



ZIONSVILLE PLAN COMMISSION MEETING RESULTS

Monday April 19, 2021

7:00 PM (Local Time)

THIS PUBLIC MEETING WAS CONDUCTED ONSITE AND ELECTRONICALLY AS ALLOWED BY VARIOUS EXECUTIVE ORDERS OF THE GOVERNOR OF INDIANA 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.

Members of the public shall have the right to attend Plan Commission Public Meeting via the following form of electronic communication:

Please click the link below to join the webinar:

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Webinar ID: 864 3023 5129

Or by Telephone at the following numbers:

646-558-8656; or 301-715-8592; or 312-626-6799; or 669-900-9128; or 253-215-8782; or 346-248-7799

Due to social distancing requirements, no more than twenty-seven (27) attendees, (with two (2) of those seats reserved for media), will be allowed in the on-site public meeting. Chairs must remain six feet apart. Face masks are required at all times while in the building. Social distancing must be followed while in the building. A health screening must be completed before admittance to the Council meeting room will be allowed.

The following items were scheduled for consideration:

- I. Pledge of Allegiance
- II. Attendance
- III. Approval of the March 15, 2021 Plan Commission Meeting Minutes

IV. Continuance Requests

Docket Number	Name	Address of Project	Item to be Considered
2021-12-DP	D. Altum	795 S U.S. 421	<p>Staff requested Continuance to the May 17, 2021 Plan Commission Meeting 7 in Favor 0 Opposed</p> <p>Petition for Development Plan Approval to allow for a Storage Structure in addition to Structures related to a Commercial Garden Center in the Rural (I2) Light Industrial Zoning District.</p>
2021-10-DP	S. Jenkins - Topsy Mermaid	135 S. Main Street	<p>Petitioner requested Continuance to the May 17, 2021 Plan Commission Meeting 7 in Favor 0 Opposed</p> <p>Petition for Development Plan Approval to permit a building renovation and building additions on a 0.17 acre parcel located in the Village Business District (VBD).</p>

V. Continued Business

Docket Number	Name	Address of Project	Item to be Considered
2021-06-PP	Fischer Homes Chelsea Park	Templin Road Zionsville, IN	<p>Petition Approved as Presented 5 in Favor 2 Opposed</p> <p>Petition for Primary Plat Approval to provide for 31 Lots with the following waivers in Rural (R3) Medium Density Single Family and Two Family Residential Zoning District</p> <p>Waivers Approved: 1, 2, 4 6 in Favor 1 Opposed</p> <p>Waiver # 3 Withdrawn</p> <ol style="list-style-type: none"> 1) Section 193.052 required turn radius from 300 ft. to 200 ft. 2) Section 193.052.14 cul-de-sac length over 800' 3) Withdrawn. Section 193.052.14 an alley closer than 50' to the street right-of way 4) Section 193.053.18b driveways closer than 75' to the intersection

VI. New Business

Docket Number	Name	Address of Project	Item to be Considered
2021-07-RP	D. Luker	7600 Windsor-7602 The Commons	Approved as Presented 7 in Favor 0 Opposed Petition to Replat to allow for the vacation of the adjoining property line of lots 150 and 367 resulting in the lots being combined into 1 parcel in the (R2) Rural Residential Zoning District
2021-08-PPA	C. Reitz	6250 Stonegate Lane	Continued to the May 17, 2021 Plan Commission Meeting 7 in Favor 0 Opposed Petition for Primary Plat Amendment to provide for the establishment of 3 lots in the (R1) Rural Residential Zoning District
2021-09-DP	6-4-3, LLC	6885 Stonegate Drive	Approved with Conditions 7 in Favor 0 Opposed Petition for Development Plan Approval to allow for the construction of a 5790 +/- square foot office building in the (PB) Rural Professional Business Office District
2021-13-PP	Holliday Farms Section 6	3900 S. U.S. 421	Approved as Presented 7 in Favor 0 Opposed Petition for Primary Plat approval with waivers to provide for 51 lots in the (PUD) Planned Unit Development Zoning District
2021-14-DP	Holliday Farms Section 6	3900 S. U.S. 421	Approved as Presented 7 in Favor 0 Opposed Petition for Development Plan approval to provide for the development of a 47.50 acre site into 51 lots in the (PUD) Planned Unit Development Zoning District

VIII. Other Matters to be considered

Docket Number	Name	Address of Project	Item to be Considered
			Minor Amendment Appaloosa Crossing B Shops

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

April 21, 2021

ANNEX TO PUBLIC NOTICE FOR THE APRIL 19, 2021 ONSITE AND ELECTRONIC REGULAR MEETING OF THE ZIONSVILLE PLAN COMMISSION

In his various 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 must comply with the Executive Orders throughout the duration of the COVID-19 Public Health Emergency.

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

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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.

1. 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.
2. 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.
3. If you need technical assistance in logging into Zoom for this webinar, please contact Joe Rust, at jrust@zionsville-in.gov.

Zionsville Plan Commission
April 19, 2021

In Attendance: David Franz, Mary Grabianowski, George Lewis, Larry Jones, Josh Fedor,
Sharon Walker, Chris Lake

Staff attending: Wayne DeLong, Attorney Robert Clutter, Janice Stevanovic.
A quorum is present.

All Pledge of Allegiance.

Franz Wayne, would you please take roll?

DeLong Certainly. Mr. Franz?

Franz Present.

DeLong Mrs. Grabianowski?

Grabianowski Present.

DeLong Mr. Jones?

Jones Present.

DeLong Mrs. Walker?

Walker Present.

DeLong Mr. Lake?

Lake Present.

DeLong Mr. Fedor?

Fedor Present.

DeLong Mr. Lewis?

Lewis Present.

Franz All right. We have all in attendance, so a vote of four on any matter will be required. In your packet, there was a set of minutes from the March 15, 2021 Plan Commission meeting. Are there any comments, additions, deletions to those minutes? If there are none, is there a motion to approve?

Walker So moved.

Grabianowski Second.

Franz All in favor, signify by aye.

All Aye.

- Franz Oppose by nay. Motion carries. At this point, if there's anybody in the virtual audience who would like to be recognized, please raise your hand to be recognized.
- Joe Rust Chris Wiseman.
- Franz Who was the first one again?
- Joe Rust Chris Wiseman.
- Franz Okay, thank you. At this point, we've got two requests for continuances. Docket #2021-12-DP D. Altum 795 South U.S. 421 petition for development plan approval to allow for a storage structure in addition to a structure related to the commercial garden center in the Rural I-2 Light Industrial Zoning District. I believe, Wayne, was the town going to handle this one?
- DeLong Correct. Staff is requesting the continuance on behalf of the petitioners. This would be for a 30-day continuance or to your May 17th Plan Commission. That would be without notice and this is simply to allow the petitioner additional time to review the matter and most likely prepare for a variance filing to accompany the petition.
- Franz All right. Thank you. Is there any questions, comments on this one? If not, is there a move to continue this matter to the May 17, 2021 meeting with no additional required notice?
- Lake So moved.
- Franz Is there a second?
- ? Second.
- Franz All in favor, signify by aye.
- All Aye.
- Franz Oppose by nay? All right. That matter's continued. Also, on the back it is #2021-10-DP S. Jenkins Topsy Mermaid, 135 South Main Street petition for development plan approval to permit a building renovation and building additions to a .17-acre parcel located in the Village Business District VBD. Is the petitioner present or were you going to handle that, Wayne?
- DeLong Petitioner should be online. Is that correct, Joe? Oh, Mr. Rausch is here and in person, very good.
- Rausch Good evening. David Rausch on 170 South Main Street, Zionsville. On behalf of Sherry Jenkins, our client and the petitioner, we would ask for a 30-day continuance. We've had a few internal engineering coordination things that we would like to resolve before we bring it forward to the committee, so.

Franz All right, thank you. Would anybody like to comment on this matter? Any questions, comments from any Plan Commission members? Bob, should we—we don't need to require any additional notice on this one? Okay. All right, so would anybody like to make a motion to continue this matter to the May 17 Plan Commission meeting with no additional notice?

Walker So moved.

Franz Is there a second?

Fedor Second.

Franz All right. All in favor, signify by aye.

All Aye.

Franz Oppose by nay? Motion carries for the continuance said. Onto continued business, Docket #2021-06-PP Fischer Homes Chelsea Park Templin Road, Zionsville, Indiana. Petition for a primary plan approval to provide for 33 lots with the following waivers in a Rural R-3 Medium-Density Single-Family and Two-Family Residential Zoning District (1) Section 193-052 required turn radius for 300 feet to 200 feet, (2) Section 193.052.14 cul-de-sac length over 800 feet, (3) Section 193.052.14 an alley close to 50 feet to the street right-of-way, (4) Section 193.053.18D driveways closer than 75 feet to the intersection. Petitioner present?

Price Evening, Mr. President. For the record, my name's Matt Price. I'm an attorney with Denton's appearing tonight on behalf of Fischer Homes. As you mentioned, this is a primary plat continued at the March 15 meeting so that we could address some design elements and improve the proposal. I have with me from Fischer Homes today, Jason Wisniewski in the front row and our civil engineer, Josh Cribler. Both of these gentlemen, are available to answer questions as well. We did make several refinements to the proposal since the presentation back on March 15. Specifically, along the east/west roadway which we call Camden Walk. We reduced the number of lots along that walk from 13 to 11 which allowed us to pull the cul-de-sac further west. So, the one waiver request regarding the proximity of the cul-de-sac to the right-of-way is being withdrawn this evening because we no longer require that waiver. In addition to the shifting of the cul-de-sac further west, we added vehicle parking along the west—excuse me, along the north side of Camden Walk to provide a walkway between lots 26 and 27 which connects to the sidewalk running on the south side of our development along Templin Road. We were also able to address the proximity of driveways to the intersection of Pembridge and Camden Walk eliminating the need for the waiver request with regard to Lots 1 and 20. It still continues to exist with Lot 21. So, we're going to require the waiver request with regard to that one lot and still have a driveway within 66 feet of that intersection but otherwise, due to shifting the location of the drives, we were able to meet that standard on those other two lots. One other thing I should add in the engineering comments, we do have support for the cul-de-sac lengths waiver with the improvements that we've made to Camden Walk, the Fire Department is supportive of measuring the

length of that cul-de-sac from the intersection of Pembridge and Camden Walk as opposed to measuring it from Templin Road and Pembridge, and therefore supporting that cul-de-sac length along Pembridge. So with that, with those refinements to the various design elements, we would respectfully request your approval of the primary plat and would be happy to answer any questions that you have this evening.

Franz All right, thank you. At this point in time, is there any members of the audience who'd like to comment on this? There are none? Wayne, could we have the staff report, please?

