Call 48 hours or 2 working days before you dig.  
It's Fast, It's Easy and It's the Law in the state of Indiana!

Drawing Path: P:\2019\2019-520\G10\G10.dwg (C:\Users\hhw\OneDrive\Documents\2019\_520\_G10\_01\811\811.dwg) Plotter: 4/9/20 - 2:00pm Last Edited: 4/9/20 - 12:13pm

## Exhibit 3

# EXECUTIVE SUMMARY

## ZIONSVILLE ELEMENTARY SCHOOL



**Z**ionsville Community Schools is presenting its sixth elementary school, to be located southwest of the intersection of 4400 South and 875 East. Located on approximately 66.7 acres, the property is north of the existing Zionsville High School Baseball & Softball Complex and is currently zoned SU-1 Special Use. Access will be from County Road 875 East via an access easement. In addition to the elementary school, the Development Plan petition identifies a future Phase 2 to the south for a potential future school building.

The new elementary school will be 91,150 square feet in size with capacity for 657 students. Construction is slated to commence in August of 2020, with completion anticipated in June 2022 in time for the 2022-23 school year. Site lighting and on-site parking will meet the Town of Zionsville development standards. There are 393 parking spaces, with the north lot being double striped for busses and event parking. The one-story building features a brick exterior.

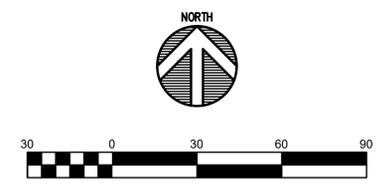
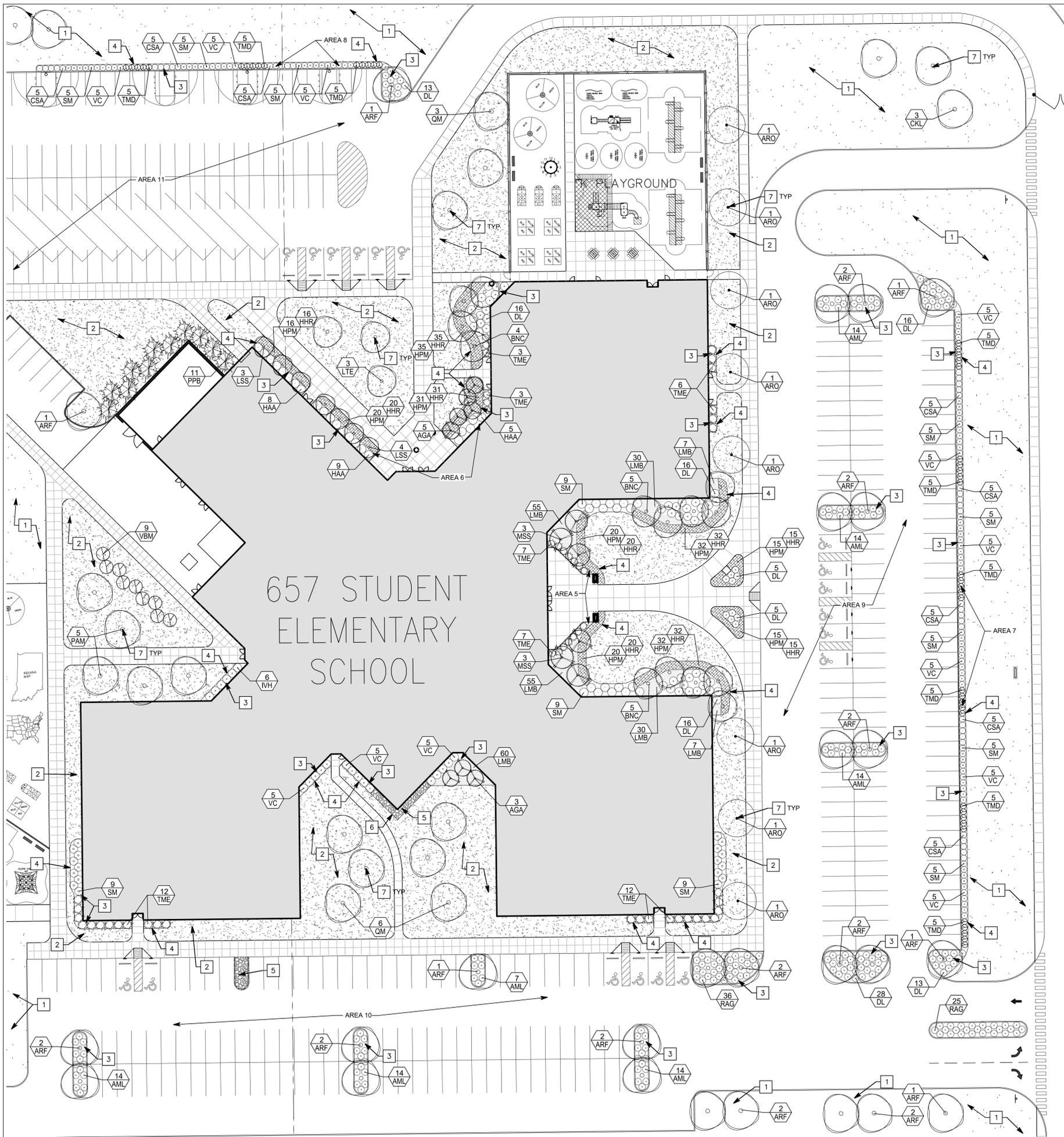
Storm water management will be facilitated by a 2.7 acre wet detention pond at the northwest corner of the property with another 1.9 acres expansion planned for the Phase 2 development. Full access to utilities is available along 875 East including sanitary sewer, 3-phase electric, water, and gas service.







Drawing Path: P:\2019\500\2019-520\CAD\Civil\Activity\31 - 2019.520.L1.1 - Enlarged Landscape Plan.dwg  
 Plotted By: theidre@time.com | Plot: 5/1/20 - 9:43am | Last Edited: 4/14/20 - 10:18am



**GENERAL NOTES**

1. SEE DRAWING GD0.1 FOR GENERAL NOTES AND ADDITIONAL LEGEND.
2. ALL TREES IN LAWN AREAS TO HAVE A SHREDDED HARDWOOD MULCH TREE RING.
3. MINERAL MULCH BEDS THAT ABUT LAWN TO HAVE STEEL EDGING.
4. SHREDDED HARDWOOD LANDSCAPE BEDS THAT ABUT LAWNS TO HAVE TRENCHED BED EDGE.
5. ALL LANDSCAPE BEDS TO HAVE 4" SHREDDED HARDWOOD MULCH.

**PROPOSED LANDSCAPE LEGEND**

- PROPOSED 2 1/2" CAL. DECIDUOUS TREE
- PROPOSED 1 1/2" CAL. DEC. ORNAMENTAL TREE
- PROPOSED 6 FT. EVERGREEN TREE
- PROPOSED SHRUB 3 GAL. CONT./24" HT. B&B
- PERENNIAL 1 GAL. CONT.
- SODDED LAWN
- SEEDDED LAWN
- MINERAL MULCH BED
- PLANT QUANTITY
- PLANT TYPE ABBREVIATION. REFER TO PLANT SCHEDULE FOR FULL PLANT NAME AND ADDITIONAL REQUIREMENTS FOR EACH PLANT

**KEYNOTES**

- 1 SEEDDED LAWN
- 2 SODDED LAWN
- 3 4" SHREDDED HARDWOOD MULCHED PLANTING BED
- 4 TRENCH BED EDGE - PER DETAIL D/L1.2
- 5 MINERAL MULCH LANDSCAPE BED - PER DETAIL E/L1.2
- 6 STEEL EDGING - PER DETAIL F/L1.2
- 7 MULCHED TREE RING - PER DETAIL A/L1.2

**CAUTION**

THE LOCATIONS OF ALL EXISTING UNDERGROUND UTILITIES SHOWN ON THE PLAN ARE BASED UPON ABOVE GROUND EVIDENCE INCLUDING, BUT NOT LIMITED TO, MANHOLES, INLETS, VALVES, AND MARKS MADE UPON THE GROUND BY OTHERS AND ARE SPECULATIVE IN NATURE. THERE MAY ALSO BE OTHER EXISTING UNDERGROUND UTILITIES FOR WHICH THERE IS NO ABOVE GROUND EVIDENCE OR FOR WHICH NO ABOVE GROUND EVIDENCE WAS OBSERVED. THE EXACT LOCATIONS OF EXISTING UNDERGROUND UTILITIES SHALL BE VERIFIED BY CONTRACTOR PRIOR TO ANY AND ALL CONSTRUCTION.

Exhibit 7



COPYRIGHT 2020 BY FANNINGHOWEY ASSOCIATES, INC.  
**ZIONSVILLE  
 ELEMENTARY  
 SCHOOL**

4400 South CR 875 East  
 Zionsville, IN 46077



ARCHITECT

**FANNING  
 HOWEY**

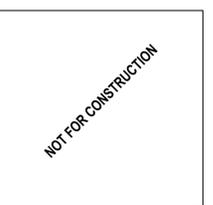
317.848.0966  
 350 East New York Street, Suite 300, Indianapolis, IN 46204

WWW.FHAI.COM

CIVIL ENGINEER



3901 W 86th Street, Suite 200  
 Indianapolis, IN 46268  
 Phone: (317) 334-1500  
 www.tlf-engineers.com



PROJECT MANAGER: BNH  
 DRAWN BY: HHW  
 PROJECT NUMBER: 219124.00 / 2019.520  
 PROJECT ISSUE DATE: 05/01/2020

REV. NO.	DESCRIPTION	DATE

ENLARGED LANDSCAPE PLAN

**L1.1**







# ZIONSVILLE ELEMENTARY SCHOOL

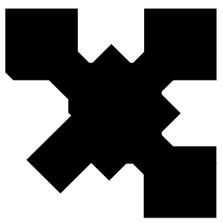
4400 South Cr 875 East  
Zionsville, IN 46077



ARCHITECT

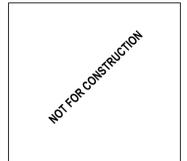


317.848.0966 WWW.FHAI.COM  
350 East New York Street, Suite 300, Indianapolis, IN 46204



## KEY PLAN

DESIGN DEVELOPMENT

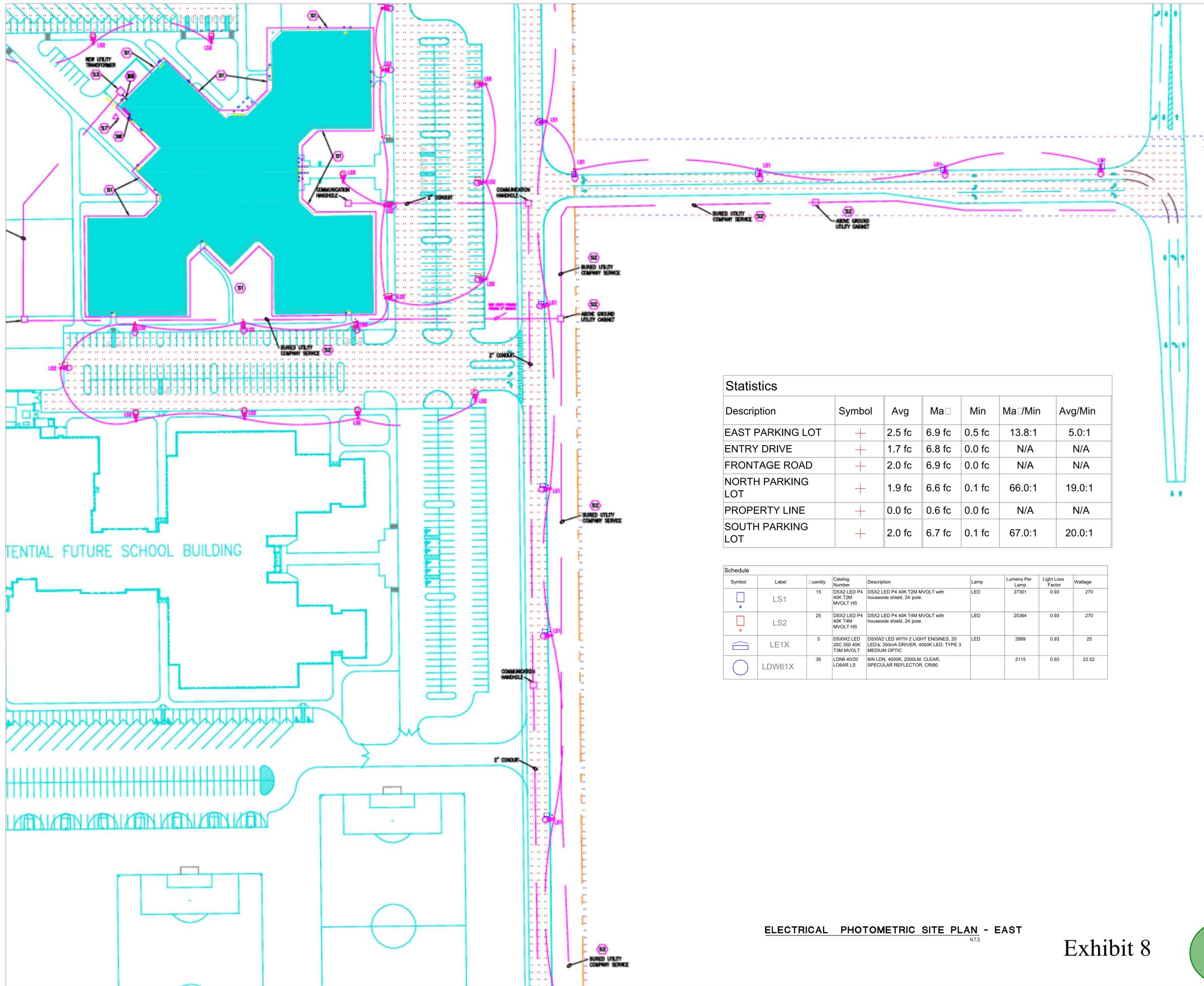


PROJECT MANAGER: CT  
DRAWN BY: MMS  
PROJECT NUMBER: 219124.00  
PROJECT ISSUE DATE: MARCH 27, 2020

REV. NO.	DESCRIPTION	DATE

PHOTOMETRIC SITE PLAN - EAST

# ES-3



### Statistics

Description	Symbol	Avg	Ma	Min	Ma/Min	Avg/Min
EAST PARKING LOT	+	2.5 fc	6.9 fc	0.5 fc	13.8:1	5.0:1
ENTRY DRIVE	+	1.7 fc	6.8 fc	0.0 fc	N/A	N/A
FRONTAGE ROAD	+	2.0 fc	6.9 fc	0.0 fc	N/A	N/A
NORTH PARKING LOT	+	1.9 fc	6.6 fc	0.1 fc	66.0:1	19.0:1
PROPERTY LINE	+	0.0 fc	0.6 fc	0.0 fc	N/A	N/A
SOUTH PARKING LOT	+	2.0 fc	6.7 fc	0.1 fc	67.0:1	20.0:1

### Schedule

Symbol	Label	Quantity	Catalog Number	Description	Lamp	Lumens Per Lamp	Light Loss Factor	Wattage
□	LS1	15	DSX2 LED P4 40K T2M MVOLT HS	DSX2 LED P4 40K T2M MVOLT with houseshield, 24' pole.	LED	27301	0.93	270
□	LS2	25	DSX2 LED P4 40K T4M MVOLT HS	DSX2 LED P4 40K T4M MVOLT with houseshield, 24' pole.	LED	25364	0.93	270
⏏	LE1X	5	DSXW2 LED 20C 350 40K T3M MVOLT	DSXW2 LED WITH 2 LIGHT ENGINES, 20 LED's, 350mA DRIVER, 4000K LED, TYPE 3 MEDIUM OPTIC	LED	2999	0.93	25
○	LDW61X	35	LDN6 40/20 LOGAR LS	6IN LDN, 4000K, 2000LM, CLEAR, SPECULAR REFLECTOR, CR180		2115	0.93	22.52

ELECTRICAL PHOTOMETRIC SITE PLAN - EAST  
N.T.S.

## Exhibit 8



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 3/26/2020 3:54:32 PM

## **ZIONSVILLE PLAN COMMISSION**

### **DOCKET NO. 2020-13-DP**

## **COMMITMENTS CONCERNING THE USE AND DEVELOPMENT OF REAL ESTATE**

In accordance with I.C. 36-7-4-1015, Zionsville Community Schools Building Corporation (the “Owner”), seeks to make certain commitments in connection with a Development Plan petition for approximately 66.7 acres (the “Real Estate”), which real estate is legally described in Exhibit A, as attached hereto and incorporated herein by reference, which Real Estate is commonly known as 4400 South, 875 East, Zionsville, IN 46077.

Owner represents and warrants that the Real Estate is now within the Town of Zionsville, Indiana, (the “Town”) and that as the owner of said Real Estate, the Owner has authority to and hereby does voluntarily make the following COMMITMENTS concerning the use and development of the Real Estate.

### **STATEMENT OF COMMITMENTS**

Owner, upon approval of Docket No. 2020-13-DP by the Zionsville Plan Commission (the “Development Plan”), which proposes a new elementary school, voluntarily agrees and commits that said Development Plan Approval shall be conditioned upon the following Commitments:

1. Owner acknowledges the existence of an easement benefiting Countrymark Refining and Logistics LLC (“Countrymark”) and the existence of a pipeline traversing the southeast portion of the Real Estate. Owner further acknowledges ongoing negotiations with Countrymark regarding reduction of the easement to a 100-foot wide easement measuring 50 feet either side of the centerline of the existing pipeline. Owner commits to recording a modified easement, allowing for development of the Real Estate as proposed in the Development Plan.
2. Owner commits to obtaining the necessary access easement for the entry drive from County Road 875 East, as proposed in the Development Plan;
3. Owner commits to obtaining the necessary right-of-way and/or easement for the acceleration lane associated with the entry drive from County Road 875 East, as proposed in the Development Plan;

4. Owner commits to coordinate with the Town regarding future access for emergency vehicles off of Hastings Drive stub street;
5. Owner commits to the construction of a lead walk to existing pedestrian path at the athletic complex entrance once Town has established a school zone/crosswalk within 875E;
6. Owner commits to construction of a lead walk to a future County Road 400 South entrance with the installation of the drive extension to County Road 400 South (including a connection to existing Hampshire asphalt path).

These COMMITMENTS shall be executed and recorded by the Owner in the Office of the Boone County Recorder, Boone County, Indiana, and shall be considered a covenant running with the land described herein as the Real Estate, as set out in Exhibit A.

These COMMITMENTS shall be binding on the Owner, subsequent owners of the Real Estate, and other persons or entities acquiring an interest therein (hereinafter collectively the "Owners"). The Owner shall have an affirmative duty to inform any third parties with whom the Owner negotiates for a possible sale, lease, assignment, mortgage, or transfer of the Real Estate of the existence of these COMMITMENTS. In the event any sale, lease, assignment, mortgage, or transfer occurs, the Owner shall ensure that a copy of these COMMITMENTS is incorporated into any such written agreement with the third party. If the Owner fails to comply with the terms of this paragraph and the third party fails to perform and/or comply with these COMMITMENTS, the Town of Zionsville shall be entitled to receive from the Owner and from each corporation and/or third party identified above as Owners, jointly and/or severally, any and all damages which arise from this failure and shall be entitled to injunctive relief to terminate any non-compliances herewith.

These COMMITMENTS may be modified or terminated by a decision of the Town of Zionsville Plan Commission made after a public hearing for which proper notice is given, including hearings for other land use or zoning approvals involving the Real Estate or any portion thereof.

These COMMITMENTS shall be effective upon approval of the relief requested in Plan Commission Docket Number 2020-13-DP by the Zionsville Plan Commission and shall continue in effect until modified or terminated as specified above and/or as prescribed by statute.

These COMMITMENTS may be enforced jointly and/or severally by the Town of Zionsville Plan Commission, the Director of Planning and Economic Development for the Town of Zionsville, the Town and/or owners of any parcel of ground adjoining the Real Estate. Owner and all Owners shall be obligated hereunder to indemnify the Town of Zionsville Plan Commission, the Town (including a successor city or municipality), and hold said entities and their respective authorized representatives, including the Director of Planning and Economic Development for the Town, harmless from any liability, expense (including reasonable attorney fees and court costs), costs, or damages which result from the failure to perform Owner's and/or owner's obligations under the terms and conditions of these COMMITMENTS. Throughout these COMMITMENTS and reference to "Town" or "Town of Zionsville" shall also include any successor city, municipality, or other governmental body having land use, planning, and zoning jurisdiction over the Real Estate.

In the event it becomes necessary to enforce these COMMITMENTS in a court of competent jurisdiction and the Owner and/or any of the Owners, jointly and/or severally, are found to be in

violation of these COMMITMENTS, such violators shall pay all reasonable costs and expenses the Town and the Town's Plan Commission and other authorized representative(s) incur in the enforcement of these COMMITMENTS, including reasonable attorney fees, expert witness fees, and court costs.

Owner and all subsequent Owners of all or a portion of the Real Estate shall be obligated hereunder, jointly and/or severally, to indemnify the Town of Zionsville Plan Commission and/or the Town and hold said entities and their respective authorized representative(s), including the Director of Planning and Economic Development for the Town, harmless from any liability, expense (including reasonable attorney fees and court costs), costs or damages which result from failure to perform Owner's and/or Owners' obligations hereunder and/or to comply with the terms and conditions of these COMMITMENTS.

Owner shall be responsible, at its expense, for recording this Statement of Commitments in the Office of the Recorder of Boone County, Indiana, and shall promptly provide the Planning and Economic Development Department of the Town of Zionsville with a copy of such recording as a condition precedent to commencing any work with the Development Plan. These COMMITMENTS shall be considered a covenant running with the Real Estate, including any portion thereof.

By executing these COMMITMENTS, the Owner represents and warrants that at the time of such execution, owner is the sole owner of all the Real Estate, that execution of these COMMITMENTS shall be binding upon the Owner as to all the particulars herein, and shall be considered a COVENANT running with the land described herein as the Real Estate, including any portion thereof. By the signature affixed below to these COMMITMENTS, Zionsville Community Schools Building Corporation further represents and warrants that the undersigned has full corporate authority to execute these COMMITMENTS on behalf of said corporation and bind owner hereto.

IN WITNESS WHEREOF, Owner has executed this instrument this 5<sup>th</sup> day of May, 2020.

"OWNER"  
Zionsville Community Schools Building Corporation

By: Scott Robison  
Scott Robison, Superintendent

STATE OF INDIANA )  
 ) SS:  
COUNTY OF Boone )

Before me, a Notary Public in and for said County and State, personally appeared Scott Robison, Superintendent of Zionsville Community Schools Building Corporation, who acknowledged the execution of the foregoing instrument in such capacity and who, having been duly sworn, stated that any and all representations therein contained are true.

Witness my hand and Notarial Seal this 5<sup>th</sup> day of May, 2020.

Signature: Jane Patricia Johnson  
Printed: Jane Patricia Johnson  
County of Residence: Boone  
My Commission expires: 10/30/2027



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. Jon A. Becker, Attorney at Law.

This instrument was prepared by:  
Jon A. Becker, Attorney at Law  
2 North 9<sup>th</sup> Street  
Noblesville, IN 46060  
Telephone: 317.773.2190



To: Wayne Delong  
 From: Beam, Longest & Neff, LLC  
 Mark DeBruler, P.E.  
 Date: May 11, 2020

**PROJECT DESCRIPTION**

Project	Name	Zionsville Elementary School	
	Location	4400 South 875 East, Zionsville, Indiana 46077	
	Developer	Zionsville Community Schools Building Corporation	
	Submittal	No. 3	
Documents Reviewed	Document Name		Document Date
	Exhibit A - ALTA Survey		May 11, 2020
	Exhibit B - G1.0 - Overall Site Plan		May 11, 2020
	Exhibit C - Overall Site Traffic Flow		May 11, 2020
	New Zionsville Elementary_ Comment Response Letter 2020-05-11		May 11, 2020
Zoning	Current	SU-1	
	Proposed	SU-1	
Land Use	Current	Agricultural	
	Proposed	School, playground and athletic fields	
Requested Waivers		Eliminate parking lot landscaping islands at bus loading area	

The materials for the project were received on May 11th for the project. The following comments were noted on the submittal.

**I. SURVEY INFORMATION AND ALTA SURVEY**

A. No comments.

**II. DRAINAGE REPORT**

A. Significant, potentially major, drainage issues remain to be resolved, including:

1. Handling of runoff from the SE basin. Depending on the original design of this basin (see comment B.9. below), significant redesign, including additional BMPs, enlarging the existing detention pond in front of the athletic fields (including resolution on application of current design issues such as safety ledges and the different discharge rates), and modifications or replacement of the effluent control structure, may be required.
  2. Impacts to the Simpson legal drain. Conversations with county surveyor staff indicate that downstream capacity limitations (for example two 48" storm sewers currently feeding into a single 48" storm sewer as well as capacities in the swale along the north side of CR 400S and the culvert under CR 875E) may need to be resolved to provide capacity for this project.
- B. Please submit a revised drainage report, including (some comments from prior comments or responses included for continuity):
1. Engineer's signature and seal (assuming this is the final report submittal).
  2. A certificate of insurance.
  3. Please indicate the FFE of the school building on the site utilities and emergency flood routing drawings.
  4. Please provide a revised drainage basin map showing the north entrance.
  5. The emergency routing exhibit should provide ponding limits and flood elevations of spillover routes at design flow rates.
  6. Include design of the multi-stage bioswale and/or bioretention system in the NW basin.
  7. Please provide profiles and headwater calculations of culverts in order to check headwater elevation on the upstream side.
  8. Provide calculations of the revised emergency overflow weir for the existing 4.97 acre drainage basin on the NE side of the project.
  9. Provide calculations showing the pre-developed and post-developed runoff rates from the SE basin to the existing wet detention pond in front of the existing athletic fields.
    - a. If the SE basin runoff was incorporated into the design of the athletic fields storm sewer system, compare these flows with those incorporated into the athletic fields site drainage design. If the post-development flows are less than or equal to those flows incorporated into the design, no modifications are needed to the pond. If the post-development flow rates

are greater than those incorporated into the design, propose modifications to the pond in accordance with the standards in effect at the time.

b. If runoff from the SE basin was considered as off-site flows in the athletic fields storm sewer design, either passing through or bypassing the detention pond, address modifications to the existing detention pond in accordance with the standards in effect at the time.

c. If flows from the SE basin were not incorporated into the athletic fields storm sewer design, provide treatment and storage in accordance with current standards.

10. Please submit comments from the county surveyor's office with the drainage report to assist in our review.

11. Include drainage reports from the adjacent athletic fields and the Hampshire development.

### III. CONSTRUCTION PLANS

A. No comments.



# STORMWATER REVIEW MEMORANDUM

May 13, 2020

**TO:** Kenneth Hedge, CISEC – Boone County Surveyor

**FROM:** David Eichelberger, P.E. – CBBEL Indianapolis  
Kerry Daily, E.I., CFM, CPESC, CPSWQ – CBBEL, Indianapolis

**SUBJECT:** **New Zionsville Elementary School**  
**CBBEL Project No. 150664.00157**

A new elementary school will be developed on a 66.7-acre site located south of County Road 400 South and west of County Road 875 East in Zionsville. The site is immediately north of the existing Zionsville Schools Athletic 875 Complex. The proposed project will include construction of a 91,337 square foot elementary school building, internal drives and parking areas, playgrounds and fields, a roadway through the future municipal campus property immediately east of the site to County Road 875 East and a detention basin. Future projects at the site will include a 150,000 square foot school building, parking areas, a road extension to County Road 400 South, athletic fields and a track. The detention basin will be expanded to accommodate the runoff from the future projects, but the basin's outlet structure and system will be constructed with the current proposed project. The proposed detention will outlet to the reconstructed Boone County Simpson Regulated Drain system.

After a review of the submitted material CBBEL offers the following comments regarding the project's compliance with the Boone County Stormwater Management Ordinance (Ordinance) and the Boone County Stormwater Technical Standards Manual (Standards):

1. The allowable release rates for the project should only be based on the portions of the site currently discharging to the Simpson Regulated Drain, basins EX NW and EX East. This results in allowable release rates of 4.90 cfs and 14.68 cfs for the post-developed 10-year and 100-year storm events.
2. A detail for the connection of the detention basin outlet into the Simpson Regulated Drain system should be provided.
3. The submitted modeling should be re-evaluated with rainfall depths from Table 2-5 of the Standards.
4. In the developed condition 11.26 acres will discharge to the swale along the Simpson Regulated Drain, a reduction of 32.71 acres from the existing condition. The submitted stormwater report should clarify if this area or parts of this area will discharge to the expanded detention basin in the future.

5. Two post-construction stormwater quality measures in series should be provided for runoff discharging into the Simpson Regulated Drain system.
6. The submitted modeling of the detention system does not include any aspects of the Simpson Regulated Drain system or any potential tailwater effects. The currently proposed project and the future projects should be modeled as part of the overall Simpson Regulated Drain system to ensure the system can accept the proposed discharges.

No error or omission in the plans, calculations or applications (whether said plans, calculations or applications have been reviewed by the review engineer or not) shall permit or release the applicant and designer from constructing this work in any other manner than that provided for in the County Ordinance and Standards.

cc: Town of Zionsville  
Beam, Longest and Neff  
TLF, Inc.

KMD/kd

M150664.157.1

**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: there are existing school facilities adjacent to the proposed elementary campus; elementary schools are typically located near residential neighborhoods; the plans presented feature an attractive building and well-landscaped grounds; buffer standards adjacent to residential uses will be met.
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 development plan reflects a recent survey of the site which shows the presence of utilities including access to sanitary sewer, storm sewer, natural gas 3-phase electrical, cable/phone lines, and water, all present at County Road 875.
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 and improvements to County Road 875 reflects several meetings held with Town of Zionsville officials. The Zionsville Thoroughfare Plan classifies this road as an Urban Collector, which is sufficient to handle elementary school traffic.
4. The Development Plan/ Modification of Development Plan (~~does/does not~~) utilize building materials and building style compatible with the Zionsville theme because: the proposed one-story building will have a brick exterior with aluminum trim.
5. The Development Plan/Modification of Development Plan (~~does/does not~~) provide for the calculation of storm water runoff because: a stormwater collection system has been designed with a wet detention pond located at the northwest section of the property and an outlet to an acceptable storm pipe.
6. The Development Plan/Modification of Development Plan (~~does/does not~~) provide for current and future right-of-way dedications because: access to County Road 875 is proposed to be gained from an access easement with right-of-way to be acquired for the acceleration taper.
7. The Development Plan/Modification of Development Plan (~~does/does not~~) provide for building setback lines, coverage, and separation; vehicle and pedestrian circulation; parking; landscaping; recreation area or green space; outdoor lighting because: the proposed development plan has accounted for all design and development standards set forth by the Town of Zionsville. The plan will provide a pedestrian pathway to connect with the existing athletic fields to the south. The design is mindful of functionality and aesthetics.

**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\_\_\_\_.

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

**Town of Zionsville**  
Petition for Plan Commission Approval

**Office Use Only**  
Petition No.: 2020-13-DP  
Hearing Date: \_\_\_\_\_  
Recommendation: \_\_\_\_\_

**1. SITE INFORMATION:**

Address of Property: 4400 South 875 East, Zionsville, IN 46077  
Existing Use of Property: Agricultural  
Proposed Use of Property: New Elementary School  
Current Zoning: SU-1 Area in acres: 66.7

**2. PETITIONER/PROPERTY OWNER**

Petitioner:  
Name: Zionsville Community Schools  
Address: 900 Mulberry Street  
Zionsville, IN 46077  
Phone: 317.873.2858 ext 11999  
Fax: 317.873.8003  
E-Mail: srobison@zcs.k12.in.us

Owner (If different from Petitioner):  
Name: Zionsville Community Schools Building Corp  
Address: 900 Mulberry Street  
Zionsville, IN 46077  
Phone: 317.873.2858 ext. 11999  
Fax: 317.873.8003  
E-Mail: srobison@zcs.k12.in.us

**3. PETITIONER'S ATTORNEY/CONTACT PERSON AND PROJECT ENGINEER (IF ANY):**

**Attorney / Contact Person:**  
Name: Jon Becker  
Address: 2 North 9th Street  
Noblesville, IN 46060  
Phone: 317.773.2190  
Fax: 317.773.5320  
E-Mail: jbecker@cchalaw.com

**Project Engineer / Architect:**  
Name: Charles Tyler, Fanning Howey  
Address: 350 East New York Street, Suite 300  
Indianapolis, N 46204  
Phone: 317.848.0966 ext. 10308  
Fax: 317.848.0843  
E-Mail: ctyler@fhai.com

**4. DETAILED DESCRIPTION OF REQUEST (Check all that apply)**

**(Describe reason(s) for request / attach additional pages if necessary):**

- Development Plan       Modification of Development Plan       Waiver of Development Requirement(s)  
 Termination of Development Plan       Modification of Commitments       Termination of Commitments

Development of a new elementary school, with capacity for 657 students, and associated storm water detention, on-site parking, athletic fields and playgrounds. Future Phase 2 to the south for a potential future school building.

**5. ATTACHMENTS:**

- Legal description of property       Proof of Ownership (copy of Warranty Deed)  
 Owner's Authorization (if petitioner is not the owner)       Copies of the Site Plan (if applicable)  
 Statement of Proposed Modification or Termination Of Commitments       Proposed Development Plan / Proposed Modification of Development Plan / Statement of Termination of Development Plan  
 Proposed Findings (if a Development Plan)  
 Road Impact Calculation Form

The undersigned, having been duly sworn on oath states the above information is true and correct as (s) he is informed and believes. Further, the applicant understands that this project may be assigned Engineering review fees, which are payable upon invoicing. Road Impact Fees are payable upon Improvement Location Permit release.

Signature of Owner or Attorney for Owner: \_\_\_\_\_

Date: April 6, 2020

State of Indiana )

County of Boone ) SS:

Subscribed and sworn to before me this day of April 6, 2020

Jane Patricia Johnson  
Notary Public Signature

Jane Patricia Johnson

Notary Public Printed

My commission expires October 30, 2027

My county of residence is Boone County.

My Commission No. is NP0630546

JANE PATRICIA JOHNSON  
Notary Public - Seal  
Boone County - State of Indiana  
Commission Number NP0630546  
My Commission Expires Oct 30, 2027

#### PROCEDURES AND REQUIREMENTS:

1. A complete Petition for Plan Commission Approval ("petition") must be submitted by 3:00 PM a minimum of 31 days prior to the initial hearing before the Plan Commission.
2. Only complete Petitions will be placed on the agenda for the next Plan Commission meeting. If a Petition is incomplete 31 days prior to the next Plan Commission meeting, the Petition will not be placed on an agenda until the Petitioner submits a complete Petition.
3. Fifteen sets of the following information must be submitted, with the notarized Petition, for internal staff review.
  - Legal description of property (Metes and bounds description must include a perimeter survey, drawn to scale – or – recorded subdivision legal description must include lot number, section number, subdivision name, either the plat book number of the recorded instrument number and a copy of the plat map.)
  - Proof of Ownership (copy of deed)
  - Owner's Authorization (if Petitioner is not the owner)
  - Site Plan (if applicable)
  - Proposed findings (if a Development Plan)
  - Statement of Modification or Termination of Commitments (if proposed)
  - Proposed Development Plan / Proposed Modification of Development Plan (if proposed)
  - Draft of Proposed Legal Notice
  - Application Fee: \$ \_\_\_\_\_ (Checks should be payable to Town of Zionsville)

#### PUBLIC HEARING NOTIFICATION:

Notice of Public Hearing for Plan Commission Approval is to be completed as set forth in the Zoning Ordinance and Rules of Procedure for the Plan Commission. The procedures relating to notification of public hearings that are contained in this Packet are provided for convenience purposes only.

**OWNER'S AUTHORIZATION**

The undersigned, Scott Robison being the owner of the property commonly known as 4400 S 875 E, Zionsville, IN 46077 hereby authorize(s) Church Church Hittle + Antrim by Andrew Wert to file a Petition for ~~zoning change~~ ~~development plan approval~~ ~~for the aforementioned property~~ development plan approval for the aforementioned property.

Zionsville Community Schools Building Corporation  
(company name) Scott Robison  
(owner signature)  
By: Scott Robison  
(authorized signature) SCOTT ROBISON  
- or - (print owner name)  
SCOTT ROBISON  
(printed name)  
SUPERINTENDENT  
(title)

State of Indiana  
County of Boone SS:

Subscribed and sworn to before me this April 10, 2020  
Jane Patricia Johnson  
Notary Public Signature Notary Public Printed

My commission expires October 30, 2027

My county of residence is Boone County.

My Commission No. is NP0630546



2  
18.00

VESTING TRACT 1

2

200800007532  
Filed for Record in  
BOONE COUNTY, INDIANA  
MARY ALICE "BAM" BALDWIN  
08-04-2008 At 03:19 PM.  
DEED 18.00

Mall Tax Statements to:  
8251 E. 400 S  
Zionsville, IN 46077  
Property Address:  
8251 E. 400 S.  
Zionsville, Indiana 48077

Tax ID No. 019-18749-00

Meridian  
800419CA.

WARRANTY DEED THIS INDENTURE WITNESSETH THAT

E. Brent Smith and Tricia K. Smith

CONVEY(S) AND WARRANT(S) TO

Zionsville Community Schools, for Ten Dollars and other valuable consideration the receipt whereof is hereby acknowledged, the following described REAL ESTATE in Boone County, in the State of Indiana, to wit:

SEE ATTACHED LEGAL DESCRIPTION

000-005.001

Subject to taxes for the year 2007, due and payable in 2008, and taxes for all subsequent years.

Subject to covenants, restrictions and easements of record.

IN WITNESS WHEREOF, the Grantor has executed this deed this 24th day of July, 2008.

E. Brent Smith  
E. Brent Smith

Tricia K. Smith  
Tricia K. Smith

7-24-08  
Date

State of Indiana, County of BOONE ss:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the said E. Brent Smith and Tricia K. Smith who acknowledged the execution of the foregoing Deed and who, having been duly sworn, stated that the representations therein contained are true.

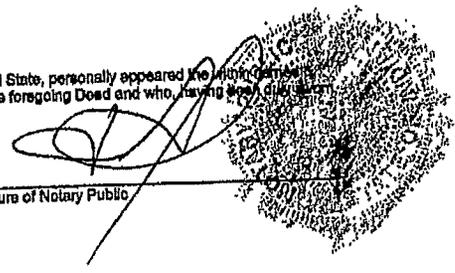
WITNESS, my hand and Seal this 24 day of July, 2008.

My Commission Expires: 2-10-2015

JERRY ALEXANDER  
Printed Name of Notary Public

BOONE INDIANA  
Notary Public County and State of Residence

Signature of Notary Public



This instrument was prepared by: Steven G. Lukemeyer, Attorney at Law  
11711 N. Pennsylvania Street, Suite 110, Carmel, IN, 46032-4659  
800419CA.tpf

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.

Timothy Foley  
NOTE: The individual's name in affirmation statement may be typed or printed.

DULY ENTERED FOR TAXATION  
8-04-08  
Kathleen Smith  
SUBJECT TO FINAL ACCEPTANCE  
AUDITOR, BOONE COUNTY

1

LEGAL DESCRIPTION

Part of the Northwest Quarter of Section 28, Township 18 North, Range 2 East, Eagle Township, Boone County, Indiana, being more particularly described as follows:

COMMENCING at the Northwest Corner of the said Northwest Quarter Section; thence North 88 degrees 59 minutes 58 seconds East (Bearing based upon Warranty Deed recorded as Instr. #9803809 in the office of the recorder of Boone County, Indiana) along the North Line of the said Northwest Quarter Section a distance of 1460.53 feet to the BEGINNING POINT; thence continue North 88 degrees 59 minutes 58 seconds East along the said North Line a distance of 112.38 feet to the southwesterly right-of-way line of the abandoned C.C.C. & St. Louis Railroad; thence South 83 degrees 58 minutes 18 seconds East along the right-of-way line of said abandoned C.C.C. & St. Louis Railroad a distance of 1206.29 feet; thence South 35 degrees 04 minutes 02 seconds West a distance of 73.89 feet; thence South 48 degrees 18 minutes 54 seconds West a distance of 156.25 feet; thence North 22 degrees 33 minutes 45 seconds West a distance of 125.36 feet; thence North 35 degrees 42 minutes 26 seconds West a distance of 138.66 feet; thence North 63 degrees 59 minutes 18 seconds West, parallel with the right-of-way line of the abandoned C.C.C. & St. Louis Railroad, a distance of 609.84 feet; thence South 88 degrees 59 minutes 58 seconds West, parallel with the North Line of the said Northwest Quarter Section, a distance of 244.27 feet; thence North 54 degrees 09 minutes 02 seconds West a distance of 70.24 feet; thence North 35 degrees 45 minutes 28 seconds West a distance of 88.59 feet; thence North 01 degree 09 minutes 02 seconds West a distance of 78.88 feet to the BEGINNING POINT, containing 3.038 acres, more or less.



EXHIBIT A  
Legal Description

Part of Section 28, Township 18 North, Range 2 East, Eagle Township, Boone County, Indiana, being more particularly described as follows:

COMMENCING at the Northeast Corner of the West Half of the Southeast Quarter of said Section 28; thence South 00 degrees 09 minutes 19 seconds East (Bearing based upon Warranty Deed recorded as Instr. #9803609 in the office of the recorder of Boone County, Indiana) along the East Line of the West Half of the said Southeast Quarter Section a distance of 530.24 feet to the BEGINNING POINT; thence continue South 00 degrees 09 minutes 19 seconds East along the said East Line a distance of 418.51 feet to the Northeast Corner of a 4.133 acre tract of land described as an exception in Deed Book 246 Page 919 in the office of said recorder (the next three (3) described courses being along the north, west and south lines of said 4.133 acre tract of land); thence South 88 degrees 52 minutes 23 seconds West, parallel with the North Line of the said Southeast Quarter Section, a distance of 359.20 feet; thence South 00 degrees 09 minutes 19 seconds East, parallel with the said East Line, a distance of 501.30 feet; thence North 88 degrees 52 minutes 23 seconds East, parallel with the said North Line, a distance of 359.20 feet to the said East Line; thence South 00 degrees 09 minutes 19 seconds East along the said East Line a distance of 845.37 feet to the Southeast Corner of a 35.867 acre tract of land described in Quitclaim Deed recorded in D.B. 246 Page 919 in said recorder's office (the next three (3) described courses being along the South Line of said 35.867 acre tract of land); thence South 88 degrees 52 minutes 23 seconds West, parallel with the North Line of the Southeast Quarter of said Section 28, a distance of 652.51 feet (calculated) 627 feet (deed) to the East Line of a parcel of land as described in Executor's Deed recorded in D.B. 241 Pg. 280 in said recorder's office; thence North 00 degrees 09 minutes 03 seconds West along the East Line of said parcel of land and said East Line extended Northerly a distance of 50.24 feet; thence South 88 degrees 52 minutes 23 seconds West, parallel with the North Line of said Southeast Quarter Section, a distance of 693.00 feet to the West Line of the West Half of the said Southeast Quarter Section; thence North 00 degrees 09 minutes 03 seconds West along the said West Line a distance of 2245.18 feet to the Northeast Corner of the Southwest Quarter of said Section 28; thence South 88 degrees 52 minutes 23 seconds West along the North Line of the said Southwest Quarter Section a distance of 1206.37 feet; thence North 00 degrees 43 minutes 53 seconds West a distance of 1310.81 feet; thence North 89 degrees 22 minutes 40 seconds East a distance of 308.88 feet; thence North 84 degrees 32 minutes 20 seconds East a distance of 117.04 feet; thence North 39 degrees 30 minutes 37 seconds East a distance of 194.37 feet; thence North 42 degrees 58 minutes 12 seconds East a distance of 491.76 feet; thence North 48 degrees 18 minutes 54 seconds East a distance of 333.14 feet; thence North 35 degrees 04 minutes 02 seconds East a distance of 73.99 feet to the South right-of-way line of the abandoned C.C.C. & St. Louis Railroad; thence South 63 degrees 59 minutes 18 seconds East along the said south right-of-way line a distance of 639.62 feet; thence South 00 degrees 09 minutes 19 seconds East, parallel with the East Line of the West Half of the Northeast Quarter of said Section 28 a distance of 2332.65 feet; thence North 88 degrees 52 minutes 23 seconds East, parallel with the North Line of the West Half of the Southeast Quarter of said Section 28 a distance of 812.84 feet to the BEGINNING POINT, containing 124.015 acres, more or less.

**EXHIBIT B**  
**Permitted Exceptions to Title**

1. The lien of current real estate taxes due and payable in May 2006 and thereafter.
2. Annual maintenance assessments for legal drains due and payable in May 2005 and thereafter.
3. All matters disclosed by the survey of the real estate prepared by The Schneider Corporation dated January 25, 2005 (Project No. 4196.001), certified by Edward D. Giacoletti, RLS under date of January 25, 2005.
4. The right-of-way for County Road 875 East along the east side of the property.
5. Easement to Indianapolis Power & Light Company recorded in Deed Record 191, pages 83-84 and re-recorded in Deed Record 191, pages 164-165.
6. Easement to Boone County Rural Electric Membership Corporation recorded in Misc. Record 28, page 515.
7. Easement to the Ohio Company recorded in Deed Record 160, page 231.
8. Easement to Farm Credit Services of Mid-America PCA recorded as Instrument No. 0100451.
9. Severance Agreement recorded as Instrument No. 0100450.
10. Easement to Indiana Farm Bureau Cooperative Association Inc. recorded in Deed Record 155, page 530.
11. Easement to the Ohio Oil Company recorded in Deed Record 160, page 272.
12. Easement to Indiana Farm Bureau Cooperative Association Incorporated recorded in Deed Record 155, page 529.
13. Right-of-way for a railroad as depicted on the survey reference above.
14. Rights with respect to the Shaw Legal Drain.

⑤  
2400  
Meridian

VESTING-TRACT 3

Instrument PG 1 OF 5  
200800001926

⑤

200800001926  
Filed for Record in  
BOONE COUNTY, INDIANA  
MARY ALICE "SAM" BALDWIN  
02-21-2008 At 03:02 PM.  
DEED 24.00

PERSONAL REPRESENTATIVE'S DEED

①  
800413CA

Rana Fedor, as the Personal Representative of the Estate of Rosemary B. Rudwolis, which estate is pending in the Boone County Superior Court under Cause Number 06D010604EU056, by virtue of the power and authority granted to a personal representative under the Indiana Code proceeding under Unsupervised Administration of an estate, and for good and sufficient consideration, hereby CONVEYS AND WARRANTS (in her capacity as Personal Representative, and not in her individual capacity) to Zionsville Community Schools ("Grantee"), that certain real estate located in Eagle Township, Boone County, State of Indiana, which is more particularly described in Exhibit A attached hereto and made a part hereof (collectively, the "Real Estate").

This conveyance is made subject to: (i) the lien of non-delinquent real estate taxes due and payable on or after execution and delivery of this Personal Representative's Deed; (ii) all general and special assessments and all other governmental, municipal and public dues, charges and impositions not delinquent; (iii) those covenants, easements, agreements and other matters of record (and such other exceptions and conditions) as are set forth on Exhibit B attached hereto and incorporated herein by this reference; and (iv) any lien or right to lien imposed by law for services, labor or material furnished to or performed on the Real Estate for Grantee (or its assignor) or otherwise arising as a result of Grantee (or Grantee's assignor's) actions upon the Real Estate occurring on or prior to the date hereof.

IN WITNESS WHEREOF, Rana Fedor, as Personal Representative of the Estate of Rosemary B. Rudwolis, has executed this instrument on the date indicated hereinbelow.

GRANTOR:

Dated: February 15, 2008

*Rana Fedor, Personal Rep.*  
Rana Fedor, Personal Representative of the  
Estate of Rosemary B. Rudwolis

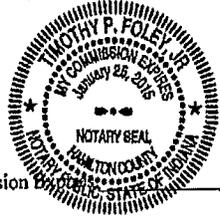
[Notary Acknowledgment Attached]

DULY ENTERED FOR TAXATION  
02-21-08  
*Hatcher Smith*  
SUBJECT TO FINAL ACCEPTANCE  
AUDITOR, BOONE COUNTY

STATE OF Indiana )  
COUNTY OF Hamilton ) SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Rana Fedor, as Personal Representative of the Estate of Rosemary B. Rudwolls, who acknowledged the execution of the foregoing Personal Representative's Deed to be her voluntary act and deed for the uses and purposes expressed therein.

WITNESS MY HAND AND SEAL THIS 15<sup>th</sup> day of February, 2008.



Timothy Foley  
Notary Public

Printed: \_\_\_\_\_

My Commission Expires \_\_\_\_\_ County of Residence: \_\_\_\_\_

Part of Tax Parcel No.: 003-01780-00

Tax Mailing Address / Send Tax Statements to: Zionsville Community Schools, 900 Mulberry Street, Zionsville, Indiana 46077; Attn: TAX Dept.

Prepared by and Return to: D. Bryan Weese, Attorney at Law, Bingham McHale LLP, 2700 Market Tower, 10 W. Market Street, Indianapolis, IN 46204-4900; PH: (317) 635-8900.

**CERTIFICATION:**

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.

D. Bryan Weese

Exhibit A

Legal Description  
(Parcel 1 - 14.93 acres) [Attached]

**EXHIBIT A**

Part of the East Half of the East Half of the Southwest Quarter of Section 28, Township 18 North, Range 2 East of the 2<sup>nd</sup> Principal Meridian, in Eagle Township, Boone County, Indiana, described as follows: Commencing at the Southeast Corner of the Southeast Quarter of said Section 28 marked by a 5/8 inch rebar per Boone County Surveyor reference ties; thence South 88°44'43" West (assumed bearing) along the South line of said Quarter Section a distance of 2691.18 feet to the Southwest corner of said Quarter Section marked by a 10 inch wood fence post per Boone County Surveyor reference ties; thence North 00°09'03" West along the West line of said Quarter Section a distance of 1210.57 feet to the POINT OF BEGINNING, also being the intersection of said West line and the centerline of a gas line; thence North 36°45'13" West along the centerline of said gas line a distance of 73.33 feet, the following 10 courses are along said centerline; (1) North 35°49'50" West a distance of 96.64 feet; (2) North 35°51'20" West a distance of 100.96 feet; (3) North 38°14'27" West a distance of 87.38 feet; (4) North 38°26'53" West a distance of 110.28 feet; (5) North 36°27'43" West a distance of 103.56 feet; (6) North 35°27'49" West a distance of 111.51 feet; (7) North 36°45'34" West a distance of 106.73 feet; (8) North 36°27'40" West a distance of 98.26 feet; (9) North 35°47'38" West a distance of 103.01 feet; (10) North 36°19'06" West a distance of 153.02 feet to the West line of the East Half of the East Half of the Southwest Quarter of said Section 28; thence North 00°10'18" West along said West line a distance of 497.22 feet to the Northwest corner of said Half-Half-Quarter Section; thence North 88°52'23" East along the North line of said Half-Half-Quarter Section a distance of 673.98 feet to the Northeast corner of said Half-Half-Quarter Section; thence South 00°09'03" East along the east line of said Quarter Section a distance of 1434.06 feet to the point of beginning. Containing 14.93 acres, more or less.

Exhibit B

**Permitted Exceptions from  
Title Commitment (File No. 800413CA)**

1. Pipeline Easement and associated rights granted to The Ohio Oil Company in an instrument dated July 20, 1955 and recorded July 28, 1955 in Deed record 160, page 437 and assigned to Marathon Pipe Line Company by an instrument recorded February 20, 1960 in Miscellaneous Record 47, pages 51-53 in the Office of the Recorder of Boone County, Indiana.
2. Pipeline Easement and associated rights granted to Farm Bureau Cooperative Association, Inc. in an instrument dated July 3, 1952 and recorded December 12, 1952 in Deed record 155, page 528 in the Office of the Recorder of Boone County, Indiana.

**NOTICE OF PUBLIC HEARING**  
**BY THE TOWN OF ZIONSVILLE PLAN COMMISSION**

Notice is hereby given of a Public Hearing to be held by the Town of Zionsville Plan Commission

On, Monday, May 18, 2020, at 7:00 p.m. in the Zionsville Town Hall, 1100 West Oak Street Zionsville,  
**(DATE OF PUBLIC HEARING)**

Indiana 46077 to consider the following Petition:

2020-13-DP, Zionsville Community Schools Requests:  
**(PETITION NUMBER)** **(NAME OF PETITIONER)**

**PLAN COMMISSION APPROVAL** for a  Development to allow for:

**Development of a new elementary school, with capacity for 657 students, and associated Storm water detention, on-site parking, athletic fields and playgrounds. Future Phase 2 to the south for a potential future school building.**

The properties involved are more commonly known as: 4400 South 875 East, Zionsville, IN 46077  
**(COMMON ADDRESS)**

and is legally described as:

**See Attached**

A copy of the Petition, and all plans pertaining thereto are on file and may be examined prior to the Public Hearing at Town Hall, 1100 West Oak Street, Zionsville, Indiana 46077 or at: <http://www.zionsville-in.gov/231/Planning-Economic-Development>. Written comments in support of or in opposition to the Petition are filed with the Secretary of the Town of Zionsville Plan Commission prior to the Public Hearing will be considered. The Public Hearing is open to the public. Oral comments to the Petition will be heard at the Public Hearing. The Public Hearing may be continued from time to time as may be found necessary.

Further, and if supported by Executive Order and/or the Laws of the State of Indiana, members of the public will be afforded the opportunity to attend the Plan Commission Public Meetings via a form(s) of electronic communication IF indicated in the Agenda (as amended from time to time) associated with the Plan Commission Meeting.

Additionally, upon request, the Town of Zionsville will provide auxiliary aids and services in association with meetings and hearings occurring in-person. Please provide advance notification to Wayne DeLong, at [wdelong@zionsville-in.gov](mailto:wdelong@zionsville-in.gov) or 317-873-5108, to ensure the proper accommodations are made prior to the meeting.

Dave Franz  
(President)  
Wayne DeLong, AICP, CPM  
(Secretary)

PUBLISH: Zionsville Times Sentinel



TRACT 1:

Part of the Northwest Quarter of Section 28, Township 18 North, Range 2 East, Eagle Township, Boone County, Indiana, being more particularly described as follows:

COMMENCING at the Northwest corner of the said Northwest Quarter Section; thence North 88 degrees 59 minutes 58 seconds East (Bearing based upon Warranty Deed recorded as Instr. #9803609 in the office of the Recorder of Boone County, Indiana) along the North line of the said Northwest Quarter Section a distance of 1460.53 feet to the BEGINNING POINT; thence continue North 88 degrees 59 minutes 58 seconds East along the said North line a distance of 112.36 feet to the southwesterly right of way line of the abandoned C.C.C. & St. Louis Railroad; thence South 63 degrees 50 minutes 18 seconds East along the right of way line of said abandoned C.C.C. & St. Louis Railroad a distance of 1206.29 feet; thence South 35 degrees 04 minutes 02 seconds West a distance of 73.99 feet; thence South 48 degrees 18 minutes 54 seconds West a distance of 156.25 feet; thence North 22 degrees 33 minutes 45 seconds West a distance of 125.36 feet; thence North 35 degrees 42 minutes 46 seconds West a distance of 138.66 feet; thence North 63 degrees 59 minutes 16 seconds West, parallel with the right of way line of the abandoned C.C.C. & St. Louis Railroad, a distance of 609.84 feet; thence South 88 degrees 59 minutes 58 seconds West, parallel with the North line of the said Northwest Quarter Section, a distance of 244.27 feet; thence North 54 degrees 09 minutes 02 seconds West a distance of 70.24 feet; thence North 35 degrees 45 minutes 26 seconds West a distance of 98.59 feet; thence North 01 degrees 00 minutes 02 seconds West a distance of 78.88 feet to the BEGINNING POINT, containing 3.038 acres, more or less.

TRACT 2:

Part of Section 28, Township 18 North, Range 2 East, Eagle Township, Boone County, Indiana, being more particularly described as follows:

COMMENCING at the Northeast corner of the West Half of the Southeast Quarter of said Section 28; thence South 00 degrees 09 minutes 19 seconds East (Bearing based upon Warranty Deed recorded as Instr. #9803609 in the office of the Recorder of Boone County, Indiana) along the East line of the West Half of the said Southeast Quarter Section a distance of 530.24 feet to the BEGINNING POINT; thence continue South 00 degrees 09 minutes 19 seconds East along the said East line a distance of 418.51 feet to the Northeast corner of a 4.133 acre tract of land described as an exception in Deed Book 246 Page 919 in the office of said Recorder (the next 3 described courses being along the north, west and south lines of said 4.133 acre tract of land); thence South 88 degrees 52 minutes 23 seconds West, parallel with the North line of the said Southeast Quarter Section, a distance of 359.20 feet; thence South 00 degrees 09 minutes 19 seconds East, parallel with the said East line, a distance of 501.30 feet; thence North 88 degrees 52 minutes 23 seconds East, parallel with the said North line, a distance of 359.20 feet to the said East line; thence South 00 degrees 09 minutes 19 seconds East along the said East line a distance of 845.37 feet to the Southeast corner of a 35.867 acre tract of land described in Quitclaim Deed recorded in D.B. 246 Page 919 in said Recorder's office (the next 3 described courses being along the South line of said 35.867 acre tract of land); thence South 88 degrees 52 minutes 23 seconds West, parallel with the North line of the Southeast Quarter of said Section 28, a distance of 652.51 feet (calculated) 627 feet (deed) to the East line of a parcel of land as described in Executor's Deed recorded

in D.B. 241 Pg. 280 in said Recorder's office; thence North 00 degrees 09 minutes 03 seconds West along the East line of said parcel of land and said East line extended Northerly a distance of 50.24 feet; thence South 88 degrees 52 minutes 23 seconds West, parallel with the North line of said Southeast Quarter Section, a distance of 693.00 feet to the West line of the West Half of the said Southeast Quarter Section; thence North 00 degrees 09 minutes 03 seconds West along the said West line a distance of 2245.18 feet to the Northeast corner of the Southwest Quarter of said Section 28; thence South 88 degrees 52 minutes 23 seconds West

along the North line of the said Southwest Quarter Section a distance of 1206.37 feet; thence North 00 degrees 43 minutes 53 seconds West a distance of 1310.81 feet; thence North 89 degrees 22 minutes 40 seconds East a distance of 308.88 feet; thence North 84 degrees 32 minutes 20 seconds East a distance of 117.04 feet; thence North 39 degrees 30 minutes 37 seconds East a distance of 194.37 feet; thence North 42 degrees 58 minutes 12 seconds East a distance of 491.76 feet; thence North 48 degrees 18 minutes 54 seconds East a distance of 333.14 feet; thence North 35 degrees 04 minutes 02 seconds East a distance of 73.99 feet to the South right of way line of the abandoned C.C.C. & St. Louis Railroad; thence South 63 degrees 59 minutes 18 seconds East along the said south right of way line a distance of 639.62 feet; thence South 00 degrees 09 minutes 19 seconds East, parallel with the East line of the West Half of the Northeast Quarter of said Section 28 a distance of 2332.65 feet; thence North 88 degrees 52 minutes 23 seconds East, parallel with the North line of the West Half of the Southeast Quarter of said Section 28 a distance of 812.84 feet to the BEGINNING POINT, containing 124.015 acres, more or less.

EXCEPTING THEREFROM that part set out in Dedication and Deed of Right of Way to the Town of Zionsville, Indiana, recorded November 13, 2013 as Instrument No. 201300012988, more particularly described as follows:

#### PROPOSED RIGHT-OF-WAY

Strips of land across part of the Southeast Quarter of Section 28, Township 18 North, Range 2 East of the Second Principal Meridian in Boone County, Indiana, and being that part of the grantor's land identified as Parcel 15 on the Location Control Survey recorded as Instrument #201300006845 and the attached Route Survey Plat, said strips being 55 feet in width lying west of and adjoining the following described lines:

COMMENCING at the South Quarter corner of said Section, said corner being Point #304 at Indiana State Plane West Zone (North American Datum of 1983, CORS 96) coordinate, 1,720,260.050 North and 3,170,090.690 East as shown on the attached Route Survey Plat; thence North 88 degrees 16 minutes 52 seconds East along the south line of said Quarter Section a distance of 1,345.61 feet to the southeast corner of the West Half of said Quarter Section; thence North 00 degrees 34 minutes 06 seconds West along the East line of said West Half a distance of 346.42 feet to the POINT OF BEGINNING, said point being a southeast corner of the grantor's land; thence continuing North 00 degrees 34 minutes 06 seconds West a distance of 845.35 feet to a northeast corner of the grantor's land and the TERMINUS, said point being hereinafter referred to as Point "A". The West line of said strip to be lengthened or shortened to intersect with the north and south lines of the grantor's land. Containing 1.067 acres, more or less.

ALSO,

COMMENCING at previously referred to Point "A"; thence North 00 degrees 34 minutes 06 seconds West along the east line of said West Half a distance of 501.30 feet to the POINT OF BEGINNING, said point being a southeast corner of the grantor's land; thence continuing North 00 degrees 34 minutes 06 seconds West a distance of 418.51 feet to a northeast corner of the grantor's land and the TERMINUS. The west line of said strip to be lengthened or shortened to intersect with the north and south lines of the grantor's land. Containing .528 acres, more or less.

ALSO EXCEPTING THEREFROM that part conveyed to H & S, LLC by General Warranty Deed recorded November 14, 2014 as Instrument No. 201400010031, more particularly described as follows:

Part of the Northwest Quarter of Section 28, Township 18 North, Range 2 East, Eagle Township, Boone County, Indiana, being more particularly described as follows:

Commencing at the Southwest corner of the said Northwest Quarter Section; thence North 88 degrees 52 minutes 23 seconds East (Bearing based upon Warranty Deed recorded as Instrument #9803609 in the Office of the Recorder of

Boone County, Indiana) along the South line of the said Northwest Quarter Section a distance of 1489.54 feet to the Beginning Point; thence North 00 degrees 43 minutes 53 seconds West a distance of 1310.81 feet; thence North 89 degrees 22 minutes 40 seconds East a distance of 100.99 feet; thence South 00 degrees 43 minutes 53 seconds East a distance of 1309.92 feet to the South line of the said Northwest Quarter Section; thence South 88 degrees 52 minutes 23 seconds West along the said North line a distance of 100.99 feet to the Beginning Point, containing 3.038 acres, more or less.

ALSO. EXCEPTING THEREFROM that part conveyed to the Town of Zionsville, Indiana by Limited Warranty Deed recorded March 9, 2015 as Instrument No. 201500002010, more particularly described as follows:

A part of the North Half of Section 28, Township 18 North, Range 2 East of the Second Principal Meridian, Eagle Township, Boone County, Indiana, being more particularly described as follows:

Commencing at the Northwest corner of the Northwest Quarter of the Northeast Quarter of Section 28, Township 18 North, Range 2 East, also being the Northeast corner of the Northeast Quarter of the Northwest Quarter of said Section 28; thence on the West line of said Northwest Quarter of the Northeast Quarter, South 00 degrees 09 minutes 03 seconds East (assumed bearing), a distance of 569.03 feet to a point on the southerly right of way line C.C.C. & St. Louis Railroad (now abandoned), also being the North line of land described in General Warranty Deed conveyed to Zionsville Community Schools Building Corporation, and recorded as Instrument Number 0601936 in the Office of the Boone County Recorder, said point being the POINT OF BEGINNING of the herein described real estate; thence on said North line,

South 63 degrees 59 minutes 18 seconds East a distance of 592.95 feet to the Northeast corner of said Zionsville Community Schools Building Corporation; thence on the East line of said land, South 00 degrees 09 minutes 19 seconds East, a distance of 481.34 feet to a point on the South line of the Northwest Quarter of the Northeast Quarter of said Section 28; thence on said South line, South 88 degrees 51 minutes 51 seconds West, a distance of 532.32 feet to the Southeast corner of the Northeast

Quarter of the Northwest Quarter of said Section 28; thence on the South line of said Quarter-Quarter, South 88 degrees 66 minutes 10 seconds West a distance of 143.25 feet; thence North, perpendicular to the last described course North 01 degree 03 minutes 50 seconds West a distance of 653.24 feet to a point on a northwesterly line of the aforesaid Zionsville Community Schools Building Corporation; thence on northwesterly and northeasterly lines of said Zionsville Community Schools Building Corporation the following three courses: 1) North 48 degrees 18 minutes 54 seconds East, a distance of 92.29 feet; 2) North 35 degrees 04 minutes 02 seconds East a distance of 73.99 feet to the Northwest corner of said Zionsville Community Schools Building Corporation; and 3) Southeasterly on said railroad right of way, South 63 degrees 59 minutes 18 seconds East, a distance of 46.67 feet to the Point of Beginning; Containing 10.000 acres, more or less.

TRACT 3:

Part of the East Half of the East half of the Southwest Quarter of Section 28, Township 18 North, Range 2 East of the 2nd Principal Meridian, in Eagle Township, Boone County, Indiana, described as follows:

Commencing at the Southeast corner of the Southeast Quarter of said Section 28 marked by a 5/8 inch rebar per Boone County surveyor reference ties; thence South 88 degrees 44 minutes 43 seconds West (assumed bearing) along the South line of said Quarter Section a distance of 2691.18 feet to the Southwest corner of said Quarter Section marked by a 10 inch wood fence post per Boone County Surveyor reference ties; thence North 00 degrees 09 minutes 03 seconds West along the West line of said Quarter Section a distance of 1210.57 feet to the POINT OF BEGINNING, also being the intersection of said West line and the centerline of a gas line; thence North 36 degrees 45 minutes 13 seconds West along the centerline of said gas line a distance of 73.33 feet, the following 10 courses are along said centerline; (1) North 35 degrees 49 minutes 50 seconds West a distance of 96.64 feet; (2) North 35 degrees 51 minutes 20 seconds West a distance of 100.96 feet; (3) North 36 degrees 14 minutes 27 seconds West a distance of 87.38 feet; (4) North 36 degrees 26 minutes 53 seconds West a distance of 110.28 feet; (5) North 36 degrees 27 minutes 43 seconds West a distance of 103.56 feet; (6) North 35 degrees 27 minutes 49 seconds West a distance of 111.51 feet; (7) North 36 degrees 45 minutes 34 seconds West a distance of 106.73 feet; (8) North 36 degrees 27 minutes 40 seconds West a distance of 98.26 feet; (9) North 35 degrees 47 minutes 38 seconds West a distance of 103.01 feet; (10) North 36 degrees 19 minutes 06 seconds West a distance of 153.02 feet to the West line of the East Half of the East Half of the Southwest Quarter of said Section 28; thence North 00 degrees 10 minutes 18 seconds West along said West line a distance of 497.22 feet to the Northwest corner of said Half-Half Quarter Section; thence North 88 degrees 52 minutes 23 seconds East along the North line of said Half-Half Quarter Section a distance of 673.98 feet to the Northeast corner of said Half-Half Quarter Section; thence South 00 degrees 09 minutes 03 seconds East along the east line of said Quarter Section a distance of 1434.06 feet to the Point of Beginning. Containing 14.93 acres, more or less.

TRACT 1:

Part of the Northwest Quarter of Section 28, Township 18 North, Range 2 East, Eagle Township, Boone County, Indiana, being more particularly described as follows:

COMMENCING at the Northwest corner of the said Northwest Quarter Section; thence North 88 degrees 59 minutes 58 seconds East (Bearing based upon Warranty Deed recorded as Instr. #9803609 in the office of the Recorder of Boone County, Indiana) along the North line of the said Northwest Quarter Section a distance of 1460.53 feet to the BEGINNING POINT; thence continue North 88 degrees 59 minutes 58 seconds East along the said North line a distance of 112.36 feet to the southwesterly right of way line of the abandoned C.C.C. & St. Louis Railroad; thence South 63 degrees 50 minutes 18 seconds East along the right of way line of said abandoned C.C.C. & St. Louis Railroad a distance of 1206.29 feet; thence South 35 degrees 04 minutes 02 seconds West a distance of 73.99 feet; thence South 48 degrees 18 minutes 54 seconds West a distance of 156.25 feet; thence North 22 degrees 33 minutes 45 seconds West a distance of 125.36 feet; thence North 35 degrees 42 minutes 46 seconds West a distance of 138.66 feet; thence North 63 degrees 59 minutes 16 seconds West, parallel with the right of way line of the abandoned C.C.C. & St. Louis Railroad, a distance of 609.84 feet; thence South 88 degrees 59 minutes 58 seconds West, parallel with the North line of the said Northwest Quarter Section, a distance of 244.27 feet; thence North 54 degrees 09 minutes 02 seconds West a distance of 70.24 feet; thence North 35 degrees 45 minutes 26 seconds West a distance of 98.59 feet; thence North 01 degrees 00 minutes 02 seconds West a distance of 78.88 feet to the BEGINNING POINT, containing 3.038 acres, more or less.

TRACT 2:

Part of Section 28, Township 18 North, Range 2 East, Eagle Township, Boone County, Indiana, being more particularly described as follows:

COMMENCING at the Northeast corner of the West Half of the Southeast Quarter of said Section 28; thence South 00 degrees 09 minutes 19 seconds East (Bearing based upon Warranty Deed recorded as Instr. #9803609 in the office of the Recorder of Boone County, Indiana) along the East line of the West Half of the said Southeast Quarter Section a distance of 530.24 feet to the BEGINNING POINT; thence continue South 00 degrees 09 minutes 19 seconds East along the said East line a distance of 418.51 feet to the Northeast corner of a 4.133 acre tract of land described as an exception in Deed Book 246 Page 919 in the office of said Recorder (the next 3 described courses being along the north, west and south lines of said 4.133 acre tract of land); thence South 88 degrees 52 minutes 23 seconds West, parallel with the North line of the said Southeast Quarter Section, a distance of 359.20 feet; thence South 00 degrees 09 minutes 19 seconds East, parallel with the said East line, a distance of 501.30 feet; thence North 88 degrees 52 minutes 23 seconds East, parallel with the said North line, a distance of 359.20 feet to the said East line; thence South 00 degrees 09 minutes 19 seconds East along the said East line a distance of 845.37 feet to the Southeast corner of a 35.867 acre tract of land described in Quitclaim Deed recorded in D.B. 246 Page 919 in said Recorder's office (the next 3 described courses being along the South line of said 35.867 acre tract of land); thence South 88 degrees 52 minutes 23 seconds West,

parallel with the North line of the Southeast Quarter of said Section 28, a distance of 652.51 feet (calculated) 627 feet (deed) to the East line of a parcel of land as described in Executor's Deed recorded in D.B. 241 Pg. 280 in said Recorder's office; thence North 00 degrees 09 minutes 03 seconds West along the East line of said parcel of land and said East line extended Northerly a distance of 50.24 feet; thence South 88 degrees 52 minutes 23 seconds West, parallel with the North line of said Southeast Quarter Section, a distance of 693.00 feet to the West line of the West Half of the said Southeast Quarter Section; thence North 00 degrees 09 minutes 03 seconds West along the said West line a distance of 2245.18 feet to the Northeast corner of the Southwest Quarter of said Section 28; thence South 88 degrees 52 minutes 23 seconds West

along the North line of the said Southwest Quarter Section a distance of 1206.37 feet; thence North 00 degrees 43 minutes 53 seconds West a distance of 1310.81 feet; thence North 89 degrees 22 minutes 40 seconds East a distance of 308.88 feet; thence North 84 degrees 32 minutes 20 seconds East a distance of 117.04 feet; thence North 39 degrees 30 minutes 37 seconds East a distance of 194.37 feet; thence North 42 degrees 58 minutes 12 seconds East a distance of 491.76 feet; thence North 48 degrees 18 minutes 54 seconds East a distance of 333.14 feet; thence North 35 degrees 04 minutes 02 seconds East a distance of 73.99 feet to the South right of way line of the abandoned C.C.C. & St. Louis Railroad; thence South 63 degrees 59 minutes 18 seconds East along the said south right of way line a distance of 639.62 feet; thence South 00 degrees 09 minutes 19 seconds East, parallel with the East line of the West Half of the Northeast Quarter of said Section 28 a distance of 2332.65 feet; thence North 88 degrees 52 minutes 23 seconds East, parallel with the North line of the West Half of the Southeast Quarter of said Section 28 a distance of 812.84 feet to the BEGINNING POINT, containing 124.015 acres, more or less.

EXCEPTING THEREFROM that part set out in Dedication and Deed of Right of Way to the Town of Zionsville, Indiana, recorded November 13, 2013 as Instrument No. 201300012988, more particularly described as follows:

#### PROPOSED RIGHT-OF-WAY

Strips of land across part of the Southeast Quarter of Section 28, Township 18 North, Range 2 East of the Second Principal Meridian in Boone County, Indiana, and being that part of the grantor's land identified as Parcel 15 on the Location Control Survey recorded as Instrument #201300006845 and the attached Route Survey Plat, said strips being 55 feet in width lying west of and adjoining the following described lines:

COMMENCING at the South Quarter corner of said Section, said corner being Point #304 at Indiana State Plane West Zone (North American Datum of 1983, CORS 96) coordinate, 1,720,260.050 North and 3,170,090.690 East as shown on the attached Route Survey Plat; thence North 88 degrees 16 minutes 52 seconds East along the south line of said Quarter Section a distance of 1,345.61 feet to the southeast corner of the West Half of said Quarter Section; thence North 00 degrees 34 minutes 06 seconds West along the East line of said West Half a distance of 346.42 feet to the POINT OF BEGINNING, said point being a southeast corner of the grantor's land; thence continuing North 00 degrees 34 minutes 06 seconds West a distance of 845.35 feet to a northeast corner of the grantor's land and the TERMINUS,

said point being hereinafter referred to as Point "A". The West line of said strip to be lengthened or shortened to intersect with the north and south lines of the grantor's land. Containing 1.067 acres, more or less.

ALSO,

COMMENCING at previously referred to Point "A"; thence North 00 degrees 34 minutes 06 seconds West along the east line of said West Half a distance of 501.30 feet to the POINT OF BEGINNING, said point being a southeast corner of the grantor's land; thence continuing North 00 degrees 34 minutes 06 seconds West a distance of 418.51 feet to a northeast corner of the grantor's land and the TERMINUS. The west line of said strip to be lengthened or shortened to intersect with the north and south lines of the grantor's land. Containing .528 acres, more or less.

ALSO EXCEPTING THEREFROM that part conveyed to H & S, LLC by General Warranty Deed recorded November 14, 2014 as Instrument No. 201400010031, more particularly described as follows:

Part of the Northwest Quarter of Section 28, Township 18 North, Range 2 East, Eagle Township, Boone County, Indiana, being more particularly described as follows:

Commencing at the Southwest corner of the said Northwest Quarter Section; thence North 88 degrees 52 minutes 23 seconds East (Bearing based upon Warranty Deed recorded as Instrument #9803609 in the Office of the Recorder of

Boone County, Indiana) along the South line of the said Northwest Quarter Section a distance of 1489.54 feet to the Beginning Point; thence North 00 degrees 43 minutes 53 seconds West a distance of 1310.81 feet; thence North 89 degrees 22 minutes 40 seconds East a distance of 100.99 feet; thence South 00 degrees 43 minutes 53 seconds East a distance of 1309.92 feet to the South line of the said Northwest Quarter Section; thence South 88 degrees 52 minutes 23 seconds West along the said North line a distance of 100.99 feet to the Beginning Point, containing 3.038 acres, more or less.

ALSO. EXCEPTING THEREFROM that part conveyed to the Town of Zionsville, Indiana by Limited Warranty Deed recorded March 9, 2015 as Instrument No. 201500002010, more particularly described as follows:

A part of the North Half of Section 28, Township 18 North, Range 2 East of the Second Principal Meridian, Eagle Township, Boone County, Indiana, being more particularly described as follows:

Commencing at the Northwest corner of the Northwest Quarter of the Northeast Quarter of Section 28, Township 18 North, Range 2 East, also being the Northeast corner of the Northeast Quarter of the Northwest Quarter of said Section 28; thence on the West line of said Northwest Quarter of the Northeast Quarter, South 00 degrees 09 minutes 03 seconds East (assumed bearing), a distance of 569.03 feet to a point on the southerly right of way line C.C.C. & St. Louis Railroad (now abandoned), also being the North line of land described in General Warranty Deed conveyed to Zionsville Community Schools Building Corporation, and recorded as Instrument Number 0601936 in the Office of the Boone

County Recorder, said point being the POINT OF BEGINNING of the herein described real estate; thence on said North line,

South 63 degrees 59 minutes 18 seconds East a distance of 592.95 feet to the Northeast corner of said Zionsville Community Schools Building Corporation; thence on the East line of said land, South 00 degrees 09 minutes 19 seconds East, a distance of 481.34 feet to a point on the South line of the Northwest Quarter of the Northeast Quarter of said Section 28; thence on said South line, South 88 degrees 51 minutes 51 seconds West, a distance of 532.32 feet to the Southeast corner of the Northeast Quarter of the Northwest Quarter of said Section 28; thence on the South line of said Quarter-Quarter, South 88 degrees 66 minutes 10 seconds West a distance of 143.25 feet; thence North, perpendicular to the last described course North 01 degree 03 minutes 50 seconds West a distance of 653.24 feet to a point on a northwesterly line of the aforesaid Zionsville Community Schools Building Corporation; thence on northwesterly and northeasterly lines of said Zionsville Community Schools Building Corporation the following three courses: 1) North 48 degrees 18 minutes 54 seconds East, a distance of 92.29 feet; 2) North 35 degrees 04 minutes 02 seconds East a distance of 73.99 feet to the Northwest corner of said Zionsville Community Schools Building Corporation; and 3) Southeasterly on said railroad right of way, South 63 degrees 59 minutes 18 seconds East, a distance of 46.67 feet to the Point of Beginning; Containing 10.000 acres, more or less.

TRACT 3:

Part of the East Half of the East half of the Southwest Quarter of Section 28, Township 18 North, Range 2 East of the 2nd Principal Meridian, in Eagle Township, Boone County, Indiana, described as follows:

Commencing at the Southeast corner of the Southeast Quarter of said Section 28 marked by a 5/8 inch rebar per Boone County surveyor reference ties; thence South 88 degrees 44 minutes 43 seconds West (assumed bearing) along the South line of said Quarter Section a distance of 2691.18 feet to the Southwest corner of said Quarter Section marked by a 10 inch wood fence post per Boone County Surveyor reference ties; thence North 00 degrees 09 minutes 03 seconds West along the West line of said Quarter Section a distance of 1210.57 feet to the POINT OF BEGINNING, also being the intersection of said West line and the centerline of a gas line; thence North 36 degrees 45 minutes 13 seconds West along the centerline of said gas line a distance of 73.33 feet, the following 10 courses are along said centerline; (1) North 35 degrees 49 minutes 50 seconds West a distance of 96.64 feet; (2) North 35 degrees 51 minutes 20 seconds West a distance of 100.96 feet; (3) North 36 degrees 14 minutes 27 seconds West a distance of 87.38 feet; (4) North 36 degrees 26 minutes 53 seconds West a distance of 110.28 feet; (5) North 36 degrees 27 minutes 43 seconds West a distance of 103.56 feet; (6) North 35 degrees 27 minutes 49 seconds West a distance of 111.51 feet; (7) North 36 degrees 45 minutes 34 seconds West a distance of 106.73 feet; (8) North 36 degrees 27 minutes 40 seconds West a distance of 98.26 feet; (9) North 35 degrees 47 minutes 38 seconds West a distance of 103.01 feet; (10) North 36 degrees 19 minutes 06 seconds West a distance of 153.02 feet to the West line of the East Half of the East Half of the Southwest Quarter of said Section 28; thence North 00 degrees 10 minutes 18 seconds West along said West line a distance of 497.22 feet to the Northwest corner of said Half-Half Quarter Section; thence North 88 degrees 52 minutes 23 seconds East along the North line of said Half-Half

Quarter Section a distance of 673.98 feet to the Northeast corner of said Half-Half Quarter Section; thence South 00 degrees 09 minutes 03 seconds East along the east line of said Quarter Section a distance of 1434.06 feet to the Point of Beginning. Containing 14.93 acres, more or less.

