

ORDINANCE NO. 2024-21
OF THE TOWN OF ZIONSVILLE, INDIANA

**AN ORDINANCE TO AMEND THE
TOWN OF ZIONSVILLE ZONING ORDINANCE
FOR THE
TOWN OF ZIONSVILLE,
BOONE COUNTY, INDIANA**

AND FIXING A TIME WHEN THE SAME SHALL TAKE EFFECT

Plan Commission Petition No. 2024-21-Z

WHEREAS, I.C. §36-7-4, et seq. empowers the Town of Zionsville Advisory Plan Commission, Boone County, Indiana, to hold public hearings and make recommendations to the Town Council of the Town of Zionsville, Boone County, Indiana, concerning ordinances for the zoning and districting of all lands within the incorporated areas of the Town of Zionsville, Boone County, Indiana; and

WHEREAS, Section 194.140 of the Town of Zionsville Zoning Ordinance, as amended, provides for the establishment of a Planned Unit Development District in accordance with the requirements of I.C. §36-7-4-1500 et seq.; and

WHEREAS, in accordance with I.C. 36-7-4-600 et seq. the Town of Zionsville Advisory Plan Commission, Boone County, Indiana conducted a public hearing on June 17, 2024 to consider a proposal to amend the Town of Zionsville Zoning Ordinance for the Town of Zionsville, Boone County, Indiana, (the "Ordinance") filed as petition 2024-21-Z (the "Petition"); and

WHEREAS, the Town of Zionsville Advisory Plan Commission certified the proposal to amend the Ordinance to the Town Council of the Town of Zionsville, Boone County, Indiana, with a unanimous favorable recommendation on July 15, 2024 (Exhibit A); and

WHEREAS, the Town Council of the Town of Zionsville, Boone County, Indiana, considered the Petition to amend the Ordinance at its regular meeting on August 5, 2024.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ZIONSVILLE, BOONE COUNTY, INDIANA, IN ACCORDANCE WITH I.C. 36-7-4- 600 et. seq., AND ALL ACTS AMENDATORY AND SUPPLEMENTAL THERETO, AS FOLLOWS:

Section 1. The Zoning Ordinance for the Town of Zionsville Boone County, Indiana, is amended as follows:

- A. 120+/- acres described in the Certification attached hereto as Exhibits A and B is rezoned from the Village Business (VBD), Urban General Business (B-2), Lincoln

Park (SU-8), and Dow Planned Development (PUD) districts to the South Village Planned Unit Development (PUD) district.

- B. The Planning Director shall cause the Town's Zoning Base Map to be amended to reflect this change in zoning.

Section 2. Conditions and Commitments. The Petition and this rezoning are subject to the written commitments attached hereto if any.

Section 3. Savings Clause: If any title, section, subsection, phrase, clause, sentence, or word of this Ordinance shall for any reason be held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect.

Section 4. Construction of Clause Headings: The clause headings appearing herein have been provided for convenience and reference and do not purport and shall not be deemed to define, limit or extend the scope or intent of the clause to which they appertain.

Section 5. Repeal of Conflicting Ordinances: The provisions of all other Town ordinances in conflict with the provisions hereof, if any, are of no further force or effect and are hereby repealed.

Section 6. Severability: If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remainder of this Ordinance.

Section 7. Duration and Effective Date: The provisions of this Ordinance shall become and remain in full force and effect upon adoption and publication according to Indiana Law and until its repeal by ordinance.

Motion to Reject
~~DULY PASSED AND ADOPTED~~ this 5th day of August, 2024, by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of seven (7) in favor and zero (0) opposed.

Ordinance 2024-21

Denied

**TOWN COUNCIL OF THE TOWN
OF ZIONSVILLE, BOONE COUNTY, INDIANA**
(Signatures of Council Members)

	YEA	NAY
Motion to Reject		
Jason Plunkett, President		
Brad Burk, Vice President		
Tim McElderry		
Craig Melton		
Evan Norris		
Sarah Esterline Sampson		
Joe Stein		

I hereby certify that the foregoing Ordinance was delivered to the Town of Zionsville mayor John Stehr on the 6th day of August, 2024, at 9:00 A.M./P.M.