DeLong Certainly. Staff is supportive of the petition, certainly as it's been amended. Certainly, as you recall from last month's conversation and discussion in this room, staff was not supportive of two of the four waivers but we have come to the conclusion that we are supportive of the three waivers that are necessary, and the one can move forward without the project relying on that waiver. Again, staff is supportive of the petition as it's been amended. Certainly, again, noting the matter that's in front of you is specific to a plat. Future development plan filing will follow up at some point in time in the future. That's where a lot of the conversation related to drainage, landscaping, other components that may be mentioned in the filing. Certainly, sanitary sewer will be reviewed in much greater scrutiny as additional ordinances will be reviewed at that time. Again, staff is supportive of the petition as it's been amended and I'm happy to answer any questions.

Franz All right. Thank you, Wayne. At this point in time, I'll open it up to members of the Commission for any questions, comments.

Jones May I—my opposition to it hasn't changed. It's not particularly suitable type of development for that location. While we appreciate some parking in the back and a sidewalk, it's still going to provide and create a traffic and a safety hazard because when it comes to deliveries and everything servicing these houses, it's all going to show up on Templin Road. Templin Road and the grading and everything else along the front of these, it's just not good. I don't know how to describe it any better.

Walker I was going to ask the same thing. Talk to me about how the walkway is going to make that big of a difference. That's what we were concerned about.

Price Well, what it provides—I understood the concern was that that we provided adequate parking for deliveries. So, we've centralized the location of that parking and made it so that the access, foot access to that parking is directly connected to where that parking location is so that they can walk directly from where they park to the front of the homes and make any required delivery.

Walker That's what I thought, right, but I wanted you to tell me again so I can make sure that I saw what you had done correctly.

Price Yeah.

Walker Thank you.

- Price. Sure.
- Lake Are those parking spots sized for delivery vehicles?
- Price They are 22 feet in length, so yes, it would accommodate a, for example, an Amazon-type delivery vehicle.
- Lake UPS truck?
- Price The typical one that you see like driving through the village, yes.
- Lake They can parallel park in a 22-foot spot?
- Price They do in the village in much more compact areas, yes.
- Lake Okay. I think a UPS truck is more than 22 foot in and of itself.
- Price Yeah, they're—if they didn't fit squarely within one single spot, the spots are aligned, you know, along each other so that you know at any limited point in time when there's a delivery being made, there should be adequate space. There's only 11 homes there. We did eliminate, you know, 2 of the 13 homes creating less congestion as well.
- Lewis So, I don't have the previous version of this plan. Wasn't able to take the time to pull it up. So, in the front along Templin Road has what has been shown as the right-of-way that's there changed? I mean, is there—I guess, is there now an intent—no, I guess it is the same. At one point, there was a discussion about maybe putting a pull-off or something on Templin Road for delivery type vehicles but it doesn't sound like that's been explored any further.
- Price Yeah, we have not made that kind of a revision to the Templin Road approach, no. Felt like we could accommodate that—given the limited number of homes that we could accommodate that on the north side of that street comfortably.
- Franz Is there any—is the intent on this Camden Walk—is that all going to be posted with no parking except for in these designated parking spots? I guess it—it seemed like reading through it previously, part of the intent of that road is to allow Fire Department access to these buildings. You know, if you start let people start parking on that street other than in the designated parking areas, it's going to limit the ability of fire equipment to access the area. So—
- Lake Especially the cul-de-sac if we're allowing it to be smaller in diameter.
- Franz I guess it—is the intent that that would be posted as no parking and that the, I guess, the HOA would police that situation?
- Price We could certainly provide signage that indicates no parking. The cul-de-sac is not smaller than as prescribed by the Town of Zionsville.
- Lake I thought that was one of your waivers.

- Price No, the waiver is regarding turning radius. It just means that the curb on Pembridge Drive is being—the radius is a little smaller than the minimum standard to provide some traffic plumbing there.
- Lake Oh, I gotcha okay. Gotcha, thanks for clarifying.
- Lewis I guess, my question is though, even if it is posted no parking, if nobody ever enforces the no parking then people will park there anyway.
- Price Yeah. I think my reading of the Fire Department you will find on this specifically in regard to the engineering comments with the changes we made to Camden Walk and they were comfortable with the improvements that we made. We bumped out the width of Camden to provide for that parking so that it actually brings it off the traveling part of the street.
- Lewis What's the total number of parking spots?
- Price 12.
- Lewis 12? The 12 parking spots for 11 units essentially.
- Price Right.
- Lewis On each end, it's going to have a garage associated with it also?
- Price That's correct, yes.
- Lewis So the two-car garage or—
- Price Two-car garage, yep.
- Franz What are those 11 houses—are they two-stories? I mean, what's the concept of those houses?
- Price You want to speak to that little bit?
- Wisniewski My name is Jason Wisniewski, 3940 Olympic Boulevard, Erlanger, Kentucky 41018. They are two-story and they are part of our Fischer's new offering of what we're calling our Urban Collection. So, they're intended to be well-appointed homes, high-quality finishes but in sites that are constrained because they are in desirable locations that are kind of, that have site constraints that really afford higher price points but also allow, you know, where you need to be flexible or have a product that can be flexible in that. So, they're all two-story. Part of the issue, one of the things I want to bring up on Templin Road is they will all have landscaping in the front fencing. Landscaping in the front of that to make that streetscape feel a certain way which will also be a deterrent for deliveries. It's not like you're going to just park on the side of Templin Road and then be able to just run right through. There's going to be fencing and landscaping there to prevent that as well.

- Franz Will the fence run—I'm assuming if there's going to be a drainage ditch then landscaping, fence—I mean, how's that going to be positioned relative to the sidewalk?
- Wisniewski It's going to be on private property behind the right-of-way down the sidewalk. Right now, I think what our latest intention was in the landscape plan, let me see here, is I believe it is—I can't remember if it goes sidewalk, fencing, landscape or I think—I actually think it goes, sidewalk, landscape, fencing behind it so that you would have that softer feel along the sidewalk.
- Franz Will the fences have gates to each house entrances?
- Wisniewski Yes. they would have a gate to that—again, if anybody is, you know, happens to be walking along Templin Road, they can open that gate and get in but again, it's not going to—the streetscape end is going to feel from Templin Road is not going to feel very inviting to someone just pulling over –you're not running just through a lawn area, I guess, is my point.
- Jones You know, once again, as I look at your site plan and your grading plan, down there in front of Lots 21, 22, 23 there's a 5-foot ditch off the edge of Templin Road to get down to storm structure #102. I don't think you actually own the land between Templin Road and the structure. Templin Road, it seems like they're—if I'm looking at what I think is the property line, it kind of buries back, correct? Is that what I'm looking at, the black line?
- Price Which line again, Mr. Jones?
- Jones It's that dark black line that kind of gets closer to lots 25, 26, 27, 28 and then fades out. Is that, uh—
- Wisniewski That would be the existing property line.
- Jones Is that the property line?
- Wisniewski The existing property line.
- Jones Okay. So—
- Wisniewski The southern line is the existing property line. The darker black line just north of that is the proposed right of way line.
- Jones The right of way? Okay. So Templin Road has no curves, has no walk out there along the edge. It is just pavement to gravel to dirt. The land that you're proposing to do a lot of this on, you don't really control. You've got a 5-foot ditch in front of it. Delivery vehicles, moving vehicles, even the construction of these things, is not going to happen on that little alley out behind it, just isn't. Telling us anything different is, you know, you can tell us whatever. Nobody is going to manage it. Nobody is going to provide any kind of security. No delivery person is ever going to pay attention to any kind of sign. The delivery trucks will pull over, pull off the edge. They'll eventually start tearing up the edge of the roadway and somebody is going to end up down in that ditch. It's a five-foot

deep ditch if I'm doing my math correct which the structure sits at 865 and I think the property up there is 869+. So, that's pretty close to 5 feet. The houses sit up a little higher. Correct? The TOP is the, is basically the floor elevation? Am I reading your information correctly?

? inaudible

? inaudible

Jones Yeah.

Price I respectfully disagree. I think it's exactly why—

Jones I'm not asking—there's nothing to disagree about, Matt. I'm reading the drawings. I'm reading the engineered drawings.

Price Yeah, but you're speculating tremendously that all of the access of the site is going to come from Templin Road. That's just not the case.

Jones I'm not speculating. The storm structure sits at 865 feet. Water flows downhill and it needs a ditch.

Price Exactly, and that will discourage the use of that area for deliveries. That's why we did exactly what we were asked to do during the last meeting.

Jones We didn't like it at the last meeting either. The concerns we had at the last meeting have not changed to this meeting, and you haven't addressed them.

Price I think the petitioner has made a more than good faith effort to add the parking and provide the walkway connection while also preserving the development in such a way that it's a combination of these land uses. This property is zoned R-3. If the response that we're getting is that we should come in with a more of the product along Templin Road spread throughout the project, I mean, that's the alternative to us to obtain a plat approval. I think we've reached a good balance here. That's exactly what we've tried to achieve by providing the parking that adequate for deliveries behind these homes.

Jones Adequate and being used are two different things.

Price You described for yourself that the five-foot difference in elevation is going to discourage the use of the front of that property for that purpose. That together with the landscaping is going to discourage that.

Lake I don't know that it's going to discourage it, I think it's going to make it more challenging. You know, the unfortunate world we live in is that these residents are going to get UPS two times a day, FedEx two times a day, and Amazon about 40 times a day.

Price 11 homes.

Lake Huh?

