



ZIONSVILLE PLAN COMMISSION MEETING RESULTS

Monday July 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 IC5-14-1.5-3.5, 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 Meetings via the following forms of electronic communication:

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Masks are optional for employees and visitors to Zionsville Town Hall and Town of Zionsville facilities.

Those attending meetings in Town Hall conference rooms are not required to wear mask EXCEPT when an attendee requests others to wear a mask.

If you feel unwell or are experiencing COVID-19 symptoms, please stay home.

The following items were scheduled for consideration:

I. Pledge of Allegiance

II. Attendance

III. Approval of the June 21, 2021 Plan Commission Meeting Minutes

IV. Continuance Requests

Docket Number	Name	Address of Project	Item to be Considered
2021-31-Z	Pulte Homes of Indiana Goodwin Properties	8666 E 400 South	Petitioner request to continue to the August 16, 2021 Plan Commission Meeting 5 in Favor 0 opposed Petition for Zone Map change to rezone approximately 68.691 acres from the Rural (R1) Low Density Single Family Residential Zoning District to a Rural (R2) Low Density Single Family and Two Family Residential Zoning District

2021-32-RP	267 Industrial Park Phase 2 Replat	5301 S. State Road 267 Lebanon, IN 46052	Petitioner request to continue to the August 16, 2021 Plan Commission Meeting 5 in Favor 0 opposed Petition for replat approval to replat block 1 into Lots 3&4 in the Rural (I1) Light Industry Zoning District
2021-33-DP	267 Industrial Park Phase 2 Replat	5301 S. State Road 267 Lebanon, IN 46052	Petitioner request to continue to the August 16, 2021 Plan Commission Meeting 5 in Favor 0 opposed Petition for Development Plan Approval to allow for construction of 2 (two) light industrial, warehousing, and distribution buildings in the Rural (I1) Light Industry Zoning District
2021-28-DP	Goddard School	1580 W. Oak Street	Petitioner request to continue to the August 16, 2021 Plan Commission Meeting 5 in Favor 0 opposed Petition for Development Plan Approval of a 12,915+/- sq. ft childcare facility on a 2.6 +/- acre lot which is zoned Urban Neighborhood Business District (Urban B-1)

V. Continued Business

Docket Number	Name	Address of Project	Item to be Considered
			None at this time

VI. New Business

Docket Number	Name	Address of Project	Item to be Considered
2021-29-CPA	Town of Zionsville Draft Airport Strategic Land Use Plan		Continued to the August 16, 2021 Plan Commission Meeting 5 in Favor 0 Opposed Petition to consider amendments to the Town of Zionsville Comprehensive Plan in order to consider incorporation of the Airport Strategic Land Use Plan
2021-30-DP	Chelsea Park	11400 Templin Road (550 South) & 11630 E 550 South	Approved with Conditions 5 in favor 0 Opposed Petition for Development Plan approval to provide for the development of a 35.77+/- acre site into 31 lots (R3) Rural Medium Density Single Family and Two Family Residential Zoning District and the Michigan Road Overlay District (Rural)

VIII. Other Matters to be considered

Docket Number	Name	Address of Project	Item to be Considered
			None at this time

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

Respectfully Submitted:

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

July 20, 2021

ANNEX TO PUBLIC NOTICE FOR THE JULY 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.

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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.

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 Janice Stevanovic at 317-873-1574 or jstevanovic@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.

In Attendance: David Franz, Mary Grabianowski, Josh Fedor, Sharon Walker, Chris Lake

Staff attending: Wayne DeLong, Attorney Dan Taylor, Janice Stevanovic.
A quorum is present.

All Pledge of Allegiance.

Franz Secretary, please take roll.

DeLong Yes. Mr. Franz?

Franz Present.

DeLong Mrs. Grabianowski?

Grabianowski Present.

DeLong Mr. Jones? Mrs. Walker?

Walker Present.

DeLong Mr. Lake?

Lake Present.

DeLong Mr. Fedor?

Fedor Present.

DeLong Mrs. Madric?

Franz We have five members of the commission here today which is a quorum but still any action will take at least four votes to pass. In your packet, there was a set of minutes from the May meeting or July, June Meeting which was June 21st. Is there any comments, additions, deletions to those minutes? If there are none, is there a motion to approve?

Lake So moved.

Grabianowski Second.

Franz All in favor, signify by "aye".

All Aye.

Franz Oppose by "nay". Minutes are passed 5-0. We have some continuance requests, Docket #2021-31-Z Pulte Homes of Indiana Goodwin Properties, 8666 East 400 South petition for zone map change to rezone approximately 68.691 acres from Rural R-1 Low-Density Single-Family Residential Zoning Districts to a Rural R-2 Low-Density Single-Family and Two-Family Residential Zoning District, and

Docket #2021-32-RP petition for replat approval to replat Lot 1 into Lots 3 and 4 of the Rural I-1—no, that’s not associated, my mistake. So it’s just the Pulte. Is the petitioner present for Pulte?

Price Good evening, Mr. President and Members of the Commission. For the record, my name is Matt Price with an address at 10 West Market Street in Indianapolis, Indiana 46204. Here tonight with Robin Crawford from Pulte Homes respectfully requesting a continuance to the, I believe it’s the August 16 meeting of the Plan Commission. We are currently working with staff on the scoping and final results of a traffic study. That’s making the need for the continuance necessary. Happy to answer any questions.

Franz All right. Okay, thanks. All right. So any discussion on this matter? If so, is there a motion to approve the continuance to the August 16 meeting?

Walker So moved.

Franz Is there a second?

Lake Second.

Franz Any further discussion? All in favor, signify by “aye”.

All Aye.

Franz Oppose by “nay”. Continuance is approved for next month by a vote of 5-0. Next on the Docket are #2021-32-RP and #2021-33-DP 267 Industrial Park Phase 2 replat 5301 South State Road 267 Lebanon, Indiana petition for replat approval to replat Plot 1 into Lots 3 and 4 the Rural I-1 Light Industry Zoning District and petition for development plan approval to allow for construction of two light industrial warehousing and distribution buildings in the R I-1 Light Industry Zoning District. Is the petitioner present for that one?

Dempsey Yes.

Franz Okay.

Dempsey Good evening. This is Greg Dempsey with Innovative Engineering 3961 Perry Boulevard Whitestown, Indiana. I’m here this evening to request a continuance to the August meeting for both of the mentioned petitions. Unfortunately, we found out last Friday that the newspaper, there was some confusion on their end and they called and let us know that they had mistakenly not published our public notice for this hearing. So we didn’t have proper notification. So for that matter, we’re going to request a continuance back to the August meeting to allow for that publication to happen.

Franz All right, thank you. Any discussion, comments? Is there a motion to continue these matters to the August 16 meeting?

Grabianowski So moved.

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- Franz Is there a second?
- Fedor Second.
- Franz Any further discussion? All in favor, signify by “aye”.
- All Aye.
- Franz Oppose by “nay”. Motion carries, 5-0. These are continued to next month. See you then.
- Dempsey Thank you.
- Franz Thank you. Docket #2021-28-DP Goddard School 1580 West Oak Street petition for development plan approval of a 12,915 +/- square foot childcare facility in a 2.6 +/- acre lot which is zoned Urban Neighborhood Business District Urban B-1. Is the petitioner present? They’re online. Please proceed. State your name, address. You may be muted on your end.
- Schoeff Thanks. Good afternoon. My name is Brad Schoeff with Weihe Engineers office located at 10505 North College Avenue Indianapolis, Indiana. Here this afternoon or this evening for #2021-28-DP for the Goddard School located at 1580 West Oak Street. We’re here to respectfully request a continuance for the Goddard School tonight for the August 16 Plan Commission meeting to allow us a little bit more time to work with the offsite joiner to as we need to work with them to install some infrastructure on their property to help drain a known issue that is located between our property and theirs. So we found those provisions in our construction plans that will allow us to do so but we would like to move this forward with their permission and with their approval with us. So we’re here to request the August 16 continuance.
- Franz All right, thank you. Is there any discussion, comments on this? If there is none, there’s a motion to move this matter to the August 16 meeting?
- Lake So moved.
- Franz Second?
- Grabianowski Second.
- Franz Any further discussion? All in favor, signify by “aye”.
- All Aye.
- Franz Oppose by “nay”. Motion carries, 5-0. This is continued to next month. See you then.
- Sheff Thank you.
- Franz All right. Onto new business, Docket #2021-29-CPA Town of Zionsville draft airport strategic land use planning petition to consider amendments to the Town

of Zionsville comprehensive plan in order to consider incorporation of the airport's strategic land use. Who's going to be handling that? Okay. All right.

DeLong Can we start with a presentation from a gentleman from HWC? Another individual is online from another public company. Certainly, staff is here as well to speak to the topic at hand.

Franz All right, thank you. Please proceed.

Whitesell Good evening. My name's Cory Whitesell with HWC Engineering. We're at 135 North Pennsylvania in Indianapolis. Happy to provide a basic introduction to this plan tonight and go through any questions that you do have. The purpose of the plan has been to create a land use plan for the area surrounding the Indy Executive Airport. The plan was actually jointly commissioned by the Airport Authority, excuse me, the Hamilton County Airport Authority as well as the Town of Zionsville. It's intended to achieve the goals of protecting the current and future use of the airport and also addressing an appropriate mix of compatible development surrounding the airport but also start to implement policies that support Zionsville's goals for quality of life, economic development, and just orderly development patterns. What we are asking for is adoption of this plan as part of your comprehensive plan to serve as policy for this. As we go through this plan, our partner in this effort has been Mead & Hunt. They are online this evening as well for this.

A little bit of background, the plan was started in 2018. So this has been slowly developing across administrations. Just have felt that this needed to be done and done right and not rushed as we went through that process. We've had multiple opportunities for public engagement through this process that include multiple open houses, a series of frequently asked questions documents that were posted. We had posted multiple presentations through the course of this and held online open houses, and recorded those and posted those online to thoroughly answer questions and address comments that had been received. The primary product for this plan is a future land use map for the area surrounding the airport. We can go into as much detail on this tonight as you'd like to see. I'm equipped with a full presentation. That would duplicate some of the information that's already been posted online, so was just going to give the brief version. If you want more detail, we do have that available. We can fire up the computer and go through the more exhaustive details with this.