**Schedule BII - Chicago Title Company, LLC Commitment Number: CTIN1905097 - Commitment Date: June 27, 2019.**

16. Easement granted to the Boone County Rural Electric Membership Corporation, recorded August 31, 1937 in Miscellaneous Record 28, page 515.

17. Easement granted to the Boone County Rural Electric Membership Corporation, recorded January 5, 1939 in Miscellaneous Record 30, pages 154-155.

18. Right of Way Grants conveyed to Indiana Farm Bureau Cooperative Association, Inc., recorded December 12, 1952 in Deed Record 155, page 527; Deed Record 155, page 528; Deed Record 155, page 529 and Deed Record 155, page 530.

19. Right of Way Grants and Agreements conveyed to The Ohio Oil Company, recorded may 28, 1955 in Deed Record 160, page 231; and Deed Record 160, page 232.

Also, Right of Way Grant to The Ohio Oil Company, recorded June 10, 1955 in Deed Record 160, page 272; and Right of Way Grant to The Ohio Oil Company, recorded July 28, 1955 in Deed Record 160, page 437. Amended by Easement Amendment With Partial Release, recorded April 30, 2010 as Instrument No. 201000003776.

ALL ABOVE RIGHT OF WAYS ASSIGNED TO Marathon Pipe Line Company by Assignment of Rights of Way, recorded February 23, 1960 in Deed Record 47, pages 51-53.

20. Transmission Line Easements granted to Indianapolis Power & Light Company, recorded July 9, 1971 in Deed Record 191, pages 83-84.

21. Transmission Line Easements granted to Indianapolis Power & Light Company, recorded July 23, 1971 in Deed Record 191, pages 164-165.

22. Transmission Line Easements granted to Indianapolis Power & Light Company, recorded August 24, 1971 in Deed Record 191, pages 363-365. 23. Easement granted to Elizabeth Anne Kristiansson-Roth, recorded October 3, 1988 in Deed Book 231, pages 974-975. **(Does not affect the surveyed tract)**

24. Utility Easement granted to Indiana Bell Telephone Company, Incorporated, recorded April 26, 1989 in Deed Book 233, pages 445-446.

25. Utility Easement granted to Indiana Bell Telephone Company, Incorporated, recorded May 17, 1989 in Deed Book 233, pages 658-659.

26. Right of Way Easement granted to the County of Boone, Indiana, recorded February 26, 1997 as Instrument No. 9701672. **(Does not affect the surveyed tract)**
27. Terms and provisions of a Memorandum of Option by and between E. Brent Smith, Tricia K. Smith and E. Brent Smith, as Trustee of the Thelma S. Smith Revocable Trust dated April 30, 1993 and BRENWICK ASSOCIATES, LLC, recorded January 16, 2004 as Instrument No. 0400646.
28. Terms and provisions of a Severance Agreement by and between E. Brent Smith and Tricia K. Smith and Farm Credit Services of Mid America PCA, recorded January 16, 2001 as Instrument No. 0100450.
29. Easement granted to Farm Credit Services of Mid America PCA, recorded January 16, 2001 as Instrument No. 0100451.
30. Terms and provisions of Ordinance No. 2003-18 of the Town of Zionsville, Indiana, recorded January 21, 2004 as Instrument No. 0400840.
31. Terms, provisions and easement set out in Grant of Easement to PSI Energy, Inc., recorded September 30, 2005 as Instrument No. 0511708.
32. Terms, provisions and easement set out Limitation and Definition of Easement granted to Indiana Farm Bureau Cooperative Association, Inc., recorded August 21, 2007 as Instrument No. 200700003726. **(Does not affect the surveyed tract)**
33. Terms and provisions of Ordinance No. 2008-13 of the Town of Zionsville, Indiana, recorded September 15, 2008 as Instrument No. 200800008880.
34. Terms and provisions of Ordinance No. 2008-16 of the Town of Zionsville, Indiana, recorded November 17, 2008 as Instrument No. 200800010770.
35. Terms, provisions and easement set out in Water Line Easement Agreement by and between Kanis Limited Partnership and Zionsville Community Schools Building Corporation, recorded August 19, 2009 as Instrument No. 200900009070.  
  
Amended by Amendment to Water Line Easement Agreement, recorded May 27, 2016 as Instrument No. 201600004621.
36. Terms, provisions and easement set out in Electric Line Easement granted to Indianapolis Power & Light Company, recorded November 2, 2011 as Instrument No. 201100009637.
37. Terms, provisions and easement set out in Easement Agreement by and between Zionsville Community Schools Building Corporation and H&S, LLC, recorded September 12, 2013 as Instrument No. 201300010764.

38. Terms and provisions set out in Owner Acknowledgement Agreement Stormwater Best Management Practice(s) by Zionsville Community Schools, recorded April 29, 2014 as Instrument No. 201400003387. **(Does not affect the surveyed tract)**
39. Terms, provisions and easement set out in Easement Agreement by and between Zionsville Community Schools Building Corporation and H&S, LLC, recorded November 14, 2014 as Instrument No. 201400010032.
40. Terms and provisions set out in Owner Acknowledgement Agreement Stormwater Best Management Practice(s) by Zionsville Community Schools, recorded November 24, 2014 as Instrument No. 201400010387. **(Does not affect the surveyed tract)**
41. Terms, provisions and easement set out in Grant of Easement to the Department of Public Utilities for the City of Indianapolis dba Citizens Water, recorded December 10, 2014 as Instrument No. 201400010894.
42. Terms, provisions and easement set out in Grant of Easement to the Department of Public Utilities for the City of Indianapolis dba Citizens Water, recorded December 10, 2014 as Instrument No. 201400010895.
43. Terms and provisions set out in Memorandum of Agreement by and among Zionsville Community Schools Building Corporation; Zionsville Community School Corporation; and the Town of Zionsville, Indiana, recorded March 9, 2015 as Instrument No. 201500002014 and re-recorded March 16, 2015 as Instrument No. 201500002303.
44. Terms and provisions of an Option and Ground Lease Agreement dated June 1, 2018 by and between Zionsville Community Schools Building Corporation (Lessor) and Crown Castle Towers 06-2 LLC (Lessee) as evidenced by a Memorandum of Option and Ground Lease Agreement, recorded July 16, 2018 as Instrument No. 2018006253, and terms and provisions set out in the "Memorandum".
45. Terms, provisions and easement set out in Grant of Easement to the Town of Zionsville, Indiana, recorded July 31, 2018 as Instrument No. 2018006803.
46. Terms, provisions and easement set out in Sewer Line Asset Transfer Agreement by and between the Town of Zionsville, Indiana and Zionsville Community Schools Building Corporation, recorded July 31, 2018 as Instrument No. 2018006804.
47. Terms, provisions and easement set out in Grant of Pathway Easement to the Town of Zionsville, Indiana, and recorded February 15, 2019 as Instrument No. 2019001279.

To: Zionsville Community Schools, Zionsville Community Schools Building Corporation and Chicago Title Insurance Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established

and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 6a, 6b, 7a,7,b1, 8, 9, 10, 12, 13, 16, 17, 18 and 19 of Table A thereof. The fieldwork was completed on October 13, 2019.

Minimum Standards Detail Requirements for ALTA/NSPS Land Title Surveys – Table A:

- Item 1 - Completed
- Item 2 - Completed
- Item 3 - Completed
- Item 4 - Completed
- Item 5 - Completed
- Items 6a and 6b – No report provided
- Items 7a and 7b1 - Completed
- Item 8 - Completed
- Item 9 - Completed
- Item 10 – Not Applicable
- Item 12 – Completed
- Item 13 – Completed
- Item 16 – Completed
- Item 17 – Completed
- Item 18 – No markers found
- Item 19 - Completed

Date of Plat or Map: November 21, 2019

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Michael L. DeBoy, Indiana PS #S0539

SURVEYOR'S REPORT

In accordance with the revised Rule 12 (effective June 3, 2006), IAC 865 of the Indiana Administrative Code establishing minimum standards for the practice of land surveying in Indiana, the following observations are submitted regarding the uncertainties in the location of the boundary lines and corners set or found on the survey herewith-described tract completed under my direction on November 21, 2019 as a result of:

- a) variances in the referenced monument;
- b) discrepancies in record descriptions and plats; to survey lines;
- c) inconsistencies in lines of occupation as related to survey lines;
- d) uncertainty of measurements made

The perimeter of the surveyed tract is based upon a traverse of the section found within the records of the Boone County Surveyor's records. Said corners were Harrison monuments (except where noted) found at the survey. The variances in said monuments, used in conjunction with the Indiana State Plane coordinates provided by said Office, are 0.2' +/-.

It should be noted that numerous tracts (including the record tract for the surveyed parcel and some of its ad joiners) was created from a survey performed by Schneider Corporation dated January 25, 2005 (Project No. 4196.1). Although the east line of Section 28 –T18N-R2R as located by Schneider and the Boone County Surveyor match and appear to be the same location, the remaining five (5) corners of Section 28 (The south, southwest, west, northwest and north quarter corners) were re-established by the Boone County Surveyor's Office by excavating these corners to find the stones that had marked the location of the posts of the original survey. While the survey performed by Schneider is correct and valid, the work perform by the Boone County Surveyor is valid as well, but creates issues with potential overlaps and or gaps between descriptions / deeds prepared using the Schneider survey and descriptions / deeds that use the current section corners. It should be noted that the variances in these five (5) corners range from 3.2' north-south and 1.9' east-west. It was determined by this surveyor that the Schneider survey should be used wherever possible to follow the intent of the original survey but must be adjusted to fit the controlling calls created by the record descriptions of the surveyed tract and its ad joiners.

The Relative Positional Accuracy (due to random errors in measurement) of this survey is within that allowable for an Urban Survey (0.07 feet plus 50 ppm) as defined in IAC 865.

#### GENERAL NOTES:

- This survey is subject to review of Chicago Title Company, LLC Commitment Number: CTIN1905097 - Commitment Date: June 27, 2019.
- Table A – Item 3 - Per Federal Emergency Flood Map Panel No. 18011C0335E dated 1/18/2012, the surveyed site is located with an area of minimal flood hazard area (Zone X).

- Table A – Item 16 – No observed evidence of recent earthmoving , building construction of building additions observed in the process of conducting the fieldwork.
- Table A – Item 17 - No observed evidence of recent sidewalk or street construction or repair observed.
- Table A – Item 18 - No observed evidence of recent sidewalk or street construction or repair observed.
- Possession lines are referenced at monumented corners only, unless shown otherwise. Possession lines may vary between said corners.
- No warranty, either expressed or implied, is made as to the accuracy and/or completeness of information provided by governmental authorities and/or third parties, or as to its fitness for any particular purpose or use, including but not limited to information presented on zoning, setback requirements, flood hazard zones and wetlands area(s). In no event will DeBoy Land Development Services, Inc., its employees, agents, and/or assigns, be liable for any damages arising out of the furnishing and/or use of such information.

019-1566001

Attribute report for active ID 1

ID	name	add1	add3
5393	BEAZER HOMES INDIANA LLP	9405 DELEGATES ROW	INDIANAPOLIS, IN 46240
5434	ZIONSVILLE COMMUNITY SCHOOLS	900 MULBERRY ST	ZIONSVILLE, IN 46077
5435	ZIONSVILLE COMMUNITY SCHOOLS B	900 MULBERRY ST	ZIONSVILLE, IN 46077
5436	BOONE COUNTY TENNIS CENTER INC	2691 DEER RUN	ZIONSVILLE, IN 46077
5469	HAMPSHIRE HOMEOWNERS ASSOCIATI	11711 N COLLEGE AVE	CARMEL, IN 46032
5472	ZIONSVILLE COMMUNITY SCHOOLS B	900 MULBERRY ST	ZIONSVILLE, IN 46077
5537	SMITH E BRENT & TRICIA K	4302 S 875 E	ZIONSVILLE, IN 46077
5559	SCHAFFER MATTHEW & ELIZABETH	4551 KETTERING PLACE	ZIONSVILLE, IN 46077
5571	BALES JASON & STEPHANIE L	4525 KETTERING PLACE	ZIONSVILLE, IN 46077
5583	SMITH E BRENT & TRICIA K	4302 S 875 E	ZIONSVILLE, IN 46077
5591	WEISMAN MICHELLE & JASON	4513 KETTERING PLACE	ZIONSVILLE, IN 46077
5600	TOWNS TYLER & LAUREN WEAVER	4485 KETTERING PLACE	ZIONSVILLE, IN 46077
5610	HAMPSHIRE HOMEOWNERS ASSOCIATI	11711 N COLLEGE AVE	CARMEL, IN 46032
5621	SMITH E BRENT & TRICIA K	4302 S 875 E	ZIONSVILLE, IN 46077
5644	NEAL WILLIAM	4415 KETTERING DRIVE	ZIONSVILLE, IN 46077
5657	LENNAR HOMES OF INDIANA, INC	9025 N RIVER ROAD #100	INDIANAPOLIS, IN 46240
5665	HUNTER BRAD K & KATHY K	4377 KETTERING DR	ZIONSVILLE, IN 46077
5683	BEAZER HOMES INDIANA LLP	9405 DELEGATES ROW	INDIANAPOLIS, IN 46240
5691	SMITH E BRENT & TRICIA K	4302 S 875 E	ZIONSVILLE, IN 46077
5698	MEEKS RODNEY LER	4335 KETTERING DR	ZIONSVILLE, IN 46077
5705	HAMPSHIRE HOMEOWNERS ASSOCIATI	11711 N COLLEGE AVE	CARMEL, IN 46032
5710	LENNAR HOMES OF INDIANA, INC	9025 N RIVER ROAD #100	INDIANAPOLIS, IN 46240
5719	LENNAR HOMES OF INDIANA, INC	9025 N RIVER ROAD # 100	INDIANAPOLIS, IN 46240
5720	ERIN CORPORATION	1100 W OAK STREET	ZIONSVILLE, IN 46077
5734	LENNAR HOMES OF INDIANA, INC	9025 N RIVER ROAD #100	INDIANAPOLIS, IN 46240
5738	MCWILLEN SUE A & GREGORY A	4288 KETTERING DR	ZIONSVILLE, IN 46077
5766	TOWN OF ZIONSVILLE INDIANA	1100 W OAK ST	ZIONSVILLE, IN 46077
5776	HAMPSHIRE HOMEOWNERS ASSOCIATI	11711 N COLLEGE AVE	CARMEL, IN 46032
5849	ZIONSVILLE COMMUNITY SCHOOLS	900 MULBERRY ST	ZIONSVILLE, IN 46077

0194814901

Attribute report for active ID 1

ID	name	add1	add3
5472	ZIONSVILLE COMMUNITY SCHOOLS B	900 MULBERRY ST	ZIONSVILLE, IN 46077
5766	TOWN OF ZIONSVILLE INDIANA	1100 W OAK ST	ZIONSVILLE, IN 46077
5776	HAMPSHIRE HOMEOWNERS ASSOCIATI	11711 N COLLEGE AVE STE 100	CARMEL, IN 46032
5849	ZIONSVILLE COMMUNITY SCHOOLS	900 MULBERRY ST	ZIONSVILLE, IN 46077
5865	BEAZER HOMES INDIANA LLP	9405 DELEGATES ROW	INDIANAPOLIS, IN 46240
5873	OCAMPO HELENA & SERGIO TORRES	8368 PEGGY COURT	ZIONSVILLE, IN 46077
5874	ODLE STUART & SHARON K	8425 E 400 S	ZIONSVILLE, IN 46077
5888	BROCKMANN MONICA A & WILLIAM H	8364 PEGGY COURT	ZIONSVILLE, IN 46077
5889	BEAZER HOMES INDIANA LLP	9405 DELEGATES ROW	INDIANAPOLIS, IN 46240
5892	BEAZER HOMES INDIANA LLP	9405 DELEGATES ROW	INDIANAPOLIS, IN 46240
5893	BEAZER HOMES INDIANA LLP	9405 DELEGATES ROW	INDIANAPOLIS, IN 46240
5894	ZELLER ALYSSA M & ZACHARY A	8314 PEGGY COURT	ZIONSVILLE, IN 46077
5896	BEAZER HOMES INDIANA LLP	9405 DELEGATES ROW	INDIANAPOLIS, IN 46240
5897	SHELLHORN AARON D & JENNIFER L	8276 PEGGY CT	ZIONSVILLE, IN 46077
5901	BEAZER HOMES INDIANA LLP	9405 DELEGATES ROW	INDIANAPOLIS, IN 46240
5902	BEAZER HOMES INDIANA LLP	9405 DELEGATES ROW	INDIANAPOLIS, IN 46240
5903	GEORGE JR ROBERT W	8238 PEGGY CT	ZIONSVILLE, IN 46077
5916	HAMPSHIRE HOMEOWNERS ASSOCIATI	11711 N COLLEGE AVE, STE 100	CARMEL, IN 46032
5921	TOWN OF ZIONSVILLE INDIANA	1075 PARKWAY DR	ZIONSVILLE, IN 46077

0290627001

GENAMAP

PAGE 1

07/04/20

Attribute report for active ID 1

ID name	add1	add3
5818 FRIENDS OF BOONE COUNTY TRAILS	PO BOX 93 200 N MARKET ST	THORNTOWN, IN 46071
5833 WABASH VALLEY POWER ASSOC INC	722 N HIGH SCHOOL RD POB 24700	INDIANAPOLIS, IN 46224
5849 ZIONSVILLE COMMUNITY SCHOOLS	900 MULBERRY ST	ZIONSVILLE, IN 46077
5874 ODLE STUART & SHARON K	8425 E 400 S	ZIONSVILLE, IN 46077
5891 WARD JOSEPH B & JULIA	8475 E 400 S	ZIONSVILLE, IN 46077
5898 ODLE STUART & SHARON K	8425 E 400 S	ZIONSVILLE, IN 46077
5921 TOWN OF ZIONSVILLE INDIANA	1075 PARKWAY DR	ZIONSVILLE, IN 46077
5923 TOWN OF ZIONSVILLE INDIANA	1100 W OAK ST	ZIONSVILLE, IN 46077

019-71780-01

GENAMAP

PAGE 1

07/04/20

Attribute report for active ID 1

ID name	add1	add3
5393 BEAZER HOMES INDIANA LLP	9405 DELEGATES ROW	INDIANAPOLIS, IN 46240
5433 PETERS THOMAS F & ANDREA R	8437 E 500 S	ZIONSVILLE, IN 46077
5434 ZIONSVILLE COMMUNITY SCHOOLS	900 MULBERRY ST	ZIONSVILLE, IN 46077
5435 ZIONSVILLE COMMUNITY SCHOOLS	900 MULBERRY ST	ZIONSVILLE, IN 46077
5472 ZIONSVILLE COMMUNITY SCHOOLS	900 MULBERRY ST	ZIONSVILLE, IN 46077

**AFFIDAVIT OF NOTICE OF PUBLIC HEARING  
OF THE TOWN OF ZIONSVILLE PLAN COMMISSION**

STATE OF INDIANA )  
COUNTY OF HAMILTON ) SS:

I, Andrew Wert, DO HEREBY CERTIFY THAT LEGAL NOTICE TO  
(NAME OF PERSON MAILING LETTERS)  
INTERESTED PARTIES OF THE PUBLIC HEARING TO BE HELD BY THE TOWN OF ZIONSVILLE  
PLAN COMMISSION, to consider the Petition of: Zionsville Community Schools Building Corporation  
(NAME OF PERSON ON PETITION)

Requesting: Development of a new elementary school, with potential second school building to the south  
(PROJECT DESCRIPTION)

For property located at: 4400 South 875 East, Zionsville, IN 46077

Was sent by FIRST CLASS MAIL, to the last known address of each of the following entities at the following addresses:

OWNERS ADDRESS

*See attached List of Adjoiners*

And that said Legal Notices were sent by First Class Mailed on or before the 5th day of May, 2020,  
being at least ten (10) days prior to the date of the Public Hearing (Copies of "First Class Mail" attached).

And that said Legal Notice was published in a newspaper of general circulation at least ten (10) days prior to the date of Public  
Hearing (Proof of Publication attached).

Andrew Wert  
Name of person mailing letters

*Andrew Wert*  
Signature

State of Indiana )

County of Hamilton ) SS:

Subscribed and sworn to before me this 5<sup>th</sup> day of May, 2020.

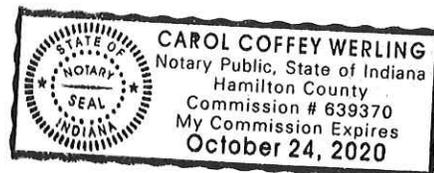
*Carol Coffey Werling*  
Notary Public Signature

*Carol Coffey Werling*  
Notary Public Printed

My Commission No: 639370

My Commission Expires: Oct. 24, 2020

My County of Residence is Hamilton County



**Attachment for Affidavit – Notice of Public Hearing**  
**Zionsville Community Schools 2020-13-DP**

Beazer Homes Indiana LLP  
9405 Delegates Row  
Indianapolis, IN 46240

Boone County Tennis Center Inc  
2691 Deer Run  
Zionsville, IN 46077

Hampshire Homeowners Association  
11711 N College Ave, Ste 100  
Carmel, IN 46032

E Brent & Tricia K Smith  
4302 S 875 E  
Zionsville, IN 46077

Matthew & Elizabeth Schafer  
4551 Kettering Place  
Zionsville, IN 46077

Jason & Stephanie L Bales  
4525 Kettering Place  
Zionsville, IN 46077

Michelle & Jason Weisman  
4513 Kettering Place  
Zionsville, IN 46077

Tyler Towns & Lauren Weaver  
4485 Kettering Place  
Zionsville, IN 46077

William Neal  
4415 Kettering Drive  
Zionsville, IN 46077

Lennar Homes of Indiana, Inc  
9025 N River Road #100  
Indianapolis, IN 46240

Brad K & Kathy K Hunter  
4377 Kettering Dr  
Zionsville, IN 46077

Rodney Lee Meeks  
4335 Kettering Dr  
Zionsville, IN 46077

Erin Corporation  
1100 W Oak Street  
Zionsville, IN 46077

Sue A & Gregory A McMillen  
4288 Kettering Dr  
Zionsville, IN 46077

Town of Zionsville Indiana  
1100 W Oak St  
Zionsville, IN 46077

Helena Ocampo & Sergio Torres  
8368 Peggy Court  
Zionsville, IN 46077

Stuart & Sharon K Odle  
8425 E 400 S  
Zionsville, IN 46077

Monica A & William E Brockmann  
8364 Peggy Court  
Zionsville, IN 46077

Alyssa M & Zachary A Zeller  
8314 Peggy Court  
Zionsville, IN 46077

Aaron D & Jennifer L Shellhorn  
8276 Peggy Ct  
Zionsville, IN 46077

Robert W George, Jr.  
8238 Peggy Ct  
Zionsville, IN 46077

Town of Zionsville Indiana  
1075 Parkway Dr  
Zionsville, IN 46077

Friends of Boone County Trails  
PO Box 93 200 N Market St  
Thorntown, IN 46071

Joseph B & Julia Ward  
8475 E 400 S  
Zionsville, IN 46077

Thomas F & Andrea R Peters  
8437 E 500 S  
Zionsville, IN 46077

Wabash Valley Power Assoc Inc  
722 N High School Rd POB 24700  
Indianapolis, IN 46224

## **ZIONSVILLE PLAN COMMISSION**

### **DOCKET NO. 2020-13-DP**

## **COMMITMENTS CONCERNING THE USE AND DEVELOPMENT OF REAL ESTATE**

In accordance with I.C. 36-7-4-1015, Zionsville Community Schools Building Corporation (the “Owner”), seeks to make certain commitments in connection with a Development Plan petition for approximately 66.7 acres (the “Real Estate”), which real estate is legally described in Exhibit A, as attached hereto and incorporated herein by reference, which Real Estate is commonly known as 4400 South, 875 East, Zionsville, IN 46077.

Owner represents and warrants that the Real Estate is now within the Town of Zionsville, Indiana, (the “Town”) and that as the owner of said Real Estate, the Owner has authority to and hereby does voluntarily make the following COMMITMENTS concerning the use and development of the Real Estate.

### **STATEMENT OF COMMITMENTS**

Owner, upon approval of Docket No. 2020-13-DP by the Zionsville Plan Commission (the “Development Plan”), which proposes a new elementary school, voluntarily agrees and commits that said Development Plan Approval shall be conditioned upon the following Commitments:

1. Owner acknowledges the existence of an easement benefiting Countrymark Refining and Logistics LLC (“Countrymark”) and the existence of a pipeline traversing the southeast portion of the Real Estate. Owner further acknowledges ongoing negotiations with Countrymark regarding reduction of the easement to a 100-foot wide easement measuring 50 feet either side of the centerline of the existing pipeline. Owner commits to recording a modified easement, allowing for development of the Real Estate as proposed in the Development Plan.
2. Owner commits to obtaining the necessary access easement for the entry drive from County Road 875 East, as proposed in the Development Plan;
3. Owner commits to obtaining the necessary right-of-way and/or easement for the acceleration lane associated with the entry drive from County Road 875 East, as proposed in the Development Plan;

4. Owner commits to coordinate with the Town regarding future access for emergency vehicles off of Hastings Drive stub street;
5. Owner commits to the construction of a lead walk to existing pedestrian path at the athletic complex entrance once Town has established a school zone/crosswalk within 875E;
6. Owner commits to construction of a lead walk to a future County Road 400 South entrance with the installation of the drive extension to County Road 400 South (including a connection to existing Hampshire asphalt path).

These COMMITMENTS shall be executed and recorded by the Owner in the Office of the Boone County Recorder, Boone County, Indiana, and shall be considered a covenant running with the land described herein as the Real Estate, as set out in Exhibit A.

These COMMITMENTS shall be binding on the Owner, subsequent owners of the Real Estate, and other persons or entities acquiring an interest therein (hereinafter collectively the "Owners"). The Owner shall have an affirmative duty to inform any third parties with whom the Owner negotiates for a possible sale, lease, assignment, mortgage, or transfer of the Real Estate of the existence of these COMMITMENTS. In the event any sale, lease, assignment, mortgage, or transfer occurs, the Owner shall ensure that a copy of these COMMITMENTS is incorporated into any such written agreement with the third party. If the Owner fails to comply with the terms of this paragraph and the third party fails to perform and/or comply with these COMMITMENTS, the Town of Zionsville shall be entitled to receive from the Owner and from each corporation and/or third party identified above as Owners, jointly and/or severally, any and all damages which arise from this failure and shall be entitled to injunctive relief to terminate any non-compliances herewith.

These COMMITMENTS may be modified or terminated by a decision of the Town of Zionsville Plan Commission made after a public hearing for which proper notice is given, including hearings for other land use or zoning approvals involving the Real Estate or any portion thereof.

These COMMITMENTS shall be effective upon approval of the relief requested in Plan Commission Docket Number 2020-13-DP by the Zionsville Plan Commission and shall continue in effect until modified or terminated as specified above and/or as prescribed by statute.

These COMMITMENTS may be enforced jointly and/or severally by the Town of Zionsville Plan Commission, the Director of Planning and Economic Development for the Town of Zionsville, the Town and/or owners of any parcel of ground adjoining the Real Estate. Owner and all Owners shall be obligated hereunder to indemnify the Town of Zionsville Plan Commission, the Town (including a successor city or municipality), and hold said entities and their respective authorized representatives, including the Director of Planning and Economic Development for the Town, harmless from any liability, expense (including reasonable attorney fees and court costs), costs, or damages which result from the failure to perform Owner's and/or owner's obligations under the terms and conditions of these COMMITMENTS. Throughout these COMMITMENTS and reference to "Town" or "Town of Zionsville" shall also include any successor city, municipality, or other governmental body having land use, planning, and zoning jurisdiction over the Real Estate.

In the event it becomes necessary to enforce these COMMITMENTS in a court of competent jurisdiction and the Owner and/or any of the Owners, jointly and/or severally, are found to be in

violation of these COMMITMENTS, such violators shall pay all reasonable costs and expenses the Town and the Town's Plan Commission and other authorized representative(s) incur in the enforcement of these COMMITMENTS, including reasonable attorney fees, expert witness fees, and court costs.

Owner and all subsequent Owners of all or a portion of the Real Estate shall be obligated hereunder, jointly and/or severally, to indemnify the Town of Zionsville Plan Commission and/or the Town and hold said entities and their respective authorized representative(s), including the Director of Planning and Economic Development for the Town, harmless from any liability, expense (including reasonable attorney fees and court costs), costs or damages which result from failure to perform Owner's and/or Owners' obligations hereunder and/or to comply with the terms and conditions of these COMMITMENTS.

Owner shall be responsible, at its expense, for recording this Statement of Commitments in the Office of the Recorder of Boone County, Indiana, and shall promptly provide the Planning and Economic Development Department of the Town of Zionsville with a copy of such recording as a condition precedent to commencing any work with the Development Plan. These COMMITMENTS shall be considered a covenant running with the Real Estate, including any portion thereof.

By executing these COMMITMENTS, the Owner represents and warrants that at the time of such execution, owner is the sole owner of all the Real Estate, that execution of these COMMITMENTS shall be binding upon the Owner as to all the particulars herein, and shall be considered a COVENANT running with the land described herein as the Real Estate, including any portion thereof. By the signature affixed below to these COMMITMENTS, Zionsville Community Schools Building Corporation further represents and warrants that the undersigned has full corporate authority to execute these COMMITMENTS on behalf of said corporation and bind owner hereto.

IN WITNESS WHEREOF, Owner has executed this instrument this 5<sup>th</sup> day of May, 2020.

"OWNER"  
Zionsville Community Schools Building Corporation

By: Scott Robison  
Scott Robison, Superintendent

STATE OF INDIANA )  
 ) SS:  
COUNTY OF Boone )

Before me, a Notary Public in and for said County and State, personally appeared Scott Robison, Superintendent of Zionsville Community Schools Building Corporation, who acknowledged the execution of the foregoing instrument in such capacity and who, having been duly sworn, stated that any and all representations therein contained are true.

Witness my hand and Notarial Seal this 5<sup>th</sup> day of May, 2020.

Signature: Jane Patricia Johnson  
Printed: Jane Patricia Johnson  
County of Residence: Boone  
My Commission expires: 10/30/2027



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. Jon A. Becker, Attorney at Law.

This instrument was prepared by:  
Jon A. Becker, Attorney at Law  
2 North 9<sup>th</sup> Street  
Noblesville, IN 46060  
Telephone: 317.773.2190

## EXHIBIT A

### TRACT 1:

Part of the Northwest Quarter of Section 28, Township 18 North, Range 2 East, Eagle Township, Boone County, Indiana, being more particularly described as follows:

COMMENCING at the Northwest corner of the said Northwest Quarter Section; thence North 88 degrees 59 minutes 58 seconds East (Bearing based upon Warranty Deed recorded as Instr. #9803609 in the office of the Recorder of Boone County, Indiana) along the North line of the said Northwest Quarter Section a distance of 1460.53 feet to the BEGINNING POINT; thence continue North 88 degrees 59 minutes 58 seconds East along the said North line a distance of 112.36 feet to the southwesterly right of way line of the abandoned C.C.C. & St. Louis Railroad; thence South 63 degrees 50 minutes 18 seconds East along the right of way line of said abandoned C.C.C. & St. Louis Railroad a distance of 1206.29 feet; thence South 35 degrees 04 minutes 02 seconds West a distance of 73.99 feet; thence South 48 degrees 18 minutes 54 seconds West a distance of 156.25 feet; thence North 22 degrees 33 minutes 45 seconds West a distance of 125.36 feet; thence North 35 degrees 42 minutes 46 seconds West a distance of 138.66 feet; thence North 63 degrees 59 minutes 16 seconds West, parallel with the right of way line of the abandoned C.C.C. & St. Louis Railroad, a distance of 609.84 feet; thence South 88 degrees 59 minutes 58 seconds West, parallel with the North line of the said Northwest Quarter Section, a distance of 244.27 feet; thence North 54 degrees 09 minutes 02 seconds West a distance of 70.24 feet; thence North 35 degrees 45 minutes 26 seconds West a distance of 98.59 feet; thence North 01 degrees 00 minutes 02 seconds West a distance of 78.88 feet to the BEGINNING POINT, containing 3.038 acres, more or less.

### TRACT 2:

Part of Section 28, Township 18 North, Range 2 East, Eagle Township, Boone County, Indiana, being more particularly described as follows:

COMMENCING at the Northeast corner of the West Half of the Southeast Quarter of said Section 28; thence South 00 degrees 09 minutes 19 seconds East (Bearing based upon Warranty Deed recorded as Instr. #9803609 in the office of the Recorder of Boone County, Indiana) along the East line of the West Half of the said Southeast Quarter Section a distance of 530.24 feet to the BEGINNING POINT; thence continue South 00 degrees 09 minutes 19 seconds East along the said East line a distance of 418.51 feet to the Northeast corner of a 4.133 acre tract of land described as an exception in Deed Book 246 Page 919 in the office of said Recorder (the next 3 described courses being along the north, west and south lines of said 4.133 acre tract of land); thence South 88 degrees 52 minutes 23 seconds West, parallel with the North line of the said Southeast Quarter Section, a distance of 359.20 feet; thence South 00 degrees 09 minutes 19 seconds East, parallel with the said East line, a distance of 501.30 feet; thence North 88 degrees 52 minutes 23 seconds East, parallel with the said North line, a distance of 359.20 feet to the said East line; thence South 00 degrees 09 minutes 19 seconds East along the said East line a distance of 845.37 feet to the Southeast corner of a 35.867 acre tract of land described in Quitclaim Deed recorded in D.B. 246 Page 919 in said Recorder's office (the next 3 described courses being along the South line of said 35.867 acre tract of land); thence South 88 degrees 52 minutes 23 seconds West, parallel with the North line of the Southeast Quarter of said Section 28, a distance of 652.51 feet (calculated) 627 feet (deed) to the East line of a parcel of land as

described in Executor's Deed recorded in D.B. 241 Pg. 280 in said Recorder's office; thence North 00 degrees 09 minutes 03 seconds West along the East line of said parcel of land and said East line extended Northerly a distance of 50.24 feet; thence South 88 degrees 52 minutes 23 seconds West, parallel with the North line of said Southeast Quarter Section, a distance of 693.00 feet to the West line of the West Half of the said Southeast Quarter Section; thence North 00 degrees 09 minutes 03 seconds West along the said West line a distance of 2245.18 feet to the Northeast corner of the Southwest Quarter of said Section 28; thence South 88 degrees 52 minutes 23 seconds West

along the North line of the said Southwest Quarter Section a distance of 1206.37 feet; thence North 00 degrees 43 minutes 53 seconds West a distance of 1310.81 feet; thence North 89 degrees 22 minutes 40 seconds East a distance of 308.88 feet; thence North 84 degrees 32 minutes 20 seconds East a distance of 117.04 feet; thence North 39 degrees 30 minutes 37 seconds East a distance of 194.37 feet; thence North 42 degrees 58 minutes 12 seconds East a distance of 491.76 feet; thence North 48 degrees 18 minutes 54 seconds East a distance of 333.14 feet; thence North 35 degrees 04 minutes 02 seconds East a distance of 73.99 feet to the South right of way line of the abandoned C.C.C. & St. Louis Railroad; thence South 63 degrees 59 minutes 18 seconds East along the said south right of way line a distance of 639.62 feet; thence South 00 degrees 09 minutes 19 seconds East, parallel with the East line of the West Half of the Northeast Quarter of said Section 28 a distance of 2332.65 feet; thence North 88 degrees 52 minutes 23 seconds East, parallel with the North line of the West Half of the Southeast Quarter of said Section 28 a distance of 812.84 feet to the BEGINNING POINT, containing 124.015 acres, more or less.

EXCEPTING THEREFROM that part set out in Dedication and Deed of Right of Way to the Town of Zionsville, Indiana, recorded November 13, 2013 as Instrument No. 201300012988, more particularly described as follows:

#### PROPOSED RIGHT-OF-WAY

Strips of land across part of the Southeast Quarter of Section 28, Township 18 North, Range 2 East of the Second Principal Meridian in Boone County, Indiana, and being that part of the grantor's land identified as Parcel 15 on the Location Control Survey recorded as Instrument #201300006845 and the attached Route Survey Plat, said strips being 55 feet in width lying west of and adjoining the following described lines:

COMMENCING at the South Quarter corner of said Section, said corner being Point #304 at Indiana State Plane West Zone (North American Datum of 1983, CORS 96) coordinate, 1,720,260.050 North and 3,170,090.690 East as shown on the attached Route Survey Plat; thence North 88 degrees 16 minutes 52 seconds East along the south line of said Quarter Section a distance of 1,345.61 feet to the southeast corner of the West Half of said Quarter Section; thence North 00 degrees 34 minutes 06 seconds West along the East line of said West Half a distance of 346.42 feet to the POINT OF BEGINNING, said point being a southeast corner of the grantor's land; thence continuing North 00 degrees 34 minutes 06 seconds West a distance of 845.35 feet to a northeast corner of the grantor's land and the TERMINUS, said point being hereinafter referred to as Point "A". The West line of said strip to be lengthened or shortened to intersect with the north and south lines of the grantor's land. Containing 1.067 acres, more or less.

ALSO,

COMMENCING at previously referred to Point "A"; thence North 00 degrees 34 minutes 06 seconds West along the east line of said West Half a distance of 501.30 feet to the POINT OF BEGINNING, said point being a southeast corner of the grantor's land; thence continuing North 00 degrees 34 minutes 06 seconds West a distance of 418.51 feet to a northeast corner of the grantor's land and the TERMINUS. The west line of said strip to be lengthened or shortened to intersect with the north and south lines of the grantor's land. Containing .528 acres, more or less.

ALSO EXCEPTING THEREFROM that part conveyed to H & S, LLC by General Warranty Deed recorded November 14, 2014 as Instrument No. 201400010031, more particularly described as follows:

Part of the Northwest Quarter of Section 28, Township 18 North, Range 2 East, Eagle Township, Boone County, Indiana, being more particularly described as follows:

Commencing at the Southwest corner of the said Northwest Quarter Section; thence North 88 degrees 52 minutes 23 seconds East (Bearing based upon Warranty Deed recorded as Instrument #9803609 in the Office of the Recorder of

Boone County, Indiana) along the South line of the said Northwest Quarter Section a distance of 1489.54 feet to the Beginning Point; thence North 00 degrees 43 minutes 53 seconds West a distance of 1310.81 feet; thence North 89 degrees 22 minutes 40 seconds East a distance of 100.99 feet; thence South 00 degrees 43 minutes 53 seconds East a distance of 1309.92 feet to the South line of the said Northwest Quarter Section; thence South 88 degrees 52 minutes 23 seconds West along the said North line a distance of 100.99 feet to the Beginning Point, containing 3.038 acres, more or less.

ALSO. EXCEPTING THEREFROM that part conveyed to the Town of Zionsville, Indiana by Limited Warranty Deed recorded March 9, 2015 as Instrument No. 201500002010, more particularly described as follows:

A part of the North Half of Section 28, Township 18 North, Range 2 East of the Second Principal Meridian, Eagle Township, Boone County, Indiana, being more particularly described as follows:

Commencing at the Northwest corner of the Northwest Quarter of the Northeast Quarter of Section 28, Township 18 North, Range 2 East, also being the Northeast corner of the Northeast Quarter of the Northwest Quarter of said Section 28; thence on the West line of said Northwest Quarter of the Northeast Quarter, South 00 degrees 09 minutes 03 seconds East (assumed bearing), a distance of 569.03 feet to a point on the southerly right of way line C.C.C. & St. Louis Railroad (now abandoned), also being the North line of land described in General Warranty Deed conveyed to Zionsville Community Schools Building Corporation, and recorded as Instrument Number 0601936 in the Office of the Boone County Recorder, said point being the POINT OF BEGINNING of the herein described real estate; thence on said North line,

South 63 degrees 59 minutes 18 seconds East a distance of 592.95 feet to the Northeast corner of said Zionsville Community Schools Building Corporation; thence on the East line of said land, South 00 degrees 09 minutes 19 seconds East, a distance of 481.34 feet to a point on the South line of the Northwest Quarter of the Northeast Quarter of said Section 28; thence on said South line, South 88 degrees 51 minutes 51 seconds West, a distance of 532.32 feet to the Southeast corner of the Northeast Quarter of the Northwest Quarter of said Section 28; thence on the

South line of said Quarter-Quarter, South 88 degrees 66 minutes 10 seconds West a distance of 143.25 feet; thence North, perpendicular to the last described course North 01 degree 03 minutes 50 seconds West a distance of 653.24 feet to a point on a northwesterly line of the aforesaid Zionsville Community Schools Building Corporation; thence on northwesterly and northeasterly lines of said Zionsville Community Schools Building Corporation the following three courses: 1) North 48 degrees 18 minutes 54 seconds East, a distance of 92.29 feet; 2) North 35 degrees 04 minutes 02 seconds East a distance of 73.99 feet to the Northwest corner of said Zionsville Community Schools Building Corporation; and 3) Southeasterly on said railroad right of way, South 63 degrees 59 minutes 18 seconds East, a distance of 46.67 feet to the Point of Beginning; Containing 10.000 acres, more or less.

TRACT 3:

Part of the East Half of the East half of the Southwest Quarter of Section 28, Township 18 North, Range 2 East of the 2nd Principal Meridian, in Eagle Township, Boone County, Indiana, described as follows:

Commencing at the Southeast corner of the Southeast Quarter of said Section 28 marked by a 5/8 inch rebar per Boone County surveyor reference ties; thence South 88 degrees 44 minutes 43 seconds West (assumed bearing) along the South line of said Quarter Section a distance of 2691.18 feet to the Southwest corner of said Quarter Section marked by a 10 inch wood fence post per Boone County Surveyor reference ties; thence North 00 degrees 09 minutes 03 seconds West along the West line of said Quarter Section a distance of 1210.57 feet to the POINT OF BEGINNING, also being the intersection of said West line and the centerline of a gas line; thence North 36 degrees 45 minutes 13 seconds West along the centerline of said gas line a distance of 73.33 feet, the following 10 courses are along said centerline; (1) North 35 degrees 49 minutes 50 seconds West a distance of 96.64 feet; (2) North 35 degrees 51 minutes 20 seconds West a distance of 100.96 feet; (3) North 36 degrees 14 minutes 27 seconds West a distance of 87.38 feet; (4) North 36 degrees 26 minutes 53 seconds West a distance of 110.28 feet; (5) North 36 degrees 27 minutes 43 seconds West a distance of 103.56 feet; (6) North 35 degrees 27 minutes 49 seconds West a distance of 111.51 feet; (7) North 36 degrees 45 minutes 34 seconds West a distance of 106.73 feet; (8) North 36 degrees 27 minutes 40 seconds West a distance of 98.26 feet; (9) North 35 degrees 47 minutes 38 seconds West a distance of 103.01 feet; (10) North 36 degrees 19 minutes 06 seconds West a distance of 153.02 feet to the West line of the East Half of the East Half of the Southwest Quarter of said Section 28; thence North 00 degrees 10 minutes 18 seconds West along said West line a distance of 497.22 feet to the Northwest corner of said Half-Half Quarter Section; thence North 88 degrees 52 minutes 23 seconds East along the North line of said Half-Half Quarter Section a distance of 673.98 feet to the Northeast corner of said Half-Half Quarter Section; thence South 00 degrees 09 minutes 03 seconds East along the east line of said Quarter Section a distance of 1434.06 feet to the Point of Beginning. Containing 14.93 acres, more or less.

**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: there are existing school facilities adjacent to the proposed elementary campus; elementary schools are typically located near residential neighborhoods; the plans presented feature an attractive building and well-landscaped grounds; buffer standards adjacent to residential uses will be met.
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 development plan reflects a recent survey of the site which shows the presence of utilities including access to sanitary sewer, storm sewer, natural gas 3-phase electrical, cable/phone lines, and water, all present at County Road 875.
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 and improvements to County Road 875 reflects several meetings held with Town of Zionsville officials. The Zionsville Thoroughfare Plan classifies this road as an Urban Collector, which is sufficient to handle elementary school traffic.
4. The Development Plan/ Modification of Development Plan (~~does/does not~~) utilize building materials and building style compatible with the Zionsville theme because: the proposed one-story building will have a brick exterior with aluminum trim.
5. The Development Plan/Modification of Development Plan (~~does/does not~~) provide for the calculation of storm water runoff because: a stormwater collection system has been designed with a wet detention pond located at the northwest section of the property and an outlet to an acceptable storm pipe.
6. The Development Plan/Modification of Development Plan (~~does/does not~~) provide for current and future right-of-way dedications because: access to County Road 875 is proposed to be gained from an access easement with right-of-way to be acquired for the acceleration taper.
7. The Development Plan/Modification of Development Plan (~~does/does not~~) provide for building setback lines, coverage, and separation; vehicle and pedestrian circulation; parking; landscaping; recreation area or green space; outdoor lighting because: the proposed development plan has accounted for all design and development standards set forth by the Town of Zionsville. The plan will provide a pedestrian pathway to connect with the existing athletic fields to the south. The design is mindful of functionality and aesthetics.

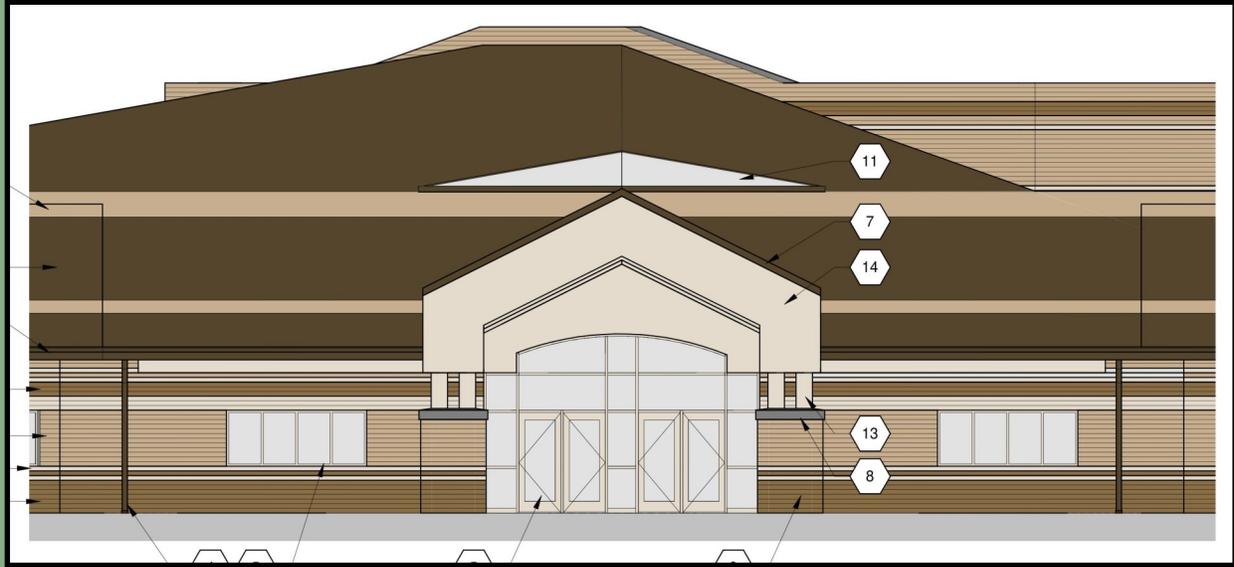
**DECISION**

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 COMMUNITY SCHOOLS DEVELOPMENT PLAN APPROVAL

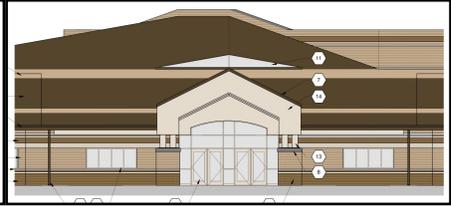


cch+a

**Zionsville Plan Commission  
May 18, 2020**

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## ZIONSVILLE ELEMENTARY SCHOOL



### Petitioner:

Zionsville Community Schools  
Dr. Scott Robison, Superintendent  
900 Mulberry Street  
Zionsville IN 46077

### Architect:

Fanning Howey  
Charles Tyler, AIA, NCARB, LEED AP  
350 East New York Street, Suite 300  
Indianapolis, IN 46204

### Civil Engineer:

TLF, Inc  
Brittany Heidenreich, PE  
3901 West 86th Street, Suite 200  
Indianapolis, IN 46268

### Surveyor:

DeBoy Land Development Services  
Michael DeBoy, PLS  
P.O. Box 25  
Noblesville, IN 46061

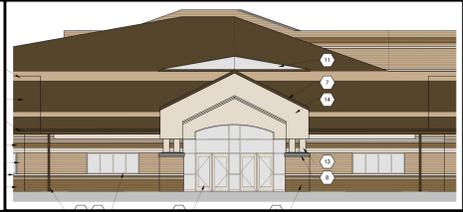
### Law Firm:

Church Church Hittle +Antrim  
Jon Becker, Attorney  
Andrew Wert, Land Use Professional  
2 North 9th Street  
Noblesville, IN 46060

- **Executive Summary**
- **Vicinity Map**
- **Adjacent Developments**
- **Current Zoning Map**
- **Development Plan**
- **Building Elevations**

# EXECUTIVE SUMMARY

## ZIONSVILLE ELEMENTARY SCHOOL



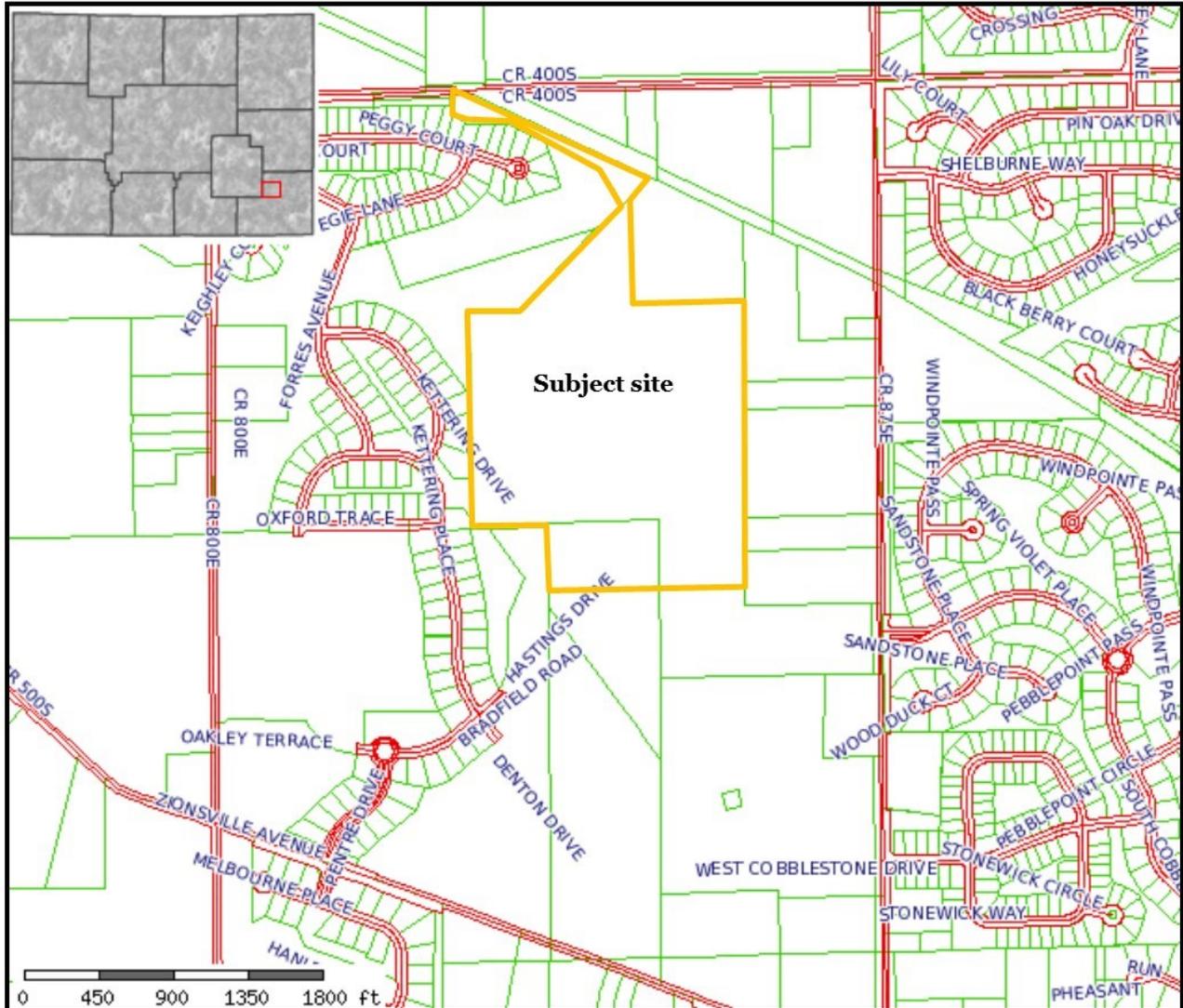
**Z**ionsville Community Schools is presenting its sixth elementary school, to be located southwest of the intersection of 4400 South and 875 East. Located on approximately 66.7 acres, the property is north of the existing Zionsville High School Baseball & Softball Complex and is currently zoned SU-1 Special Use. Access will be from County Road 875 East via an access easement. In addition to the elementary school, the Development Plan petition identifies a future Phase 2 to the south for a potential future school building.

The new elementary school will be 91,150 square feet in size with capacity for 657 students. Construction is slated to commence in August of 2020, with completion anticipated in June 2022 in time for the 2022-23 school year. Site lighting and on-site parking will meet the Town of Zionsville development standards. There are 393 parking spaces, with the north lot being double striped for busses and event parking. The one-story building features a brick exterior.

Storm water management will be facilitated by a 2.7 acre wet detention pond at the northwest corner of the property with another 1.9 acres expansion planned for the Phase 2 development. Full access to utilities is available along 875 East including sanitary sewer, 3-phase electric, water, and gas service.

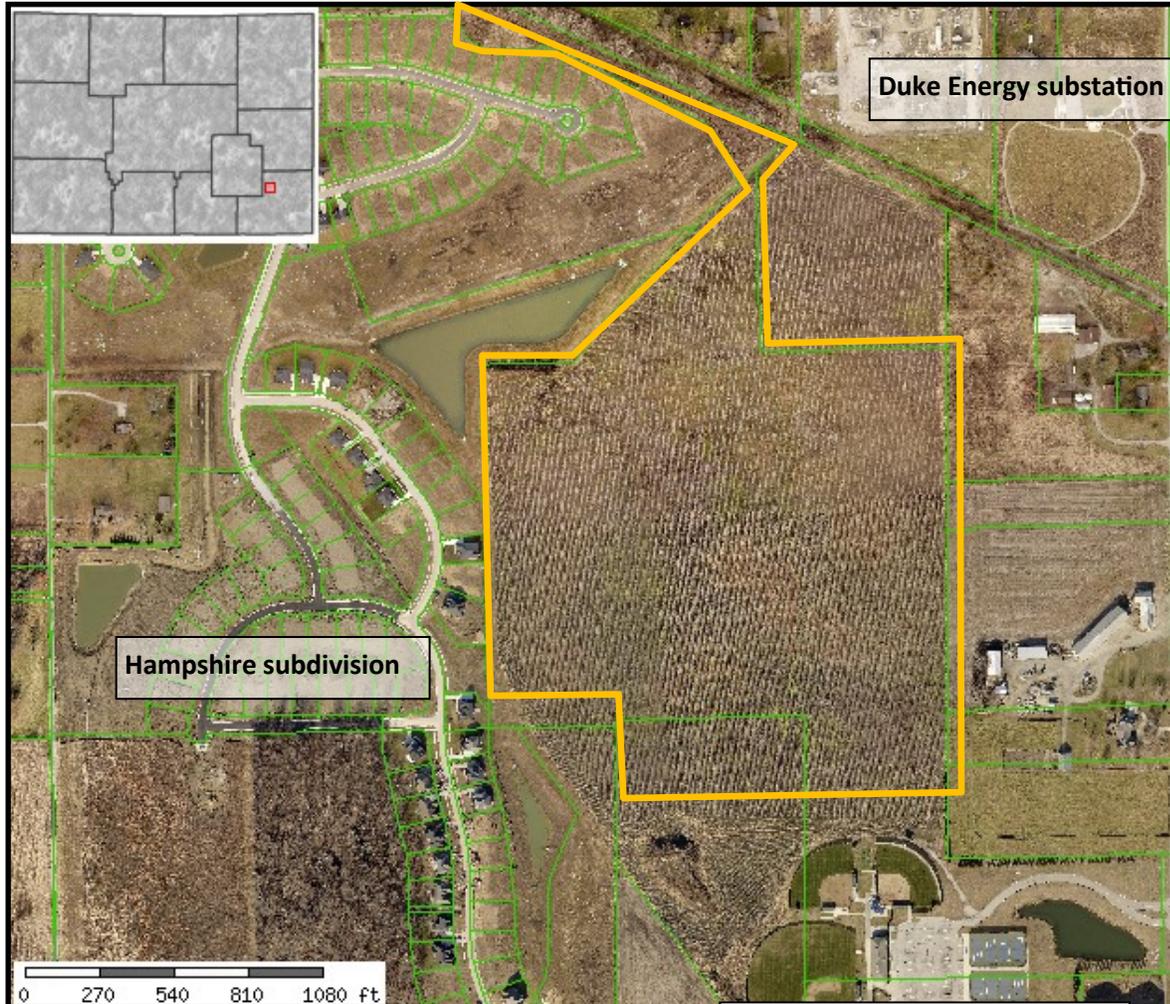
# VICINITY MAP

## ZIONSVILLE ELEMENTARY SCHOOL



# ADJACENT DEVELOPMENTS

## ZIONSVILLE ELEMENTARY SCHOOL



Zionsville Community High School  
Baseball & Softball Complex

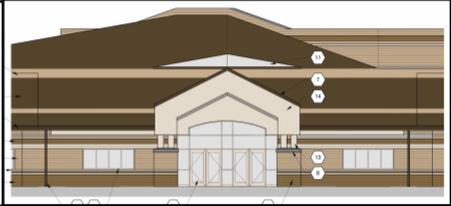






# DEVELOPMENT PLAN

## ZIONSVILLE ELEMENTARY SCHOOL

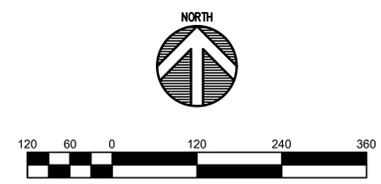
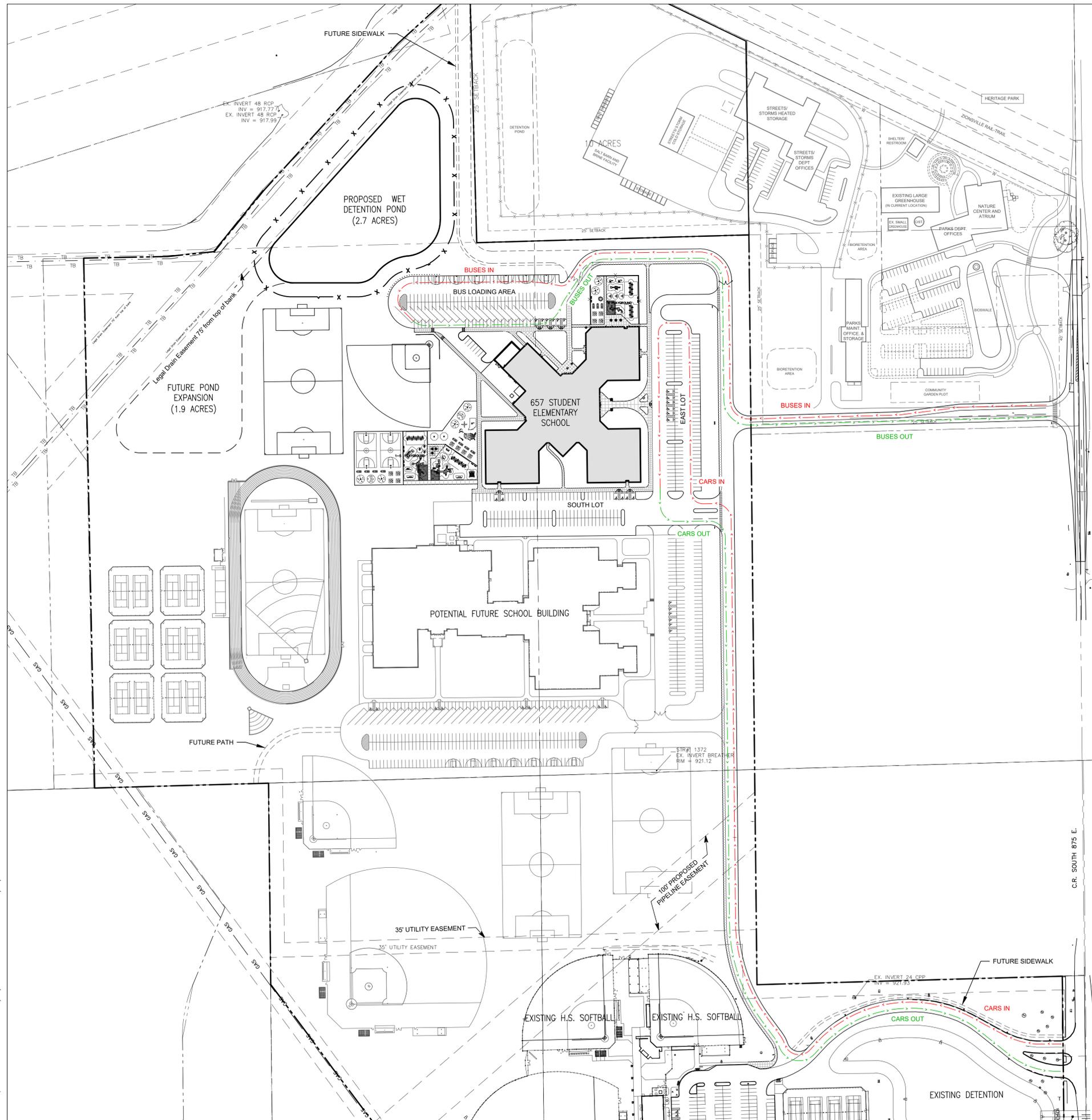


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ES-3	PHOTOMETRIC SITE PLAN - WEST
-	SITE LIGHTING NARRATIVE AND CUT SHEET



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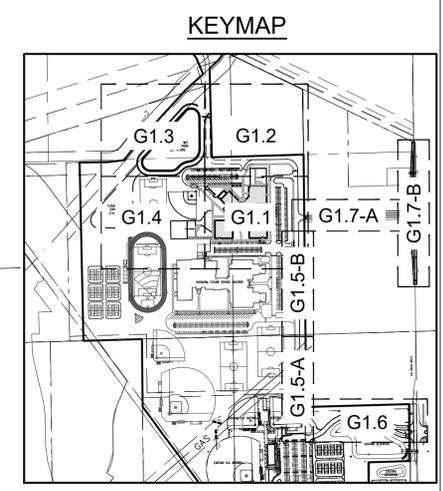


**GENERAL NOTES**

- SEE DRAWING GD0.1 FOR GENERAL NOTES AND ADDITIONAL LEGEND.
- TOPOGRAPHIC CONDITIONS AND EXISTING UTILITIES SHOWN WERE PROVIDED BY THE SURVEYOR. THE ENGINEER MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED.
- CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS IN THE PROJECT AREA INCLUDING UNDERGROUND UTILITY CONDITIONS, LOCATION AND DEPTH PRIOR TO ANY OTHER SITE CONSTRUCTION. REPORT ANY DISCREPANCIES TO THE ENGINEER.
- CONTRACTOR TO PROVIDE AND INSTALL APPROXIMATELY 10 WAYFINDING SIGNS. COORDINATE TYPE AND LOCATION WITH OWNER / ARCHITECT.

**PARKING SUMMARY**

	PROPOSED PARKING SPACES				
	EVENT	STANDARD	ADA	TOTAL	BUS
<b>BUS LOADING AREA</b>	149	-	6	155	17
<b>EAST LOT</b>	-	116	6	122	0
<b>SOUTH LOT</b>	-	106	6	112	0
<b>TOTAL PARKING COUNT</b>	149	222	18	389	17



**811**  
 Know what's below.  
 Call before you dig.  
 Call 811 or 1-800-382-5544 Before You Begin Any Digging Project.  
 Call 48 hours or 2 working days before you dig.  
 It's Fast, It's Easy and It's the Law in the state of Indiana!

**CAUTION !!**

THE LOCATIONS OF ALL EXISTING UNDERGROUND UTILITIES SHOWN ON THE PLAN ARE BASED UPON ABOVE GROUND EVIDENCE (INCLUDING, BUT NOT LIMITED TO, MANHOLES, INLETS, VALVES, AND MARKS MADE UPON THE GROUND BY OTHERS) AND ARE SPECULATIVE IN NATURE. THERE MAY ALSO BE OTHER EXISTING UNDERGROUND UTILITIES FOR WHICH THERE IS NO ABOVE GROUND EVIDENCE OR FOR WHICH NO ABOVE GROUND EVIDENCE WAS OBSERVED. THE EXACT LOCATIONS OF EXISTING UNDERGROUND UTILITIES SHALL BE VERIFIED BY CONTRACTOR PRIOR TO ANY AND ALL CONSTRUCTION.

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**ZIONSVILLE  
 ELEMENTARY  
 SCHOOL**

4400 South CR 875 East  
 Zionsville, IN 46077



ARCHITECT

**FANNING  
 HOWEY**

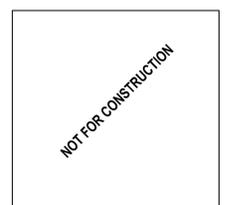
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 350 East New York Street, Suite 300, Indianapolis, IN 46204

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CIVIL ENGINEER



3901 W 86th Street, Suite 200  
 Indianapolis, IN 46268  
 Phone: (317) 334-1500  
 www.tlf-engineers.com



PROJECT MANAGER: BNH  
 DRAWN BY: HHW  
 PROJECT NUMBER: 219124.00 / 2019.520  
 PROJECT ISSUE DATE: 05/01/2020

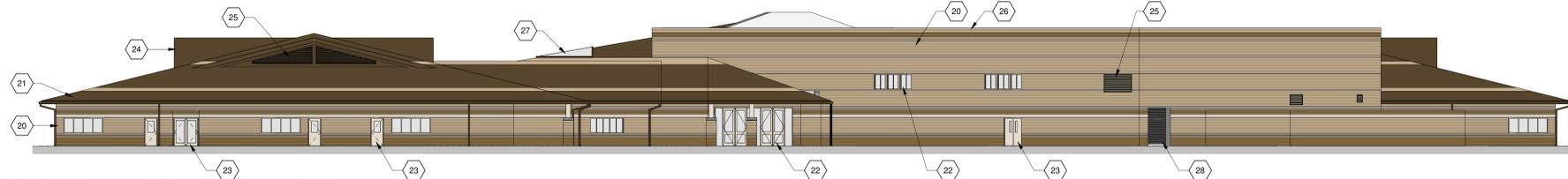
REV. NO.	DESCRIPTION	DATE

**OVERALL SITE  
 TRAFFIC FLOW  
 EXHIBIT**



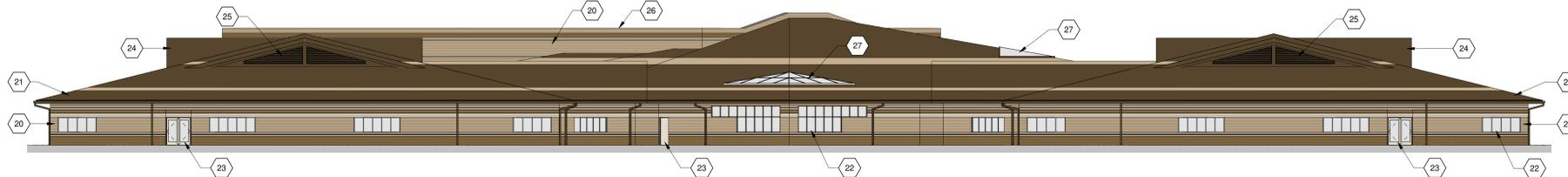
**EXTERIOR ELEVATION - OVERALL EAST**

SCALE: 1/16" = 1'-0"



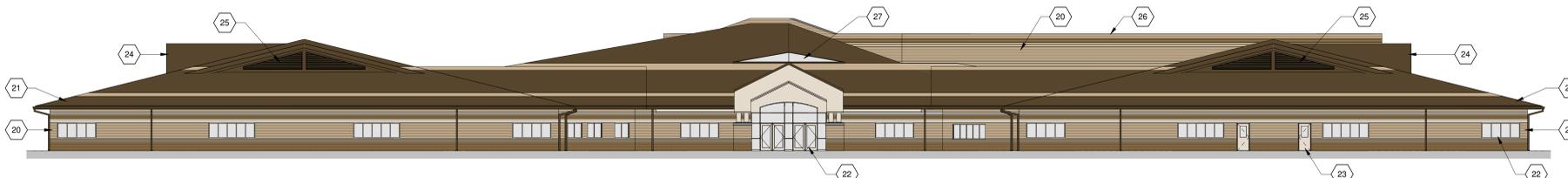
**EXTERIOR ELEVATION - OVERALL NORTH**

SCALE: 1/16" = 1'-0"



**EXTERIOR ELEVATION - OVERALL SOUTH**

SCALE: 1/16" = 1'-0"



**EXTERIOR ELEVATION - OVERALL WEST**

SCALE: 1/16" = 1'-0"



**ENLARGED MAIN ENTRY ELEVATION**

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

**ELEVATION GENERAL NOTES**

1. REFER TO THE ELECTRICAL AND TECHNOLOGY DRAWINGS FOR CAMERA, LOCATIONS, SECURITY DEVICES, RECEPTACLES, LIGHT FIXTURES, ETC. COORDINATE LOCATIONS WITH HIGHER COURSING TO PROVIDE CONSISTENT MOUNTING HEIGHTS.
2. REFER TO PLUMBING DRAWINGS FOR EXTERIOR WALL HYDRANTS, SECONDARY ROOF DRAIN OUTLETS, ETC. COORDINATE PENETRATIONS THROUGH EXTERIOR ENVELOPE WITH OTHER TRADES. PROVIDE TRANSITION MEMBRANE TO MAINTAIN AIR BARRIER SYSTEM.
3. REFER TO MECHANICAL DRAWINGS FOR EXTERIOR LOUVER LOCATIONS LOCATED IN EXTERIOR WALL AND EXTERIOR SOFFITS. COORDINATE PENETRATIONS THROUGH EXTERIOR ENVELOPE WITH OTHER TRADES. PROVIDE TRANSITION MEMBRANE TO MAINTAIN AIR BARRIER SYSTEM.

**BUILDING ELEVATION NOTES**

(ALL NOTES MAY NOT BE INDICATED ON THIS SHEET)

- 1 FACE BRICK - COLOR 1
- 2 FACE BRICK - COLOR 2
- 3 FACE BRICK - COLOR 3
- 4 DOWNSPOUT
- 5 ALUMINUM FRAMED STOREFRONT SYSTEM
- 6 MASONRY PIER
- 7 METAL COPING
- 8 CAST STONE CAP
- 9 ASPHALT SHINGLE - COLOR 1
- 10 ASPHALT SHINGLE - COLOR 2
- 11 METAL FRAMED SKYLIGHT
- 12 FORMED METAL GUTTER
- 13 METAL COLUMN COVER
- 14 EXTERIOR INSULATION FINISH SYSTEM
- 20 FACE BRICK
- 21 ASPHALT SHINGLE
- 22 ALUMINUM STOREFRONT SYSTEM
- 23 FRP DOOR WITH ALUMINUM FRAME
- 24 DORMER
- 25 METAL LOUVER
- 26 METAL COPING
- 27 METAL FRAMED SKYLIGHT
- 28 OVERHEAD DOOR
- 29 METAL SERVICE GATES

**ZIONSVILLE  
ELEMENTARY  
SCHOOL**

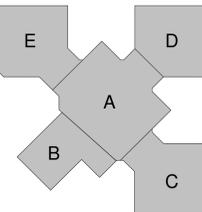
4400 S 875E  
Zionsville, IN 46077



**ARCHITECT**

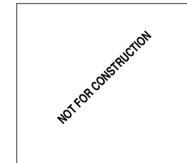


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350 East New York Street, Suite 300, Indianapolis, IN 46204



**KEY PLAN**

**DESIGN DEVELOPMENT**



PROJECT MANAGER: CT  
DRAWN BY: Author  
PROJECT NUMBER: 219124.00  
PROJECT ISSUE DATE: MARCH 13, 2020

REV. NO.	DESCRIPTION	DATE



**VERIFICATION NOTE**

CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CLEARANCES AND ALL EXISTING FIELD CONDITIONS BEFORE STARTING CONSTRUCTION. COMMENCEMENT OF WORK CONSTITUTES ACCEPTANCE OF CONDITIONS. SHOULD DIFFERENT CONDITIONS BE ENCOUNTERED, CONTACT THE ARCHITECT BEFORE PROCEEDING WITH WORK.

**COLOR EXTERIOR ELEVATIONS**

**PR3**



# TAC SUBMITTAL SET FOR

# NEW ZIONSVILLE ELEMENTARY SCHOOL

4400 SOUTH CR 875 EAST  
ZIONSVILLE, INDIANA 46077  
ISSUED FOR REVIEW: 04/14/2020

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**ZIONSVILLE  
ELEMENTARY  
SCHOOL**

4400 South CR 875 East  
Zionsville, IN 46077



**ZIONSVILLE**  
COMMUNITY SCHOOLS

ARCHITECT



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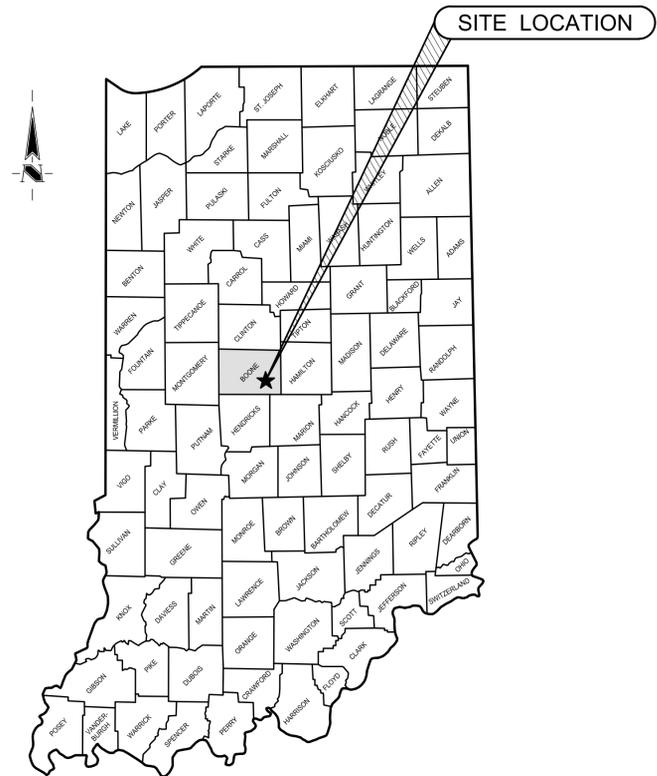
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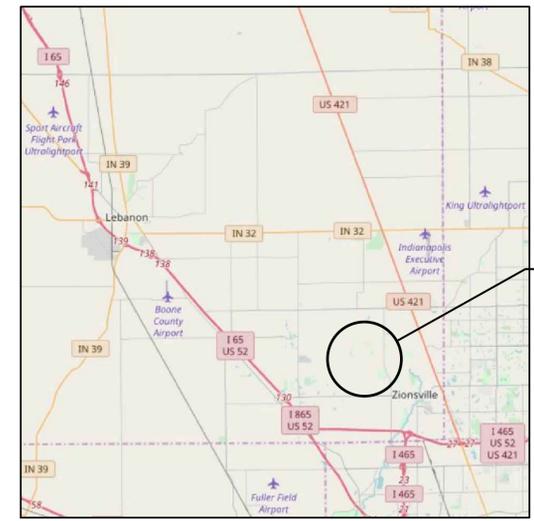


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L1.1	ENLARGED LANDSCAPE PLAN
L1.2	ENLARGED LANDSCAPE PLAN



STATE OF INDIANA



VICINITY MAP

**OWNER**  
ZIONSVILLE COMMUNITY SCHOOL CORPORATION  
900 MULBERRY STREET  
ZIONSVILLE, INDIANA 46077

**SCHOOL BOARD**  
PRESIDENT - JOE STEIN  
VICE PRESIDENT - DEBBIE UNGAR  
SECRETARY - JANE BURGESS  
MEMBER - MICHAEL BERG  
MEMBER - MICHAEL COUSSENS



LOCATION MAP

**ARCHITECT**  
FANNING HOWEY ASSOCIATES, INC.  
350 EAST NEW YORK STREET, SUITE 300  
INDIANAPOLIS, INDIANA 46204  
ATTN. CHUCK TYLER  
PH. 317-848-0966 EXT. 10308  
EMAIL: ctyler@fhai.com

**ENGINEER**  
TLF, INC.  
3901 WEST 86th STREET, SUITE 200  
INDIANAPOLIS, IN 46268  
ATTN. BRITTANY M. HEIDENREICH, PE  
317-334-1500 EXT. 443  
EMAIL: bheidenreich@tlf-engineers.com

TOWN OF ZIONSVILLE  
DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT  
1100 WEST OAK STREET  
ZIONSVILLE, IN. 46077  
TELEPHONE: (317)-873-8247



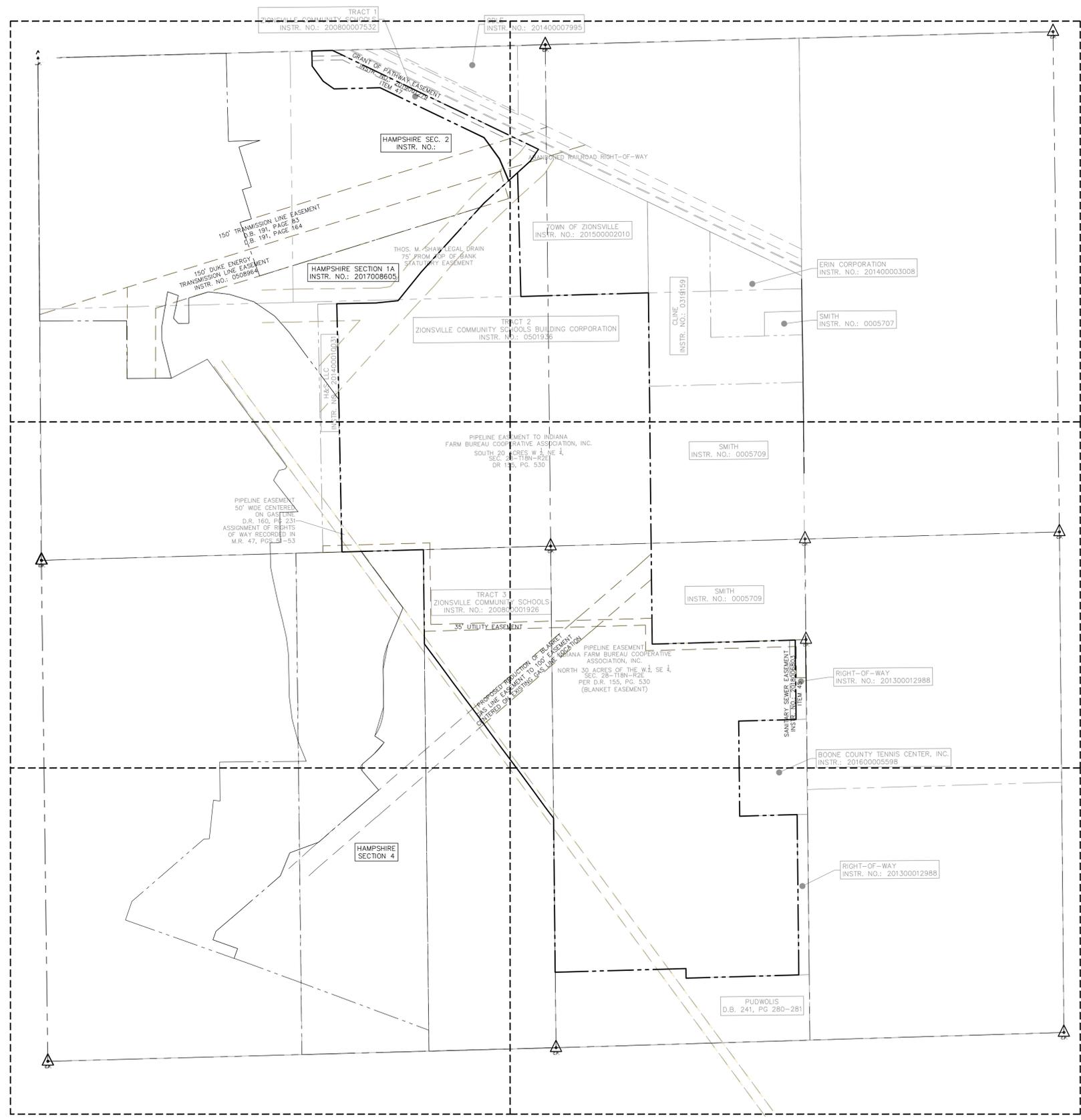
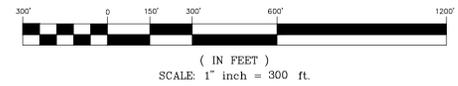
PROJECT MANAGER: BNH  
DRAWN BY: HHW  
PROJECT NUMBER: 219124.00 / 2019.520  
PROJECT ISSUE DATE: 05/01/2020

REV. NO.	DESCRIPTION	DATE

COVERSHEET

**CS**

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 Plotted By: bheidenreich Date: 5/11/20 - 5:20pm Last Edited: 5/11/20 - 12:39pm

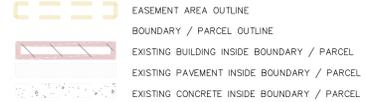


ABBREVIATIONS AND EXISTING LEGEND

ACCEL	ACCELERATION	H.C.	HANDICAP	SPOT ELEVATION	FO	FIBER OPTICS
ADJ	ADJACENT	HORIZ	HORIZONTAL	831	G	GAS
ALT	ALTERNATE	ID	INSIDE DIA	831	E	ELECTRIC
APPROX	APPROXIMATELY	INV	INVERT		T	TELEPHONE
ARCH	ARCHITECTURAL	M.H.	MANHOLE		W	WATER
BEG	BEGINNING	MAX	MAXIMUM		STW	STORM SEWER
BLDG	BUILDING	MESH	MECHANICAL		CS	COMBINED SEWER
CALL	CALLER	M.E.G.	MATCH EXISTING GRADE		U/G	UNDERGROUND
CIP	CAST IN PLACE	MIN	MINIMUM		O/H	OVERHEAD
C	CENTERLINE	N/A	NOT APPLICABLE		COMBINATION M.H.	
COMB	COMBINATION	O.C.	ON CENTER		SANITARY M.H.	
CONC	CONCRETE	OD	OUTSIDE DIA		CLEAN OUT	
CJ	CONTROL JOINT	PERP	PERPENDICULAR		CURB INLET	
C.O.	CLEAN OUT	P.O.B.	POINT OF BEG		ROUND INLET (24" TYP)	
DECEL	DECELERATION	PVC	POLYVINYL CHLORIDE		SQUARE INLET (24" TYP)	
DEMO	DEMOLITION	PVMT	PAVEMENT		DRAINAGE M.H.	
DIA	DIAMETER	R	RADIUS		GAS/WATER METER	
DS	DOWNSPOUT	REF	REFERENCE		IRREGATION/ELEC BOX	
ELEV	ELEVATION	RCP	REINFORCED CONCRETE		AIR TRANSFORMER	
ELEC.	ELECTRICAL	REQD	REQUIRED		ELECTRIC TRANSFORMER	
EQ	EQUAL DISTANCE	ROW	RIGHT OF WAY		AREA LIGHT / LIGHT BOLLARD	
EX	EXISTING	SAN	SANITARY		GAS/WATER VALVE	
EJ	EXPANSION JOINT	SLOPP	SMOOTH LINED CORRUGATED PLASTIC PIPE		DRILL HOLE	
FFW	FACE OF WALL	SQ	SQUARE		PROPERTY CORNER	
FFE	FINISH FLOOR ELEV	STA	STATION		SURVEY CONTROL POINT	
FT	FOOT	STORM	STORM SEWER		ROUND METAL LID	
GUTTER	FLOWING ELEV	TYP	TYPICAL		MONITOR WELL LID	
HT	HEIGHT	TR	TRAFFIC		SQUARE METAL LID	
PED	PEDESTAL	VF	VERIFY IN FIELD		WELL LID	
MTR	METER	W	WATER		WATER SHUT OFF LID	
HDPE	HIGH DENSITY POLYETHYLENE	IPF	IRON PIN FOUND			
MCSR	MARRION COUNTY SURVEYORS RECORD	IPF	IRON PIN SET			
MNS	MAG NAIL SET	MDL	MIDDLE			
MNF	MAG NAIL FOUND	IPF	IRON PIN FOUND			

NOTES

- D = DEED M = MEASURED/CALCULATED SP = STATE PLANE BEARING P = PLATTED
- CSR = COUNTY SURVEYOR RECORDS
- IPS = 5 / 8" DIAMETER WITH PLASTIC CAP STAMPED "DLDS 0064" SET IPF = IRON PIN FOUND
- NSF = NOTHING SET OR FOUND
- MNS = MAG NAIL SET FLUSH MNF = MAG NAIL FOUND
- R/W MONUMENT FOUND = 0.4' SQUARE CONCRETE MONUMENT FOUND 0.3' BELOW SURFACE.
- (\*) = CALLS NOT ADJUSTED OR ROTATED TO MATCH PARENT SURVEYED TRACT. SHOWN PER DEED.