ATTEST: [Signature]
Amy Lacy, Municipal Relations Coordinator

MAYOR'S
APPROVAL

[Signature]
John Stehr, Mayor

8-6-2024
DATE

MAYOR'S
VETO

John Stehr, Mayor

DATE

EXHIBIT A

Plan Commission Certification

[attached]



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

Be it advised that, pursuant to Indiana Code 36-7-4, on July 15, 2024, the Town of Zionsville Advisory Plan Commission met on Monday, July 15, 2024 to consider 2024-21-Z: South Village Planned Unit Development. Notice of public hearing was advertised and legal notice was published in a newspaper of general circulation in Boone County, Indiana.

2024-21-Z: South Village PUD – request for a favorable recommendation to change the zoning of approximately 120 acres from the Village Business District (VBD), Urban General Business District (B-2), Rural Single- and Two-Family Residential (R-2), and Dow Park PUD, to South Village PUD to allow for the establishment of certain development standards for future development in the area.

A motion was approved to forward a **favorable recommendation** by a vote of five (5) in favor and one (1) opposed, subject to the following condition:

Residential uses are not permitted at the southeast corner of Zionsville Road and 106th Street.

The Town of Zionsville Advisory Plan Commission hereby certifies that the above is a true and accurate record of the proceedings of the meeting of the Town of Zionsville Plan Commission held on July 15, 2024.

TOWN OF ZIONSVILLE ADVISORY PLAN COMMISSION



Josh Fedor
Vice President – Presiding Officer



Mike Dale, AICP
Secretary

EXHIBIT B

South Village PUD

[attached]



SOUTH VILLAGE

Planned Unit Development

ZIONSVILLE, INDIANA

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SECTION 2. INTENT

Pursuant to Ind. Code § 36-7-4-1500 *et seq.*, the Town of Zionsville (“Town”) wishes to create a zoning district for which a Planned Unit Development (“PUD”) is required. The purpose of the South Village Planned Unit Development District (“South Village PUD”) is to designate parcels of real property as the PUD, specify uses or a range of uses permitted in the South Village PUD, specify development requirements in the South Village PUD, specify the plan documentation and supporting information that may be required, specify any limitations applicable to the South Village PUD and meet the requirements of applicable laws. The Town’s goal is to designate certain parcels of property for development south of the Village Business District, including small-scale mixed use development including a blend of multiple uses like retail space, residential living, office space, open and public space and community facilities designed to meet the cultural and economic needs of the community. (Thompson, 2024) The designated parcels of real property is the area generally located south of Pine Street, west of Elm Street, north of Zionsville Cemetery on Zionsville Road, and east of 2nd Street (collectively referred to as “South Village”). The district is bisected by Eagle Creek and encompasses both active, passive, and natural park settings. The South Village PUD is intended to stabilize this designated area that has fallen into disuse and provide an energetic focus to the South Village. The combination of retail shopping and entertainment is intended to provide a destination for residents and non-residents alike and will serve as a community enhancement for residents. Office development in the area is intended to attract the very best corporate citizens to the community. The residential development component is intended to create the “eyes on the street” (Jacobs, 1961) environment and increase the economic vitality and versatility of the Town.

South Village will embrace a new urban park that creates a new venue to support and attract festivals, markets, entertainment events, winter activities for residents and non-residents, as well as attract visitors to the Town. (Development, 2017) To promote the development of the South Village, the Town will lead master land planning, street improvements, landscaping, parking, and utility infrastructure improvements.

The South Village PUD promotes an aesthetic compatible with the Town’s Village character, characterized by multi-story connected buildings that define the street and create a sense of enclosure. Buildings are the dominant visual element. Landscaping is formal, with regular street trees, planters, and the lawn areas around the park areas comprise the dominant vegetative elements. Surface parking areas are located behind buildings and screened from view of the street by the principal building, or by landscaping or other buildings when the parcel does not front on the street. Structured parking is highly desirable and likely necessary and parking variances are discouraged. (Flynn Battaglia Architect, 1998)

The South Village PUD encourages vertical-mixed-use development and residential development of a variety of housing types. Retail, restaurants, and service businesses are desired on the street level along highly visible corridors. Upper levels of mixed-use buildings should provide office and residential uses. Less visible streets may be developed with residential uses that include village homes, row houses and multi-family buildings.