The key thing that we want to make sure that you understood from the plan and what is in here are really covered on Page 10 of the report in the executive summary. Those were—first of all, we want to make sure this plan does support airport safety and that's an important distinction because one of the questions that we had in this is, why is the airport extending runways? The fear from many residents was that was trying to change the character of aircraft, add commercial service, add heavy-duty logistics or other things that were going to change that. So this was trying to clarify for the public that the purpose of what we're talking about here is first of all, land use plan. If anything is going to change it's related to supporting anything that would improve safety out there but not a change in use and character of the airport. This is not a plan for the airport. This is a plan for land use around the airport, and that's such an important distinction. We had a

lot of questions and comments from the public about overflight in areas around the airport, so this plan does make the recommendations to protect areas that are undeveloped right now from development in areas where there is overflight. So that's a key policy that is in here. We have established a future land use map that is recommended. That would be in this document as well. It is recommended that a zoning overlay district ultimately be developed as a implementation step following this plan. That would be the mechanism for enforcing the details of development patterns as well as there's a couple of recommendations for economic development opportunities both in terms of employer sights on the east side of the airport as well as potentially a mixed-use district on the west side of the airport.

As I said, there's an exhaustive presentation online. We'd be happy to answer any questions that you do have about the plan as we introduce it this evening and be able to go into as much detail as you'd like us to provide this evening. Other questions that we can answer?

Franz We'll get to that in a minute. It's at this point in time I'll ask, is there any public comment on this matter in support or against? Okay. Please come up. State your name, address.

Ferguson Good evening. My name is Christopher Ferguson. I'm an attorney with Yasmin L. Stump Law Group. I apologize for not exactly remembering the address of the building we are located at but I can give you that information very shortly thereafter if you give me the chance after I get done speaking.

Franz Is that Indianapolis, then?

Ferguson It's in Carmel.

Franz Carmel? Okay.

Ferguson It's in Carmel. Thank you. It's near 116th and Pennsylvania. Thank you. I'm here before the Plan Commission this evening regarding the airport authority's position regarding my client's legal use of its property. My client being Producers Realty, and its owners and operators, the ~~Caito Keitel~~ Caito Keitel Family. The Town of Zionsville through its Town Council has initiated the process of rezoning my client's property from R-3 to Agricultural Use for the primary benefit of the Hamilton County Airport Authority and the Indianapolis Executive Airport. On April 19, 2021 the Town Council for the consideration of a resolution to direct the Plan Commission to prepare a zoning petition that was brought by Councilman Brian Traylor. Mr. Traylor referred to my client's property as being "a thorn in our side for years to come" due to its potential to disrupt the airport authority's expansion plans including its runway extension project as well as noting that the rezoning issue was brought to his attention "by the airport." At the same Town Council meeting, my co-counsel Michael Andreoli remonstrated on behalf of our clients. Mr. Andreoli is unable to attend tonight's hearing but prepared a letter summarizing his position which I will read in part in summary.

Mr. Andreoli wrote, “I provided legal assistance to Producers Realty to obtain the rezoning classification for the southern half of their property from the Ag classification to an R-3 classification. The top half or remaining portion of their property closest to airport, County Road 200, was left in Agricultural as we received information from the Airport Authority back when the rezoning was done regarding their plans to extend the runway to 7,000 feet in 2006. While the Airport Authority could not give approval to the rezoning, there was no in-person or other remonstrants to our proposal. More importantly for the Plan Commission, the exhibits that were used and attached to the petition regarding the runway’s protection zones, were prepared for us by Woolpert Engineering, the engineering consultant who provides services for the airport. Given the traffic needs on County Road 200, my clients were asked and consented to contributing to the sum of \$25,000 for the county highway’s fund to help with any future improvement needs showing the commitment of my client in exchange for or on behalf of goodwill of the rezoning. Respectfully, my clients believe that this is an ill-conceived attempt by the Town of Zionsville to rezone their property from an Agricultural use after it was rezoned and contributing monies out of their pocket to have remained in the county highway fund. The airport authority seeks to protect its airspace for its approaches to the airport. They have the right of eminent domain and had every ability since the original R-3 zoning ordinance was adopted to approach Producers Realty regarding purchasing the ground they needed to maintain the protections they need. Producers Realty was never contacted by the airport authority even after we approached them in the fall of 2020 and furtherance of development interest in the ground and how that might interface with the current plans. From the airport authority’s perspective it’s a smart move in that they are attempting to get Zionsville to rezone the property back to an Agricultural classification which we will assert is a take of Producers Realty’s property. So that either no houses will be built or in the alternative if the airport authority has the right to acquire air rights, they will acquire it from Agricultural-zoned ground as opposed to R-3, saving costs. While this is a smart move for the airport, it is potentially disastrous for the Town of Zionsville in that if this rezone is approved and challenged, Zionsville will be paying the bills for legal fees of potential damages for the taking of the ground.” That ends Mr. Andreoli’s statement.

I’ll summarize quickly and follow up. The rezoning of my client’s property from R-3 to Agricultural by the Town of Zionsville has received notable support from the airport authority. This support includes statements regarding my client’s property in the airport’s area of strategic land use plan which I believe is being discussed tonight. This includes but is not limited to Page 10 discussing key recommendations stating that to protect against new development in overflight areas, undeveloped areas and a flight path south of County Road 200 South should remain Agricultural open space. The Town of Zionsville and the airport will need to work together to “rezone the land and or the airport will need to acquire the property.” Page 70 calls for Zionsville to update the zoning regulations to incorporate airport-related development requirements. Likewise, Mike Howard, the Hamilton County Attorney, sent a letter to the Plan Commission just this prior Friday July 16, 2021 in opposition to the development of residences on my client’s property and claimed that “there is no hardship to the ~~Caito Keitel~~ Caito Keitel family if the land is not zoned for homes.” However, this statement by Mr. Howard which is shared by the airport authority and the Town

Council is wholly incorrect pursuant to well-established Indiana law and legal actions including but not limited to a regulatory taking and/or an inverse condemnation both of which our client is prepared to fully litigate if need be. The proposed rezoning from R-3 to Agricultural would significantly reduce the value of my client's property of the difference in per acre valuation between comparable sales of Agricultural and R-3 zoned land in Boone County and Zionsville is generally measured in tens of thousands of dollars per acre. Applied over 100 acres of land, my client stands to have the property be valued in the range of no less than millions of dollars. Significantly, the Town of Zionsville and the airport authority have the ability to simply acquire this land through their eminent domain powers through which they would acquire the property at the cost of its fair market value as being zoned R-3 not Agricultural. My client is in complete agreement that safety is an issue that has been raised by the airport and the Town of Zionsville and must be addressed. However, addressing future safety issues does not excuse the deprivation of private property rights without just compensation.

In conclusion, it is my client's contention that if the Hamilton County Airport Authority and/or the Town of Zionsville wants to control the use of my client's property that they can pay for the value of the property fairly. This can be done through direct communications and/or negotiations however or through the use of eminent domain. However, if the town and airport elect to continue on the current route of devaluing the property through rezoning for the benefit of the airport and not offering my client just compensation, this matter will have to be resolved through costly litigation at the expense of which will fall on the Town of Zionsville. Thank you.

- Franz All right, thank you. Is there anybody else that'd like to comment on this?
- Ferguson Oh, one last point. Sorry about that.
- Franz Sure.
- Ferguson Address of Yasmin L. Stump Law Group, 11495 North Pennsylvania Street, Suite 101 Carmel, Indiana.
- Franz All right, thanks.
- Ferguson Thank you.
- Frye Evening. My name is Bill Frye. I represent the Indy Exec Airport at 11329 South or East South, South Route 32 in Zionsville. I'll get the address right one of these days. I'm wanting to talk about the airport plan. We seem to have gotten diverted in tomorrow night's discussion on the rezoning, but we did a lot of work with the Town of Zionsville in trying to look at how to best use the land around the airport mostly in terms of economic development for the Town of Zionsville but also in terms of the best use of the land for near an airport. Residential developments near an airport are not compatible. We've seen particularly with the fields still in Brookhaven development which we campaigned against many years ago that even though residents are told that there's a noise sensitive area near the homes, and this development in the Caito property will be in a noise-sensitive area. They

are told that there is noise that accompanies an airport. Either they don't read their closing documents or the property is sold or they're not properly informed by the developers of the noise habits near an airport. So as far as the land use study, we looked at the areas that was remaining south of the airport that was not at the time developed and said putting residential homes in there just presents not only safety issues but also presents potential noise complaints and quality of life issues for the residents. The developers don't care once they're done. They're gone but the residents have to live there and deal with those issues. So I would support the adoption of the land use plan and the zoning overlay that's being recommended not only for the economic development of the Town of Zionsville but also for the quality of life for those that live around it. Thank you.

Franz All right, thank you.

Rinebold Mr. President, Members of the Commission, my name's Mike Rinebold. I reside at 2982 Stone Creek Drive. 27:17 to the airport that's right in the flight line that's usually in the Fieldstone development that was just talked about. I beg to differ in a sense that the comments that were made that residents were not aware, we're not aware that somehow we did not read our closing documents. I did read the closing documents. I knew we were in the flight plan, knew the extension of the runway was coming, and decided to raise our family there. So in regards to the residents of Fieldstone, please know that I think we knew what was coming and that we lived near an airport in that way. I would—regarding the issue, I would advise the Council, I think we need to heed the advice from the attorney in regards to lawsuits that may be coming, the time and expense that would be coming, the appeals that would exist regarding the property south of the airport from the Caito Family, and would urge the Commission to think long and hard before reversing the zoning of the current property. Thank you.

Franz All right, thanks. Is there anybody else who'd like to comment?