- Price It's 11 homes.
- Lake Yeah. They're all going to likely get a delivery every other day. I mean, that's just the world we live in. There's drivers, you can post a 20-mile-an-hour speed sign every 15 foot and they're going to drive through the neighborhood at 40. So, they don't obey signs. We know that, so I think the concern is that while you've done what you kind of are supposed to do, we know that situations that you're going to encounter are not going to be met by people that observe the signs and do what they're supposed to do. So, it's ultimately going to create an issue for the residents. It's going to potentially create a safety issue along the road. At some point in time, it could create a fire issue. Yes, it's hard to design around that and I don't know that we'll ever get to a place where we can foolproof what delivery drivers are going to do but there will still be challenges, quite a few challenges I feel like even in this scenario. So, I understand where Mr. Jones is coming from.
- Franz And while this is a permanent plat, I look at these lots that are being requested and I mean, even if we get to development plan and we try to figure out if you can reverse these houses and have the—where the houses are facing Templin Road now and face Camden Walk, that creates an issue because Camden Walk is technically an alley. There's no way you can put in the park, the garage, the garages for parking effectively under that manner. I realize they're two different things, it's plat versus development plan. I, too, share their concern relative to delivery trucks. I mean, I live in a cul-de-sac that's got like 7 homes and I think there's trucks going twice a day through there if not more. You know, I don't know what can be done to really discourage parking along Templin Road. I mean, obviously, you don't want to put up signs "No Parking." It kind of destroys the front of the development's appearance. I'm just—I struggle with how to deal with that.
- Lewis What are the back of these buildings going to look like? Is it just the garage door? Is there a rear like man door entrance into these houses or is it—are you just going to see the only way in in the back is the garage door?
- Wisniewski As they're proposed—so, these are proposed as detached garages. So, it will be a—I mean, it will be like a typical urban detached garage where you'll have the garage door, you know, and then some treatment on either side but it's not going to be a door facing that garage. There would be, I believe, they would have a man door from the rear door of the home, from the rear yard space between the home and the structure where you could access obviously the garage from internal to the site but they won't have a door—they won't have anything other than the garage door on the Camden Walk side of it.
- ? Okay.
- Lewis I guess, what I'm struggling with at this point is that we've speculated a lot on what's going to happen here, I guess, as far as how this is going to play out with the parking and the deliveries and all of this but the problem is that if we're right as to what kind of problems they're going to be then I don't know what the remedy is going to be to resolve that. It seems like it's going to be a perpetual issue for the town to have to deal with this, you know, complaints or towing or

you know, safety issues on the road. That's going to be after the developer has built this and kind of moved on. So, that's what I struggle with is it's hard to say exactly how it's going to be but if it does end up being the situation that we've talked about then we've kind of just given ourselves a perpetual problem that isn't going to—there's not a good way to resolve it later, I guess, is what I'm struggling with.

Price May I ask just for clarification, is the issue that there's simply not an acceptable development pattern on Camden Walk with 11 homes? I mean, is the issue the number of homes or any use of that property like this is going to present too many delivery trucks? I'm at a loss at how you do address that and have the beneficial use of that property which is otherwise meeting the development standards for under the ordinance.

Franz Well, I mean, I agree. It's meeting the development. I don't think there's an issue with it saying it's meeting the requirements. I agree with that. I think, now the issue is it's trying to put that many houses in that narrow of a piece of property. If these things were—in my opinion, if they were facing the other way and if you can get a road and somehow get a traffic where your cars park, that would make more sense to me because you're not going to be utilizing Templin Road as a primary access point to these houses for deliveries. I don't know, you know, if there was a way that you could somehow put Camden Walk as their permanent address and people would have to go that way? Maybe that would help, but that's not their address. Their address is Templin Road. So when an Uber driver, anybody puts in the address, they're going to put in whatever it is Templin Road and it's going to take them right, right on that street, right to the front doorstep.

Lake They're not going to realize there's an alley behind it. They're going to pull up and be like, "Oh. Okay, there's a ditch but I got to get to that door. So, I jump the ditch and go up."

? Sure.

Wisniewski On that point specifically, I mean, every UPS, FedEx, Amazon, they all have Special Delivery instructions, every single one of them that can help address that. There's not—is it going to fully address that? I mean, fingers crossed it would but I'm not going to pretend like it would. Sir, to your point about I completely understand the concern. I just don't think from a design perspective, turning those homes—right now, when you drive down Templin Road, you know, assuming that this gets built, right, you're going to see the fronts of those homes. You're going to see, you know, there's going to be some two-story art depth. There's some height. There's going to be a streetscape there as opposed to the backside of that which is, you know, garages with you know, landscaping. I think it just sets up better. It feels a little bit more—there's a better feel to the front of the house than there is to the back of the house and again, I think what—I'll say this, a month ago when I stood here and heard these concerns and we have—I think we've proven if anything, we are attempting to—we're listening and we're trying to address those concerns. I think we would do anything within reason to further address those concerns as we move this forward. What I'm struggling with is, I don't know how to address a concern that is—a lot of what we've talked about here is speculative and I'm not sure, you know. There are "what if"

situations for so many things here and I'm not sure I know how to solve—I can't solve every one of those, let's just be honest. I cannot solve every single problem.

Franz I agree we're making some presumptions. I don't disagree but I think most reasonable people would make the same presumption. How that plays out is to be determined if this is built.

Price We were discussing, if we were able to come back to you with assurances from the town that we could get the addresses changed to Camden Walk, we'd be willing to go back and try to see if we could get that accomplished.

DeLong I can tell you that 911 looks for the address assignments based upon the location of the front door. Building code only mandates one entry point into a home and that door is 36 inches wide. You can have other doors on your house but the door that is associated with the number, is the most supportive place of entry for life safety. So numerically, that is painted based upon the location of your front door.

Lake Which is a whole other challenge because then the ambulance is going to pull up up front and be like, "Okay, how do I get to that door? Okay, I'm going to go around back, now how do I get to the front? Okay, now I got to the front, how many houses down was that again?" So, I mean, you made a comment about how about the urban architecture and I guess, what makes you feel like this thematically fits in with anything along Templin Road? I mean, you've got 5-acre 10 million-dollar homes to the south. You just don't have a lot of densities. You've got what is a fairly non-dense area along that road and then just bam, 11 homes in, you know, 200 foot, 250 foot.

Wisniewski I would say in the immediate vicinity, there isn't something that is, that the proposed product is necessarily consistent with. I know as you go back, as you go west getting closer into true downtown Zionsville, you know, this technique has been employed. There's some rear-loaded product that goes in there. I know just east what would be kind of like on the east, southeast corner just across Michigan Avenue, there's some denser housing in there that, again, is not necessarily exactly of this architectural style but is similar. So, I don't—again, I'm not going to say what is exactly across the streets fits this, is completely compatible with this. I'm not going to pretend but I think what we're attempting to do here is—matt used the phrase before, I can't remember, you know benefits the land. This is a piece of land. This is a piece of land that we control and how do you zone—how do you work within the zoning restrictions of that land? How do we accommodate that and how do we create, I'm not saying the perfect solution? How do we create a good solution with the tools in our arsenal, with the product that we have available? We believe, you know, the elevations, the character, the quality that we believe we as Fischer are as a builder. With the amount of landscape, I think, you know we've submitted those landscape plans. I know that's a development plan requirement but it is heavily landscaped. There's a, you know, a theme to it. We believe we've done—we're working with the cards that we're dealt and we believe we've played the hand as best we can with the products we have available.

- Franz So let me ask a question, Wayne. They've met the requirements relative to zoning on the plats here, correct?
- DeLong Correct. That's the challenge is much like the petition illustrating being illustrative of landscaping and other components that are beyond the subdivision control ordinance, so is this discussion.
- Franz Right.
- DeLong You know, the subdivision control ordinance does not embrace the concern of how a particular fill-in-the-blank entity operates with their delivery vehicles; however, this will be a conversation at the development plan.
- Franz Right.
- DeLong So, it's very helpful right now to have this conversation, but no, I think and certainly if there's any more specificity, Mr. Carter can try but yes, the test tonight is the filing in compliance with the subdivision control ordinance.
- Lewis Do you know if there's anything in our rules or standards that prohibit any sort of street parking or street pull-off along Templin Road in front of these buildings? I mean, before when we discussed it last month, that was one thing that was mentioned as a possible additional solution that it doesn't—I don't know if that was discussed and kind of—
- Wisniewski I don't remember that, sir. So that—oh, sorry. I don't remember that being an option, that's why you're not seeing it on the plan not because we ignored it or—I don't recall that part of the conversation.
- Lewis Okay.
- Wisniewski Something we would consider for sure.
- Franz Town Council.
- Lewis I don't know what everybody else's opinion is but that was—I know that that was one thing that I thought that was mentioned that I don't know not—
- Lake Do we have any issues with proximity to the intersection or something like that?
- ? The intersection would be my concern.
- DeLong Certainly, the State Highway Department, the County Highway Department and the Town itself would look to weigh in on, you know, limited access easement across the frontage and or the eventual construction of a guardrail or other type of physical barrier and then signage on top of that, you know, beyond any sort of additional physical hurdles.
- Lake Could it be the adoption of a no-parking ordinance along that portion of Templin Road?

Franz 37:47.

Grabianowski Well, back when Whitestown only had one cop and the speed limit was 20, nobody went over 20. It doesn't take a lot of enforcement to make—

Clutter Yeah. Once you've got an ordinance, then you've got the ability to obviously have police department and have them write tickets.

Franz How would—to go, I mean, would the developer petition Boone County? I mean, how would they go about getting that to be a no parking zone?

Clutter Yes. then the highway department would do an engineering study. Certainly, if it's warranted based upon the projected use. They've passed no parking ordinances before and certainly—

Franz Assuming traffic density impacts that quite a bit?

Clutter Absolutely.

Franz Okay.

Clutter And contemplated uses, so obviously if this works its way through, the coming use, I'm sure the commissioners would look with great deference toward whatever those recommendations of the Plan Commission were.

Franz If this was approved as is tonight, would it be worthwhile for them to begin that process of trying to get this to be no parking in advance of the development plan or at least start that process?

Clutter We can start that process. I can work with Mr. Price on that.

Franz All right. Do we have any further discussion?

Jones Once again, we're putting the burden on the town.

Franz I understand but they meet the requirements of the zoning ordinance. That's the issue we've got.

Jones Well, but they don't—they need the—

Franz I know, they need the waivers.

Jones They need the following waivers, so they don't.

Franz It's a separate vote, I mean, obviously.

Jones Well, then I'll make motions.

Franz All right. So there's a series of motions.

Jones Correct. I'll make all of them.

- Franz All right.
- Jones I move that the waiver allowing for the reduction of the required turning radius from 300 feet to 200 feet be denied.
- Franz Is there a second? Call for a second again. No second, so the motion denies for lack of a second.
- Jones Okay. I move that the waiver allowing for the road length of the cul-de-sac over 800 feet be denied.
- Franz This specifically is related to the 800 feet which is the alleyway, is that correct?
- Price No.
- Franz No?
- Price It's part of—that's on Pembridge Lane.
- Franz Okay. All right. All right. So this is the—what is it Templin Lane, you said?
- Price Pembridge Lane.
- Franz Okay. Is there a second on this one? Once again, I call for a second. There is no second, so that motion dies.
- Jones Okay. I move that the waiver allowing for a driveway installation within 75 feet of an intersection associated with Lot 21 be denied.
- Franz Is there a second? Once again, I'll call for a second. That motion denies for lack of a second.
- Jones Then, I have a final one. I move that Docket #2021-06-PP petition for primary plat approval to provide for 31 lots with waivers in the Rural R-3 Medium-Density Single-family and Two-family Residential zoning district be denied as presented.
- Franz Is there a second? Call for a second again. There is no second, so that motion dies. All right. That series of motions died, is there any further discussion? Would anybody like to make another motion?
- Grabianowski I move that the waiver allowing for the reduction of the required turning radius from 300 feet to 200 feet be approved based on the findings in the staff report Exhibit 7 as presented.
- Franz Is there a second?
- Lake Second.
- Franz I have a second. Is there any discussion? Wayne, would you please take roll?