Additionally, the intent of the South Village PUD is to:

1. Provide a transition from the industrial zoning to the east to the mixed-use village zoning along 106th Street and Zionsville Road and north into the Village Business District.
2. Develop responsibly and reasonably to preserve, enhance, and celebrate the terrain and prime natural amenities on the designated parcels of land within the South Village PUD.

3. Provide architectural standards and building types creating a sense of harmony between existing and new development by requiring the alignment of building features and details, and scaling of building heights to be sensitive to development adjacent to and throughout the South Village.
4. Allow land uses that will complement the region, add high quality jobs, and encourage a higher quantity of jobs per square foot of building space.
5. Allow complementary support businesses that are subordinate to the primary permitted uses.
6. Develop natural amenities using floodways, water features, existing open spaces and parkland, and other sensitive areas.
7. Provide a trail network for recreational and pedestrian transportation purposes, allowing visitors, local employees and residents a safe and enjoyable experience in the Village and South Village areas. (Shannon Rogers, 2019)
8. Provide adequate parking to accommodate resident users, local employees, and visitors to the area.
9. Provide improved traffic flow through the South Village.

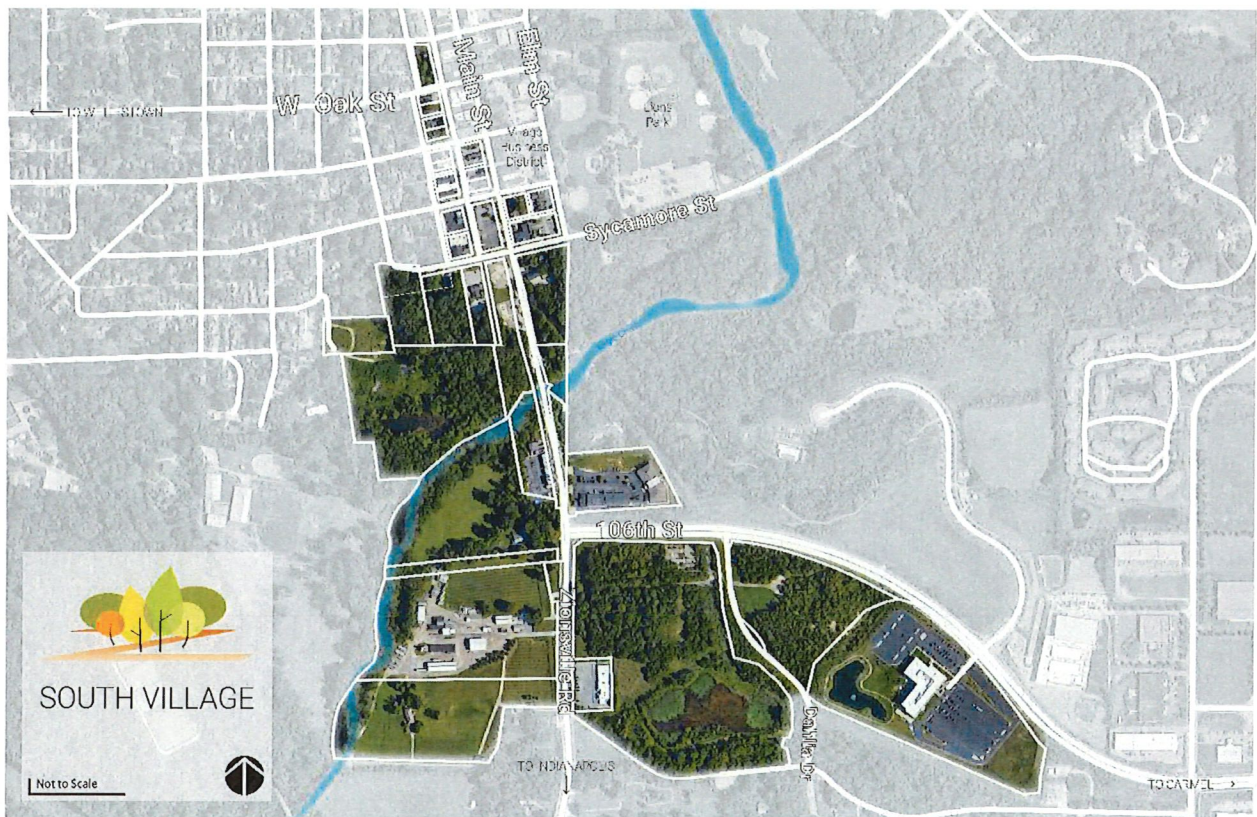


Figure 2.1 – South Village Area map

SECTION 3. DEFINITIONS

REFER TO ZIONSVILLE ZONING CODE ("ZCD") FOR ALL DEFINITIONS NOT INCLUDED. TO THE EXTENT THAT THE DEFINITIONS IN THIS SOUTH VILLAGE PUD CONFLICT WITH THE ZCD, THIS SOUTH VILLAGE PUD WILL CONTROL.

Art & Music Center: A community center that encourages arts practice and provides facilities for musical performances, art galleries, and workshops.

Art Gallery: A building for the display or sale of works of art.

Bar: An establishment or part of an establishment used primarily for the sale or dispensing of alcoholic beverages by the drink. Bars include taverns, bottle clubs, and similar facilities serving alcoholic beverages.

Compensatory Storage: A practice of offsetting the effects of earthen fill or other development encroaching into all or part of the SFHA by providing hydraulically equivalent, excavated floodplain storage capacity.

Crematorium: A location containing properly installed, certified apparatus intended for use in the act of reducing a dead body to mostly tiny bits of bone resembling ash that involves exposing the body to flame and intense heat followed by pulverization of bone fragments.