Traylor Good evening. My name's Brian Traylor. I reside at 10319 East 100 North in Zionsville. I did serve on the steering committee for this plan. I don't like the word 'plan'. I kind of like to consider it more of a guide because it is, the way it was presented to me when I was on the committee was this is a long term, "this is kind of where we're headed. Not an immediate thing." So this is not somebody coming in saying, "Okay. You can no longer do this. You can no longer do that with your property as you use it today." As I've sat on this committee, I also represent District 1 on the Town Council. So a few things came to light, you know, through this. I want to thank my partners from the airport as well as Cory for helping with this. Largely, I agree with the plan but there's a couple of points that I disagree with. I was heard on the committee however; I was in the minority on these two items I'll point out. That's why they didn't make it into your pamphlet there. So the two items I want to talk about are (1) there are five different places within the document that use the terms "encourage sewers". So this is a 30-year plan in my mind, 20–30-year plan. If you encourage sewers and you bring sewers to the area, this quickly becomes a five-year plan not a 30-year plan. The only thing keeping development from happening up there is the lack of sewer and the fact that sewer is extremely expensive to put in. So this comes into my second point which is leap frog development. You know that in the document it says, we previously had a policy that steered away from leap frog development

which would mean coming out, planting something out in the rural area with nothing around it. It encourages us to rethink that for this particular area. I would—I wish that weren't in there. Again, I voiced my opinion. I was heard, I was just in the minority so I'm not at all disgruntled. It's just my two cents on what I think the residents in the area would like to see. So if we bring in sewers, you're going to have leap frog development immediately. You're going to have that area build up. If you have another situation similar to what we had with Wolf Run a few years ago where they wanted to come in, build 400 homes, and some multi-use things. It's going to be a whole lot harder to push back on that if we have a document that says we are encouraging sewers into the area for us to go back on that. So those are my two items. I enjoyed my time sitting on the committee, got to meet a few nice people. Just want to make my couple of points known. Thank you.

Franz All right, thank you.

Worthington My name is Patrick Worthington. I live at 2724 Still Creek Drive in Zionsville, the Brookhaven subdivision. I've only been here for two years. I'll be in Zionsville—Just before the pandemic, I moved here. It's been quite interesting to see this whole thing from, you know, new resident come in. I don't really see a big issue in Brookhaven with the airport. It doesn't—it's noisy, but you know, I knew I was moving there. The thing I don't understand is the complete kindness kind of given to this land use plan. It almost seems like Zionsville wants the airport to get bigger not the opposite, and that's what kind of bothers me about the whole plan. The idea to me that we build these beautiful communities, like you know, you've got this Holliday Farms community. You've got all these places you're building and instead of focusing on how do we become this amazing small community with, you know, growth and interesting places to go and doing, we're focusing on how do we make this airport better which we don't even own. It's not even part of our county which makes no sense from an external person by the way just coming in. I'm from a place where that would never happen where an airport be owned by a different county but I don't know that's a different deal from a different time. So, I just don't understand all the kindness. That's really what my question is. Why do we want to help the airport? That's just what I don't understand. Thanks.

Franz All right, thank you. Is there anybody else? Is somebody online? We're going to let the person go online. You're muted.

Gerlitz Hello.

Franz Okay. There you go.

Gerlitz You can hear me? Okay. Yeah. My name is Bruce Gerlitz. I reside at 11344 Abercairn Court. That's in the Brookhaven neighborhood. I've got Union Elementary School behind me. I can hear the kids playing. It's pretty cool to hear but I'm a little concerned that this rezoning change greenlights the airport's runway expansions which I think are going to seriously impact Brookhaven, Fieldstone, and the neighborhood south of us across 300. These aircraft are going to be—this is going to greenlight that. These aircraft are going to come in on their first expansion 80 feet lower and another 30 feet lower. I would also

contend the airport hasn't been entirely a great neighbor on this. They've been somewhat deceptive. They claim that they're always operating at the safest—I mean, the expectation is that they would operate their facility at the safest level possible yet they tell us that this runway extension is to make it safer for the big jets to come in. I would argue that the attempt of these regional airports is reliever airports for the larger ones like Indianapolis International. The jets that they're bringing in now are way bigger than they were bringing in 15 years ago, and there were very few of them. If they need this, if they're claiming that because of these jets they need a long runway, it tells me that they're not operating at the safest level right now and they should be. So these jets shouldn't be coming in. Right now, they should not be coming in. When you rezone this, you give them a green light with the FAA to do those runway extensions.

I have another comment. They don't emphasize the economic impact to the communities. I'd like to know who has vetted this \$430 million dollar a year economic impact for the airport. Where I'm from, if you hear something that's too good to be true, it ain't. Okay? Now, I've gotten an executive summary. Okay? It just basically runs up every airport in Indiana as an economic impact. I tried to ask the Indiana Department of Transportation, the Aviation Division, as to how they vetted that. There's nobody there that can answer that question. So I'd like to know as one question I would like answered tonight is, who here in Zionsville vetted their economic impact study? Because it's pretty clear that if you go to the website of the company that does this, it sure sounds like we'll give you whatever you want. Okay? There's no vetting. The only people that I've talked to, they've only seen the executive summary. They haven't seen the assumptions that go into the economic analysis. They have not also seen the questionnaires that were sent out to the airports. The odd thing is that when you ask for those questionnaires that were submitted by Indy Executive Airport, they claim that it's confidential. Well, that's going to come out in a freedom of information request. I'd like to know who vetted this because it sure sounds like Mr. Worthington's comment is. It sure seems awful cozy between the Indianapolis Executive Airport and the Town Council and our town planners. It seems awful cozy but I haven't seen any engagement of the people impacted in the Brookhaven and Fieldstone because this is going to green light it. When you guys rezone this, it's going to green light it. It's going to get worse. It's not good now and you've got an elementary school of 700 kids. Okay? These jets, they're talking about 60,000-pound limit. 60,000 pounds, 30 tons of metal and high-octane jet fuel screaming in at 200 miles an hour. Okay? I want you guys to consider everything. Also, when you talk about economic impact, I'd like to know who looked at the economic impact on the property values of these three neighborhoods. When you green light this zoning change, you green light that runway extension, and you green light the depreciation of the property values for all the people in these three neighborhoods and possibly below that. So anyway, that's all I have to say. Thanks.

Franz All right, thank you. There was another person in the audience.

Clemmer Hi. Good evening, Tyson Clemmer 11316 Still Creek Drive also in the Brookhaven neighborhood. I think you'll hear a theme and a number of residents in the Brookhaven neighborhood, the Fieldstone neighborhood. Again, air traffic in this area is a high concern of residents that live in the direct path of the

runway. You know, I've lived in the neighborhood about five years. I can say I was aware of the airport when we moved in. Also, the amount and type of air traffic has changed which has further increased our concern in the area. I've also done a lot of research with our concern being in the direct flight path as I understand it. The plans for the airport and the runway extension are separate from this land use plan. That's separately controlled, separately controlled by the FFA so I don't think you have any control over that in particular. I would reiterate and clarify, I think some of the thorn in Councilman Traylor's side is myself and some of my fellow neighbors of just the concern and issues that we have with the air traffic. I really, I applaud the effort by Zionsville to try and come up with a land use plan that considers the air traffic in the area, the compatible land use. All the guidance documents that you will read around flight patterns and air traffic, they all recommend avoiding residential neighborhoods within this area. So I actually appreciate the effort of the neighborhood. I fully understand and frankly agree with some of the concerns of my neighbors about the runway extension and the air traffic. As I understand it, you have no control over that but given the plans for the airport, I do think this is a very thoughtful attempt to mitigate the concerns of myself and other neighbors that actually aren't going to be as close as this proposed property. So, appreciate the thoughts.

Franz All right, thank you.

Bowling Hi. I'm Robin Bowling. I own the piece of property at 802 South 1100 East Zionsville. It was my family's property, both my parents have passed. I have seen that property since I was a child and saw the airport grow. I have not lived in the Zionsville area for 30 years but have visited frequently because my parents lived here. My concern is the same concern that my parents had 20 years ago. The airport came through with a proposal that a 20-year plan that they would be building an extension to the airport. We've watched over the years, the airport and airplanes getting larger. My concern is on my piece of property and this plan, it's proposed that it stays open space as agricultural. I'm concerned because I want to know, you know, is it going to be the east-west runway which is what they proposed 20 years ago for my mom and dad. Years ago, was asked what the proposal was and said it would be another 15 years out. So the plan is eventually, there's going to be put in an east-west runway or thought to be. They haven't put that in hard writing. My comment is I have it right now under contract for somebody that would like to put a few houses on it not a humongous housing addition. The main thing that I have to say is for Zionsville, I don't understand why Zionsville would not see it to benefit for properties out there to be able to be improved and to get you'd have more income into the Town of Zionsville and the area and bring more population to improve all of your entities that you have here in Zionsville. Basically, I don't understand why Hamilton County is getting the benefit. It's the Hamilton County Airport. It's not Boone County's airport. So that's all I have to say. Thank you.

Franz All right, thank you. Is there anybody else?

Dohm Steven Dohm, 11440 Valley Meadow Drive, HOA President for the Clarkston Subdivision. I'll be brief. We would support the concerns of the homeowners at Brookhaven that we would certainly be concerned with the continued expansion of the airport. We are quite a bit further south of the airport but definitely directly

in line for the landing pattern so any larger planes would be detrimental to our property values and we would like to at least make sure that's considered in at least any decision that's made.

Franz All right, thank you.

Zaring Good evening. Bill Zaring, 10380 East State Road 32 Zionsville, Indiana. I've lived in the area 50 years, farmed for 37 years, and they have all been in Boone County. One of my farms is right across from the airport. I read this plan and the first thing that jumped out to me was this gentleman says he wanted to emphasize that it's not about the airport. It's exactly about the airport in my opinion. I look at this thing and I just don't see what Zionsville is going to get out of this deal. In my opinion, for Zionsville to capitalize on this proposal, they should zone everything from County Line to 1100 Commercial light industry and develop it. Then I see a benefit for Zionsville, but other than that, I mean, if you say, "Well, we're going to put some agri-tourism over there, and we're going to do this over there", I just don't think that's going to do much for Zionsville. I think it's safe to say, I mean, I've seen so much going on at this airport. I think it's safe to say that this airport is not going away. In my opinion, I think it'd be wise for Zionsville to really think this and try to, you know, capitalize as much as they can on this airport expansion. Thank you very much.

Franz All right, thank you. Is there anybody else that would like to comment on this?