DeLong Certainly. Mr. Franz?

Franz Aye.

DeLong Mrs. Grabianowski?

Grabianowski Aye.

DeLong Mr. Jones?

Jones Nay.

DeLong Mrs. Walker?

Walker Aye.

DeLong Mr. Lake?

Lake Aye.

DeLong Mr. Fedor?

Fedor Aye.

DeLong Mr. Lewis?

Lewis Aye.

Franz That motion carries 6-1, so that waiver is granted. Is there a motion on the next waiver?

Lake I move that the waiver allowing for the road length of the cul-de-sac over 800 foot be approved based on the findings in the staff report Exhibit 7 as presented.

Franz Is there a second on this motion?

Fedor Second.

Franz Is there any discussion? Wayne, would you please take roll?

DeLong Mrs. Grabianowski?

Grabianowski Aye.

DeLong Mr. Jones?

Jones Nay.

DeLong Mrs. Walker?

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Walker Aye.

DeLong Mr. Lake?

Lake Aye.

DeLong Mr. Fedor?

Fedor Aye.

DeLong Mr. Lewis?

Lewis Aye.

DeLong Mr. Franz?

Franz Aye. That motion carries 6-1. That waiver is granted. Is there a motion on the last waiver?

Fedor I move that waiver allowing for a driveway installation within 75 feet of an intersection associate with Lot 21 be approved based on findings in staff report as presented.

Franz Is there a second?

Grabianowski Second.

Franz Is there any discussion? Wayne, would you please take roll?

DeLong Mr. Jones?

Jones Nay.

DeLong Mrs. Walker?

Walker Aye.

DeLong Mr. Lake?

Lake Aye.

DeLong Mr. Fedor?

Fedor Aye.

DeLong Mr. Lewis?

Lewis Aye.

DeLong Mr. Franz?

Franz Aye.

DeLong Mrs. Grabianowski?

Grabianowski Aye.

Franz That motion also carries 6-1, so that waiver is granted. On the final motion to for the primary plat approval, is there a motion for that?

Walker I move that Docket #2021-06-PP petition for primary plat approval to provide 31 lots with waivers in the Rural R-3 Medium-Density Single-Family and Two-Family Residential Zoning District be approved based on findings of fact.

Franz Is there a second?

Fedor Second.

Franz Any discussion, comment?

Jones Just one final comment, just because you can fit 31 lots on a piece of property doesn't mean it's mandated. It's not a requirement that we approve it, you know, property is only worth what it's worth. It's only worth what it's worth based on what you can get out of it. If they can't fit 31 lots on there in a reasonable way, then come back with some other thing and recycle the whole project all the way down to what they pay for the land. All this is is the ability to pack 11 houses on that strip of land. It's going to cause traffic problems. It's going to cause problems for the town managing it. It's going to be visually problematic because the edge of the road is going to get run over. There's a five-foot ditch down the front of this property primarily because they only put in one inlet to serve the storm sewer requirements of those 11 homes. Finally, we're going to end up with basically the parking lot at the corner of Templin and Michigan Road which if anybody else in any other development—well, I can't say that. There's plenty of parking lots in front of buildings all up and down Michigan. While it is a urban designed project on residentially zoned land, generally the area in its entirety is not urban in nature. It is more rural in nature hence the size of the lots, hence everything else around it. Any time there is any kind of density this dense, it is back in areas where we don't really see it. Get on the satellite map and yes, you can find housing this dense within a mile of this location but it's a completely different product in its nature than what this is being proposed. There are other options, and they can find them if they want but it takes someone to hold them to do it.

Franz I mean, I would say that I understand your comments. I would also add that, you know, they have met the requirements of the ordinances. Now, I would say that because the waivers they ask for are not really specific to these houses along Templin Road. That's why I voted in favor of the waivers.

Jones The waivers were specific to the entire project. Without the waivers, they'd have to redesign the nature of the project which means they might have to change these lots. Who knows?

Franz Well, they still have to get through development plan approval. I mean, it's a two-step process. I still think they've got significant amount of work to get done because just because you've got this thing as you know, drawn out as representative doesn't mean that this is approval for this project. You know, it's development plan at this point, so. Any further discussion, comment?

Lewis My only other point is that everywhere else I can think of that has this type of layout where it's, I don't know if you call them row houses but you know, houses lined up like this with back access garages that there is, you know, street parking access in the front. I don't know if there is any other that I can think of where there's something laid out like this that—

? 49:58.

Lewis Oh.

Lake I mean, Stonegate has got it as well but there's a street out front that people can park on and get your deliveries from.

Lewis Right, right. So—

Lake I'm with Mr. Jones. I think it's bad design. I don't think it should be there but it meets the requirements of the ordinance. As frustrating as it is because it doesn't even match the context of the rest of the neighborhood. You maybe got one house right inside of the neighborhood that's going to be looking at the back of three garages when they look outside of their house. It was how much money can we make off of the property that we have not a how good can we design it, but it meets the requirements.

Jones It doesn't meet the requirements without the waivers.

Lake I get that.

Jones Once you start granting waivers then you're saying it doesn't meet the requirements. That's mutually exclusive terms.

Franz All right. So, we have a motion with a second. At this point, I would ask Wayne to please take roll.

DeLong Mr. Walker?

Walker Aye.

DeLong Mr. Lake?

Lake Aye.

DeLong Mr. Fedor?

Fedor Aye.

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DeLong Mr. Lewis?

Lewis Nay.

DeLong Mr. Franz?

Franz Aye.

DeLong Mrs. Grabianowski?

Grabianowski Aye.

Franz Motion carries, 5-2. So—

DeLong I did not—we did not ask Mr. Jones, yet.

Franz Oh, okay. Sorry.

Jones I'm pretty sure I'll stick with nay.

DeLong Very good, just for the record. Thank you for the clarity.

Franz I'm a little clairvoyant there. Motion carries, 5-2. So, you have the primary plat but I think, you know, obviously we think you have some work to do on the development plan, so appreciate the—

Price Thank you, Mr. President.

Franz All right. Thank you. At this point in time, we'll go on to new business. Docket #2021-07-RP, D. Luker 7600 Windsor-7602 The Commons visionary plat to allow for the vacation of an adjoining property line of lots 150 and 367 result in the lots being combined into one parcel in the R-2 Rural Residential Zoning District. Petitioner is present but before we start, I would ask for a motion to allow Dockets #2021-07-RP, #2021-08-PPA, #2021-09-DP, and #2021-13-PP, and #2021-14-VP to allow for the usage of first-class mail to notice of the petitions.

Grabianowski So moved.

Franz Is there a second?

Fedor Second.

Franz All in favor, signify by aye.

All Aye.

Franz Oppose by nay? Now, you may proceed.

Luker Good evening and thank you all for your time. My name is Dan Luker and I'm here with my wife, Julie Luker. We, as you said, are petitioning to join Lots 150

and 367. We bought Lot 150 in 2006 and recently bought Lot 367, an adjoining lot, and are just petitioning to remove the lot line and make it one lot in Stonegate. We're happy to answer any questions. We did have Boone County surveyors walk the land along with Whitestown Utilities and they saw no issues with the joining of the lots at that point in time.

Franz All right, thank you. At this point in time, is there anybody from the public who'd like to comment on this matter? If there's none, Wayne, would you do the staff report please?

DeLong Certainly. Staff is supportive of the petition as it's been filed. This project looks to eliminate a boundary line and combine two different parcels that are both within Stonegate. This action ultimately will be recorded with the county to provide for that future existence. Again, staff is supportive of the petition as it's been filed and I'm happy to answer your questions.

Franz All right. Thank you, Wayne. At this point, is there any questions, comments from any members of the Plan Commission? If there are none, would somebody like to make a motion?

Lake I move to approve that Docket #2021-07-RP replat to allow for the vacation of the adjoining property lines at Lots 150 and 367 resulting in lots being combined into one parcel in the R-2 Rural Residential Zoning District be approved based on the findings established at the public hearing.

Jones As presented, correct?

Franz All right. Is there a second?

Walker Second.

Franz Is there any discussion? Wayne, would you please take roll?

DeLong Certainly. Mr. Franz?

Franz Aye.

DeLong Mr. Grabianowski?

Grabianowski Aye.

DeLong Mr. Jones?

Jones Aye.

DeLong Mrs. Walker?

Walker Aye.

DeLong Mr. Lake?

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Lake Aye.

DeLong Mr. Fedor?

Fedor Aye.

DeLong Mr. Lewis?

Lewis Aye.

Franz All right. The motion carries 7-0. The replat is granted. Thank you.

Lacre Thank you very much.

Franz Next item on the docket is #2021-08-PPA, C. Reitz 6250 Stonegate Lane petition for a primary plat amendment to provide for the establishment of three lots in the R-1 Rural Residential Zoning District. Petitioner present?

Reitz My name is Larry Reitz. I'm Carol Reitz's son. Yes, we are here—I believe Greg Dempsey, our engineer, is on the internet. He was supposed to be here to make his presentation. If he's not connected for some reason, I can go ahead and answer any questions that you might have other than engineering technical questions.

Franz He just jumped on. Looks like he was up there. There he is.

Walker There he is.

Dempsey Sorry, they just let me in.

Franz Please state your name and address.

Dempsey This is Greg Dempsey. I'm with Innovative Engineering, 39—yeah, 3961 Prairie Boulevard, Whitestown, Indiana. Here this evening to talk about the primary plat amendment for Stonegate Proper. As you know, Larry Reitz is in attendance. He'll be available to help answer any questions. The original primary plat for this was approved by Boone County, July 2, 1997 and included 19 lots. To date, 16 of those lots have been developed. The area of the plat amendment, it shows Lot 16 on the original plat. In your packet, I shaded that area to help make it a little more clear. Because we're taking what is intended to be one very large lot which it's nearly 8 acres and creating 3 lots from that, that's what's necessitated the plat amendment. This area is zoned Rural R-1. This development is permitted within that zoning district. This is the second floor of Stonegate Proper. It will have a total of three lots in two common areas. This will fit within the 19 lots permitted under the original plat. Second floor will also be the final section of this development. Lots 1 & 3 will be vacant lots that will be available for sale. Lot 2 contains the existing home that's on that parcel now. That home will remain. Common Area A runs along Fishback Creek and the existing pond. This will allow access for residents to enjoy both of those areas as well as allow for drainage of those lots to the existing pond. Common Area G will be for a common driveway that will serve all three lots. There's an existing drive in that

area now. That drive will be widened and improved to better accommodate emergency vehicles, deliveries, and two-way just resident traffic. This will also provide a corridor to the utility service lines to those lots. There's now waivers or variances being requested as part of this development. All utilities are available to the lots already. There's no utility main extensions or anything that would be required. The plat amendment and the development plan have been reviewed and approved by the town, the county surveyor's office, and the town of Whitestown. With that, we'll be happy to answer any questions you may have.