SITE CONTROL AND BENCHMARK

HORIZONTAL AND VERTICAL CONTROL BASED ON INDOT INCORS SYSTEM, INCORPORATES VERTICAL DATUM NGVD88.



LOCATION MAP

HOLEY MOLEY SAYS "DIG SAFELY"



Know what's below. Call before you dig.

811

PER INDIANA STATE LAW ICSB-1-26 IT IS AGAINST THE LAW TO EXCAVATE WITHOUT NOTIFYING THE UNDERGROUND LOCATION SERVICE TWO (2) WORKING DAYS BEFORE COMMENCING WORK.

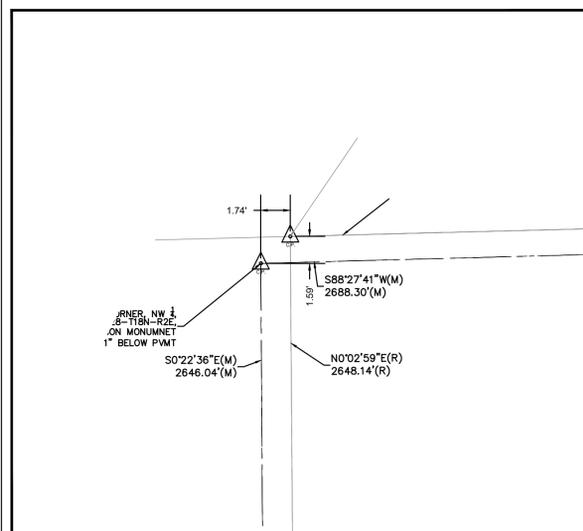
**DLDS**  
DEBOY LAND DEVELOPMENT SERVICES  
Designers-Engineers-Surveyors  
P.O. BOX 25, Noblesville, IN 46061  
Phone: 317.770.1801 Toll Free: (888) 801-8655



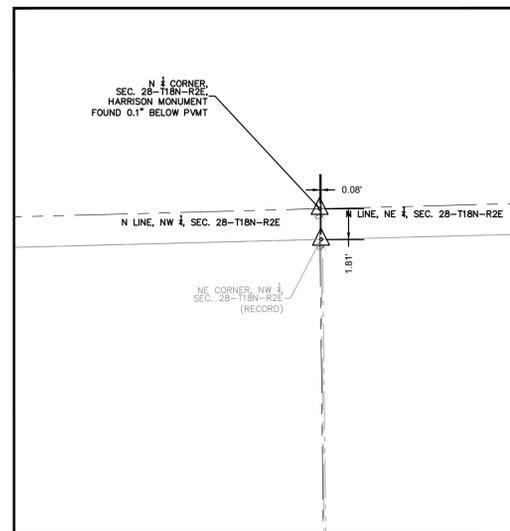
ZIONSVILLE ATHLETIC COMPLEX,  
BOONE COUNTY, IN  
Section 28, Twp. 18 North  
Rg. 2 East, 2nd P.M., Eagle Twp., Boone County, Indiana

ALTANSPS LAND TITLE SURVEY

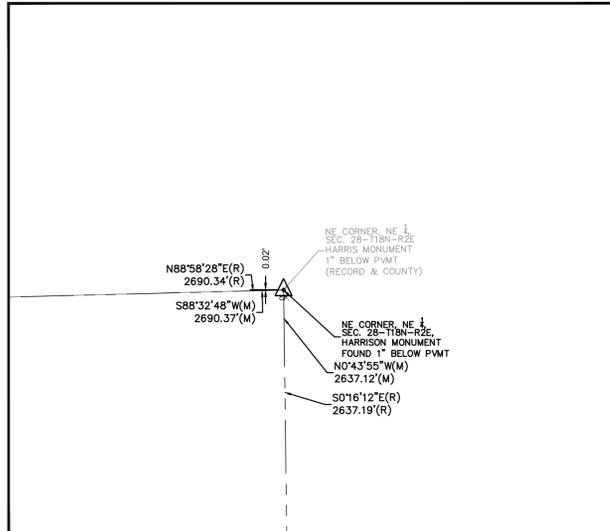
CLIENT NAME:	CHARLES TYLER FANNING HOWEY 350 EAST NEW YORK, SUITE 300 INDIANAPOLIS, IN 46204 PH: 317-848-0966
DESIGNED:	APPROVED: MLD
DRAWN:	CHECKED BY: MLD
SCALE:	1" = 300' DATE: 12-13-19
PROJECT NO.:	2019-0031



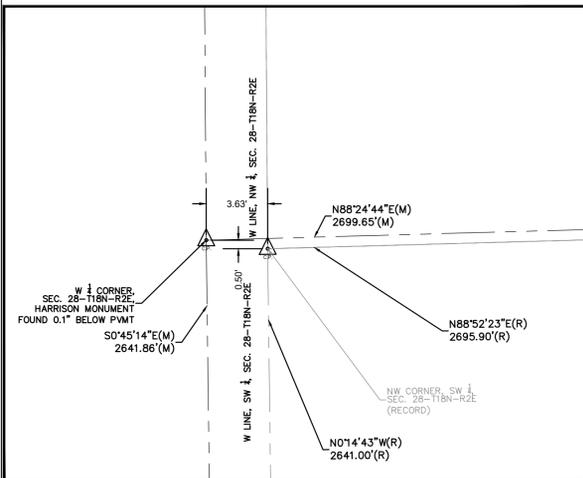
NORTHWEST CORNER, SE 1/4, SEC.28-T18N-R2E



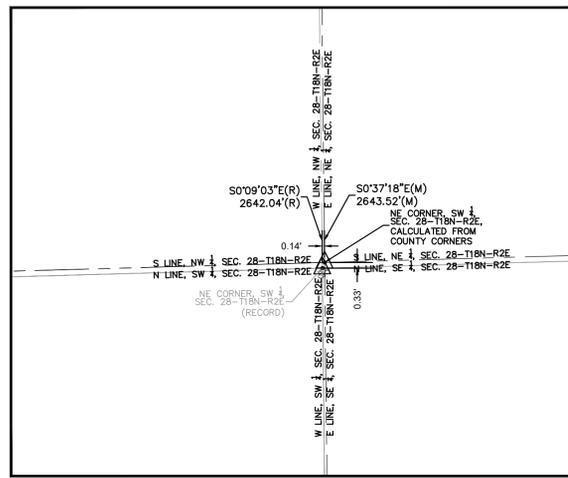
NORTH 1/4 CORNER, SE 1/4, SEC.28-T18N-R2E



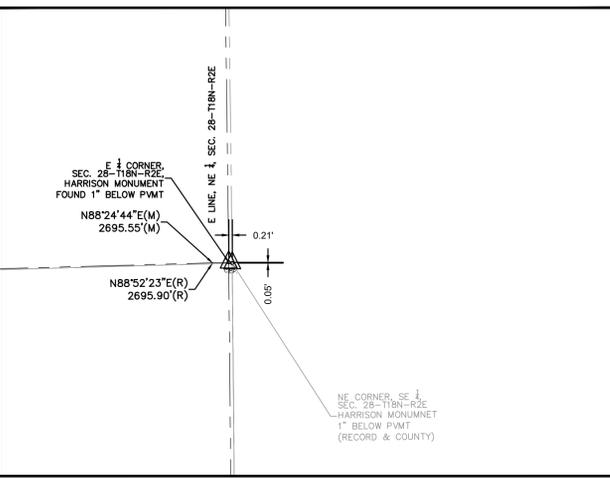
NORTHEAST CORNER, SE 1/4, SEC.28-T18N-R2E



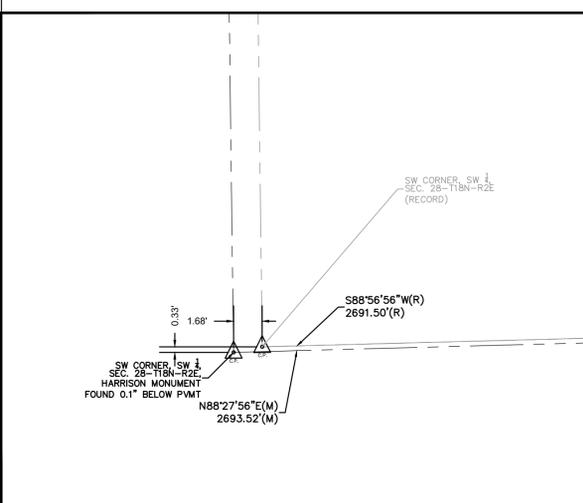
WEST 1/4 CORNER, SE 1/4, SEC.28-T18N-R2E



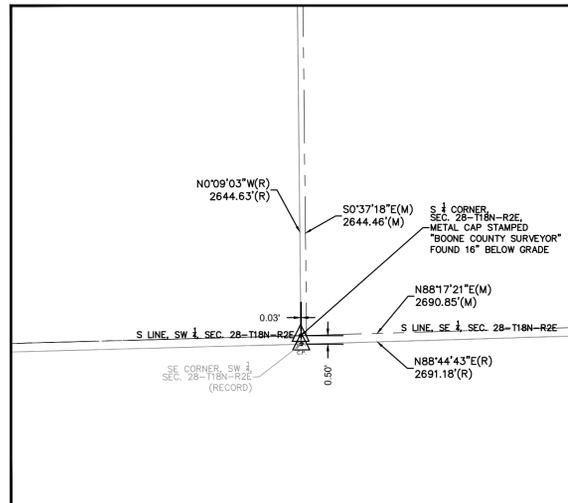
CENTER OF SECTION, SE 1/4, SEC.28-T18N-R2E



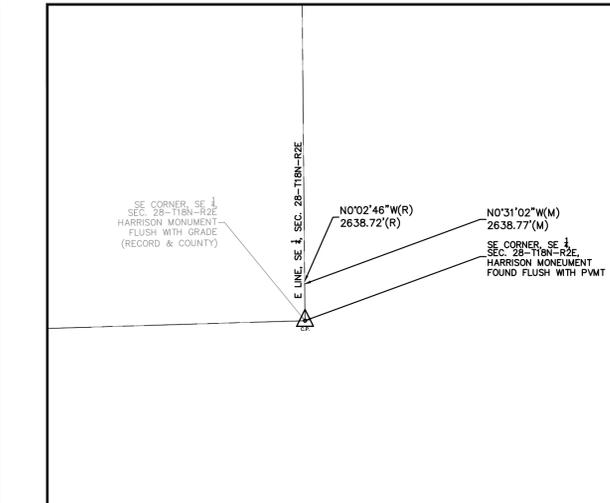
EAST 1/4 CORNER, SE 1/4, SEC.28-T18N-R2E



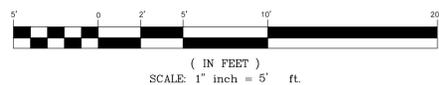
SOUTHWEST CORNER, SE 1/4, SEC.28-T18N-R2E



SOUTH 1/4 CORNER, SE 1/4, SEC.28-T18N-R2E



SOUTHEAST CORNER, SE 1/4, SEC.28-T18N-R2E



NOTES

D - DEED M - MEASURED/CALCULATED SP - STATE PLANE BEARING P - PLATTED  
 CSR - COUNTY SURVEYOR RECORDS  
 IPS - 5 / 8" DIAMETER WITH PLASTIC CAP STAMPED 'DLDS 0064' SET IPF - IRON PIN FOUND  
 NSF - NOTHING SET OR FOUND  
 MNS - MAG NAIL SET FLUSH MNF - MAG NAIL FOUND  
 R/W MONUMENT FOUND - 0.4' SQUARE CONCRETE MONUMENT FOUND 0.3' BELOW SURFACE.  
 (\*) - CALLS NOT ADJUSTED OR ROTATED TO MATCH PARENT SURVEYED TRACT, SHOWN PER DEED.  
 R/RECORD - RECORD SECTION CORNER/BEARING/DISTANCES BASED OFF OF THE SCHNEIDER CORPORATION SURVEY, PROJECT #4196.001, DATED: 01/25/2005  
 M/MEASURE/COUNTY - SECTION CORNER/BEARING/DISTANCES BASED OFF OF THE BOONE COUNTY SURVEYOR'S OFFICE ESTABLISHED AND PUBLISHED SECTION CORNERS.



PREPARED BY:

DEBOY LAND DEVELOPMENT SERVICES  
 Designers-Engineers Surveyors  
 P.O. BOX 25, Noblesville, IN 46061  
 Phone: 317.770.1801 Toll Free: (888) 801-8555

STAMPED BY:

ZIONSVILLE ATHLETIC COMPLEX,  
 BOONE COUNTY, IN  
 Section 28, Twp. 18 North  
 Rg. 2 East, 2nd P.M., Eagle Twp., Boone County, Indiana

ALTA/NSPS LAND TITLE SURVEY

CLIENT NAME: CHARLES TYLER FANNING HOWEY  
 350 EAST NEW YORK, SUITE 300  
 INDIANAPOLIS, IN 46204  
 PH: 317-848-0966

DESIGNED: BAW APPROVED: MLD  
 DRAWN: BAW CHECKED BY: MLD  
 SCALE: 1" = 5' DATE: 12-13-19  
 PROJECT NO.: 2019-0031

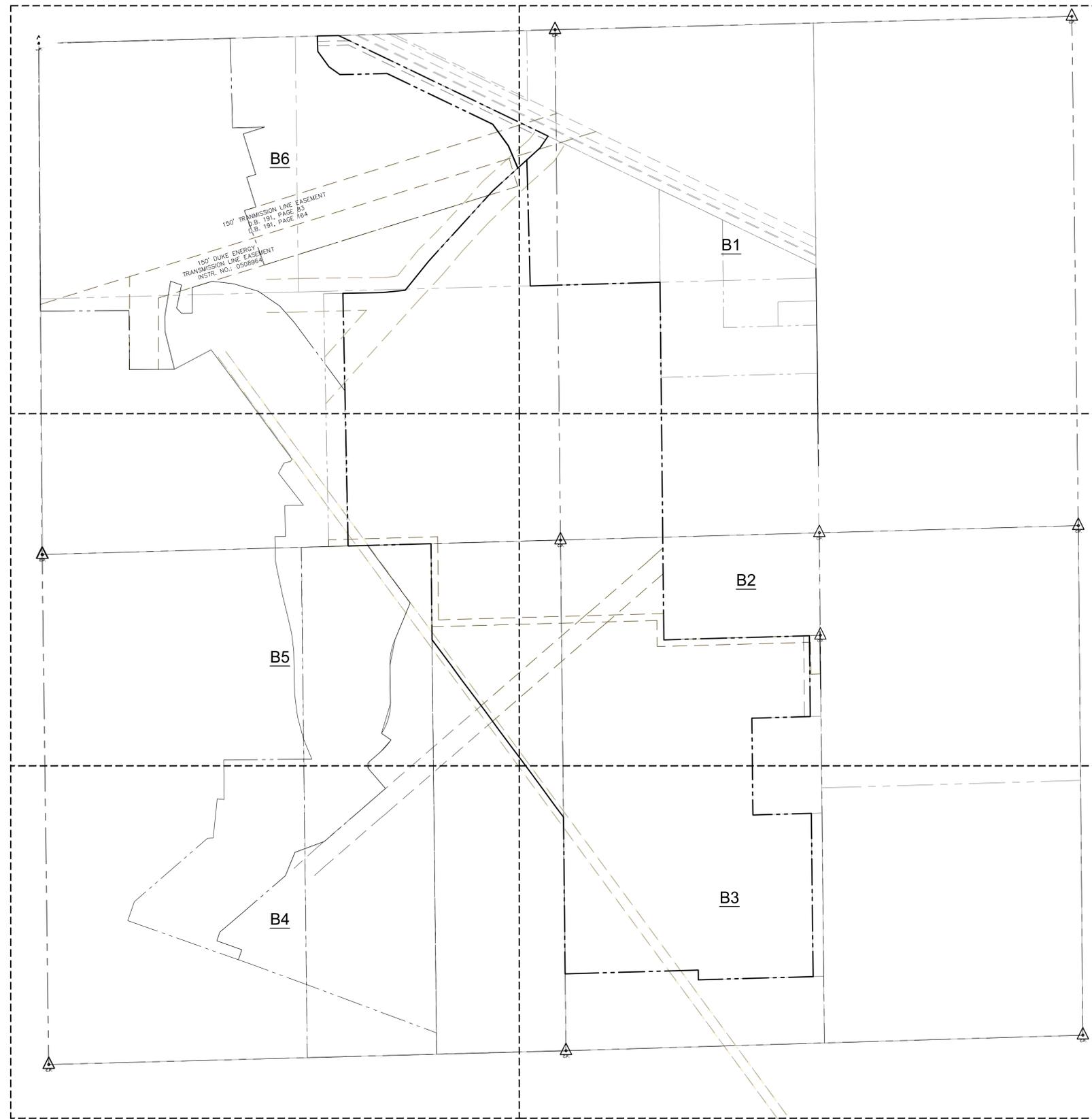
2 OF 36

HOLEY MOLEY SAYS "DIG SAFELY"

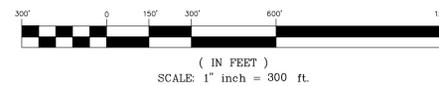


Know what's below.  
 Call before you dig.  
**811**

PER INDIANA STATE LAW, IC8-1-26  
 IT IS AGAINST THE LAW TO EXCAVATE  
 WITHOUT NOTIFYING THE UNDERGROUND  
 LOCATION SERVICE TWO (2) WORKING DAYS  
 BEFORE COMMENCING WORK.



BOUNDARY KEY MAP



HOLEY MOLEY SAYS "DIG SAFELY"



Know what's below. Call before you dig.

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PREPARED BY:

STAMPED BY:



**ZIONSVILLE ATHLETIC COMPLEX,  
BOONE COUNTY, IN**  
Section 28, Twp. 18 North  
Rg. 2 East, 2nd P.M., Eagle Twp., Boone County, Indiana

**ALTANSPS LAND TITLE SURVEY**

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PH: 317-848-0966

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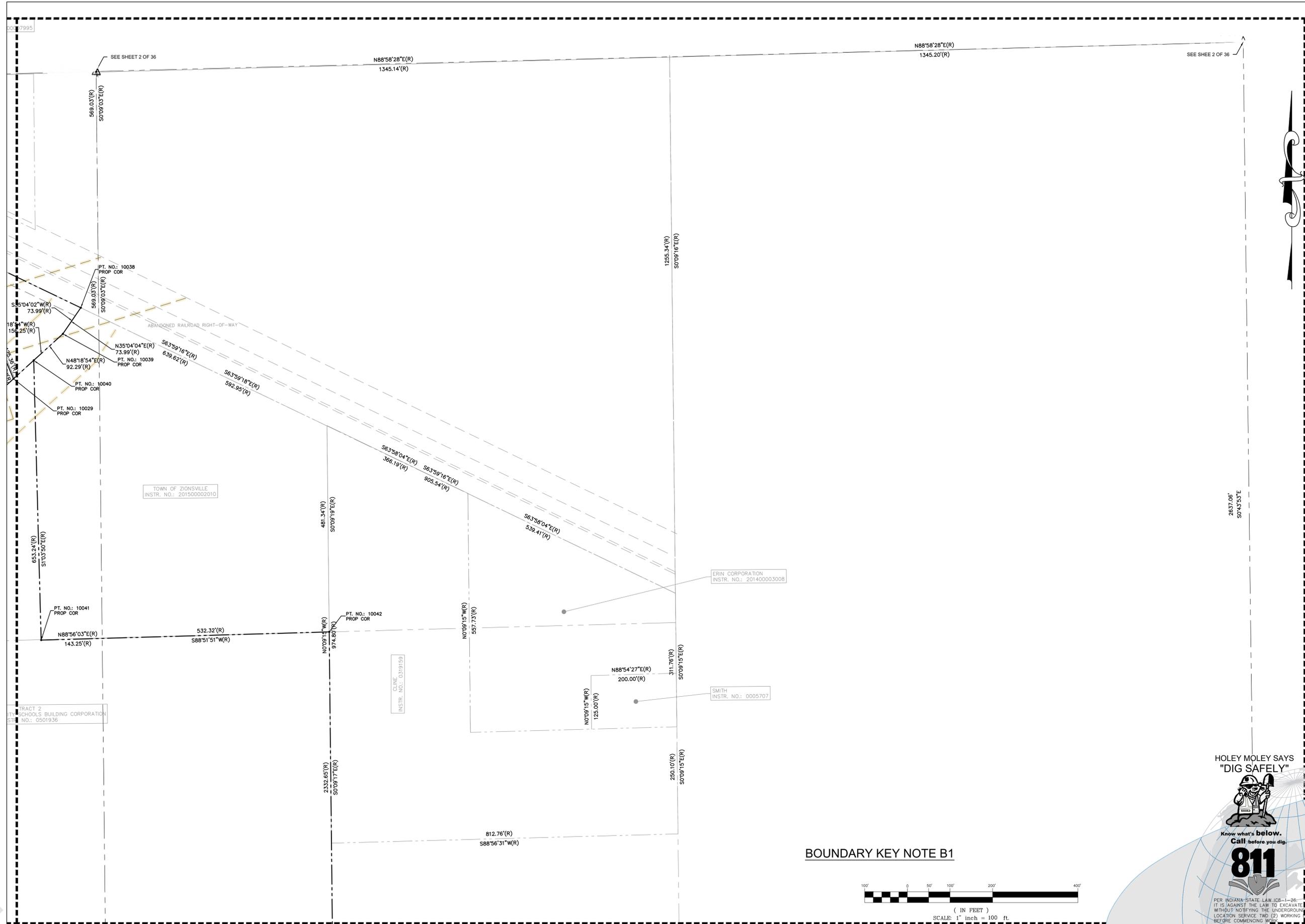
DRAWN: BAW CHECKED BY: MLD

SCALE: 1" = 300' DATE: 12-13-19

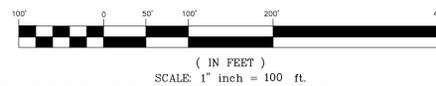
PROJECT NO.: 2019-0031

PLOT 24X36

PLOT 11X17



BOUNDARY KEY NOTE B1



HOLEY MOLEY SAYS "DIG SAFELY"



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BOONE COUNTY, IN  
Section 28, Twp. 18 North  
Rg. 2 East, 2nd P.M., Eagle Twp., Boone County, Indiana

ALTA/NSPS LAND TITLE SURVEY

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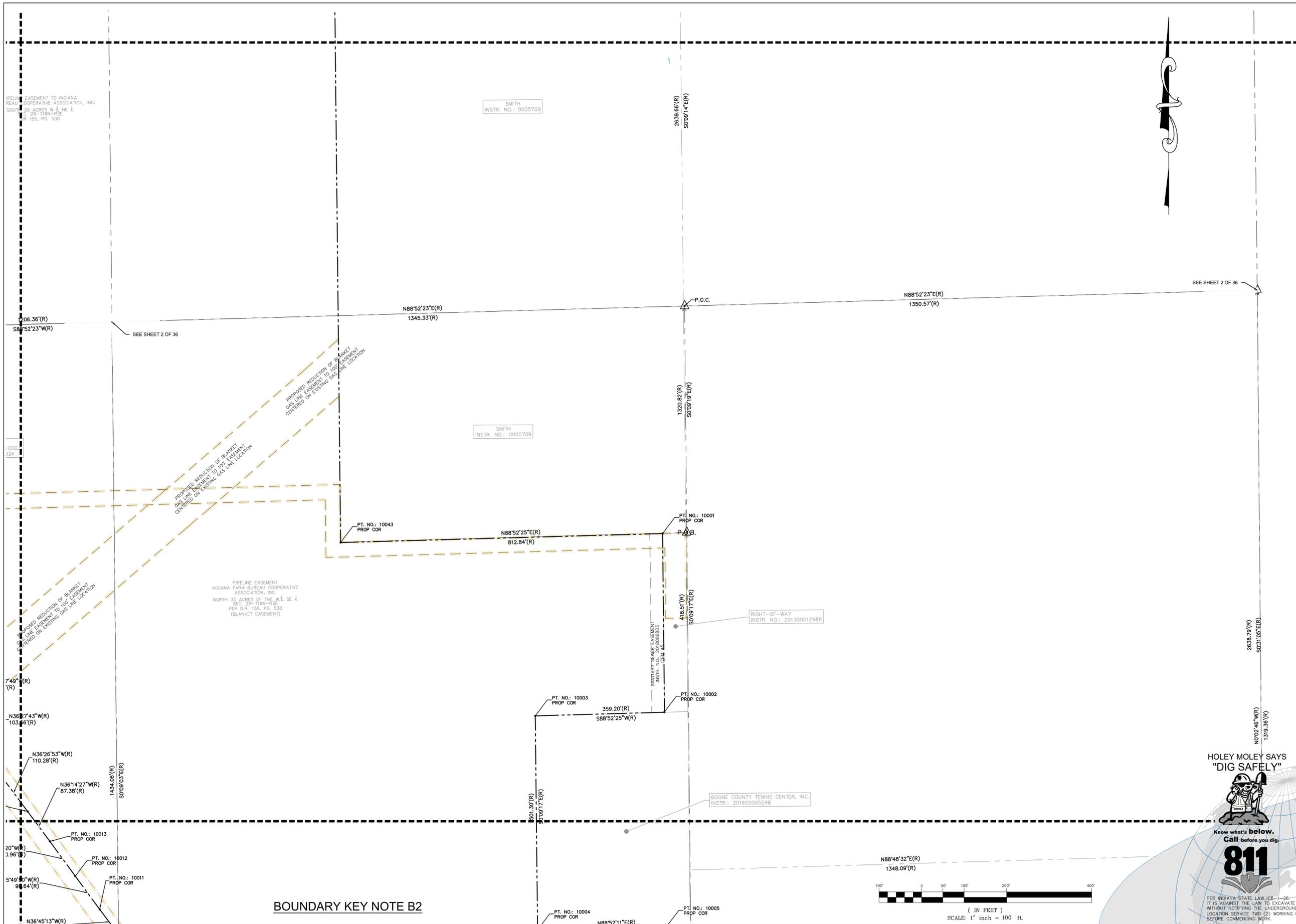
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SCALE: 1" = 100' DATE: 12-13-19  
PROJECT NO.: 2019-0031

4 OF 36

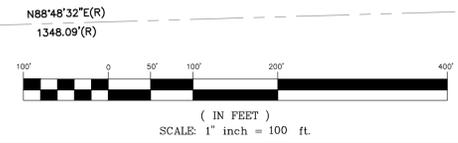
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PLOT 24X36

PLOT 11X17



BOUNDARY KEY NOTE B2



HOLEY MOLEY SAYS "DIG SAFELY"



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PREPARED BY:

DEBOY LAND DEVELOPMENT SERVICES  
**Designers-Engineers-Surveyors**  
 P.O. BOX 25, Noblesville, IN 46061  
 Phone: 317.770.1801 Toll Free: (888) 801-8655

STAMPED BY:

**ZIONSVILLE ATHLETIC COMPLEX, BOONE COUNTY, IN**  
 Section 28, Twp. 18 North  
 Rg. 2 East, 2nd P.M., Eagle Twp., Boone County, Indiana

**ALTANSPS LAND TITLE SURVEY**

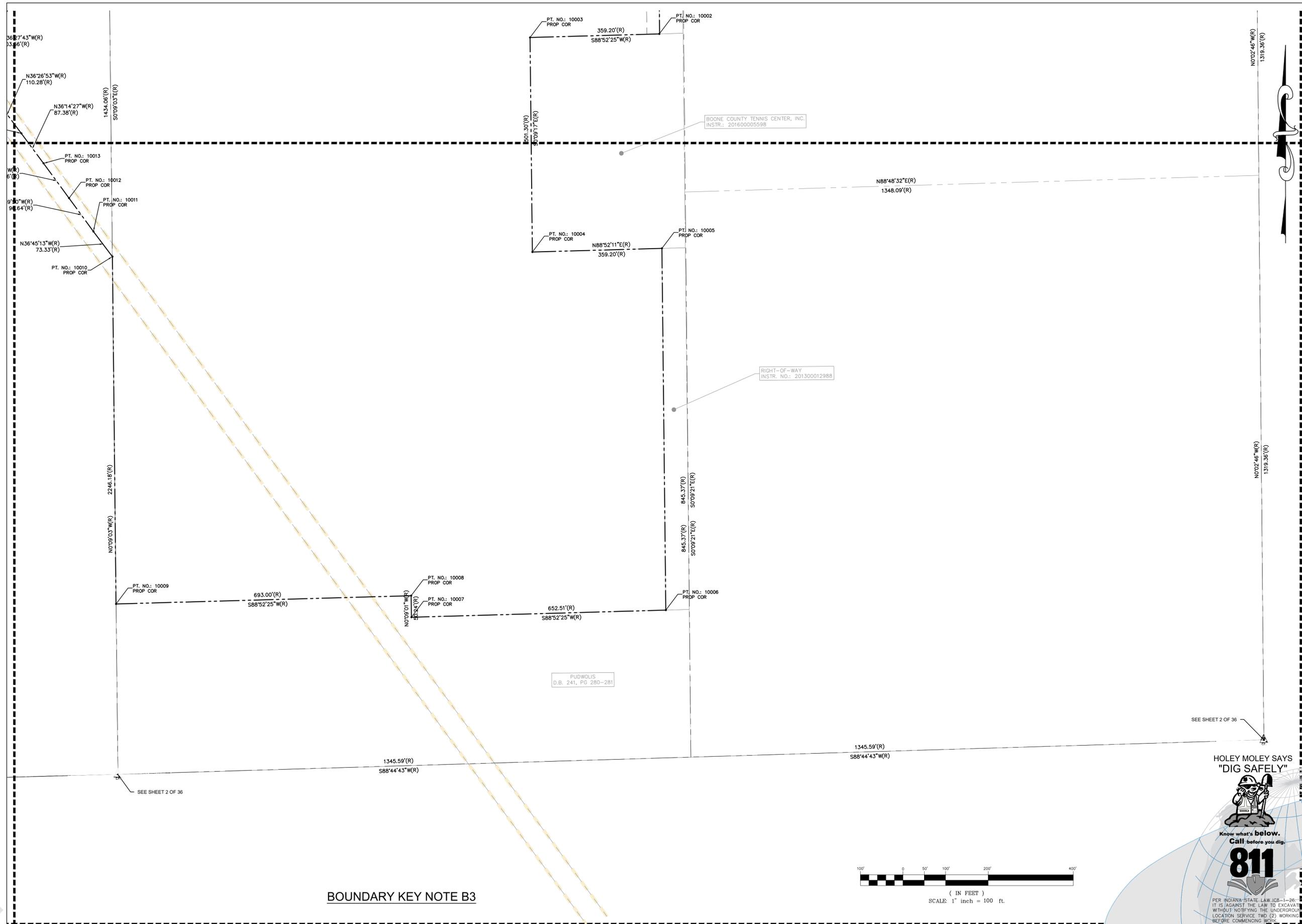
CLIENT NAME:	CHARLES TYLER FANNING HOWEY 350 EAST NEW YORK, SUITE 300 INDIANAPOLIS, IN 46204 PH: 317-848-0966
DESIGNED:	APPROVED: MLD
DRAWN: BAW	CHECKED BY: MLD
SCALE: 1" = 100'	DATE: 12-13-19
PROJECT NO.:	2019-0031

5 OF 36

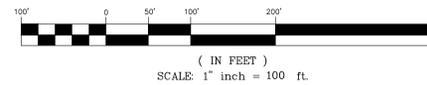
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PLOT 24X36

PLOT 11X17



BOUNDARY KEY NOTE B3



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 BOONE COUNTY, IN  
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ALTANSPS LAND TITLE SURVEY

CLIENT NAME: CHARLES TYLER FANNING HOWEY  
 350 EAST NEW YORK, SUITE 300  
 INDIANAPOLIS, IN 46204  
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DESIGNED: BAW APPROVED: MLD  
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 SCALE: 1" = 100' DATE: 12-13-19  
 PROJECT NO.: 2019-0031

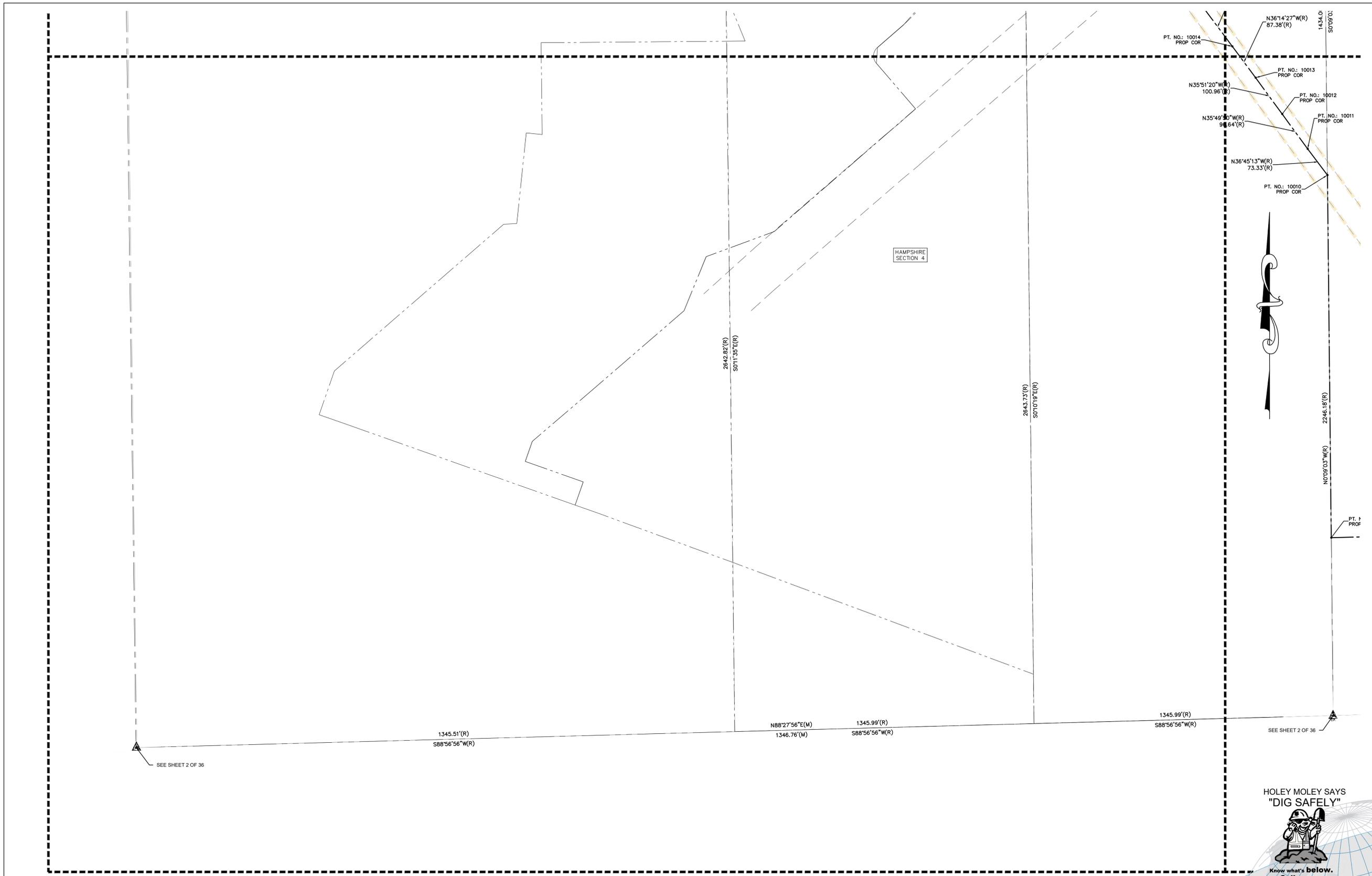
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PROJECT: C:\survey Design Aides\Projects\DLDS\2019\2019-0031 - Zionsville Athletic Fields - Fanning Howe\SURVEYING\DRAWINGS  
 DWG: 2019-0031SU-Field.dwg  
 PLOTTED BY: BRENT WHITE  
 DATE: Friday, May 1, 2020 11:53:04 AM

PLOT 24X36

PLOT 11X17



PREPARED BY:

**DLDS**  
DEBOY LAND DEVELOPMENT SERVICES  
**Designers-Engineers-Surveyors**  
P.O. BOX 25, Noblesville, IN 46061  
Phone: 317.770.1801 Toll Free: (888) 801-8555

STAMPED BY:

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BOONE COUNTY, IN**  
Section 28, Twp. 18 North  
Rg. 2 East, 2nd P.M., Eagle Twp., Boone County, Indiana

**ALTANSPS LAND TITLE SURVEY**

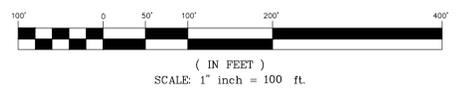
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350 EAST NEW YORK, SUITE 300  
INDIANAPOLIS, IN 46204  
PH: 317-848-0966

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SCALE: 1" = 100' DATE: 12-13-19

PROJECT NO.: 2019-0031

**7 OF 36**

BOUNDARY KEY NOTE B4



HOLEY MOLEY SAYS "DIG SAFELY"

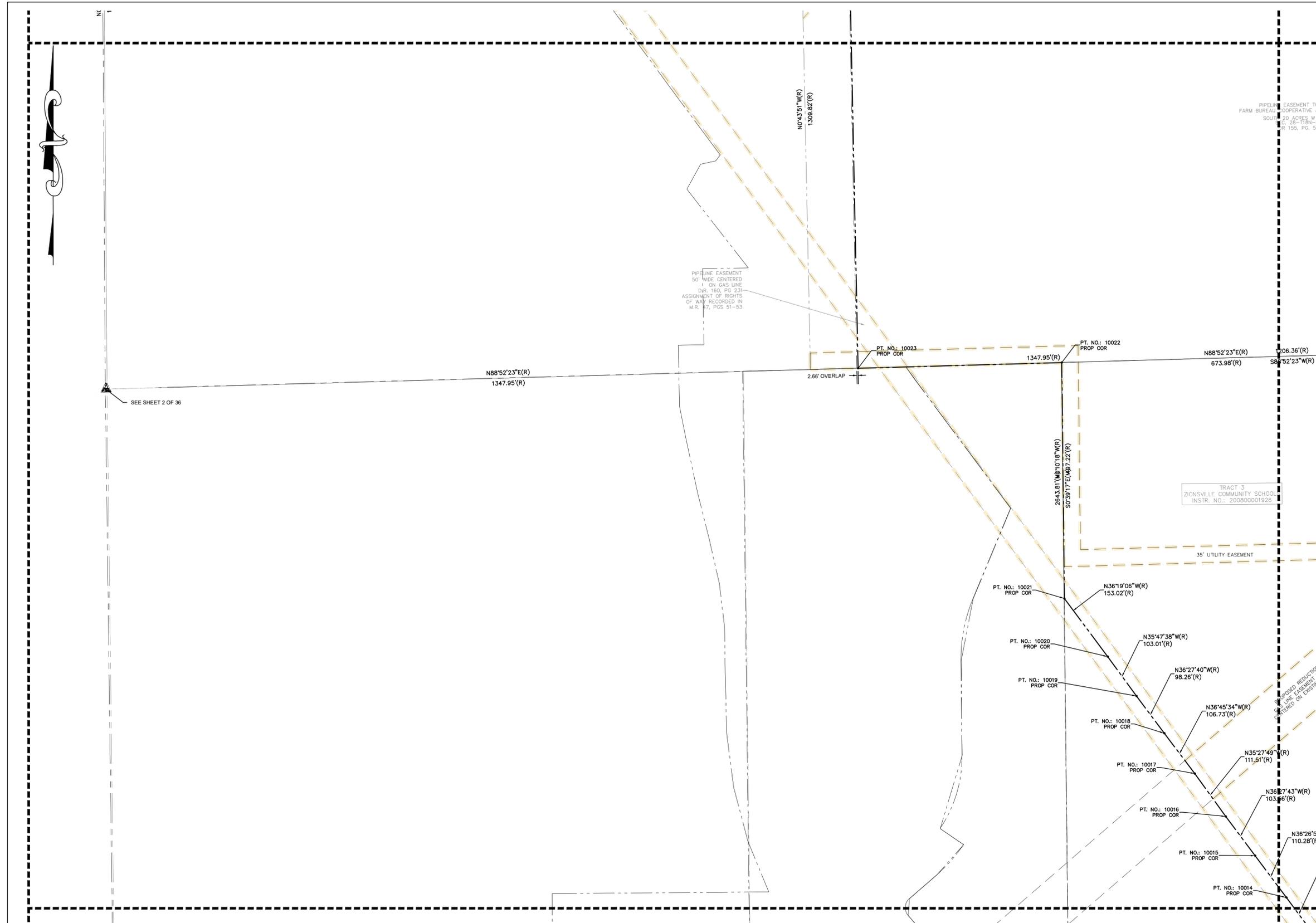


**811**

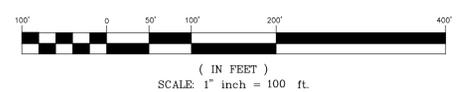
PER INDIANA STATE LAW IC8-1-26  
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PLOT 24X36

PLOT 11X17



BOUNDARY KEY NOTE B5



PIPELINE EASEMENT TO  
FARM BUREAU COOPERATIVE AS  
SOUTH 20 ACRES W 1/4  
E. 20-118N-42  
R. 15S, PG. 53C

PIPELINE EASEMENT  
50' WIDE CENTERED  
ON GAS LINE  
D.R. 160, PG. 231-  
ASSIGNMENT OF RIGHTS  
OF WAY RECORDED IN  
M.R. #2, PGS. 51-53

TRACT 3  
ZIONSVILLE COMMUNITY SCHOOL  
INSTR. NO.: 200800001926

35' UTILITY EASEMENT

PROPOSED REDUCTION OF  
EASEMENT TO  
BE SET ON EXISTING  
LINE

HOLEY MOLEY SAYS  
"DIG SAFELY"



**811**

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**DLDS**  
DEBOY LAND DEVELOPMENT SERVICES  
**Designers-Engineers-Surveyors**  
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PREPARED BY:  
MICHAEL L. DEBOY  
REGISTERED  
NO. 50539  
STATE OF INDIANA  
LAND SURVEYOR

ZIONSVILLE ATHLETIC COMPLEX,  
BOONE COUNTY, IN  
Section 28, Twp. 18 North  
Rg. 2 East, 2nd P.M., Eagle Twp., Boone County, Indiana

ALTA/NSPS LAND TITLE SURVEY

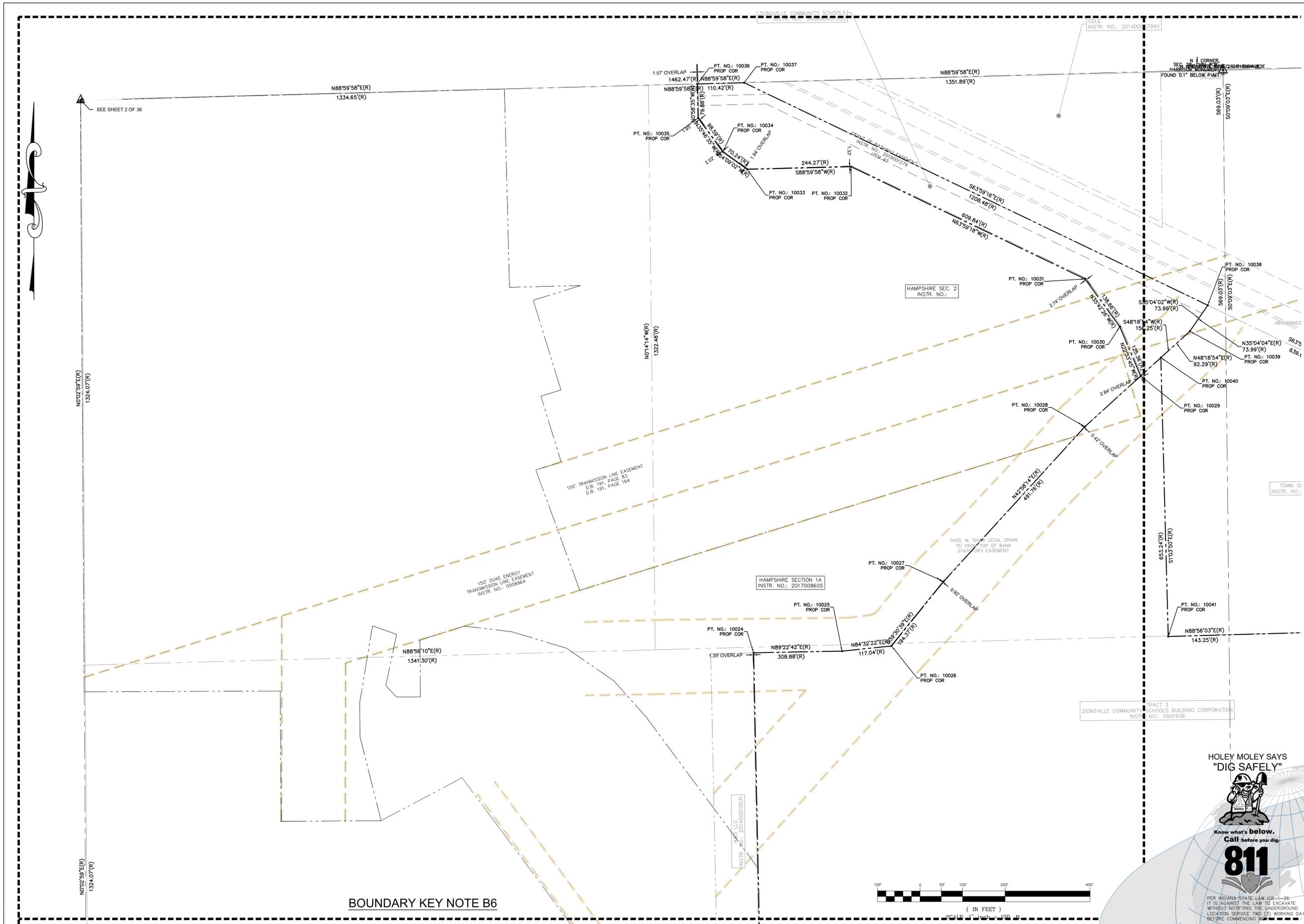
CLIENT NAME:  
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350 EAST NEW YORK, SUITE 300  
INDIANAPOLIS, IN 46204  
PH: 317-848-0966

DESIGNED: BAW APPROVED: MLD  
DRAWN: BAW CHECKED BY: MLD  
SCALE: 1" = 100' DATE: 12-13-19

PROJECT NO.: 2019-0031  
**8** OF **36**

PLOT 24X36

PLOT 11X17



BOUNDARY KEY NOTE B6



HOLEY MOLEY SAYS "DIG SAFELY"



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P.O. BOX 25, Noblesville, IN 46061  
Phone: 317.770.1801 Toll Free: (888) 801-8555

STAMPED BY:

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BOONE COUNTY, IN  
Section 28, Twp. 18 North  
Rg. 2 East, 2nd P.M., Eagle Twp., Boone County, Indiana

ALTA NSPS LAND TITLE SURVEY

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FANNING HOWEY  
350 EAST NEW YORK, SUITE 300  
INDIANAPOLIS, IN 46204  
PH: 317-848-0866

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PROJECT NO.: 2019-0031

9 OF 36

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TRACT 1:

Part of the Northwest Quarter of Section 28, Township 18 North, Range 2 East, Eagle Township, Boone County, Indiana, being more particularly described as follows:

COMMENCING at the Northwest corner of the said Northwest Quarter Section; thence North 88 degrees 59 minutes 58 seconds East (Bearing based upon Warranty Deed recorded as Instr. #9803609 in the office of the Recorder of Boone County, Indiana) along the North line of the said Northwest Quarter Section a distance of 1460.53 feet to the BEGINNING POINT; thence continue North 88 degrees 59 minutes 58 seconds East along the said North line a distance of 112.36 feet to the southwesterly right of way line of the abandoned C.C.C. & St. Louis Railroad; thence South 63 degrees 50 minutes 18 seconds East along the right of way line of said abandoned C.C.C. & St. Louis Railroad a distance of 1206.29 feet; thence South 35 degrees 04 minutes 02 seconds West a distance of 73.99 feet; thence South 48 degrees 18 minutes 54 seconds West a distance of 156.25 feet; thence North 22 degrees 33 minutes 45 seconds West a distance of 125.36 feet; thence North 35 degrees 42 minutes 46 seconds West a distance of 138.66 feet; thence North 63 degrees 59 minutes 16 seconds West, parallel with the right of way line of the abandoned C.C.C. & St. Louis Railroad, a distance of 609.84 feet; thence South 88 degrees 59 minutes 58 seconds West, parallel with the North line of the said Northwest Quarter Section, a distance of 244.27 feet; thence North 54 degrees 09 minutes 02 seconds West a distance of 70.24 feet; thence North 35 degrees 45 minutes 26 seconds West a distance of 98.59 feet; thence North 01 degrees 00 minutes 02 seconds West a distance of 78.88 feet to the BEGINNING POINT, containing 3.038 acres, more or less.

TRACT 2:

Part of Section 28, Township 18 North, Range 2 East, Eagle Township, Boone County, Indiana, being more particularly described as follows:

COMMENCING at the Northeast corner of the West Half of the Southeast Quarter of said Section 28; thence South 00 degrees 09 minutes 19 seconds East (Bearing based upon Warranty Deed recorded as Instr. #9803609 in the office of the Recorder of Boone County, Indiana) along the East line of the West Half of the said Southeast Quarter Section a distance of 530.24 feet to the BEGINNING POINT; thence continue South 00 degrees 09 minutes 19 seconds East along the said East line a distance of 418.51 feet to the Northeast corner of a 4.133 acre tract of land described as an exception in Deed Book 246 Page 919 in the office of said Recorder (the next 3 described courses being along the north, west and south lines of said 4.133 acre tract of land); thence South 88 degrees 52 minutes 23 seconds West, parallel with the North line of the said Southeast Quarter Section, a distance of 359.20 feet; thence South 00 degrees 09 minutes 19 seconds East, parallel with the said East line, a distance of 501.30 feet; thence North 88 degrees 52 minutes 23 seconds East, parallel with the said North line, a distance of 359.20 feet to the said East line; thence South 00 degrees 09 minutes 19 seconds East along the said East line a distance of 845.37 feet to the Southeast corner of a 35.867 acre tract of land described in Quitclaim Deed recorded in D. B. 246 Page 919 in said Recorder's office (the next 3 described courses being along the South line of said 35.867 acre tract of land); thence South 88 degrees 52 minutes 23 seconds West, parallel with the North line of the Southeast Quarter of said Section 28, a distance of 652.51 feet (calculated) 627 feet (deed) to the East line of a parcel of land as described in Executor's Deed recorded in D.B. 241 Pg. 280 in said Recorder's office; thence North 00 degrees 09 minutes 03 seconds West along the East line of said parcel of land and said East line extended Northerly a distance of 50.24 feet; thence South 88 degrees 52 minutes 23 seconds West, parallel with the North line of said Southeast Quarter Section, a distance of 693.00 feet to the West line of the West Half of the said Southeast Quarter Section; thence North 00 degrees 09 minutes 03 seconds West along the said West line a distance of 2245.18 feet to the Northeast corner of the Southwest Quarter of said Section 28; thence South 88 degrees 52 minutes 23 seconds West

along the North line of the said Southwest Quarter Section a distance of 1206.37 feet; thence North 00 degrees 43 minutes 53 seconds West a distance of 1310.81 feet; thence North 89 degrees 22 minutes 40 seconds East a distance of 308.88 feet; thence North 84 degrees 32 minutes 20 seconds East a distance of 117.04 feet; thence North 39 degrees 30 minutes 37 seconds East a distance of 194.37 feet; thence North 42 degrees 58 minutes 12 seconds East a distance of 491.76 feet; thence North 48 degrees 18 minutes 54 seconds East a distance of 333.14 feet; thence North 35 degrees 04 minutes 02 seconds East a distance of 73.99 feet to the South right of way line of the abandoned C.C.C. & St. Louis Railroad; thence South 63 degrees 59 minutes 18 seconds East along the said South right of way line a distance of 639.62 feet; thence South 00 degrees 09 minutes 19 seconds East, parallel with the East line of the West Half of the Northeast Quarter of said Section 28 a distance of 2332.65 feet; thence North 88 degrees 52 minutes 23 seconds East, parallel with the North line of the West Half of the Southeast Quarter of said Section 28 a distance of 812.84 feet to the BEGINNING POINT, containing 124.015 acres, more or less.

EXCEPTING THEREFROM that part set out in Dedication and Deed of Right of Way to the Town of Zionsville, Indiana, recorded November 13, 2013 as Instrument No. 201300012988, more particularly described as follows:

PROPOSED RIGHT-OF-WAY

Strips of land across part of the Southeast Quarter of Section 28, Township 18 North, Range 2 East of the Second Principal Meridian in Boone County, Indiana, and being that part of the grantor's land identified as Parcel 15 on the Location Control Survey recorded as Instrument #201300006845 and the attached Route Survey Plat, said strips being 55 feet in width lying west of and adjoining the following described lines:

COMMENCING at the South Quarter corner of said Section, said corner being Point #304 at Indiana State Plane West Zone (North American Datum of 1983, CORS 96) coordinate, 1,720,260.050 North and 3,170,090.690 East as shown on the attached Route Survey Plat; thence North 88 degrees 16 minutes 52 seconds East along the south line of said Quarter Section a distance of 1,345.61 feet to the southeast corner of the West Half of said Quarter Section; thence North 00 degrees 34 minutes 06 seconds West along the East line of said West Half a distance of 346.42 feet to the POINT OF BEGINNING, said point being a southeast corner of the grantor's land; thence continuing North 00 degrees 34 minutes 06 seconds West a distance of 845.35 feet to a northeast corner of the grantor's land and the TERMINUS, said point being hereinafter referred to as Point "A". The West line of said strip to be lengthened or shortened to intersect with the north and south lines of the grantor's land. Containing 1.067 acres, more or less.

ALSO,

COMMENCING at previously referred to Point "A"; thence North 00 degrees 34 minutes 06 seconds West along the east line of said West Half a distance of 501.30 feet to the POINT OF BEGINNING, said point being a southeast corner of the grantor's land; thence continuing North 00 degrees 34 minutes 06 seconds West a distance of 418.51 feet to a northeast corner of the grantor's land and the TERMINUS. The west line of said strip to be lengthened or shortened to intersect with the north and south lines of the grantor's land. Containing .528 acres, more or less.

ALSO EXCEPTING THEREFROM that part conveyed to H & S, LLC by General Warranty Deed recorded November 14, 2014 as Instrument No. 201400010031, more particularly described as follows:

Part of the Northwest Quarter of Section 28, Township 18 North, Range 2 East, Eagle Township, Boone County, Indiana, being more particularly described as follows:

Commencing at the Southwest corner of the said Northwest Quarter Section; thence North 88 degrees 52 minutes 23 seconds East (Bearing based upon Warranty Deed recorded as Instrument #9803609 in the Office of the Recorder of Boone County, Indiana) along the South line of the said Northwest Quarter Section a distance of 1489.54 feet to the Beginning Point; thence North 00 degrees 43 minutes 53 seconds West a distance of 1310.81 feet; thence North 89 degrees 22 minutes 40 seconds East a distance of 100.99 feet; thence South 00 degrees 43 minutes 53 seconds East a distance of 1309.92 feet to the South line of the said Northwest Quarter Section; thence South 88 degrees 52 minutes 23 seconds West along the said North line a distance of 100.99 feet to the Beginning Point, containing 3.038 acres, more or less.

ALSO, EXCEPTING THEREFROM that part conveyed to the Town of Zionsville, Indiana by Limited Warranty Deed recorded March 9, 2015 as Instrument No. 201500002010, more particularly described as follows:

A part of the North Half of Section 28, Township 18 North, Range 2 East of the Second Principal Meridian, Eagle Township, Boone County, Indiana, being more particularly described as follows:

Commencing at the Northwest corner of the Northwest Quarter of the Northeast Quarter of Section 28, Township 18 North, Range 2 East, also being the Northeast corner of the Northeast Quarter of the Northwest Quarter of said Section 28; thence on the West line of said Northwest Quarter of the Northeast Quarter, South 00 degrees 09 minutes 03 seconds East (assumed bearing), a distance of 569.03 feet to a point on the southerly right of way line C.C.C. & St. Louis Railroad (now abandoned), also being the North line of land described in General Warranty Deed conveyed to Zionsville Community Schools Building Corporation, and recorded as Instrument Number 0601936 in the Office of the Boone County Recorder, said point being the POINT OF BEGINNING of the herein described real estate; thence on said North line,

South 63 degrees 59 minutes 18 seconds East a distance of 592.95 feet to the Northeast corner of said Zionsville Community Schools Building Corporation; thence on the East line of said land, South 00 degrees 09 minutes 19 seconds East, a distance of 481.34 feet to a point on the South line of the Northwest Quarter of said Section 28; thence on said South line, South 88 degrees 51 minutes 51 seconds West, a distance of 532.32 feet to the Southeast corner of the Northeast Quarter of the Northwest Quarter of said Section 28; thence on the South line of said Quarter-Quarter, South 88 degrees 66 minutes 10 seconds West a distance of 143.25 feet; thence North, perpendicular to the last described course North 01 degree 03 minutes 50 seconds West a distance of 653.24 feet to a point on a northwesterly line of the aforesaid Zionsville Community Schools Building Corporation; thence on northwesterly and northeasterly lines of said Zionsville Community Schools Building Corporation the following three courses: 1) North 48 degrees 18 minutes 54 seconds East, a distance of 92.29 feet; 2) North 35 degrees 04 minutes 02 seconds East a distance of 73.99 feet to the Northwest corner of said Zionsville Community Schools Building Corporation; and 3) Southeasterly on said railroad right of way, South 63 degrees 59 minutes 18 seconds East, a distance of 46.67 feet to the Point of Beginning; Containing 10.000 acres, more or less.

TRACT 3:

Part of the East Half of the East half of the Southwest Quarter of Section 28, Township 18 North, Range 2 East of the 2nd Principal Meridian, in Eagle Township, Boone County, Indiana, described as follows:

Commencing at the Southeast corner of the Southeast Quarter of said Section 28 marked by a 5/8 inch rebar per Boone County surveyor reference ties; thence South 88 degrees 44 minutes 43 seconds West (assumed bearing) along the South line of said Quarter Section a distance of 2691.18 feet to the Southwest corner of said Quarter Section marked by a 10 inch wood fence post per Boone County Surveyor reference ties; thence North 00 degrees 09 minutes 03 seconds West along the West line of said Quarter Section a distance of 1210.57 feet to the POINT OF BEGINNING, also being the intersection of said West line and the centerline of a gas line; thence North 36 degrees 45 minutes 13 seconds West along the centerline of said gas line a distance of 73.33 feet, the following 10 courses are along said centerline: (1) North 35 degrees 49 minutes 50 seconds West a distance of 96.64 feet; (2) North 35 degrees 51 minutes 20 seconds West a distance of 100.96 feet; (3) North 36 degrees 14 minutes 27 seconds West a distance of 87.38 feet; (4) North 36 degrees 26 minutes 53 seconds West a distance of 110.28 feet; (5) North 36 degrees 27 minutes 43 seconds West a distance of 103.56 feet; (6) North 35 degrees 27 minutes 49 seconds West a distance of 111.51 feet; (7) North 36 degrees 45 minutes 34 seconds West a distance of 106.73 feet; (8) North 36 degrees 27 minutes 40 seconds West a distance of 98.26 feet; (9) North 35 degrees 47 minutes 38 seconds West a distance of 103.01 feet; (10) North 36 degrees 19 minutes 06 seconds West a distance of 153.02 feet to the West line of the East Half of the Southwest Quarter of said Section 28; thence North 00 degrees 10 minutes 18 seconds West along said West line a distance of 497.22 feet to the Northwest corner of said Half-Half Quarter Section; thence North 88 degrees 52 minutes 23 seconds East along the North line of said Half-Half Quarter Section a distance of 673.98 feet to the Northeast corner of said Half-Half Quarter Section; thence South 00 degrees 09 minutes 03 seconds East along the east line of said Quarter Section a distance of 1434.06 feet to the Point of Beginning. Containing 14.93 acres, more or less.

Schedule BII - Chicago Title Company, LLC Commitment Number: CTIN1905097 - Commitment Date: June 27, 2019.

16. Easement granted to the Boone County Rural Electric Membership Corporation, recorded August 31, 1937 in Miscellaneous Record 28, page 515.

17. Easement granted to the Boone County Rural Electric Membership Corporation, recorded January 5, 1939 in Miscellaneous Record 30, pages 154-155.

18. Right of Way Grants conveyed to Indiana Farm Bureau Cooperative Association, Inc., recorded December 12, 1952 in Deed Record 155, page 527; Deed Record 155, page 528; Deed Record 155, page 529 and Deed Record 155, page 530.

19. Right of Way Grants and Agreements conveyed to The Ohio Oil Company, recorded may 28, 1955 in Deed Record 160, page 231; and Deed Record 160, page 232.

Also, Right of Way Grant to The Ohio Oil Company, recorded June 10, 1955 in Deed Record 160, page 272; and Right of Way Grant to The Ohio Oil Company, recorded July 28, 1955 in Deed Record 160, page 437. Amended by Easement Amendment With Partial Release, recorded April 30, 2010 as Instrument No. 201000003776.

ALL ABOVE RIGHT OF WAYS ASSIGNED TO Marathon Pipe Line Company by Assignment of Rights of Way, recorded February 23, 1960 in Deed Record 47, pages 51-53.

20. Transmission Line Easements granted to Indianapolis Power & Light Company, recorded July 9, 1971 in Deed Record 191, pages 83-84.

21. Transmission Line Easements granted to Indianapolis Power & Light Company, recorded July 23, 1971 in Deed Record 191, pages 164-165.

22. Transmission Line Easements granted to Indianapolis Power & Light Company, recorded August 24, 1971 in Deed Record 191, pages 363-365. 23. Easement granted to Elizabeth Anne Kristianson-Roth, recorded October 3, 1988 in Deed Book 231, pages 974-975. (Does not affect the surveyed tract)

24. Utility Easement granted to Indiana Bell Telephone Company, Incorporated, recorded April 26, 1989 in Deed Book 233, pages 445-446.

25. Utility Easement granted to Indiana Bell Telephone Company, Incorporated, recorded May 17, 1989 in Deed Book 233, pages 658-659.

26. Right of Way Easement granted to the County of Boone, Indiana, recorded February 26, 1997 as Instrument No. 9701672. (Does not affect the surveyed tract)

27. Terms and provisions of a Memorandum of Option by and between E. Brent Smith, Tricia K. Smith and E. Brent Smith, as Trustee of the Thelma S. Smith Revocable Trust dated April 30, 1993 and BRENWICK ASSOCIATES, LLC, recorded January 16, 2004 as Instrument No. 04000646.

28. Terms and provisions of a Severance Agreement by and between E. Brent Smith and Tricia K. Smith and Farm Credit Services of Mid America PCA, recorded January 16, 2001 as Instrument No. 0100450.

29. Easement granted to Farm Credit Services of Mid America PCA, recorded January 16, 2001 as Instrument No. 0100451.

30. Terms and provisions of Ordinance No. 2003-18 of the Town of Zionsville, Indiana, recorded January 21, 2004 as Instrument No. 04000840.

31. Terms, provisions and easement set out in Grant of Easement to PSI Energy, Inc., recorded September 30, 2005 as Instrument No. 0511708.

32. Terms, provisions and easement set out Limitation and Definition of Easement granted to Indiana Farm Bureau Cooperative Association, Inc., recorded August 21, 2007 as Instrument No. 200700003726. (Does not affect the surveyed tract)

33. Terms and provisions of Ordinance No. 2008-13 of the Town of Zionsville, Indiana, recorded September 15, 2008 as Instrument No. 200800008880.

34. Terms and provisions of Ordinance No. 2008-16 of the Town of Zionsville, Indiana, recorded November 17, 2008 as Instrument No. 200800010770.

35. Terms, provisions and easement set out in Water Line Easement Agreement by and between Kanis Limited Partnership and Zionsville Community Schools Building Corporation, recorded August 19, 2009 as Instrument No. 200900009070.

Amended by Amendment to Water Line Easement Agreement, recorded May 27, 2016 as Instrument No. 201600004621.

36. Terms, provisions and easement set out in Electric Line Easement granted to Indianapolis Power & Light Company, recorded November 2, 2011 as Instrument No. 201100009637.

37. Terms, provisions and easement set out in Easement Agreement by and between Zionsville Community Schools Building Corporation and H&S, LLC, recorded September 12, 2013 as Instrument No. 201300010764.

38. Terms and provisions set out in Owner Acknowledgement Agreement Stormwater Best Management Practice(s) by Zionsville Community Schools, recorded April 29, 2014 as Instrument No. 201400003387. (Does not affect the surveyed tract)

39. Terms, provisions and easement set out in Easement Agreement by and between Zionsville Community Schools Building Corporation and H&S, LLC, recorded November 14, 2014 as Instrument No. 201400010032.

40. Terms and provisions set out in Owner Acknowledgement Agreement Stormwater Best Management Practice(s) by Zionsville Community Schools, recorded November 24, 2014 as Instrument No. 201400010387. (Does not affect the surveyed tract)

41. Terms, provisions and easement set out in Grant of Easement to the Department of Public Utilities for the City of Indianapolis dba Citizens Water, recorded December 10, 2014 as Instrument No. 201400010894.

42. Terms, provisions and easement set out in Grant of Easement to the Department of Public Utilities for the City of Indianapolis dba Citizens Water, recorded December 10, 2014 as Instrument No. 201400010895.

43. Terms and provisions set out in Memorandum of Agreement by and among Zionsville Community Schools Building Corporation; Zionsville Community School Corporation; and the Town of Zionsville, Indiana, recorded March 9, 2015 as Instrument No. 201500002014 and re-recorded March 16, 2015 as Instrument No. 201500002303.

44. Terms and provisions of an Option and Ground Lease Agreement dated June 1, 2018 by and between Zionsville Community Schools Building Corporation (Lessor) and Crown Castle Towers 06-2 LLC (Lessee) as evidenced by a Memorandum of Option and Ground Lease Agreement, recorded July 16, 2018 as Instrument No. 2018006253, and terms and provisions set out in the "Memorandum".

45. Terms, provisions and easement set out in Grant of Easement to the Town of Zionsville, Indiana, recorded July 31, 2018 as Instrument No. 2018006803.

46. Terms, provisions and easement set out in Sewer Line Asset Transfer Agreement by and between the Town of Zionsville, Indiana and Zionsville Community Schools Building Corporation, recorded July 31, 2018 as Instrument No. 2018006804.

47. Terms, provisions and easement set out in Grant of Pathway Easement to the Town of Zionsville, Indiana, and recorded February 15, 2019 as Instrument No. 2019001279.

To: Zionsville Community Schools, Zionsville Community Schools Building Corporation and Chicago Title Insurance Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 6a, 6b, 7a, 7b, 8, 9, 10, 12, 13, 16, 17, 18 and 19 of Table A thereof. The fieldwork was completed on October 13, 2019.

Minimum Standards Detail Requirements for ALTA/NSPS Land Title Surveys - Table A:

- Item 1 - Completed
Item 2 - Completed
Item 3 - Completed
Item 4 - Completed
Item 5 - Completed
Items 6a and 6b - No report provided
Items 7a and 7b - Completed
Item 8 - Completed
Item 9 - Completed
Item 10 - Not Applicable
Item 12 - Completed
Item 13 - Completed
Item 16 - Completed
Item 17 - Completed
Item 18 - No markers found
Item 19 - Completed

Date of Plat or Map: December 16, 2019

Michael L. DeBoy, Indiana PS #50539

SURVEYOR'S REPORT

In accordance with the revised Rule 12 (effective June 3, 2006), IAC 865 of the Indiana Administrative Code establishing minimum standards for the practice of land surveying in Indiana, the following observations are submitted regarding the uncertainties in the location of the boundary lines and corners set or found on the survey hereunder-described tract completed under my direction on November 21, 2019 as a result of:

- a) variances in the referenced monument;
b) discrepancies in record descriptions and plats; to survey lines;
c) inconsistencies in lines of occupation as related to survey lines;
d) uncertainty of measurements made

The perimeter of the surveyed tract is based upon a traverse of the section found within the records of the Boone County Surveyor's records. Said corners were Harrison monuments (except where noted) found at the survey. The variances in said monuments, used in conjunction with the Indiana State Plane coordinates provided by said Office, are 0.2' +/-.

It should be noted that numerous tracts (Including the record tract for the surveyed parcel and some of its ad joiners) was created from a survey performed by Schneider Corporation dated January 25, 2005 (Project No. 4196.1). Although the east line of Section 28 -T18N-R2R as located by Schneider and the Boone County Surveyor match and appear to be the same location, the remaining five (5) corners of Section 28 (The south, southwest, west, northwest and north quarter corners) were re-established by the Boone County Surveyor's Office by excavating these corners to find the stones that had marked the location of the posts of the original survey. While the survey performed by Schneider is correct and valid, the work perform by the Boone County Surveyor is valid as well, but creates issues with potential overlaps and or gaps between descriptions / deeds prepared using the Schneider survey and descriptions / deeds that use the current section corners. It should be noted that the variances in these five (5) corners range from 3.2' north-south and 1.9' east-west. It was determined by this surveyor that the Schneider survey should be used wherever possible to follow the intent of the original survey but must be adjusted to fit the controlling calls created by the record descriptions of the surveyed tract and its ad joiners.

The Relative Positional Accuracy (due to random errors in measurement) of this survey is within that allowable for an Urban Survey (0.07 feet plus 50 ppm) as defined in IAC 865.

GENERAL NOTES:

- This survey is subject to review of Chicago Title Company, LLC. Commitment Number: CTIN1905097 - Commitment Date: June 27, 2019.
Table A - Item 3 - Per Federal Emergency Flood Map Panel No. 18011C0335E dated 1/18/2012, the surveyed site is located with an area of minimal flood hazard area (Zone X).
Table A - Item 16 - No observed evidence of recent earthmoving, building construction of building additions observed in the process of conducting the fieldwork.
Table A - Item 17 - No observed evidence of recent sidewalk or street construction or repair observed.
Table A - Item 18 - No observed evidence of recent sidewalk or street construction or repair observed.
Possession lines are referenced at monumented corners only, unless shown otherwise. Possession lines may vary between said corners.
No warranty, either expressed or implied, is made as to the accuracy and/or completeness of information provided by governmental authorities and/or third parties, or as to its fitness for any particular purpose or use, including but not limited to information presented on zoning, setback requirements, flood hazard zones and wetlands area(s). In no event will DeBoy Land Development Services, Inc., its employees, agents, and/or assigns, be liable for any damages arising out of the furnishing and/or use of such information.

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.

Michael L. DeBoy, Indiana PS #50539

Table with 2 columns: PROPERTY PT. NO. and DESCRIPTION SET/FOUND. Lists property numbers 10001 through 10043 and their corresponding descriptions.



DLDS DEBOY LAND DEVELOPMENT SERVICES logo and contact information for Designers-Engineers-Surveyors.

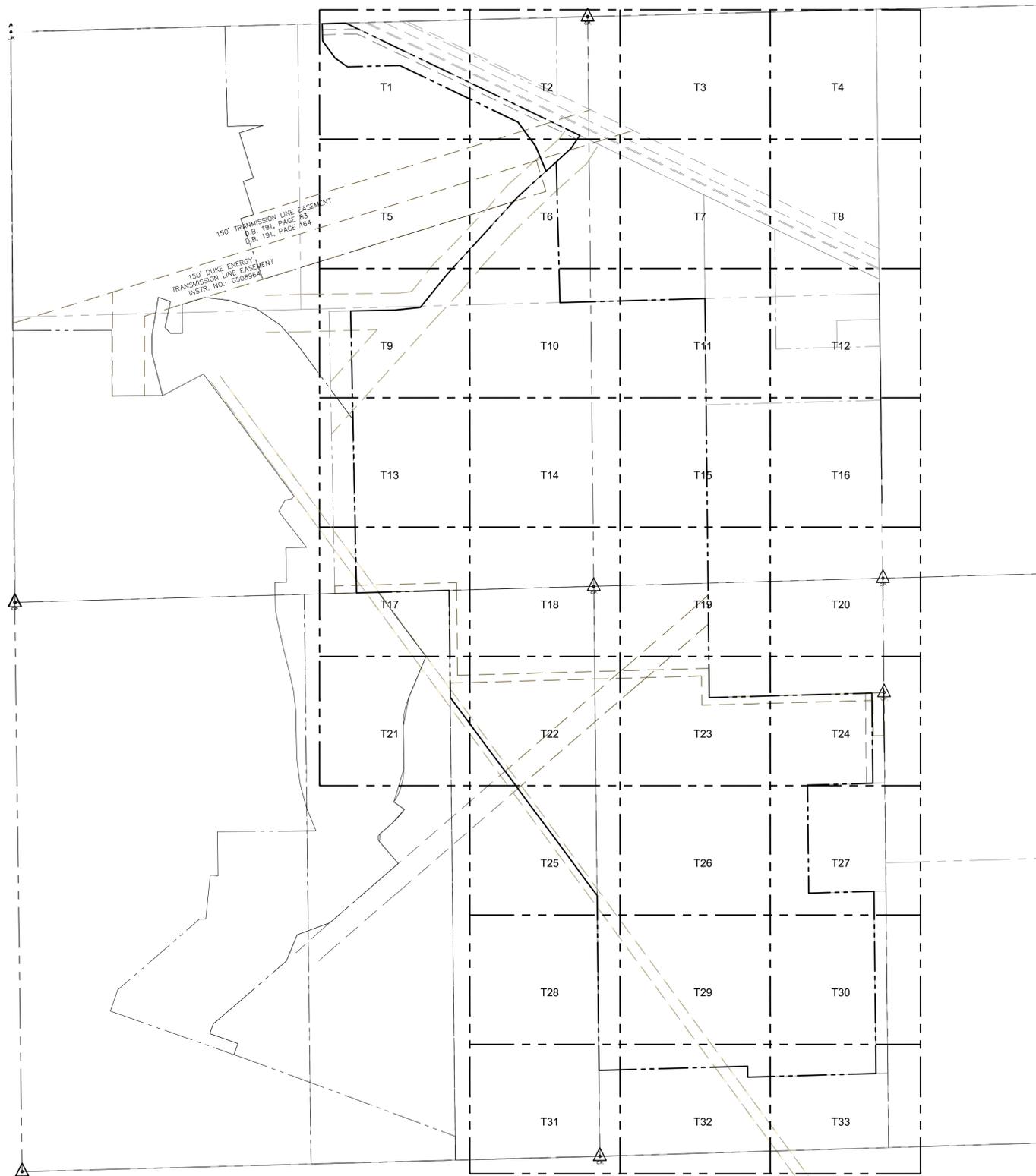


ZIONSVILLE ATHLETIC COMPLEX, BOONE COUNTY, IN. Section 28, Twp. 18 North, Rg. 2 East, 2nd P.M., Eagle Twp., Boone County, Indiana. ALTA/NSPS LAND TITLE SURVEY.