Rittgers Hello. My name is Pat Rittgers and I live at 5189 Sherrington Court in Zionsville. It's in Oxford Woods. We're not supposedly in the flight pattern of the airport but we've had many planes that come over our, we're a little development. As of Sunday, there were seemed like major jets coming over. The biggest plane that ever come over, came over Sunday afternoon. You could actually see the people in the plane. They were that low over our house and we were outside and we didn't know what was going on. So with the airport getting larger and this expansion and us not being in the runway area but we are, I just want to be advised on how our neighborhood can be included more when these meetings come about because we knew nothing of this expansion because we're not within the area. Thank you.

Franz All right, thank you. There's another person online. It looks like you're muted.

Schackmuth Hello?

Franz Yep.

Schackmuth Yeah. So it's actually John Schackmuth. My wife and I live in Fieldstone neighborhood, 2505 Fawn Bluff Court. I did attend the meeting maybe a year, year and a half, two years ago about the airport extension and I raised my concerns at that time about the flight path and the glideslope of the planes. By extending the runway, it is, you know, the glideslope which I believe somebody else said is about 80 feet lower. I do believe if we don't have an avenue to either audit or ask the question of the actual height of the aircraft off the ground, I believe like that woman who just spoke. They're lower now and the extension hasn't even happened. The amount of aircraft and the size of the aircraft have

increased steadily over the last ten years we've lived in the neighborhood. We were, again, I'm going to chuckle at this. We were aware that the airport was there. We had no problem with it, the size, we did our research. I come from a history of aviation in the Navy. We've lived by airports but I believe changing the land use of that residential neighborhood to the north of us to Agricultural is one step in a process that somehow Zionsville and Boone County and the airport have in their mind then eventually it will then go to Light Industrial. I believe at the last meeting, somebody had stated from the airport that larger planes won't be coming in but the Light Industrial people want to ship close to the airport which then means more aircraft and more possibility of cargo aircraft. So I guess, my concern and many of our concerns from Brookhaven and Oxford and Fieldstone is that, is that area going to turn into what Whitestown has over by 65 and now have distribution centers and have their own planes coming in and out which would be detrimental to our, to the value of our homes? So I would like to limit the growth there. I don't see how it's a benefit from Zionsville and Boone County. The benefit is the residents that are here now, the property values, and the tax base that we represent for this town. Thank you.

Franz All right, thank you. Is there anybody else, another person online?

Gerlitz Hello?

Franz Hello.

Gerlitz Hi. Yes, this is Bruce Gerlitz again. I just had one more point, a procedural question. I know the zoning procedural guidelines specify a certified letter should be sent to homeowners in adjacent properties but when you have a scenario like this, isn't your procedural guidance in need of some revision. I would argue that when you have a rezoning issue like this that impacts people in regards to an airport, I think that certified notification should have gone to every homeowner in both Brookhaven, Fieldstone, and the neighborhood south of us. That seems to me like a procedural revision that needs to happen certainly with regards to this issue. So those letters should have been sent out. Secondly, going forward, anything future with regards to the airport because this isn't an adjacent property. I know some people in our neighborhood did get certified letters, most did not including most the people in the flight path. Again, this green lights a runway extension. So, thank you.

Franz All right. What we're dealing with tonight is not a rezone this is a recommended change in the comprehensive plan so it's not a rezone. Wayne, can you discuss notification requirements on this matter?

DeLong Certainly. As you've indicated, as a comprehensive plan amendment does require publication in the newspaper. I believe that publication went out, was published on June 17. Certainly, in addition to that level of outreach, there was multiple social media outreaches. There was direct emails to prior interested parties that have participated in prior discussions with the town. So certainly, there's no methodology that mandates a certified letter in specifics to a comprehensive plan amendment. I'm not saying that's not a bad way to go but certainly there's other methods that the town articulated including providing several weeks here in between the publication of that notice and the discussion.

- Franz How long has this process—we're going to get back to this. How long has this process been going on, a couple years?
- DeLong I'd probably say two years. This is a 2018 project that was initiated. There's been several online events and side, not just an open house if you will which is something that we would always do with a comprehensive plan update but with the conversation specifically focused on the airport expansion. The airport expansion is a 2008 circa topic that is the airport being funded by the FAA is not a conversation that the town has a say in as indicated by some of the presenters this evening. It is certainly a topic that is driven by the FAA. So, there's been multiple points of interaction here.
- Franz Okay, thanks. Would anybody else like to make a comment on this matter? If not, would you like to respond to anything?
- Whitesell Certainly a lot of different comments were out there. There is—it's important to understand that what we're talking about is a comprehensive plan. This is not the rezone. That's the big difference between this. I certainly understand, does this green light a rezoning of it? I think that so much of it is that this ultimately comes down to a couple of comments that we heard in the public which is, what do we need to do moving forward? This is the document says a lot of things have happened. There's a lot of decisions that have put these in place but what are you going to do moving forward and how do you make the best decision for how to deal with these compatibility issues which are really significant right now? We're all kind of struggling with this and this has been a conversation we had time and again. What are you going to do moving forward? What about the next developments next to this and what do they need to be so that the residents in those neighborhoods don't have some of the same challenges the Brookhaven and Fieldstone do? That's really where this needs to address. Now, we still need to address their concerns and questions. We've done that through this process and answered many of those, and we can go through it but it's really about looking at that next stage and how do we do this moving forward from there. If there's specific questions you wanted me to respond to, I certainly can do that.
- Lake So what is the process to expand a runway? So do they have the unilateral ability to expand that runway without going through Plan Commission for approval given that land is—they do, Wayne?
- DeLong Correct. There's actually a settlement of a lawsuit which articulated these specific points where the airport that—an airport has its own jurisdictional authority over any land that is inside of the fence. Certainly with their federal mandates and certainly Mr. Frye and others can speak to these items much better than I. Certainly, an airport is its own entity and has its own rights and duties to deliver to the public.
- Frye I just wanted to clarify some comments that were made about the expansion of the airport. The runway extension is currently under construction. So this is not anything that's planned in the future which this has been in planning since 2008. We've gone through all the procedures, environmental statements, public hearings, and so on. So that will expand our current runway from 5,500 feet to

7,000 feet. The long-term plan calls for an additional 700 feet but that was probably many years in the future. There's nothing beyond the 7,700-foot runway. The runways that are being extended will not handle larger aircraft than are currently using the airport. The runway, the length of the runway is only one factor. It's a load-bearing capacity of runway that tells you how big an aircraft can go on there. The runway extension is not increasing the load-bearing capacity of the runway in any way.

Franz Currently, what is the largest plane that flies in and out of there? Is it like 30 passenger, 8 passenger?

Frye Oh no. The largest planes that come in now are basically corporate aircraft. Probably the largest aircraft that we've seen come in there is a G-550. It's hard to say what they hold because each corporation outfits the interior of the aircraft for their own. They could hold 4 people, or they could hold 10. They're all— corporate jets can be configured a number of different ways so we go by the weight of the aircraft not the number of passengers they got.

Franz Also, I'll throw this to anybody out there, I did notice also the \$430 million annual impact. Was that an error or is it just—

Frye Well, no. The \$430 million dollar impact was by a study that was done by Aviation Indiana. It wasn't commissioned by the airport or we had very little input to it. They looked at all various factors in all of the airports throughout Indiana not just Indy Exec. I mean, you can look at that number and say, well, I'm not sure. I know where that come from and granted we don't know either but there is an impact to the airport. We think it's more like \$200-250 million dollars to the area but it's hard to get that number down. If you look at the way they did this study, they looked at not only the immediate impact but how it impacted the community in terms of corporations that hire people, how many people work at the airport, how many jobs that related to something that goes on at the airport. So it was a pretty comprehensive look at a lot of different aspects. Whether that \$430 million dollars can be etched in stone, you know, your guess is as good as mine. I agree with whoever had the comment about it. The impact of the airport is significant. That study is apparently going to be redone within the next couple of years and that will reclarify that number for everybody.

Lake It wasn't etched in stone but it was etched in print right here.

Frye Right. That's the only number we have right now and that's the official number for aviation—

Lake It's not an official number? You just told us it wasn't official.

Frye Well, it's an official number and that was published. Whether we agree with it and whether there are some complaints about whether the numbers were put together properly, I can't say but that's the number that the *Aviation Indiana* published for that airport as they did for all the other airports in the state.

Grabianowski So when they're looking at the area, it's not just Boone County or Zionsville. It would include Hamilton County where most of those corporations are?

- Frye It includes all the area around the airport. It includes Boone County. It includes Zionsville. It includes—
- Grabianowski Carmel, Westfield?
- Frye Even northern parts of Marion County. It's the entire radius around the airport is what they're looking at.
- Franz Okay. Would somebody like to clear up this Hamilton County-Boone County controversy? Wayne, can you—I mean, the people are saying this isn't Hamilton County. It clearly looks like it's in Boone County to me.
- DeLong Certainly, the state statute allows for support of certain entities to be located in a different jurisdiction. It could be a hospital. It could be an airport. In this case, this airport has existed since the 1950s.
- Frye 56, yeah.
- DeLong 1956. When this airport became available for purchase, ultimately the entity that acquired the airport was Hamilton County. Certainly, not here tonight to speak to that choice. Certainly, where was prior leadership of Boone County at that time? This action is supported by state law.
- Franz So does an airport pay property taxes?
- DeLong Airports do not pay property taxes.
- Franz Okay. All right. That's—I was just—
- Lake What zoning classification would you suspect Employers Sites District would be?
- DeLong Well, to answer that question would be based in this yearlong effort revolving around the forum-based code. There's a much larger answer behind your question and I'm happy to dive into that information but the question in front of the Plan Commission tonight is do you or do you not pivot from the existing comprehensive plan? No zoning ordinance exists without the community first adopting a comprehensive plan. So in essence, you do have a plan. It was adopted when the town consolidated in 2008. It brought forward the Boone County comprehensive plan. It's illustrated on Page 51 of the study. It's been a couple different places on the website. Specifically in this existing comprehensive plan, it supports a mix of residential and commercial uses all around the airport. We had a large discussion tonight about the compatibility of residential uses. In essence, this study at a minimum is trying to pull away residential uses in proximity to the airport. Other discussions are going to happen tomorrow night, so on and so forth. So in the absence of considering this comprehensive plan this evening, the airport runway still expands and the town still functions under its existing comprehensive plan. So tonight is a discussion of do you amend the current comprehensive plan to be more forward thinking than a plan that was adopted 20 years ago. That's sort of a baseline conversation but

from there regardless of an adoption of a new comprehensive plan is this form-based code which would be a wonderful tool to utilize to better address development patterns, development pressures in different districts up to an including this northern area which is green in agriculture. Currently right now you have a pending solar farm petition seeking development of this area. You have Wolf Run which is looking to be a bird sanctuary nature area, another good conversation point to change in the community. So there's a number of things happening in this area. So the timing is, I think, rather ideal to have this conversation focused on change that's coming to the community.