Franz All right, thank you. At this point in time, is there anybody from the public who'd like to comment on this matter? Please step forward, state your name, address.

Hines Good evening. Thank you for the time. My name is Brett Hines. I am President of the Stonegate Proper Homeowner's Association. I reside at 6140 Stonegate Run in beautiful Zionsville, Indiana. Our—the homeowner's association has a little bit of concern mainly just around some of the ambiguities that we're not clear on. The gentleman online actually addressed one which is how the driveway is going to be handled. That's a pretty tight driveway now. It certainly would not allow for larger delivery vehicles, fire engines, that sort of thing. A couple things that we're not clear on and we'd like clarification. One is that our property owner's Stonegate Proper is being referenced in this plan. This land is currently not part of Stonegate Proper. That was part of the original design originally submitted by the Reitz Family. You know, with the addition of sort of non-Reitz owned property, it creates a question frankly around what happens, you know, should those homes or should those lots be part of our property owner's association. Secondly, the only access to these plats are via a road called Stonegate Lane. It is a privately owned road. It is a road owned by the property owner's association. As I understand it, there is an easement that was granted for the Reitz' benefit so they can access their home; however, that easement only applies to the Reitz family for as long as they own that home. So you have effectively two new homeowners who may or may not have access to their homes depending on how, obviously, we treat the situation which also leads to the question of, you know, that common area is obviously maintained by the homeowner's association that we pay for. Any new residents would get the benefit potentially of that without having to pay the normal homeowner's dues. So those are the two main questions we have.

We have a little bit of a question around Common Block Area A particularly the pines. Mr. Dempsey did explain a little bit to kind of answer that but we are a little curious about how that would be maintained. It is adjacent to the pond so which other Stonegate Proper homes have the benefit of and abuts that pond. So a little curious about how that would be maintained, who is responsible for it because that does have an impact on those homeowners and certainly just the general property values of our homeowner's association. Those are the big ones and then actually the last one would be the cul-de-sac. Currently, the driveway—it's a very tight cul-de-sac. Currently, the two residents who are kind of on that cul-de-sac explain that large delivery vehicles now cannot, actually, currently cannot make the turn. It's so tight so they usually have to drive up on somebody's lawn to fully make the turn and it just—I guess, I'm questioning on how wide the driveway would be. What would that look like? In the diagram that

was submitted, it doesn't seem like that driveway is much wider than it currently is but perhaps that's just because it's really small on my 8.5 x 11-inch piece of paper, so. Those are our concerns, uh, you know, those do impact our homeowners and you know, I think just some clarity around how those would be handled, you know, is what we're looking for is just some additional information around that.

Franz Okay. All right. Thank you. Would the petitioner like to comment on those questions?

Dempsey Yes. I think we'd like to try and address those. Looks like Larry stepped back up there. I know one of the conversations Larry and I have had was concerning the covenants. There are some covenants specific to these three lots that will be a part of the plat. They address the maintenance of the area between lots and the creek, that common area as well as around the pond. Larry, I'll let you weigh in on the, just the overall Stonegate Proper covenants and how this will fall or not fall within that and then we can move onto some of these other issues.

Reitz I tried to make mental notes, so I may forget something, you know, I'm happy to, but you know, I'll mention those again. My recollection not having that declaration for Stonegate Proper here in front of me is that the pond that he's referred to which I believe is actually Block A is part of the common areas of Stonegate. They're specific—the specific section in that declaration as far as who's responsible for the maintenance of that which all of the homeowners in Stonegate Proper should have a copy of or certainly their association. I think that up until it is transferred, all the common areas which is at the time I believe the last lot being platted then that would be their responsibility for the maintenance. In part to that, it would be a shared responsibility. I'm not aware that the owners of Stonegate Proper have ever done any maintenance or any work on that particular pond or contributed any funds to the maintenance. I know that there is one home that has property on there. There are two other section or two other sections, the other two sections of Stonegate which was Section 2 and Section 3, both of those properties were given the option to participate in the homeowner's association. I'm not aware of their position or whether or not they've joined within the Stonegate Proper but as far as the access, the easement, and those rights, we're not specific to the Reitzes. They were specific to the further property and they are basically, that is these three lots. So future owners would also have the right to use and go across that ingress, egress easement on that private drive. That's my recollection.

Franz I think he had a question about the width of the road.

Reitz Yeah, that—Mr. Dempsey had addressed that but Greg, want to—

Dempsey Yeah, I can elaborate on that a little bit because like he mentioned, when you get the small copy in the mailing packet, it's sometimes a little bit difficult to see. That new driveway is going to be 24 feet wide. So, it's going to be similar to an actual road section. That's going to allow if a delivery truck comes in there and can't make that turn around what he's calling a cul-de-sac, they can pull in, back out, and leave that way with out having to try and do that route. So, that's going to make it a whole lot easier for those guys to get in and out of there.

- Franz Did he answer the questions?
- Hines Yeah. First of all, thank you for that explanation. It sounds like the driveway sort of portion is at least being addressed, so we appreciate that. The concern around the pond area is just simply you are correct in terms of who is responsible for maintaining it but since the Common Area A is, you know, borders the pond. I mean, simply how that is maintained could have some impact on that pond. So, that's just a bit of a question around that. Going back to the easement, our attorney which is the law firm of Eads, Murray, and Pugh has indicated that the easement as granted, this is what they have told us, is for the benefit only of the Reitz Family while they own that property. The gentleman asked about Sections 2 and 3. Both the Schwabs and the McCarthy-Egan family have elected to join Stonegate Proper Homeowner's Association. That is a more recent development within the past six months, but the concern around just the access and if we are providing, you know, snow removal, etc... for that lane that those residents get the benefit of, you know, but don't have to sort of contribute to that, that seems inequitable.
- Franz All right. Thanks. Any additional or any additional comments from either of you, or the Reitz?
- Dempsey Okay. There's Larry. Go ahead.
- Reitz No, I don't have anything further to say. You know, as far as the roads in Stonegate Proper, you know, they were constructed to the Boone County Highway specifications. If they, the homeowner's association wanted to dedicate those to Boone County, they would be able to do so. When the neighborhood was initially constructed in 1978, they thought there might be a gated community. In the early stages of the neighborhood, it was voted by the neighbors that they didn't want to have a 14-lot gated community. It would just create too many headaches with, you know, trying to allow people to come in and this and that and the other thing. So, early on, I was also a resident in the neighborhood and as far as those discussions, I do remember those because I was a part of those.
- Franz Thank you. All right. At this point, I'll close the comment. Wayne, would you have a staff report, please?
- DeLong Certainly. Staff is supportive of the petition as it's been filed. It's certainly new information regarding the potential complexity of accessing the easement. Certainly, we don't want to put Mr. Clutter on the spot but certainly our subdivision control ordinance speaks to each development must have access to a public street. Certainly, the ordinance also supports the creation of these lots on a drive and that is, that's something that's being done. The complexity of the permission to utilize the easement which functions as a street when you have a subdivision control ordinance that requires access ultimately to some sort of street seems to be something that needs additional clarity here. Otherwise, staff is supportive of the petition as it's been filed.
- Franz All right. Thank you, Wayne. At this point, is there anybody, any members of the Plan Commission that would like to comment on this?

Lake Sure.

Franz Go ahead.

Lake I would have the same delivery issue here that you're going to ask a Lowe's appliance delivery truck to drive 200 feet down this lane and then back 200 feet out because there's nowhere for them to turn around. So that to me, is one problem. If this development is going to throw more common area onto Stonegate Proper's roles and not require residents that abut that common area to pay into help maintain that, I feel like that is a huge problem. That's happened in the past. It shouldn't have happened. It's been tried more than once by the Reitzes and development in Stonegate Proper and Stonegate and I think perpetuating that is a problem. So I think that needs to be addressed. Whether that can be addressed along with easement rights where easement maybe could be granted if there's language there that requires that there's homes be a part of Stonegate Proper's Homeowner's Association must pay into a pot for the access for their snow removal and for funds to help maintain that common area. I think that is something I would be more amenable to but I'm not a fan of this type of development being added onto an end of a neighborhood with requirements to kind of force this down a neighborhood's throat. I don't feel like that's the right way to do it.

Franz Okay. Would either of you like to comment? Any other, does anybody else have any other comments on this?

Jones I just want to make sure I'm looking at this correctly. So currently, there's a Stonegate—there's an actual road in Stonegate. I'm looking at Exhibit—

Lake This is the actual road and then—

Jones Yeah, I think I'm trying to—

Lake Then, that was the drive. They're wanting to add two houses to the cul-de-sac.

Jones Okay.

Lake Then, there's a private drive going back to that house.

Jones Got it.

Lake Now, they're hoping to—

Jones Demo that?

Lake Well, leave it or force somebody to buy it and demo it and put two houses on the sides of it. 01:13:54 properties.

Jones I guess for the question of the deliveries. If the road was a sufficient width and they have actually functioning driveways, delivery vehicles can then pull in the driveway of wherever they're delivering and then they should be able to make a

three-point turn getting out. My question is, I don't really see any provisions or are the provisions in here for the design and construction of that drive? From what I'm looking at on this exhibit or drawing from Innovative, it appears that they really ought to go farther up the drive and kind of straighten that thing out and make a proper road/drive out of it. I would be interested in making sure that Stonegate is acceptable or amendable, agreeable, however you want to say it, to the addition of all this common area. They're given a lake and then all that adjoining land which appears to be that Common Area A looks as if it's not really accessible unless you go through somebody else's private property. Am I looking at that correctly?

Dempsey Yes. One thing I think and I'll take fault for that for not elaborating far enough on those common area. If you look at the third page of the plat, there's language in there regarding ownership and maintenance of that common area. That falls squarely on the owners of these three lots. It's not spread out over all of Stonegate Proper.

Jones It's kind of a subdivision within a subdivision.

Dempsey Yeah.

Jones Is that what I'm hearing?

Dempsey Sort of, yeah. Part of the reasoning for that was so that it didn't push that burden onto the other homeowners.

Lewis So, they're going to be jointly responsible for the land but not have an association to work out who's going to deal with it? I guess, what if they don't get along with each other and there's an issue?

Lake Basically, nobody's going to deal with it.

Jones Yeah.

Lake Nobody can access it to deal with it anyway.

Jones I mean, I'm looking at the adjoining development to the east. Let's call it Eaglewood for lack of a better. There's a series of lots there that extend all the way back to what I'm assuming are the creek?

Reitz Yes.

Dempsey Yes.

Jones So, why don't lots 1, 2, and 3 have just full ownership all the way back to the same creek line and keep Stonegate out of the maintenance business at least for this area?