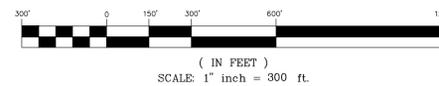
HOLEY MOLEY SAYS "DIG SAFELY"



Table with client information: CLIENT NAME (CHARLES TYLER FANNING HOWEY), DESIGNED (BAW), APPROVED (MLD), DRAWN (BAW), CHECKED BY (MLD), SCALE (NTS), DATE (12-13-19), PROJECT NO. (2019-0031).



KEYMAP FOR TOPOGRAPHY



HOLEY MOLEY SAYS  
"DIG SAFELY"



Know what's below.  
Call before you dig.

**811**

PER INDIANA STATE LAW IC8-1-26,  
IT IS AGAINST THE LAW TO EXCAVATE  
WITHOUT NOTIFYING THE UNDERGROUND  
LOCATION SERVICE TWO (2) WORKING DAYS  
BEFORE COMMENCING WORK.

PREPARED BY:

**DLDS**  
DEBOY LAND DEVELOPMENT SERVICES  
**Designers-Engineers-Surveyors**  
P.O. BOX 25, Noblesville, IN 46061  
Phone: 317.770.1801 Toll Free: (888) 801-8555

STAMPED BY:

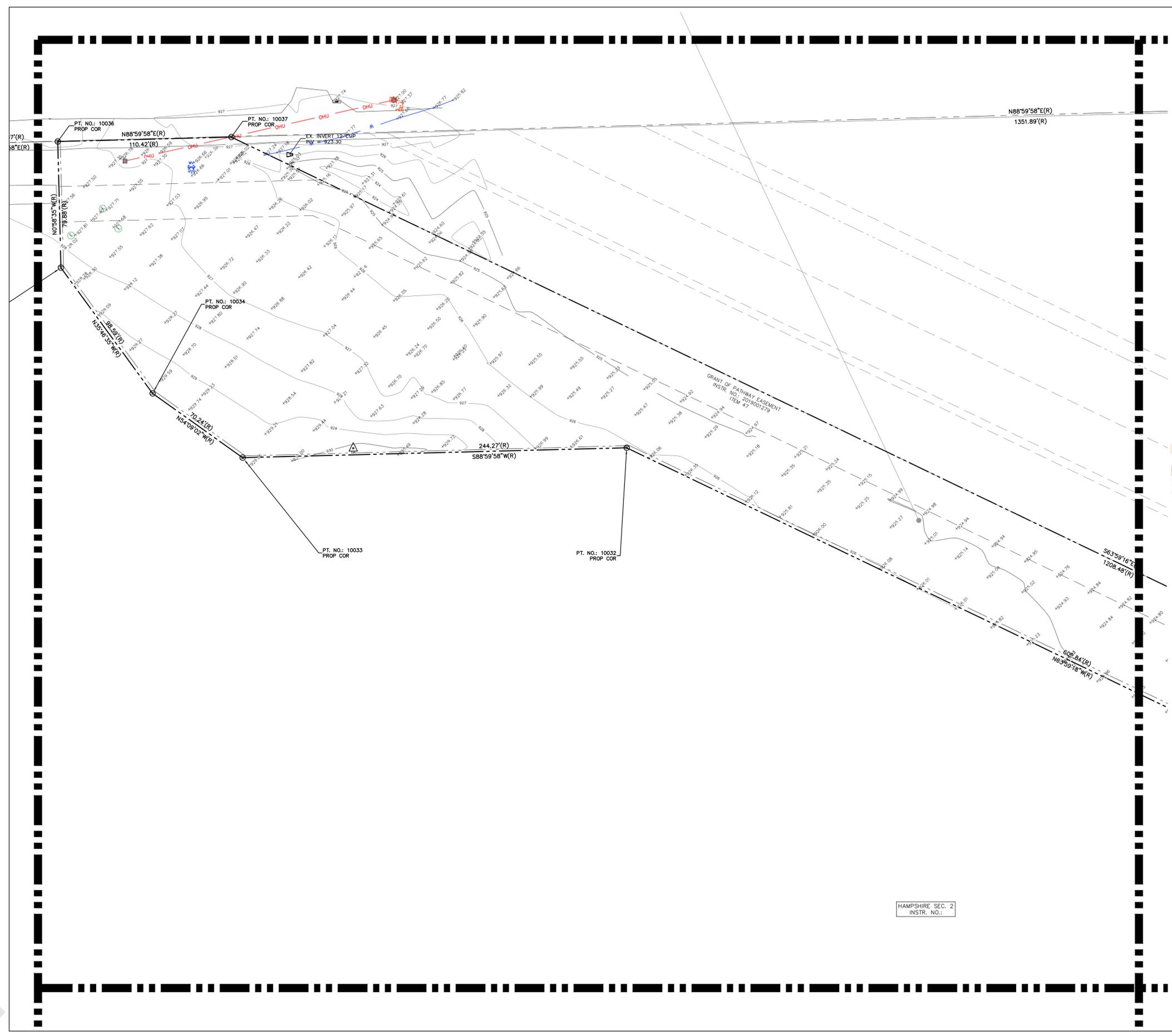
**ZIONSVILLE ATHLETIC COMPLEX,  
BOONE COUNTY, IN**  
Section 28, Twp. 18 North  
Rg. 2 East, 2nd P.M., Eagle Twp., Boone County, Indiana

**ALTANSPS LAND TITLE SURVEY**

CLIENT NAME:	CHARLES TYLER FANNING HOWEY 350 EAST NEW YORK, SUITE 300 INDIANAPOLIS, IN 46204 PH: 317-848-0966
DESIGNED:	APPROVED: MLD
DRAWN: BAW	CHECKED BY: MLD
SCALE: 1" = 300'	DATE: 12-13-19
PROJECT NO.:	2019-0031

PLOT 24X36

PLOT 11X17



### ABBREVIATIONS AND EXISTING LEGEND

	SPOT ELEVATION		FIBER OPTICS
	CONTOUR (MAJOR)		GAS
	CONTOUR (MINOR)		ELECTRIC
	CONCRETE BUMPER		TELEPHONE
	PAY TELEPHONE		WATER
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	GUY ANCHOR		STORM SEWER
	CAT TAILS		COMBINED SEWER
	STUMP		UNDERGROUND
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	BUSH		SANITARY M.H.
	FENCE		CLEAN OUT
	SIGN		CURB INLET
	TRAFFIC SIGNAL POLE		

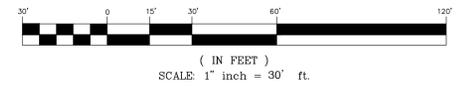
### NOTES

D = DEED M = MEASURED/CALCULATED SP = STATE PLANE BEARING P = PLATTED  
 CSR = COUNTY SURVEYOR RECORDS  
 IPS = 5/8\"/>

- EASEMENT AREA OUTLINE
- BOUNDARY / PARCEL OUTLINE
- EXISTING BUILDING INSIDE BOUNDARY / PARCEL
- EXISTING PAVEMENT INSIDE BOUNDARY / PARCEL
- EXISTING CONCRETE INSIDE BOUNDARY / PARCEL

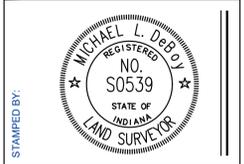
### SITE CONTROL AND BENCHMARK

HORIZONTAL AND VERTICAL CONTROL BASED ON INDOT INCORS SYSTEM, INCORPORATES VERTICAL DATUM NGVD88.



### TOPOGRAPHY KEY NOTE T1

**DLDS**  
 DEBOY LAND DEVELOPMENT SERVICES  
**Designers-Engineers-Surveyors**  
 P.O. BOX 25, Noblesville, IN 46061  
 Phone: 317.770.1801 Toll Free: (888) 801-8655



**ZIONSVILLE ATHLETIC COMPLEX,  
 BOONE COUNTY, IN**  
 Section 28, Twp. 18 North  
 Rg. 2 East, 2nd P.M., Eagle Twp., Boone County, Indiana

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DESIGNED:	APPROVED: MLD
DRAWN: BAW	CHECKED BY: MLD
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PROJECT NO.:	2019-0031

HOLEY MOLEY SAYS  
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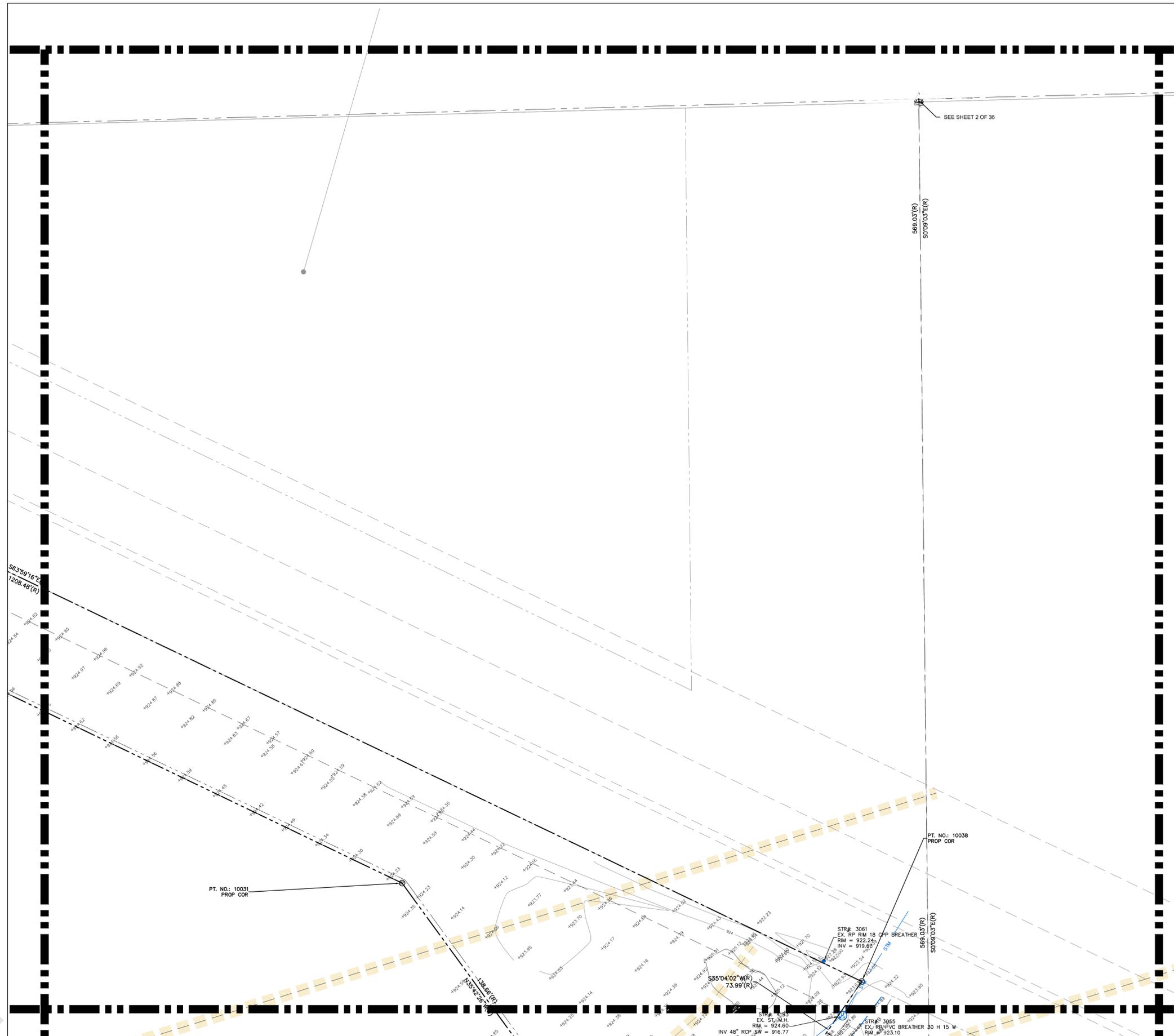
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**811**

PER INDIANA STATE LAW IC8-1-26  
 IT IS AGAINST THE LAW TO EXCAVATE  
 WITHOUT NOTIFYING THE UNDERGROUND  
 LOCATION SERVICE TWO (2) WORKING DAYS  
 BEFORE COMMENCING WORK.

PLOT 24X36

PLOT 11X17



ABBREVIATIONS AND EXISTING LEGEND

	SPOT ELEVATION		FIBER OPTICS
	CONTOUR (MAJOR)		GAS
	CONTOUR (MINOR)		ELECTRIC
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	EVERGREEN TREE		COMBINATION M.H.
	BUSH		SANITARY M.H.
	FENCE		CLEAN OUT
	SIGN		CURB INLET
	TRAFFIC SIGNAL POLE		ROUND INLET (24" TYP)
	TRAFFIC SIGNAL M.H.		SQUARE INLET (24" TYP)
	DOOR		DRAINAGE M.H.
	FLAG POLE		END SECTION
	UTILITY POLE		GAS/WATER METER
	PLAY GROUND EQUIP		TELE/CABLE/ELEC PEDESTAL
	BORE		IRRIGATION/ELEC BOX
	MAIL BOX		AIR CONDITIONER
	SPROCKET		ELECTRIC TRANSFORMER
	IRON PIN		AREA LIGHT / LIGHT BOLLARD
	TEST PIT		GAS/WATER VALVE
	BENCHMARK ELEV		PIV/FIRE HYDRANT/FDC
	DRILL HOLE		DRAIN/DOWN SPOUT
	PROPERTY CORNER		FO/ELEC/TELE/GAS MARKER
	SURVEY CONTROL POINT		WELL LID
	ROUND METAL LID		WATER SHUT OFF LID
	MONITOR WELL LID		
	SQUARE METAL LID		

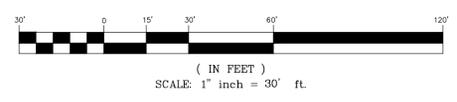
NOTES

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 CSR - COUNTY SURVEYOR RECORDS  
 IPS - 5/8" DIAMETER WITH PLASTIC CAP STAMPED "DLDS 0664" SET IPF - IRON PIN FOUND  
 NSF - NOTHING SET OR FOUND  
 MNS - MAG NAIL SET FLUSH MNF - MAG NAIL FOUND  
 R/W MONUMENT FOUND - 0.4' SQUARE CONCRETE MONUMENT FOUND 0.3' BELOW SURFACE.  
 (\*) - CALLS NOT ADJUSTED OR ROTATED TO MATCH PARENT SURVEYED TRACT. SHOWN PER DEED.

- EASEMENT AREA OUTLINE
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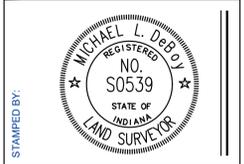
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TOPOGRAPHY KEY NOTE T2

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**ZIONSVILLE ATHLETIC COMPLEX, BOONE COUNTY, IN**  
 Section 28, Twp. 18 North  
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**ALTANSPS LAND TITLE SURVEY**

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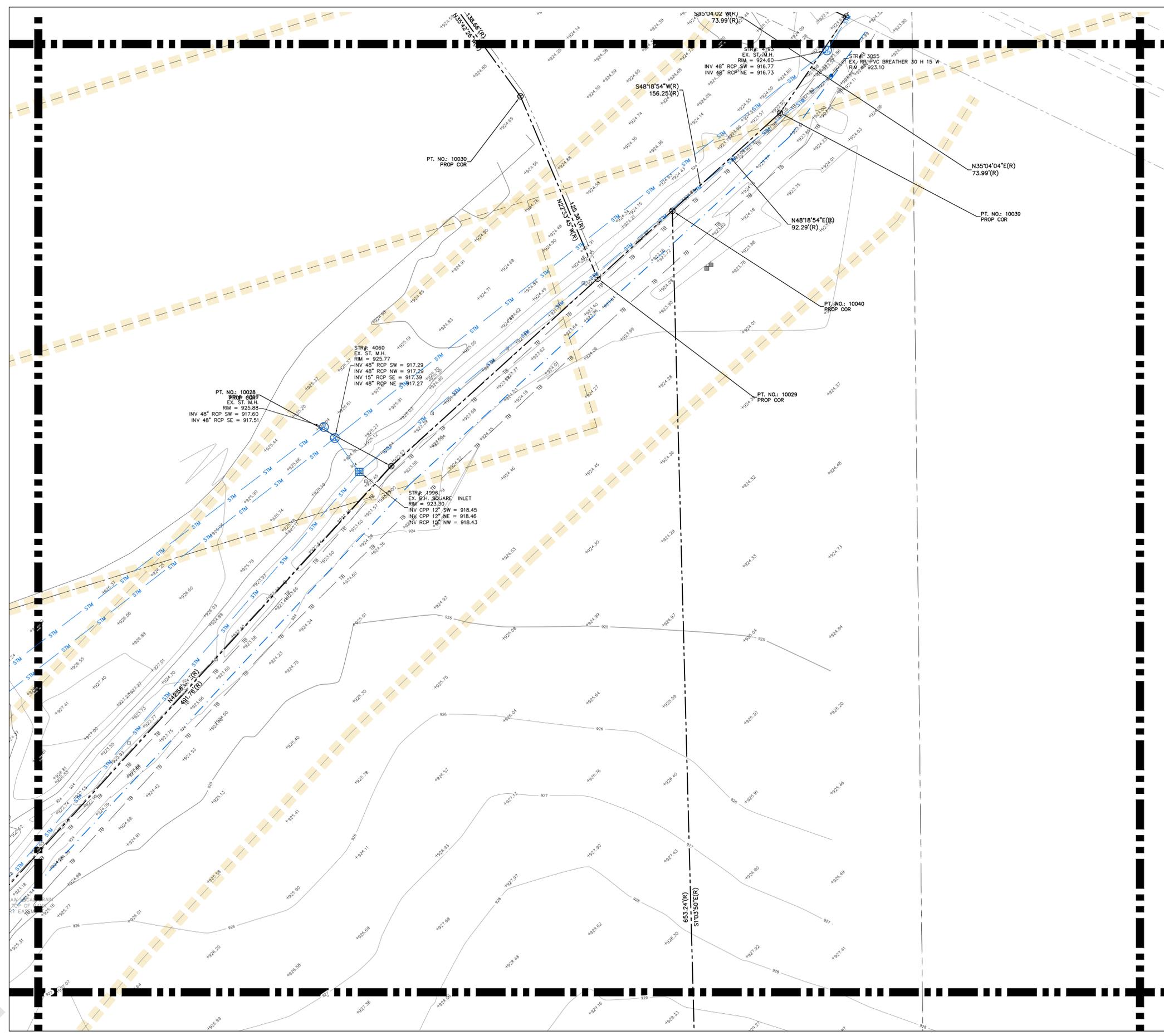
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DESIGNED:	APPROVED: MLD
DRAWN: BAW	CHECKED BY: MLD
SCALE: 1" = 30'	DATE: 12-13-19
PROJECT NO.:	2019-0031

THIS DRAWING AND THE IDEAS, DESIGNS AND CONCEPTS CONTAINED HEREIN ARE THE EXCLUSIVE INTELLECTUAL PROPERTY OF DEBOY LAND DEVELOPMENT SERVICE, INC., AND ARE NOT TO BE USED OR REPRODUCED IN WHOLE OR IN PART, WITHOUT THE WRITTEN CONSENT OF DEBOY LAND DEVELOPMENT SERVICES, INC.

PLOT 24X36

PLOT 11X17



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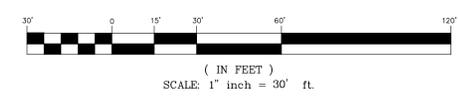
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 (\*) - CALLS NOT ADJUSTED OR ROTATED TO MATCH PARENT SURVEYED TRACT, SHOWN PER DEED.

- EASEMENT AREA OUTLINE
- BOUNDARY / PARCEL OUTLINE
- EXISTING BUILDING INSIDE BOUNDARY / PARCEL
- EXISTING PAVEMENT INSIDE BOUNDARY / PARCEL
- EXISTING CONCRETE INSIDE BOUNDARY / PARCEL

### SITE CONTROL AND BENCHMARK

HORIZONTAL AND VERTICAL CONTROL BASED ON INDOT INCORS SYSTEM, INCORPORATES VERTICAL DATUM NGVD88.



### TOPOGRAPHY KEY NOTE T6

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**Designers-Engineers-Surveyors**  
 P.O. BOX 25, Noblesville, IN 46061  
 Phone: 317.770.1801 Toll Free: (888) 801-8555



**ZIONSVILLE ATHLETIC COMPLEX,  
 BOONE COUNTY, IN**  
 Section 28, Twp. 18 North  
 Rg. 2 East, 2nd P.M., Eagle Twp., Boone County, Indiana  
**ALTANSPS LAND TITLE SURVEY**

HOLEY MOLEY SAYS  
 "DIG SAFELY"



Know what's below.  
 Call before you dig.

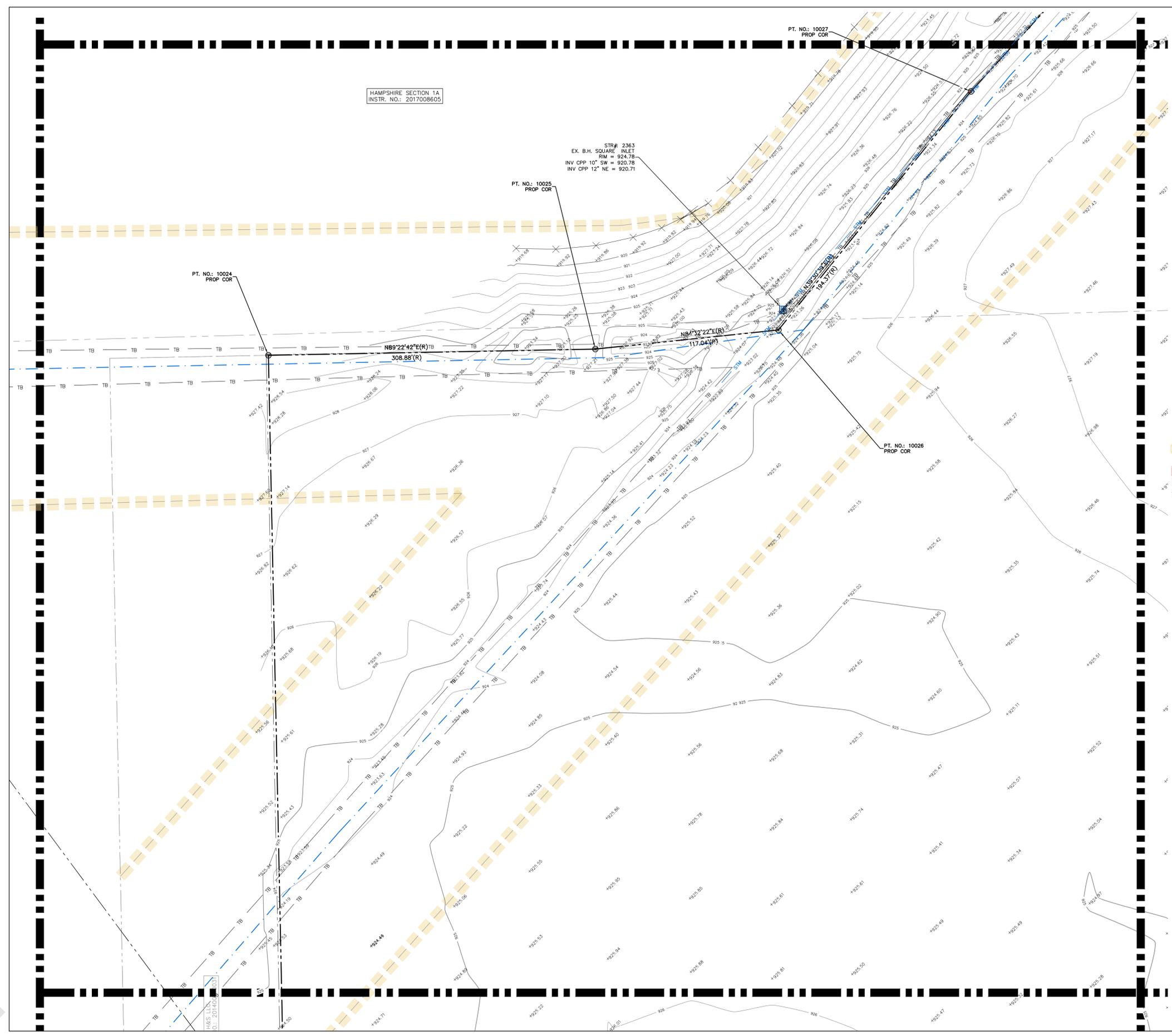
**811**

PER INDIANA STATE LAW, IC8-1-26  
 IT IS AGAINST THE LAW TO EXCAVATE  
 WITHOUT NOTIFYING THE UNDERGROUND  
 LOCATION SERVICE TWO (2) WORKING DAYS  
 BEFORE COMMENCING WORK.

CLIENT NAME:	CHARLES TYLER FANNING HOWEY 350 EAST NEW YORK, SUITE 300 INDIANAPOLIS, IN 46204 PH: 317-848-0966
DESIGNED:	APPROVED: MLD
DRAWN: BAW	CHECKED BY: MLD
SCALE: 1" = 30'	DATE: 12-13-19
PROJECT NO.:	2019-0031

PLOT 24X36

PLOT 11X17



### ABBREVIATIONS AND EXISTING LEGEND

- |  |                     |  |                  |
|--|---------------------|--|------------------|
|  | SPOT ELEVATION      |  | FIBER OPTICS     |
|  | CONTOUR (MAJOR)     |  | GAS              |
|  | CONTOUR (MINOR)     |  | ELECTRIC         |
|  | CONCRETE BUMPER     |  | TELEPHONE        |
|  | PAY TELEPHONE       |  | WATER            |
|  | RIGHT OF WAY MARKER |  | SANITARY SEWER   |
|  | GUY ANCHOR          |  | STORM SEWER      |
|  | CAT TAILS           |  | COMBINED SEWER   |
|  | STUMP               |  | UNDERGROUND      |
|  | DECIDUOUS TREE      |  | OVERHEAD         |
|  | EVERGREEN TREE      |  | COMBINATION M.H. |
|  | BUSH                |  | SANITARY M.H.    |
|  | FENCE               |  | CLEAN OUT        |
|  | SIGN                |  | CURB INLET       |
|  | TRAFFIC SIGNAL POLE |  |                  |

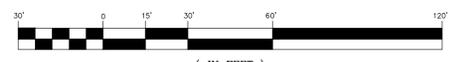
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### SITE CONTROL AND BENCHMARK

HORIZONTAL AND VERTICAL CONTROL BASED ON INDOT INCORS SYSTEM, INCORPORATES VERTICAL DATUM NGVD88.



### TOPOGRAPHY KEY NOTE T9

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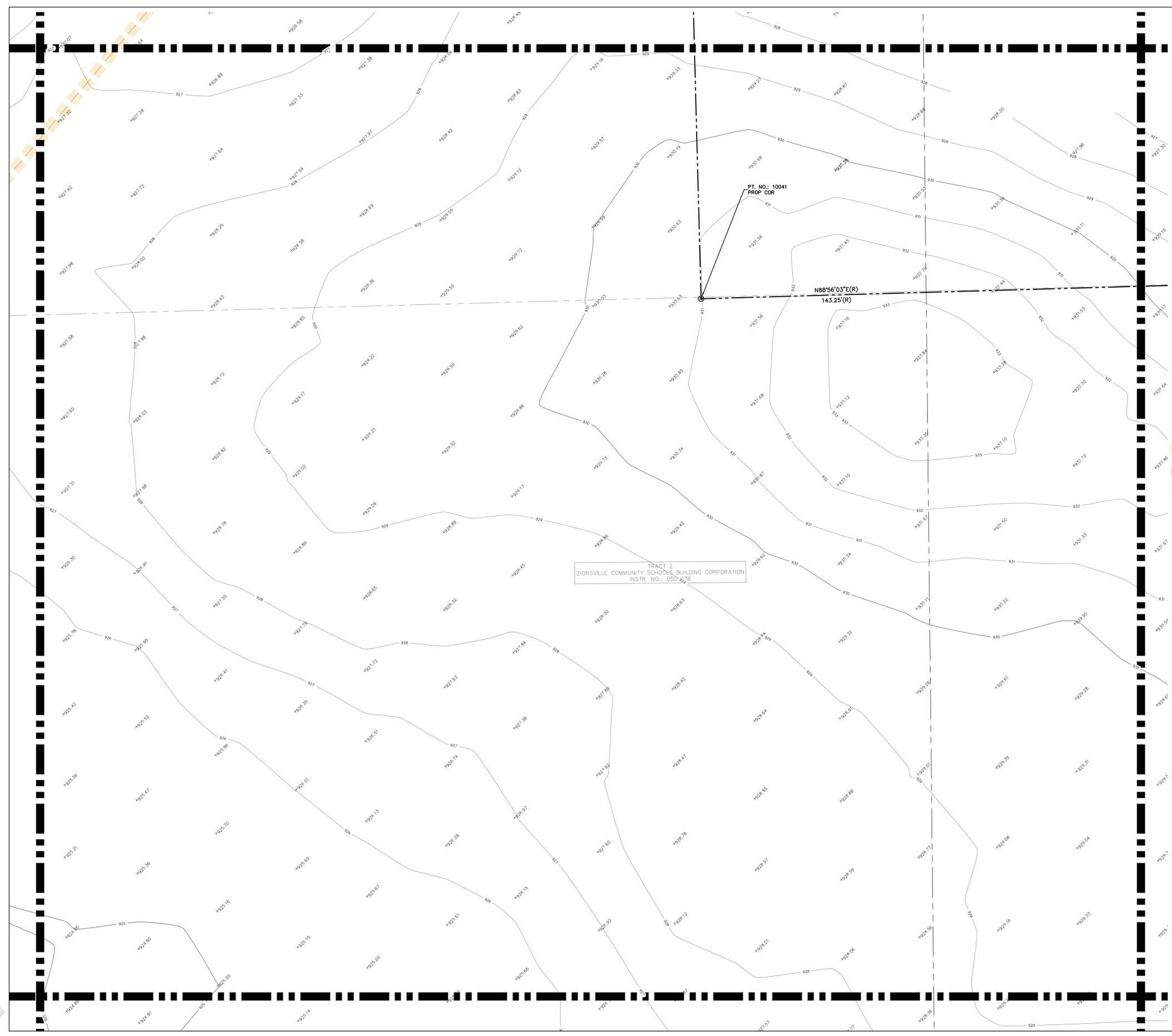
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PLOT 24X36

PLOT 11X17



ABBREVIATIONS AND EXISTING LEGEND

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	CONTOUR (MINOR)		ELECTRIC
	CONCRETE BUMPER		TELEPHONE
	PAY TELEPHONE		WATER
	RIGHT OF WAY MARKER		SANITARY SEWER
	GUY ANCHOR		STORM SEWER
	CAT TAILS		COMBINED SEWER
	STUMP		UNDERGROUND
	DECIDUOUS TREE		OVERHEAD
	EVERGREEN TREE		COMBINATION M.H.
	BUSH		SANITARY M.H.
	FENCE		CLEAN OUT
	SIGN		CURB INLET
	TRAFFIC SIGNAL POLE		ROUND INLET (24" TYP)
	TRAFFIC SIGNAL M.H.		SQUARE INLET (24" TYP)
	DOOR		DRAINAGE M.H.
	FLAG POLE		END SECTION
	UTILITY POLE		GAS/WATER METER
	PLAY GROUND EQUIP		TELE/CABLE/ELEC PEDESTAL
	BORE		IRRIGATION/ELEC BOX
	MAIL BOX		AIR CONDITIONER
	SPOUQUET		ELECTRIC TRANSFORMER
	IRON PIN		AREA LIGHT / LIGHT BOLLARD
	TEST PIT		GAS/WATER VALVE
	BENCHMARK ELEV		PIV/FIRE HYDRANT/FDC
	DRILL HOLE		DRAIN/DOWN SPOUT
	PROPERTY CORNER		FO/ELEC/TELE/GAS MARKER
	SURVEY CONTROL POINT		WELL LID
	ROUND METAL LID		WATER SHUT OFF LID
	MONITOR WELL LID		
	SQUARE METAL LID		

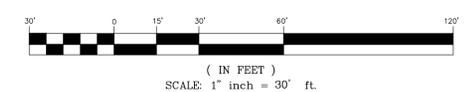
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SITE CONTROL AND BENCHMARK

HORIZONTAL AND VERTICAL CONTROL BASED ON INDOT INCORS SYSTEM, INCORPORATES VERTICAL DATUM NGVD88.



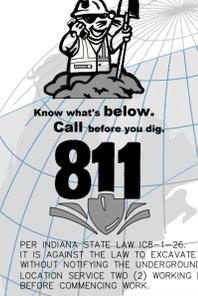
TOPOGRAPHY KEY NOTE T10

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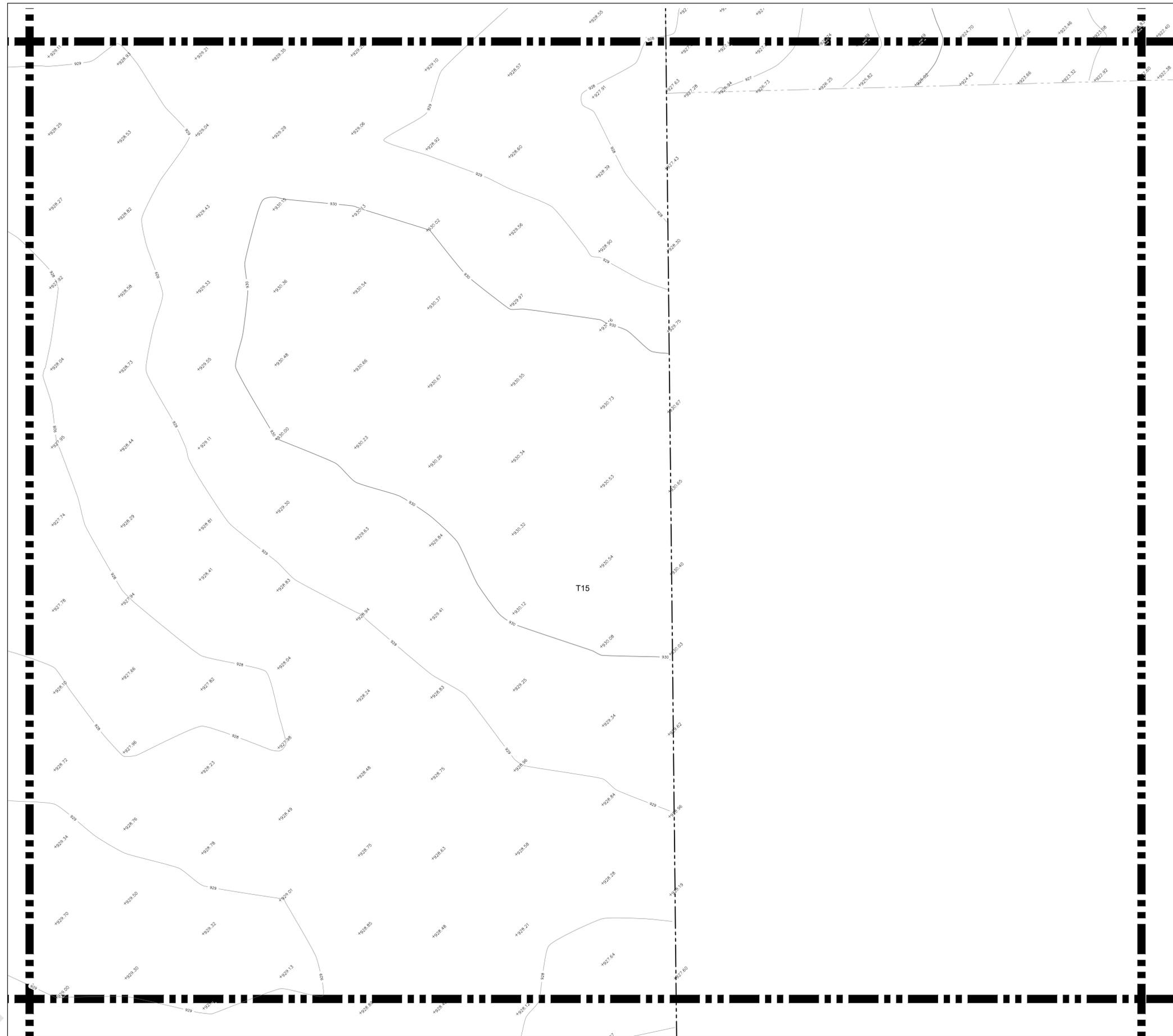
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PLOT 24X36

PLOT 11X17



### ABBREVIATIONS AND EXISTING LEGEND

	SPOT ELEVATION		FIBER OPTICS
	CONTOUR (MAJOR)		GAS
	CONTOUR (MINOR)		ELECTRIC
	CONCRETE BUMPER		TELEPHONE
	PAY TELEPHONE		WATER
	RIGHT OF WAY MARKER		SANITARY SEWER
	GUY ANCHOR		STORM SEWER
	CAT TAILS		COMBINED SEWER
	STUMP		UNDERGROUND
	DECIDUOUS TREE		OVERHEAD
	EVERGREEN TREE		COMBINATION M.H.
	BUSH		SANITARY M.H.
	FENCE		CLEAN OUT
	SIGN		CURB INLET
	TRAFFIC SIGNAL POLE		ROUND INLET (24" TYP)
	TRAFFIC SIGNAL M.H.		SQUARE INLET (24" TYP)
	DOOR		DRAINAGE M.H.
	FLAG POLE		END SECTION
	UTILITY POLE		GAS/WATER METER
	PLAY GROUND EQUIP		TELE/CABLE/ELEC PEDESTAL
	BORE		IRRIGATION/ELEC BOX
	MAIL BOX		AIR CONDITIONER
	SPIGOT		ELECTRIC TRANSFORMER
	IRON PIN		AREA LIGHT / LIGHT BOLLARD
	TEST PIT		GAS/WATER VALVE
	BENCHMARK ELEV		PIV/FIRE HYDRANT/FDC
	DRILL HOLE		DRAIN/DOWN SPOUT
	PROPERTY CORNER		FD/ELEC/TELE/GAS MARKER
	SURVEY CONTROL POINT		WELL LID
	ROUND METAL LID		WATER SHUT OFF LID
	MONITOR WELL LID		
	SQUARE METAL LID		

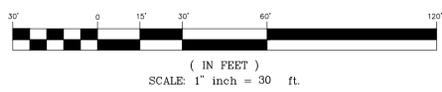
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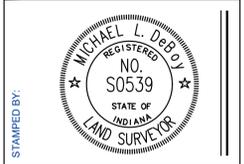
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### SITE CONTROL AND BENCHMARK

HORIZONTAL AND VERTICAL CONTROL BASED ON INDOT INCORS SYSTEM, INCORPORATES VERTICAL DATUM NGVD88.



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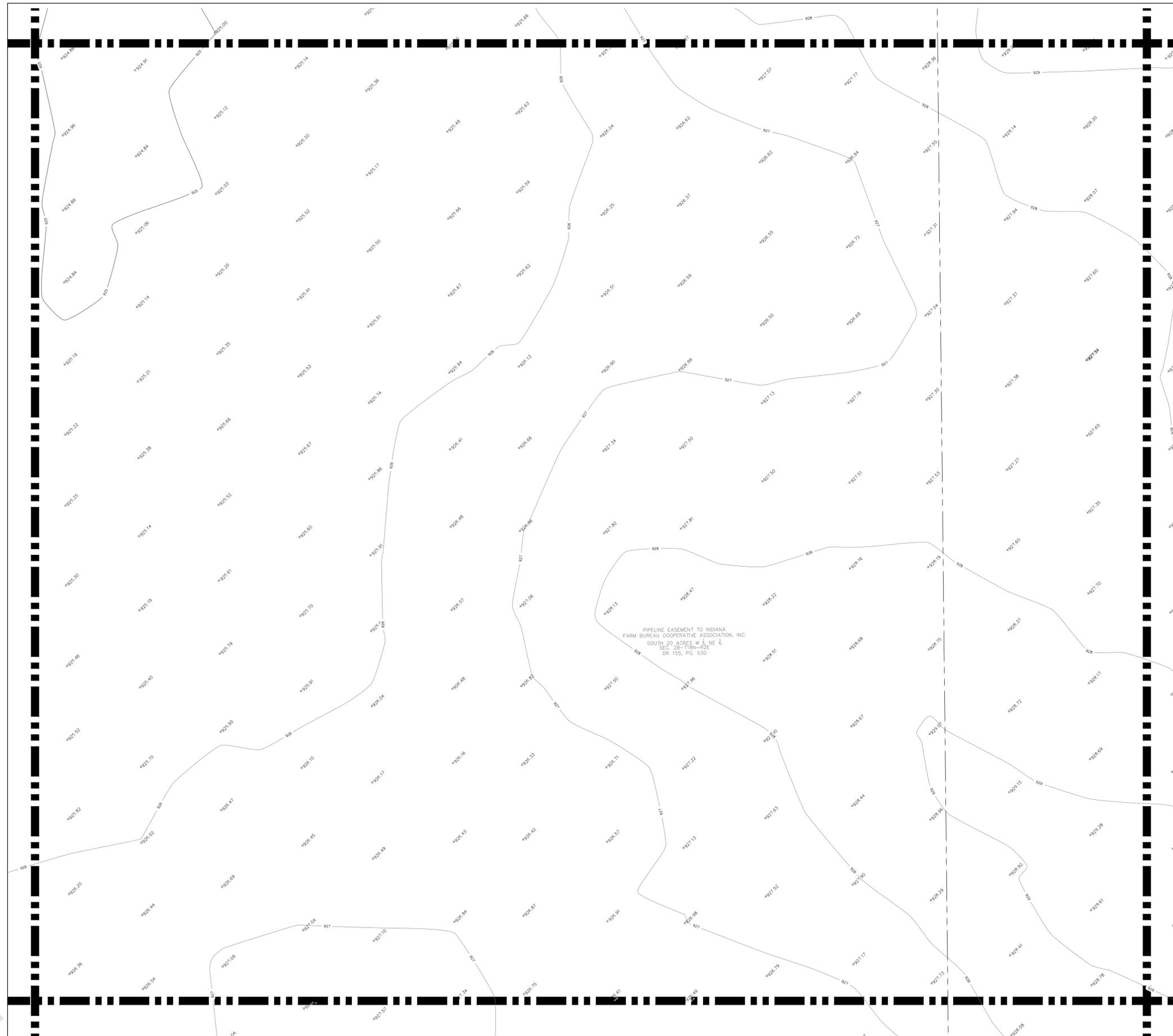
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PROJECT: C:\survey Design Aides\Projects\DLDS\2019\2019-0031 - Zionsville Athletic Fields - Fanning Howey\SURVEYING\DRAWINGS  
 DWG: 2019-0031SU-field.dwg  
 PLOTTED BY: BRENT WHITE  
 DATE: Friday, May 1, 2020 11:56:49 AM

PLOT 24X36

PLOT 11X17



ABBREVIATIONS AND EXISTING LEGEND

831	SPOT ELEVATION	FO	FIBER OPTICS
831	CONTOUR (MAJOR)	G	GAS
831	CONTOUR (MINOR)	E	ELECTRIC
831	CONCRETE BUMPER	T	TELEPHONE
831	PAY TELEPHONE	W	WATER
831	RIGHT OF WAY MARKER	SA	SANITARY SEWER
831	GUY ANCHOR	STW	STORM SEWER
831	CAT TAILS	CS	COMBINED SEWER
831	STUMP	U/G	UNDERGROUND
831	DECIDUOUS TREE	O/H	OVERHEAD
831	EVERGREEN TREE	COMBINATION M.H.	
831	BUSH	SANITARY M.H.	
831	FENCE	CLEAN OUT	
831	SIGN	CURB INLET	
831	TRAFFIC SIGNAL POLE	ROUND INLET (24" TYP)	
831	TRAFFIC SIGNAL M.H.	SQUARE INLET (24" TYP)	
831	DOOR	DRAINAGE M.H.	
831	FLAG POLE	END SECTION	
831	UTILITY POLE	GAS/WATER METER	
831	PLAY GROUND EQUIP	TELE/CABLE/ELEC PEDESTAL	
831	BORE	IRREGATION/ELEC BOX	
831	MAIL BOX	AIR CONDITIONER	
831	SPIQUET	ELECTRIC TRANSFORMER	
831	IRON PIN	AREA LIGHT / LIGHT BOLLARD	
831	TEST PIT	GAS/WATER VALVE	
831	BENCHMARK ELEV	PIV/FIRE HYDRANT/FDC	
831	DRILL HOLE	DRAIN/DOWN SPOUT	
831	PROPERTY CORNER	FO/ELEC/TELE/GAS MARKER	
831	SURVEY CONTROL POINT	WELL LID	
831	ROUND METAL LID	WATER SHUT OFF LID	
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SITE CONTROL AND BENCHMARK

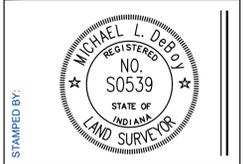
HORIZONTAL AND VERTICAL CONTROL BASED ON INDOT INCORS SYSTEM, INCORPORATES VERTICAL DATUM NGVD88.



TOPOGRAPHY KEY NOTE T14

PIPELINE EASEMENT TO INDIANA FARM BUREAU COOPERATIVE ASSOCIATION, INC. SOUTH 20 ACRES W 1/4 NE 1/4 SEC. 28-T18N-R2E DR 155, PG. 530

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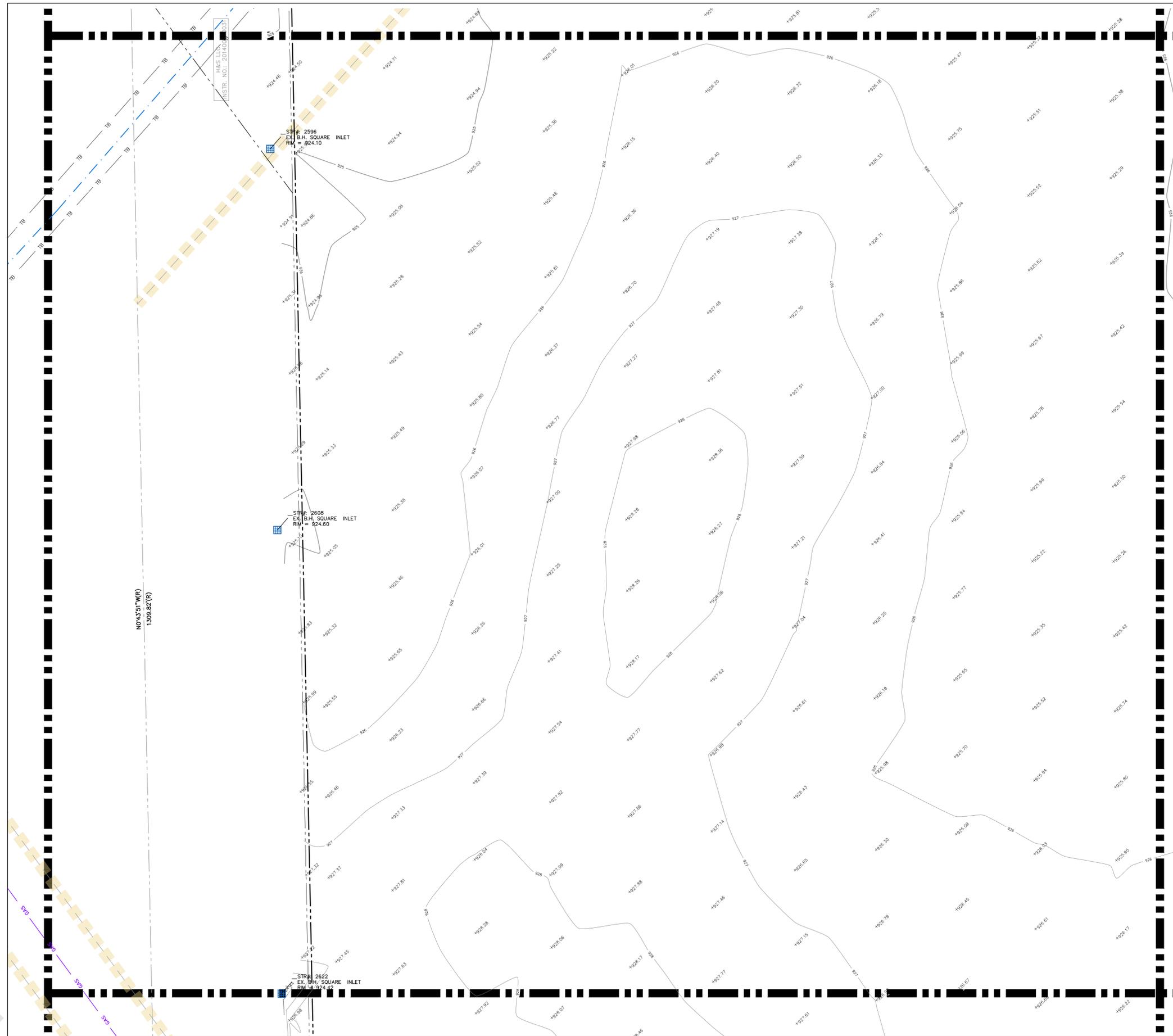
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19 OF 36



ABBREVIATIONS AND EXISTING LEGEND

	SPOT ELEVATION		FIBER OPTICS
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	STUMP		UNDERGROUND
	DECIDUOUS TREE		OVERHEAD
	EVERGREEN TREE		COMBINATION M.H.
	BUSH		SANITARY M.H.
	FENCE		CLEAN OUT
	SIGN		CURB INLET
	TRAFFIC SIGNAL POLE		ROUND INLET (24" TYP)
	TRAFFIC SIGNAL M.H.		SQUARE INLET (24" TYP)
	DOOR		DRAINAGE M.H.
	FLAG POLE		END SECTION
	UTILITY POLE		GAS/WATER METER
	PLAY GROUND EQUIP		TELE/CABLE/ELEC PEDESTAL
	BORE		IRRIGATION/ELEC BOX
	MAIL BOX		AIR CONDITIONER
	SPIOUET		ELECTRIC TRANSFORMER
	IRON PIN		AREA LIGHT / LIGHT BOLLARD
	TEST PIT		GAS/WATER VALVE
	BENCHMARK ELEV		PIV/FIRE HYDRANT/FDC
	DRILL HOLE		DRAIN/DOWN SPOUT
	PROPERTY CORNER		FO/ELEC/TELE/GAS MARKER
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SITE CONTROL AND BENCHMARK

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TOPOGRAPHY KEY NOTE T13

PREPARED BY:

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 DEBOY LAND DEVELOPMENT SERVICES  
 Designers-Engineers-Surveyors  
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STAMPED BY:

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20 OF 36

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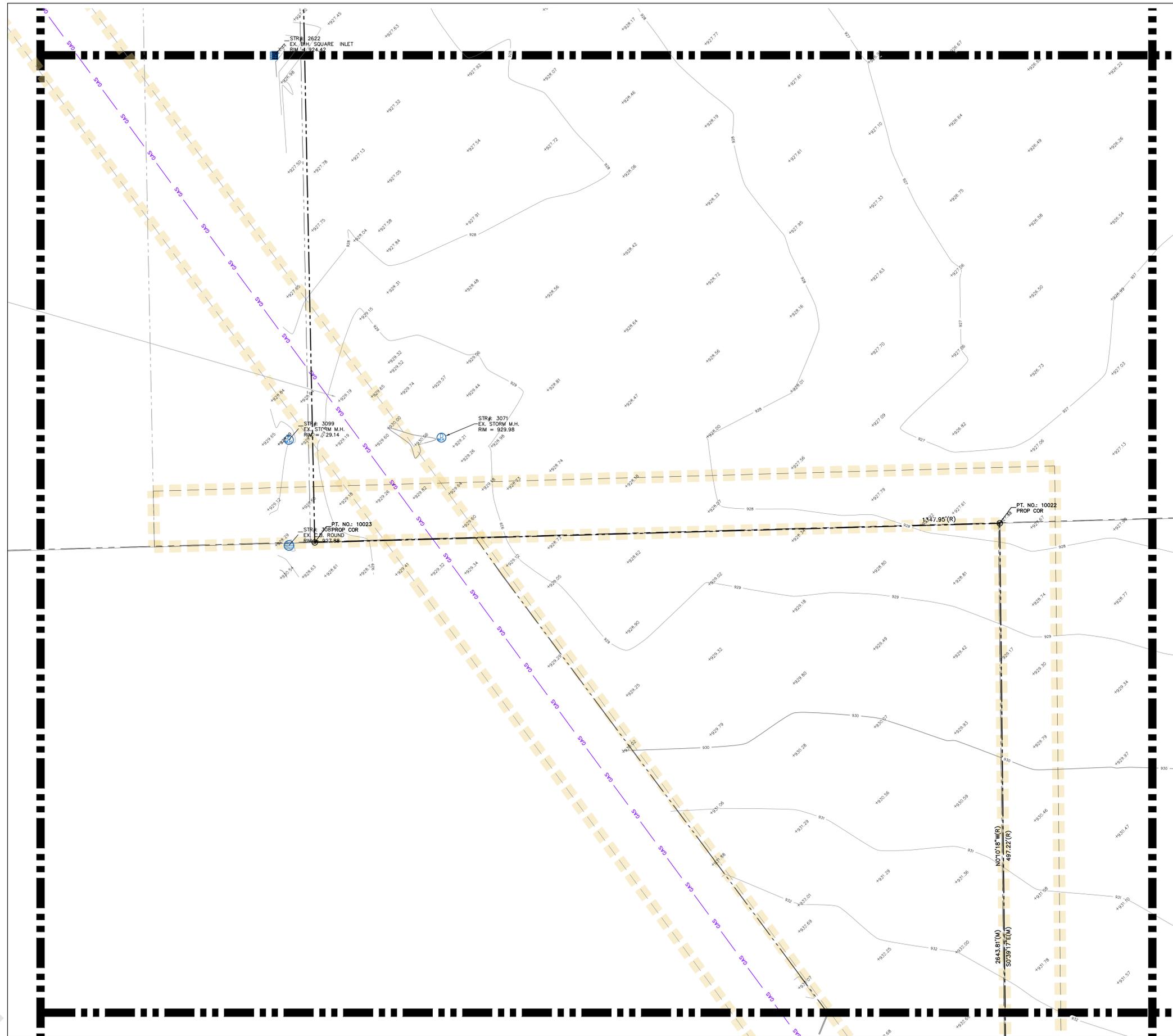


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	STUMP		UNDERGROUND
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	BORE		IRRIGATION/ELEC BOX
	MAIL BOX		AIR CONDITIONER
	SPUCKET		ELECTRIC TRANSFORMER
	IRON PIN		AREA LIGHT / LIGHT BOLLARD
	TEST PIT		GAS/WATER VALVE
	BENCHMARK ELEV		PIV/FIRE HYDRANT/FDC
	DRILL HOLE		DRAIN/DOWN SPOUT
	PROPERTY CORNER		FO/ELEC/TELE/GAS MARKER
	SURVEY CONTROL POINT		WELL LID
	ROUND METAL LID		WATER SHUT OFF LID
	MONITOR WELL LID		
	SQUARE METAL LID		

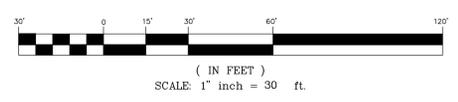
NOTES

D - DEED M - MEASURED/CALCULATED SP - STATE PLANE BEARING P - PLATTED  
 CSR - COUNTY SURVEYOR RECORDS  
 IPS - 5/8" DIAMETER WITH PLASTIC CAP STAMPED "DLDS 0664" SET IPF - IRON PIN FOUND  
 NSF - NOTHING SET OR FOUND  
 MNS - MAG NAIL SET FLUSH MNF - MAG NAIL FOUND  
 R/W MONUMENT FOUND - 0.4' SQUARE CONCRETE MONUMENT FOUND 0.3' BELOW SURFACE.  
 (\*) - CALLS NOT ADJUSTED OR ROTATED TO MATCH PARENT SURVEYED TRACT, SHOWN PER DEED.

- EASEMENT AREA OUTLINE
- BOUNDARY / PARCEL OUTLINE
- EXISTING BUILDING INSIDE BOUNDARY / PARCEL
- EXISTING PAVEMENT INSIDE BOUNDARY / PARCEL
- EXISTING CONCRETE INSIDE BOUNDARY / PARCEL

SITE CONTROL AND BENCHMARK

HORIZONTAL AND VERTICAL CONTROL BASED ON INDOT INCORS SYSTEM, INCORPORATES VERTICAL DATUM NGVD88.



TOPOGRAPHY KEY NOTE T17

HOLEY MOLEY SAYS "DIG SAFELY"



Know what's below. Call before you dig.

**811**

PER INDIANA STATE LAW IC8-1-26 IT IS AGAINST THE LAW TO EXCAVATE WITHOUT NOTIFYING THE UNDERGROUND LOCATION SERVICE TWO (2) WORKING DAYS BEFORE COMMENCING WORK.

**DLDS**  
 DEBOY LAND DEVELOPMENT SERVICES  
 Designers-Engineers-Surveyors  
 P.O. BOX 25, Noblesville, IN 46061  
 Phone: 317.770.1801 Toll Free: (888) 801-8555

REGISTERED  
 NO. 50539  
 STATE OF INDIANA  
 LAND SURVEYOR

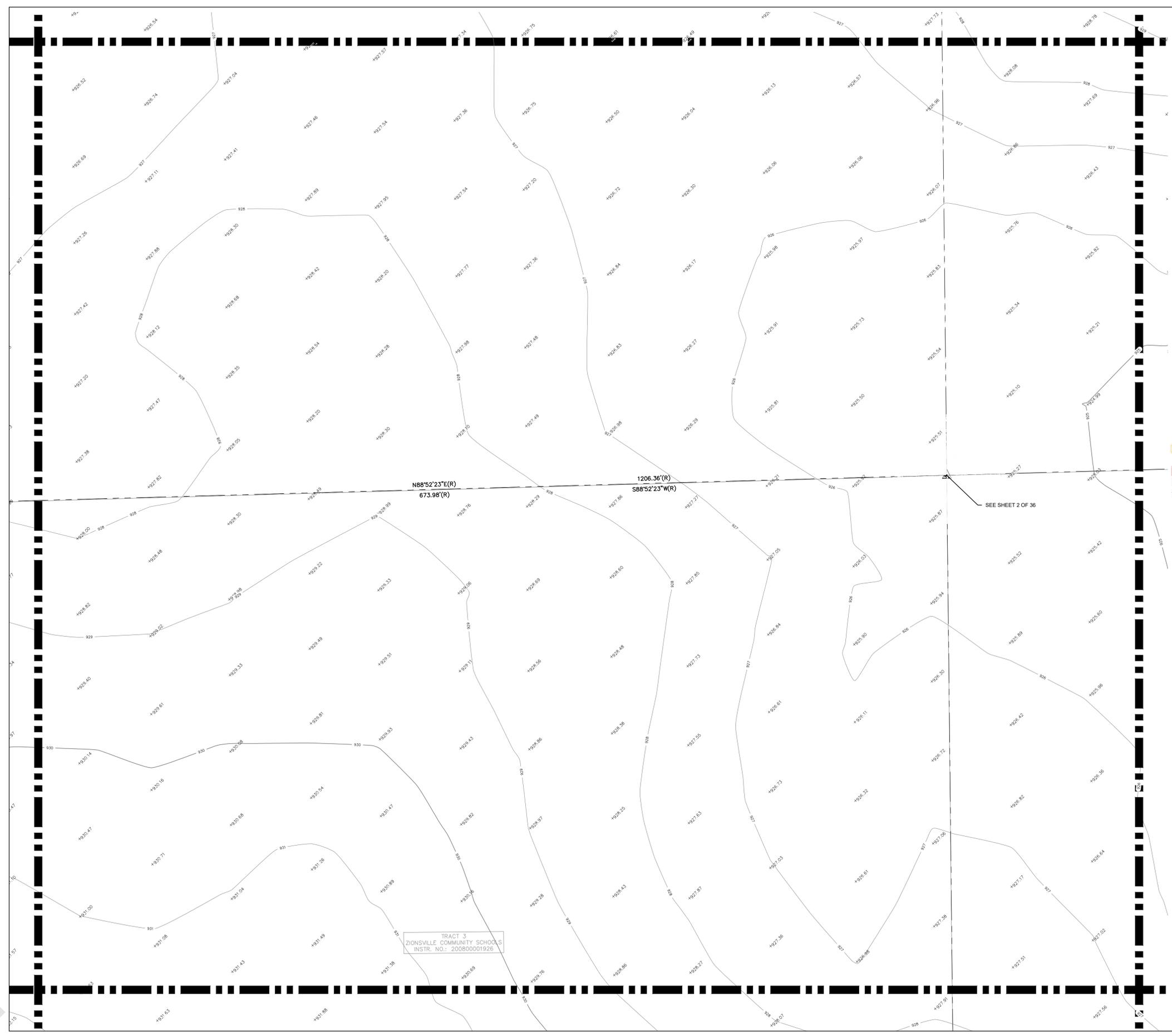
ZIONSVILLE ATHLETIC COMPLEX,  
 BOONE COUNTY, IN  
 Section 28, Twp. 18 North  
 Rg. 2 East, 2nd P.M., Eagle Twp., Boone County, Indiana  
 ALTA/NSPS LAND TITLE SURVEY

CLIENT NAME:	CHARLES TYLER FANNING HOWEY 350 EAST NEW YORK, SUITE 300 INDIANAPOLIS, IN 46204 PH: 317-848-0966
DESIGNED:	APPROVED: MLD
DRAWN: BAW	CHECKED BY: MLD
SCALE: 1" = 30'	DATE: 12-13-19
PROJECT NO.:	2019-0031

21 OF 36

PLOT 24X36

PLOT 11X17



### ABBREVIATIONS AND EXISTING LEGEND

	SPOT ELEVATION		FIBER OPTICS
	CONTOUR (MAJOR)		GAS
	CONTOUR (MINOR)		ELECTRIC
	CONCRETE BUMPER		TELEPHONE
	PAY TELEPHONE		WATER
	RIGHT OF WAY MARKER		SANITARY SEWER
	GUY ANCHOR		STORM SEWER
	CAT TAILS		COMBINED SEWER
	STUMP		UNDERGROUND
	DECIDUOUS TREE		OVERHEAD
	EVERGREEN TREE		COMBINATION M.H.
	BUSH		SANITARY M.H.
	FENCE		CLEAN OUT
	SIGN		CURB INLET
	TRAFFIC SIGNAL POLE		

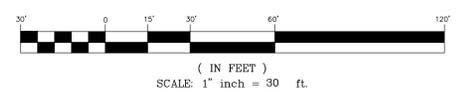
### NOTES

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 CSR - COUNTY SURVEYOR RECORDS  
 IPS - 5/8\"/>

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### SITE CONTROL AND BENCHMARK

HORIZONTAL AND VERTICAL CONTROL BASED ON INDOT INCORS SYSTEM, INCORPORATES VERTICAL DATUM NGVD88.



### TOPOGRAPHY KEY NOTE T18

HOLEY MOLEY SAYS  
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**811**

PER INDIANA STATE LAW, IC8-1-26, IT IS AGAINST THE LAW TO EXCAVATE WITHOUT NOTIFYING THE UNDERGROUND LOCATION SERVICE TWO (2) WORKING DAYS BEFORE COMMENCING WORK.

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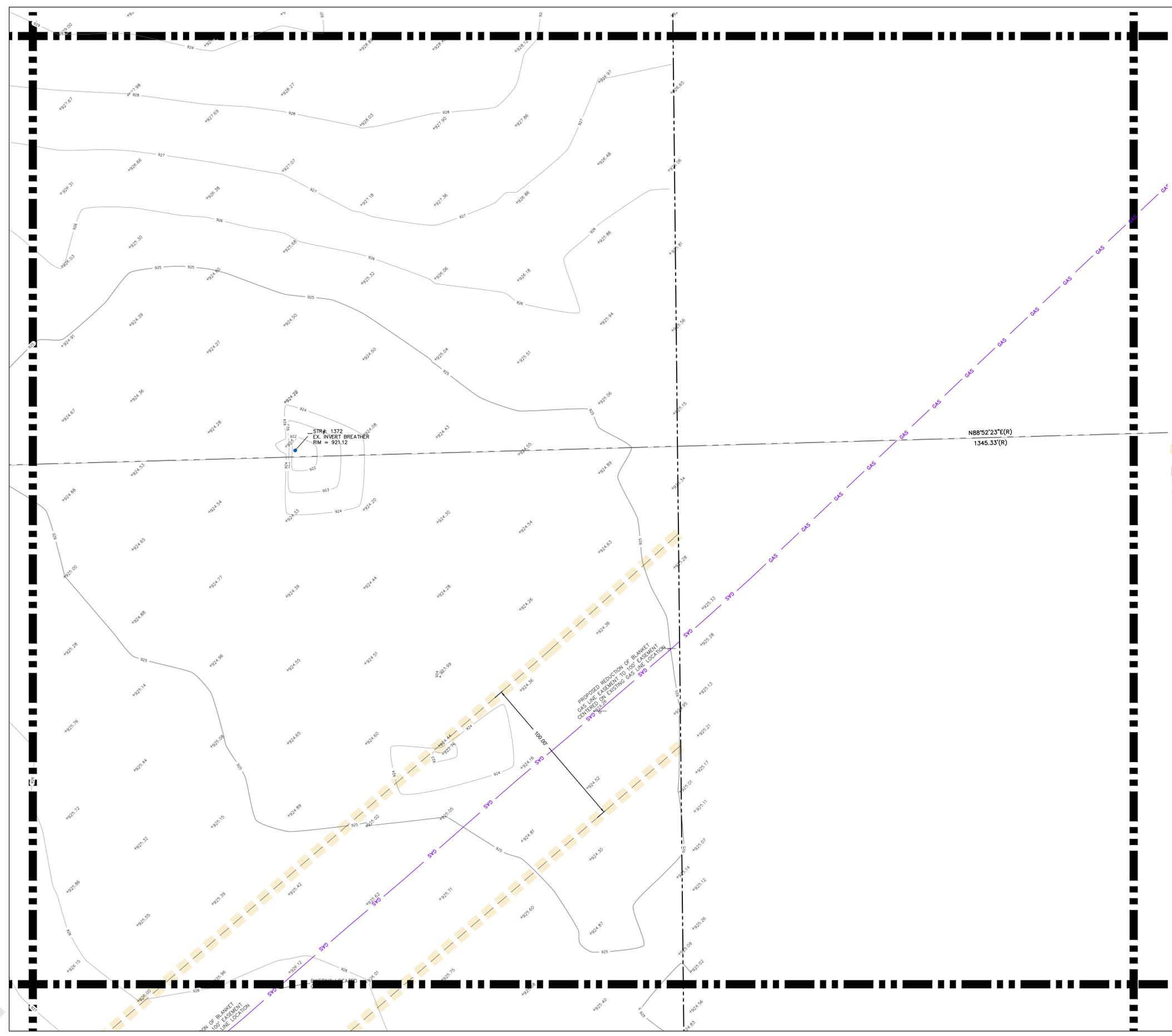
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ALTANSPS LAND TITLE SURVEY

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SCALE: 1" = 30'	DATE: 12-13-19
PROJECT NO.:	2019-0031

22 OF 36

PLOT 24X36

PLOT 11X17



ABBREVIATIONS AND EXISTING LEGEND

	SPOT ELEVATION		FIBER OPTICS
	CONTOUR (MAJOR)		GAS
	CONTOUR (MINOR)		ELECTRIC
	CONCRETE BUMPER		TELEPHONE
	PAY TELEPHONE		WATER
	RIGHT OF WAY MARKER		SANITARY SEWER
	GUY ANCHOR		STORM SEWER
	CAT TAILS		COMBINED SEWER
	STUMP		UNDERGROUND
	DECIDUOUS TREE		OVERHEAD
	EVERGREEN TREE		COMBINATION M.H.
	BUSH		SANITARY M.H.
	FENCE		CLEAN OUT
	SIGN		CURB INLET
	TRAFFIC SIGNAL POLE		ROUND INLET (24" TYP)
	TRAFFIC SIGNAL M.H.		SQUARE INLET (24" TYP)
	DOOR		DRAINAGE M.H.
	FLAG POLE		END SECTION
	UTILITY POLE		GAS/WATER METER
	PLAY GROUND EQUIP		TELE/CABLE/ELEC PEDESTAL
	BORE		IRRIGATION/ELEC BOX
	MAIL BOX		AIR CONDITIONER
	SPOUET		ELECTRIC TRANSFORMER
	IRON PIN		AREA LIGHT / LIGHT BOLLARD
	TEST PIT		GAS/WATER VALVE
	BENCHMARK ELEV		PIV/FIRE HYDRANT/FDC
	DRILL HOLE		DRAIN/DOWN SPOUT
	PROPERTY CORNER		FO/ELEC/TELE/GAS MARKER
	SURVEY CONTROL POINT		WELL LID
	ROUND METAL LID		WATER SHUT OFF LID
	MONITOR WELL LID		
	SQUARE METAL LID		

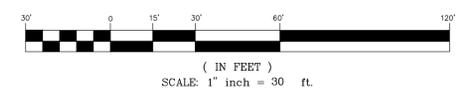
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SITE CONTROL AND BENCHMARK

HORIZONTAL AND VERTICAL CONTROL BASED ON INDOT INCORS SYSTEM, INCORPORATES VERTICAL DATUM NGVD88.



TOPOGRAPHY KEY NOTE T19

**DLDS**  
 DEBOY LAND DEVELOPMENT SERVICES  
**Designers-Engineers-Surveyors**  
 P.O. BOX 25, Noblesville, IN 46061  
 Phone: 317.770.1801 Toll Free: (888) 801-8655



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**ALTANSPS LAND TITLE SURVEY**

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**811**

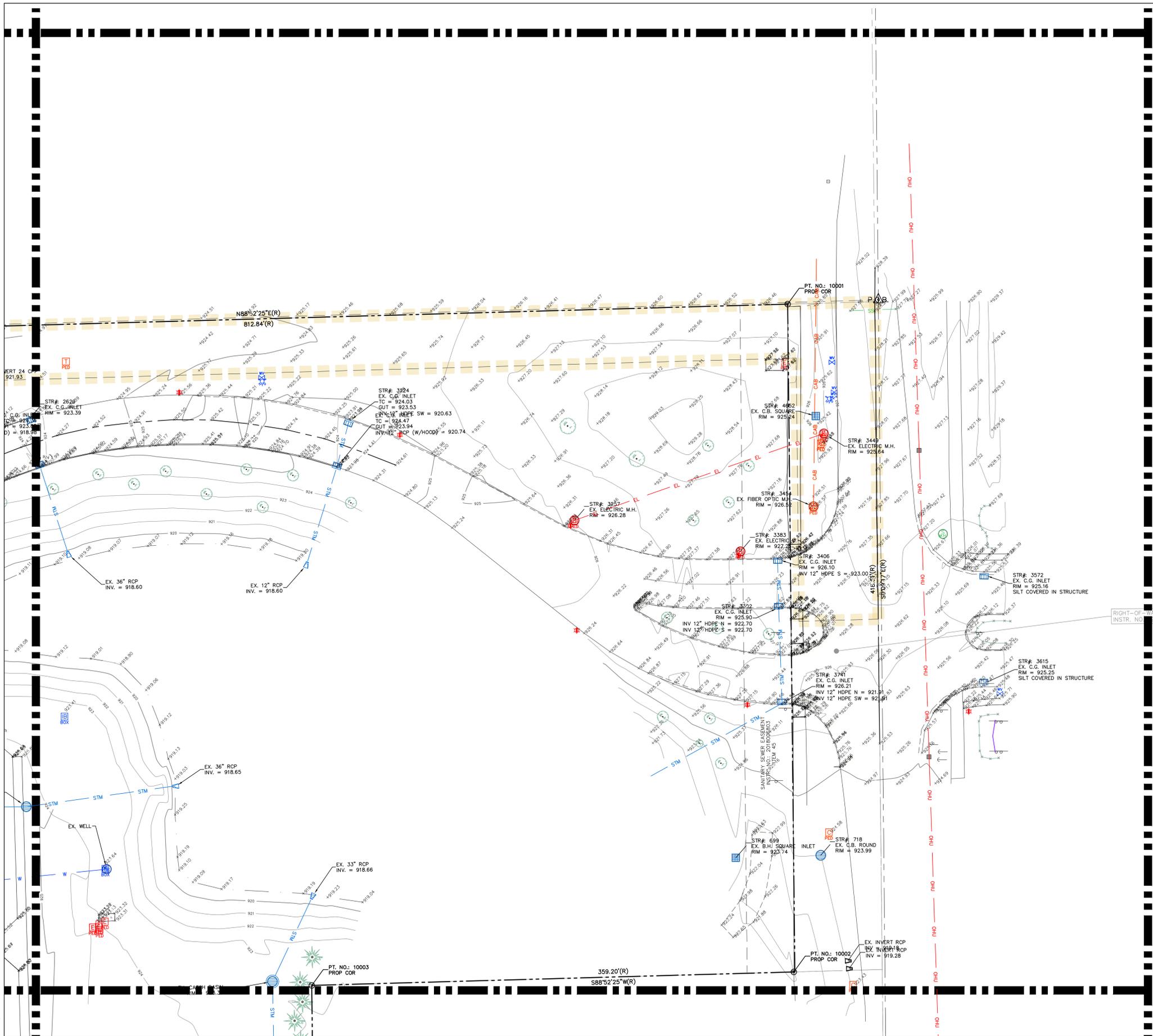
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SCALE: 1" = 30'	DATE: 12-13-19
PROJECT NO.:	2019-0031

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PLOT 24X36

PLOT 11X17



ABBREVIATIONS AND EXISTING LEGEND

	SPOT ELEVATION		FIBER OPTICS
	CONTOUR (MAJOR)		GAS
	CONTOUR (MINOR)		ELECTRIC
	CONCRETE BUMPER		TELEPHONE
	PAY TELEPHONE		WATER
	RIGHT OF WAY MARKER		SANITARY SEWER
	GUY ANCHOR		STORM SEWER
	CAT TAILS		COMBINED SEWER
	STUMP		UNDERGROUND
	DECIDUOUS TREE		OVERHEAD
	EVERGREEN TREE		COMBINATION M.H.
	BUSH		SANITARY M.H.
	FENCE		CLEAN OUT
	SIGN		CURB INLET
	TRAFFIC SIGNAL POLE		ROUND INLET (24" TYP)
	TRAFFIC SIGNAL M.H.		SQUARE INLET (24" TYP)
	DOOR		DRAINAGE M.H.
	FLAG POLE		END SECTION
	UTILITY POLE		GAS/WATER METER
	PLAY GROUND EQUIP		TELE/CABLE/ELEC PEDESTAL
	BORE		IRRIGATION/ELEC BOX
	MAIL BOX		AIR CONDITIONER
	SPOUET		ELECTRIC TRANSFORMER
	IRON PIN		AREA LIGHT / LIGHT BOLLARD
	TEST PIT		GAS/WATER VALVE
	BENCHMARK ELEV		PIV/FIRE HYDRANT/FDC
	DRILL HOLE		DRAIN/DOWN SPOUT
	PROPERTY CORNER		FO/ELEC/TELE/GAS MARKER
	SURVEY CONTROL POINT		WELL LID
	ROUND METAL LID		WATER SHUT OFF LID
	MONITOR WELL LID		
	SQUARE METAL LID		

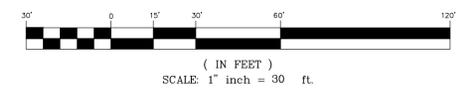
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SITE CONTROL AND BENCHMARK

HORIZONTAL AND VERTICAL CONTROL BASED ON INDOT INCORS SYSTEM, INCORPORATES VERTICAL DATUM NGVD88.