Lake I guess the reason I ask about that is, you know, some of these terms are a little ambiguous as to what their use might be. For example, we're talking about how residential use is not compatible next to the airport yet there's a whole section here within throwing distance of the airport called mixed-use campus housing district. While it may not be in a flight path, if we're saying that residential is not compatible in that area because I live in Stonegate, I have planes fly over my house low all day long, too. Why are we then suggesting that residential be anywhere near the airport if we don't support residential near the airport?

DeLong Well, I think it's the distance from that mechanical zone and the relationship to the runways. Yes, there's going to be planes that fly over anybody's home in any part of the country. Zionsville is a wonderful place to live. There is a demand to bring residential to this community. In that same breath, how do you balance that moving residential northerly and northwesterly is two strong tracts that are being followed right now because that's where infrastructure is or will be provided. So the counter balance here is if there is to be residential, will that be a lower story? Will it be built to a standard that's more resilient to noise? There are—that can all be articulated by your zoning ordinance which is based upon this conversation coming forward with the form-based code. So certainly, certainly Cory you can speak to, you know, more specifics on the residential recommendations but yeah that's—

Whitesell The workup, what I'd also say on that then is that when you look at residential, the thing that's most non-compatible is usually a single-family traditional suburban residential. When you start looking towards more of a higher density product, you can start to see that, you know, there's less outside use. It's more focused on the indoor especially apartments that are attached housing products or something that is a little smaller in nature in terms of the footprint. Those type of products generally don't have the same compatibility issues because there's not an expectation of—those folks are not spending tons and tons of time outside. It's a balance that we strove to find in this because there was a lot of push that said we want to see residential product out here but it needs to be the right types of residential product in the right locations. In that situation, that's a place where it's far enough away from the airport, you know, the overflight areas that it would be appropriate and compatible.

Lake I just struggle with that residential is not compatible but here's residential. I mean, we're specifically saying in this report that in the district around the airport, residential is not compatible but here's residential. I've designed multi-family residential in the path of an airport. Those people were transient. It tends to be lower-income housing. They kind of don't have a choice. So we're sticking

people with an un-ideal situation that don't have a choice to go elsewhere typically, when you do a project of multi-family in and around an airport. So that's my—I don't want to be in here, you know, the discussion we're going to have tomorrow night is about residential being suitable next to an airport. I don't want to sit here and say residential is not compatible, we're at an airport and then have a plan that has residential next to an airport. I don't want to sit here through more meetings fighting whether or not to allow a residential project when we've all said, we shouldn't have a residential project.

Whitesell I would just point out again, the two factors. One is location, it's not in the direct flight path. Two, it's the type of product that you're looking at that's not that single-family product which is the biggest compatibility issue. As soon as you move away from single-family, you have less compatibility issues in this. That's something that was felt, you know, the committee felt very comfortable with that.

Lake Do we know the distance that lane and the way noise travels from the source? Is that known—do our airport folks know that?

Whitesell Stephanie Hunt is online. She may know the answer to that question. The noise studies, how far does plane noise travel?

Lake From the source. Because it travels outward in a 360-degree direction obviously more than the linear direction but—

Frye When we did the plan for the runway extension, we conducted what's called noise profiles enough noise contours. If Stephanie can get on, she'll know the details. Basically, with the look that there's distances from the airport and what the noise levels would be. It's done in terms of, you know, decibels. So those contours, none of the area that would be impacted by the airport had noise contours that were the—I apologize, I forget that exact term of it but it's basically a 24-hour average noise level. None of the areas that would be impacted by the airport exceeded the FAA standards for airport noise over that range.

Lake Yeah, I'm less worried about whether they exceed the standards and whether they impact quality of life in those areas. A 24-hour average obviously is a diluted average not a, you know, peak intensity of noise.

Frye Of course, aircraft is moving so it's length of time over any one spot is short.

Lake It is.

Ward Bill, would you like me to jump in for just a moment? This is Stephanie Ward. Can you hear me? It's a good question about the noise. As Bill has mentioned, as a part of the runway extension project, a process was undertaken called the environmental assessment. In that as Bill has mentioned, the noise contours were developed for the proposed runway extension. Those noise contours fell within what's considered to be the FAA acceptable parameters which are also sanctioned by the Department of Housing and Urban Development. So this is a common measurement that is accepted from an industry perspective. Those contours that are considered acceptable did not leave airport property. Now are there overflight issues? Certainly, and that's the type of thing that we're looking

to try to address with this plan that trying to limit the amount of residential developments sits in the direct flight path approaching and departing the runway is what's critical. So, trying to balance that as Cory has mentioned with some of these other areas where we could look at some feasible development with residential was a balancing act. You know, if we could draw a big bubble around the entire airport and all of the area where we're operating in the basic flight path, that'd be a perfect scenario. This isn't a situation where that could happen and therefore the committee felt very strongly about trying to balance that with being able to provide space for development that would be compatible but yet not impact quality of life. So the plan that you see before you as Cory's explained, we really tried to balance that to the best of our ability of providing some areas that could still certainly be developed and have some economic opportunities for the town as well as then still protecting quality of life issues because those overflights are still going to exist. As is mentioned, we've not increased and we're not expecting to increase the size of the aircraft but they are going to still be operating at the airport. So how do we balance that so that the airport continues to operate in the manner that FAA expects it too because of it being a federally obligated airport but also be the best neighbor that it can in terms of not creating undue impacts to the surrounding neighbors and not exacerbating that with additional development that would be incompatible?

Lake Thank you.

Franz A cross-wind runway, is there—there's no timeline mentioned that I saw in here. Is there a timeline for that or is that kind of open-ended?

Whitesell There's no timeline for cross-wind runway and there are no plans to implement that. That is in the old master plan from 2008. That was a mandate from FAA that that be incorporated and that the runway protection zones be protected as part of it, as part of, you know, the service of that aircraft here. There is no plan to develop that at any point.

Franz Mr. Traylor, I've got a question for you. You talk about that you were opposed to the language that says this is to encourage the sewer. I mean, how would you propose this thing be drafted, I guess, is the question I've got?

Traylor I believe if you just take out the language of encouraging and it's not—you know, I'm not oblivious to the fact that the world changes and so will this area. I'm just not one to propose that we hurry it along. I think if you just eliminate the language of encouraging and take out the language that says that leapfrogging essentially is acceptable for this project or for this plan, then I think that would be satisfactory.

Franz Thanks.

Fedor Would that be the note of growth comments that I read in there or would this be a new note of growth for the town? I saw that somewhere.

Traylor Correct, yeah. It was mentioned that if that it would create a second note out here and that essentially from downtown Zionsville to this airport village would grow together.

- Fedor Well, it would grow out from both areas.
- Traylor Correct. Right, yeah, yeah. Then, you know, I represent and live out there and feel like I have a pretty good sense of what the residents out there are looking for.
- Franz All right, thank you. I do want to comment on somebody said that the comments on the rezone, you got the impression you didn't feel like they were appropriate for tonight but however, because this document clearly states it contemplates or encourages a rezone, I think that those comments are germane to this conversation tonight so that's my opinion on that. So I don't think those were out of line.
- Lake If I understand it correctly, if this is approved it becomes part of the comprehensive plan and at some point in time then there would be need to be a request to then rezone portions of this land at some later point or to not allow certain uses by this committee or this commission. Is that correct?
- Franz It's a factor that can be used to justify some development. So I think if somebody came in with a rezone request the fact that this says this is an appropriate use for it, that would support the rezone request. It doesn't necessary mandate that it's rezoned immediately. Is that correct?
- Taylor Well, the comprehensive plan doesn't rezone anything—
- Lake That's what I'm just wanting to clarify.
- Taylor You know, Mr. Franz is correct that the, both the comprehensive plan says is one of five factors that the town council considers on a rezone and you consider in making a recommendation. The totality of the circumstances is what controls so if four support a rezone and one doesn't it's kind of the majority of the totality. You don't have to carry the day with all five and often do not. So, what you're being asked to do tonight is to amend a comprehensive plan. So you don't have this happen very often. So I would just remind the Commission that when you adopt a plan, when you adopt a comprehensive plan or you amend, the standard is whether the, in this case the amendments, promote public health, safety, morals, convenience, order, or promote the efficiency and economy of the process of development. So it is pretty broad and then if someone wants to rezone property after this were to be adopted, then you know, each request is taken on their own there.
- Lake I just—my goal is that that is clear to everybody how that process works. The sum of the comments were kind of like, you do this, you're waiving the magic wand and it's a done deal, and it's not. It has to go back through additional process.
- Taylor I would agree. I think that's an important clarification.
- Lake Yeah. So thank you though for flushing that out.