Reitz I think that Greg had addressed that on the third page of the plat that each of those owners essentially is responsible even though it's called Common Area, they're responsible for the maintenance of that. It is creek. It is flood plain. It's a

natural area. It's not manicured or landscaped in any way. It's, I guess, you could say a kind of wild area and the properties on the other side of the creek there, you know, they also they're responsible for their obviously up to the middle of the creek or wherever the property line is. They can take care of that however they want; however, that is not in any kind of association that I'm aware of which you referenced Eaglewood.

Jones So, Fishback Creek is a recognized waterway. So, I'm assuming the county—I'm trying to think of what the actual title is where they—

Reitz Yeah, they have it as a illegal drain.

Jones The county has the ability to go back in on that easement, do any kind of maintenance they need to on Fishback Creek, correct?

Dempsey Correct.

Jones So, the creek proper is taken care of. It's this adjoining land to it that while it's very natural and nice, it's you know, if for some reason it does need some sort of maintenance, you know.

Dempsey That area is also in a, it's in a floodway. So, they're going to be very limited on anything they can actually do in there. If they had to take a tree down or something, they could do but any kind of land disturbing activity, they can't do without getting special permitting and stuff first. So that real—that land is really, it's kind of a no man's land as far as trying to do anything back there other than just kind of leaving it in it's natural state.

Reitz There can't be any fences or other structures placed in that are that would really ever need any kind of maintenance.

Lewis I just feel like these, I guess, issues with the road—who's paying for maintaining the road and you know, who's going to have responsibility for these areas needs to be more clearly defined before this can move forward in my opinion.

Jones If you're going to develop three lots, then you need to develop the road to access them.

Lake I think the other challenge is if you—if by doing this, you lose your easement, you then don't have access to these so therefore we can't grant access to something that doesn't have it.

Franz There's a different opinion on the easement if they've got it or not, I mean, the access. So, I think that—I'm concerned about that when I look at this.

Jones I'd be more comfortable if the Stonegate Homeowner's Association seemed to be more in line with proposed development as to who's responsible for what, where, how, and—

- Clutter And it was made part of their—these properties are made part of their homeowner’s association now that they were okay with what was, what they were taking on.
- Jones I mean—
- Franz I can give the offer to maintain that Common Area A is not—I mean, there’s not much to maintain that property to be honest.
- Jones Right.
- Lewis But it’s still their—
- Franz It’s their responsibility but—
- Lewis There’s no, but there’s no clear lines of who’s responsible.
- Reitz Yes, I think it does say on the third page that the owner is responsible—I’m sorry. On that third page, I think that it does say that each owner on their property line extended through the center line of the creek is responsible for the area directly behind their property and obviously that would be identified on the plat or where we can add an exhibit if necessary which was done in other parts of other neighborhoods that I’m familiar with.
- Lewis Well, then why make it a common area? Why don’t just make it part of their lot? I guess, I’m—
- Lake Yeah. If it’s going to be their lot line extended anyway.
- Reitz I think that the main reason was so that there would not have to be any exceptions made or we wouldn’t have to ask for any kind of waivers for the lots for the development. I think there was some, could have been some issues with the 3:1 ratios and those kinds of things. I mean, this is a relatively small area. It’s a natural area. There’s really—there are two properties. There may be some access for Stonegate Proper owners to possibly walk around there but it would be a very small area that is where these current lots exist which would be Lot 14 and Section 3 Lot 1. There’s maybe like two or three feet before, you know, from the edge of the property to the actual pond itself probably not enough to get the mowers and those kind of things through.
- Dempsey We are showing a ten-foot maintenance easement around the top of that pond. So there is—there will be access all the way around. As far as the drive goes, there’s actually language in the plat as well that speaks to who needs to pay for the construction and maintenance of that private drive. That again, falls on these three lots specifically.
- Franz Wayne, is this the first time you’ve heard about the access issue?
- DeLong That’s correct.
- Franz How would we go about resolving that or figuring out what that is? I’m just—

- DeLong Certainly, some sort of finality to the HOA who—well, it's a determination of who controls the easement and certainly, you have a differing in opinions here tonight. Certainly, we'd like to think that all parties could come to a resolution and certainly provide that appropriate access.
- Clutter Certainly, I'd like to see a copy of the easement.
- Hines If I may, as I don't know the process but we'd be happy to have direct Eads, Murray, and Pugh to send whatever to Mr. Clutter's office if that would be helpful.
- Franz That would be acceptable, yes.
- Hines To the point of considering Stonegate Proper, I mean, I would have to ask our residents but certainly you know, I can promise to get an opinion on that by the next meeting if that would be helpful as to whether or not, you know, the homeowner's would be amendable to adding at least a couple of lots. I know the Reitz Family had the desire to not be part of the Association. I think we've respected that out of particularly Mr. and Mrs. Reitz's contribution just to the area, so I would be hopeful but I would need to check with them.
- Franz Have these lots been presold then? No? All right.
- Lewis So, I guess my question is, if we continued this matter until a later meeting, would working on these issues to better define this something that you guys want to work on or do you want us to vote on it as is?
- Reitz We certainly don't want to do anything that would make this board feel uncomfortable. I think we're happy to ask for an additional time so that we can have legal counsel review the documents. I am—I'm confident that the intent of this neighborhood was to have 19 lots in it and there's 16 lots and that that was not some kind of an oversight or a mistake and that access is going to be okay but we're happy to give everybody additional time to review that. Oh, I guess we would ask for additional time to be continued to the next meeting, if the board would accept that. Thank you.
- Franz Okay, thank you. All right. At this point in time, we have a request of continuance from the petitioner to the May 17 meeting. Is there a motion?
- Grabianowski So moved.
- Franz Is there a second?
- Walker Second.
- Franz All in favor, signify by aye.
- All Aye.

Franz Oppose by nay? Okay. Motion carries, 7-0. I guess we'll see you next month.
Thank you very much.

Dempsey Thank you.

Franz Next item on the Docket is #2021-09-DP 643 LLC., 6885 Stonegate Drive
petition for development plan approval to allow for the construction of a 57,790
foot +/- square foot office building in the PB Rural Professional Building Office
District. Is the petitioner present?

DeHart Yes, sir. My name's Adam DeHart. I'm a project manager at Keeler-Webb
Associates. Their offices are located at 486 Gradle Drive. I believe this evening
on the internet is Mr. Joe Lese with The Progress Studio who is the architect on
this project. Keeler-Webb Associates is providing surveying and engineering
services on the building and civil engineering of the project. I call your attention
to the packet I believe all of you have. I'm going to briefly go through the items
here in the packet to orient you with what we are requesting here this evening.
We're requesting approval of a professional office building in the PB district.
643 LLC is the ownership group. Actual owner of this professional office
building will be Todd and Jodi McClure. They operate Credence Financial Group
which is a subsidiary and their main product is Northwestern Mutual Financial
Services. They will be owner/operator and they will operate out of the south half
of the structure. The north half of the structure will probably be leased out to
other professional office type tenant. In your packet, we requested from Mr.
DeLong a waiver on parking spaces of 10%. The ownership of this particular
piece of property don't have that many people in their office space. So, we're just
asking for the 10% reduction simply because if we have 29 parking spaces for
under 5,800 square feet, we feel like that's overparked. That also creates us some
issues as you can see on our site plan. We pretty much filled the site up with
building and parking. We're kind of running out of room there so we're trying to
get the building to take care of the client's needs and then also provide the
parking and access for the customers that would operate out of it. Their particular
business is operating out of the area. The McClures are residents of Zionsville so
they're wanting to relocate their business to the community. We've—in your
packet, we also have the aerial photo. As you enter into the Stonegate
Community, this is the vacant piece of property on the right or the northeast
corner of Oaktree and Stonegate Drive. Our immediate neighbor to the north is a
professional office dentist building. Our neighbor to the west is the IU medical
facility. As you're looking at our site plan, as I said, we have a L-shaped building
that accommodates both our client and a future office tenant to the north side
with the parking to the east. There is a section of the sidewalk along Stonegate
Drive that wasn't installed previously that we intend to install as a part of this
project. We are planning to have our curb cut off the common area S to the north
which is an ingress/egress easement to our property and the two or three other
properties that are east of here.

The next page back is two sheets of the building elevations. As you can see, we
plan to have red masonry brick on all four sides. We will have entry doors
primarily to the east but we will have emergency exit doors to the west. Those
entry doors and entry systems will appear like a door that anybody can walk up
to and access to. We are providing some patios along the west side of the facility

that could be used by the tenants of these particular facilities, this brick room or outdoor lounge area however they choose to use them. There is no trash dumpster enclosure because of this being a professional office, so much of our work these days anymore in professional office is all electronic. There's not that much of a need for trash so we would expect literally just to have a trash can for each facility and Berton Langdon did enclose that in a small mechanical area in the corner of the rear of the facility that will be screened. So, there's no need for a trash dumpster just because we don't have the volume of trash to warrant one. Next page back will be our landscape design that we are going to—our design complies with the ordinance. We're going to supplement in with the existing tree landscape that's along West Stonegate Drive in the common area that is our neighbor to the south that is owned and maintained by Stonegate. Included in our packet and as a part of our approval process, we've made submittals to Omni Management which is the management firm that does the review process with Stonegate and we've been granted their review and approval of our entire site development package and building elevations. Also included in the packet are some samples of our signage that we plan to do over the doors on the east side of the facility and the ground mounted sign. Then, lastly to be brief and I'll be available for any questions that you might have, we would ask that you respond positively to the findings that are provided for you in the packet. With that, I'd be available for any questions any of you might have.

- Franz All right. Thank you very much.
- Lake Can I ask a quick clarifying question about my position on this? I'm a resident of Stonegate does that preclude me from voting on this?
- Franz Rob?
- Lake Because if so, I'll go sit over there on this session that I—
- Clutter Not just being a resident of Stonegate in and of itself, I don't believe does.
- Lake I just wanted to make sure that I wasn't conflicted.
- Clutter As long as you're not like on the homeowners association board that would oversee anything or have any architectural approvals or anything like that.
- Lake Nope, signed off on that a year ago.
- Clutter Just being a resident of the neighborhood itself is not.
- Lake I am. Okay, thank you. Sorry.
- Franz No, no problem. All right. At this point in time, I'd like to ask if there's any members of the public must be online who would like to make a comment on this matter. There are none. All right. So Wayne, may we have the staff report, please?
- DeLong Certainly. Staff supports the petition as it's been filed. Certainly, it's nice to see the Stonegate commercial area coming to a conclusion. There's just a small

handful of lots left. This is a great petition to facilitate the opportunity for Zionsville residents and others in the area to construct this facility. Certainly, staff mentions that because we recognize the parking reduction while it's being requested. Staff is fully supportive of that logic and certainly will continue that thought process as we have work-type opportunities are created and facilitated within the town. Again, staff is supportive of the petition as it's been filed and I'm happy to answer any questions.