TOPOGRAPHY KEY NOTE T24

**DLDS**  
 DEBOY LAND DEVELOPMENT SERVICES  
**Designers-Engineers-Surveyors**  
 P.O. BOX 25, Noblesville, IN 46061  
 Phone: 317.770.1801 Toll Free: (888) 801-8655



**ZIONSVILLE ATHLETIC COMPLEX,  
 BOONE COUNTY, IN**  
 Section 28, Twp. 18 North  
 Rg. 2 East, 2nd P.M., Eagle Twp., Boone County, Indiana

**ALTANSPS LAND TITLE SURVEY**

HOLEY MOLEY SAYS  
 "DIG SAFELY"



**811**

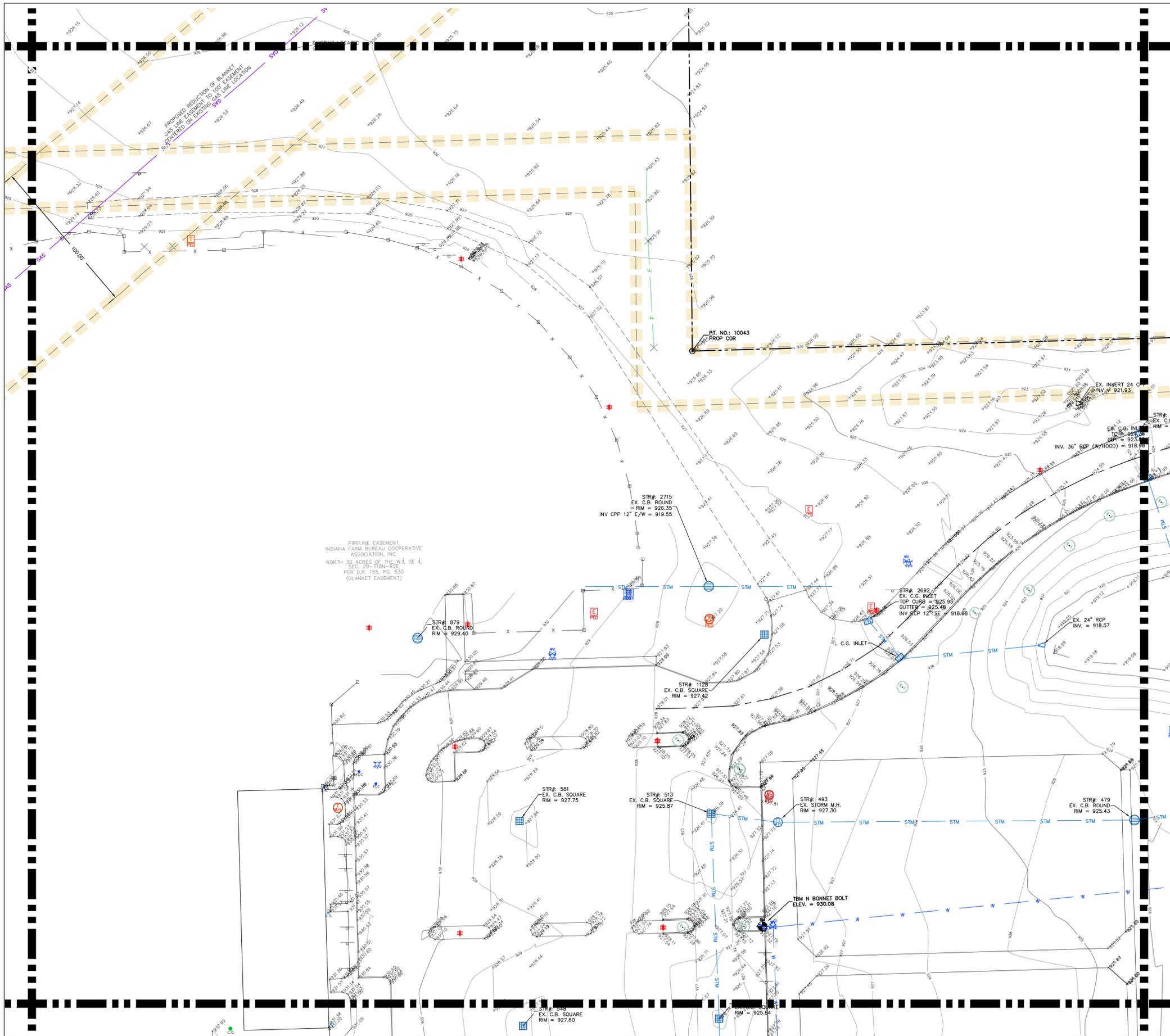
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SCALE: 1" = 30'	DATE: 12-13-19
PROJECT NO.:	2019-0031

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PLOT 24X36

PLOT 11X17



ABBREVIATIONS AND EXISTING LEGEND

	SPOT ELEVATION		FIBER OPTICS
	CONTOUR (MAJOR)		GAS
	CONTOUR (MINOR)		ELECTRIC
	CONCRETE BUMPER		TELEPHONE
	PAY TELEPHONE		WATER
	RIGHT OF WAY MARKER		SANITARY SEWER
	GUY ANCHOR		STORM SEWER
	CAT TAILS		COMBINED SEWER
	STUMP		UNDERGROUND
	DECIDUOUS TREE		OVERHEAD
	EVERGREEN TREE		COMBINATION M.H.
	BUSH		SANITARY M.H.
	FENCE		CLEAN OUT
	SIGN		CURB INLET
	TRAFFIC SIGNAL POLE		ROUND INLET (24" TYP)
	TRAFFIC SIGNAL M.H.		SQUARE INLET (24" TYP)
	DOOR		DRAINAGE M.H.
	FLAG POLE		END SECTION
	UTILITY POLE		GAS/WATER METER
	PLAY GROUND EQUIP		TELE/CABLE/ELEC PEDESTAL
	BORE		IRRIGATION/ELEC BOX
	MAIL BOX		AIR CONDITIONER
	SIPHONET		ELECTRIC TRANSFORMER
	IRON PIN		AREA LIGHT / LIGHT BOLLARD
	TEST PIT		GAS/WATER VALVE
	BENCHMARK ELEV		PIV/FIRE HYDRANT/FDC
	DRILL HOLE		DRAIN/DOWN SPOUT
	PROPERTY CORNER		FD/ELEC/TELE/GAS MARKER
	SURVEY CONTROL POINT		WELL LID
	ROUND METAL LID		WATER SHUT OFF LID
	MONITOR WELL LID		
	SQUARE METAL LID		

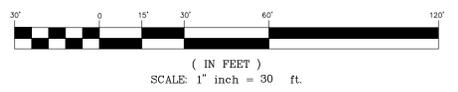
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SITE CONTROL AND BENCHMARK

HORIZONTAL AND VERTICAL CONTROL BASED ON INDOT INCORS SYSTEM, INCORPORATES VERTICAL DATUM NGVD88.



TOPOGRAPHY KEY NOTE T23

**DLDS**  
 DEBOY LAND DEVELOPMENT SERVICES  
**Designers-Engineers-Surveyors**  
 P.O. BOX 25, Noblesville, IN 46061  
 Phone: 317.770.1801 Toll Free: (888) 801-8655



**ZIONSVILLE ATHLETIC COMPLEX, BOONE COUNTY, IN**  
 Section 28, Twp. 18 North  
 Rg. 2 East, 2nd P.M., Eagle Twp., Boone County, Indiana  
**ALTANSPS LAND TITLE SURVEY**

HOLEY MOLEY SAYS "DIG SAFELY"



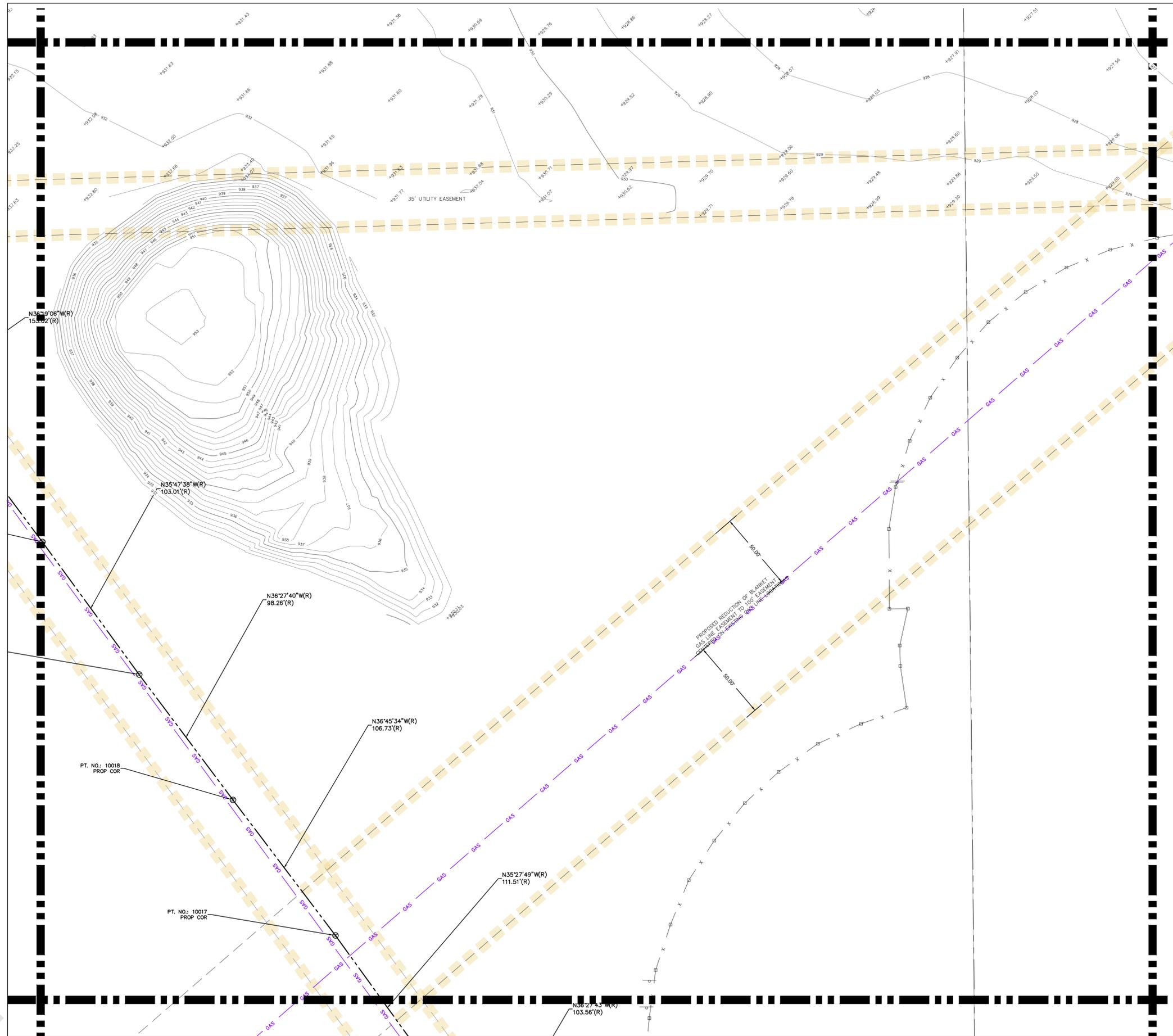
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PLOT 24X36

PLOT 11X17



ABBREVIATIONS AND EXISTING LEGEND

SPOT ELEVATION	FO - FIBER OPTICS
CONTOUR (MAJOR)	G - GAS
CONTOUR (MINOR)	E - ELECTRIC
CONCRETE BUMPER	T - TELEPHONE
PAY TELEPHONE	W - WATER
RIGHT OF WAY MARKER	SS - SANITARY SEWER
GUY ANCHOR	STM - STORM SEWER
CAT TAILS	CS - COMBINED SEWER
STUMP	U/G - UNDERGROUND
DECIDUOUS TREE	O/H - OVERHEAD
EVERGREEN TREE	COMBINATION M.H.
BUSH	SANITARY M.H.
FENCE	CLEAN OUT
SIGN	CURB INLET
TRAFFIC SIGNAL POLE	ROUND INLET (24" TYP)
TRAFFIC SIGNAL M.H.	SQUARE INLET (24" TYP)
DOOR	DRAINAGE M.H.
FLAG POLE	GAS/WATER METER
UTILITY POLE	TELE/CABLE/ELEC PEDESTAL
PLAY GROUND EQUIP	IRREGATION/ELEC BOX
BORER	AIR CONDITIONER
MAIL BOX	ELECTRIC TRANSFORMER
SPIQUET	AREA LIGHT / LIGHT BOLLARD
IRON PIN	GAS/WATER VALVE
TEST PIT	PIV/FIRE HYDRANT/FDC
BENCHMARK ELEV	DRAIN/DOWN SPOUT
DRILL HOLE	FO/ELEC/TELE/GAS MARKER
PROPERTY CORNER	WELL LID
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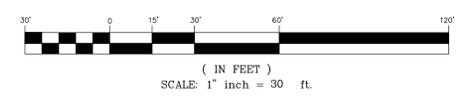
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SITE CONTROL AND BENCHMARK

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TOPOGRAPHY KEY NOTE T22

**DLDS**  
 DEBOY LAND DEVELOPMENT SERVICES  
**Designers-Engineers-Surveyors**  
 P.O. BOX 25, Noblesville, IN 46061  
 Phone: 317.770.1801 Toll Free: (888) 801-8555

REGISTERED  
 NO. 50539  
 STATE OF INDIANA  
 LAND SURVEYOR

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 BOONE COUNTY, IN**  
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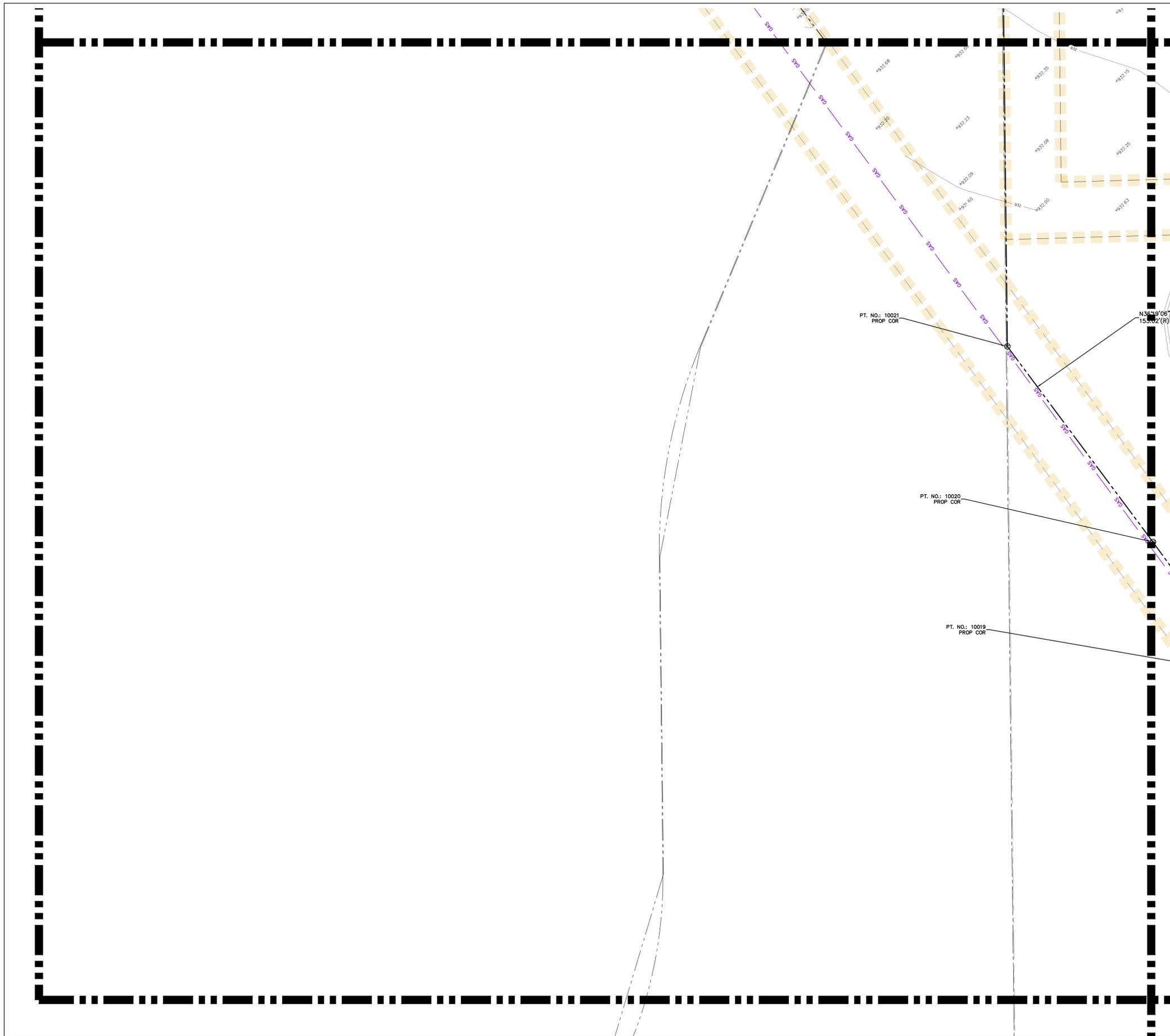
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 PH: 317-848-0966

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26 OF 36



ABBREVIATIONS AND EXISTING LEGEND

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	CONTOUR (MINOR)		ELECTRIC
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	PAY TELEPHONE		WATER
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	GUY ANCHOR		STORM SEWER
	CAT TAILS		COMBINED SEWER
	STUMP		UNDERGROUND
	DECIDUOUS TREE		OVERHEAD
	EVERGREEN TREE		COMBINATION M.H.
	BUSH		SANITARY M.H.
	FENCE		CLEAN OUT
	SIGN		CURB INLET
	TRAFFIC SIGNAL POLE		ROUND INLET (24" TYP)
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	FLAG POLE		END SECTION
	UTILITY POLE		GAS/WATER METER
	PLAY GROUND EQUIP		TELE/CABLE/ELEC PEDESTAL
	BORE		IRRIGATION/ELEC BOX
	MAIL BOX		AIR CONDITIONER
	SPIOUET		ELECTRIC TRANSFORMER
	IRON PIN		AREA LIGHT / LIGHT BOLLARD
	TEST PIT		GAS/WATER VALVE
	BENCHMARK ELEV		GATE
	DRILL HOLE		PIV/FIRE HYDRANT/FDC
	PROPERTY CORNER		DRAIN/DOWN SPOUT
	SURVEY CONTROL POINT		FO/ELEC/TELE/GAS MARKER
	ROUND METAL LID		WELL LID
	MONITOR WELL LID		WATER SHUT OFF LID
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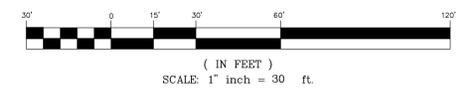
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 CSR - COUNTY SURVEYOR RECORDS  
 IPS - 5/8" DIAMETER WITH PLASTIC CAP STAMPED "DLDS 0664" SET IPF - IRON PIN FOUND  
 NSF - NOTHING SET OR FOUND  
 MNS - MAG NAIL SET FLUSH MNF - MAG NAIL FOUND  
 R/W MONUMENT FOUND - 0.4' SQUARE CONCRETE MONUMENT FOUND 0.3' BELOW SURFACE.  
 (\*) - CALLS NOT ADJUSTED OR ROTATED TO MATCH PARENT SURVEYED TRACT. SHOWN PER DEED.

- EASEMENT AREA OUTLINE
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- EXISTING BUILDING INSIDE BOUNDARY / PARCEL
- EXISTING PAVEMENT INSIDE BOUNDARY / PARCEL
- EXISTING CONCRETE INSIDE BOUNDARY / PARCEL

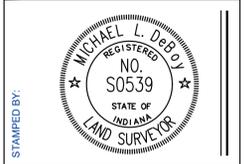
SITE CONTROL AND BENCHMARK

HORIZONTAL AND VERTICAL CONTROL BASED ON INDOT INCORS SYSTEM, INCORPORATES VERTICAL DATUM NGVD88.



TOPOGRAPHY KEY NOTE T21

**DLDS**  
 DEBOY LAND DEVELOPMENT SERVICES  
**Designers-Engineers-Surveyors**  
 P.O. BOX 25, Noblesville, IN 46061  
 Phone: 317.770.1801 Toll Free: (888) 801-8555



**ZIONSVILLE ATHLETIC COMPLEX,  
 BOONE COUNTY, IN**  
 Section 28, Twp. 18 North  
 Rg. 2 East, 2nd P.M., Eagle Twp., Boone County, Indiana

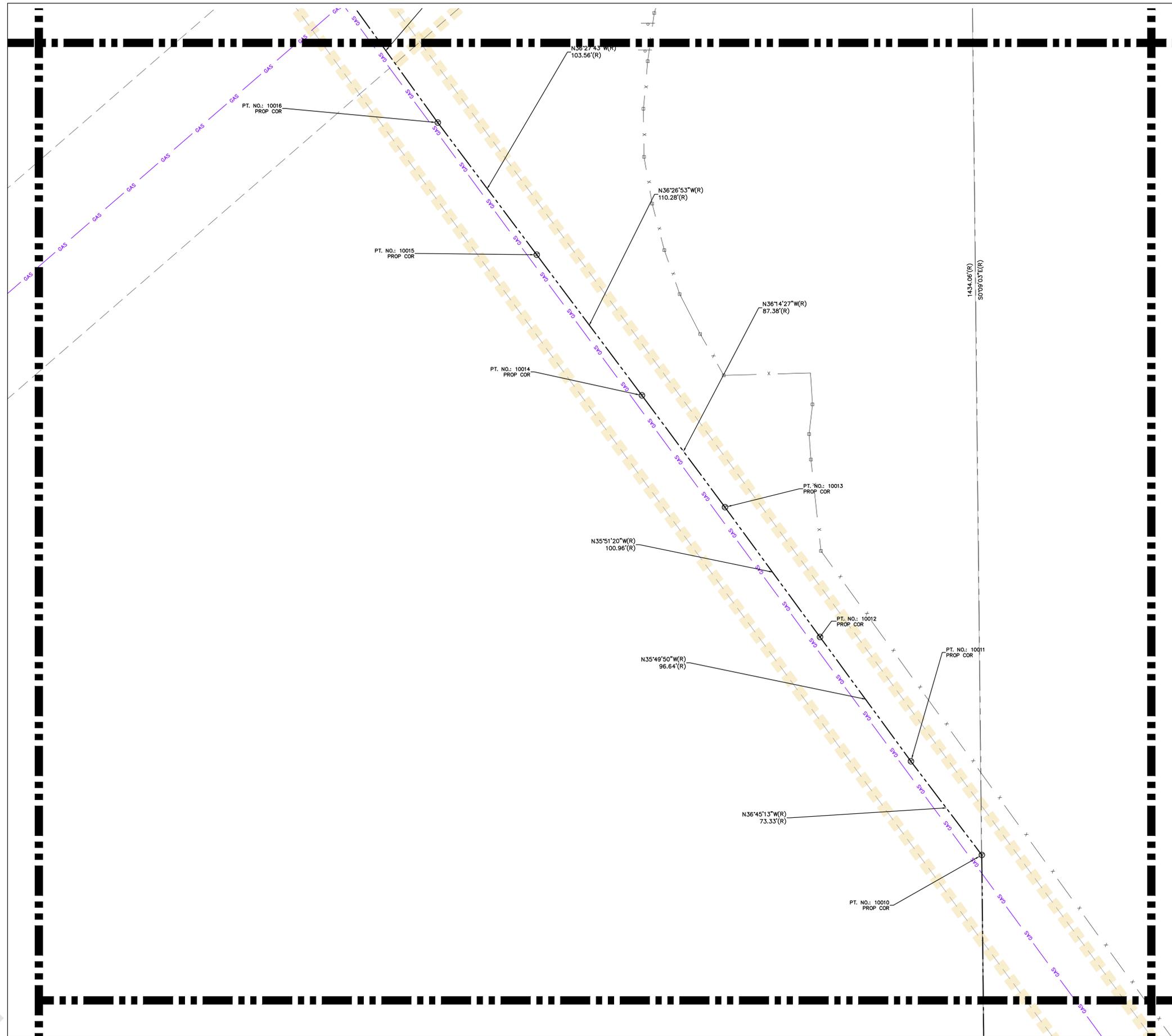
**ALTANSPS LAND TITLE SURVEY**

HOLEY MOLEY SAYS  
 "DIG SAFELY"



CLIENT NAME:  
 CHARLES TYLER  
 FANNING HOWEY  
 350 EAST NEW YORK, SUITE 300  
 INDIANAPOLIS, IN 46204  
 PH: 317-848-0966

DESIGNED: APPROVED: MLD  
 DRAWN: BAW CHECKED BY: MLD  
 SCALE: 1" = 30' DATE: 12-13-19  
 PROJECT NO.: 2019-0031



ABBREVIATIONS AND EXISTING LEGEND

	SPOT ELEVATION		FIBER OPTICS
	CONTOUR (MAJOR)		GAS
	CONTOUR (MINOR)		ELECTRIC
	CONCRETE BUMPER		TELEPHONE
	PAY TELEPHONE		WATER
	RIGHT OF WAY MARKER		SANITARY SEWER
	GUY ANCHOR		STORM SEWER
	CAT TAILS		COMBINED SEWER
	STUMP		UNDERGROUND
	DECIDUOUS TREE		OVERHEAD
	EVERGREEN TREE		COMBINATION M.H.
	BUSH		SANITARY M.H.
	FENCE		CLEAN OUT
	SIGN		CURB INLET
	TRAFFIC SIGNAL POLE		ROUND INLET (24" TYP)
	TRAFFIC SIGNAL M.H.		SQUARE INLET (24" TYP)
	DOOR		DRAINAGE M.H.
	FLAG POLE		END SECTION
	UTILITY POLE		GAS/WATER METER
	PLAY GROUND EQUIP		TELE/CABLE/ELEC PEDESTAL
	BORE		IRRIGATION/ELEC BOX
	MAIL BOX		AIR CONDITIONER
	SPOUET		ELECTRIC TRANSFORMER
	IRON PIN		AREA LIGHT / LIGHT BOLLARD
	TEST PIT		GAS/WATER VALVE
	BENCHMARK ELEV		PIV/FIRE HYDRANT/FDC
	DRILL HOLE		DRAIN/DOWN SPOUT
	PROPERTY CORNER		FO/ELEC/TELE/GAS MARKER
	SURVEY CONTROL POINT		WELL LID
	ROUND METAL LID		WATER SHUT OFF LID
	MONITOR WELL LID		
	SQUARE METAL LID		

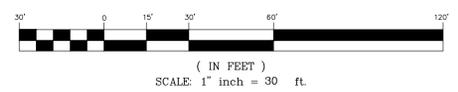
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SITE CONTROL AND BENCHMARK

HORIZONTAL AND VERTICAL CONTROL BASED ON INDOT INCORS SYSTEM, INCORPORATES VERTICAL DATUM NGVD88.



TOPOGRAPHY KEY NOTE T25

**DLDS**  
DEBOY LAND DEVELOPMENT SERVICES  
**Designers-Engineers-Surveyors**  
P.O. BOX 25, Noblesville, IN 46061  
Phone: 317.770.1801 Toll Free: (888) 801-8555

REGISTERED  
NO. 50539  
STATE OF INDIANA  
LAND SURVEYOR

ZIONSVILLE ATHLETIC COMPLEX,  
BOONE COUNTY, IN  
Section 28, Twp. 18 North  
Rg. 2 East, 2nd P.M., Eagle Twp., Boone County, Indiana

ALTA/NSPS LAND TITLE SURVEY

HOLEY MOLEY SAYS "DIG SAFELY"



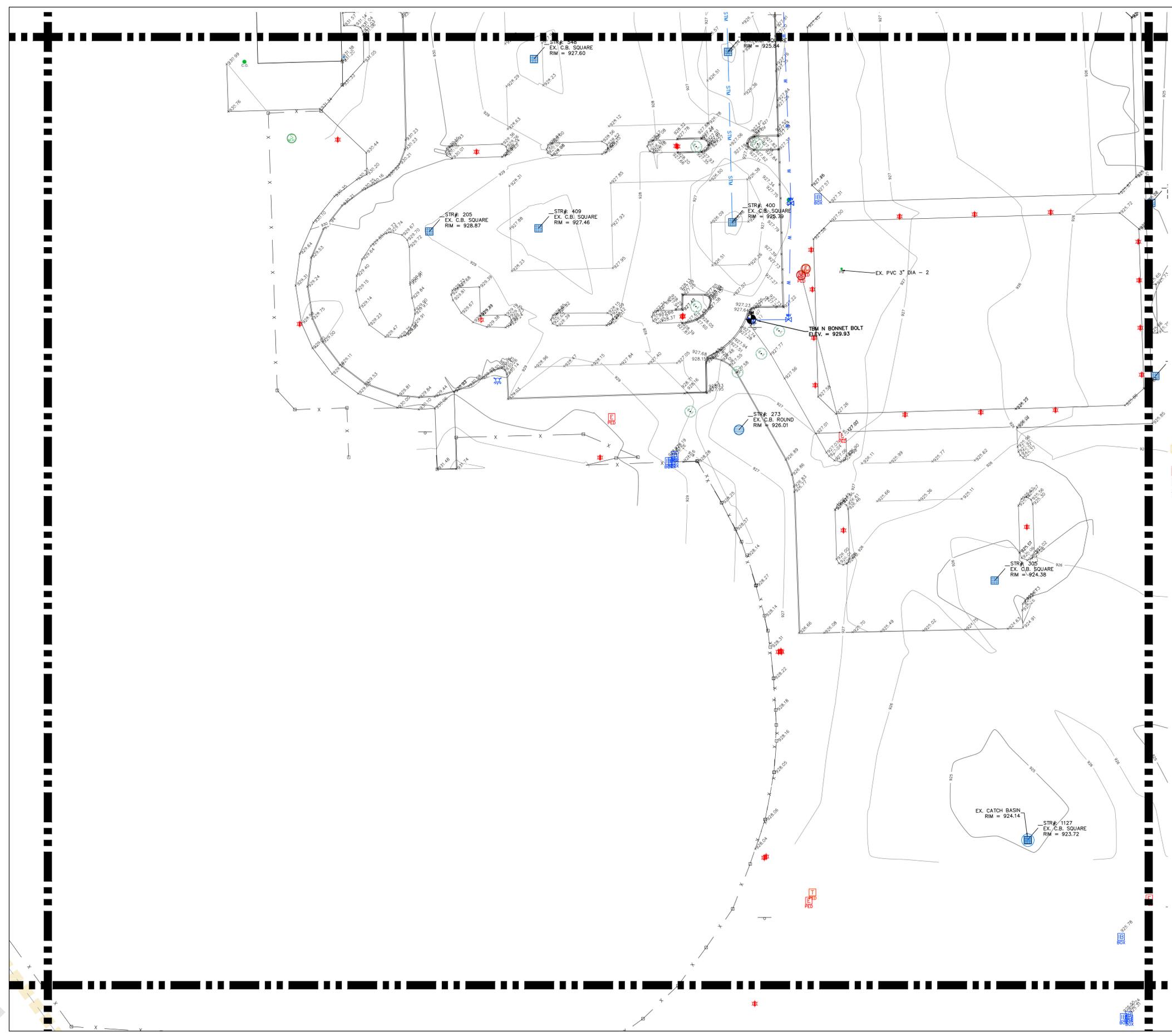
811

PER INDIANA STATE LAW, ICSB-1-26,  
IT IS AGAINST THE LAW TO EXCAVATE  
WITHOUT NOTIFYING THE UNDERGROUND  
LOCATION SERVICE TWO (2) WORKING DAYS  
BEFORE COMMENCING WORK.

CLIENT NAME:	CHARLES TYLER FANNING HOWEY 350 EAST NEW YORK, SUITE 300 INDIANAPOLIS, IN 46204 PH: 317-848-0966
DESIGNED:	APPROVED: MLD
DRAWN: BAW	CHECKED BY: MLD
SCALE: 1" = 30'	DATE: 12-13-19
PROJECT NO.:	2019-0031

PLOT 24X36

PLOT 11X17



ABBREVIATIONS AND EXISTING LEGEND

831	SPOT ELEVATION	FO	FIBER OPTICS
831	CONTOUR (MAJOR)	G	GAS
831	CONTOUR (MINOR)	E	ELECTRIC
831	CONCRETE BUMPER	T	TELEPHONE
831	PAY TELEPHONE	W	WATER
831	RIGHT OF WAY MARKER	SS	SANITARY SEWER
831	GUY ANCHOR	SSM	STORM SEWER
831	CAT TAILS	CS	COMBINED SEWER
831	STUMP	U/G	UNDERGROUND
831	DECIDUOUS TREE	O/H	OVERHEAD
831	EVERGREEN TREE	COMBINATION M.H.	
831	BUSH	SANITARY M.H.	
831	FENCE	CLEAN OUT	
831	SIGN	CURB INLET	
831	TRAFFIC SIGNAL POLE	ROUND INLET (24" TYP)	
831	TRAFFIC SIGNAL M.H.	SQUARE INLET (24" TYP)	
831	DOOR	DRAINAGE M.H.	
831	FLAG POLE	GAS/WATER METER	
831	UTILITY POLE	TELE/CABLE/ELEC PEDESTAL	
831	PLAY GROUND EQUIP	IRREGATION/ELEC BOX	
831	BORER	AIR CONDITIONER	
831	MAIL BOX	ELECTRIC TRANSFORMER	
831	SPIQUET	AREA LIGHT / LIGHT BOLLARD	
831	IRON PIN	GAS/WATER VALVE	
831	TEST PIT	PIV/FIRE HYDRANT/FDC	
831	BENCHMARK ELEV	DRAN/DOWN SPOUT	
831	DRILL HOLE	FO/ELEC/TELE/GAS MARKER	
831	PROPERTY CORNER	WELL LID	
831	SURVEY CONTROL POINT	WATER SHUT OFF LID	
831	ROUND METAL LID		
831	MONITOR WELL LID		
831	SQUARE METAL LID		

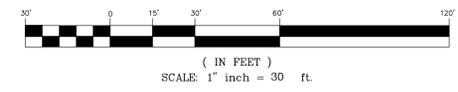
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SITE CONTROL AND BENCHMARK

HORIZONTAL AND VERTICAL CONTROL BASED ON INDOT INCORS SYSTEM, INCORPORATES VERTICAL DATUM NGVD88.



TOPOGRAPHY KEY NOTE T26

**DLDS**  
 DEBOY LAND DEVELOPMENT SERVICES  
**Designers-Engineers-Surveyors**  
 P.O. BOX 25, Noblesville, IN 46061  
 Phone: 317.770.1801 Toll Free: (888) 801-8555

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 STATE OF INDIANA  
 LAND SURVEYOR

**ZIONSVILLE ATHLETIC COMPLEX,  
 BOONE COUNTY, IN**  
 Section 28, Twp. 18 North  
 Rg. 2 East, 2nd P.M., Eagle Twp., Boone County, Indiana  
**ALTA/NSPS LAND TITLE SURVEY**

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 Call before you dig.  
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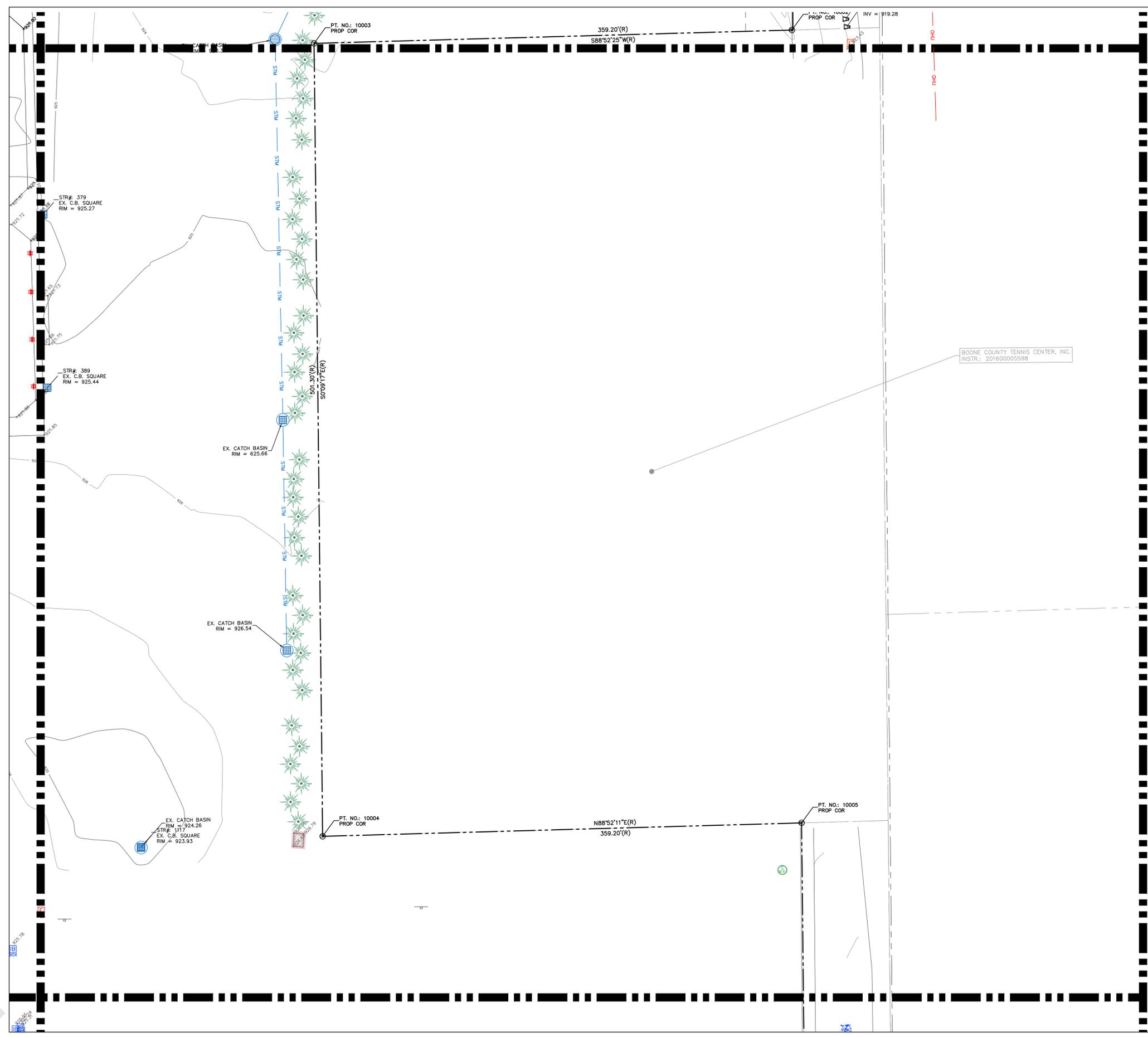
CLIENT NAME:	CHARLES TYLER FANNING HOWEY 350 EAST NEW YORK, SUITE 300 INDIANAPOLIS, IN 46204 PH: 317-848-0966
DESIGNED:	APPROVED: MLD
DRAWN: BAW	CHECKED BY: MLD
SCALE: 1" = 30'	DATE: 12-13-19
PROJECT NO.:	2019-0031

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PROJECT: C:\survey Design Aides\Projects\DLDS\2019\2019-0031 - Zionsville Athletic Fields - Fanning Howey\SURVEYING\DRAWINGS  
 DWG: 2019-0031SU-field.dwg  
 PLOTTED BY: BRENT WHITE  
 DATE: Friday, May 1, 2020 12:00:46 PM

PLOT 24X36

PLOT 11X17



### ABBREVIATIONS AND EXISTING LEGEND

	SPOT ELEVATION		FIBER OPTICS
	CONTOUR (MAJOR)		GAS
	CONTOUR (MINOR)		ELECTRIC
	CONCRETE BUMPER		TELEPHONE
	PAY TELEPHONE		WATER
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	STUMP		UNDERGROUND
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	BUSH		SANITARY M.H.
	FENCE		CLEAN OUT
	SIGN		CURB INLET
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	TRAFFIC SIGNAL M.H.		SQUARE INLET (24" TYP)
	DOOR		DRAINAGE M.H.
	FLAG POLE		END SECTION
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	SPROCKET		ELECTRIC TRANSFORMER
	IRON PIN		AREA LIGHT / LIGHT BOLLARD
	TEST PIT		GAS/WATER VALVE
	BENCHMARK ELEV		PIV/FIRE HYDRANT/FDC
	DRILL HOLE		DRAIN/DOWN SPOUT
	PROPERTY CORNER		FO/ELEC/TELE/GAS MARKER
	SURVEY CONTROL POINT		WELL LID
	ROUND METAL LID		WATER SHUT OFF LID
	MONITOR WELL LID		
	SQUARE METAL LID		

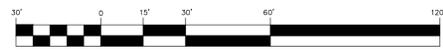
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### SITE CONTROL AND BENCHMARK

HORIZONTAL AND VERTICAL CONTROL BASED ON INDOT INCORS SYSTEM, INCORPORATES VERTICAL DATUM NGVD88.



( IN FEET )  
SCALE: 1" inch = 30 ft.

### TOPOGRAPHY KEY NOTE T27

**DLDS**  
DEBOY LAND DEVELOPMENT SERVICES  
**Designers-Engineers-Surveyors**  
P.O. BOX 25, Noblesville, IN 46061  
Phone: 317.770.1801 Toll Free: (888) 801-8555



**ZIONSVILLE ATHLETIC COMPLEX,  
BOONE COUNTY, IN**  
Section 28, Twp. 18 North  
Rg. 2 East, 2nd P.M., Eagle Twp., Boone County, Indiana  
**ALTANSPS LAND TITLE SURVEY**

CLIENT NAME:	CHARLES TYLER FANNING HOWEY 350 EAST NEW YORK, SUITE 300 INDIANAPOLIS, IN 46204 PH: 317-848-0966
DESIGNED:	APPROVED: MLD
DRAWN: BAW	CHECKED BY: MLD
SCALE: 1" = 30'	DATE: 12-13-19
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HOLEY MOLEY SAYS  
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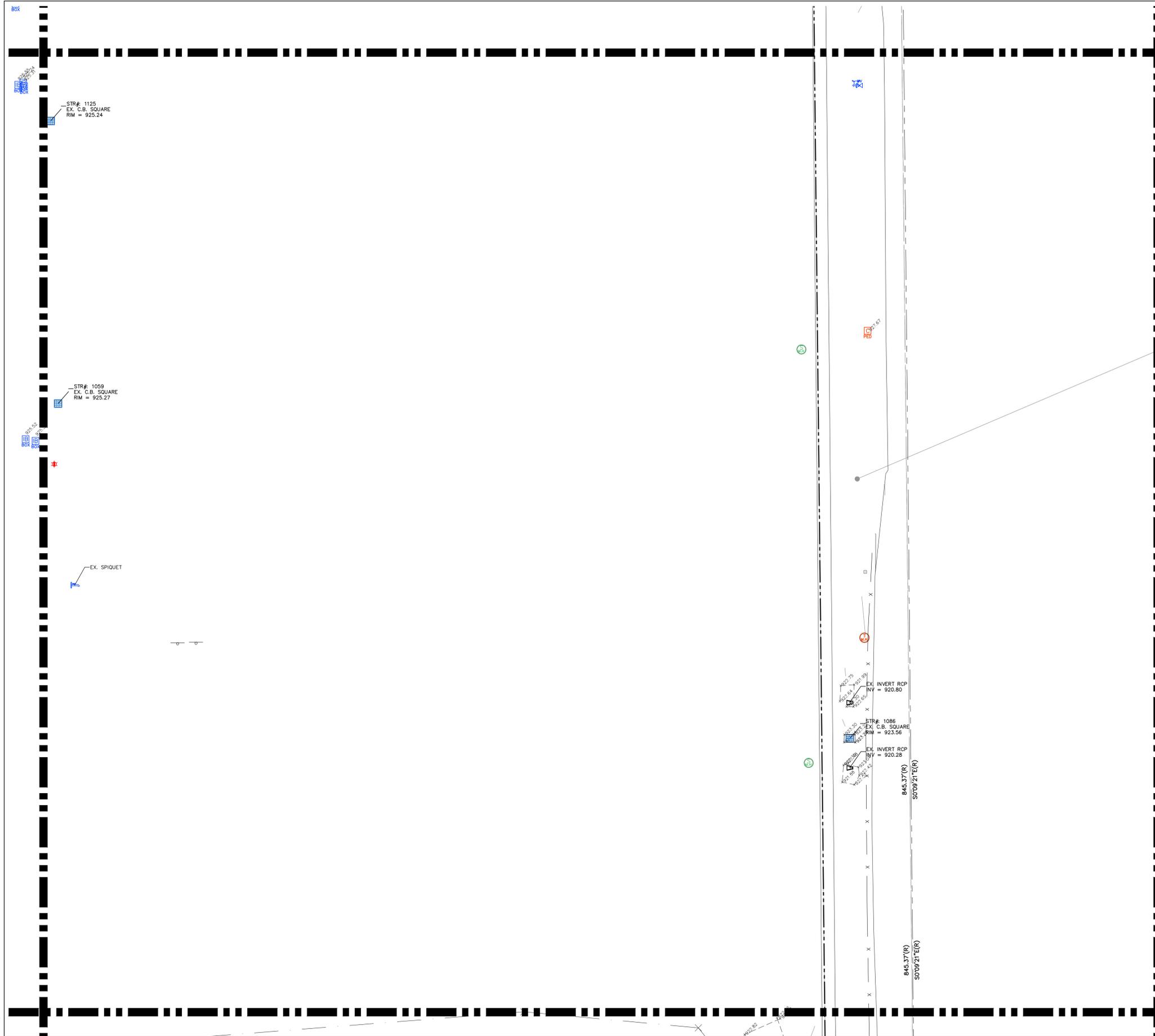
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PLOT 24X36

PLOT 11X17



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	MAIL BOX		AIR CONDITIONER
	SPIOUET		ELECTRIC TRANSFORMER
	IRON PIN		AREA LIGHT / LIGHT BOLLARD
	TEST PIT		GAS/WATER VALVE
	BENCHMARK ELEV		PIV/FIRE HYDRANT/FDC
	DRILL HOLE		DRAIN/DOWN SPOUT
	PROPERTY CORNER		FO/ELEC/TELE/GAS MARKER
	SURVEY CONTROL POINT		WELL LID
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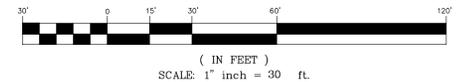
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### SITE CONTROL AND BENCHMARK

HORIZONTAL AND VERTICAL CONTROL BASED ON INDOT INCORS SYSTEM, INCORPORATES VERTICAL DATUM NGVD88.



### TOPOGRAPHY KEY NOTE T30

**DLDS**  
 DEBOY LAND DEVELOPMENT SERVICES  
**Designers-Engineers-Surveyors**  
 P.O. BOX 25, Noblesville, IN 46061  
 Phone: 317.770.1801 Toll Free: (888) 801-8655



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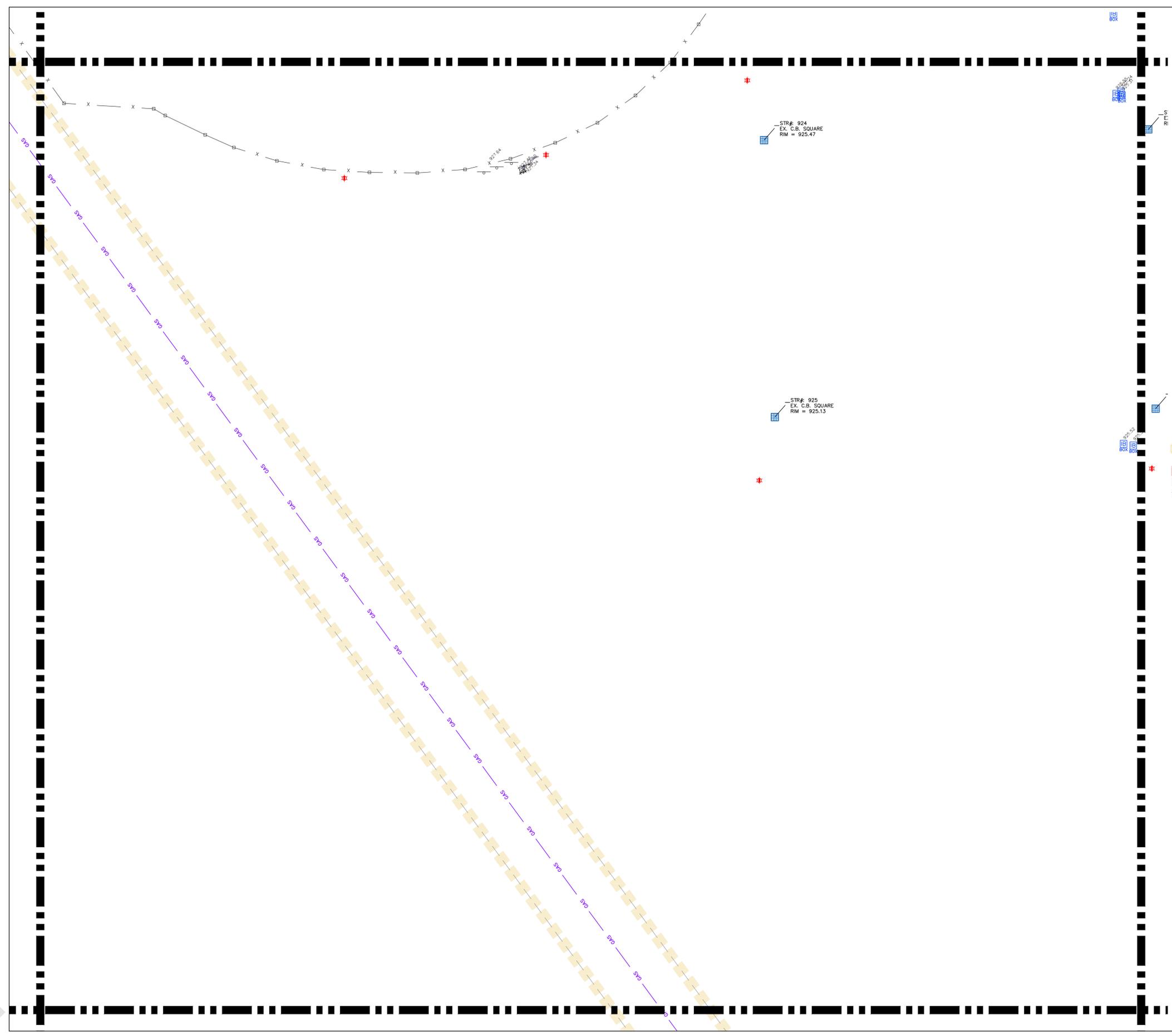


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PLOT 24X36

PLOT 11X17



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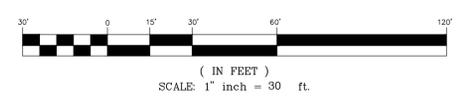
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### SITE CONTROL AND BENCHMARK

HORIZONTAL AND VERTICAL CONTROL BASED ON INDOT INCORS SYSTEM, INCORPORATES VERTICAL DATUM NGVD88.



TOPOGRAPHY KEY NOTE T29

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 DEBOY LAND DEVELOPMENT SERVICES  
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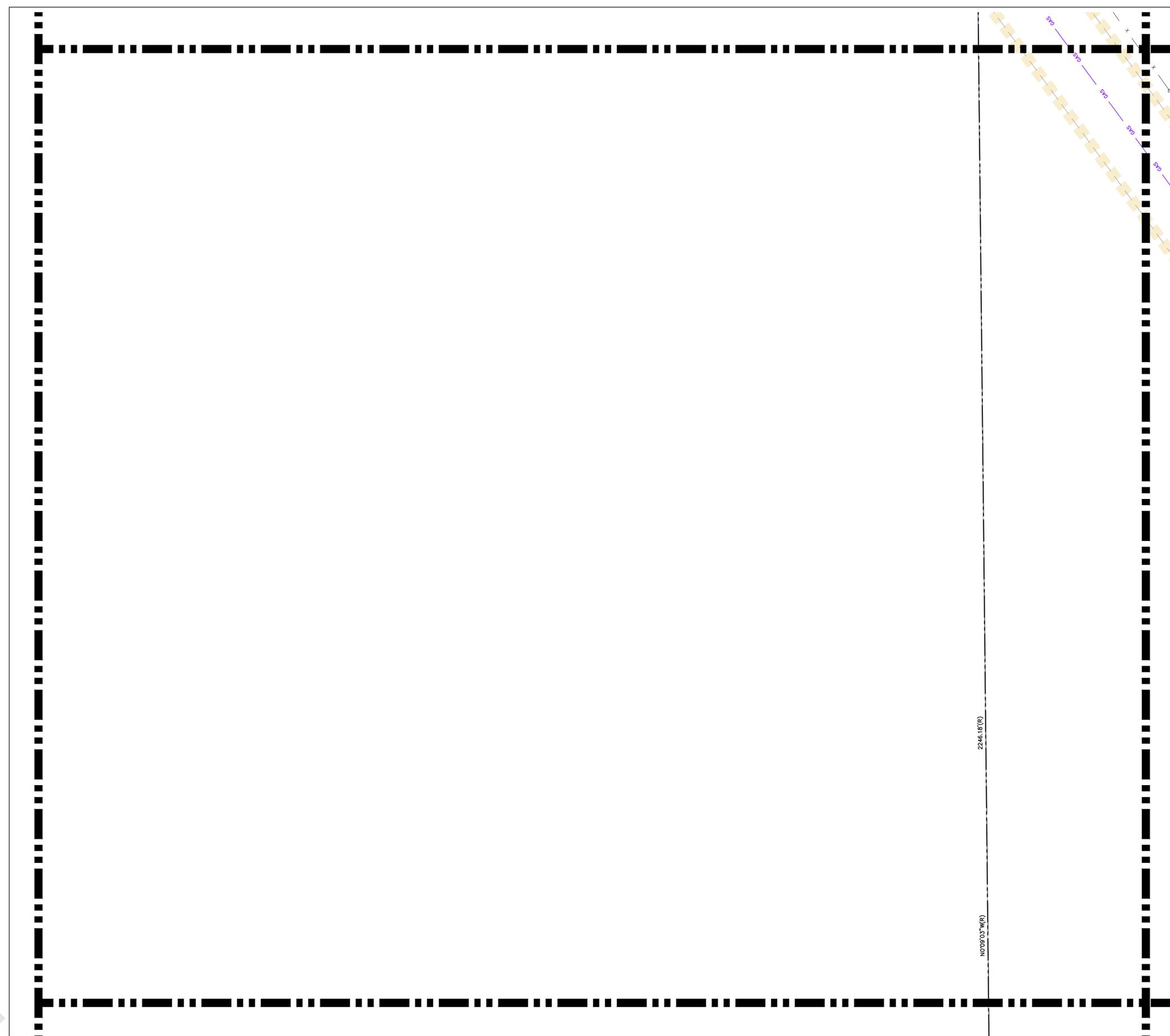
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	FENCE		CLEAN OUT
	SIGN		CURB INLET
	TRAFFIC SIGNAL POLE		ROUND INLET (24" TYP)
	TRAFFIC SIGNAL M.H.		SQUARE INLET (24" TYP)
	DOOR		DRAINAGE M.H.
	FLAG POLE		END SECTION
	UTILITY POLE		GAS/WATER METER
	PLAY GROUND EQUIP		TELE/CABLE/ELEC PEDESTAL
	BORE		IRRIGATION/ELEC BOX
	MAIL BOX		AIR CONDITIONER
	SPIQUET		ELECTRIC TRANSFORMER
	IRON PIN		AREA LIGHT / LIGHT BOLLARD
	TEST PIT		GAS/WATER VALVE
	BENCHMARK ELEV		PIV/FIRE HYDRANT/FDC
	DRILL HOLE		DRAIN/DOWN SPOUT
	PROPERTY CORNER		FD/ELEC/TELE/GAS MARKER
	SURVEY CONTROL POINT		WELL LID
	ROUND METAL LID		WATER SHUT OFF LID
	MONITOR WELL LID		
	SQUARE METAL LID		

### NOTES

D - DEED M - MEASURED/CALCULATED SP - STATE PLANE BEARING P - PLATTED  
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 IPS - 5/8" DIAMETER WITH PLASTIC CAP STAMPED "DLDS 0664" SET IPF - IRON PIN FOUND  
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- EASEMENT AREA OUTLINE
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- EXISTING BUILDING INSIDE BOUNDARY / PARCEL
- EXISTING PAVEMENT INSIDE BOUNDARY / PARCEL
- EXISTING CONCRETE INSIDE BOUNDARY / PARCEL

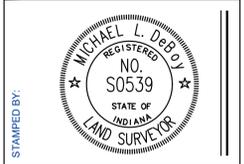
### SITE CONTROL AND BENCHMARK

HORIZONTAL AND VERTICAL CONTROL BASED ON INDOT INCORS SYSTEM, INCORPORATES VERTICAL DATUM NGVD88.



TOPOGRAPHY KEY NOTE T28

**DLDS**  
 DEBOY LAND DEVELOPMENT SERVICES  
**Designers-Engineers-Surveyors**  
 P.O. BOX 25, Noblesville, IN 46061  
 Phone: 317.770.1801 Toll Free: (888) 801-8655



**ZIONSVILLE ATHLETIC COMPLEX,  
 BOONE COUNTY, IN**  
 Section 28, Twp. 18 North  
 Rg. 2 East, 2nd P.M., Eagle Twp., Boone County, Indiana

**ALTANSPS LAND TITLE SURVEY**

HOLEY MOLEY SAYS  
 "DIG SAFELY"



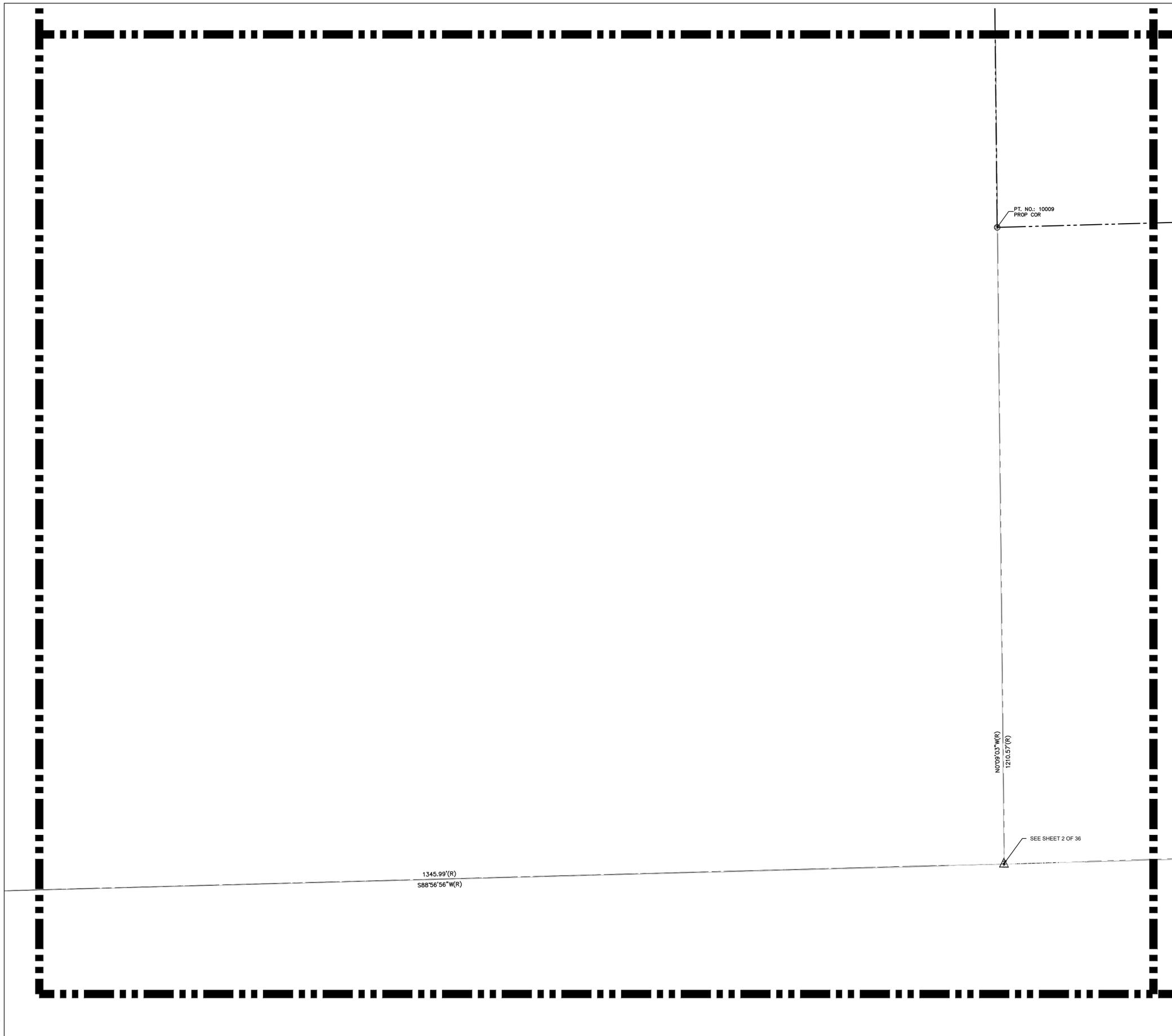
CLIENT NAME:	CHARLES TYLER FANNING HOWEY 350 EAST NEW YORK, SUITE 300 INDIANAPOLIS, IN 46204 PH: 317-848-0966
DESIGNED:	APPROVED: MLD
DRAWN: BAW	CHECKED BY: MLD
SCALE: 1" = 30'	DATE: 12-13-19
PROJECT NO.:	2019-0031

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PROJECT: C:\survey Design Aides\Projects\DLDS\2019\2019-0031 - Zionsville Athletic Fields - Fanning Howey\SURVEYING\DRAWINGS  
 DWG: 2019-0031SU-Field.dwg  
 PLOTTED BY: BRENT WHITE  
 DATE: Friday, May 1, 2020 12:02:42 PM

PLOT 24X36

PLOT 11X17



ABBREVIATIONS AND EXISTING LEGEND

	SPOT ELEVATION		FIBER OPTICS
	CONTOUR (MAJOR)		GAS
	CONTOUR (MINOR)		ELECTRIC
	CONCRETE BUMPER		TELEPHONE
	PAY TELEPHONE		WATER
	RIGHT OF WAY MARKER		SANITARY SEWER
	GUY ANCHOR		STORM SEWER
	CAT TAILS		COMBINED SEWER
	STUMP		UNDERGROUND
	DECIDUOUS TREE		OVERHEAD
	EVERGREEN TREE		COMBINATION M.H.
	BUSH		SANITARY M.H.
	FENCE		CLEAN OUT
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	MAIL BOX		AIR CONDITIONER
	SPOUET		ELECTRIC TRANSFORMER
	IRON PIN		AREA LIGHT / LIGHT BOLLARD
	TEST PIT		GAS/WATER VALVE
	BENCHMARK ELEV		PIV/FIRE HYDRANT/FDC
	DRILL HOLE		DRAIN/DOWN SPOUT
	PROPERTY CORNER		FO/ELEC/TELE/GAS MARKER
	SURVEY CONTROL POINT		WELL LID
	ROUND METAL LID		WATER SHUT OFF LID
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	SQUARE METAL LID		

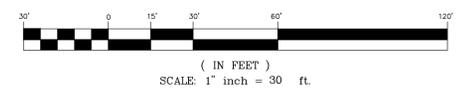
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SITE CONTROL AND BENCHMARK

HORIZONTAL AND VERTICAL CONTROL BASED ON INDOT INCORS SYSTEM, INCORPORATES VERTICAL DATUM NGVD88.



TOPOGRAPHY KEY NOTE T31

**DLDS**  
 DEBOY LAND DEVELOPMENT SERVICES  
**Designers-Engineers-Surveyors**  
 P.O. BOX 25, Noblesville, IN 46061  
 Phone: 317.770.1801 Toll Free: (888) 801-8555



**ZIONSVILLE ATHLETIC COMPLEX,  
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 Section 28, Twp. 18 North  
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HOLEY MOLEY SAYS "DIG SAFELY"

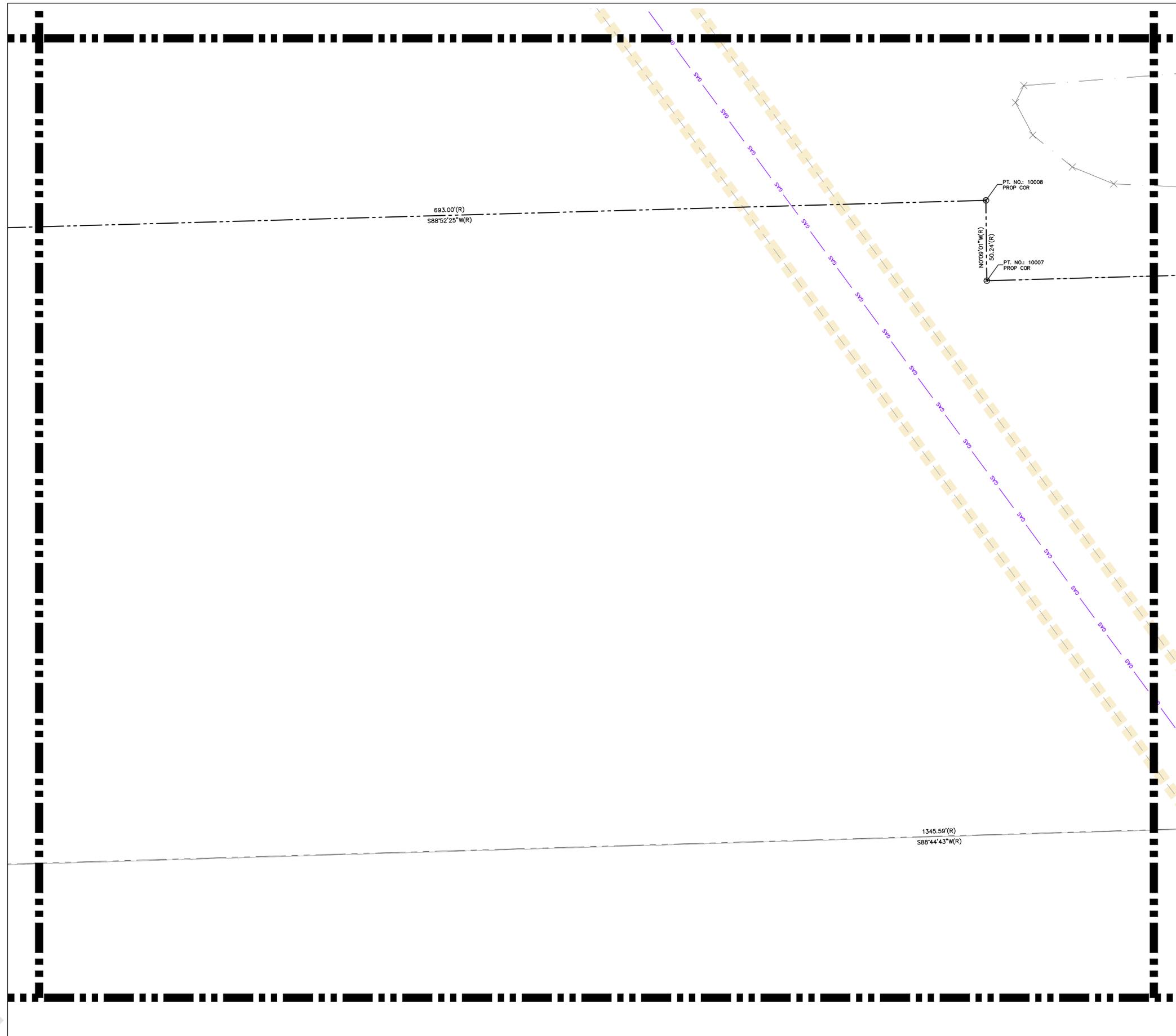


Know what's below. Call before you dig.

**811**

PER INDIANA STATE LAW IC8-1-26 IT IS AGAINST THE LAW TO EXCAVATE WITHOUT NOTIFYING THE UNDERGROUND LOCATION SERVICE TWO (2) WORKING DAYS BEFORE COMMENCING WORK.

CLIENT NAME:	CHARLES TYLER FANNING HOWEY 350 EAST NEW YORK, SUITE 300 INDIANAPOLIS, IN 46204 PH: 317-848-0966
DESIGNED:	APPROVED: MLD
DRAWN: BAW	CHECKED BY: MLD
SCALE: 1" = 30'	DATE: 12-13-19
PROJECT NO.:	2019-0031



ABBREVIATIONS AND EXISTING LEGEND

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	CAT TAILS		COMBINED SEWER
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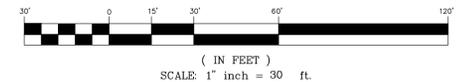
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SITE CONTROL AND BENCHMARK

HORIZONTAL AND VERTICAL CONTROL BASED ON INDOT INCORS SYSTEM, INCORPORATES VERTICAL DATUM NGVD88.



TOPOGRAPHY KEY NOTE T32

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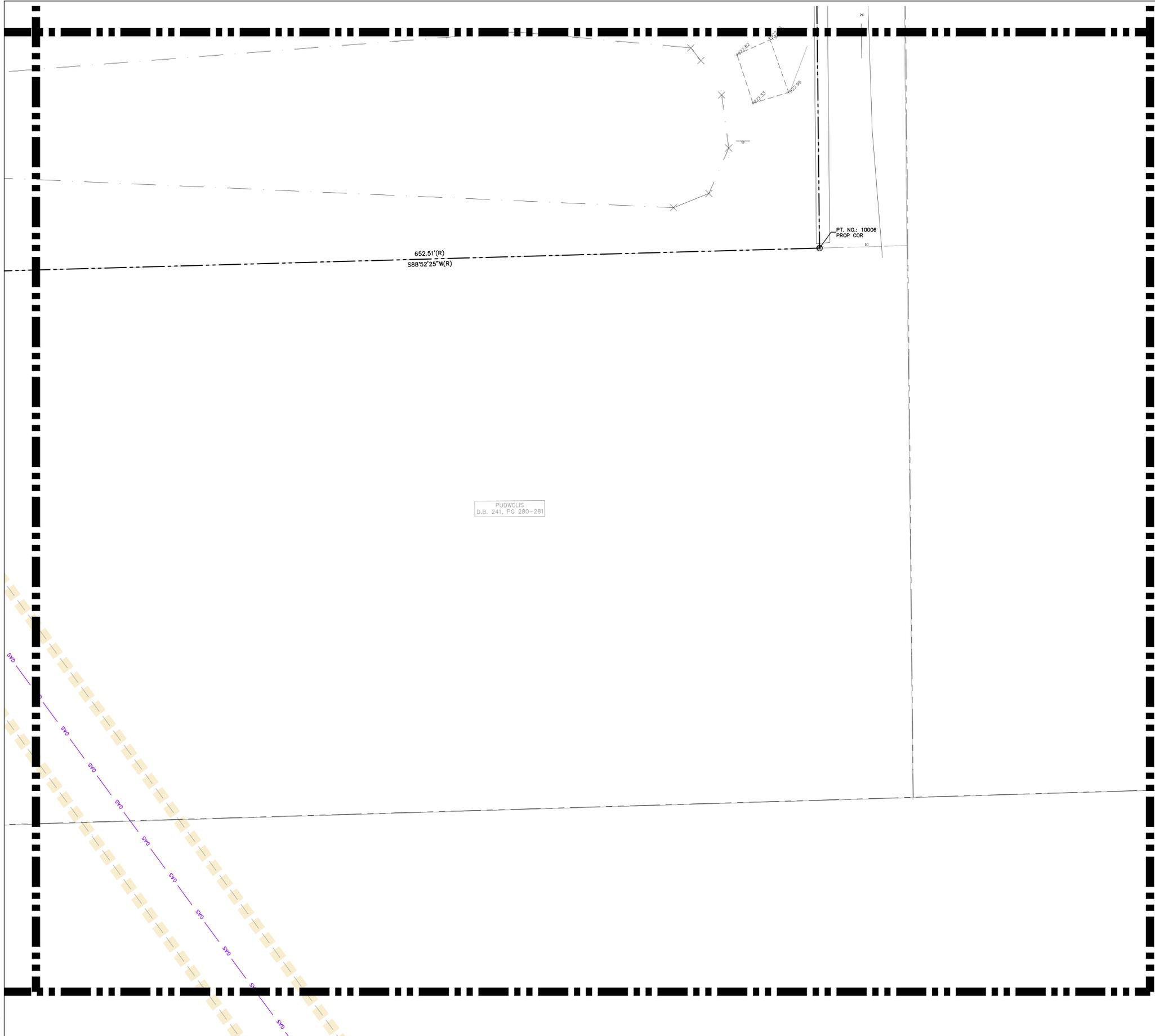
**ZIONSVILLE ATHLETIC COMPLEX, BOONE COUNTY, IN**  
 Section 28, Twp. 18 North  
 Rg. 2 East, 2nd P.M., Eagle Twp., Boone County, Indiana

**ALTA/NSPS LAND TITLE SURVEY**

CLIENT NAME:	CHARLES TYLER FANNING HOWEY 350 EAST NEW YORK, SUITE 300 INDIANAPOLIS, IN 46204 PH: 317-848-0966
DESIGNED:	APPROVED: MLD
DRAWN: BAW	CHECKED BY: MLD
SCALE: 1" = 30'	DATE: 12-13-19
PROJECT NO.:	2019-0031

PLOT 24X36

PLOT 11X17



ABBREVIATIONS AND EXISTING LEGEND

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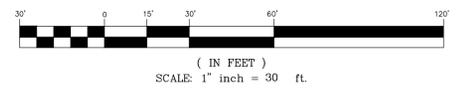
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SITE CONTROL AND BENCHMARK

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TOPOGRAPHY KEY NOTE T33

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CLIENT NAME:  
CHARLES TYLER  
FANNING HOWEY  
350 EAST NEW YORK, SUITE 300  
INDIANAPOLIS, IN 46204  
PH: 317-848-0966

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DESIGNED: APPROVED: MLD

DRAWN: BAW CHECKED BY: MLD

SCALE: 1" = 30' DATE: 12-13-19

PROJECT NO.: 2019-0031

36 OF 36





















# ZIONSVILLE ELEMENTARY SCHOOL

4400 South CR 875 East  
Zionsville, IN 46077



ARCHITECT



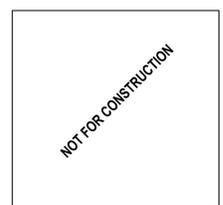
317.848.0966  
350 East New York Street, Suite 300, Indianapolis, IN 46204

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CIVIL ENGINEER



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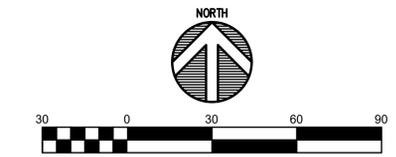


PROJECT MANAGER: BNH  
DRAWN BY: HHW  
PROJECT NUMBER: 219124.00 / 2019.520  
PROJECT ISSUE DATE: 05/01/2020

REV. NO.	DESCRIPTION	DATE

ENLARGED SITE PLAN

# G1.1



### GENERAL NOTES

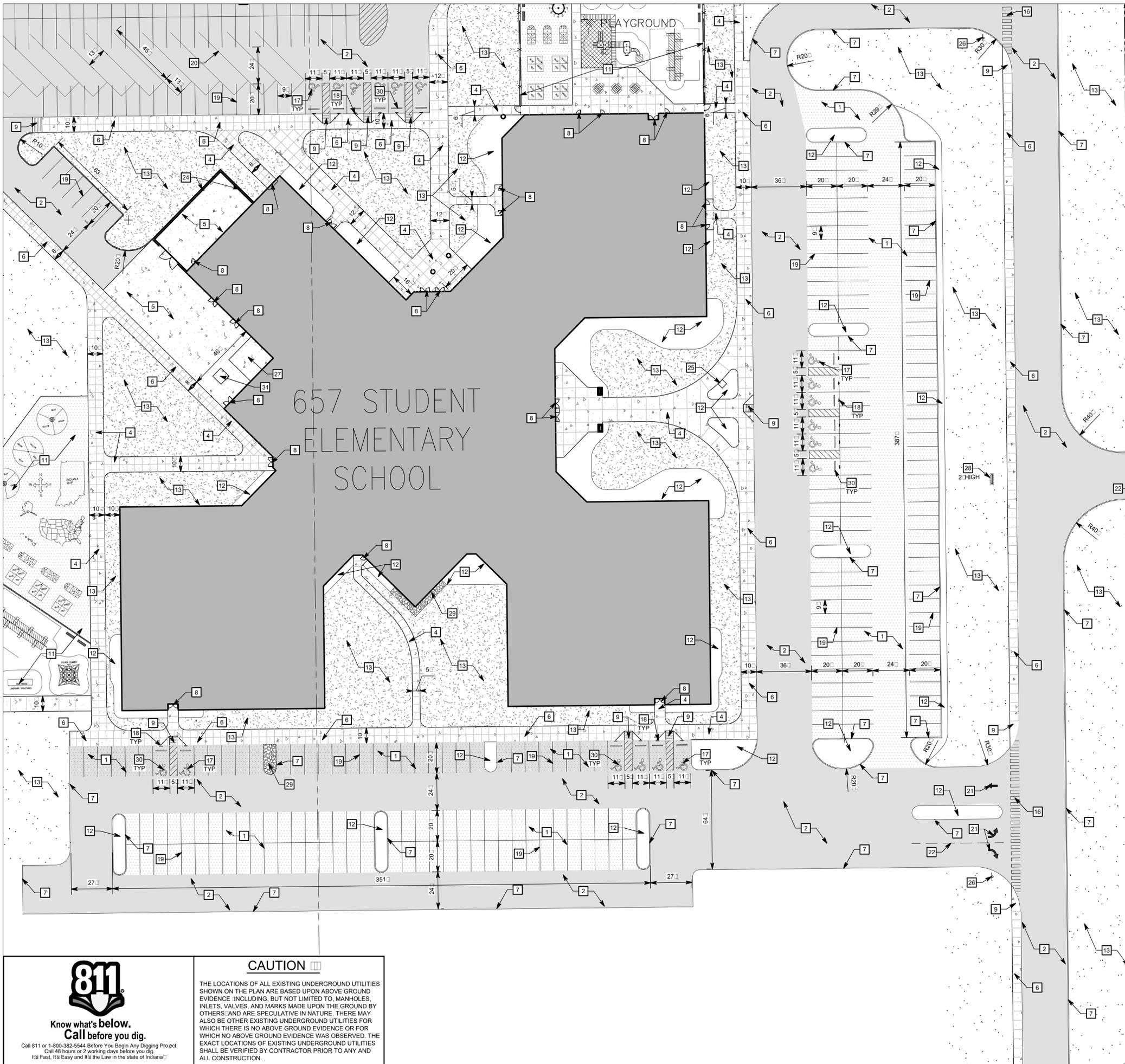
- SEE DRAWING GD0.1 FOR GENERAL NOTES AND ADDITIONAL LEGEND.
- TOPOGRAPHIC CONDITIONS AND EXISTING UTILITIES SHOWN WERE PROVIDED BY THE SURVEYOR. THE ENGINEER MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED.
- CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS IN THE PROJECT AREA INCLUDING UNDERGROUND UTILITY CONDITIONS, LOCATION AND DEPTH PRIOR TO ANY OTHER SITE CONSTRUCTION. REPORT ANY DISCREPANCIES TO THE ENGINEER.

### PROPOSED SITE LEGEND

- BUILDING
- CONCRETE SIDEWALK/PAVEMENT
- HEAVY DUTY ASPHALT PAVEMENT
- STANDARD DUTY ASPHALT PAVEMENT
- RIGHT OF WAY ASPHALT PAVEMENT

### SITE KEYNOTES

- STANDARD DUTY ASPHALT PAVEMENT - SEE DETAIL A/G4.0
- HEAVY DUTY ASPHALT PAVEMENT - SEE DETAIL B/G4.0
- R.O.W. PAVEMENT - SEE DETAIL C/G4.0
- CONCRETE SIDEWALK - SEE DETAIL E/G4.0
- CONCRETE PAVEMENT - SEE DETAIL F/G4.0
- MONOLITHIC CURB AND WALK - SEE DETAIL J/G4.0
- CONCRETE CURB - SEE DETAIL N/G4.0
- CONCRETE STOOP - SEE DETAIL G/G4.0
- ADA ACCESSIBLE RAMP SEE DETAILS A & B/G4.1
- 6'-HIGH CHAIN LINK FENCE W/ GATES - SEE DETAILS F & G/G4.1
- PLAYGROUND AREA - SEE SHEET G3.1
- MULCHED LANDSCAPE BED - SEE LANDSCAPE PLAN
- LAWN AREA - SEE LANDSCAPE PLAN
- SOFTBALL FIELD WITH BACKSTOP
- SOCCER FIELD WITH GOALS
- CROSSWALK - SEE DETAIL D/G4.2
- ADA SYMBOL - SEE DETAIL E/G4.2
- ADA SIGN - SEE DETAIL F/G4.2
- 4" WIDE PAINTED WHITE PAINTED LINE (TYPICAL AT CAR SPACES)
- 4" WIDE PAINTED BLUE PAINTED LINE (TYPICAL AT BUS SPACES)
- PAINTED DIRECTIONAL ARROW - SEE DETAIL C/G4.2
- 4" WIDE PAINTED YELLOW SINGLE OR DOUBLE LANE DESIGNATIONS (SOLID OR DASHED)
- 4" WIDE PAINTED YELLOW PAINTED LINE (TYPICAL AT BASKETBALL GOALS)
- MASONRY SCREEN WALL
- FLAGPOLE - SEE DETAIL D/G4.1
- STOP SIGN - SEE DETAIL G/G4.2
- DUMPSTER PAD W/ ENCLOSURE
- SCHOOL IDENTIFICATION SIGN - SEE DETAIL H/G4.2
- STONE MULCH AREA
- CONCRETE PARKING BUMPER - SEE DETAIL A/G4.2
- DOCK LIFT
- TRAFFIC CONTROL GATE
- 6" x 6" WOOD BARRIER POST - SEE DETAIL K/G4.1



## 657 STUDENT ELEMENTARY SCHOOL

### CAUTION

THE LOCATIONS OF ALL EXISTING UNDERGROUND UTILITIES SHOWN ON THE PLAN ARE BASED UPON ABOVE GROUND EVIDENCE INCLUDING, BUT NOT LIMITED TO, MANHOLES, INLETS, VALVES, AND MARKS MADE UPON THE GROUND BY OTHERS AND ARE SPECULATIVE IN NATURE. THERE MAY ALSO BE OTHER EXISTING UNDERGROUND UTILITIES FOR WHICH THERE IS NO ABOVE GROUND EVIDENCE OR FOR WHICH NO ABOVE GROUND EVIDENCE WAS OBSERVED. THE EXACT LOCATIONS OF EXISTING UNDERGROUND UTILITIES SHALL BE VERIFIED BY CONTRACTOR PRIOR TO ANY AND ALL CONSTRUCTION.



Know what's below.  
Call before you dig.

Call 811 or 1-800-330-5544 Before You Begin Any Digging Project.  
Call 48 hours or 2 working days before you dig.  
It's Fast, It's Easy and It's the Law in the state of Indiana.