- Fedor Wayne, what is the—you might know. In Westfield to the east of that property, what is that zoning on that property across the county line there? Is that Ag still? Is that—
- DeLong Of all the things that I know, that is one thing I do not know is the zoning classification across the county line offhand.
- Lake Zaring's know.
- DeLong We can certainly look it up.
- Fedor Okay. I just didn't—
- Lake You've got some answers in the back there.
- Franz Please come up to the—please come up to the microphone so we can get on the record, please. State your name, please.
- Zaring Sorry about that. Bill Zaring. From County Line east both sides of 32, it's zoned Commercial at the Owner's Discretion. In other words, if you own property and you want it commercial, you don't have to go to APC Commissioners for a hearing, you just tell them, "Yeah, I want it commercial", and you get—you know, your taxes are going to go up but it's—there's an overlay zone on both sides of 32, I believe all the way to Westfield unless they've changed it.
- Fedor Okay, thank you.
- Franz So Wayne, we are making a recommendation to amend, correct? Either favorable, unfavorable, or no recommendation, is that my understanding?
- DeLong Correct.
- Franz Okay.
- Walker Then if we want to include what Mr. Traylor has suggested, can we amend the amendment? What do we do with that, or is it appropriate for me to ask that?
- Franz Sure.
- Taylor Well, there is a recommendation. You have study and recommended comprehensive plan but only the Plan Commission can make a recommendation.
- Walker Got it.
- Taylor So if you want to include that rider, I'll call it, and ask the Town Council to consider that, you may.
- Walker Okay, thank you.
- DeLong Certainly, as staff and Mr. Traylor noticed it, this information as well and as also indicated in this draft plan, this area is comprised of multiple sewer utilities. The

challenge of the reverse of what the plan says today as drafted for be if it could maybe be interpreted that you're asking one utility to attach to another or cause a certificate of territorial authority to be used or not utilized. I mean, it's, it's—I'm not certain the plan has the weight and control that you might think it does by changing the language simply because the utility that services land from 32 all the down to 200 South is Hamilton Southeastern Utilities. TriCo formerly Clay Waste serves northerly to 200 South. So Clay Waste, TriCo has no authority to extend northerly. They do not have the territorial authority. So I don't have an answer for you per se in as to the benefit of this change or should the change may have not be changed. I'm just saying the certificates that are out there may trump or interfere with any push or pull the town may look to incorporate into the draft document.

Franz Well, it's going to take some sort of development of significance up there for somebody to lay that sewer pipe in. I mean, so I see where you're coming from to say we encourage. You know, somebody's going to look at that and, well, hey they want to—they support this 500-home subdivision or something, whatever it is not that I understand. As I recall, it was kind of an issue with the Wolf Run situation too, so.

Fedor Wayne, I'm looking at map to map here from the current plan to what we're proposing. At the end of the day, what I'm really seeing a difference in is from the airport west of 421 and a slight section north of 32. That's really the only difference from the current, I mean, as far as heavy changes from the current comp plan to what we're proposing.

DeLong Another significant change would be the introduction of the airport village as Mr. Lake was touching upon.

Fedor Yes, yes.

DeLong Then certainly in an Agricultural District, a cluster subdivision is supported. You can build a residential development. You could still plat it. You would just seek those entitlements through a special exception process in an Ag District. So it's not that residential is prohibited today, it's just formulated as we discussed earlier in a different format more campus-like atmosphere, an attached atmosphere, in a method that's not traditional single-family detached residential. So you're right, so the items you have documented are changes as well as the ones discussed earlier by Mr. Lake.

Fedor The multi-families looks like it's directly south of the landfill. Is that kind of where I'm seeing that? Where the front side or whatever we want to call that.

DeLong The area to the south is a campus district and certainly when this was discussed by the committee, this was envisioned to be a certain type of product that is well oriented in height, certainly maybe an empty-nester type of product that you have is occupied a certain amount of the years and other times it's not. Certainly, these are zoning decisions that will be articulated here in the near future if this plan were to be adopted.

Fedor Okay, thank you.

Franz So the process from here would be, you know, either a continuance—you know, we're missing two members of the Plan Commission so something like this, is it appropriate that everybody votes on it or is present to make a decision, that's questionable and I would leave that open to the rest of the members. Then this goes to the Town Council. They have a hearing, public hearing, on it also. Is there steps after that? Is this, they can approve it or is there timing? What's the total timing of this?

DeLong Based on the adoption, it's the next action in order to validate the steps the town has taken as the document is reported and they correct it at the Boone County Recorder's Office. The town moves forward from there.

Franz Okay. So the plan in theory if we gave this a recommendation to go to the Town Council, they could approve it at the next hearing? Is that—okay. All right.

Taylor They do it by resolution.

Franz Right. Okay. So what do you guys think?

Grabianowski One of my concerns is will this—by forcing people to continue to have farmland and if they can't do anything else with it, I mean, that's to me a real financial burden on people when land could be developed. I think Mr. Zaring mentioned that maybe more of it should be commercial warehouses, whatever, I don't want to get in the way of people that live there in nice neighborhoods. Just right around the airport, that gives you another option if you don't want, if you're 75 years old and you don't want to farm anymore. I'm not sure quite sure what Agritourism is. I probably need to recuse myself because I'm in the Agritourism Sector.

Franz Isn't Agritourism up here?

Grabianowski I'm on 1100. The airport is right behind me.

Franz All right.

Lake I do agree that leaving landowners with an option to find the highest and best value for their land is important. I also believe that safety is important and you know, residential, dense residential more north of where it is is probably not the right thing. Not that we should be making that decision necessarily through this comprehensive plan but I do think giving them the option to go to commercial was important or some other means. Their neighbors, if they don't like it, have the same path that everybody else does to remonstrate against that. I don't think the comprehensive plan says that that can't happen. Wayne, Craig, if I'm wrong—I mean, this doesn't—we're not saying here that this agricultural land can't, somebody can't come up here and ask for a rezone to go to commercial.

DeLong That's correct. I mean, the comprehensive plan as Mr. Taylor has focused on is one of five components that the Plan Commission is considering but certainly, I mean, the current comprehensive plan supports mixed-use which is residential and commercial and industrial uses as well surrounding the airport. Certainly, I

can think of even at least one petition off hand that the larger building was built on the north side of State Road 32 as the current comprehensive plan supports Industrial therefore the party was granted a variance to build a larger building because in the future that building could also be used for a future industrial use.

Walker Some of those things are mentioned in some of the letters that we received also. At least, I have them underlined that way.

DeLong No, that definitely was a concern that was articulated especially in the, I want to say, late August open house we did and certainly the frequently asked question session as well is the concern of industrial users large intensive operations even, probably even mid some smaller operations. I don't remember specifically but just in general that non-residential component that potentially could have a negative impact on this area. Certainly, the current comprehensive plan supports that today and so those same development pressures, those same conversations would occur absent the adoption of a new updated comprehensive plan but mostly be rely a work around with what Mr. Traylor is getting at is the introduction of sanitary sewers.

Lake Be an interesting spot for a solar farm.

Franz You're playing out this mixed-use campus housing district along 421?

Lake Yeah, I mean, that's the area. I mean, again, I've designed multi-family in the path of an airport. You know, it takes—it's traditionally not market-rate housing. It's traditionally low-income housing where people kind of don't have a choice. They're kind of stuck, you know, so you're saying, hey, we're going to make it HUD compliant because that's what we have to do. There are ways to do that but it's still not ideal that those folks don't have another option. That is their option.

Franz I hear you. I think the one thing that currently is not in a direct flight path because it's sitting off to the side. It's in a potential future flight path because of the cross-wind runway which, you know.

Lake Yeah. Both those runways are there and you've got planes taking off in both directions.

Franz Yeah, they're going to—

Lake That whole area is going to be noisy. Is it going to be directly as loud as if you're standing right behind the plane in its path but it's going to be noisy, noisy enough that it is not going to be an ideal place to reside? Yes, that noise doesn't last very long but I'm pretty sure it's short enough to wake up a baby.

Grabianowski Between 4:00 and 7:00 it's pretty intense. It's one plane after another.

Franz Okay.

Walker I'm over on 400 off of 800 and we've seen an increase even over there in traffic that's going to the airport but they're going over our house. We can hear them

- but I don't get a lot, I mean, but there are planes going. We're just assuming that that's where they're headed.
- Lake We get a lot of jets over Stonegate loud enough that it makes you look up to see if it's a military aircraft because of the low altitude which it's flying.
- Fedor I don't think there's a part of Zionsville that's not affected by this airport in some way as far as airplanes are concerned. I'm up on the north side and I—
- Lake Yeah.
- Fedor It's something that's growing, you know.
- Franz State your name.
- Worthington It's Patrick Worthington and I spoke earlier. We have a new neighbor to the south of us, Former Vice President Mike Pence and he is flying into this airport already. So there will be lots of new security, lots of new people, lots more airplanes, lots more reporters, so you know. Not that, I mean, it's the same for Trump.
- Fedor Couldn't get him to move in your neighborhood, you'll have a no-fly zone.
- Worthington I mean, hey, I mean. I'm just saying, it's definitely a point to think about that you'll see a lot more interesting aircraft flying in based on that assessment. I doubt he's going to hang out and do nothing in his new house. That's all I'm saying. Thank you.
- Franz So I guess, when we look at this. I mean, I personally think when you—it's better to have something down that say, hey, here's what you can build, here's what you can't do. It sounds like the big thing you've got an issue with is the mixed-use campus housing district. There's some other, I mean, there's other mixed-use airport village district that is again, not directly in the—that's north.
- Lake I haven't counted but I'm guessing there's no less than 40 places in here where it says housing is not compatible then it shows something that is specifically called out as housing which to me is an inherent problem.
- Franz Would you like to comment on that?
- Lake Housing is housing.
- Whitesell I think where we would go is a little bit different in that it is, you know, the type of housing is what's important and the location is important. You know, where you look at single-family housing is generally considered incompatible with an airport use. That's where we have the most conflicts historically. When you get to a multi-family use even townhomes to an extent or some of the attached product that we're looking at here, we do not see the same compatibility issues over time. I don't feel like you're immediately going to saying if you put in apartments out here, it has to be subsidized low-income housing. There are ways to do that because of the desirability of the community here. What we found

through the process was a push that said we wanted to see more housing out here because there are more residents that want to live in this area. We need to do it in a place that is best suited. That's the balance that we were trying to strike in this. It's not ideal. I think, you know, you do it ideal, everybody is completely separated and then, you know, we don't have it bubble overlap but that's the reason for that balance within this plan.

Franz Okay, thank you. So how do you guys want to proceed?

Fedor I think you brought up holding off or continuing this until we get a full board up here. I would agree with that if you wanted to wait until next month until everyone was here to get their opinions on this as well since we are missing two of us here.

Lake Especially if Mary is not going to—

Franz Well, we need to research and make sure if you should recuse yourself.

Grabianowski Well, I was going to ask because I live right—yeah.