Franz All right. Thank you, Wayne. At this point in time, I'll open it up to members of the Plan Commission for any comments, questions.

Lake So, you have a neighborhood with homes that range from \$600,000 to over \$1,000,000 and you face the back of the building is the first thing that you see when you drive in the neighborhood. I'm a little concerned about that, as a resident and as a plan commissioner.

DeHart Understandable. We were in a situation where we're trying to be cognizant of particularly the school in addition to the residents. As far as our orientation on the site with the location of our curb cut, to have the curb cut on the north side as opposed to the west on Stonegate Drive it limits your ability to equitably develop this site. This site is 6/10 of an acre. It's very difficult to get any kind of size of any structure at all on this particular piece of property. Your choices are to have parking to the north, parking to the south or east or the west. We chose to have the parking to the east. We chose to have all four sides of the building fully developed in that the doors on the west side are a full entry system type door. The windows match all the way around the facility. The architectural style matches all the way around the facility. We really believe that other than your ability to drive up to the east side and have an overhang that the main door that people actually use in a vestibule, the west side appears like a front of a building much like the east side does.

Lake Maybe you and I are looking at different drawings because that drawing does not appear anything like that drawing. Those are two completely different levels of façade development. The trash cans you refer to be in a storage enclosure facing the main entrance, the one with, I'm guessing, mechanical units. You are literally going to pull into a neighborhood and look to your right and see the back of a professional office building is the first thing you see coming into this neighborhood. I drive it four times a day at minimum.

DeHart I understand. You are correct, there is not a gable over those entry doors but it's the same entry door system that we have on the east façade.

Lake I understand you're trying to fit what you need to fit on the site but that's a huge disservice to the entrance of a really nice neighborhood.

Jones Yeah, I've got to support what Chris is saying. Even the—is it IU Health or St. Vincent—

Lake IU Health.

- Jones IU Health. There you're looking at the side of the building and it appears they stuck a little bit of a gable on that what I would call the west side of that building. I haven't driven past it as much as you have but—
- Lake Yeah. The south side is the front which kind of faces, I don't know, 334, Whitestown Parkway, whatever it's called these days. Yeah. The design generally—the design aesthetic generally matches that building and the dentist/orthodontics building which is just north of this parcel but none of them have the back, the building facing the main street. They've got a sign with the front being visible when you come in the entry drive, you'll see the fronts of their buildings. When you drive past the sides of the buildings so you're not directly looking at the back of the buildings. I may be the only one on this committee that's concerned about that.
- Franz No, when I actually saw their elevations, I was thinking that was the west elevations.
- Jones Yeah, I know. As you mentioned it, I think all of us pulled our drawings out one more time.
- Lake Yeah.
- Jones The other issue is they don't have any signage back there on that backside either.
- Lake Yeah, I mean, yeah, not in this view.
- DeHart Not on the building. There is a ground mounted sign off the northwest corner of the structure that would identify the tenants in the facility.
- Franz The issue is you didn't want to put the curb cut on West Stonegate Drive so kind of flip it for the parking lot and the building and reverse that. Would that—I mean, Wayne, could they have put the curb cut on West Stonegate Drive?
- DeLong It would be up to the county highway department. It may have been discouraged for a variety of reasons.
- Franz Okay.
- Grabianowski I think you would also have to have the parking lot which would be the first thing people would see when they drive in. that's not good either.
- Franz If you go up to the road north of it, you couldn't flip—you couldn't put the access there because it's going to be within how many feet of an intersection, I'm guessing, so.
- Lewis Would additional landscaping on the west side of the building alleviate some of your concerns?
- Lake I mean, some of it, yeah. There may be some additional architectural elements on that side of the building. You know, the majority of the people that enter that neighborhood enter from the west.

- Jones Yeah.
- Lake Because there's an east entrance to the subdivision. So if you're coming from the east, you know the subdivision on the east entrance. So everybody's coming from the west, so if you turn in, everybody making that turn is looking at the back of that building as the first thing they see in a multi-million-dollar home neighborhood.
- Franz Or even the medical facility across the street when you drive in, it starts looking south so you are seeing actually the front of the building.
- Lake Yeah, you're seeing the front of the building and there's parking lots there but I mean, there's—they've got trees in them and stuff, and islands. You know, it's not like looking at the back of the building.
- Jones Even if they took, so the owner is going to reside on the south portion of this. So, even if they took their rear, you know, little bit nicer door and added something similar to what's on the front and also be a place they could, you know, once again have another frontage for signage like they have on the other side. I think that would give the building a little something and then by the time you got around the corner and got to the north end of it, it just kind of disappears.
- Lake Then, you've got the patios that's going to be used eat on so you're going to have patio furniture sitting out there that's—
- Jones Yeah, at least they would have kind of one façade facing out to Stonegate Drive.
- Lake At least one.
- Jones Yeah.
- Franz So, are you guys requesting them to take it back and do a little more work see if they can make those changes?
- Lake I mean, I'm not supportive of it in this form but that's me personally. But I may be biased.
- Jones I'd support what Chris is saying. I think there's a opportunity they could clean up a portion of that basically what is the west façade and improve the look of the building. I think they'd pick themselves up a signage spot. Is there limits to the number of locations they can have signage, Wayne, on a building?
- DeLong In the rural area, I'm not recalling offhand. I mean, the rural area is much more supportive of signage based upon percentages.
- Lake Yeah, they wouldn't hit it. There's like virtually nothing they could do to hit it on this building. Stonegate does have some requirements for signage but none that would (a) prohibit that, or that I mean, they voted for the architecture which I would not have they would have. It shouldn't prohibit it.

Franz I think as the second tenant, you know, I mean, most of those signs you're going to see right on the street when you come up on the east. I just, trying to figure out how to get in there. The second tenant, you're farther away from the road, I mean, I just I look at this as if there were some—the west elevation was more, you know, beefed up for the lack of a better term.

Jones Yeah. The problems with the sides of the lot and the layout of it, this is probably the most efficient way to do anything. You know, if you try to—if you try to position the building on the south end of the lot, then you don't end up without parking for the side of the building that you put. Try to put the building up to the north and put parking at the south, then you end up with a lot of drive and that doesn't work.

Franz Even if you put it on the south end of the lot, you just got the back of the building facing 334 anyway, though the entrance would face north then.

DeHart Can I make a suggestion?

Franz Sure.

DeHart The entry door system on the east side of the facility is designed so that there is a overhang for people to walk up to the door like you would expect under any normal entry door. We can make a similar look of that entry door that's on the east side, we can make that similar look on the west side over our tenant's door so there would be a gable there and the columns would be there but it would all be flush. So from the street view you can still see those columns because we can apply them flush with the façade so it would look like a door gable on the east side. That would get you one entrance on that side. I hate to say that I'd put two on the west side simply because I don't know how that empty tenant space is going to be taken care of but I know the owner who is going to operate out of the south end, they intend to use that outdoor patio area as a, you know, outdoor breakroom and a patio and an amenity that they intend to use but we could apply that gable and the columns flush to the façade and still accomplish that look you're looking for there, it just wouldn't be the functional with the overhang on the front end. Would that be something that would be palatable to the Plan Commission?

Lake I think that that would work. You know, it would be nice even you could get a small even if it's only like six foot wide, a small little gable to go over the other door, no protrusion from the face of the building but just something over that because you just—I mean, all you got is roof all the way across it, just something to break that up. So, you do the gable width even just one set of columns or something next to the bigger door and just a smaller gable or something over the second suite door.

DeHart One thing that you do miss in this elevation because it is flat, there is a step back in the building also. So, that's going to help that too so it's not going to be a flat or a rear facade because of the stepping in the actual foundation. We'd be willing to make that similar look with your approval as a condition over the southern door on the west facade.

Franz Chris?

Lake I'd be fine with it.

Jones Yeah, I'd be fine with that.

DeHart If you would like and you wanted to stipulate that to staff review and approval, we'd be more than happy to work with them. I think, I think we're on the same page as far as what you're trying to accomplish there.

Franz Wayne, are you comfortable with that?

DeLong Certainly. Is there anything Mr. Lese would like to add to the dialogue here as the architect director on the project?

Lese Sure. Thanks, everyone. Joseph Lese, Progress Studio. Our address is 1103 East 10th Street in Indianapolis. I value everyone's comments that I've heard so far tonight and definitely we want to enhance the neighborhood. I think that we presented a solid effort here and I think that we can for sure introduce council's comments to this or the commission's comments to this as well. I think adding on the southwest door if we can basically enhance that entry with something that's flat that does have maybe two columns instead of four. We'll have to play with the scale a little bit since that facade's a little bit of a downplay compared to the east side. I definitely think we can achieve something there and then the northwest door, we can do some kind of surround with trim with some entry pettinant that can be a little bit downplayed but still enhance that elevation. We are limited to four signs for the building based on the frontage being in the district that it's in. So, the signage locations that we are proposing right now are probably the most ideal but certainly if anybody has additional comments on signage, we'll take those as well. Like Adam said, the patio especially for the owner is going to be enhanced with landscaping. It will be used in a manner that supports their operations as well for their staff, so. I appreciate everyone's time tonight and I'm happy to answer any other questions you have.

Franz All right. Thank you.

DeLong Then, the only point staff would offer is certainly how the tenants manage their access control. Certainly, we'll have a Plan Commission focused on adding these details it could become an operational issue for the tenant as to which door a customer is trying to enter. Certainly, if these rear doors are more for staff, additional functionality such as a bike rack or something that's more for the staff is placed back here just to give visual cues that this is, this is more for the convenience of the tenants but not for the occupants or not for the customers. Again, just food to think about as the group moves through this.

Franz So any more questions, comments? If not, would somebody like to take a stab at the motion?

Jones I would like to make one more comment.

Franz Oh, sure.