Drawing Path: P:\2019\2019-520\2019-520\CAD\Civil\Active\6 - 2019.520.G1.1 to G1.7 - Enlarged Site Layout Plans.dwg  
Printed By: bhendrieh@time.com Date: 5/1/20 9:26am Last Edited: 5/1/20 8:42am



















# ZIONSVILLE ELEMENTARY SCHOOL

4400 South CR 875 East  
Zionsville, IN 46077



ARCHITECT



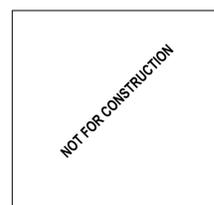
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PROJECT MANAGER: BNH  
DRAWN BY: HHW  
PROJECT NUMBER: 219124.00 / 2019.520  
PROJECT ISSUE DATE: 05/01/2020

REV. NO.	DESCRIPTION	DATE

ENLARGED GRADING PLAN

# G2.3



### GENERAL NOTES

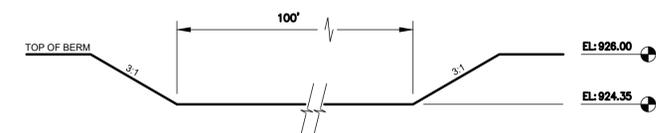
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- SEE DRAWING SU1.0A FOR STORM SEWER STRUCTURE DATA TABLE.

### SITE CONTROL AND BENCHMARK

HORIZONTAL AND VERTICAL CONTROL BASED ON INDOT INCORS SYSTEM. INCORPORATES VERTICAL DATUM NGVD88.

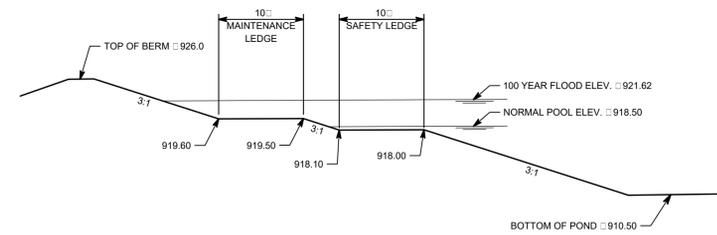
### GRADING PLAN LEGEND

- EXISTING SPOT ELEVATION
- MEG MATCH EXISTING GRADE
- TC TOP OF CURB
- BC BOTTOM OF CURB
- EP EDGE OF PAVEMENT
- FL FLOWLINE
- 7.30 EXISTING CONTOUR W/ ELEVATION
- 7.35 PROPOSED CONTOUR W/ ELEVATION
- 750.65 PROPOSED SPOT ELEVATION
- TC BC PROPOSED CURB ELEVATION



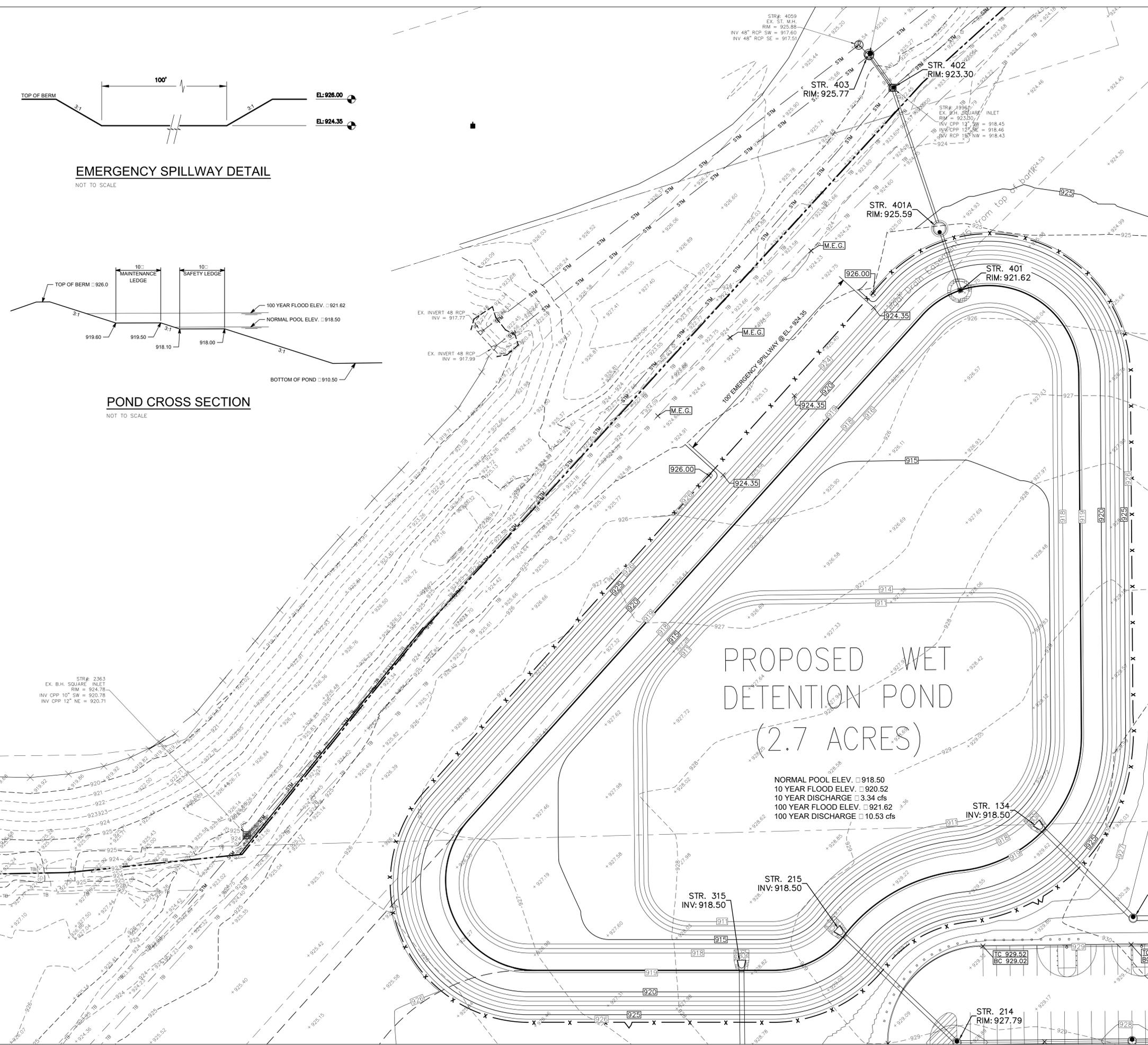
### EMERGENCY SPILLWAY DETAIL

NOT TO SCALE



### POND CROSS SECTION

NOT TO SCALE



## PROPOSED WET DETENTION POND (2.7 ACRES)

NORMAL POOL ELEV. □ 918.50  
10 YEAR FLOOD ELEV. □ 920.52  
10 YEAR DISCHARGE □ 3.34 cfs  
100 YEAR FLOOD ELEV. □ 921.62  
100 YEAR DISCHARGE □ 10.53 cfs

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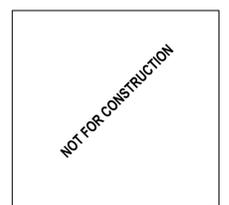
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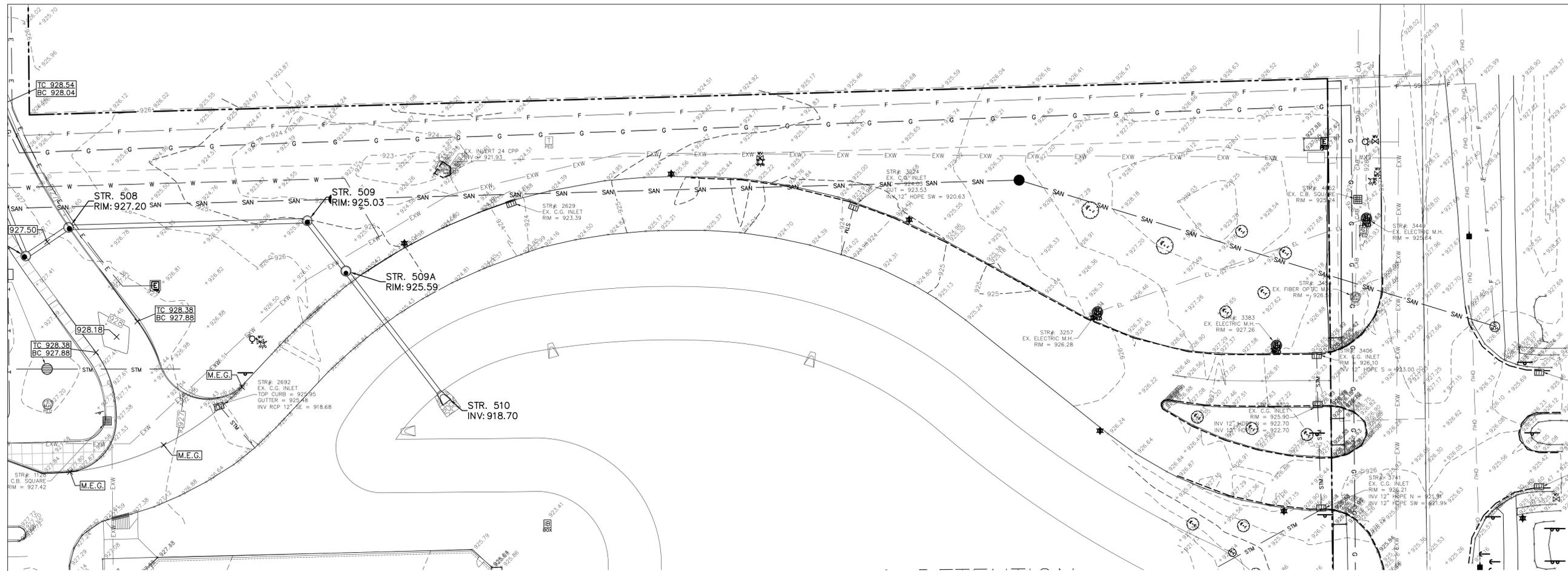


PROJECT MANAGER: BNH  
DRAWN BY: HHW  
PROJECT NUMBER: 219124.00 / 2019.520  
PROJECT ISSUE DATE: 05/01/2020

REV. NO.	DESCRIPTION	DATE

ENLARGED GRADING PLAN

# G2.6



### GENERAL NOTES

- SEE DRAWING GD0.1 FOR GENERAL NOTES AND ADDITIONAL LEGEND.
- TOPOGRAPHIC CONDITIONS AND EXISTING UTILITIES SHOWN WERE PROVIDED BY THE SURVEYOR. THE ENGINEER MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED.
- CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS IN THE PROJECT AREA INCLUDING UNDERGROUND UTILITY CONDITIONS, LOCATION AND DEPTH PRIOR TO ANY OTHER SITE CONSTRUCTION. REPORT ANY DISCREPANCIES TO THE ENGINEER.
- SEE DRAWING SU1.0A FOR STORM SEWER STRUCTURE DATA TABLE.

### GRADING PLAN LEGEND

- EXISTING SPOT ELEVATION
- MATCH EXISTING GRADE
- TOP OF CURB
- BOTTOM OF CURB
- EDGE OF PAVEMENT
- FLOWLINE
- EXISTING CONTOUR W/ ELEVATION
- PROPOSED CONTOUR W/ ELEVATION
- PROPOSED SPOT ELEVATION
- PROPOSED CURB ELEVATION

### SITE CONTROL AND BENCHMARK

HORIZONTAL AND VERTICAL CONTROL BASED ON INDOT INCORS SYSTEM, INCORPORATES VERTICAL DATUM NGVD88.



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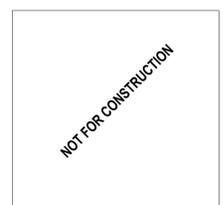
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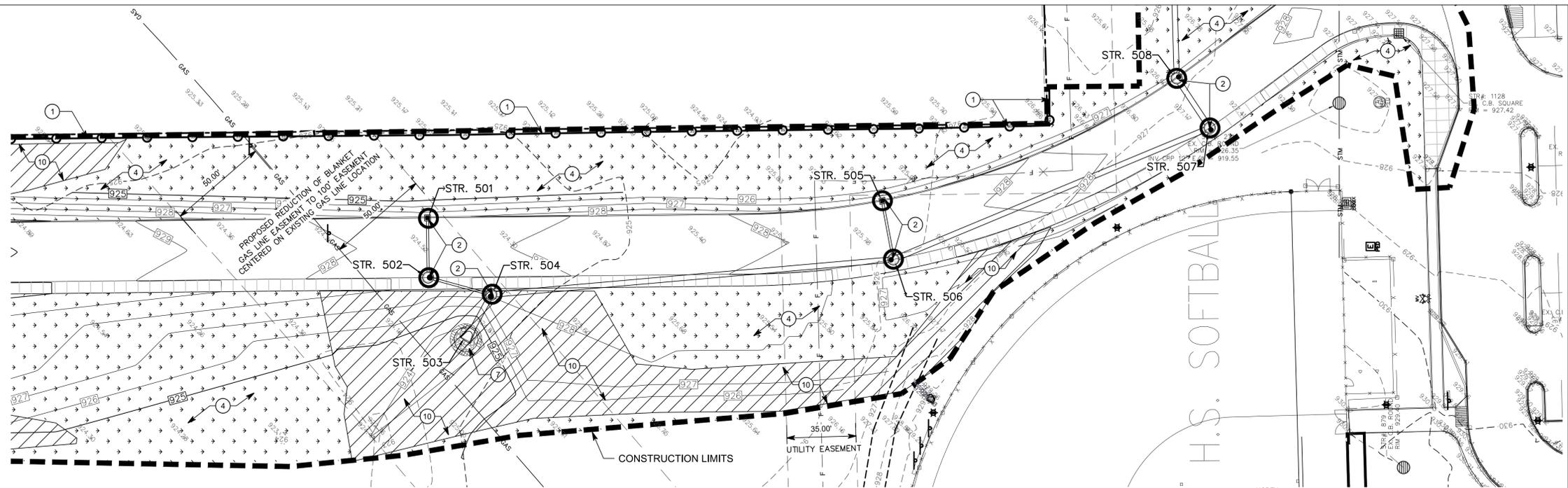


PROJECT MANAGER: BNH  
DRAWN BY: HHW  
PROJECT NUMBER: 219124.00 / 2019.520  
PROJECT ISSUE DATE: 05/01/2020

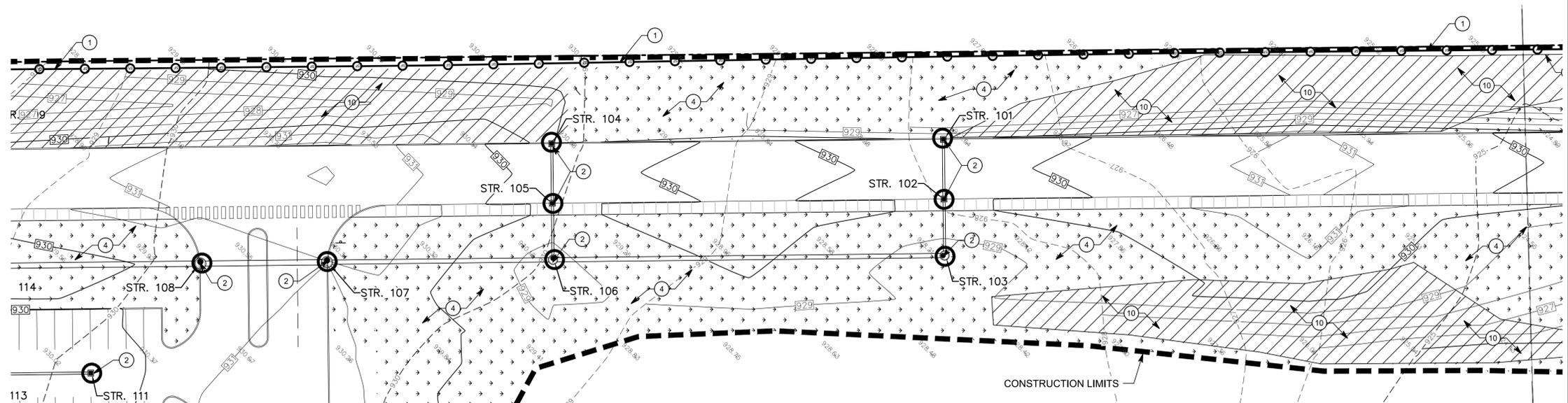
REV. NO.	DESCRIPTION	DATE

ENLARGED EROSION CONTROL  
PLAN

## G2.15



ENLARGEMENT A



ENLARGEMENT B

### GENERAL NOTES

- SEE DRAWING GD0.1 FOR GENERAL NOTES AND ADDITIONAL LEGEND.
- SEE DRAWING G2.21 FOR EROSION CONTROL DETAILS.
- ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES MAY BE REQUIRED BY THE INSPECTOR.
- DURING CONSTRUCTION KEEP PAVEMENT AND SIDEWALKS CLEAN AND WORK AREAS IN AN ORDERLY CONDITION. CLEAN WHEELS OF VEHICLES BEFORE LEAVING SITE TO AVOID TRACKING SOIL ONTO ROADS OR OTHER PAVED AREAS.

### EROSION CONTROL LEGEND

- INLET SEDIMENT PROTECTION
- APPROXIMATE LIMITS OF CONSTRUCTION
- APPROXIMATE LIMITS OF TEMPORARY SEEDING
- EROSION CONTROL BLANKET
- INDICATES LOCATION OF CONCRETE WASHOUT
- INDICATES LOCATION OF PORTABLE TOILETS
- SILT FENCE

### EROSION CONTROL KEYNOTES

- SILT FENCE - SEE DETAIL G.G.1.1
- INLET SEDIMENT PROTECTION IN PAVED AREAS PER DETAIL D.G.1.1 - G.G.1.1. INLET SEDIMENT PROTECTION IN NON PAVED AREAS PER DETAIL G.G.1.1
- CONSTRUCTION ENTRANCE DRIVE - SEE DETAIL A.G.1.1
- SEED DISTURBED AREAS PER LANDSCAPE PLAN
- PORTABLE TOILET - ANCHOR TO PREVENT SPILLS
- RIPRAP AT AREA OF END SECTION - SEE DETAIL L.G.1.1
- ROCK DONUT - SEE DETAIL H.G.1.1
- CONCRETE WASHOUT - SEE DETAIL C.G.1.1
- SWPPP INFORMATION BOARD
- EROSION CONTROL BLANKET - SEE DETAILS F.G.1.1 & M.G.1.1



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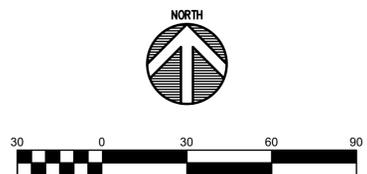
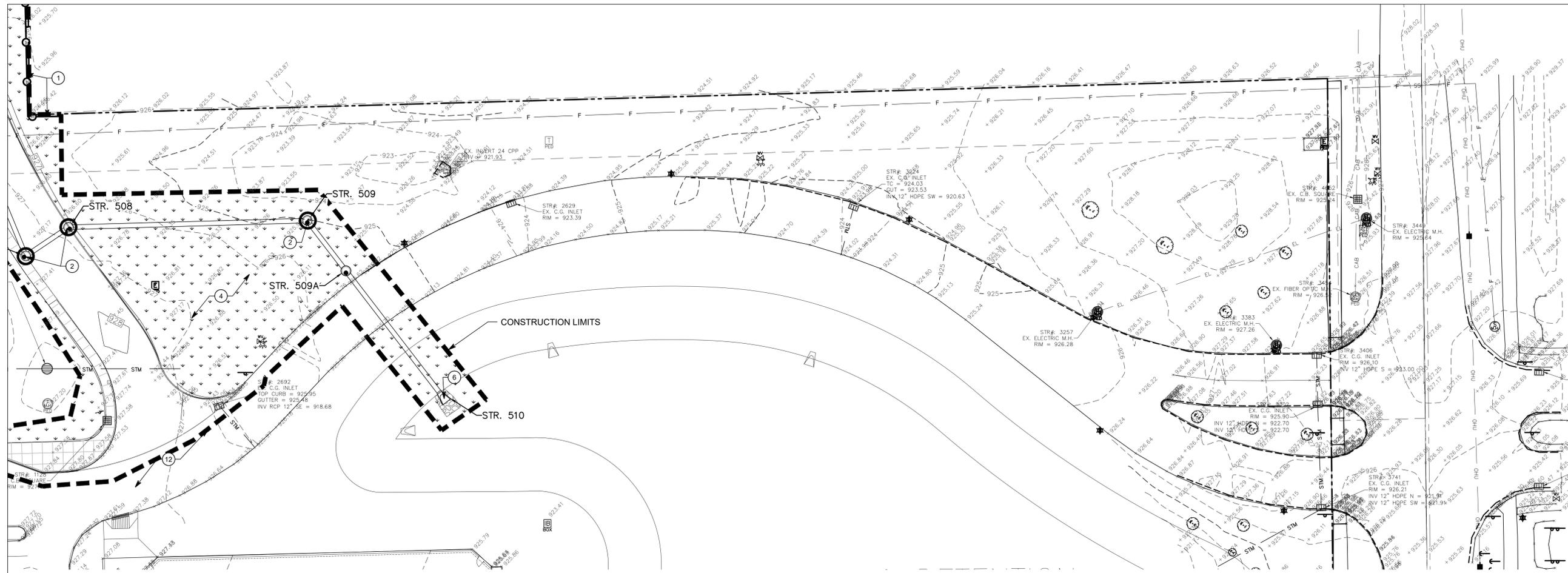


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## ENLARGED EROSION CONTROL PLAN G2.16



### GENERAL NOTES

- SEE DRAWING GD0.1 FOR GENERAL NOTES AND ADDITIONAL LEGEND.
- SEE DRAWING G2.21 FOR EROSION CONTROL DETAILS.
- ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES MAY BE REQUIRED BY THE INSPECTOR.
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### EROSION CONTROL LEGEND

- INLET SEDIMENT PROTECTION
- APPROXIMATE LIMITS OF CONSTRUCTION
- APPROXIMATE LIMITS OF TEMPORARY SEEDING
- EROSION CONTROL BLANKET
- INDICATES LOCATION OF CONCRETE WASHOUT
- INDICATES LOCATION OF PORTABLE TOILETS
- SILT FENCE

### EROSION CONTROL KEYNOTES

- SILT FENCE SEE DETAIL G2.16.1
- INLET SEDIMENT PROTECTION IN PAVED AREAS PER DETAIL G2.16.1 INLET SEDIMENT PROTECTION IN NON PAVED AREAS PER DETAIL G2.16.1
- CONSTRUCTION ENTRANCE DRIVE SEE DETAIL A G2.16.1
- SEED DISTURBED AREAS PER LANDSCAPE PLAN
- PORTABLE TOILET / ANCHOR TO PREVENT SPILLS
- RIPRAP AT AREA OF END SECTION SEE DETAIL H G2.16.1
- ROCK DONUT SEE DETAIL H G2.16.1
- CONCRETE WASHOUT SEE DETAIL C G2.16.1
- SWPPP INFORMATION BOARD
- EROSION CONTROL BLANKET SEE DETAILS F G2.16.1 M G2.16.1

Drawing Path: P:\2019\2019-520\GD0\Civil\Active\10 - 2019.520.C2.11 TO G2.17 - Enlarged Erosion Control Plan.dwg  
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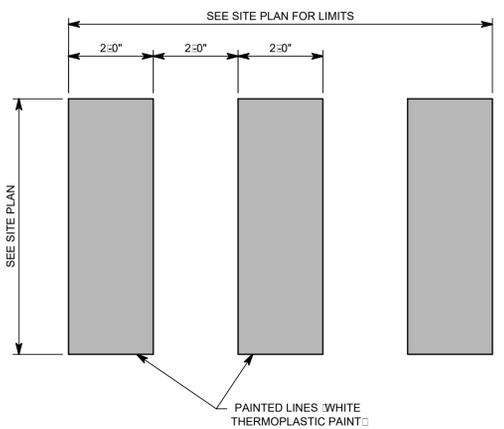
SITE DETAILS

## G4.2

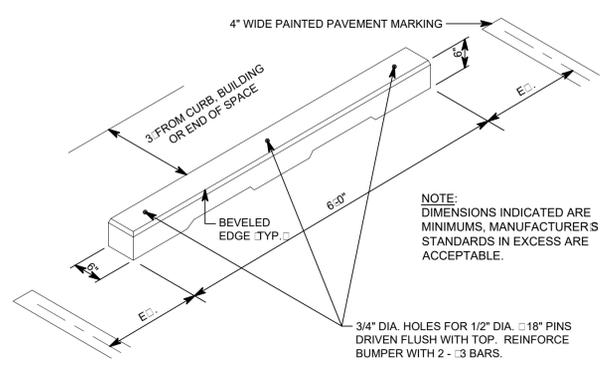


**NOTE:**  
SIGN IS TO BE MOUNTED ON 3 LB./FT. GALV. U-POST  
PAINTED GREEN PER INDOT AND INDIANA MANUAL ON UNIFORM  
TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS

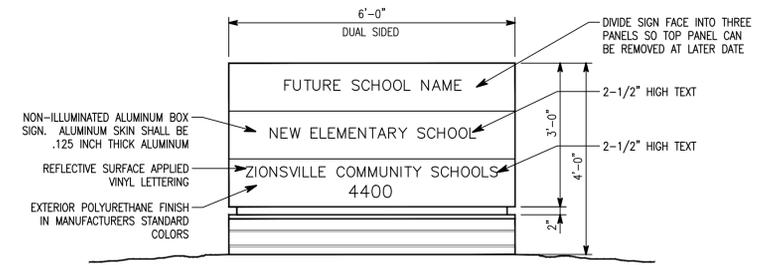
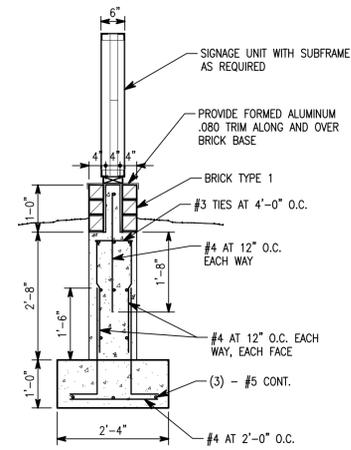
**STOP SIGN 24" x 24" - DETAIL G**  
NO SCALE



**CROSSWALK STRIPE - DETAIL D**  
SCALE: 1/2" = 1'-0"

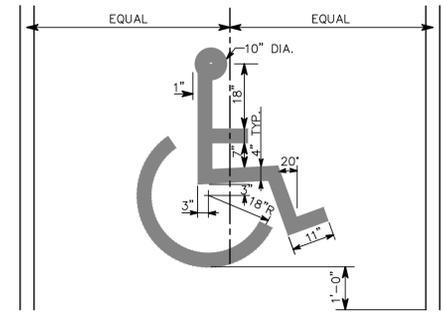


**PARKING BUMPER - DETAIL A**  
NO SCALE



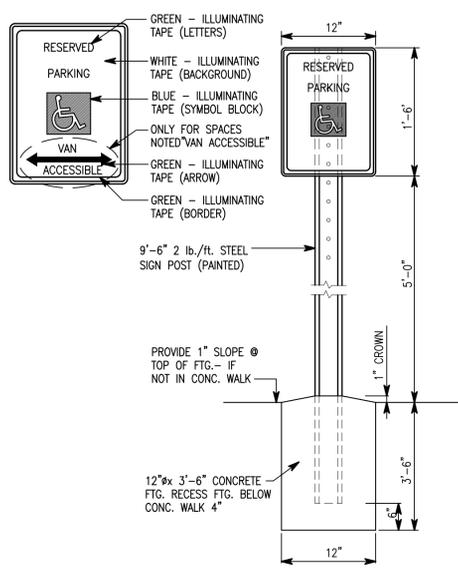
**NOTE:**  
SOUTHERNMOST SIGN TO BE 3' TALL WITH ADDITIONAL PANEL FOR FUTURE SCHOOL NAME  
NORTHERNMOST SIGN TO BE 2' TALL WITH NO ADDITIONAL PANEL

**SCHOOL IDENTIFICATION SIGN - DETAIL H**  
NO SCALE

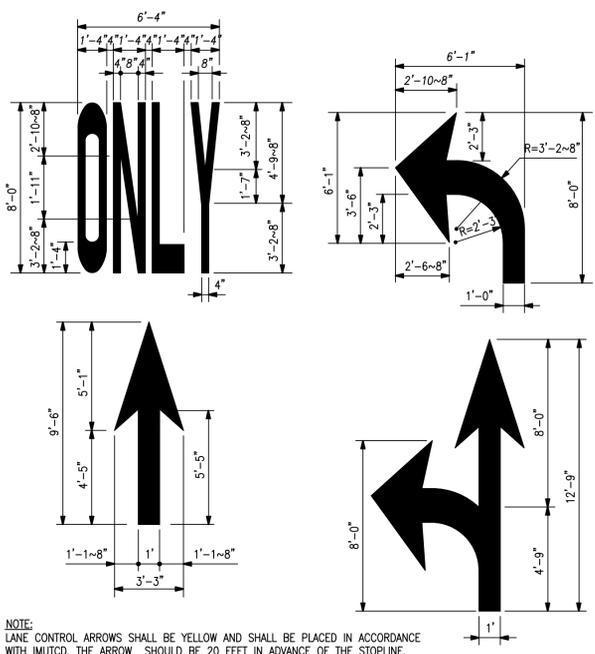


**NOTE:**  
1. SEE SPECIFICATIONS SECTION 321723 FOR PAINT REQUIREMENTS.

**PAINTED A.D.A. SYMBOL - DETAIL E**



**HANDICAP PARKING SIGN - DETAIL F**  
NO SCALE



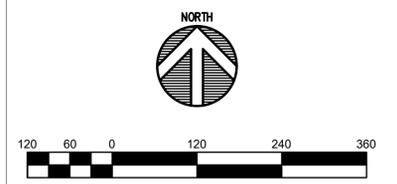
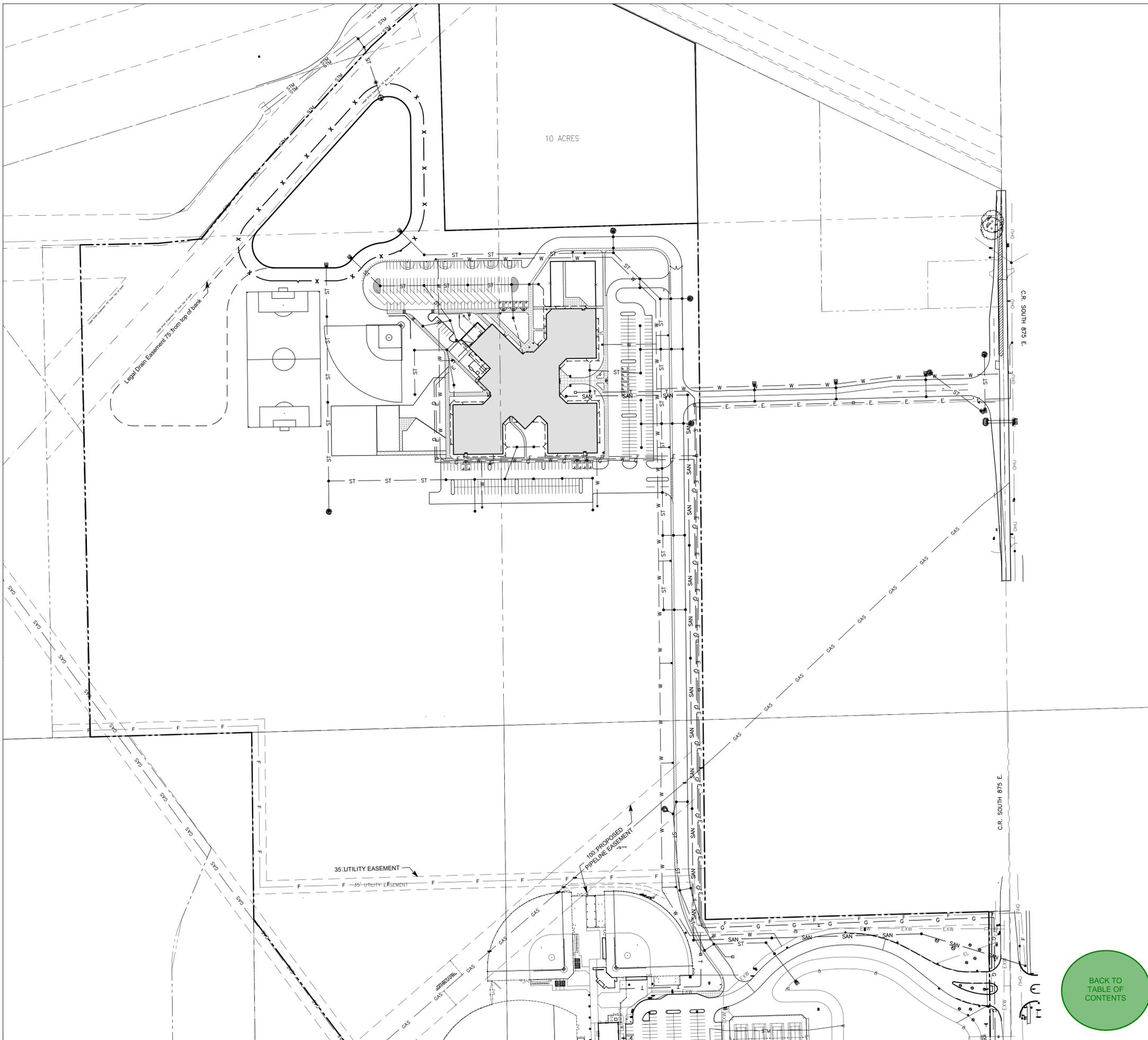
**NOTE:**  
LANE CONTROL ARROWS SHALL BE YELLOW AND SHALL BE PLACED IN ACCORDANCE WITH MUTCD. THE ARROW SHOULD BE 20 FEET IN ADVANCE OF THE STOPLINE. THE WORD "ONLY" SHOULD BE LOCATED IN ADVANCE OF THE PAVEMENT ARROW.

**TRAFFIC MARKINGS - DETAIL C**  
NO SCALE





Drawing Path: P:\2019\2019-520\2019-520\CAD\Civil\Activity17 - 2019-520\_SU2.0 - Overall Site Utility Plan.dwg  
 Plotted By: bheide@fanninghowey.com Date: 5/1/20 - 9:02am  
 Last Edited: 5/1/20 - 9:02am

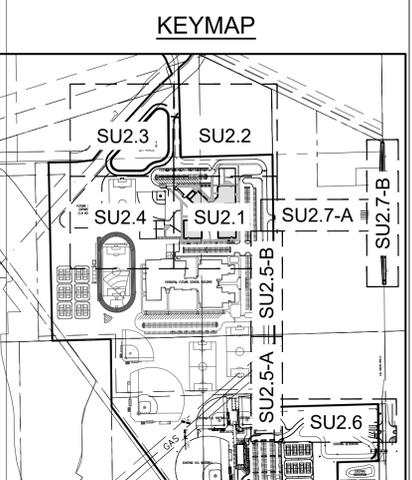


**GENERAL NOTES**

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- SEE DRAWING SU1.0A FOR STORM SEWER STRUCTURE DATA TABLE.

**UTILITY LEGEND**

- ST — PROPOSED STORM SEWER
- - - - PROPOSED ROOF DRAIN
- W — PROPOSED WATER LINE
- G — PROPOSED GAS LINE
- SAN — PROPOSED SANITARY SEWER
- E — PROPOSED PRIMARY ELECTRICAL LINE BY OTHERS
- F — EXISTING SANITARY FORCE MAIN
- GAS — EXISTING GAS LINE
- STM — EXISTING STORM SEWER
- EXW — EXISTING WATER LINE
- OHU — EXISTING OVERHEAD UTILITY LINE
- CAB — EXISTING FIBER OPTIC CABLE LINE
- EL — EXISTING ELECTRICAL LINE
- PROPOSED FIRE HYDRANT
- PROPOSED FIRE DEPARTMENT CONNECTION



  
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 DRAWN BY: HHW  
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 PROJECT ISSUE DATE: 05/01/2020

REV. NO.	DESCRIPTION	DATE

**OVERALL SITE UTILITY PLAN**  
SU2.0





















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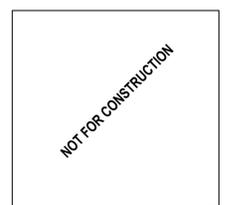
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PROJECT ISSUE DATE: 05/01/2020

REV. NO.	DESCRIPTION	DATE

OVERALL LANDSCAPE PLAN

# L1.0



## GENERAL NOTES

- SEE DRAWING GD0.1 FOR GENERAL NOTES AND ADDITIONAL LEGEND.
- ALL TREES IN LAWN AREAS TO HAVE A SHREDDED HARDWOOD MULCH TREE RING.
- MINERAL MULCH BEDS THAT ABUT LAWN TO HAVE STEEL EDGING.
- SHREDDED HARDWOOD LANDSCAPE BEDS THAT ABUT LAWNS TO HAVE TRENCHED BED EDGE.
- LANDSCAPE BEDS TO HAVE 4" DEEP SHREDDED HARDWOOD MULCH.
- ATHLETIC FIELDS TO HAVE 1.5 THE STANDARD RATE OF SEED.

## PROPOSED LANDSCAPE LEGEND

- PROPOSED 2 1/2" CAL. DECIDUOUS TREE
- PROPOSED 1 1/2" CAL. DEC. ORNAMENTAL TREE
- PROPOSED 6' HT. EVERGREEN TREE
- PROPOSED SHRUB 3 GAL. CONT./24" HT. B&B
- SODDED LAWN
- SEEDED LAWN

## KEYNOTES

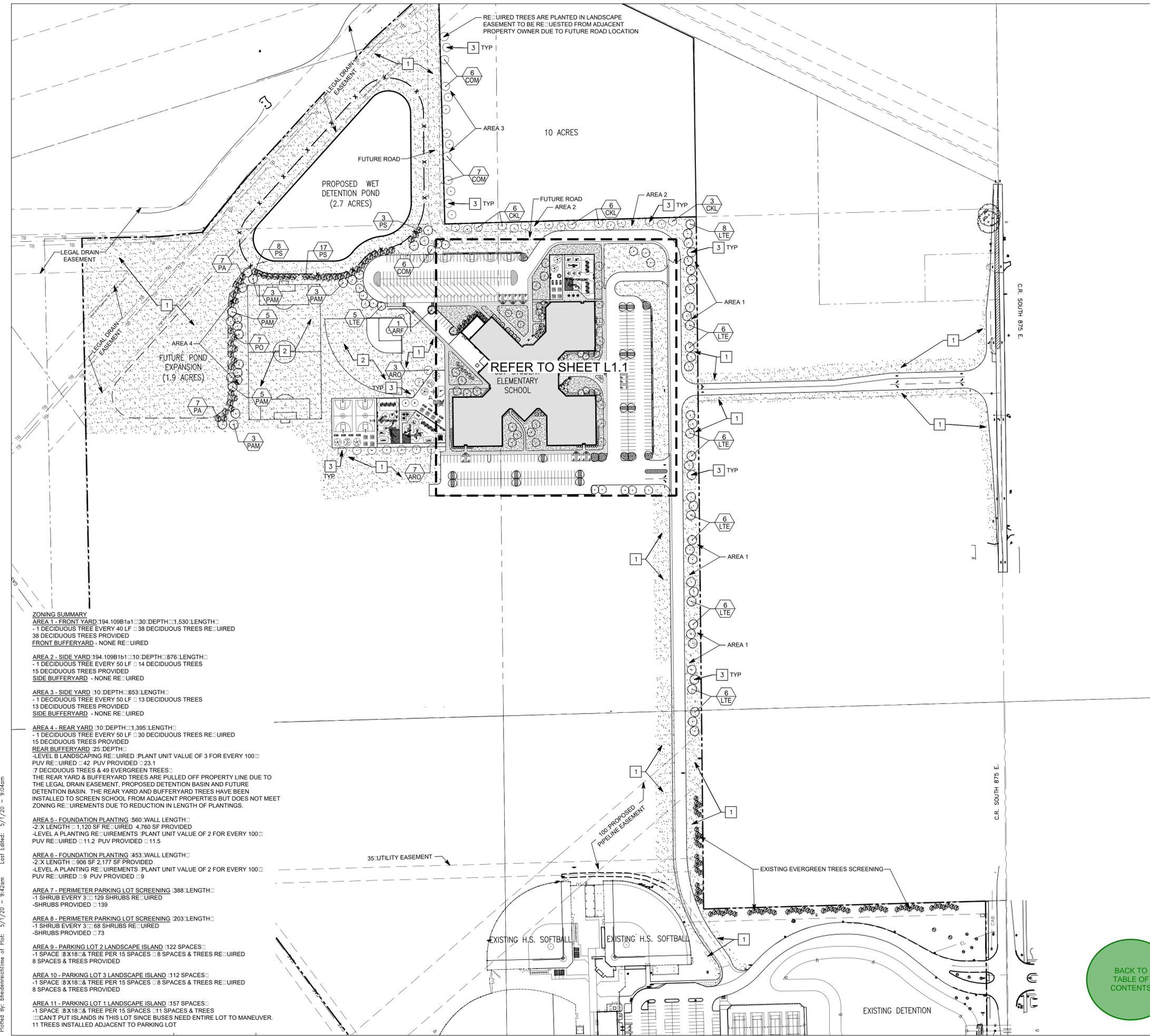
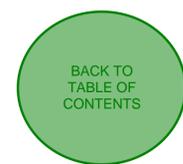
- 1** SEEDED LAWN
- 2** SEEDED LAWN - ATHLETIC FIELD
- 3** MULCHED TREE RING - PER DETAIL AL1.2



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**ZONING SUMMARY**

**AREA 1 - FRONT YARD** 194.10981b1 10' DEPTH 3.530' LENGTH  
 - 1 DECIDUOUS TREE EVERY 40 LF 38 DECIDUOUS TREES REQUIRED  
 38 DECIDUOUS TREES PROVIDED  
**FRONT BUFFERYARD** - NONE REQUIRED

**AREA 2 - SIDE YARD** 194.10981b1 10' DEPTH 0.676' LENGTH  
 - 1 DECIDUOUS TREE EVERY 50 LF 14 DECIDUOUS TREES  
 15 DECIDUOUS TREES PROVIDED  
**SIDE BUFFERYARD** - NONE REQUIRED

**AREA 3 - SIDE YARD** 10' DEPTH 0.653' LENGTH  
 - 1 DECIDUOUS TREE EVERY 50 LF 13 DECIDUOUS TREES  
 13 DECIDUOUS TREES PROVIDED  
**SIDE BUFFERYARD** - NONE REQUIRED

**AREA 4 - REAR YARD** 10' DEPTH 3.395' LENGTH  
 - 1 DECIDUOUS TREE EVERY 50 LF 30 DECIDUOUS TREES REQUIRED  
 15 DECIDUOUS TREES PROVIDED  
**REAR BUFFERYARD** 25' DEPTH  
 - LEVEL B LANDSCAPING REQUIRED PLANT UNIT VALUE OF 3 FOR EVERY 100'  
 PUV REQUIRED 42 PUV PROVIDED 23.1  
 7 DECIDUOUS TREES & 49 EVERGREEN TREES  
 THE REAR YARD & BUFFERYARD TREES ARE PULLED OFF PROPERTY LINE DUE TO THE LEGAL DRAIN EASEMENT, PROPOSED DETENTION BASIN AND FUTURE DETENTION BASIN. THE REAR YARD AND BUFFERYARD TREES HAVE BEEN INSTALLED TO SCREEN SCHOOL FROM ADJACENT PROPERTIES BUT DOES NOT MEET ZONING REQUIREMENTS DUE TO REDUCTION IN LENGTH OF PLANTINGS.

**AREA 5 - FOUNDATION PLANTING** 560' WALL LENGTH  
 - 2' X LENGTH 1,120 SF REQUIRED 4,760 SF PROVIDED  
 - LEVEL A PLANTING REQUIREMENTS PLANT UNIT VALUE OF 2 FOR EVERY 100'  
 PUV REQUIRED 11.2 PUV PROVIDED 11.5

**AREA 6 - FOUNDATION PLANTING** 453' WALL LENGTH  
 - 2' X LENGTH 906 SF 2,177 SF PROVIDED  
 - LEVEL A PLANTING REQUIREMENTS PLANT UNIT VALUE OF 2 FOR EVERY 100'  
 PUV REQUIRED 9 PUV PROVIDED 9

**AREA 7 - PERIMETER PARKING LOT SCREENING** 388' LENGTH  
 - 1 SHRUB EVERY 3' 129 SHRUBS REQUIRED  
 - SHRUBS PROVIDED 139

**AREA 8 - PERIMETER PARKING LOT SCREENING** 203' LENGTH  
 - 1 SHRUB EVERY 3' 68 SHRUBS REQUIRED  
 - SHRUBS PROVIDED 73

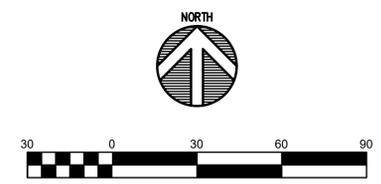
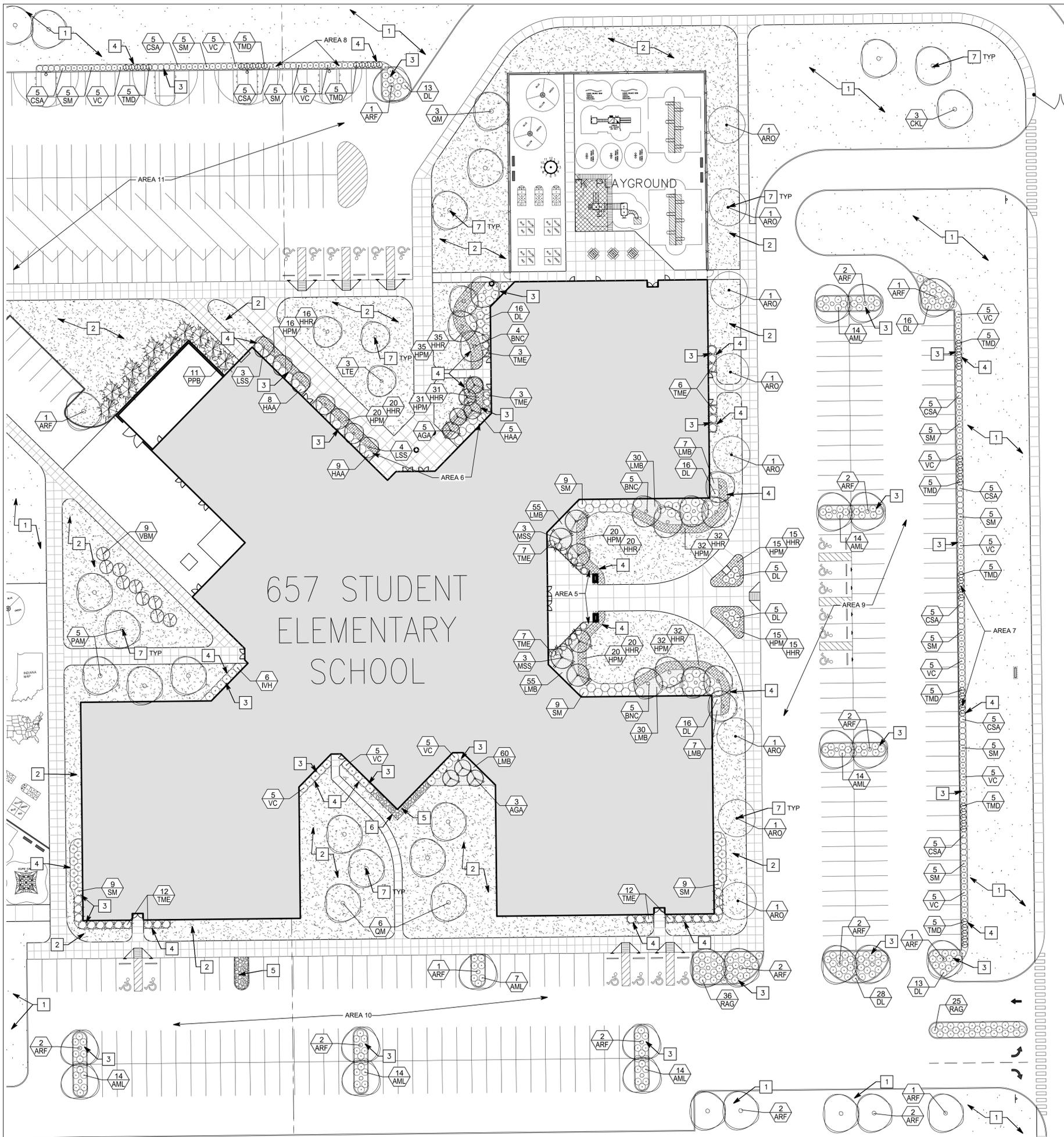
**AREA 9 - PARKING LOT 2 LANDSCAPE ISLAND** 122 SPACES  
 - 1 SPACE 8' X 18' & TREE PER 15 SPACES 8 SPACES & TREES REQUIRED  
 8 SPACES & TREES PROVIDED

**AREA 10 - PARKING LOT 3 LANDSCAPE ISLAND** 112 SPACES  
 - 1 SPACE 8' X 18' & TREE PER 15 SPACES 8 SPACES & TREES REQUIRED  
 8 SPACES & TREES PROVIDED

**AREA 11 - PARKING LOT 1 LANDSCAPE ISLAND** 157 SPACES  
 - 1 SPACE 8' X 18' & TREE PER 15 SPACES 11 SPACES & TREES  
 CANNOT PUT ISLANDS IN THIS LOT SINCE BUSES NEED ENTIRE LOT TO MANEUVER.  
 11 TREES INSTALLED ADJACENT TO PARKING LOT

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 Plotted By: bheide@fanninghowey.com Date: 5/1/20 9:42am

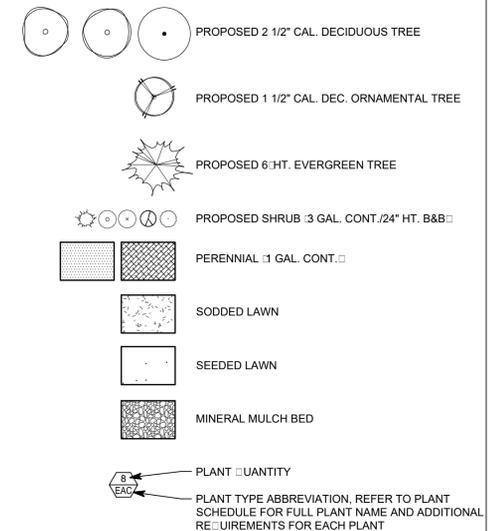
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**GENERAL NOTES**

1. SEE DRAWING GD0.1 FOR GENERAL NOTES AND ADDITIONAL LEGEND.
2. ALL TREES IN LAWN AREAS TO HAVE A SHREDDED HARDWOOD MULCH TREE RING.
3. MINERAL MULCH BEDS THAT ABUT LAWN TO HAVE STEEL EDGING.
4. SHREDDED HARDWOOD LANDSCAPE BEDS THAT ABUT LAWNS TO HAVE TRENCHED BED EDGE.
5. ALL LANDSCAPE BEDS TO HAVE 4" SHREDDED HARDWOOD MULCH.

**PROPOSED LANDSCAPE LEGEND**



**KEYNOTES**

- 1 SEEDED LAWN
- 2 SODDED LAWN
- 3 4" SHREDDED HARDWOOD MULCHED PLANTING BED
- 4 TRENCH BED EDGE - PER DETAIL D/L1.2
- 5 MINERAL MULCH LANDSCAPE BED - PER DETAIL E/L1.2
- 6 STEEL EDGING - PER DETAIL F/L1.2
- 7 MULCHED TREE RING - PER DETAIL A/L1.2





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Call before you dig.**

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Call 48 hours or 2 working days before you dig.  
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**CAUTION**

THE LOCATIONS OF ALL EXISTING UNDERGROUND UTILITIES SHOWN ON THE PLAN ARE BASED UPON ABOVE GROUND EVIDENCE INCLUDING, BUT NOT LIMITED TO, MANHOLES, INLETS, VALVES, AND MARKS MADE UPON THE GROUND BY OTHERS - AND ARE SPECULATIVE IN NATURE. THERE MAY ALSO BE OTHER EXISTING UNDERGROUND UTILITIES FOR WHICH THERE IS NO ABOVE GROUND EVIDENCE OR FOR WHICH NO ABOVE GROUND EVIDENCE WAS OBSERVED. THE EXACT LOCATIONS OF EXISTING UNDERGROUND UTILITIES SHALL BE VERIFIED BY CONTRACTOR PRIOR TO ANY AND ALL CONSTRUCTION.

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**ZIONSVILLE  
ELEMENTARY  
SCHOOL**

4400 South CR 875 East  
Zionsville, IN 46077



ARCHITECT

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PROJECT MANAGER: BNH  
DRAWN BY: HHW  
PROJECT NUMBER: 219124.00 / 2019.520  
PROJECT ISSUE DATE: 05/01/2020

REV. NO.	DESCRIPTION	DATE

ENLARGED LANDSCAPE PLAN

**L1.1**





# ZIONSVILLE ELEMENTARY SCHOOL

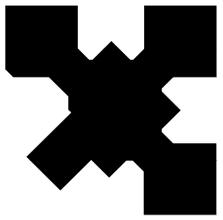
4400 South Cr 875 East  
Zionsville, IN 46077



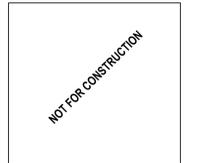
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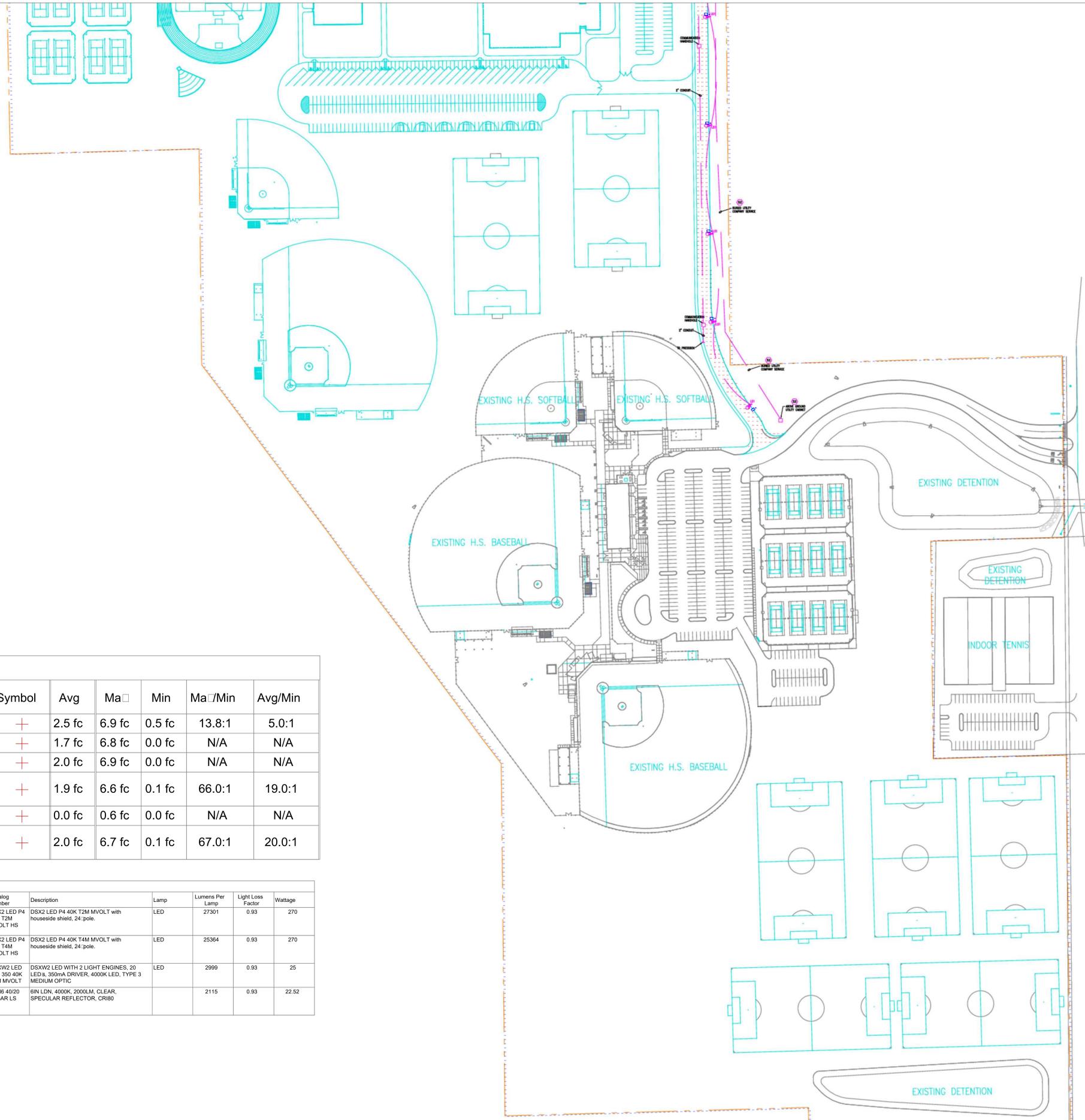
DESIGN DEVELOPMENT



PROJECT MANAGER: CT  
DRAWN BY: MMS  
PROJECT NUMBER: 219124.00  
PROJECT ISSUE DATE: MARCH 27, 2020

REV. NO.	DESCRIPTION	DATE

PHOTOMETRIC SITE PLAN - SOUTH



ELECTRICAL PHOTOMETRIC SITE PLAN - SOUTH  
N.T.S.



Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
EAST PARKING LOT	+	2.5 fc	6.9 fc	0.5 fc	13.8:1	5.0:1
ENTRY DRIVE	+	1.7 fc	6.8 fc	0.0 fc	N/A	N/A
FRONTAGE ROAD	+	2.0 fc	6.9 fc	0.0 fc	N/A	N/A
NORTH PARKING LOT	+	1.9 fc	6.6 fc	0.1 fc	66.0:1	19.0:1
PROPERTY LINE	+	0.0 fc	0.6 fc	0.0 fc	N/A	N/A
SOUTH PARKING LOT	+	2.0 fc	6.7 fc	0.1 fc	67.0:1	20.0:1

Schedule								
Symbol	Label	Quantity	Catalog Number	Description	Lamp	Lumens Per Lamp	Light Loss Factor	Wattage
□	LS1	15	DSX2 LED P4 40K T2M MVOLT HS	DSX2 LED P4 40K T2M MVOLT with houseside shield, 24' pole.	LED	27301	0.93	270
□	LS2	25	DSX2 LED P4 40K T4M MVOLT HS	DSX2 LED P4 40K T4M MVOLT with houseside shield, 24' pole.	LED	25364	0.93	270
⏏	LE1X	5	DSXW2 LED 20C 350 40K T3M MVOLT	DSXW2 LED WITH 2 LIGHT ENGINES, 20 LED's, 350mA DRIVER, 4000K LED, TYPE 3 MEDIUM OPTIC.	LED	2999	0.93	25
○	LDW61X	35	LDN6 4020 LOGAR LS	6IN LDN, 4000K, 2000LM, CLEAR, SPECULAR REFLECTOR, CR180		2115	0.93	22.52

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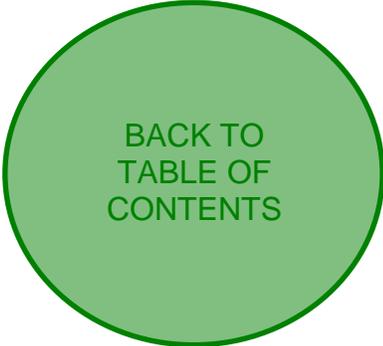
New Zionsville Elementary School  
4400 South CR 875 East  
Site Lighting Narrative

The site lighting package will consist of full cutoff LED type light fixtures mounted on 20'-0" tall square pole that will be anchored at the top of a concrete base no taller than 2'-6" above finish grade. The light fixture cut sheet is attached.

There will be two types of distribution for the light fixtures. One will be type 2M distribution, with a wider light throw, to light the drives and the other will be a type 4M distribution, which will throw the light forward, to light the parking areas. Both fixture types will be 4,000K color temperature, 277 volts, and the lumen package for the type 2M will be 31,089 lm and for the type 4M it will be 30,340 lm. The color for the light fixtures and poles will be dark bronze.

The lighting is designed so that no lighting spills past the property line around the site. The entries are lit for safety.

The light fixtures will be fed with 277 volt circuits run thru a lighting contactor mounted adjacent to the panelboard. The lighting contactor will be tied to the Building Automation System (BAS) for control. Through the BAS, the times will be set for "on/off" operation.



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CONTENTS



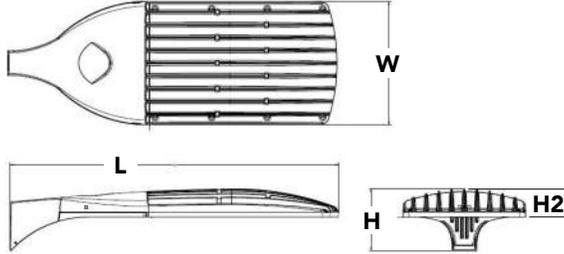
# D-Series Size 2 LED Area Luminaire

d<sup>2</sup>series



## Specifications

<b>EPA:</b>	1.1 ft <sup>2</sup> (0.10 m <sup>2</sup> )
<b>Length:</b>	40" (101.6 cm)
<b>Width:</b>	15" (38.1 cm)
<b>Height 1:</b>	7-1/4" (18.4 cm)
<b>Height 2: (max):</b>	3.5"
<b>Weight:</b>	36lbs



Catalog  
Number

Notes

Type

Hit the Tab key or mouse over the page to see all interactive elements.

## Introduction

The modern styling of the D-Series is striking yet unobtrusive - making a bold, progressive statement even as it blends seamlessly with its environment.

The D-Series distills the benefits of the latest in LED technology into a high performance, high efficacy, long-life luminaire. The outstanding photometric performance results in sites with excellent uniformity, greater pole spacing and lower power density. The Size 2 is ideal for replacing 400-1000W metal halide in area lighting applications with energy savings of up to 80% and expected service life of over 100,000 hours.

A+ Capable options indicated by this color background.

## Ordering Information

**EXAMPLE:** DSX2 LED P7 40K T3M MVOLT SPA NLTAIR2 PIRHN DDBXD

Series	LEDs	Color temperature	Distribution	Voltage	Mounting	
DSX2 LED	<b>Forward optics</b> P1 P5 P2 P6 P3 P7 P4 P8 <b>Rotated optics<sup>1</sup></b> P10 P13 P11 P14 P12	30K 3000 K 40K 4000 K 50K 5000 K	T1S Type I Short (Automotive) T2S Type II Short T2M Type II Medium T3S Type III Short T3M Type III Medium T4M Type IV Medium TFTM Forward Throw Medium	T5VS Type V Very Short <sup>2</sup> T5S Type V Short <sup>2</sup> T5M Type V Medium <sup>2</sup> T5W Type V Wide <sup>2</sup> BLC Backlight control <sup>3</sup> LCCO Left corner cutoff <sup>3</sup> RCCO Right corner cutoff <sup>3</sup>	MVOLT <sup>4</sup> 120 <sup>5</sup> 208 <sup>5</sup> 240 <sup>5</sup> 277 <sup>5</sup> 347 <sup>5</sup> 480 <sup>5</sup>	<b>Shipped included</b> SPA Square pole mounting RPA Round pole mounting WBA Wall bracket <sup>2</sup> SPUMBA Square pole universal mounting adaptor <sup>6</sup> RPUMBA Round pole universal mounting adaptor <sup>6</sup> <b>Shipped separately</b> KMA8 DDBXD U Mast arm mounting bracket adaptor (specify finish) <sup>7</sup>

Control options	Other options	Finish (required)
<b>Shipped installed</b> NLTAIR2 nLight AIR generation 2 enabled <sup>8</sup> PIRHN Network, Bi-Level motion/ambient sensor <sup>9</sup> PER NEMA twist-lock receptacle only (no controls) <sup>10</sup> PER5 Five-wire receptacle only (no controls) <sup>10,11</sup> PER7 Seven-wire receptacle only (no controls) <sup>10,11</sup> DMG 0-10V dimming extend out back of housing for external control (no controls) <sup>12</sup> DS Dual switching <sup>13,14</sup>	<b>Shipped installed</b> HS House-side shield <sup>16</sup> SF Single fuse (120, 277, 347V) <sup>5</sup> DF Double fuse (208, 240, 480V) <sup>5</sup> L90 Left rotated optics <sup>1</sup> R90 Right rotated optics <sup>1</sup> <b>Shipped separately</b> BS Bird spikes <sup>17</sup> EGS External glare shield	DDBXD Dark bronze DBLXD Black DNAXD Natural aluminum DWHXD White DDBTXD Textured dark bronze DBLTXD Textured black DNATXD Textured natural aluminum DWHGXD Textured white



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DSX2-LED  
 Rev. 02/05/20  
 Page 1 of 8

## Ordering Information

### Accessories

Ordered and shipped separately.

DLL127F 1.5 JU	Photocell - SSL twist-lock (120-277V) <sup>18</sup>
DLL347F 1.5 CUL JU	Photocell - SSL twist-lock (347V) <sup>18</sup>
DLL480F 1.5 CUL JU	Photocell - SSL twist-lock (480V) <sup>18</sup>
DSHORT SBK U	Shorting cap <sup>18</sup>
DSX2HS 80C U	House-side shield for 80 LED unit <sup>19</sup>
DSX2HS 90C U	House-side shield for 90 LED unit <sup>19</sup>
DSX2HS 100C U	House-side shield for 100 LED unit <sup>19</sup>
PUMBA DDBXD U*	Square and round pole universal mounting bracket (specify finish) <sup>20</sup>
KMA8 DDBXD U	Mast arm mounting bracket adaptor (specify finish) <sup>4</sup>
DSX2EGS (FINISH) U	External glare shield

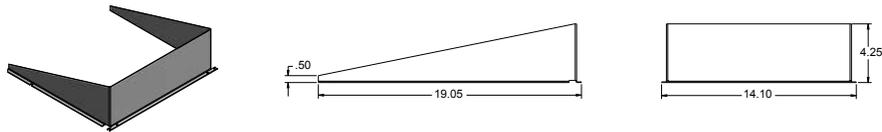
For more control options, visit [DTL](#) and [ROAM](#) online.

### NOTES

- P10, P11, P12, P13 or P14 and rotated optics (L90, R90) only available together.
- Any Type 5 distribution with photocell, is not available with WBA.
- Not available with HS.
- MVOLT driver operates on any line voltage from 120-277V (50/60 Hz).
- Single fuse (SF) requires 120V, 277V or 347V. Double fuse (DF) requires 208V, 240V or 480V.
- Universal mounting bracket intended for retrofit on existing pre-drilled poles only. 1.5 G vibration load rating per ANCI C136.31.
- Must order fixture with SPA option. Must be ordered as a separate accessory; see Accessories information. For use with 2-3/8" mast arm (not included).
- Must be ordered with PIRHN. Sensor cover only available in dark bronze, black, white or natural aluminum color.
- Must be ordered with NLTAIR2. For more information on nLight Air 2 visit [this link](#).
- Photocell ordered and shipped as a separate line item from Acuity Brands Controls. See accessories. Not available with DS option. Shorting Cap included.
- If ROAM® node required, it must be ordered and shipped as a separate line item from Acuity Brands Controls. Node with integral dimming.
- DMG not available with PIRHN, PER5, PER7, PIR, PIRH, PIR1FC3V or PIRH1FC3V.
- Requires (2) separately switched circuits with isolated neutrals. See Outdoor Control Technical Guide for details.
- Provides 50/50 fixture operation via (2) independent drivers. Not available with PER, PER5, PER7, PIR or PIRH. Not available with P1, P2, P10.
- Reference controls options table on page 4.
- Not available with BLC, LCCO and RCCO distribution. Also available as a separate accessories; see Accessories information.
- Must be ordered with fixture for factory pre-drilling.
- Requires luminaire to be specified with PER, PER5 and PER7 option. Ordered and shipped as a separate line item from Acuity Brands Controls.
- Not available with other dimming controls options.
- For retrofit use only.

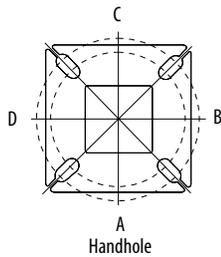
## Options

### EGS - External Glare Shield



## Drilling

### HANDHOLE ORIENTATION



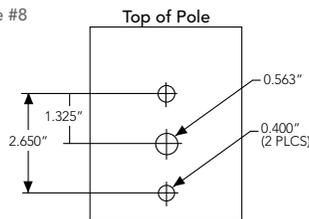
### Tenon Mounting Slipfitter\*\*

Tenon O.D.	Mounting	Single Unit	2 @ 180	2 @ 90	3 @ 120	3 @ 90	4 @ 90
2-3/8"	SPA/RPA	AS3-5 190	AS3-5 280	AS3-5 290	AS3-5 320	AS3-5 390	AS3-5 490
	SPUMBA	AS3-5 190	AS3-5 280	AS4-5 290	AS3-5 320	AS4-5 390	AS4-5 490
	RUPUMBA	AS3-5 190	AS3-5 280		AS3-5 320		
2-7/8"	SPA/RPA	AST25-190	AST25-280	AST25-290	AST25-320	AST25-390	AST25-490
	SPUMBA	AST25-190	AST25-280		AST25-320		
	RUPUMBA	AST25-190	AST25-280		AST25-320		
4"	SPA/RPA	AST35-190	AST35-280	AST35-290	AST35-320	AST35-390	AST35-490
	SPUMBA	AST35-190	AST35-280	AST35-290	AST35-320	AST35-390	AST35-490
	RUPUMBA	AST35-190	AST35-280		AST35-320		

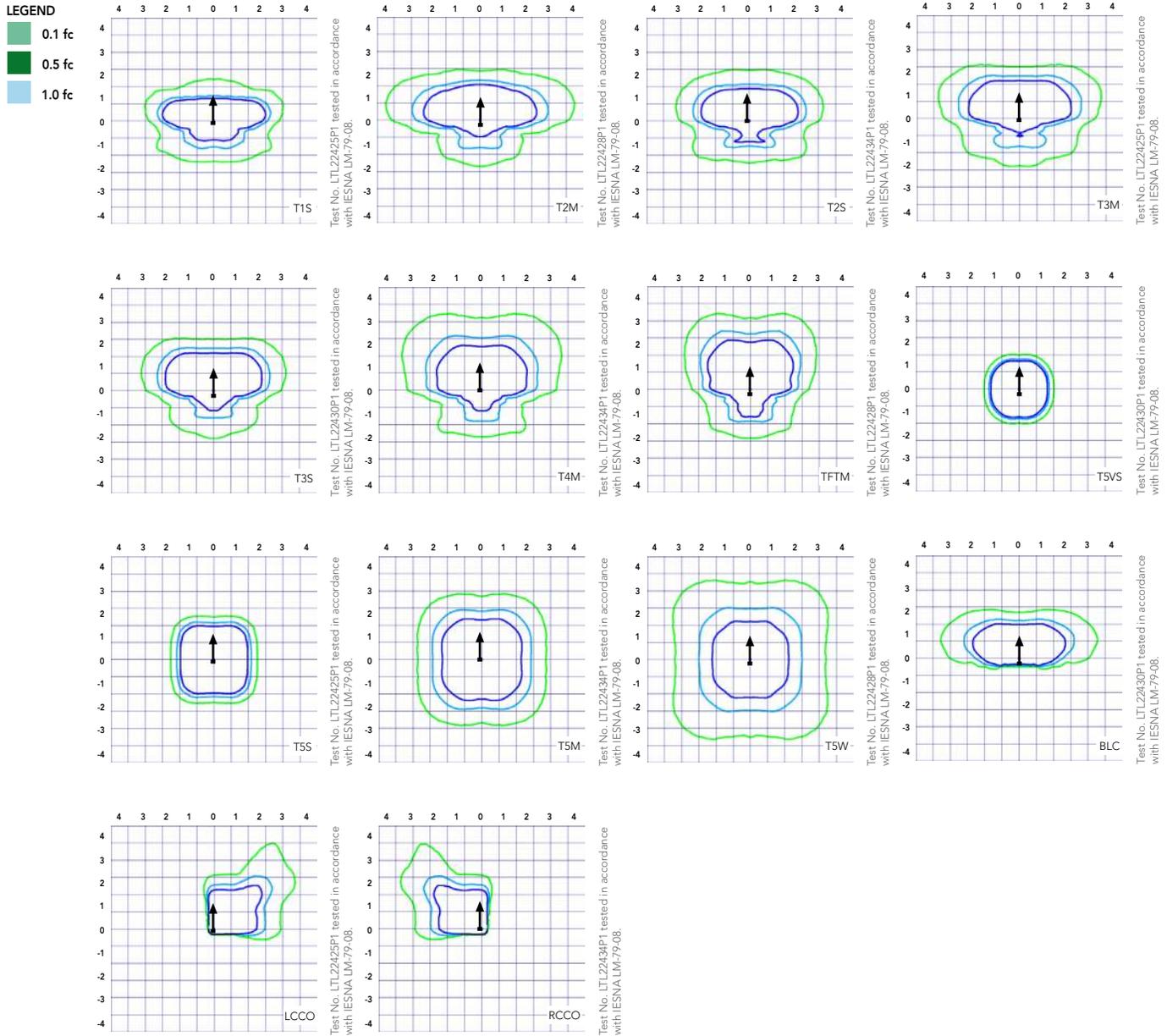
Mounting Option	Drilling Template	Single	2 @ 180	2 @ 90	3 @ 90	3 @ 120	4 @ 90
Head Location		Side B	Side B & D	Side B & C	Side B, C & D	Round Pole Only	Side A, B, C & D
Drill Nomenclature	#8	DM19AS	DM28AS	DM29AS	DM39AS	DM32AS	DM49AS

	Drilling Template	Minimum Acceptable Outside Pole Dimension					
SPA	#8	2-7/8"	2-7/8"	3.5"	3.5"	3"	3.5"
RPA	#8	2-7/8"	2-7/8"	3.5"	3.5"	3"	3.5"
SPUMBA	#5	2-7/8"	3"	4"	4"	3.5"	4"
RPUMBA	#5	2-7/8"	3.5"	5"	5"	3.5"	5"

Template #8



Isofootcandle plots for the DSX2 LED 80C 1000 40K. Distances are in units of mounting height (30').



## Performance Data

### Lumen Ambient Temperature (LAT) Multipliers

Use these factors to determine relative lumen output for average ambient temperatures from 0-40°C (32-104°F).

Ambient		Lumen Multiplier
0°C	32°F	1.04
5°C	41°F	1.04
10°C	50°F	1.03
15°C	59°F	1.02
20°C	68°F	1.01
<b>25°C</b>	<b>77°F</b>	<b>1.00</b>
30°C	86°F	0.99
35°C	95°F	0.98
40°C	104°F	0.97

### Projected LED Lumen Maintenance

Data references the extrapolated performance projections for the platforms noted in a **25°C ambient**, based on 10,000 hours of LED testing (tested per IESNA LM-80-08 and projected per IESNA TM-21-11).

To calculate LLF, use the lumen maintenance factor that corresponds to the desired number of operating hours below. For other lumen maintenance values, contact factory.

Operating Hours	0	25000	50000	100000
Lumen Maintenance Factor	1.00	0.96	0.92	0.85

### Electrical Load

	Performance Package	LED Count	Drive Current	Wattage	Current (A)					
					120	208	240	277	347	480
Forward Optics (Non-Rotated)	P1	80	530	140	1.18	0.68	0.59	0.51	0.40	0.32
	P2	80	700	185	1.56	0.90	0.78	0.66	0.52	0.39
	P3	80	850	217	1.82	1.05	0.90	0.80	0.63	0.48
	P4	80	1050	270	2.27	1.31	1.12	0.99	0.79	0.59
	P5	80	1250	321	2.68	1.54	1.34	1.17	0.93	0.68
	P6	100	1050	343	2.89	1.66	1.59	1.37	1.00	0.71
	P7	100	1250	398	3.31	1.91	1.66	1.45	1.16	0.81
	P8	100	1350	431	3.61	2.07	1.81	1.57	1.25	0.91
Rotated Optics (Requires L90 or R90)	P10	90	530	156	1.30	0.76	0.65	0.62	0.45	0.32
	P11	90	700	207	1.75	1.01	0.87	0.74	0.60	0.46
	P12	90	850	254	2.12	1.22	1.06	0.94	0.73	0.55
	P13	90	1200	344	2.88	1.65	1.44	1.25	1.00	0.73
	P14	90	1400	405	3.39	1.95	1.71	1.48	1.18	0.86

Motion Sensor Default Settings						
Option	Dimmed State	High Level (when triggered)	Photocell Operation	Dwell Time	Ramp-up Time	Ramp-down Time
PIR or PIRH	3V (37%) Output	10V (100%) Output	Enabled @ 5FC	5 min	3 sec	5 min
*PIR1FC3V or PIRH1FC3V	3V (37%) Output	10V (100%) Output	Enabled @ 1FC	5 min	3 sec	5 min

\*for use when motion sensor is used as dusk to dawn control.

Controls Options				
Nomenclature	Description	Functionality	Primary control device	Notes
FAO	Field adjustable output device installed inside the luminaire; wired to the driver dimming leads.	Allows the luminaire to be manually dimmed, effectively trimming the light output.	FAO device	Cannot be used with other controls options that need the 0-10V leads
DS	Drivers wired independently for 50/50 luminaire operation	The luminaire is wired to two separate circuits, allowing for 50/50 operation.	Independently wired drivers	Requires two separately switched circuits. Consider nLight AIR as a more cost effective alternative.
PERS or PER7	Twist-lock photocell receptacle	Compatible with standard twist-lock photocells for dusk to dawn operation, or advanced control nodes that provide 0-10V dimming signals.	Twist-lock photocells such as DLL Elite or advanced control nodes such as ROAM.	Pins 4 & 5 to dimming leads on driver, Pins 6 & 7 are capped inside luminaire
PIR or PIRH	Motion sensors with integral photocell. PIR for 8-15' mounting; PIRH for 15-30' mounting	Luminaires dim when no occupancy is detected.	Acuity Controls SBGR	Also available with PIRH1FC3V when the sensor photocell is used for dusk-to-dawn operation.
NLTAIR2 PIRHN	nLight AIR enabled luminaire for motion sensing, photocell and wireless communication.	Motion and ambient light sensing with group response. Scheduled dimming with motion sensor over-ride when wirelessly connected to the nLight Eclipse.	nLight Air rSBGR	nLight AIR sensors can be programmed and commissioned from the ground using the CIAIRity Pro app.

# Performance Data

## Lumen Output

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. Contact factory for performance data on any configurations not shown here.