Franz So you would be in what district, this one?

Grabianowski Yeah, I'm on the east side of 1100.

Franz Okay. What do you think about that? She lives in one of the—

Taylor I'll talk to her.

Franz Okay. All right. So, we'll talk offline. So again, if she would recuse herself, we'd have four people so if there's one difference of opinion, then it's not going to pass anyway and it would be automatically continued. Like I said, I know—I know I can say with pretty high certainty, Mr. Jones will have something to say about this. I think Cindy might have something to say, too, so with that, I would recommend that we continue this to the August 16 meeting. Can we—if we continue to next month, can we just pick up the discussion that the commission and have the hearing as essentially, public hearing moment is completed?

Taylor Yes, you may.

Franz Okay.

Taylor It's up to you. It's up to how you want to handle that. You conducted your public hearing that you noticed. We might include Don's dad in the discussion.

Franz I would think there might be some questions for some of the people who were here that would have to come forward and answer any potential questions, so. I guess I would take a motion to continue this matter to the August 16 meeting.

Lake So moved.

Franz Is there a second?

- Walker Second.
- Franz Any further discussion? Mary, can you vote on the—she can vote or she can pass. I don't think it's going to matter.
- Taylor She can certainly vote as long as she thinks she can be objective about whether or not to continue.
- Franz Okay. All right.
- Grabianowski I'm all in favor of that.
- Franz All right. All in favor, signify by "aye".
- All Aye.
- Franz Oppose by "nay". All right this matter is continued to next month by a vote of 5-0. Thanks everybody for your patience on this one. If you can, try to keep the report. Next on the Docket is #2021-30-DP Chelsea Park 11400 Templin Road 550 South in the 11630 East 550 South petition for development plan approval to provide for the development of a 35.77 +/- acre site into 31 lots R-3 Rural Medium-Density Single-family and Two-family Residential Zoning District and the Michigan Overlay District Rural. Petitioner present? Please begin.
- Price Thank you, Mr. President. For the record, my name is Matt Price. I'm with the Denton's Law Firm at 10 West Market Street Indianapolis, IN 46204. I'm here tonight on behalf of Fischer Homes. Let me introduce a few folks. I've got two individuals who I believe are joining us via the Zoom format and then I've got our civil engineer here with me this evening. Via Zoom, I have Michael Kady with Fischer Homes and Josh Cribelar who is our civil engineer with American Structurepoint. Then, John Dobrowski sitting there in the second row is also with American Structurepoint. The four of us are available to answer any questions that you have. Mr. Rust, if you would be so kind as to load up my PowerPoint. Let me just, uh, while he's doing that kind of bring this forward a little bit. This is undoubtedly a memorable project in some ways because we received plat approval back at the April Plan Commission meeting together with, I believe, three separate waivers. There was a great deal of discussion about what I'll call the eastern arm of the project at least. As I've gone back and I want to tell you all that we went back as a team and read the minutes to make sure that we had a firm grasp on what the issues were. I want to talk in detail about that this evening and see if we might find a path forward with the development plan. So we can go to the first slide.
- I chose the landscaping excerpt out of our set of construction plans that we submitted in connection with the development plan approval process. You can see approximately in the center of that drawing is the access off of Templin Road. The property consists of just over 35 acres on the north side of Templin Road. I'll take kind of the curvy road that extends even further north into a cul-de-sac there is what we call Pembridge Lane. Then around Pembridge Lane, we have 20 individual lots for detached single-family homes. I've got some

elevations that I'd be happy to show you later on in the presentation. That's what I would call kind of the north central, west portion of the development. Then extending east we have Campden Walk. It's actually Campden Walk. I grew up on Camden Court in Zionsville and it's a little, it's different. It's got a 'p' stuck between the m and the d. That extends east into a cul-de-sac and you'll see kind of an arm extending south into Templin Road which is an existing driveway that's there today that we're reserving for emergency access only. So that's not for general use. It's been vetted by INDOT and found to be acceptable. The homes and this is an important part of the project, the homes as proposed are oriented so that the front of the house faces south to Templin Road. So the frontage, if you will, is Templin Road. There is pedestrian connectivity to Templin Road both by virtue of an individual walk that extends from each home together with a sidewalk that you can see is kind of that green strip in the middle of the eastern arm which is a sidewalk connector down to a perimeter path that is also along Templin Road, a walkway. It is the intention for the project to be accessed from the rear, the design of these homes is that each of them comes with a detached two-car garage that is accessed from the alleyway that we call Campden Walk. That's an important feature of the project which I'll describe a little bit for you in more detail as we go forward. If you could go to the next slide.

Wanted to show kind of what those Campden home elevations looked like. As you can see, they're narrow frontages, you know, borrowing from many of the architectural themes that we see here in Zionsville. Go to the next slide. This is what we call our Masterpiece Collection. Again, this is on the north and west part of the development along Pembridge Lane. Go to the next. Gives a few more examples of what that collection looks like. Finally, I think we've got one more. Got those as well. One of the things I wanted to talk about was with regard to there was a great deal of discussion about the access to the individual homes along Campden Walk by delivery drivers and I think in particular a concern that delivery drivers may stop on Templin Road and just try to walk up to the front door of those homes. We did a couple of things to try to address that. One is, you may recall, that we added 12 parking spaces along Campden Walk on the north side of the homes, on the north side of the garages that are all 8 x 22, the idea being that there would be space for a delivery truck, a good-sized delivery truck, to locate on the north side of those homes and walk the package to the front door assuming they didn't use garage delivery. I know for Amazon for example, that's a premium service but it is available and becoming, I think, increasingly popular. If they did choose to walk to the front door, then we tried to facilitate access to the front door assuming a parking vehicle on the north side of the development by providing for that green, providing for that sidewalk connection from Campden Walk further south.

We also, I wanted to point out, have added our substantial landscaping treatments to the south of the homesites themselves. Again, with the idea of creating an attractive streetscape. We think the frontages along Templin Road with that treescape would add to the aesthetic of those homes and their orientation in that way. Then thirdly, I wanted to point out something that is kind of an oddity, I would say, with the zoning ordinance. It's not discussed in the staff report but it's something that we discussed internally as a development team which is that the front yard setback applicable to properties that are within the R-3 zoning which is

the zoning classification we have here, medium-density residential. The front setback requirement is the greater of 20 feet from the right-of-way or 70 feet from the middle of the street frontage. So one of the things that we discussed I think during the plat meeting was—I think we discussed this in kind of a theoretical fashion was, could you conceivably flip the homes and orient them facing north as opposed to facing south and thereby obtain a street address on Campden Walk and thereby maybe limit or mitigate the possibility that a delivery truck might access along Templin Road or might park along Templin Road? What that does for us, I believe, if that were even possible, that once we flip that around that we would then have to meet that increased setback requirement from Campden Walk and I think thereby eating up a great deal of our lot space. So what we've tried to and it was one of the earlier discussions that we had as a team on this project was to have a project that met the development standards for this zoning classification to not be seeking development standard variances. So in addition to the aesthetic treatment that we think the project is improved by having the frontage facing Templin Road, it also allows us to meet the setback without having to seek a variance. So that's another factor in why we arrived at this point. I wanted to describe that in detail, just to be very open with this. I wanted to describe that in detail for you because I felt like the plat, the hearing on the plat was awkward frankly and uncomfortable, and something that I wanted to let you know that the petitioner and their counsel paid attention to those comments and were grappling with this, I think the same way you are. So, when we come back to you with a proposal and the homes facing south and towards Templin, it's not because we're not hearing what you're concerns but there are some other very significant issues as far as laying out the property and having it comply in a thoughtful way.

Lastly, I did do—there was some discussion about would it be possible for the county to enact a parking restriction ordinance to at least provide some teeth in addition to restrictive covenants in the HOA documents prohibiting parking along Templin Road. I did some additional research into that and I did identify that in a handful of developments across Boone County including the best that I can tell two in Zionsville, the county commissioners have seen fit to enact parking restrictions limiting parking on county roads where they're, in my judgment it's hard to know the legislative intent exactly but it appears like where there was some potential for conflict that the county commissioners did see fit to limit parking. One of those instances is actually in Stonegate and it's at, it's the western streetscape for Stonegate Drive as it extends from Regents Parkway I believe it is.

Lake Yeah. I made that petition.

Price Oh, did you really?

Lake The purpose there was that when schools had events and families parked on both sides of the road, a firetruck could not get up Regents Parkway..

Price Yeah, that makes a lot of sense.

Lake That was the reason they were very easy to work with in getting that done.

Price Accommodating. That was—I appreciate that additional background. I wasn't aware of the reasons for it but I did see that that was possible. We would certainly be open to pursuing that. I felt like in going to the commissioners it would be helpful to know if that was something that the Plan, that made a difference to the Plan Commission before making that request of them. If it does, I would certainly be willing to go forward with them and Mr. Clutter was counsel at that last meeting on the plat. He made the offer to work with us on that if that was something the Plan Commission wanted to go forward with. I'd like to reiterate that our willingness to do that this evening if that assists you in your evaluation of the case. With that, John and I will be able to answer any questions that you have and appreciate your consideration this evening.

Franz All right, thanks. At this time, is there anybody in the audience who would like to comment on this? Come forward, state your name and address. Is there anybody on line too?

Dohm Steven Dohm, 11440 Valley Meadow Drive. I'm the HOA President for Clarkson Subdivision. It is the subdivision that is most near north to this representing the 28 home owners in that subdivision. So, I reached out to Fischer Homes. We're definitely supportive of the development of the subdivision. We think it fits within the overall scope of the neighbors, the homes that are already in that neighborhood. What's not really talked about here which I think is an important part is the, I think there's a proposed green space that's in the plan. What's not included in that green space if you look at your—if you have the initial filing, it's, uh, I believe it's Page 89. There's a creek that runs through that area. It's Boone's, I believe it's Boone's Creek. There is—we have about four or five homes. In the area that between Boone's Creek and our homes is part of that green space. We would—we think it's reasonable to actually include that ground, that land as part of the development into that green space. One thing that's not, you may not realize the Clarkson Subdivision homes are denied access to pedestrian space to get to downtown. There's no sidewalk for us to bike or even walk downtown. We're one of the actual few subdivisions that is denied access, pedestrian access, to downtown. We think that including that greenspace would certainly offer us as a, uh, as a homeowner's association. We could work with our neighbors. We're neighborly, to allow access to that common space so you can do a walk, at least have something like a park that would be beneficial to us as well as the new neighborhood. I have reached out to them. They stated at the time of the conversation that they didn't own the land at this point but it was their intention to purchase that part of the land and we would just like to make that, I guess, that formal request or have the council make that a formal request, and that there be some commitment by the village and Fischer Homes that that land would not be developed. It is not the best land to develop a house on. It's very hilly. There's also the creek and so it's difficult to access that land but we would like to see that land included in a green space so that we might take advantage of it. I appreciate your time. Thank you.