- Jones I don't think it would be particularly difficult for the, you know, the entry/the alcove over the southwest to better mimic the one on the front, the four columns. You can keep it down in line with the existing ban board and sulfite. It seems like the front plan shows a little bit of a step out, but I think it needs to have a little bit of a scale. Two columns and a little bit of roof over it flat to the face is going to look exactly what it sounds like. Like I said, to Chris's point, this thing is sitting up at the front and you're basically showing the rear of the building. So a little bit of something there wouldn't be done in a cost-effective manner and then the entries on the front based on the parking lot on the east side could be a little more grand like they're shown. You know, you don't have to add to the water table. You don't have to raise the height like it's on the front but I think there is a happy medium to give something that has a little bit of punch. I think if we show up with two columns and a little triangle over the top, it ain't going to do it. Chris, any other response on that?
- Lake No, I agree. I mean, I think you just mentioned scale, so. It needs to be scale appropriate.
- Lese I think what we're trying to do is not have it look exactly like the other two buildings that are adjacent. I would say the IU building has two columns with a gable and I think what we are showing here at least on the east elevation is a little bit more enhanced than that. So, we definitely want to match the aesthetic and not have it be an afterthought, so.
- Walker Why don't we just let them come back with what they think we want and go from there? They can talk it to death but they have to come back anyway.
- Franz We can go one of two ways, we can trust Wayne or have them come back next month, I guess is kind of the two things that have been posed.
- Grabianowski If we approve it with the recommendations of the Plan Commission to make those architectural changes as one of the—we can have that as one of the revisions in that couplet and then trust Wayne and these guys who seem like they know what they're talking about.
- Franz I'm personally comfortable with that. I mean, Wayne will I think knows the direction we'd like to go on this so if he feels like there's issues, he would make sure we're aware of it.
- DeLong Correct. Certainly, we can check as part of the motion you could assign say a sub-committee that certainly the staff would check with, certainly share the drawings with my commission leadership and two other individuals or one other individual just so we don't get into an open-door issue. That's something else that answer any concern you might have.
- Franz If we went that route, would there be any volunteers for a sub-committee on this? Chris?
- Lake I would if we need that.

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- Franz I'll take a look at it. Anybody else?
- Fedor I'll take a look at it.
- Franz Okay. so, we would have Chris, Josh, and myself. All right? Are we ready for a motion on this one?
- Lake Go ahead. I don't know how that's going to work with that sub-committee going in there.
- DeLong I'll have to help you when you get—
- Lake We'll give it a shot here. I move that Docket #2021-09-DP to allow for development plan approval for the construction of a 5,790 +/- square foot office building in the PB Rural Professional Business Office District be approved utilizing the design flexibility section of the ordinance regarding parking spaces based on the finding of facts of the staff report and staff recommendations. With the caveat or with the—
- DeLong Including the utilization of a sub-committee to review final architectural details administered by staff with that committee being Plan Commission leadership and Chris Lake.
- Lake Okay. I don't know that I can say that as good as Wayne just said it.
- ? What he said.
- Lake Yeah, can we just put what he said.
- DeLong It's on your record.
- Lake Great, it's on the record.
- Franz Be adopted as part of motion.
- Fedor Second.
- Franz All right. There's a second. Is there any further discussion? Wayne, would you please take roll?
- DeLong Certainly, Mr. Franz?
- Franz Aye.
- DeLong Mrs. Grabianowski?
- Grabianowski Aye.
- DeLong Mr. Jones?
- Jones Aye.

DeLong Mrs. Walker?

Walker Aye.

DeLong Mr. Lake?

Lake Aye.

DeLong Mr. Fedor?

Fedor Aye.

DeLong Mr. Lewis?

Lewis Aye.

Franz That's everybody this time? Motion carries, 7-0. Thank you for your cooperation.

DeHart Thank you for your time. I'm sure that we can come up with a design that everybody's going to be happy with.

Franz Thank you very much.

DeHart It will be a nice facility.

Franz All right. The last two items on the docket are #2021-13-PP 3900 South US 421 Holliday Farms Section 6 petition for primary plat approval with waivers to provide for 51 lots in the PUD Planned Unit Development Zoning District and Docket #2021-14-DP same address, same petitioner petition for development plan approval to provide for the development of a 47.5 +/- acre site into 51 lots in the community Planned Unit Development Zoning District. Is the petitioner present? I'm assuming they're online?

Sundling Can you hear me now?

Franz We can see you, too.

Sundling All right, excellent. Well, good evening, members of the Plan Commission. My name is Phil Sundling and I'm with the Henke Development Group. As always, we really appreciate your time and consideration this evening. I know it's been a long night so I'll try to stay brief. Just a quick update on the development as a whole. We have in just over two years, we've sold over 300 lots among all of the sections at Holliday Farms so sales, of course, have been incredibly strong, far exceeded our expectations, even. On the construction side of things, Sections 1 and 2 are completed with many of the homes underway. We've got a number of families that have actually moved into their homes now. So that's kind of exciting. We're planning to pave Section 3 and 4 here in the next couple of months as well. So both of those phases will be wrapping up and we'll begin the construction of homes yet this year. Our goal is to start construction of Section 5 here very soon as well. The championship golf course is continuing its growing

period. Golf maintenance guys have really ramped up their efforts over the past month or so. Now the weather's broken and they are gearing up for a grand opening some time around the middle of June. So very exciting times, certainly very busy times at Holliday Farms no doubt. That brings us to Section 6 which is before you in consideration this evening. We are proposing 50 single-family detached lots of varying size along with a future clubhouse lot all of which is on under 48 acres. This portion of development is located on the northwest corner of our property along Holes 14, 15, 16, 17, and 18, so really kind of the back five holes there. This proposal includes the ground that our future clubhouse will be constructed on but those details will be forthcoming in a future filing. Lot in this section range anywhere from just over a 1/3 acre to just over 2 acres all of which are very similar in terms of the rolling hills, tree coverage, natural streams, much of very similar to what you've seen in Holliday Farms on previous sections. On this particular phase of the development, we have essentially no neighbors except for our own residents, so nothing really to consider as far as buffering from existing properties. One thing I'd like to point out as far as the filing goes, we had originally proposed a waiver from the construction standards with respect to the minimum block length simply due to some physical constraints we had on the site; however, after discussing with Josh Frost, the fire department, and other staff, we have agreed to withdraw that particular waiver which should be reflected in your packets this evening. In talking further with Cripe, our designer, along with Josh and staff, I think we found a workable solutions that will work for all groups with the introduction of a mid-block cul-de-sac that will achieve what Josh is looking for particular in terms of safety. Again, with the high demand we're seeing here at Holliday, we're excited to get this section approved and get going on its development. This section alone on only 48 acres is expected to generate over \$70,000,000 of assessed value. So, just incredible, very exciting, obviously. Happy to answer any questions or adjust any comments you all may have. Thank you.

Franz All right. Thank you. Maybe there's somebody I'm on but this—is there anybody in the public who'd like to comment on this matter?

Lake 02:01:48.

Franz I'll take that as a no. All right. Wayne, could we have the staff report, please?

DeLong Certainly. Staff is supportive of both of the petitions that have been filed, 2021-15-DP and 2021-13-VP. Staff certainly recognizes the amendment this evening that's been mentioned related to the midblock and cut to mitigate the need for that specific waiver. Otherwise, staff is supportive of petitions—if they've both been filed, it would be waivers that remain on the filing. I'm happy to answer any questions.

Franz All right. Thank you, Wayne. At this point in time, I'll open it up to any questions, comments for the members of the Plan Commission. No questions? All good in this case, so? If there are no questions, would somebody like to make a motion on this matter?

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Fedor I move that Docket #2021-13-PP petition for primary plat approval to provide for 51 lots in the PUD, Planned Unit Development be approved based on findings of facts as presented.

Grabianowski Second.

Franz All right. Is there any further comments, discussions? Being none, Wayne, would you please take roll?

DeLong Certainly. Mr. Franz?

Franz Aye.

DeLong Mrs. Grabianowski?

Grabianowski Aye.

DeLong Mr. Jones?

Jones Aye.

DeLong Mrs. Walker?

Walker Aye.

DeLong Mr. Lake?

Lake Aye.

DeLong Mr. Fedor?

Fedor Aye.

DeLong Mr. Lewis?

Lewis Aye.

Franz All right. That motion carries, 7-0. The primary plat is approved. Onto Docket #2021-14-DP, would somebody like to make a motion on that matter?

Lake I move that Docket #2021-14-DP development plan petition to provide for the development of a 47.5 +/- acre site into 51 lots with the assurance of installing the second cul-de-sac on Summerwood Ridge in the Planned Unit Development Zoning District be approved with the conditions noted in the staff report and based on the findings of fact.

Lewis Second.

Franz Does that need to state inclusive of the requested waivers as presented?

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Lewis Do you want to include the waivers?

Lake Yes, sorry.

Franz Do you accept that?

Lewis Yeah.

Franz Okay. All right. We have a motion and a second. Is there any comment, questions? Wayne, would you please take roll?

DeLong Certainly. Mr. Franz?

Franz Aye.

DeLong Mrs. Grabianowski?

Grabianowski Aye.

DeLong Mr. Jones?

Jones Aye.

DeLong Mrs. Walker?

Walker Aye.

DeLong Mr. Lake?

Lake Aye.

DeLong Mr. Fedor?

Fedor Aye.

DeLong Mr. Lewis?

Lewis Aye.

Franz That motion carries also 7-0. Development plan is approved, the question is will you sell them all in a day or less?

Sundling Thank you all.

Franz All right. Thank you. Wayne, other matters, we have the Appaloosa Crossing?

DeLong Certainly. I'm happy to speak to that first. We have one other item to cover with you. In your packet, is an amendment to a development plan that's been approved. There is a strong list of different items that have been modified based upon your original approval. Ultimately, it revolves around a change in the building and the splitting of a bay and ultimately, moving above like a drive-thru

mid-pulling drive-thru component. Again, staff is bringing this to you as a required to by the zoning ordinance to report out a modification that we have approved.

Franz All right. Does anybody have any comments, questions on this one? Wayne, is there anything else you'd like to bring up?

DeLong Yes. This morning, the Town Council adopted resolution 2021-07. This is a matter where the Town Council on April 12 as well as this morning discussed requiring the Plan Commission to prepare a rezoning petition. This specific petition would be associated with ground locally known as the Kato Ground. It is acreage on the south side of 200 South just to the south of the Indianapolis Executive Airport north/south runway. This is acreage that was rezoned a number of years ago by the Boone County Area Plan Commission assigning the R-3 residential classification. The Town Council has specifically articulated that they are requiring the Plan Commission to docket a petition seeking a rezoning to agriculture for this particular piece of ground. Your own rules and procedure require a rezoning petition to be filed 31 days, at least 31 days prior to your hearing date given that this action happens today. The first eligible meeting that this matter could be discussed at and meet your rules and procedure, is your June Plan Commission meeting. I would also note that per your own zoning ordinance, there are specific rules that are in place related to cluster subdivisions in an agricultural area. So certainly, we will be looking to when we review and put together the rezoning petition, we will be referencing other rules that are in place in the zoning ordinance specific to cluster subdivisions in the Ag District that I believe the Plan Commission or at least the Town Council was looking to mitigate as the emphasis from the conversations that both on the 12th and the 19th focused on reducing the probability that residences could be constructed on this acreage given its proximity to the airport and/or the extension of the runway.

Franz All right. Does anybody have any questions, comments on that? If there are none, are there any other matters? If not, is there a motion to adjourn?

Walker So moved.

Franz Is there a second?

Lake Second.

Franz All in favor?

All Aye.

Franz We're adjourned.