Forward Optics																			
LED Count	Drive Current	Power Package	System Watts	Dist. Type	30K (3000 K, 70 CRI)					40K (4000 K, 70 CRI)					50K (5000 K, 70 CRI)				
					Lumens	B	U	G	LPW	Lumens	B	U	G	LPW	Lumens	B	U	G	LPW
80	530	P1	140W	T1S	17,575	3	0	3	126	18,933	3	0	3	135	19,173	3	0	3	137
				T2S	17,556	3	0	3	125	18,913	3	0	3	135	19,152	3	0	3	137
				T2M	17,647	3	0	3	126	19,010	3	0	3	136	19,251	3	0	3	138
				T3S	17,090	3	0	3	122	18,411	3	0	3	132	18,644	3	0	3	133
				T3M	17,604	3	0	3	126	18,964	3	0	3	135	19,204	3	0	3	137
				T4M	17,221	3	0	3	123	18,552	3	0	4	133	18,787	3	0	4	134
				TFTM	17,593	3	0	3	126	18,952	3	0	4	135	19,192	3	0	4	137
				TSVS	18,297	4	0	1	131	19,711	4	0	1	141	19,961	4	0	1	143
				T5S	18,312	4	0	2	131	19,727	4	0	2	141	19,977	4	0	2	143
				T5M	18,266	4	0	2	130	19,677	4	0	2	141	19,926	4	0	2	142
				TSW	18,146	5	0	3	130	19,548	5	0	3	140	19,796	5	0	3	141
				BLC	14,424	2	0	2	103	15,539	2	0	3	111	15,736	2	0	3	112
				LCCO	10,733	1	0	3	77	11,562	1	0	3	83	11,709	2	0	3	84
				RCCO	10,733	1	0	3	77	11,562	1	0	3	83	11,709	2	0	3	84
80	700	P2	185W	T1S	22,305	3	0	3	121	24,029	3	0	3	130	24,333	3	0	3	132
				T2S	22,281	3	0	4	120	24,003	3	0	4	130	24,307	3	0	4	131
				T2M	22,396	3	0	3	121	24,127	3	0	3	130	24,432	3	0	3	132
				T3S	21,690	3	0	4	117	23,366	3	0	4	126	23,662	3	0	4	128
				T3M	22,342	3	0	4	121	24,068	3	0	4	130	24,373	3	0	4	132
				T4M	21,857	3	0	4	118	23,545	3	0	4	127	23,844	3	0	4	129
				TFTM	22,328	3	0	4	121	24,054	3	0	4	130	24,358	3	0	4	132
				TSVS	23,222	5	0	1	126	25,016	5	0	1	135	25,333	5	0	1	137
				T5S	23,241	4	0	2	126	25,037	4	0	2	135	25,354	4	0	2	137
				T5M	23,182	5	0	3	125	24,974	5	0	3	135	25,290	5	0	3	137
				TSW	23,030	5	0	4	124	24,810	5	0	4	134	25,124	5	0	4	136
				BLC	18,307	2	0	3	99	19,721	2	0	3	107	19,971	2	0	3	108
				LCCO	13,622	2	0	3	74	14,674	2	0	4	79	14,860	2	0	4	80
				RCCO	13,622	2	0	3	74	14,674	2	0	4	79	14,860	2	0	4	80
80	850	P3	217W	T1S	26,202	3	0	3	121	28,226	3	0	3	130	28,584	3	0	3	132
				T2S	26,174	3	0	4	121	28,196	3	0	4	130	28,553	3	0	4	132
				T2M	26,309	3	0	3	121	28,342	3	0	3	131	28,700	3	0	3	132
				T3S	25,479	3	0	4	117	27,448	3	0	4	126	27,795	3	0	4	128
				T3M	26,245	3	0	4	121	28,273	3	0	4	130	28,631	3	0	4	132
				T4M	25,675	3	0	4	118	27,659	3	0	4	127	28,009	3	0	4	129
				TFTM	26,229	3	0	4	121	28,255	3	0	4	130	28,613	3	0	4	132
				TSVS	27,279	5	0	1	126	29,387	5	0	1	135	29,759	5	0	1	137
				T5S	27,301	4	0	2	126	29,410	5	0	2	136	29,783	5	0	2	137
				T5M	27,232	5	0	3	125	29,336	5	0	3	135	29,707	5	0	3	137
				TSW	27,053	5	0	4	125	29,144	5	0	4	134	29,513	5	0	4	136
				BLC	21,504	2	0	3	99	23,166	2	0	3	107	23,459	2	0	4	108
				LCCO	16,001	2	0	4	74	17,238	2	0	4	79	17,456	2	0	4	80
				RCCO	16,001	2	0	4	74	17,238	2	0	4	79	17,456	2	0	4	80
80	1050	P4	270W	T1S	30,963	4	0	4	115	33,355	4	0	4	124	33,777	4	0	4	125
				T2S	30,930	4	0	4	115	33,320	4	0	4	123	33,742	4	0	4	125
				T2M	31,089	3	0	4	115	33,491	3	0	4	124	33,915	3	0	4	126
				T3S	30,108	4	0	4	112	32,435	4	0	5	120	32,845	4	0	5	122
				T3M	31,014	3	0	4	115	33,410	3	0	4	124	33,833	3	0	4	125
				T4M	30,340	3	0	5	112	32,684	3	0	5	121	33,098	3	0	5	123
				TFTM	30,995	3	0	5	115	33,390	3	0	5	124	33,812	3	0	5	125
				TSVS	32,235	5	0	1	119	34,726	5	0	1	129	35,166	5	0	1	130
				T5S	32,261	5	0	2	119	34,754	5	0	2	129	35,194	5	0	2	130
				T5M	32,180	5	0	4	119	34,667	5	0	4	128	35,105	5	0	4	130
				TSW	31,969	5	0	4	118	34,439	5	0	5	128	34,875	5	0	5	129
				BLC	25,412	2	0	4	94	27,376	2	0	4	101	27,722	2	0	4	103
				LCCO	18,909	2	0	4	70	20,370	2	0	4	75	20,628	2	0	4	76
				RCCO	18,909	2	0	4	70	20,370	2	0	4	75	20,628	2	0	4	76

# Performance Data

## Lumen Output

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. Contact factory for performance data on any configurations not shown here.

Forward Optics																			
LED Count	Drive Current	Power Package	System Watts	Dist. Type	30K (3000 K, 70 CRI)					40K (4000 K, 70 CRI)					50K (5000 K, 70 CRI)				
					Lumens	B	U	G	LPW	Lumens	B	U	G	LPW	Lumens	B	U	G	LPW
80	1250	P5	321W	T1S	35,193	4	0	4	110	37,912	4	0	4	118	38,392	4	0	4	120
				T2S	35,155	4	0	5	110	37,872	4	0	5	118	38,351	4	0	5	119
				T2M	35,336	4	0	4	110	38,067	4	0	4	119	38,549	4	0	4	120
				T3S	34,222	4	0	5	107	36,866	4	0	5	115	37,333	4	0	5	116
				T3M	35,251	3	0	4	110	37,974	3	0	5	118	38,455	4	0	5	120
				T4M	34,485	3	0	5	107	37,149	4	0	5	116	37,620	4	0	5	117
				TFTM	35,229	3	0	5	110	37,951	3	0	5	118	38,431	3	0	5	120
				TSVS	36,639	5	0	1	114	39,470	5	0	1	123	39,970	5	0	1	125
				T5S	36,669	5	0	2	114	39,502	5	0	2	123	40,002	5	0	2	125
				T5M	36,576	5	0	4	114	39,403	5	0	4	123	39,901	5	0	4	124
				TSW	36,336	5	0	5	113	39,144	5	0	5	122	39,640	5	0	5	123
				BLC	28,884	3	0	4	90	31,115	3	0	4	97	31,509	3	0	4	98
				LCCO	21,492	2	0	4	67	23,153	2	0	5	72	23,446	3	0	5	73
				RCCO	21,492	2	0	4	67	23,153	2	0	5	72	23,446	3	0	5	73
100	1050	P6	343W	T1S	37,824	4	0	4	110	40,747	4	0	4	119	41,263	4	0	4	120
				T2S	37,784	4	0	5	110	40,704	4	0	5	119	41,219	4	0	5	120
				T2M	37,979	4	0	4	111	40,913	4	0	4	119	41,431	4	0	4	121
				T3S	36,780	4	0	5	107	39,623	4	0	5	116	40,124	4	0	5	117
				T3M	37,886	3	0	5	110	40,814	4	0	5	119	41,331	4	0	5	120
				T4M	37,063	4	0	5	108	39,927	4	0	5	116	40,433	4	0	5	118
				TFTM	37,863	3	0	5	110	40,789	4	0	5	119	41,305	4	0	5	120
				TSVS	39,379	5	0	1	115	42,422	5	0	1	124	42,959	5	0	1	125
				T5S	39,411	5	0	2	115	42,456	5	0	2	124	42,993	5	0	2	125
				T5M	39,311	5	0	4	115	42,349	5	0	4	123	42,885	5	0	4	125
				TSW	39,053	5	0	5	114	42,071	5	0	5	123	42,604	5	0	5	124
				BLC	31,043	3	0	4	91	33,442	3	0	4	97	33,865	3	0	4	99
				LCCO	23,099	2	0	5	67	24,884	3	0	5	73	25,199	3	0	5	73
				RCCO	23,099	2	0	5	67	24,884	3	0	5	73	25,199	3	0	5	73
100	1250	P7	398W	T1S	42,599	4	0	4	107	45,890	4	0	4	115	46,471	4	0	4	117
				T2S	42,553	4	0	5	107	45,842	4	0	5	115	46,422	4	0	5	117
				T2M	42,773	4	0	4	107	46,078	4	0	4	116	46,661	4	0	5	117
				T3S	41,423	4	0	5	104	44,624	4	0	5	112	45,189	4	0	5	114
				T3M	42,669	4	0	5	107	45,966	4	0	5	115	46,548	4	0	5	117
				T4M	41,742	4	0	5	105	44,967	4	0	5	113	45,537	4	0	5	114
				TFTM	42,643	4	0	5	107	45,938	4	0	5	115	46,519	4	0	5	117
				TSVS	44,350	5	0	1	111	47,777	5	0	1	120	48,381	5	0	1	122
				T5S	44,385	5	0	2	112	47,815	5	0	3	120	48,420	5	0	3	122
				T5M	44,273	5	0	4	111	47,695	5	0	4	120	48,298	5	0	4	121
				TSW	43,983	5	0	5	111	47,382	5	0	5	119	47,982	5	0	5	121
				BLC	34,962	3	0	4	88	37,664	3	0	5	95	38,140	3	0	5	96
				LCCO	26,015	3	0	5	65	28,025	3	0	5	70	28,380	3	0	5	71
				RCCO	26,015	3	0	5	65	28,025	3	0	5	70	28,380	3	0	5	71
100	1350	P8	448W	T1S	45,610	4	0	4	106	49,135	4	0	4	114	49,757	4	0	4	115
				T2S	45,562	4	0	5	106	49,083	4	0	5	114	49,704	4	0	5	115
				T2M	45,797	4	0	4	106	49,336	4	0	5	114	49,960	4	0	5	116
				T3S	44,352	4	0	5	103	47,779	4	0	5	111	48,384	4	0	5	112
				T3M	45,686	4	0	5	106	49,216	4	0	5	114	49,839	4	0	5	116
				T4M	44,693	4	0	5	104	48,147	4	0	5	112	48,756	4	0	5	113
				TFTM	45,657	4	0	5	106	49,186	4	0	5	114	49,808	4	0	5	116
				TSVS	47,485	5	0	1	119	51,155	5	0	1	119	51,802	5	0	1	120
				T5S	47,524	5	0	3	110	51,196	5	0	3	119	51,844	5	0	3	120
				T5M	47,404	5	0	4	110	51,067	5	0	5	118	51,713	5	0	5	120
				TSW	47,093	5	0	5	109	50,732	5	0	5	118	51,374	5	0	5	119
				BLC	37,434	3	0	5	87	40,326	3	0	5	94	40,837	3	0	5	95
				LCCO	27,854	3	0	5	65	30,006	3	0	5	70	30,386	3	0	5	71
				RCCO	27,854	3	0	5	65	30,006	3	0	5	70	30,386	3	0	5	71

# Performance Data

## Lumen Output

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. Contact factory for performance data on any configurations not shown here.

Rotated Optics																			
LED Count	Drive Current	Power Package	System Watts	Dist. Type	30K (3000 K, 70 CRI)					40K (4000 K, 70 CRI)					50K (5000 K, 70 CRI)				
					Lumens	B	U	G	LPW	Lumens	B	U	G	LPW	Lumens	B	U	G	LPW
90	530	P10	156W	T1S	20,145	4	0	4	129	21,702	4	0	4	139	21,977	4	0	4	141
				T2S	20,029	4	0	4	128	21,577	4	0	4	138	21,850	4	0	4	140
				T2M	20,391	4	0	4	131	21,967	4	0	4	141	22,245	4	0	4	143
				T3S	19,719	4	0	4	126	21,242	4	0	4	136	21,511	4	0	4	138
				T3M	20,379	4	0	4	131	21,954	4	0	4	141	22,232	4	0	4	143
				T4M	19,995	4	0	4	128	21,540	4	0	4	138	21,812	5	0	5	140
				TFTM	20,511	4	0	4	131	22,096	5	0	5	142	22,376	5	0	5	143
				TSVS	20,655	4	0	1	132	22,251	4	0	1	143	22,533	4	0	1	144
				T5S	20,482	4	0	2	131	22,064	4	0	2	141	22,343	4	0	2	143
				T5M	20,477	5	0	3	131	22,059	5	0	3	141	22,338	5	0	3	143
				TSW	20,293	5	0	3	130	21,861	5	0	3	140	22,138	5	0	4	142
				BLC	16,846	4	0	4	108	18,148	4	0	4	116	18,378	4	0	4	118
				LCCO	12,032	2	0	3	77	12,961	2	0	3	83	13,125	2	0	3	84
				RCCO	12,016	4	0	4	77	12,944	4	0	4	83	13,108	4	0	4	84
90	700	P11	207W	T1S	25,518	4	0	4	123	27,490	4	0	4	133	27,837	4	0	4	134
				T2S	25,371	5	0	5	123	27,331	5	0	5	132	27,677	5	0	5	134
				T2M	25,829	4	0	4	125	27,825	4	0	4	134	28,177	4	0	4	136
				T3S	24,977	5	0	5	121	26,907	5	0	5	130	27,248	5	0	5	132
				T3M	25,814	5	0	5	125	27,809	5	0	5	134	28,161	5	0	5	136
				T4M	25,327	5	0	5	122	27,284	5	0	5	132	27,629	5	0	5	133
				TFTM	25,981	5	0	5	126	27,989	5	0	5	135	28,343	5	0	5	137
				TSVS	26,164	5	0	1	126	28,185	5	0	1	136	28,542	5	0	1	138
				T5S	25,943	4	0	2	125	27,948	5	0	2	135	28,302	5	0	2	137
				T5M	25,937	5	0	3	125	27,941	5	0	3	135	28,295	5	0	3	137
				TSW	25,704	5	0	4	124	27,691	5	0	4	134	28,041	5	0	4	135
				BLC	21,339	4	0	4	103	22,988	4	0	4	111	23,279	4	0	4	112
				LCCO	15,240	2	0	4	74	16,418	2	0	4	79	16,626	2	0	4	80
				RCCO	15,220	5	0	5	74	16,396	5	0	5	79	16,604	5	0	5	80
90	850	P12	254W	T1S	29,912	4	0	4	118	32,223	4	0	4	127	32,631	5	0	4	128
				T2S	29,740	5	0	5	117	32,038	5	0	5	126	32,443	5	0	5	128
				T2M	30,277	4	0	4	119	32,616	5	0	5	128	33,029	5	0	5	130
				T3S	29,278	5	0	5	115	31,540	5	0	5	124	31,940	5	0	5	126
				T3M	30,259	5	0	5	119	32,597	5	0	5	128	33,010	5	0	5	130
				T4M	29,688	5	0	5	117	31,982	5	0	5	126	32,387	5	0	5	128
				TFTM	30,455	5	0	5	120	32,808	5	0	5	129	33,224	5	0	5	131
				TSVS	30,669	5	0	1	121	33,039	5	0	1	130	33,457	5	0	1	132
				T5S	30,411	5	0	2	120	32,761	5	0	2	129	33,176	5	0	2	131
				T5M	30,404	5	0	3	120	32,753	5	0	4	129	33,168	5	0	4	131
				TSW	30,131	5	0	4	119	32,459	5	0	4	128	32,870	5	0	4	129
				BLC	25,013	4	0	4	98	26,946	4	0	4	106	27,287	4	0	4	107
				LCCO	17,865	2	0	4	70	19,245	2	0	4	76	19,489	2	0	4	77
				RCCO	17,841	5	0	5	70	19,220	5	0	5	76	19,463	5	0	5	77
90	1200	P13	344W	T1S	38,768	5	0	5	113	41,764	5	0	5	121	42,292	5	0	5	123
				T2S	38,545	5	0	5	112	41,523	5	0	5	121	42,049	5	0	5	122
				T2M	39,241	5	0	5	114	42,273	5	0	5	123	42,808	5	0	5	124
				T3S	37,947	5	0	5	110	40,879	5	0	5	119	41,396	5	0	5	120
				T3M	39,218	5	0	5	114	42,249	5	0	5	123	42,783	5	0	5	124
				T4M	38,478	5	0	5	112	41,451	5	0	5	120	41,976	5	0	5	122
				TFTM	39,472	5	0	5	115	42,522	5	0	5	124	43,060	5	0	5	125
				TSVS	39,749	5	0	1	116	42,821	5	0	1	124	43,363	5	0	1	126
				T5S	39,415	5	0	2	115	42,461	5	0	2	123	42,998	5	0	2	125
				T5M	39,405	5	0	4	115	42,450	5	0	4	123	42,988	5	0	4	125
				TSW	39,052	5	0	5	114	42,069	5	0	5	122	42,602	5	0	5	124
				BLC	32,419	5	0	5	94	34,925	5	0	5	102	35,367	5	0	5	103
				LCCO	23,154	3	0	5	67	24,943	3	0	5	73	25,259	3	0	5	73
				RCCO	23,124	5	0	5	67	24,910	5	0	5	72	25,226	5	0	5	73
90	1400	P14	405W	T1S	42,867	5	0	5	106	46,180	5	0	5	114	46,764	5	0	5	115
				T2S	42,621	5	0	5	105	45,914	5	0	5	113	46,495	5	0	5	115
				T2M	43,390	5	0	5	107	46,743	5	0	5	115	47,335	5	0	5	117
				T3S	41,959	5	0	5	104	45,201	5	0	5	112	45,773	5	0	5	113
				T3M	43,365	5	0	5	107	46,716	5	0	5	115	47,307	5	0	5	117
				T4M	42,547	5	0	5	105	45,834	5	0	5	113	46,414	5	0	5	115
				TFTM	43,646	5	0	5	108	47,018	5	0	5	116	47,614	5	0	5	118
				TSVS	43,952	5	0	1	109	47,349	5	0	1	117	47,948	5	0	1	118
				T5S	43,583	5	0	2	108	46,950	5	0	2	116	47,545	5	0	3	117
				T5M	43,572	5	0	4	108	46,939	5	0	4	116	47,533	5	0	4	117
				TSW	43,181	5	0	5	107	46,518	5	0	5	115	47,107	5	0	5	116
				BLC	35,847	5	0	5	89	38,617	5	0	5	95	39,106	5	0	5	97
				LCCO	25,602	3	0	5	63	27,580	3	0	5	68	27,930	3	0	5	69
				RCCO	25,569	5	0	5	63	27,544	5	0	5	68	27,893	5	0	5	69

## Capable Luminaire

This item is an A+ capable luminaire, which has been designed and tested to provide consistent color appearance and system-level interoperability.

- All configurations of this luminaire meet the Acuity Brands' specification for chromatic consistency
- This luminaire is A+ Certified when ordered with DTL® controls marked by a [shaded background](#). DTL DLL equipped luminaires meet the A+ specification for luminaire to photocontrol interoperability<sup>1</sup>
- This luminaire is part of an A+ Certified solution for ROAM® or XPoint™ Wireless control networks, providing out-of-the-box control compatibility with simple commissioning, when ordered with drivers and control options marked by a [shaded background](#)<sup>1</sup>

To learn more about A+, visit [www.acuitybrands.com/aplus](http://www.acuitybrands.com/aplus).

1. See ordering tree for details.
2. A+ Certified Solutions for ROAM require the order of one ROAM node per luminaire.  
Sold Separately: [Link to Roam](#); [Link to DTL DLL](#)

### FEATURES & SPECIFICATIONS

#### INTENDED USE

The sleek design of the D-Series Area Size 2 reflects the embedded high performance LED technology. It is ideal for applications like car dealerships and large parking lots adjacent to malls, transit stations, grocery stores, home centers, and other big-box retailers.

#### CONSTRUCTION

Single-piece die-cast aluminum housing has integral heat sink fins to optimize thermal management through conductive and convective cooling. Modular design allows for ease of maintenance and future light engine upgrades. The LED drivers are mounted in direct contact with the casting to promote low operating temperature and long life. Housing is completely sealed against moisture and environmental contaminants (IP65). Low EPA (1.1 ft<sup>2</sup>) for optimized pole wind loading.

#### FINISH

Exterior parts are protected by a zinc-infused Super Durable TGIC thermoset powder coat finish that provides superior resistance to corrosion and weathering. A tightly controlled multi-stage process ensures a minimum 3 mils thickness for a finish that can withstand extreme climate changes without cracking or peeling. Available in both textured and non-textured finishes.

#### OPTICS

Precision-molded proprietary acrylic lenses are engineered for superior area lighting distribution, uniformity, and pole spacing. Light engines are available in 3000 K, 4000 K, or 5000 K (70 CRI) configurations. The D-Series Size 2 has zero uplight and qualifies as a Nighttime Friendly™ product, meaning it is consistent with the LEED® and Green Globes™ criteria for eliminating wasteful uplight.

#### ELECTRICAL

Light engine configurations consist of high-efficacy LEDs mounted to metal-core circuit boards to maximize heat dissipation and promote long life (up to L85/100,000 hrs at 25°C). Class 1 electronic drivers are designed to have a power factor >90%, THD <20%, and an expected life of 100,000 hours with <1% failure rate. Easily-serviceable 10kV surge protection device meets a minimum Category C Low operation (per ANSI/IEEE C62.41.2).

#### INSTALLATION

Included mounting block and integral arm facilitate quick and easy installation. Stainless steel bolts fasten the mounting block securely to poles and walls, enabling the D-Series Size 2 to withstand up to a 2.0 G vibration load rating per ANSI C136.31. The D-Series Size 2 utilizes the AERIS™ series pole drilling pattern (Template #8). NEMA photocontrol receptacle is available.

#### STANDARD CONTROLS

The DSX2 LED area luminaire has a number of control options. Dusk to dawn controls can be utilized via optional NEMA twist-lock photocell receptacles. Integrated motion sensors with on-board photocells feature field-adjustable programming and are suitable for mounting heights up to 30 feet.

#### nLIGHT AIR CONTROLS

The DSX2 LED area luminaire is also available with nLight® AIR for the ultimate in wireless control. This powerful controls platform provides out-of-the-box basic motion sensing and photocontrol functionality and is suitable for mounting heights up to 40 feet. Once commissioned using a smartphone and the easy-to-use CLAIRITY app, nLight AIR equipped luminaires can be grouped, resulting in motion sensor and photocell group response without the need for additional equipment. Scheduled dimming with motion sensor override can be achieved when used with the nLight Eclipse. Additional information about nLight Air can be found [here](#).

#### LISTINGS

UL Listed for wet locations. Light engines are IP66 rated; luminaire is IP65 rated. Rated for -40°C minimum ambient. U.S. Patent No. D670,857 S. International patent pending.

DesignLights Consortium® (DLC) Premium qualified product and DLC qualified product. Not all versions of this product may be DLC Premium qualified or DLC qualified. Please check the DLC Qualified Products List at [www.designlights.org/QPL](http://www.designlights.org/QPL) to confirm which versions are qualified.

International Dark-Sky Association (IDA) Fixture Seal of Approval (FSA) is available for all products on this page utilizing 3000K color temperature only.

#### WARRANTY

5-year limited warranty. Complete warranty terms located at: [www.acuitybrands.com/support/customer-support/terms-and-conditions](http://www.acuitybrands.com/support/customer-support/terms-and-conditions)

**Note:** Actual performance may differ as a result of end-user environment and application.

All values are design or typical values, measured under laboratory conditions at 25 °C.

Specifications subject to change without notice.



**Petition Number:** 2020-14-DP

**Project Address:** 5415 Bearberry Lane (estimated)

**Petitioner:** Baptist Homes of Indiana, Inc.

**Representative:** Tim Ochs, Ice Miller, LLP

**Request:** Petition for Development Plan approval to allow for the construction of an approximately 5600 square foot single story sales and marketing office in the (SU-7) Special Use Zoning District

**Current Zoning:** (SU-7) Special Use Zoning District

**Current Land Use:** Landscaped area/unimproved

**Approximate Acreage:** 109.7 +/- acres

**Related Petitions:** **None**

**Exhibits:** Exhibit 1 - Staff Report  
Exhibit 2 - Aerial Location Map  
Exhibit 3 - Petitioner Location Map  
Exhibit 4 - Development Plan  
Exhibit 5 - Elevations  
Exhibit 6 - Landscape Plan  
Exhibit 7 - Materials Legend  
Exhibit 8 - Petitioners Proposed Civil Plans  
Exhibit 9 - Town Engineer's Comments dated May 1, 2020  
Exhibit 10 - Petitioner's Findings of Fact

**Staff Presenter:** Wayne DeLong, AICP, CPM

## **PETITION HISTORY**

This petition will receive a public hearing at the May 18, 2020 Meeting of the Plan Commission.

## **PROJECT LOCATION**

If approved, a permanent address will be assigned to this building. The subject site is located at the corner of Purple Plum Lane and Paper Birch Road.

The site area to be disturbed is approximately 0.06 acres and is presently not improved. The site is generally bordered on the south by 96th Street; on the west by a retention pond, then by Zionsville Road; on the north by Spindle Tree Road; and on the east by Hoosier Village Drive

Vehicular access onto the site will be from Wood View Parkway (formally named Nuttall Road), and as part of a circular thoroughfare, access can be reached from Paper Birch Lane, Purple Plum Drive, Spindle Tree Road and Sweet Shrub Lane

## **ANALYSIS**

The Petitioner requests approval for the development of a single story, 5600 ± square foot building, to house a sales and marketing office within the Hoosier Village Campus in the (SU-7) Special Use Zoning District.

## **DEVELOPMENT PLAN REVIEW**

### **Zoning Ordinance**

Approval of a Development Plan by the Plan Commission is required for "...new development or major additions..." within the (SU-7) Special Use Zoning District

### **Architecture**

The proposed improvements utilize a variety of materials and colors. Renderings are attached to this report with additional supporting documents within the Petitioner's materials (Exhibit 5). As filed, staff is supportive of the proposed architecture and color palette.

### **Landscaping & Setbacks**

As proposed, the site would be improved with a one (1) overstory tree planted every 40 linear feet of Right of Way as well as foundation plantings (see Exhibit 6).

### **Lighting**

Proposed lighting for the building includes wall mounted lighting. The existing free standing parking lot lighting will be utilized.

### **Signage**

Should the applicant intend to submit for signage, a final sign design(s) will be reviewed by the Town Staff at the time the Petitioner seeks sign permits associated with the proposed improvements.

### **Stormwater / Drainage**

The Town's Street / Storm Water Department and Town Engineer have reviewed the proposed storm water drainage plan (review comments are contained a part of the Plan Commission's packet - Exhibit 9). The Petitioner has engaged an engineering firm to update the existing 2011 drainage plan for the site.

### **Utility Access**

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

### **Vehicle and Sidewalks**

The project will utilize an existing drive cut from Purple Plum Lane, into an existing parking located north of the proposed building. Sidewalks are designed to connect to three sides of the building including the proposed building's main entry from the parking lot.

### **FINDINGS**

The Plan Commission shall hear, and approve or deny, Development Plans based on Findings of the Building Commissioner or Plan Commission. Per Section 194.127 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's Proposed Findings are attached as Exhibit 10 for the Plan Commission's consideration.

### **STAFF RECOMMENDATION**

Satisfying the Town Engineer's comments related to the Drainage Report, Staff recommends approval of the petition, subject to resolution of the remaining comments provided by the Town Engineer prior to Submittal of an Improvement Location Permit resulting in earth disturbing activities.

### **RECOMMENDED MOTIONS**

I move that Docket #2020-14-DP to allow for the construction of an approximately 5600 square foot single story sales and marketing office in the (SU-7) Special Use Zoning District be Approved based on the findings in the staff report, staff recommendation, and submitted findings of fact / Denied/ Continued) as presented.

### **PROCEDURAL NOTE**

An Improvement Location Permit will be required to be obtained from the Town prior to the commencement of any site work and/or building construction.

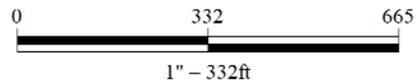
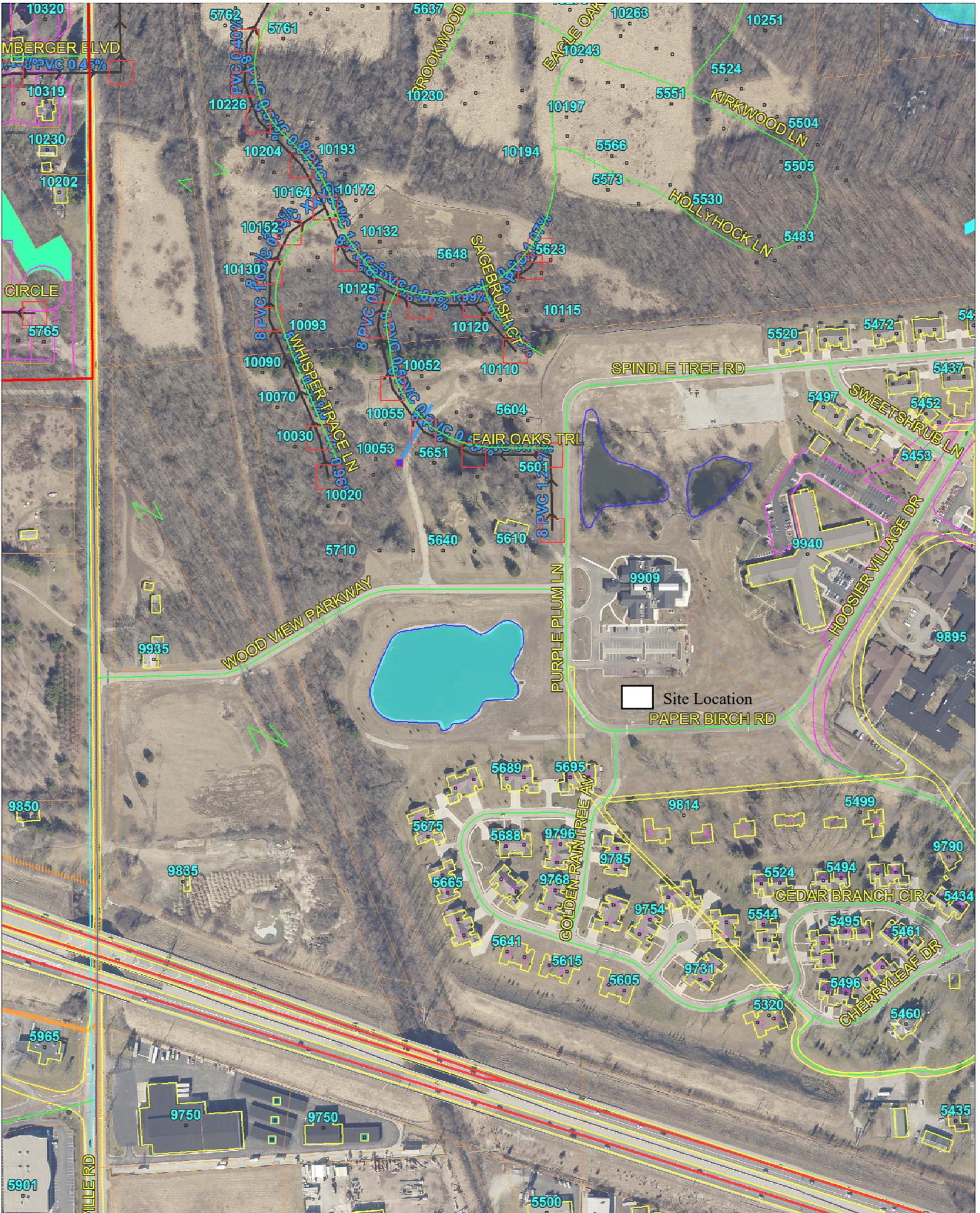
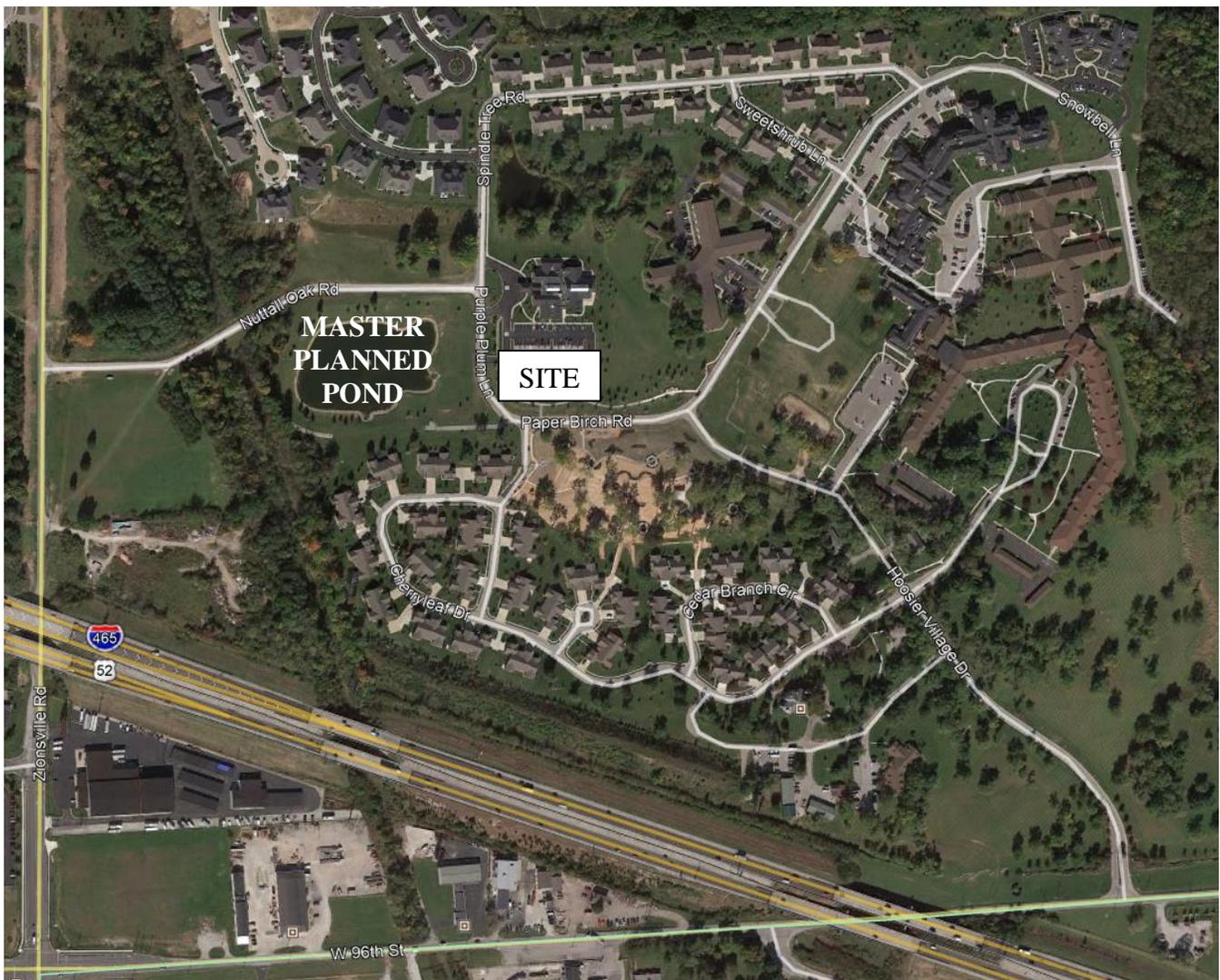


Exhibit 2

### Existing Conditions and Detention

The site is currently manicured landscape area. An existing parking lot is immediately north of the project site and Paper Birch Road and Purple Plum Lane border the south and west sides, respectively.

The site is currently detained by the master planned detention pond which is located west of the site in the southwest quadrant of Purple Plum Lane and Nuttall Oak Drive. The expansion of this pond was designed in 2011 and was approved based on the drainage ordinance in place at the time of submittal. The existing wet detention pond is referred to as Pond 2 in the 2011 drainage report. The masterplan assumed a curve number of 90 for the basin in which the proposed project exists. Refer to the 2011 Hoosier Village Phase 1A Drainage Report appended to this memo for further detail.



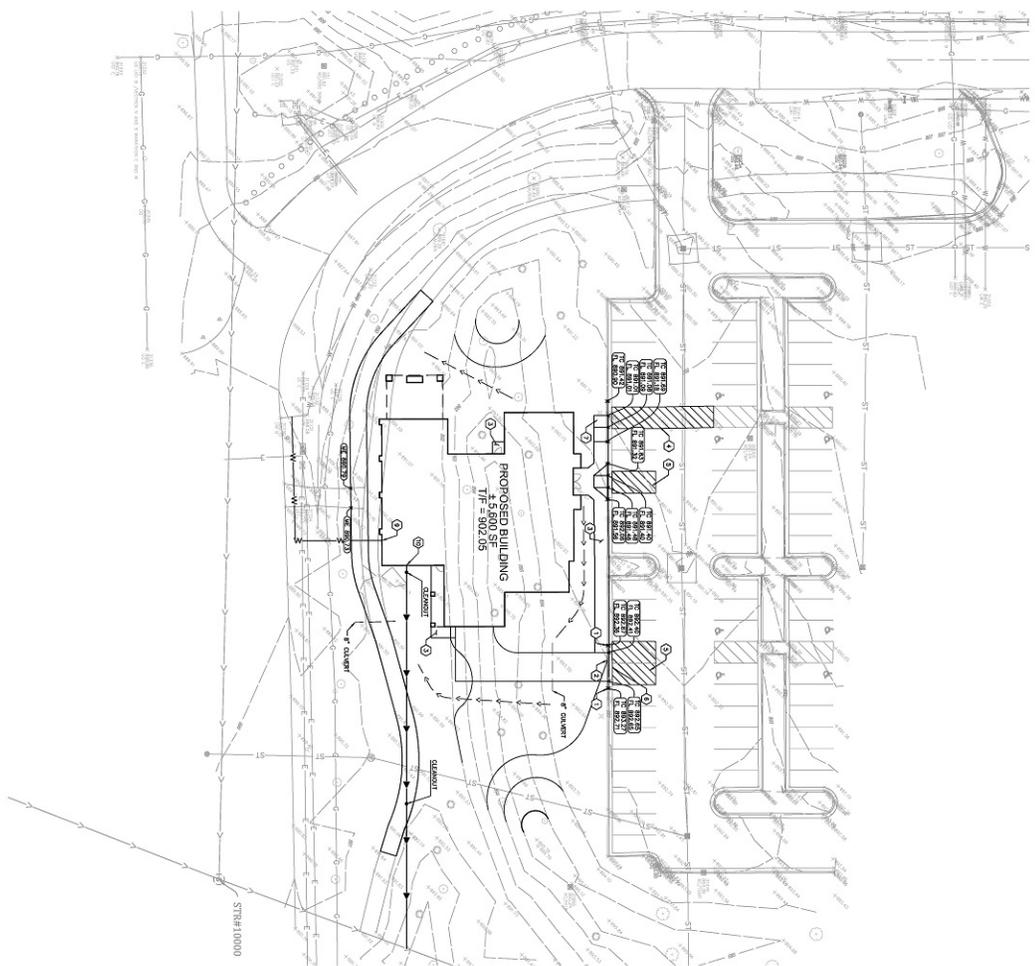


Exhibit 4

**KEY NOTES**

- 1. 3" THICKNESS CONCRETE
- 2. ASPHALT DRIVE
- 3. CONCRETE FOOTING, 18" (SEE DETAILS)
- 4. ACCESSIBLE PAVEMENT SURFACE, 18" (SEE DETAILS)
- 5. 4" WIDE FINISH WITH SLOPE 1% (SEE DETAILS)
- 6. ACCESSIBLE RAMP (SEE DETAILS)
- 7. STAIRS
- 8. WATER SERVICE
- 9. 8" SINKER LATHING, 120# W/M, 8" C/P

Graphic Scale in Feet  
 0 10 20 30 40  
 1" = 10'-0"

North Arrow

Indiana Utilities Foundation Service  
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ORIGINAL ISSUE: FULL PROJECT NO. 170010002 SHEET NUMBER 1 OF 1	HOOSIER VILLAGE SALES & MARKETING OFFICE	PLOT PLAN			SCALE: AS NOTED	DESIGNED BY: MJE DRAWN BY: MJE CHECKED BY: WAB	<b>Kimley»Horn</b> 150 EAST WELLS STREET, SUITE 300 INDIANAPOLIS, IN 46204 PHONE: 317-251-5500 WWW.KIMLEY-HORN.COM	NO.      REVISIONS      DATE      BY
					REVISIONS			



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**HOOSIER VILLAGE**





# MATERIALS LEGEND

**BRICK**



**YANKEE HILL CHARCOAL**

**STONE**



**BROOKFIELD GREY**

**EIFS (main)**



**'DRYVIT' 104 DOVER SKY**

**EIFS (trim)**



**'DRYVIT' 300 LIGHT SERENITY**

**SHINGLES**



**OWENS CORNING 'ESTATE GRAY'**

**HOOSIER VILLAGE**

Drawing name: K:\IND\_DEV\170015002\_Bedrock\HV Entrance\_Zionsville\_IN\2 Design\CAD\Exhibits\001 Title Sheet.dwg  
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# ENGINEERING PLANS

# HV SALES & MARKETING OFFICE

## PURPLE PLUM LN & PAPER BIRCH RD

## ZIONSVILLE, IN 46077

Indiana Utilities Protection Service



### UTILITY AND GOVERNING AGENCY CONTACTS

**PLANNING AND ECONOMIC DEVELOPMENT**  
 TOWN OF ZIONSVILLE  
 1100 W. OAK ST.  
 ZIONSVILLE, IN 46077  
 TEL: (317) 873-8247  
 CONTACT: WAYNE DeLONG, AICP

**POWER COMPANY**  
 DUKE ENERGY CORPORATION  
 1000 E. MAIN ST.  
 PLAINFIELD, IN 46168  
 TEL: (800) 521-2232

**SANITARY SEWER SERVICE**  
 CLAY REGIONAL WASTE DISTRICT  
 10701 N. COLLEGE AVE., SUITE A  
 INDIANAPOLIS, IN 46280  
 TEL: (317) 844-9200  
 CONTACT: RYAN HARTMAN

**NATURAL GAS COMPANY**  
 VECTREN CORPORATION  
 TEL: (800) 227-1376

**STORM SEWER SERVICE**  
 TOWN OF ZIONSVILLE  
 STREET AND STORMWATER DEPARTMENT  
 1075 PARKWAY DRIVE  
 ZIONSVILLE, IN 46077  
 TEL: (317) 873-4544

**TELEPHONE**  
 AT&T  
 240 N. MERIDIAN STREET  
 INDIANAPOLIS, IN 46204  
 TEL: (317) 252-4275

**WATER SERVICE**  
 CITIZEN'S WATER  
 TEL: (317) 924-3311

### PROJECT TEAM

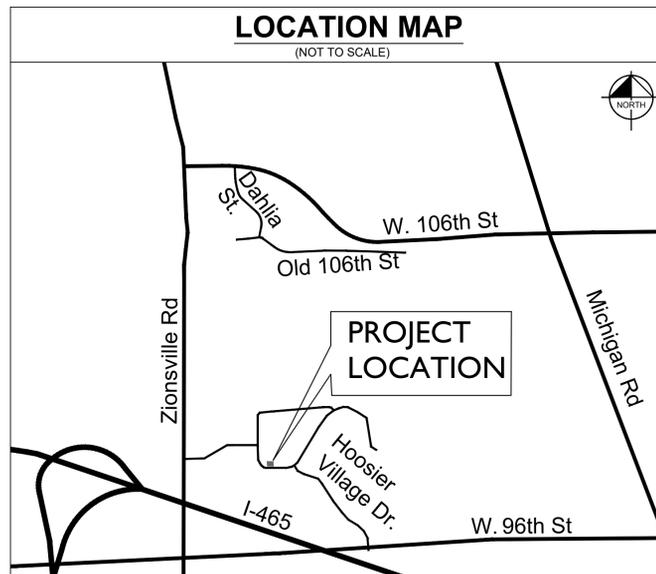
**OWNER**  
 HOOSIER VILLAGE  
 9875 CHERRYLEAF DR.  
 INDIANAPOLIS, IN 46268  
 TEL: (317) 873-3349

**CIVIL ENGINEER**  
 KIMLEY-HORN AND ASSOCIATES, INC.  
 250 EAST 96TH STREET, SUITE 580  
 INDIANAPOLIS, IN 46240  
 TEL: (317) 218-9560  
 CONTACT: BILL BUTZ, P.E.  
 TEL: (317) 218-9561  
 EMAIL: BILL.BUTZ@KIMLEY-HORN.COM

**GENERAL CONTRACTOR**  
 BEDROCK BUILDERS INC.  
 14701 CUMBERLAND RD, SUITE 170  
 NOBLESVILLE, IN, 46060  
 TEL: (317) 770-3900  
 CONTACT:

**SURVEYOR**  
 BANNING ENGINEERING, PC  
 853 COLUMBIA ROAD, SUITE 101  
 PLAINFIELD, IN 46168  
 TEL: (317) 707-3732  
 CONTACT: TOM JOHNSON

**LANDSCAPE ARCHITECT**  
 KIMLEY-HORN AND ASSOCIATES, INC.  
 250 EAST 96TH STREET, SUITE 580  
 INDIANAPOLIS, IN 46240  
 TEL: (317) 218-9560  
 CONTACT: BRANDON SCHREEG, PLA, CLARB  
 EMAIL: BRANDON.SCHREEG@KIMLEY-HORN.COM



Sheet List Table	
Sheet Number	Sheet Title
C0.0	COVER SHEET
C1.0	OVERALL SITE PLAN
C1.1	DEVELOPMENT PLAN
C2.0	EROSION CONTROL PLAN
C3.0	CONSTRUCTION DETAILS
C3.1	CONSTRUCTION DETAILS
L1.0	LANDSCAPE PLAN
L1.1	LANDSCAPE DETAILS

### FLOODPLAIN NOTE

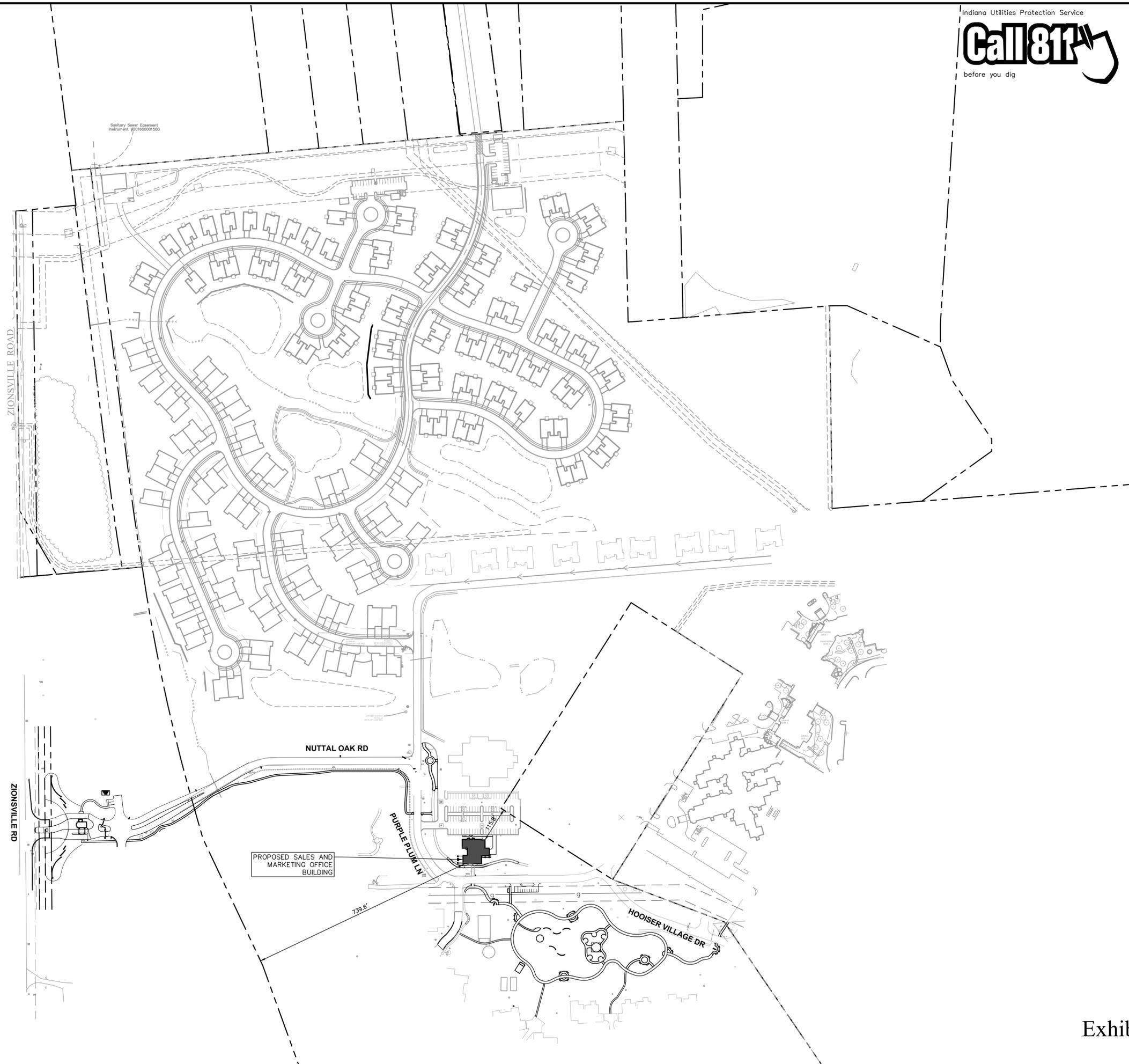
PER FLOOD INSURANCE RATE MAP NO. 18011C0342E, DATED JANUARY 18, 2012, THE SITE IS LOCATED IN ZONE X. AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.

Exhibit 8

No.	REVISIONS	DATE	BY
<p style="font-size: 8px; margin: 0;">© 2019 KIMLEY-HORN AND ASSOCIATES, INC.        250 EAST 96TH STREET, SUITE 580,        INDIANAPOLIS, IN 46240        WWW.KIMLEY-HORN.COM</p>			
SCALE:	AS NOTED	DESIGNED BY: DAM	DRAWN BY: DAM
			CHECKED BY: WAB
COVER SHEET			
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ORIGINAL ISSUE: 05/01/2020			
KHA PROJECT NO. 170015002			
SHEET NUMBER			
C0.0			

Drawing name: C:\Local\_K\IND\_LDR\170015002\_Bedrock\_HV Entrance\_Zionsville\_MV Design\CAD\Utilities\Sales and Marketing Office\PlanSheets\C1.0 OVERALL SITE PLAN May 01, 2020 1:15pm by Anthony Magelby  
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444



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NORTH

GRAPHIC SCALE IN FEET  
 0 75 150 300

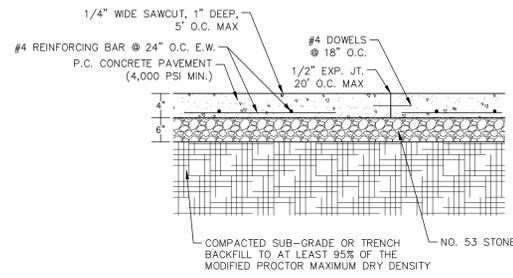
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	ORIGINAL ISSUE: 05/01/2020 KHA PROJECT NO. 170015002 SHEET NUMBER <b>C1.0</b>						

Exhibit 8

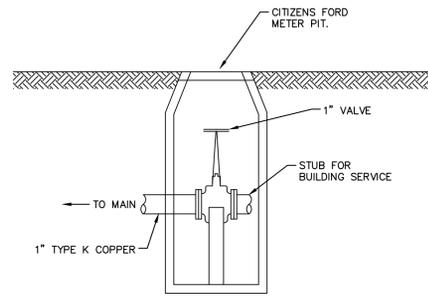




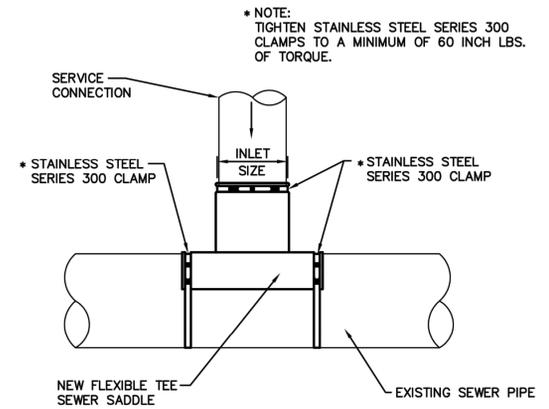
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 Drawing date: 05/01/2020 11:30am  
 Drawing by: Anthony Magley  
 Drawing checked by: J. A. Butz, Jr.  
 Drawing approved by: J. A. Butz, Jr.  
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**LIGHT DUTY  
CONCRETE PAVEMENT SECTION**  
N.T.S.



**TYPICAL WATER SERVICE VALVE DETAIL**  
N.T.S.



DESCRIPTION	INLET SIZE
4"-12" FLEXIBLE TEE SADDLE	4" 6"

INLET RANGE FROM SCH-40 PIPE DOWN TO SDR-35 PIPE WHICH INCLUDES STANDARD WEIGHT SOIL PIPE.

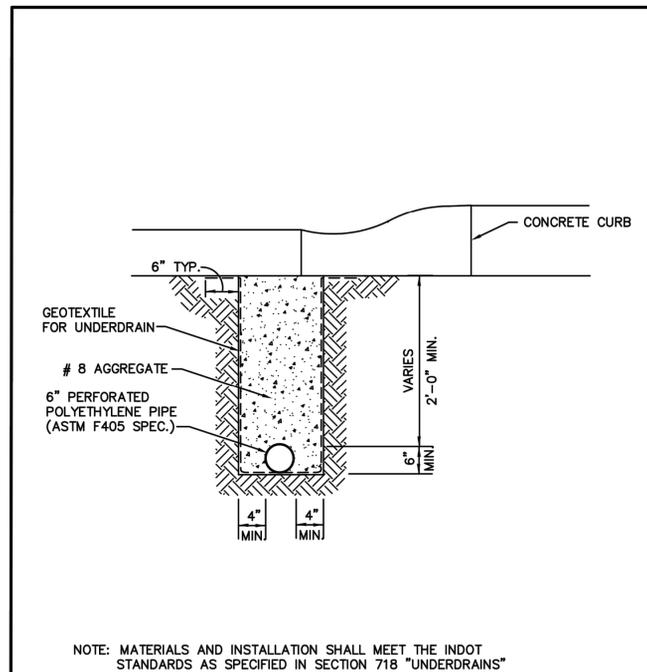
**DETAIL FLEXIBLE TEE SADDLE**  
NOT TO SCALE

**FLEXIBLE SEWER SADDLE**



**TOWN OF ZIONSVILLE, INDIANA**  
MAY, 2000

FIGURE S-15

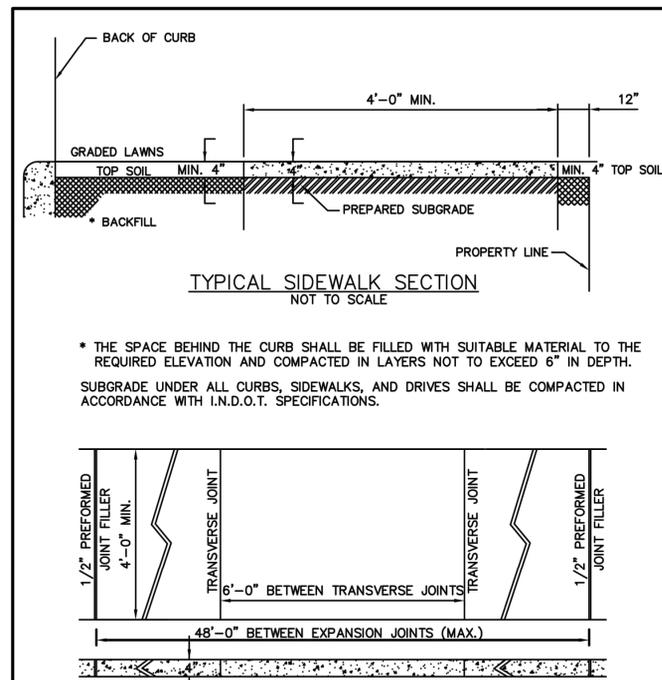


**PIPE UNDERDRAIN DETAIL**



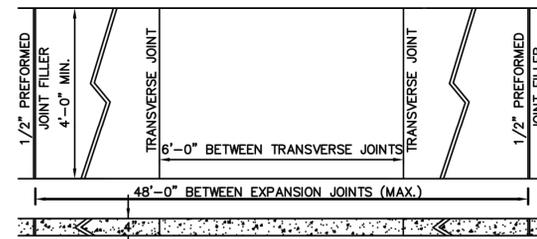
**TOWN OF ZIONSVILLE, INDIANA**  
AUGUST, 2004

FIGURE P-9



**TYPICAL SIDEWALK SECTION**  
NOT TO SCALE

\* THE SPACE BEHIND THE CURB SHALL BE FILLED WITH SUITABLE MATERIAL TO THE REQUIRED ELEVATION AND COMPACTED IN LAYERS NOT TO EXCEED 6" IN DEPTH. SUBGRADE UNDER ALL CURBS, SIDEWALKS, AND DRIVES SHALL BE COMPACTED IN ACCORDANCE WITH I.N.D.O.T. SPECIFICATIONS.



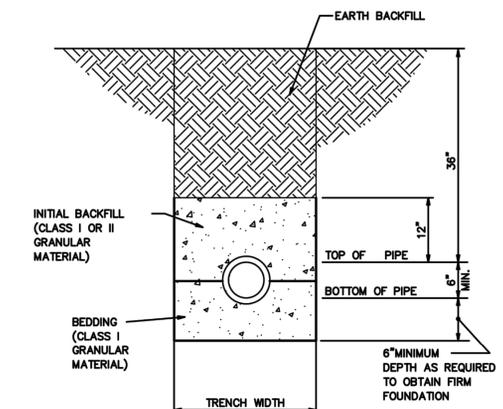
**CONCRETE SIDEWALK**  
NOT TO SCALE

**SIDEWALK DETAILS**



**TOWN OF ZIONSVILLE, INDIANA**  
MAY, 2000

FIGURE P-10



**NOTES:**

- NOMINAL PIPE SIZE (6" MIN.)
- INSTALLATION OF FLEXIBLE PVC PIPE SHALL BE IN ACCORDANCE WITH SPECIFICATIONS CONTAINED IN ASTM D-2321
- CLASS I GRANULAR MATERIAL SHALL BE 1/4" TO 1 1/2" GRADED STONE, PER ASTM D2321 (#8 CRUSH STONE)
- CLASS II GRANULAR MATERIAL SHALL BE COARSE SANDS AND GRAVELS MAX. PARTIAL SIZE OF 3/4"
- SEE FIGURE S-5 FOR MAIN LINE SEWERS PIPE BEDDING DETAILS.
- SEE SECTION 02222 FOR BEDDING DEFINITIONS

**HOUSE/BUILDING SERVICE  
BEDDING DETAILS**



**TOWN OF ZIONSVILLE, INDIANA**  
MARCH, 2003

FIGURE S-12

**CONSTRUCTION  
DETAILS**

**HOOSIER VILLAGE  
SALES AND  
MARKETING OFFICE  
ZIONSVILLE, IN**

ORIGINAL ISSUE:  
05/01/2020  
KHA PROJECT NO.  
170015002  
SHEET NUMBER

C3.0

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DRAWN BY: DAM  
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NO. DATE BY

Exhibit 8

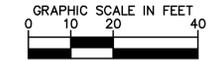


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Indiana Utilities Protection Service



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ORDINANCE CHART		
REQUIREMENT	REQUIRED	PROVIDED
<b>FRONT YARD REQUIREMENTS:</b> • 1 overstory tree planted every 40 linear feet along R.O.W.	• 1 tree every 40' o.c.	• 1 overstory tree added to maintain 40' o.c. spacing
<b>FOUNDATION REQUIREMENTS:</b> • 2 feet wide landscaped area per linear foot of foundation	• 426 LF = 852 plant bed	• 1,060 SF

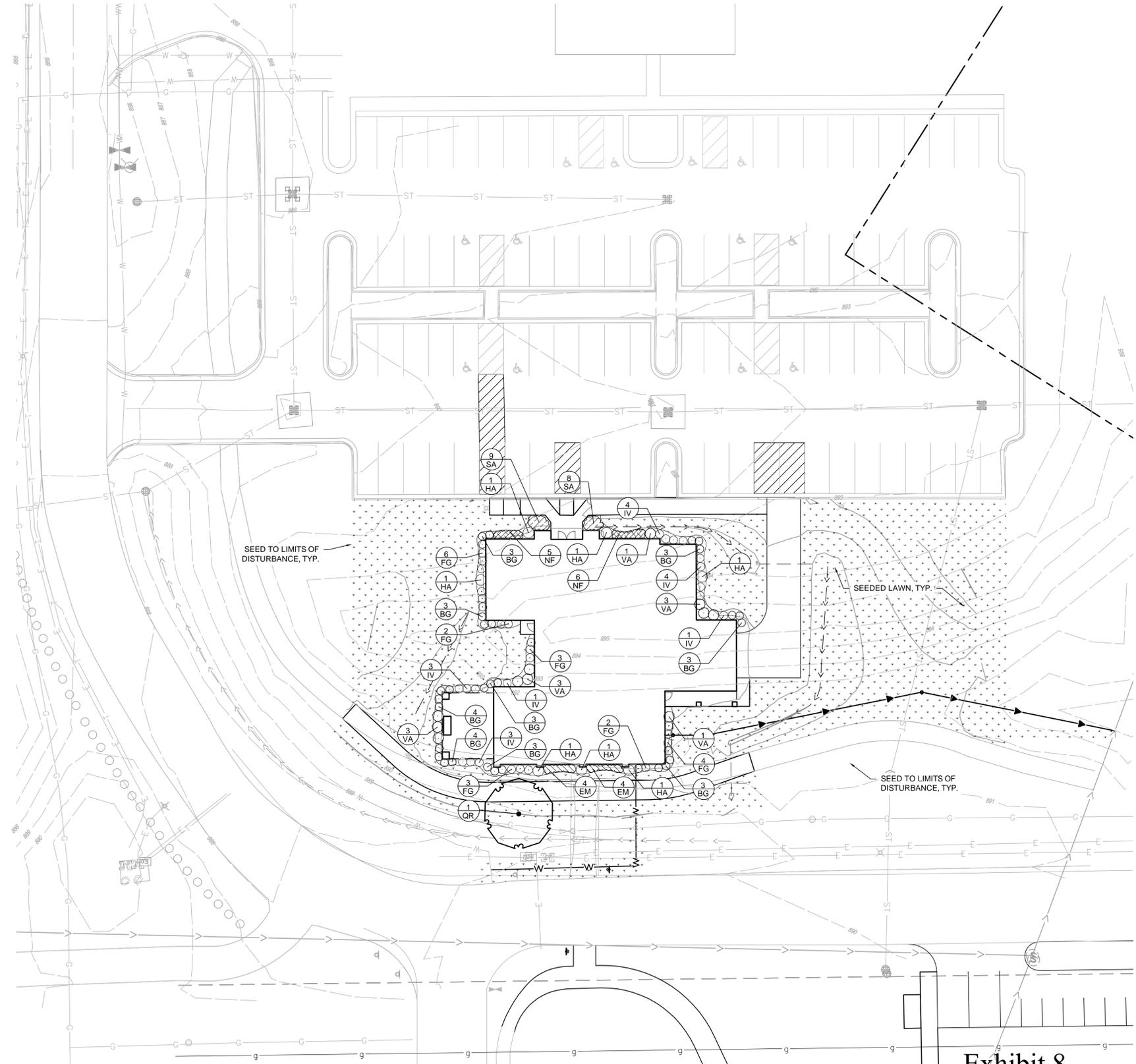


Exhibit 8

		<b>Kimley-Horn</b> <small>© 2019 KIMLEY-HORN AND ASSOCIATES, INC.          INDIANAPOLIS, IN 46240          PHONE: 317-218-0560          WWW.KIMLEY-HORN.COM</small>	SCALE: AS NOTED DESIGNED BY: CALW DRAWN BY: CALW CHECKED BY: DPG	<b>LANDSCAPE PLAN</b> HOOSIER VILLAGE SALES AND MARKETING OFFICE ZIONSVILLE, IN	ORIGINAL ISSUE: 05/01/2020 KHA PROJECT NO. 170015002 SHEET NUMBER	<b>L1.0</b>	REVISIONS No. DATE BY

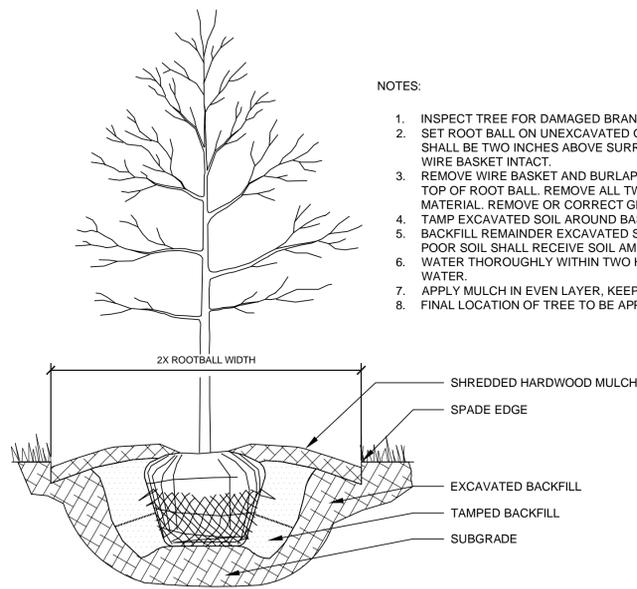
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### PLANT SCHEDULE

DECIDUOUS TREES	QTY	BOTANICAL / COMMON NAME	CONT	CAL	SIZE
QR	1	QUERCUS ROBUR / ENGLISH OAK	B & B	2.5" CAL MIN	---
SHRUBS	QTY	BOTANICAL / COMMON NAME	CONT	SPACING	SIZE
BG	29	BUXUS X 'GREEN VELVET' / GREEN VELVET BOXWOOD	---	SEE PLAN	24" HT MIN
FG	20	FOTHERGILLA GARDENII / DWARF FOTHERGILLA	---	SEE PLAN	18" HT MIN
HA	7	HYDRANGEA ARBORESCENS 'ABETWO' / INCREDIBALL HYDRANGEA	---	SEE PLAN	24" HT MIN
IV	16	ITEA VIRGINICA 'LITTLE HENRY' TM / LITTLE HENRY SWEETSPIRE	---	SEE PLAN	24" HT MIN
VA	11	VIBURNUM DENTATUM 'CHRISTOM' TM / BLUE MUFFIN ARROWWOOD VIBURNUM	---	SEE PLAN	24" HT MIN
PERENNIALS AND GRASSES	QTY	BOTANICAL / COMMON NAME	CONT	SPACING	SIZE
EM	8	ECHINACEA PURPUREA 'MAGNUS' / MAGNUS PURPLE CONEFLOWER	1 GAL	36" OC	---
NF	11	NEPETA X FAASSENII 'WALKERS LOW' / WALKERS LOW CATMINT	1 GAL	30" OC	---
SA	17	SEDUM X 'AUTUMN FIRE' / AUTUMN FIRE SEDUM	1 GAL	24" OC	---

**SEEDING LEGEND**

**PERMANENT SEEDING**  
 AMERITURF FRONTRUNNER BLEND TALL  
 FESCUE; APPLY AT A RATE OF 350 LBS/ACRE  
 (8LBS/1000 SQFT)

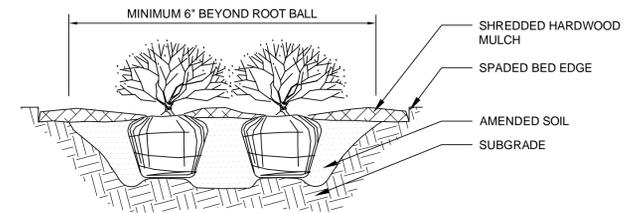


1 TREE PLANTING

NTS

**NOTES:**

1. INSPECT TREE FOR DAMAGED BRANCHES, APPLY CORRECTIVE PRUNING.
2. SET ROOT BALL ON UNEXCAVATED OR TAMPED SOIL. TOP OF ROOTBALL SHALL BE TWO INCHES ABOVE SURROUNDING GRADE WITH BURLAP AND WIRE BASKET INTACT.
3. REMOVE WIRE BASKET AND BURLAP DOWN FOUR TO SIX INCHES BELOW TOP OF ROOT BALL. REMOVE ALL TWINE AND (IF USED), SYNTHETIC MATERIAL. REMOVE OR CORRECT GIRDLING ROOTS.
4. TAMP EXCAVATED SOIL AROUND BASE OF ROOTBALL.
5. BACKFILL REMAINDER EXCAVATED SOIL TAMPED LIGHTLY. HIGH CLAY OR POOR SOIL SHALL RECEIVE SOIL AMENDMENT PER LANDSCAPE NOTES.
6. WATER THOROUGHLY WITHIN TWO HOURS USING 10 TO 15 GALLONS OF WATER.
7. APPLY MULCH IN EVEN LAYER, KEEPING AWAY FROM ROOT FLARE.
8. FINAL LOCATION OF TREE TO BE APPROVED BY OWNER.



**NOTES:**

1. APPLY CORRECTIVE PRUNING.
2. SET ROOT BALL OR CONTAINER ON UNEXCAVATED OR TAMPED SOIL. TOP OF ROOTBALL (CONTAINER) SHALL BE ONE INCH ABOVE SURROUNDING GRADE. FOR LARGER SHRUBS WITHIN PLANTING BED DIG A DEEPER PIT ONLY FOR THOSE SHRUBS.
3. REMOVE BURLAP FROM TOP HALF THE LENGTH OF ROOTBALL. TWINE AND (IF USED) SYNTHETIC MATERIAL SHALL BE REMOVED FROM PLANTING BED. FOR CONTAINER GROWN SHRUBS, REMOVE CONTAINER AND LOOSEN ROOTS PRIOR TO INSTALLATION.
4. REMOVE OR CORRECT GIRDLING ROOTS.
5. PLUMB AND BACKFILL WITH AMENDED SOIL PER LANDSCAPE NOTES. WATER THOROUGHLY WITHIN TWO HOURS.
6. APPLY MULCH IN EVEN LAYER, KEEPING AWAY FROM ROOT FLARE. MULCH LIMITS FOR SHRUBS EXTEND TO ALL LIMITS OF PLANTING BED, SEE PLANS FOR BED LAYOUTS.

2 SHRUB PLANTING

NTS

### LANDSCAPE NOTES

1. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR INSTALLING MATERIALS AND PLANTS SHOWN ON THE LANDSCAPE PLAN. THE CONTRACTOR IS RESPONSIBLE FOR THE COST TO REPAIR UTILITIES, ADJACENT LANDSCAPE, PUBLIC AND PRIVATE PROPERTY THAT IS DAMAGED BY THE CONTRACTOR OR THEIR SUBCONTRACTOR'S OPERATIONS DURING INSTALLATION OR DURING THE SPECIFIED MAINTENANCE PERIOD. CALL FOR UTILITY LOCATIONS PRIOR TO ANY EXCAVATION AND PLANTING.
2. THE CONTRACTOR SHALL REPORT ANY DISCREPANCY IN PLAN VS. FIELD CONDITIONS IMMEDIATELY TO THE LANDSCAPE ARCHITECT, PRIOR TO CONTINUING WITH THAT PORTION OF WORK.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPAIR OF ANY OF THEIR TRENCHES OR EXCAVATIONS THAT SETTLE.
4. ALL NURSERY STOCK SHALL BE WELL BRANCHED, HEALTHY, FULL, PRE-INOCULATED AND FERTILIZED. DECIDUOUS TREES SHALL BE FREE OF FRESH SCARS. TRUNKS WILL BE WRAPPED IF NECESSARY TO PREVENT SUN SCALD AND INSECT DAMAGE. THE LANDSCAPE CONTRACTOR SHALL REMOVE THE WRAP AT THE PROPER TIME AS A PART OF THIS CONTRACT.
5. ALL NURSERY STOCK SHALL BE GUARANTEED, BY THE CONTRACTOR, FOR ONE YEAR FROM DATE OF FINAL INSPECTION.
6. AMENDED SOIL SHALL BE PROVIDED AND GRADED BY THE GENERAL CONTRACTOR UP TO A 6" DEPTH BELOW FINISHED GRADE IN TURF AREAS AND A 12" DEPTH IN PLANTING AREAS.
7. PLANTING AREA TOPSOIL SHALL BE AMENDED WITH 25% SPHAGNUM PEATMOSS, 5% HUMUS AND 65% PULVERIZED SOIL FOR ALL SHRUB, ORNAMENTAL GRASS, PERENNIAL AND ANNUAL BEDS. AMENDED TURF AREA SOIL SHALL BE STANDARD TOPSOIL.
8. SEED LIMIT LINES ARE APPROXIMATE. CONTRACTOR SHALL SEED ALL AREAS WHICH ARE DISTURBED BY GRADING WITH THE SPECIFIED SEED MIXES.
9. CONTRACTOR SHALL INSTALL SHREDDED HARDWOOD MULCH AT A 3" DEPTH TO ALL TREES, SHRUB, PERENNIAL, AND GROUND COVER AREAS. TREES PLACED IN AREA COVERED BY TURF SHALL RECEIVE A 4 FT WIDE MAXIMUM TREE RING WITH 3" DEPTH SHREDDED HARDWOOD MULCH. A SPADED BED EDGE SHALL SEPARATE MULCH BEDS FROM TURF OR SEEDED AREAS. A SPADED EDGE IS NOT REQUIRED ALONG CURBED EDGES.
10. DO NOT DISTURB THE EXISTING PAVING, LIGHTING, OR LANDSCAPING THAT EXISTS ADJACENT TO THE SITE UNLESS OTHERWISE NOTED ON PLAN.
11. PLANT QUANTITIES SHOWN ARE FOR THE CONVENIENCE OF THE OWNER AND JURISDICTIONAL REVIEW AGENCIES. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL PLANT QUANTITIES AS DRAWN.
12. THE OWNER'S REPRESENTATIVE MAY REJECT ANY PLANT MATERIALS THAT ARE DISEASED, DEFORMED, OR OTHERWISE NOT EXHIBITING SUPERIOR QUALITY.
13. THE CONTINUED MAINTENANCE OF ALL REQUIRED LANDSCAPING SHALL BE THE RESPONSIBILITY OF THE OWNER OF THE PROPERTY ON WHICH SAID MATERIALS ARE REQUIRED. ALL PLANT MATERIALS REQUIRED BY THIS SECTION SHALL BE MAINTAINED AS LIVING VEGETATION AND SHALL BE PROMPTLY REPLACED BY LANDSCAPE CONTRACTOR DURING WARRANTY PERIOD IF THE PLANT MATERIAL HAS DIED PRIOR TO FINAL ACCEPTANCE. PLANTING AREAS SHALL BE KEPT FREE OF TRASH, LITTER, AND WEEDS AT ALL TIMES.

NO.
REVISIONS
DATE
BY

© 2019 KIMLEY-HORN AND ASSOCIATES, INC.  
 INDIANAPOLIS, IN 46240 SUITE 500,  
 PHONE: 317-218-0560  
 WWW.KIMLEY-HORN.COM

SCALE: AS NOTED

DESIGNED BY: CALW

DRAWN BY: CALW

CHECKED BY: DPG

LANDSCAPE  
DETAILS

HOOSIER VILLAGE  
SALES AND  
MARKETING OFFICE  
ZIONSVILLE, IN

ORIGINAL ISSUE:  
05/01/2020

KHA PROJECT NO.  
170015002

SHEET NUMBER

L1.1



# ZIONSVILLE

FOR ALL THE RIGHT REASONS

To: Wayne DeLong, Director of Planning and Economic Development  
 From: Beam, Longest & Neff, LLC., Town Engineer  
 Mark DeBruler, P.E.  
 Date: May 8, 2020

### PROJECT DESCRIPTION

Project	Name	Hoosier Village Sales and Marketing Office	
	Location	Paper Birch Rd, Indianapolis, IN 46268 (Unassigned street number)	
	Petitioner	BHI Senior Living, Inc.	
	Submittal	Submittal 2	
Documents Reviewed	Document Name		Documents Dated
	2020-0429 Hoosier Village Office Comment-Response-Letter		May 5, 2020
	Hoosier Village Office_Drainage Memo		May 5, 2020
	HV Sales & Marketing Office Civil Plans_5-1-2020		May 5, 2020
Zoning	Current	SU-7	
	Proposed	SU-7	
Land Use	Current	Vacant	
	Proposed	Marketing Office for CCRC Senior Assisted Living	
Requested Variances			

Based on our review of the project, the following items were noted and require attention:

I. COMMENT RESPONSE LETTER

A. No comments.

## II. DRAINAGE MEMO

- A. Please provide an engineering seal for the final drainage memo.
- B. Provide calculations of the curve number (CN) of the post-project BAS 100.
  - 1. If the CN is at or below the design value of 90, no further storm sewer improvements are required.
  - 2. If the CN is above 90, provide local detention adequate to compensate for the runoff from the project area in excess of the original design.

## III. PROPOSED SITE PLAN

- A. No comments.

**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 compatible with surrounding land uses because: The addition of a single story sales and marketing office at an interior location in the Hoosier Village Campus will be too far from other surrounding land uses have a material impact. The operation of Hoosier Village will not be impacted in an adverse manner.
2. The Development Plan/Modification of Development Plan does demonstrate availability and coordination of water, sanitary sewers, storm water drainage, and other utilities because: The proposed sales office will be connected to existing water, sanitary sewer and other existing utilities that have already been extended throughout Hoosier Village.
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: The marketing and sales office will not generate new traffic because it is only relocating an existing function on the Hoosier Village Campus. The new location is near the new front entrance and easily accessible.
4. The Development Plan/Modification of Development Plan does utilize building materials and building style compatible with the Zionsville theme because: The design of the sales and marketing office is consistent with the Hoosier Village architectural theme and uses a significant amount of masonry materials. In addition, area around the office will be well landscaped.
5. The Development Plan/Modification of Development Plan does provide for the calculation of storm water runoff because: The existing stormwater detention facilities for Hoosier Village was originally designed and installed to allow this project.
6. The Development Plan/Modification of Development Plan does provide for current and future right-of-way dedications because: The site of the proposed sales and marketing office is not adjacent to any public right-of-way since it is in the interior of Hoosier Village, which utilizes private roads. Moreover, significant right-of-way has already been given to the Town for the Zionsville Road project.
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: The proposed sales and marketing office meets the setback requirements of the Zoning Ordinance and are adequately separated from other improvements. In addition, it will be constructed adjacent to a parking and be accessible by interior sidewalks. The project will include significant foundation landscaping, and will include security lighting on the building in addition to the street lights that exist in the parking lot adjacent to the office.

**DECISION**

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

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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

**BHI SENIOR LIVING, INC.**  
**Modification of Development Plan**

**Docket No. 2020-14-DP**

**PETITION FOR PLAN COMMISSION APPROVAL  
TOWN OF ZIONSVILLE, INDIANA**

**Zionsville Plan Commission**

Applicant/Owner: BHI Senior Living, Inc.