Franz All right, thanks. Is there anybody else that would like to comment on this? Do you want to respond?

Price Well, first of all, appreciate the comments very much. I know my client has been in communications with a couple of different property owners that are

immediately in the vicinity. One is a fellow named Dexter McCormick who's immediately west of us. Everybody knows Dec, then the property owner I believe to the north and west of Dec that is also an adjoiner, I don't believe I'm in a position tonight to commit anything relating to the greenspace property as far as its use or benefit of the subdivision even though I'm not saying that's not possible. Then my only reason in saying that is, I don't know what other commitments may have been made to Dec or his neighbor just as part of that. There's certainly no intention to develop it Fischer, by Fischer Homes.

- Franz I guess, I'm trying to understand exactly where because you've got all the developed property which you're going to develop but there's more to the property than what you're going to develop. Correct?
- Price There is, yes. It's, uh—
- Franz Okay, all right.
- Price Yeah, it's offsite. Much of it is in the, I believe, is in the flood plain because of its orientation to the creek mentioned. So it's just being left undisturbed. As far as what its ultimate disposition is though whether that's incorporated in Mr. McCormick's property or into that other neighbor's property, I think that's the question that's left to be determined.
- Lake Will that be due north directly of the cul-de-sac?
- Price Yeah. Yeah, it's actually north, a little bit east, and then a big chunk that kind of wraps around to the west, really kind of envelopes Dec's house.
- Franz Sure, all right. All right, thanks.
- Walker It's not as easily seen on that very first thing that you sent us because I looked at that.
- Lake I think it shows up on C200 as an outlined property. There's a property directly west.
- Franz Correct. Yeah. Yeah, all right.
- Lake Which is kind of your property, it's in an island. Then you've got north of the cul-de-sac and then wraps around to the northwest and down to the west.
- Franz All right. Is there any other—anybody else that would like to speak to—I already asked that question. All right. At this point in time, I'll ask for the staff report.
- DeLong As the petitioner indicated, there was and certainly as this group recalls, there was significant dialogue with the previous petition related to this project. A lot of things have been worked through. The conversations, of course, are focused on access Mr. Price is getting at is what steps the homebuilder will take to mitigate potential issues that could arise from this new economy that we are in with a lot more home-based deliveries coming than previously certainly before the pandemic. Certainly, conversation points for the Plan Commission but specific to

what the staff they're charged is to review the project based upon the zoning ordinance. The project is supportable as it's been filed. There's a number of things as typical to work through, engineering comments to be resolved. With all that said, staff is supportive of the petition as it's been filed. I'd be happy to answer any questions.

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

Lake I assume your, our petition cover page with your staff report on it becomes part of the public record?

DeLong That is correct.

Lake You might want to change under vehicle parking, your last line that's on page 3 of 4, I think that's meant to read 21-31, provided for in lots 21-31 not 31-31.

DeLong Certainly. It's a very narrow universe we live in.

Lake Yes. Just wanted to make sure if that's part of the public record that it reads correctly.

Franz Maybe that's the same guy that put \$430 million.

Lake Yeah. There you go, maybe. So I do support your attempt to get with Boone County for no parking along that road. I would also encourage that immediately inside the subdivision because likely what will happen then because you've got the sidewalk in front of those homes that dumps out right at the entrance, that Amazon truck is going to pull right in and stop right inside that entrance and run down the sidewalk and run back to his car, do a U-turn right there in the entrance, and head right back out or he's going to pull up and back into Camden and then turn back out. I mean, that's the shortest, least, you know, least distance possible. That's what they're going for, so.

Grabianowski Matt, would it be possible to put the—the address numbers obviously have to be facing Templin Road. Could you also make sure that they get put in the garage, above the garage so that delivery people and emergency people can find them easily.

Price We can do that. I, um—

Grabianowski It's not very expensive.

Price It wouldn't be and I, uh, I think we could provide since we will not have an address off of Campden, we could simply identify the property on both sides of the house absolutely.

Franz I agree. When you talked about flipping the, you know, facing the house facing north versus south, I mean, the problem with that is you're going to have that garage sitting right in the front yard, you know, probably 10 feet away. I get that, I understand. I mean, I think, you know but—I was talking to Wayne earlier. So

while the Campden Drive or whatever it is, is going to be set up to handle emergency vehicles, they're still going to respond potentially to the address on the front on Templin Road. So he brings up the point that if it's not somebody familiar with it and emergency units, you know, vehicle's called, they couldn't park on Templin Road as an emergency vehicle. They'll need access to the front of the house anyway. I was thinking maybe you could put some sort of fence up but with that situation that doesn't make any sense.

Lake There's a big ditch to get across there too. That swells—

Franz Yeah. I know people will jump it. You know, I—

Lake Yeah. Well, yeah.

Franz Yeah. I think if you could work with the county on getting at least no parking except for emergency vehicles, no delivery, you know, that sort of thing. So, and the—if I remember correctly, the post—the mail is going to be in a central, all one point, right? It's going to be a box.

Price Let me ask and make sure that John—

Franz I think I recall that.

Debrowski My name is John Debrowski. I'm the project engineer with American Structurepoint. Address is 9025 River Road Indianapolis. Yeah, we have the CBU box units scattered throughout. There's one that will serve all of the Urban layout homes, the 21-31 box. Then we have another two up Pembridge.

Franz Do you know if the Amazon, they've got the Amazon pantry or cabinets whatever they do. You know, in apartments, they've got those Amazon boxes with locks and they just throw your packages in there and you get a code. Do you know if those things are outdoor that they could be handle outdoor, you know, weather conditions versus indoor? I was just wondering if that was the case you could potentially set one of those things out if they—I don't know.

Lake I believe that they are.

Dohm I could certainly speak to that. At the mobile station at 106th Street and 421, there is outdoor Amazon storage so if it's there it's going to be weather proof. So, yes, they—

Franz I was just wondering if that's, if somebody could reach out to Amazon at least for their deliveries and say—I mean, it wouldn't be just for this subdivision. It could be anybody in the area that could drive up to utilize it. I don't know if that's something—

Lake I think your only challenge just from a cost and size standpoint is those have to be within a certain reach range and so do your USPS boxes. So you'd be looking at a significantly bigger structure to accommodate many of those but it may be a—I mean, it may be a solution to a problem. I mean, we're not obligated to come up with—

Franz No, no. I'm just—I'm not saying part of the conditions, I'm just saying that that's maybe something that could be investigated, so.

Lake I would note for the record because I noted this last time that while we're generally—we approved this once and said that this was compatible with the land use, this density is not found anywhere in this immediate area, this one section of the—

Franz Yeah, but it's the overall density.

Lake I get it. It's just—when we talked about it last time stating that this character, the word character was used, is found in other areas of this district, it is in fact not. Just to get that noted. Larry would be disappointed if somebody didn't say it.

Franz It was unexpected that Larry wasn't going to be here today, so. I know you always enjoy your conversations.

Price I'm not smiling, am I?

Franz All right. Is there any other further questions, comments? If not, is there a motion on this matter?

Lake If we add something relative to the parking signs, we can only add that they make an attempt because we can't speak for Boone County, correct? How would that—how would that read or is that not necessary in this part of this?

Taylor I'll go in with the lawyer. You can give a couple options.

Lake Yeah.

Taylor You can impose conditions upon your approval. So you could say that it's a condition that the county approve no parking or you could simply make it a condition that the petitioner request no parking from the county.

Lake Okay, thank you. With that, I would move that Docket #2021-30-DP to provide for the development of a 35.77 +/- acre site into 31 lots R-3 Rural Medium-Density Single-Family and Two-Family Residential Zoning District in the Michigan Road Overlay District be approved based on the findings of fact in the staff report and staff recommendations submitted findings of fact with the amendment that the petitioner submit for approval with Boone County to have the area on Templin Road in front of the Lots 21-31 designated as a no parking zone.

Grabianowski Second.

Franz All right. We have a motion and a second. Any further discussion on this item? If not, Wayne, why don't you take roll on it?

DeLong Certainly. Mrs. Grabianowski?

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Grabianowski Aye.

DeLong Miss Walker?

Walker Aye.

DeLong Mr. Lake?

Lake Aye.

DeLong Mr. Fedor?

Fedor Aye.

DeLong Mr. Franz?

Franz Aye. Motion carries, 5-0. Approved, thank you. Nothing else on the docket for tonight. Anything else you need to add, Wayne?

DeLong Two quick things. Certainly, you have a Plan Commission meeting tomorrow evening that covers additional business from items continued from last month's meeting kind of the project we mentioned earlier here, our forum-based zoning ordinance. This is a project that we'll be looking to post some public meetings in September. We'll get those invitations and notice out there. These are what we anticipate conducting is (2:07:37) and conversations on a daily basis in different portions of the community. The final night, Thursday night, of that week which will be the week of September 20 will be here at Town Hall to kind of talk through that overall findings from those different community conversations. This is all in draft if you will. We haven't finalized all the details but that's our target for the moment is the week of August 20 to have those conversations.

Walker August 20?

DeLong August 20, yes. Yes, I'm sorry. It's—ships moving a little fast, so we—yeah, but that's uh—I know. It's August next month but those are the two things. Again, the Plan Commission meeting tomorrow evening. Janice, anything jumping out?

Stevanovic Just the special meeting tomorrow.

Franz All right. With that, is there a motion to adjourn?

Grabianowski So moved.

Lake Second.

Franz All in favor?

All Aye.