Attorneys: Ice Miller LLP  
Attn: Timothy E. Ochs  
One American Square, Suite 2900  
Indianapolis, IN 46282-0200  
(317) 236-5952

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1. Development Plan Approval Petition Form with Owner Consent
2. Deeds with legal description
3. Aerial Location Map
4. Narrative Description of Project
5. Site Plan
6. Landscape Plan
7. Building Elevation with materials list
8. Petitioner's Findings of Fact

# **TAB 1**

**Development Plan Approval Petition  
form with Owner Consent**

**Town of Zionsville**  
Petition for Plan Commission Approval

**Office Use Only**

Petition No.: \_\_\_\_\_

Hearing Date: \_\_\_\_\_

Recommendation: \_\_\_\_\_

**1. SITE INFORMATION:**

Address of Property: Boone County Tax Parcels 019-13601-00 and a portion of 019-18680-00

Existing Use of Property: Please See Exhibit "A" attached

Proposed Use of Property: Please See Exhibit "A" attached

Current Zoning: SU-7 Area in acres: 109.7+/- acres

**2. PETITIONER/PROPERTY OWNER**

Petitioner: BHI Senior Living, Inc. f/k/a  
Name: Baptist Homes of Indiana, Inc.

Address: 5415 Bearberry Lane  
Indianapolis, IN 46268

Phone: 317-873-3371

Fax: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Owner (if different from Petitioner):

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-Mail: \_\_\_\_\_

**3. PETITIONER'S ATTORNEY/CONTACT PERSON AND PROJECT ENGINEER (IF ANY):**

**Attorney / Contact Person:**  
Timothy Ochs  
Name: Ice Miller LLP

Address: One American Sq., #2900  
Indianapolis, IN 46282

Phone: 317-236-5952

Fax: \_\_\_\_\_

E-Mail: timothy.ochs@icemiller.com

**Project Engineer / Architect:**  
Bill Butz  
Name: Kimley-Horn & Associates, Inc.

Address: 250 E. 96th Street, Suite 580  
Indianapolis, IN 46240

Phone: 317-218-9560

Fax: \_\_\_\_\_

E-Mail: bill.butz@kimley-horn.com

**4. DETAILED DESCRIPTION OF REQUEST (Check all that apply)**

(Describe reason(s) for request / attach additional pages if necessary):

- Development Plan     Modification of Development Plan     Waiver of Development Requirement(s)  
 Termination of Development Plan     Modification of Commitments     Termination of Commitments

Petitioner is requesting approval to construct a single story sales and marketing office at an interior  
location in the Hoosier Village Campus.

**5. ATTACHMENTS:**

- Legal description of property     Proof of Ownership (copy of Warranty Deed)  
 Owner's Authorization (if petitioner is not the owner)     Copies of the Site Plan (if applicable)  
 Statement of Proposed Modification or Termination  
Of Commitments     Proposed Development Plan / Proposed Modification  
of Development Plan / Statement of Termination of  
Development Plan  
 Proposed Findings (if a Development Plan)  
 Road Impact Calculation Form

The undersigned, having been duly sworn on oath states the above information is true and correct as (s) he is informed and believes. Further, the applicant understands that this project may be assigned Engineering review fees, which are payable upon invoicing. Road Impact Fees are payable upon Improvement Location Permit release.

Signature of Owner or Attorney for Owner: Devin Brown  
Date: March 17, 2020 Devin Brown, Ice Miller LLP

State of Indiana  
County of Marion SS:

Subscribed and sworn to before me this, day of March 17, 2020.

Crystal D. Boyer / Crystal D. Boyer  
Notary Public Signature / Notary Public Printed

My commission expires August 9, 2023

My county of residence is Johnson County.

My Commission No. is 671420

CRYSTALYNNE D. BOYER  
Notary Public  
SEAL  
Johnson County, State of Indiana  
My Commission Expires August 9, 2023  
Commission Number 671420

**PROCEDURES AND REQUIREMENTS:**

1. A complete Petition for Plan Commission Approval ("petition") must be submitted by **3:00 PM** a minimum of **31 days** prior to the initial hearing before the Plan Commission.
2. **Only complete Petitions will be placed on the agenda for the next Plan Commission meeting.** If a Petition is incomplete 31 days prior to the next Plan Commission meeting, the Petition will not be placed on an agenda until the Petitioner submits a complete Petition.
3. **Fifteen sets** of the following information must be submitted, with the notarized Petition, for internal staff review:
  - Legal description of property (Metes and bounds description must include a perimeter survey, drawn to scale – or – recorded subdivision legal description must include lot number, section number, subdivision name, either the plat book number of the recorded instrument number and a copy of the plat map.)
  - Proof of Ownership (copy of deed)
  - Owner's Authorization (if Petitioner is not the owner)
  - Site Plan (if applicable)
  - Proposed findings (if a Development Plan)
  - Statement of Modification or Termination of Commitments (if proposed)
  - Proposed Development Plan / Proposed Modification of Development Plan (if proposed)
  - Draft of Proposed Legal Notice
  - Application Fee: \$\_\_\_\_\_ (Checks should be payable to *Town of Zionsville*)

**PUBLIC HEARING NOTIFICATION:**

Notice of Public Hearing for Plan Commission Approval is to be completed as set forth in the Zoning Ordinance and Rules of Procedure for the Plan Commission. The procedures relating to notification of public hearings that are contained in this Packet are provided for convenience purposes only.

Exhibit A

**Town of Zionsville**

Supplemental Petition for Plan Commission Approval

**1. Site Information**

**Existing Use of Property:** Continuing Care Retirement Community, including independent living, assisted living, skilled nursing, memory care units and supporting, ancillary uses such as administrative offices, community center and cafeteria.

**Proposed Use of Property:** The proposed amendment to the development plan would allow the addition of a sales and marketing office.





# **TAB 2**

**Deed with legal description**

(3)  
20.00  
FINANCIAL  
JST

201200011138  
Filed for Record in  
BOONE COUNTY, INDIANA  
MARY ALICE "SAM" BALDWIN, RECORDER  
09-27-2012 At 02:02 pm.  
DEED 21.00

C&I  
CTIC # 456581 MJS

**TRUSTEE'S DEED**

THIS INDENTURE WITNESSETH, That Todd G. Bean, Successor Trustee of the Donald E. Bean Revocable Trust dated January 30, 2004, located at 4457 Wentz Drive, Carmel, IN 46033 ("Grantor"), CONVEYS to BHI Senior Living, Inc., an Indiana non-profit corporation located at 5415 Bearberry Lane, Indianapolis, IN 46268 ("Grantee"), for the sum of One Dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described real estate in Boone County, State of Indiana:

See Exhibit A attached hereto.

The real estate is commonly known as 5505 W. Old 106<sup>th</sup> Street, Zionsville, IN 46077.

Subject to (i) all easements, highways, rights-of-way, covenants, conditions, restrictions and other matters of record; (ii) all current, non-delinquent real estate taxes and assessments; and (iii) all matters that would be disclosed by an accurate survey or physical inspection of said real estate.

The undersigned represents that (i) Todd G. Bean became Successor Trustee upon the death of Donald E. Bean on February 15, 2010, (ii) the Indiana Inheritance Taxes due as the result of the death of Donald E. Bean have been fully paid, (iii) no federal estate taxes were owed as the result of Donald E. Bean's death, (iv) Todd G. Bean has full power and authority as Successor Trustee to convey the real estate on behalf of Grantor.

IN WITNESS WHEREOF, Trustee has executed this 18<sup>th</sup> day of September, 2012.

Trustee:

DULY ENTERED FOR TAXATION  
9-27-12  
*Melody Price*  
SUBJECT TO FINAL ACCEPTANCE  
AUDITOR, BOONE COUNTY

*Todd D. Bean*  
Todd G. Bean, Successor Trustee of the Donald E. Bean  
Revocable Trust dated January 30, 2004

RECEIVED  
JAN 15 2019  
TOWN OF ZIONSVILLE

STATE OF INDIANA )  
 ) SS:  
COUNTY OF Madison )

Before me, a Notary Public in and for said County and State, personally appeared Todd G. Bean, Successor Trustee of the Donald E. Bean Revocable Trust dated January 30, 2004, who acknowledged the execution of the foregoing Trustee's Deed, and who, having been duly sworn upon their oaths, stated that any representations therein contained are true.

Witness my hand and Notarial Seal 18th day of September, 2012.

My commission expires:

Signature: \_\_\_\_\_  
Printed: \_\_\_\_\_  
County of Residence \_\_\_\_\_



MICHAEL J. SIBBING  
JOHNSON COUNTY RESIDENT  
MY COMMISSION EXPIRES: 09-07-2016

This instrument prepared by: Dennis L. Voelkel, 151 N. Delaware, Street, Ste. 1900, Indianapolis, Indiana 46204-2505. 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.  
Dennis L. Voelkel

Send tax bills to: BHI Senior Living, Inc., an Indiana non-profit corporation located at 5415 Bearberry Lane, Indianapolis, IN 46268.

**EXHIBIT "A"**

A part of the North Half of the Northwest Quarter of Section 12, and a part of the South Half of the Southwest Quarter of Section 1, both of Township 17 North, Range 2 East of the Second Principal Meridian, more particularly described as follows:

Beginning at a point in the South line of said North Half of the Northwest Quarter of said Section 12, distant South 82 degrees 51 minutes West in and along said South line 403.21 feet of the Southeast corner of the West Half of the Northeast Quarter of the Northwest Quarter of said Section 12; thence South 82 degrees 51 minutes West in and along said South line 140.5 feet; thence North 6 degrees 31 minutes West 1580 feet to a point in the center line of a county road; thence North 78 degrees 27 minutes East in and along said center line 53.48 feet; thence South 58 degrees 47 minutes East in and along said center line 105 feet to the Northwest corner of realty now or formerly of George H. Graves, Jr.; thence South 6 degrees 31 minutes East 1512 feet along the West line of realty of said George H. Graves, Jr., to the place of beginning, containing 5 acres, more or less.

**NOTE: The acreage shown in the real estate description is for identification purposes only and should not be construed as insuring the exact quantity of land.**

Property Address: 5505 West Old 106th Street, Zionsville, IN 46077



⑥  
26.00  
+ 1.00/100  
Land America owned

200800011728  
Filed for Record in  
BOONE COUNTY, INDIANA  
MARY ALICE "SAM" BALDWIN  
12-30-2008 At 02:24 PM.  
DEED 27.00

SPECIAL WARRANTY DEED

THIS INDENTURE WITNESSETH, that ESTRIDGE DEVELOPMENT COMPANY, INC., an Indiana corporation ("Grantor"), CONVEYS AND SPECIALLY WARRANTS to BAPTIST HOMES OF INDIANA, INC., an Indiana nonprofit corporation, for the sum of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which hereby are acknowledged, the real estate in Boone County, in the State of Indiana, commonly known as 10255 Zionsville Road, Zionsville, Indiana 46077, which is more particularly is described in Exhibit "A" attached hereto and by this reference made a part hereof, together with all improvements, hereditaments, easements, rights and appurtenances thereunto belonging or in any way appertaining (collectively, the "Real Estate"), subject to all matters set forth in Exhibit "B" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the Real Estate to Grantee and Grantee's successors and assigns forever. Grantor covenants and warrants that the Real Estate is free of any encumbrance made or suffered by Grantor except as set forth in Exhibit "B" and that Grantor shall warrant and defend the same to Grantee and Grantee's successors and assigns against the claims and demands of all persons claiming by, through, or under Grantor, but against none other.

The undersigned person executing this deed on behalf of Grantor represents and certifies that he is a duly elected officer of Grantor and has been fully empowered, by proper resolution of the Board of Directors of Grantor, to execute and deliver this deed; that Grantor has full corporate capacity to convey the real estate described herein; and that all necessary corporate action for the making of such conveyance has been taken and done.

[Signature page follows]

DULY ENTERED FOR TAXATION  
12-30-08  
*Mitchell Smith*  
SUBJECT TO FINAL ACCEPTANCE  
AUDITOR, BOONE COUNTY



This instrument prepared by Marci A. Reddick, Taft Stettinius & Hollister LLP, One Indiana Square, Suite 3500, Indianapolis, IN 46204.

Exhibit "A"

Legal Description

LAND DESCRIPTION (PER SURVEY)

Part of the Northwest Quarter of Section 12, Township 17 North, Range 2 East, of the Second Principal Meridian, Boone County, Indiana, more particularly described as follows:

Commencing at the Southwest Corner of said Northwest Quarter thence North 86 degrees 07 minutes 15 seconds East along the south line thereof a distance of 119.49 feet to the Point of Beginning; thence North 29 degrees 22 minutes 13 seconds West a distance of 241.34 feet to the west line of said Northwest Quarter; thence North 00 degrees 13 minutes 23 seconds East along said west line a distance of 983.62 feet; thence North 85 degrees 30 minutes 33 seconds East a distance of 199.38 feet; thence North 06 degrees 08 minutes 33 seconds West a distance of 115.80 feet; thence North 85 degrees 53 minutes 42 seconds East a distance of 1,827.91 feet; thence South 00 degrees 20 minutes 07 seconds East a distance of 659.60 feet; thence North 86 degrees 19 minutes 43 seconds East a distance of 667.51 feet to the east line of said Northwest Quarter; thence South 00 degrees 17 minutes 36 seconds West along said east line a distance of 664.99 feet to the Southeast corner of the said Northwest Quarter; thence South 86 degrees 07 minutes 15 seconds West along the south line of said Northwest Quarter a distance of 2,567.54 feet to the Point of Beginning, containing 70.53 acres, more or less.

**EXHIBIT B**

1. Rights of the public for highway purposes in and to that portion of the Real Estate lying within the bounds of Zionsville Road.
2. Right of Way for pipe line easement to Indiana Gas Distribution Corporation, dated May 28, 1932 and recorded July 7, 1932, in Miscellaneous Record, 25, pages 299-300, as assigned to Indiana Gas Company, Inc. by Assignment dated November 1, 1968, recorded November 6, 1968 in Deed Record 186, pages 868-871 as amended by Amendment of Grant of Right of Way dated March 3, 1981 and recorded March 10, 1981 in Deed Record 215, pages 585-589, and as modified by Partial Release of Easement Agreement dated October 27, 1992 and recorded November 10, 1992, in Miscellaneous Record 131, Page 602, Recorder's Office, Boone County, Indiana.
3. Electric Pole Line Easement granted to Public Service Company of Indiana, Inc., dated August 2, 1950 and recorded August 9, 1950 in Deed Record 152, page 138; said easement area being a strip 12 ½ feet of uniform width lying west of and adjacent to the east line of the insured real estate and extending from the south line of said real estate in a northerly direction approximately 660 feet to the north line thereof.
4. Transmission Line Easement granted to Indianapolis Power & Light Company, dated January 4, 1971 and recorded January 27, 1971, in Deed Record 190, pages 358, Recorder's Office, Boone County, Indiana.
5. Utility Easement granted to Indiana Bell Telephone Company, Incorporated, dated May 3, 1972 and recorded May 6, 1972, in Deed Record 192, page 780, Recorder's Office, Boone County, Indiana.
6. Utility Easement granted to Indiana Bell Telephone Company, Incorporated, dated August 12, 1971 and recorded August 26, 1971, in Deed Record 191, pages 369, Recorder's Office, Boone County, Indiana.
7. Transmission Line Easement granted to Indianapolis Power & Light company, dated March 2, 1971 and recorded March 3, 1971, in Deed Record 190, page 507, Recorder's Office, Boone County, Indiana.

8. Electric Pole Line Easement granted to Public Service Company of Indiana, Inc., dated October 12, 1964 and recorded October 15, 1964, in Deed Record 178, page 335, as modified by Grant Modifying and Extending Easement dated January 21, 1965 and recorded January 27, 1965 in Deed Record 179, page 219, Recorder's Office, Boone County, Indiana.
9. Utility Easement granted to Indiana Bell Telephone Company, Incorporated, dated December 20, 1983 and recorded January 12, 1984, in Deed Record 220, pages 390, Recorder's Office, Boone County, Indiana.
10. Utility Easement granted to Indiana Bell Telephone Company, Incorporated, dated December 20, 1983 and recorded January 12, 1984, in Deed Record 220, pages 391, Recorder's Office, Boone County, Indiana.

Edward C. Crawford to The Crawford Baptist Industrial School +

This Indenture Witnesseth, That Edward C. Crawford and Sarah Crawford his wife, of Hendricks County in the State of Indiana Convey and Warrant To The Crawford Baptist Industrial School a corporation organized and existing under the laws of the State of Indiana of Marion County in the State of Indiana for the sum of One dollars the receipt of which is hereby acknowledged the following real estate in Boone County in the State of Indiana to-wit: The west half of the southeast quarter ( W. 1/2 S.E.1/4) of section twelve (12) township seventeen (17) north range two (2) east and the east half (E1/2) of the southwest quarter (S,W.1/4) of said section twelve (12) township seventeen (17) north range two (2) east.

Also all that part of the northwest quarter of the southwest quarter (N.W 1/4 S,W.1/4) of section seventeen (17) north range two(2) east which lies east of the right of way of the Cleveland, Cincinnati, Chicago and St.Louis Railway Company containing twenty five (25) acres more or less.

This conveyance is made upon the express condition that the property hereby conveyed shall be used, together with the income, rents, issues and profits therefrom for the maintenance of an orphan children's home and for the education of orphan children under the control and supervision of the grantees above named. Orphan children of Baptist parentage residents of Indiana shall have the performance in admission to said school.

In Witness Whereof the said Edward C. Crawford and Sarah Crawford his wife have hereunto set their hands and seals this 16 day of March A.D. 1905.

Edward C. Crawford (LS)  
Sarah Crawford (LS)

State of Indiana, Hendricks County, SS:

Before me Evan Hadley a Notary Public in and for said County this 16 day of March 1905 personally appeared Edward C. Crawford and Sarah Crawford his wife and acknowledged the execution of the annexed deed.

Witness my hand and Notarial seal.

(LS) Evan Hadley (LS)  
Notary Public.

My commission expires Aug. 19, 1907.

Recorded April 22, 1905 at 7 o'clock A.M.

Abram W.L. Newcomer R.B.O.

RECEIVED FOR RECORD

At 11 O'Clock P.M. and Recorded in  
Deed Recorded 243 Page 513-15

AUG 19 1902

Mary Alice Baldwin  
Recorder, Boone County, Ind.

STATE OF INDIANA )  
 )  
COUNTY OF BOONE )

IN THE BOONE SUPERIOR COURT  
SS:  
CAUSE NO. 06D01-0803-PL-176

BAPTIST HOMES OF INDIANA, INC.,

Plaintiff,

vs.

RAILROAD, INC.,  
RUTH ALBERTI BURTON,  
JOHN DOE, and  
JANE DOE,

Defendants.

FILED

JUL 2 2008

*[Signature]*  
CLERK BOONE SUPERIOR COURT

**DEFAULT JUDGMENT**

This cause comes before the Court on Plaintiff's "Application for Default Judgment".

The Court, being in all things duly advised, now finds as follows:

1. Plaintiff, Baptist Homes of Indiana, Inc. ("Baptist"), filed its "Complaint to Quiet Title to Real Estate" ("Complaint") on March 25, 2008. The Complaint sought to quiet Baptist's title to certain real estate located in Boone County, Indiana and more particularly described as:

Part of the Southwest Quarter of Section 12, Township 17 North, Range 2 East of the Second Principal Meridian in Eagle Township of Boone County, Indiana, being more particularly described as follows:

Commencing at the Northwest corner of the Southwest Quarter of said Section 12; thence along the approximate center line of Zionsville Road (County Road 1100 East) and the section line, South 00 degrees 18 minutes 32 seconds East 150.00 feet; thence, along a south-described line of the Baptist Homes of Indiana, Inc. property recorded in Deed Record 251, Pages 878-879 and Deed Record 251, Pages 858-859, in the Boone County Recorder's Office, North 85 degrees 19 minutes 00 seconds East 419.46 feet to a point on a curve having a radius of 5696.58 feet, the radius point of which bears North 79 degrees 03 minutes 27 seconds East; thence southerly, along the westerly line of the Baptist Homes of Indiana, Inc. (formerly known as The Crawford Baptist Industrial School) property, recorded in Deed Record 82, Page 473, and said curve through a central angle of 05 degrees 45 minutes 37 seconds, for an arc length of 572.72 feet to a point on a curve having a radius of 11,426.16 feet, the radius point of which bears North 73 degrees 17 minutes 50 seconds East; thence southerly, along the westerly line of said Baptist Homes of Indiana, Inc. property, and said curve through a central angle of 00 degrees 53 minutes 06 seconds, for an arc length of 176.51 feet to a point which bears South 72 degrees 24 minutes 44 seconds West from said radius point; thence along the Westerly line of said Baptist Homes of Indiana, Inc. property, South 24 degrees 56 minutes 00 seconds East 461.60 feet to the Point of Beginning of

JAN 15 2019  
TOWN OF ZIONSVILLE

the following described real estate, said point being on the North line of the Southwest Quarter of the Southwest Quarter of said Section 12;

Thence, the following five (5) courses are along the perimeter of real estate owned by Baptist Homes of Indiana, Inc., and described in Instrument No. 200700008493 as found in the Office of the Recorder of Boone County, Indiana, 1) South 85 degrees 31 minutes 04 seconds West along said quarter quarter line a distance of 32.40 feet to a point on a curve having a radius of 11,534.16 feet, the radius point of which bears South 66 degrees 20 minutes 23 seconds West; thence 2) northerly, along a westerly line of said Baptist Homes of Indiana, Inc. property, and said curve through a central angle of 03 degrees 21 minutes 41 seconds, for an arc length of 676.70 feet to a point on a curve having a radius of 5762.58 feet, the radius point of which bears North 73 degrees 43 minutes 09 seconds East; thence 3) southerly, along the perimeter of said Baptist Homes of Indiana, Inc. property, and said curve through a central angle of 03 degrees 41 minutes 05 seconds, for an arc length of 370.60 feet to a point which bears South 70 degrees 02 minutes 04 seconds West from said radius point; thence 4) South 18 degrees 50 minutes 05 seconds East 280.96 feet to a point on said quarter quarter line; thence 5) South 19 degrees 42 minutes 28 seconds East 451.79 feet to a point on the north line of property conveyed to the State of Indiana per Instrument No. 0007317 as found in said Recorder's Office; thence South 81 degrees 41 minutes 15 seconds East along said north line 127.98 feet (measured), 134.01 feet (record) to a point on the east right-of-way of an abandoned railroad, being the westerly line of Baptist Homes of Indiana, Inc. (formerly known as Baptist Homes and Hospitals, Inc.) property recorded in Deed Record 184, Page 825; thence North 19 degrees 47 minutes 50 seconds West along said west line a distance of 481.36 feet to the Point of Beginning.

Containing 1.898 Acres, more or less

("Real Estate").

2. On March 28, 2008, a private process server personally served Ruth Alberti Burton ("Burton") with a copy of the Complaint and Summons at Burton's residence located at 9273 Spring Forest Drive, Indianapolis, Indiana 46260.

3. Baptist properly served defendants Railroad, Inc. ("Railroad"), John Doe, and Jane Doe ("the Does") by causing notice of the lawsuit to be published in a Boone County newspaper authorized by law to publish such notices on May 3, 2008, May 10, 2008, and May 17, 2008.

4. A response to the Complaint was due from Burton on or before April 21, 2008.

5. A response to the Complaint was due from Railroad, Inc. and the Does on or before June 9, 2008.

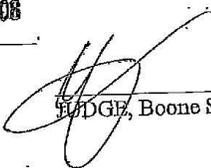
6. Burton, Railroad, and the Does have all failed to appear or otherwise defend against the Complaint filed by Baptist.

7. None of the defendants are in the military service, are infants, or are incompetent.

The Court, having found that the Burton, Railroad, and the Does have wholly failed to appear herein and defend against Baptist's Complaint; that Baptist has complied with the notice and service requirements of Indiana Trial Rule 55; and that Burton, Railroad, and the Does are not in the military service, and are not infants or and are not incompetent; hereby finds that Baptist's Application for Default Judgment should be GRANTED.

It is, therefore, **ORDERED, ADJUDGED, AND DECREED** that an *in rem* Judgment is hereby entered in favor of Baptist and against Burton, Railroad, and the Does, quieting Baptist's title to the Real Estate.

DATED:           JUL 2 2008          

  
\_\_\_\_\_  
JUDGE, Boone Superior Court

Distribution to:

Michael J. Lewinski  
Jason A. McNeil  
ICE MILLER LLP  
One American Square  
Suite 3100  
Indianapolis, IN 46282-0200

Ruth Alberti Burton  
9273 Spring Forest Drive  
Indianapolis, Indiana 46260

⑥  
26.00  
+ 1.00/100  
Land America [unclear]

20080001172B  
Filed for Record in  
BOONE COUNTY, INDIANA  
MARY ALICE "BAH" BALDWIN  
12-30-2008 At 02:24 PM.  
DEED 27.00

SPECIAL WARRANTY DEED

THIS INDENTURE WITNESSETH, that ESTRIDGE DEVELOPMENT COMPANY, INC., an Indiana corporation ("Grantor"), CONVEYS AND SPECIALLY WARRANTS to BAPTIST HOMES OF INDIANA, INC., an Indiana nonprofit corporation, for the sum of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which hereby are acknowledged, the real estate in Boone County, in the State of Indiana, commonly known as 10255 Zionsville Road, Zionsville, Indiana 46077, which is more particularly is described in Exhibit "A" attached hereto and by this reference made a part hereof, together with all improvements, hereditaments, easements, rights and appurtenances thereunto belonging or in any way appertaining (collectively, the "Real Estate"), subject to all matters set forth in Exhibit "B" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the Real Estate to Grantee and Grantee's successors and assigns forever. Grantor covenants and warrants that the Real Estate is free of any encumbrance made or suffered by Grantor except as set forth in Exhibit "B" and that Grantor shall warrant and defend the same to Grantee and Grantee's successors and assigns against the claims and demands of all persons claiming by, through, or under Grantor, but against none other.

The undersigned person executing this deed on behalf of Grantor represents and certifies that he is a duly elected officer of Grantor and has been fully empowered, by proper resolution of the Board of Directors of Grantor, to execute and deliver this deed; that Grantor has full corporate capacity to convey the real estate described herein; and that all necessary corporate action for the making of such conveyance has been taken and done.

[Signature page follows]

DULY ENTERED FOR TAXATION  
12-30-08  
[Signature]  
SUBJECT TO FINAL ACCEPTANCE  
AUDITOR, BOONE COUNTY

IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed this  
10<sup>th</sup> day of December, 2008.

ESTRIDGE DEVELOPMENT COMPANY, INC.,  
an Indiana corporation

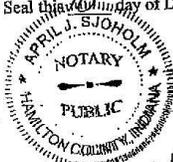
Mike Keller  
Mike Keller, Chief Financial Officer

STATE OF INDIANA )  
 ) SS:  
COUNTY OF Hamilton )

Before me, a Notary Public in and for said County and State, personally appeared Mike  
Keller, the Chief Financial Officer of ESTRIDGE DEVELOPMENT COMPANY, INC., an  
Indiana corporation, who acknowledged signing and delivering the foregoing Special Warranty  
Deed as his free and voluntary act and deed, for the uses and purposes herein set forth.

Witness my hand and Seal this 10 day of December, 2008

My Commission Expires: 9/16/2014  
My County of Residence: Hamilton



April J. Joholin  
Notary Public  
Printed Name

Return Deed and send tax bills to: Baptist Homes of Indiana, 5300 W. 96<sup>th</sup> Street,  
Indianapolis, Indiana, 46268, Attn. Richard Keenan

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. Marci A. Reddick

This instrument prepared by Marci A. Reddick, Taft Stettinius & Hollister LLP, One Indiana Square, Suite 3500, Indianapolis, IN 46204.

Exhibit "A"

Legal Description

LAND DESCRIPTION (PER SURVEY)

Part of the Northwest Quarter of Section 12, Township 17 North, Range 2 East, of the Second Principal Meridian, Boone County, Indiana, more particularly described as follows:

Commencing at the Southwest Corner of said Northwest Quarter thence North 86 degrees 07 minutes 15 seconds East along the south line thereof a distance of 119.49 feet to the Point of Beginning; thence North 29 degrees 22 minutes 13 seconds West a distance of 241.34 feet to the west line of said Northwest Quarter; thence North 00 degrees 13 minutes 23 seconds East along said west line a distance of 983.62 feet; thence North 85 degrees 30 minutes 33 seconds East a distance of 199.38 feet; thence North 06 degrees 08 minutes 33 seconds West a distance of 115.80 feet; thence North 86 degrees 53 minutes 42 seconds East a distance of 1,827.91 feet; thence South 00 degrees 20 minutes 07 seconds East a distance of 659.60 feet; thence North 86 degrees 19 minutes 43 seconds East a distance of 687.51 feet to the east line of said Northwest Quarter; thence South 00 degrees 17 minutes 36 seconds West along said east line a distance of 664.99 feet to the Southeast corner of the said Northwest Quarter; thence South 86 degrees 07 minutes 15 seconds West along the south line of said Northwest Quarter a distance of 2,567.54 feet to the Point of Beginning, containing 70.53 acres, more or less.

**EXHIBIT B**

1. Rights of the public for highway purposes in and to that portion of the Real Estate lying within the bounds of Zionsville Road.
2. Right of Way for pipe line easement to Indiana Gas Distribution Corporation, dated May 28, 1932 and recorded July 7, 1932, in Miscellaneous Record, 25, pages 299-300, as assigned to Indiana Gas Company, Inc. by Assignment dated November 1, 1968, recorded November 6, 1968 in Deed Record 186, pages 868-871 as amended by Amendment of Grant of Right of Way dated March 3, 1981 and recorded March 10, 1981 in Deed Record 215, pages 585-589, and as modified by Partial Release of Easement Agreement dated October 27, 1992 and recorded November 10, 1992, in Miscellaneous Record 131, Page 602, Recorder's Office, Boone County, Indiana.
3. Electric Pole Line Easement granted to Public Service Company of Indiana, Inc., dated August 2, 1950 and recorded August 9, 1950 in Deed Record 152, page 138; said easement area being a strip 12 ½ feet of uniform width lying west of and adjacent to the east line of the insured real estate and extending from the south line of said real estate in a northerly direction approximately 660 feet to the north line thereof.
4. Transmission Line Easement granted to Indianapolis Power & Light Company, dated January 4, 1971 and recorded January 27, 1971, in Deed Record 190, pages 358, Recorder's Office, Boone County, Indiana.
5. Utility Easement granted to Indiana Bell Telephone Company, Incorporated, dated May 3, 1972 and recorded May 6, 1972, in Deed Record 192, page 780, Recorder's Office, Boone County, Indiana.
6. Utility Easement granted to Indiana Bell Telephone Company, Incorporated, dated August 12, 1971 and recorded August 26, 1971, in Deed Record 191, pages 369, Recorder's Office, Boone County, Indiana.
7. Transmission Line Easement granted to Indianapolis Power & Light company, dated March 2, 1971 and recorded March 3, 1971, in Deed Record 190, page 507, Recorder's Office, Boone County, Indiana.

8. Electric Pole Line Easement granted to Public Service Company of Indiana, Inc., dated October 12, 1964 and recorded October 15, 1964, in Deed Record 178, page 335, as modified by Grant Modifying and Extending Easement dated January 21, 1965 and recorded January 27, 1965 in Deed Record 179, page 219, Recorder's Office, Boone County, Indiana.
9. Utility Easement granted to Indiana Bell Telephone Company, Incorporated, dated December 20, 1983 and recorded January 12, 1984, in Deed Record 220, pages 390, Recorder's Office, Boone County, Indiana.
10. Utility Easement granted to Indiana Bell Telephone Company, Incorporated, dated December 20, 1983 and recorded January 12, 1984, in Deed Record 220, pages 391, Recorder's Office, Boone County, Indiana.

Requested By: NIKKI 05/12/2016

Instrument PG 1 OF 10  
200700008490

34.00  
+ 7.00 Nov  
Chicago State

200700008490  
Filed for Record In  
BOONE COUNTY, INDIANA  
MARY ALICE "Sally" BALDWIN  
DB-14-2007 at 09:59 AM  
DEED 35.00

**CORPORATE WARRANTY DEED**

THIS INDENTURE WITNESSETH, that RENNER FARMS, INC., an Indiana corporation (the "Grantor"), CONVEYS AND WARRANTS to BAPTIST HOMES OF INDIANA, INC., an Indiana non-profit corporation, with principle office and place of business at 5300 West 96<sup>th</sup> Street, Indianapolis, Indiana, 46268, for the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, all right, title and interest in and to the real estate located in Boone County, Indiana, and more particularly described as follows, together with any and all improvements, hereditaments, easements and appurtenances therunto belonging or in any way appertaining:

(SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A")

Subject only to non-delinquent real estate taxes, and those certain matters set forth on Exhibit "B" ("Permitted Encumbrances") attached hereto and made a part hereof.

The undersigned person executing this Corporate Warranty Deed on behalf of the Grantor represents and certifies that he is the duly elected officer of the Grantor and has been fully empowered, by proper resolution of the Board of Directors of the Grantor, to execute and deliver this Corporate Warranty Deed; that the Grantor has full corporate capacity to convey the real estate described herein; and that all necessary corporate action for the making of such conveyance has been taken and done.

IN WITNESS WHEREOF, the Grantor has caused this Corporate Warranty Deed to be executed this 13<sup>th</sup> day of June, 2007.

(Signature and Acknowledgement appears on following pages)

DULY ENTERED FOR TAXATION  
14-07  
Cheryl A. Smith  
SUBJECT TO FINAL ACCEPTANCE  
AUDITOR, BOONE COUNTY

RENNER FARMS, INC.  
An Indiana Corporation

By: William S. Renner  
William S. Renner, President

DISTRICT OF COLUMBIA )  
  ) SS:

Before me, a Notary Public in and for the District of Columbia, personally appeared William S. Renner, as President of Renner Farms, Inc., an Indiana corporation, who acknowledged the execution of the foregoing instrument as such officer acting for and on behalf of said corporation, and who, having been duly sworn, stated that any representations therein contained are true and correct.

Witness my hand and Notarial Seal this 3rd day of May, 2007.

My Commission Expires: 3/11/08

Resident of: Prince George's County, Maryland

Constance E. Douglas  
Constance E. Douglas, NOTARY PUBLIC  
DISTRICT OF COLUMBIA  
COMMISSION EXPIRES 03/11/08

**PREPARER'S AFFIRMATION**

I affirm under the penalties of perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless otherwise required by law. Lawson J. Clark II

Send Tax Statements To: Baptist Homes of Indiana, Inc.  
3300 West 96<sup>th</sup> Street  
Indianapolis, IN 46268

Return Deed To: Matthew G. DeLanelle  
YCE MILLER, LLP  
One American Square, Suite 3100  
Indianapolis, IN 46262

This instrument prepared by:  
Lawson J. Clark II, Attorney at Law  
45 N. Pennsylvania Street, Suite 301, Indianapolis, IN 46204.

EXHIBIT "A"LEGAL DESCRIPTIONTract 1A

Part of the northeast quarter of the southeast quarter of Section Eleven (11), Township Seventeen (17) North, Range Two (2) East, more particularly described as follows: Beginning at a point on the north line of said quarter at a distance forty-six and six tenths (46.6) feet west of the northeast corner thereof; thence west one thousand two hundred eighty-two and seven tenths (1282.7) feet, to the northwest corner of said quarter; thence south nine hundred ninety-three and eight tenths (993.8) feet along the west line of said quarter; thence east one thousand three hundred thirty and four tenths (1330.4) feet, parallel to the north line of said quarter, to the east line thereof; thence north nine hundred nine (909) feet along the east line of said quarter; thence north twenty-seven degrees and twelve minutes (27° 12') west, ninety-five and two-tenths (95.2) feet along the west line of the Cleveland, Cincinnati, Chicago and St. Louis Railroad, to the place of beginning.

Tract 1B

The northeast quarter of the southeast quarter of Section Eleven (11), Township Seventeen (17) North, Range Two (2) East, containing forty (40) acres, more or less, excepting ten (10) acres of even width off of the entire south side thereof; also excepting the following tract, beginning at the northeast corner of the southwest quarter of Section Eleven (11), Township and Range aforesaid, running thence west along the north line of said quarter section forty-six and seven tenths (46.7) feet to a point thence south twenty-seven (27) degrees twenty-nine (29) minutes east along the line parallel with and seventy-five (75) feet distance measured southwesterly at right angles to the center line of relocation of the Cleveland, Cincinnati, Chicago and St. Louis Railroad ninety-five and twenty-four hundredths (95.24) feet to the east line of the southeast quarter of said Section Eleven (11), thence north one (1) degree forty-seven minutes east with said east line eighty-four and eight tenths (84.8) feet to the beginning, containing .05 of an acre, more or less, containing after two said exceptions 29.95 acres, more or less.

Tract 1C

Also, part of the east half of the southeast quarter of Section 11, Township 17 North, Range 2 East, more particularly described as follows;

From the southeast corner of said east half, measure north along the east line thereof 997.8 feet, for a place of beginning; thence continuing north along same 654.9 feet to a point; thence west 1330.4 feet to the west line of said east half; thence south along same 654.9 feet to a point, said point being 992.7 feet north of the southwest corner of said east half; thence east 1330.4 feet, more or less, to place of beginning, containing 20 acres, more or less, also located in Eagle Township, Boone County, Indiana.

**EXCEPTING FROM THE ABOVE 3 TRACTS:**

**EXCEPT** that part conveyed to the State of Indiana in Deed Record 185, pages 278-280, more particularly described as follows:

A part of the East Half of the Southeast Quarter of Section 11, Township 17 North, Range 2 East, Boone County, Indiana, described as follows:

Beginning on the existing west boundary of Zionville Road 997.80 feet Northlry (along the east line of said half-quarter section) and 20.00 feet Westerly (along a south line of the owners' land) from the southeast corner of said half-quarter section; (1) thence Westerly 527.13 feet along said south line; (2) thence North 67 degrees 57 minutes 08 seconds West 26.65 feet; (3) thence Northwestly 144.24 feet along an arc to the left and having a radius of 2,754.79 feet and subtended by a long chord having a bearing of North 73 degrees 54 minutes 35 seconds West and a length of 144.22 feet; (4) thence Westerly 623.60 feet along an arc to the left having a radius of 1096.23 feet and subtended by a long chord having a bearing of South 88 degrees 17 minutes 37 seconds West and a length of 615.23 feet to the west line of the east half of the southeast quarter of said Section; (5) thence Northerly 954.61 feet along said west line; (6) thence South 57 degrees 43 minutes 47 seconds East 57.42 feet; (7) thence Southeastly 137.12 feet along an arc to the right and having a radius of 918.51 feet and subtended by long chord having a bearing of South 53 degrees 12 minutes 13 seconds East and a length of 136.99 feet; (8) thence South 48 degrees 55 minutes 37 seconds East 227.81 feet; (9) thence South 75 degrees 29 minutes 31 seconds East 111.80 feet; (10) thence South 44 degrees 42 minutes 35 seconds East 329.50 feet; (11) thence South 67 degrees 23 minutes 23 seconds East 228.92 feet; (12) thence South 71 degrees 38 minutes 45 seconds East 448.49 feet to the existing west boundary of Zionville Road; (13) thence Southerly 217.67 feet along said west boundary to the point of beginning.

**ALSO EXCEPT** a part of the Northeast Quarter of the Southeast Quarter of Section 11, Township 17 North, Range 2 East, Boone County, Indiana, described as follows: (Apparently relinquished to Boone County dated November 11, 1971).

Beginning on the north line of said quarter-quarter section 46.60 feet Westerly of the northeast corner of said quarter-quarter section, which point of beginning is a northeast corner of the owners' land; (1) thence Southeastly 34.72 feet along the northeastern line of the owners' land to the west boundary of Zionville Road; (2) thence Southerly 82.82 feet along said west boundary; (3) thence North 85 degrees 48 minutes 08 seconds West 193.47 feet; (4) thence South 88 degrees 16 minutes 05 seconds West 400.00 feet; (5) thence North 80 degrees 25 minutes 19 seconds West 127.48 feet; (6) thence South 88 degrees 16 minutes 05 seconds West 579.48 feet to the west line of said quarter-quarter section; (7) thence Northerly 64.55 feet along said west line to the north line of said quarter-quarter section; (8) thence Easterly 1,282.70 feet along said north line to the point of beginning.

**ALSO EXCEPT** that portion of Tract 1C lying South of I-465, more particularly described as follows:

A part of the southeast quarter of Section 11, Township 17 North, Range 2 East, situated in Eagle Township, Boone County, Indiana, and being more particularly described as follows, to-wit:

From the southeast corner of the aforesaid tract, proceed thence north 0 degrees 02 minutes 35 seconds east for a distance of 997.80 feet; thence south 88 degrees 08 minutes 09 seconds west for a distance of 547.13 feet to a point on the south right-of-way line of I-465 for a point of beginning. From said point of beginning, proceed thence north 67 degrees 37 minutes 08 seconds West with said right-of-way line for a distance of 26.65 feet; thence northwest with a curve to the left for a distance of 144.24 feet (said curve having a radius of 2754.79 feet and a long chord 144.22 feet with a bearing of north 73 degrees 54 minutes 35 seconds west), thence westerly with a curve left for distance of 626.81 feet said curve having a radius of 1096.23 feet and a chord of 618.51 feet with a bearing south 88 degrees 12 minutes 37 seconds west, thence, leaving the right-of-way line, proceed south 0 degrees 02 minutes 35 seconds west for a distance of 56.10 feet, thence north 88 degrees 08 minutes 09 seconds east for a distance of 781.73 feet to the point of beginning.

ALSO EXCEPT part of the Northeast quarter of the Southeast quarter of Section 11-T17N-R2E, more particularly described as follows:

From the Northeast corner of said quarter quarter section measure South along the East line thereof 512.8 feet for a place of beginning; thence continuing South along same 228.0 feet; thence West parallel to the North line of said quarter quarter section 1035.4 feet; thence North parallel to the East line of said quarter quarter section 358.0 feet; thence East parallel to the North line of said quarter quarter section 350.0 feet, thence South parallel to the East line of said quarter quarter section 130.0 feet; thence East parallel to the North line of said quarter quarter section 685.4 feet, more or less, to place of beginning, containing 6.46 acres, more or less, subject to all legal highways or rights-of-way.

After the above described exceptions, said real estate conveyed contains 23.28 acres, more or less.

#### Tract 2A

A part of the southwest quarter of Section 12, Township 17 North, Range 2 East, situated in Eagle Township, Boone County, Indiana, and being more particularly described as follows, to-wit:

From the southwest corner of the aforesaid tract, proceed thence north 0° 02' 35" east for a distance of 1209.73 feet to the north right-of-way line of I-465 to the point of beginning. From said point of beginning, proceed with said right-of-way line South 71° 38' 45" east for a distance of 80.44 feet; thence south 65° 13' 18" east for a distance of 402.32 feet; thence south 71° 38' 45" east for a distance of 377.81 feet to the right-of-way of the railroad; thence northwesterly, with a curve along the right-of-way of the railroad the chord of said curve having a bearing of north 22° 26' 29" west and a distance of 511.59 feet to the north line of the southwest quarter of the southwest quarter of the aforesaid section; thence south 85° 37' 29" west for a distance of

606.81 feet; thence south  $0^{\circ} 02' 35''$  west for a distance of 113.59 feet to the point of beginning, containing 4.62 acres, more or less.

**Tract 2B**

All that part of the northwest quarter of the southwest quarter of Section Twelve (12), Township 17 North, Range 2 East, which lies west of the right-of-way of the Cleveland, Cincinnati, Chicago and St. Louis Railroad now part of the New York Central Lines, said real estate containing 9.39 acres, more or less.

EXCEPTING THEREFROM a part of the west half of the southwest quarter of Section 12, Township 17 North, Range 2 East of the Second Principal Meridian located in Eagle Township, Boone County, Indiana, and being more particularly described as follows, to-wit: From the northwest corner of the west half of the southwest quarter of Section 12, Township and Range aforesaid, proceed thence south  $0^{\circ}$  degrees  $35$  minutes  $00$  seconds east along the west line of said half quarter section, for a distance of 582.60 feet to the point of beginning; thence south  $85$  degrees  $03$  minutes  $17$  seconds east for a distance of 264.55 feet; thence south  $30$  degrees  $24$  minutes  $14$  seconds east for a distance of 296.21 feet; thence south  $87$  degrees  $57$  minutes  $45$  seconds west for a distance of 410.75 feet; thence north  $0^{\circ}$  degrees  $35$  minutes,  $00$  seconds west for a distance of 292.90 feet to the point of beginning, containing 2.11 acres, more or less.

**Tract 3**

A part of the Northwest Quarter of the Southwest Quarter of Section 12, Township 17 North, Range 2 East, Eagle Township, Boone County, Indiana, being a part of the Dale W. Meyer and Phyllis J. Meyer Property, as recorded in Deed Record 224, Pages 783-786, more fully described by:

Commencing at the Northwest Corner of the Northwest Quarter of the Southeast Quarter of said Section 12; thence North  $85^{\circ} 19' 00''$  East, along the Quarter Section line, a South line of a remainder of the Railroad, Inc. Property, as recorded in Deed Record 233, Pages 924-929 and the South described line of the Willis K. Kunz Property, as recorded in Deed Record 223, Page 299, a distance of 393.61 feet; thence on a curve, non-tangent to the preceding course, concave to the Northeast, through a central angle of  $01^{\circ} 30' 41''$ , with a radius of 5,696.58 feet, along the Westerly line of the Crawford Baptist Industrial School (also known as the Baptist Homes, Inc.) Property as recorded in Deed Record 82, Page 473, for an arc length of 150.26 feet to the Point of Beginning; thence continue on said curve, through a central angle of  $05^{\circ} 45' 37''$ , along said Westerly line of said Baptist Homes, Inc. Property, for an arc length of 572.72 feet to a point on a curve concave to the Northeast, with a radius of 11,426.16 feet, through a central angle of  $00^{\circ} 53' 06''$ , along said Westerly line of said Baptist Homes, Inc. Property for an arc length of 176.51 feet; thence South  $24^{\circ} 56' 00''$  East, along said Westerly line of the Baptist Homes, Inc. Property, a distance of 461.60 feet; thence South  $85^{\circ} 31' 04''$  West, along the Quarter-Quarter Section line and a North described line of a remainder of the Railroad, Inc. Property, as recorded in Deed Record 233, Pages 924-929, for a distance of 32.40 feet; thence on a curve, non-tangent to the preceding course, concave to the Southwest, through central angle of  $03^{\circ} 21' 41''$ , with a radius

of 11,534.16 feet, along an Easterly line of the said Railroad, Inc. Property, for an arc length of 676.70 feet to a point on a curve concave to the Northeast, with a radius of 5,762.58 feet, through a central angle of  $05^{\circ} 24' 38''$ , along the Easterly described line of the Renner Farms, Inc. Property, as recorded in Miscellaneous Record 125, Pages 137-141, for an arc length of 544.16 feet; thence North  $83^{\circ} 19' 00''$  East, for a distance of 66.39 feet to the Point of Beginning, containing 1.3480 Acres.

**Tract 4**

Real estate in Eagle Township in Boone County and State of Indiana, to-wit:

Being a part of the northwest quarter of the southwest quarter of section twelve (12) township seventeen (17) north range two (2) east more particularly described as follows: From the northwest corner of the southwest quarter of said section twelve (12) as a place of beginning, measure easterly three hundred and thirty-three and seven tenths (333.7) feet along the northerly line of said southwest quarter to the southwesterly property line of the Grantee's railway as now located and constructed said southwesterly property line being parallel with and thirty-three (33) feet distant measured southwesterly at right angles from said center line of main track as now located and constructed; thence deflecting eighty five degrees and twenty-eight minutes ( $85^{\circ} 28'$ ) to the right measure southeasterly along the Grantee's present southwesterly property line on a curve to the left having a radius of five thousand seven hundred and sixty-two and seven tenths (5762.7) feet a distance of one thousand and sixty-five (1065) feet; thence continuing southeasterly along the Grantee's southwesterly property line on a tangent to the last described course measure southeasterly two hundred eight-six and seven tenths (286.7) feet to the southerly property line of said Grantor's sold southerly property line being also the south line of the northwest quarter of the southwest quarter of said section twelve; thence deflecting one hundred and five degrees and 12 minutes ( $105^{\circ} 12'$ ) to the right measure westerly seventy-two and three tenths (72.3) feet along said south line to a point seventy-five (75) feet distant measured southwesterly at right angles to the grantee's center line of relocation; thence deflecting seventy degrees and twenty-eight minutes ( $70^{\circ} 28'$ ) to the right measure northeasterly along a curve to the left having a radius of eleven thousand three hundred and eighty-four and two tenths (11382.2) feet a distance of one thousand one hundred and sixteen and five tenths (1116.5) feet said curve being parallel with and seventy-five (75) feet distant measured southwesterly at right angles to the Grantee's center line of relocation; thence measure northwesterly two hundred and thirty-four and nine tenths (234.9) feet along a line tangential to the last described course and parallel with and seventy-five (75) feet distant measured southwesterly at right angles to said center line of relocation to the westerly line of the northwest quarter of the southwest quarter of said section twelve (12) a distance of two hundred and thirty four and nine tenths (234.9) feet; thence deflecting twenty-nine degrees and sixteen minutes ( $29^{\circ} 16'$ ) to the right measure northerly eighty-four and three tenths (84.3) feet along said westerly line to the place of beginning containing five and sixty-one hundredths (5.61) acres more or less.

## Tract 5

That portion of property lying North of I-465 as conveyed to Renner Farms per Cause No. 06D01-9105-CR-156 recorded in Miscellaneous Book 125, pages 137-141.

Part of the Southwest Quarter of Section 12, Township 17 North, Range 2 East of the Second Principal Meridian in Eagle Township of Boone County, Indiana, being more particularly described as follows:

Commencing at the Northwest corner of the Southwest Quarter of said Section 12; thence along the approximate center line of Zionsville Road (County Road 1100 East) and the Section line, South 00 degrees 18 minutes 32 seconds East 150.00 feet; thence along a South described line of the Baptist Homes of Indiana, Inc. Property recorded in Deed Record 251, Pages 878-879 and Deed Record 251, Pages 858-859, Boone County Recorder's Office, North 85 degrees 19 minutes 00 seconds East 419.46 feet to a point on a curve having a radius of 5696.58 feet, the radius point of which bears North 79 degrees 03 minutes 27 seconds East; thence Southerly, along the Westerly line of the Crawford Baptist Industrial School (also known as the Baptist Homes, Inc.) Property, recorded in Deed Record 82, Page 473, and said curve through a central angle of 05 degrees 45 minutes 37 seconds, for an arc length of 572.72 feet to a point on a curve having a radius of 11,426.16 feet, the radius point of which bears North 73 degrees 17 minutes 50 seconds East; thence Southerly, along the Westerly line of said Crawford Baptist Industrial School (also known as the Baptist Homes, Inc.) Property, and said curve through a central angle of 00 degrees 53 minutes 06 seconds, for an arc length of 176.51 feet to a point which bears South 72 degrees 24 minutes 44 seconds West from said radius point; thence along the Westerly line of said Crawford Baptist Industrial School Property, South 24 degrees 56 minutes 00 seconds East 461.60 feet; thence along a North described line of a remainder of the Railroad, Inc. Property recorded in Deed Record 233, Pages 924-929 and the Quarter Quarter Section line, South 85 degrees 31 minutes 04 seconds West 32.40 feet to a point on a curve having a radius of 11,534.16 feet, the radius point of which bears South 66 degrees 20 minutes 23 seconds West; thence Northerly, along an Easterly line of said Railroad, Inc. Property, and said curve through a central angle of 03 degrees 21 minutes 41 seconds, for an arc length of 676.70 feet to a point on a curve having a radius of 5762.58 feet, the radius point of which bears North 73 degrees 43 minutes 09 seconds East; thence Southerly, along a Westerly line of said Railroad, Inc. Property, and said curve through a central angle of 03 degrees 41 minutes 05 seconds, for an arc length of 370.60 feet to a point which bears South 70 degrees 02 minutes 04 seconds West from said radius point; thence along a West described line of said Railroad, Inc. Property South 18 degrees 50 minutes 05 seconds East 280.96 feet to a point on said quarter quarter line and the Point of Beginning; thence South 85 degrees 31 minutes 04 seconds West along said line 72.30 feet to the east line of real estate as contained in Deed Record 199, page 565 said point being on a curve, concave to the west, having a radius of 11,384.16 feet and a long chord which bears South 22 degrees 45 minutes 21 seconds East 505.16 feet; thence along said curve to the right 505.20 feet to a point on the Northerly line of said Interstate 465 limited access right of way line per Deed Book 183, page 956 and Deed Book 243, page 50 as found in the Office of the Recorder of Boone County, Indiana; thence along the aforesaid limited access right of way line, South 71 degrees 25 minutes 31 seconds East 54.66 feet; thence North 19 degrees 42 minutes 28 seconds West 519.32 feet to the Point of Beginning. Containing 0.632 acres, more or less.

Requested By: WRR 05/12/2016

Instrument PG 9 OF 10  
20070008490

Prior Deed Reference:

D.R. 199, Pgs. 528-530  
D.R. 199, Pg. 565  
D.R. 239, Pg. 886 (Also, M.R. 125, Pgs. 137-141)  
D.R. 251, Pg. 885

EXHIBIT "B"

PERMITTED ENCUMBRANCES

1. Rights of the public, the State of Indiana and/or municipality, and others entitled thereto, in and to that part of the land taken or used for Zionsville Road.
2. Right of Way Grant and Agreement by and between William D. Renner and S. Opal Renner to The Ohio Oil Company, an Ohio Corporation, dated August 3, 1955 and recorded August 19, 1955 in Deed Record 160, Page 494, assigned by Assignment of Rights of Way recorded February 23, 1960 in Miscellaneous Record 47, Page 51; as amended by Easement Amendment With Partial Release, dated ~~March 11~~ 2007, and recorded in the Office of the Recorder of Boone County, Indiana on ~~August 14~~ 2007, as Instrument Number ~~200700008489~~.
3. Electric Pole Line Easement granted to Public Service Company of Indiana, Inc., dated October 5, 1967 and recorded October 26, 1967 in Deed Record 185, Page 239.
4. Electric Pole Line Easement granted to Public Service Company of Indiana, Inc., dated August 6, 1964 and recorded October 14, 1964 in Deed Record 178, Page 325.
5. Electric Pole Line Easement granted to Public Service Company of Indiana, Inc., dated October 12, 1964 and recorded October 15, 1964 in Deed Record 178, Page 333, modified by Grant Modifying and Extending Easement recorded January 27, 1965 in Deed Record 179, Page 219.

⑥  
26.00  
+ 1.00  
= 27.00  
Chicago Title

Instrument PG 1 OF 6  
200700000492

200700000492  
Filed for Record in  
BOONE COUNTY, INDIANA  
MARY ALICE "BAR" BALDWIN  
08-14-2007 At 09:59 AM.  
DEED 28.00

TRUSTEE'S WARRANTY DEED

THIS INDENTURE WITNESSETH, that William S. Renner And Karen Al-Ashkar, in their capacity as Co-Trustees of THE WILLIAM D. RENNER AND DOROTHEA S. RENNER LIVING TRUST DATED DECEMBER 19, 1991 ("Grantor"), CONVEY AND WARRANT to BAPTIST HOMES OF INDIANA, INC., an Indiana non-profit corporation, with principle office and place of business at 5300 West 96<sup>th</sup> Street, Indianapolis, Indiana, 46268, for the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, all right, title and interest in and to the real estate located in Boone County, Indiana, and more particularly described as follows, together with any and all improvements, hereditaments, easements and appurtenances thereunto belonging or in any way appertaining:

(SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A")

Subject only to non-delinquent real estate taxes, and those certain matters set forth on Exhibit "B" ("Permitted Encumbrances") attached hereto and made a part hereof.

The undersigned persons executing this Trustee's Warranty Deed on behalf of Grantor represent and certify that they are the duly appointed Co-Trustees of Grantor and have been fully empowered as such Co-Trustees to execute and deliver this Trustee's Warranty Deed for and on behalf of Grantor; that such Co-Trustees have full fiduciary capacity to convey the real estate described herein; and that all necessary Trust action for the making of this conveyance has been taken and done.

IN WITNESS WHEREOF, Grantor has caused this Trustee's Warranty Deed to be executed this 13<sup>th</sup> day of June, 2007.

(Signatures and Acknowledgements appear on following pages)

DULY ENTERED FOR TAXATION  
8-14-07  
*[Signature]*  
SUBJECT TO FINAL ACCEPTANCE  
AUDITOR, BOONE COUNTY

THE WILLIAM D. RENNER AND DOROTHEA S. RENNER LIVING TRUST DATED DECEMBER 19, 1991

By: William S. Renner  
William S. Renner, Co-Trustee

DISTRICT OF COLUMBIA }  
} SS:

Before me, a Notary Public in and for the District of Columbia, personally appeared William S. Renner, as Co-Trustee of the William D. Renner and Dorothea S. Renner Living Trust Dated December 19, 1991, who acknowledged the execution of the foregoing instrument as such Co-Trustee acting for and on behalf of said Trust, and who, having been duly sworn, stated that any representations therein contained are true and correct.

Witness my hand and Notarial Seal this 3rd day of May, 2007.

My Commission Expires: 3/31/08  
Resident of: Prince George's County, Maryland

Constance E. Douglas  
Constance E. Douglas, NOTARY PUBLIC



THE WILLIAM D. RENNER AND DOROTHEA S. RENNER LIVING TRUST DATED DECEMBER 19, 1991

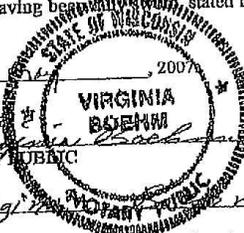
By: Karen Al-Ashkar  
Karen Al-Ashkar, Co-Trustee

STATE OF Wisconsin )  
COUNTY OF Dane ) SS:

Before me, a Notary Public in and for said County and State, personally appeared Karen Al-Ashkar, as Co-Trustee of the William D. Renner and Dorothea S. Renner Living Trust Dated December 19, 1991, who acknowledged the execution of the foregoing instrument as such Co-Trustee acting for and on behalf of said Trust, and who, having been duly sworn, stated that any representations therein contained are true and correct.

Witness my hand and Notarial Seal this 04 day of July, 2007

My Commission Expires: Sept 14, 2008

  
NOTARY PUBLIC  
Printed Virginia Boehm  
I am a resident of Dane County

**PREPARER'S AFFIRMATION**

I affirm under the penalties of perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless otherwise required by law. *Lawson J. Clark II*

**Send Tax Statements To:** Baptist Homes of Indiana, Inc.  
5300 West 96<sup>th</sup> Street  
Indianapolis, IN 46268

**Return Deed To:** Matthew G. DeLaruelle  
ICE MILLER LLP  
One American Square, Suite 3100  
Indianapolis, IN 46282

This instrument prepared by:  
Lawson J. Clark II, Attorney at Law  
45 N. Pennsylvania Street, Suite 301, Indianapolis, IN 46204.

EXHIBIT "A"

LEGAL DESCRIPTION

Tract 4:

A part of the west half of the southwest quarter of Section 12, Township 17 North, Range 2 East of the Second Principal Meridian located in Eagle Township, Boone County, Indiana, and being more particularly described as follows, to-wit: From the northwest corner of the west half of the southwest quarter of Section 12, Township and Range aforesaid, proceed thence south 0 degrees 35 minutes 00 seconds east along the west line of said half quarter section, for a distance of 582.60 feet to the point of beginning; thence south 85 degrees 03 minutes 17 seconds east for a distance of 264.55 feet; thence south 30 degrees 24 minutes 14 seconds east for a distance of 296.21 feet; thence south 87 degrees 57 minutes 45 seconds west for a distance of 410.75 feet; thence north 0 degrees 35 minutes, 00 seconds west for a distance of 292.90 feet to the point of beginning, containing 2.11 acres, more or less.

Tract 2:

Part of the Northeast quarter of the Southeast quarter of Section 11-T17N-R2E, more particularly described as follows:

From the Northeast corner of said quarter quarter section measure South along the East line thereof 512.8 feet for a place of beginning; thence continuing South along same 228.0 feet; thence West parallel to the North line of said quarter quarter section 1035.4 feet; thence North parallel to the East line of said quarter quarter section 358.0 feet; thence East parallel to the North line of said quarter quarter section 350.0 feet, thence South parallel to the East line of said quarter quarter section 130.0 feet; thence East parallel to the North line of said quarter quarter section 685.4 feet, more or less, to place of beginning, containing 6.46 acres, more or less.

Prior Deed Reference: D.R. 241, Pg. 373  
D.R. 241, Pg. 374

EXHIBIT "B"

PERMITTED ENCUMBRANCES

1. Rights of the public, the State of Indiana and/or municipality, and others entitled thereto, in and to that part of the land taken or used for Zionsville Road.
2. Right of Way Grant and Agreement by and between William D. Renner and S. Opal Renner to The Ohio Oil Company, an Ohio Corporation, dated August 3, 1955 and recorded August 19, 1955 in Deed Record 160, Page 494, assigned by Assignment of Rights of Way recorded February 23, 1960 in Miscellaneous Record 47, Page 51; as amended by Basement Amendment With Partial Release, dated June 11, 2007, and recorded in the Office of the Recorder of Boone County, Indiana on August 14, 2007, as Instrument Number 2007 00008492

③  
20.00  
Joe Miller

200800003614  
Filed for Record in  
BOONE COUNTY, INDIANA  
MARY ALICE "SAM" BALWIN  
06-05-2008 At 02:06 PM.  
DEED 20.00

Kalife

QUITCLAIM DEED

THIS INDENTURE WITNESSETH, that LEANNE B. EVANS ("Grantor") QUITCLAIMS to BAPTIST HOMES OF INDIANA, INC., an Indiana non-profit corporation ("Grantee"), for the sum of TEN DOLLARS (\$10.00) and for other good and valuable consideration, the receipt and sufficiency of which are heroby acknowledged, that certain real estate (together with all easements, hereditaments and appurtenances thereunto belonging or in any way appertaining) located in Boone County, Indiana, being more particularly described on Exhibit A attached hereto.

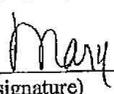
IN WITNESS WHEREOF, Grantor has executed this Quitclaim Deed this 24 day of April, 2008.

  
\_\_\_\_\_  
Leanne B. Evans

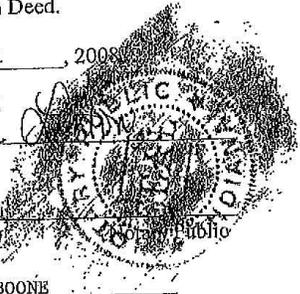
STATE OF INDIANA )  
                          ) SS:  
COUNTY OF BOONE )

Before me, a Notary Public in and for said County and State, personally appeared Leanne B. Evans, who acknowledged the execution of the foregoing Quitclaim Deed.

Witness my hand and Notarial Seal this 24 day of April, 2008

  
(signature)

Mary E. Linton  
(printed name)



My Commission Expires: 05-27-12 County of Residence: BOONE

DULY ENTERED FOR TAXATION  
6-02-08  
Patricia Smith  
SUBJECT TO FINAL ACCEPTANCE  
AUDITOR, BOONE COUNTY

Send tax statements to and  
Grantee's mailing address is:

Baptist Homes of Indiana, Inc.  
5300 West 96<sup>th</sup> Street  
Indianapolis, IN 46268

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. Matthew G. DeLaruelle.

This instrument was prepared by Matthew G. DeLaruelle, Ice Miller LLP, One American Square, Suite 3100, Indianapolis, IN 46282; Telephone: 317-236-2135.

Exhibit A

Part of the Southwest Quarter of Section 12, Township 17 North, Range 2 East of the Second Principal Meridian in Bagle Township of Boone County, Indiana, being more particularly described as follows:

Commencing at the Northwest corner of the Southwest Quarter of said Section 12; thence along the approximate center line of Zionsville Road (County Road 1100 East) and the section line, South 00 degrees 18 minutes 32 seconds East 150.00 feet; thence, along a south described line of the Baptist Homes of Indiana, Inc. property recorded in Deed Record 251, Pages 878-879 and Deed Record 251, Pages 858-859, in the Boone County Recorder's Office, North 85 degrees 19 minutes 00 seconds East 419.46 feet to a point on a curve having a radius of 5696.58 feet, the radius point of which bears North 79 degrees 03 minutes 27 seconds East; thence southerly, along the westerly line of the Baptist Homes of Indiana, Inc. (formerly known as The Crawford Baptist Industrial School) property, recorded in Deed Record 82, Page 473; and said curve through a central angle of 05 degrees 45 minutes 37 seconds, for an arc length of 572.72 feet to a point on a curve having a radius of 11,426.16 feet, the radius point of which bears North 73 degrees 17 minutes 50 seconds East; thence southerly, along the westerly line of said Baptist Homes of Indiana, Inc. property, and said curve through a central angle of 00 degrees 53 minutes 06 seconds, for an arc length of 176.51 feet to a point which bears South 72 degrees 24 minutes 44 seconds West from said radius point; thence along the Westerly line of said Baptist Homes of Indiana, Inc. property, South 24 degrees 56 minutes 00 seconds East 461.60 feet to the **Point of Beginning** of the following described real estate, said point being on the North line of the Southwest Quarter of the Southwest Quarter of said Section 12;

Thence, the following five (5) courses are along the perimeter of real estate owned by Baptist Homes of Indiana, Inc., and described in Instrument No. 200700008493 as found in the Office of the Recorder of Boone County, Indiana, 1) South 85 degrees 31 minutes 04 seconds West along said quarter quarter line a distance of 32.40 feet to a point on a curve having a radius of 11,534.16 feet, the radius point of which bears South 66 degrees 20 minutes 23 seconds West; thence 2) northerly, along a westerly line of said Baptist Homes of Indiana, Inc. property, and said curve through a central angle of 03 degrees 21 minutes 41 seconds, for an arc length of 676.70 feet to a point on a curve having a radius of 5762.58 feet, the radius point of which bears North 73 degrees 43 minutes 09 seconds East; thence 3) southerly, along the perimeter of said Baptist Homes of Indiana, Inc. property, and said curve through a central angle of 03 degrees 41 minutes 05 seconds, for an arc length of 370.60 feet to a point which bears South 70 degrees 02 minutes 04 seconds West from said radius point; thence 4) South 18 degrees 50 minutes 05 seconds East 280.96 feet to a point on said quarter quarter line; thence 5) South 19 degrees 42 minutes 28 seconds East 451.79 feet to a point on the north line of property conveyed to the State of Indiana per Instrument No. 0007317 as found in said Recorder's Office; thence South 81 degrees 41 minutes 15 seconds East along said north line 127.98 feet (measured), 134.01 feet (record) to a point on the east right-of-way of an abandoned railroad, being the westerly line of Baptist Homes of Indiana, Inc. (formerly known as Baptist Homes and Hospitals, Inc.) property recorded in Deed Record 184, Page 825; thence North 19 degrees 47 minutes 50 seconds West along said west line a distance of 481.36 feet to the **Point of Beginning**.

# **TAB 3**

## **Ariel Location Map**



# **TAB 4**

## **Narrative Description of Project**

## Narrative Description of Project

BHI Senior Living, Inc. (“BHI”), traces its beginning to 1905, when it was founded as an organization to care for orphaned children. For the last 50 years, it has provided an exceptional quality of life for seniors through its operation of continuing care retirement communities (“CCRC”) in the State of Indiana. Its first CCRC was the Hoosier Village Community in Zionsville, which was also the site of the original orphanage. BHI’s CCRC at Hoosier Village provides individuals age 62 and over with:

- The privacy of an apartment or duplex home and the companionship of community life;
- A wide range of helpful services such as housekeeping, transportation and home maintenance;
- A variety of amenities such as a fitness center, library, inter-denominational chapel and dining venues;
- A full calendar of engaging activities, including social, recreational, spiritual and educational opportunities; and
- A continuum of on-site health care that includes assisted living, memory care, skilled nursing, and rehabilitation services.

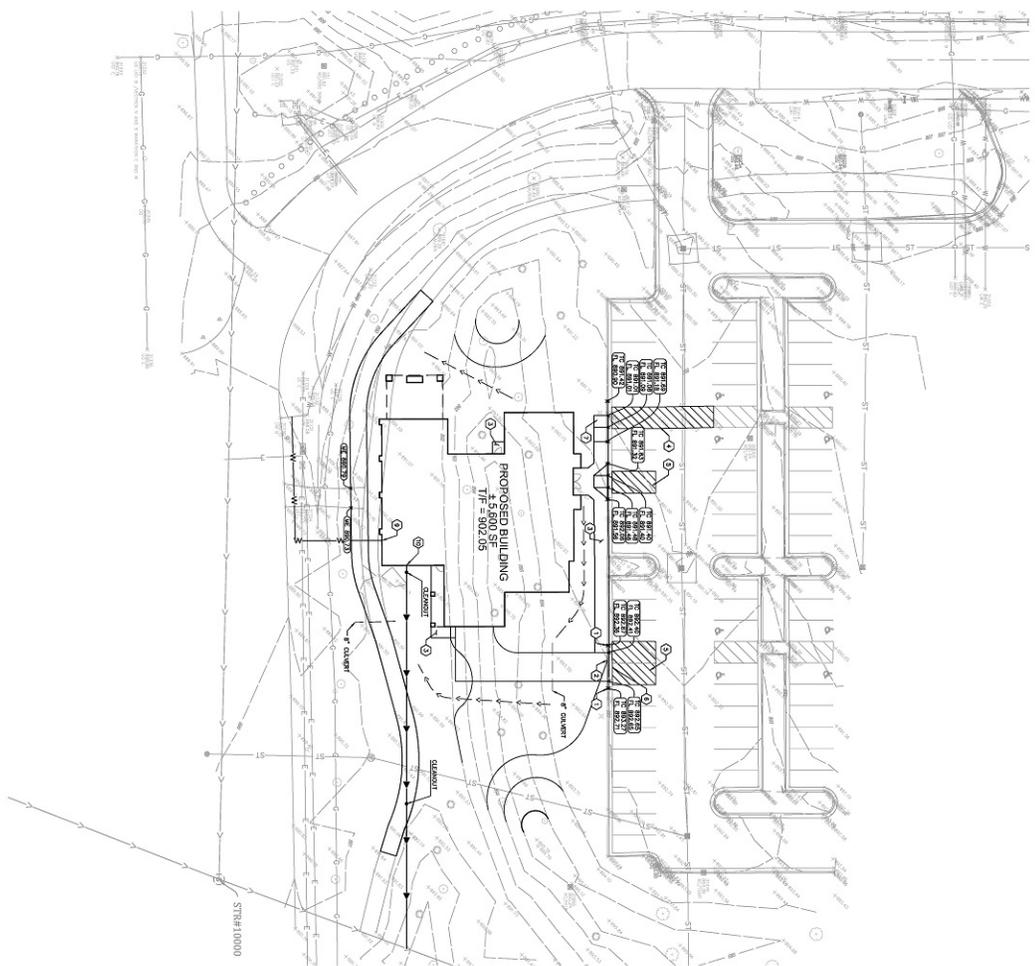
Over the last decade, BHI has expanded and upgraded its Hoosier Village Community, including the addition of the Poplar Chase, a community of independent living duplexes, a new 80 residence luxury Licensed Residential Care building, scheduled to open in January 2021, a community center, memory units, and a new entrance along Zionsville Road that includes a new guard house. Consistent with this pattern of growth and upgrades, BHI has filed a petition for Development Plan approval for the construction of a new, approximately 5,600 square feet sales and marketing office on approximately one acre of the Hoosier Village Campus. The petition indicates that the acreage is over 100 acres because that is the size of the original development plan in which the proposed Sales and Marketing Office will be located.

The proposed Sales and Marketing Office will be located directly south of the existing parking lot constructed as part of and south of the community center. The Sales and Marketing Office will utilize the existing parking lot, which will contain 86 spaces after completion of the office. The existing community center is 20,402 square feet, which requires 52 parking spaces under the Zionsville Zoning Ordinance. The proposed office is 5652 square feet, which requires 20 spaces. Combined, the two uses, therefore, require 72 parking spaces and 86 parking spaces exist. Access to the office will occur via three sidewalks located on the north, south and east sides of the building, which provide a direct access to the parking lot.

The architecture of the proposed Sales and Marketing Office is consistent with the surrounding Hoosier Village architecture as well as the traditional Zionsville theme. It utilized a significant amount of stone and brick and includes a pitched, asphalt shingle roof. The proposed landscaping is significant as shown on the proposed landscaping plan. No dedicated signage is being proposed for the new Sales and Marketing Office. In addition, no dumpster or trash enclosure is proposed. All trash will be picked up on a daily basis by the janitorial/property maintenance staff of Hoosier Village and placed in appropriate receptacles located elsewhere on the Hoosier Village campus for proper pickup and disposal. No new parking lot lighting is required, and the new building will only contain small, security lighting that is commensurate with a well-lit single family home. No variances are necessary for the proposed project.

# **TAB 5**

## **Site Plan**



Indiana Utilities Foundation Service  
 before you dig

GRAPHIC SCALE IN FEET  
 1" = 100'

**KEY NOTES**

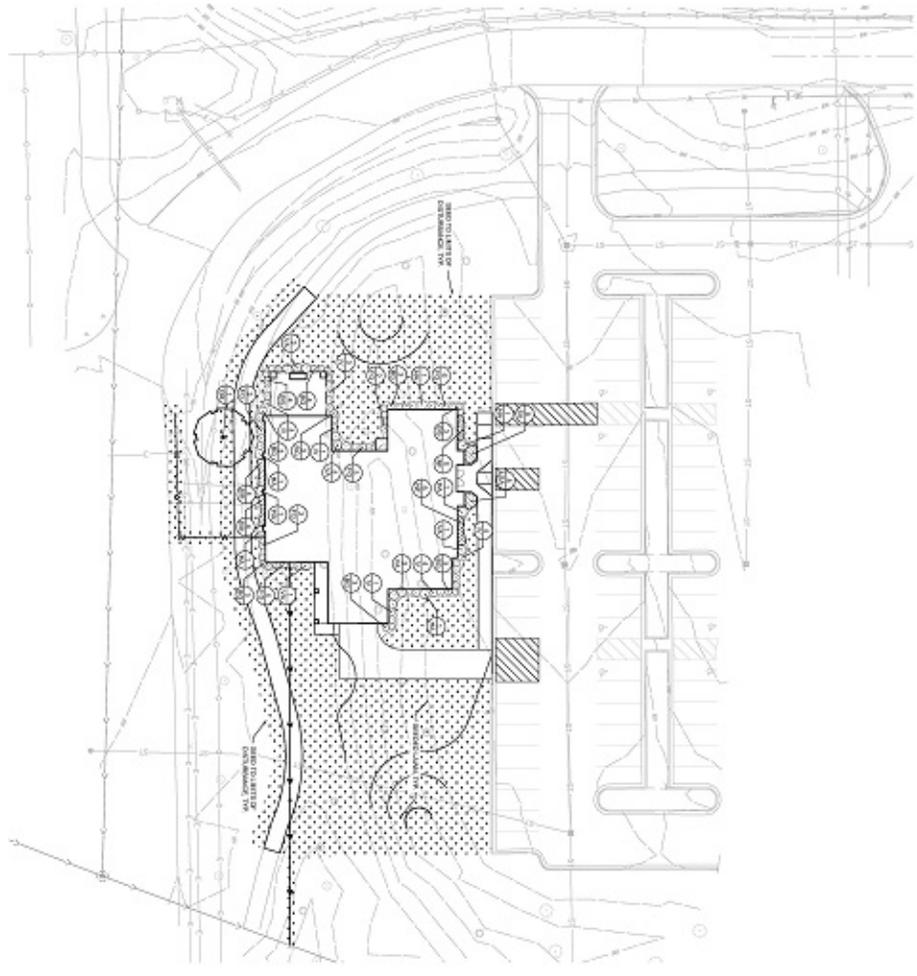
- ① 3" THICKNESS CONCRETE
- ② ASPHALT DRIVE
- ③ CONCRETE FOOTING, 18" (SEE DETAILS)
- ④ ACCESSIBLE PARKING SPACES, 18" (SEE DETAILS)
- ⑤ 4" WIDE FINISH WITH SLOPE 1:100, 18" (SEE DETAILS)
- ⑥ ACCESSIBLE WALKWAY FOOTING, 18" (SEE DETAILS)
- ⑦ WALKWAY FINISH
- ⑧ 4" STAINLESS STEEL, 1/2" DIA. W/ 1/2" SPACING

<p>1 OF 1</p>	<p><b>HOOISIER VILLAGE                  SALES &amp; MARKETING                  OFFICE</b></p>	<p>PLOT PLAN</p>			<p>SCALE: AS NOTED                  DESIGNED BY: JACOB V. DUSEN                  DRAWN BY: M.J.F.                  CHECKED BY: W.A.L.</p> <p><b>Kimley-Horn</b>                  150 EAST WELLS STREET, SUITE 500                  INDIANAPOLIS, IN 46202                  PHONE: 317-251-5500                  WWW.KIMLEY-HORN.COM</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">NO.</th> <th style="width: 60%;">REVISIONS</th> <th style="width: 15%;">DATE</th> <th style="width: 20%;">BY</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	REVISIONS	DATE	BY				
NO.	REVISIONS	DATE	BY											

# **TAB 6**

## **Landscape Plan**

ORDINANCE CHART		
REQUIREMENT	REQUIRED	PROPOSED
TREE TO BE PLANTED • 1 tree every 100 sq. ft.	• 1 tree every 100 sq. ft.	• 1 tree every 100 sq. ft.
PERCENTAGE OF PERMEABLE PAVEMENT • 25% of the paved area	• 25% of the paved area	• 25% of the paved area



SHEET NUMBER <b>L10</b>	HOOSIER VILLAGE SALES & MARKETING OFFICE	LANDSCAPE PLAN	SCALE: AS SHOWN	<b>Kimley-Horn</b> <small>INCORPORATED</small> 1000 WEST 10TH AVENUE, SUITE 200 DENVER, CO 80202 PHONE: 303-733-8800 WWW.KIMLEY-HORN.COM	NO.	REVISION	DATE	BY
					1	1	11/11/2011	JH



# **TAB 7**

## **Building Elevation with Materials List**



**MITSCH DESIGN**  
ELEVATE YOUR EVERYDAY

FRONT ELEVATION

**HOOSIER VILLAGE**

# MATERIALS LEGEND

**BRICK**



**YANKEE HILL CHARCOAL**

**STONE**



**BROOKFIELD GREY**

**EIFS (main)**



**'DRYVIT' 104 DOVER SKY**

**EIFS (trim)**



**'DRYVIT' 300 LIGHT SERENITY**

**SHINGLES**



**OWENS CORNING 'ESTATE GRAY'**

**HOOSIER VILLAGE**

# **TAB 8**

## **Petitioner's Findings of Fact**

**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 compatible with surrounding land uses because: The addition of a single story sales and marketing office at an interior location in the Hoosier Village Campus will be too far from other surrounding land uses have a material impact. The operation of Hoosier Village will not be impacted in an adverse manner.
2. The Development Plan/Modification of Development Plan does demonstrate availability and coordination of water, sanitary sewers, storm water drainage, and other utilities because: The proposed sales office will be connected to existing water, sanitary sewer and other existing utilities that have already been extended throughout Hoosier Village.
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: The marketing and sales office will not generate new traffic because it is only relocating an existing function on the Hoosier Village Campus. The new location is near the new front entrance and easily accessible.
4. The Development Plan/Modification of Development Plan does utilize building materials and building style compatible with the Zionsville theme because: The design of the sales and marketing office is consistent with the Hoosier Village architectural theme and uses a significant amount of masonry materials. In addition, area around the office will be well landscaped.
5. The Development Plan/Modification of Development Plan does provide for the calculation of storm water runoff because: The existing stormwater detention facilities for Hoosier Village was originally designed and installed to allow this project.
6. The Development Plan/Modification of Development Plan does provide for current and future right-of-way dedications because: The site of the proposed sales and marketing office is not adjacent to any public right-of-way since it is in the interior of Hoosier Village, which utilizes private roads. Moreover, significant right-of-way has already been given to the Town for the Zionsville Road project.
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: The proposed sales and marketing office meets the setback requirements of the Zoning Ordinance and are adequately separated from other improvements. In addition, it will be constructed adjacent to a parking and be accessible by interior sidewalks. The project will include significant foundation landscaping, and will include security lighting on the building in addition to the street lights that exist in the parking lot adjacent to the office.

**DECISION**

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

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2020.