Dwelling, Attached/Row house: An attached row house dwelling is a type of residential home that shares a wall or walls with neighboring properties. Row houses are typically single-family homes that are built in a row, sharing a roofline and common wall with neighboring units. They are usually no wider than 16–25 feet and can house one or two families. Row houses are like townhouses, but townhouses are not necessarily part of an identical row and are usually larger. Row houses are known for their historic charm, urban walkability, and high-density housing. They are also quieter and more private than apartments.

Embalming Center: A building that contains space and facilities for (a) the treatment of a dead body so as to sterilize it or to protect it from decay and the performance of other services used in the preparation of the dead for burial; (b) the performance of autopsies and other similar surgical procedures; (c) the storage of caskets, funeral urns, and other related funeral supplies; (d) the storage of funeral vehicles; and (e) facilities for cremation.

Entertainment- Commercial Recreation/Fitness Facility, Indoor or Outdoor: A commercial fitness facility, also known as a commercial gym, fitness center, studio, or health club, is a large, profit-driven space that offers a variety of fitness equipment and amenities to the public for a fee. Such facilities are typically open to the public and require a membership or pay-as-you-go fee for access.

Entertainment- Indoor or Outdoor Theater: See ZCD "Recreation etc." A building or outdoor area in which plays, and other dramatic performances, concerts, or movies are given.

Entertainment, Meeting or Party Hall: A meeting hall is a building or structure used for gatherings, such as for religious, charitable, educational, cultural, recreational, or philanthropic purposes. A party hall, also known as a banquet hall, function hall, or reception hall, is a building or special-purpose room used to host large social and business events.

Food Stand/Farmers Market: A temporary structure that prepares and sells food to the public.

Fueling Station: Also known as Gas Station, Gasoline Service Station, this does not include Electronic Vehicle Charging Stations. See ZCD "Gasoline Service Station"

Micro-Brewery: Also known as Small brewery per I.C. 7.1-3-2-7(5). An industrial use that brews ales, beers, meads, and/or similar beverages on site. Breweries are classified as a use that manufacturers more than stores and/or small breweries operated in conjunction with a bar or restaurant as an accessory use.

Outdoor sales and dining: Outdoor sales and dining on a sidewalk is when a business uses a portion of a public sidewalk for outdoor sales or dining. Outdoor dining is when a food or beverage establishment uses an outside area for the same eating and drinking activities that occur inside the establishment. Outdoor sales can include, but are not limited to, flower and clothing boutique shops using a portion of the sidewalk for display areas.

Plaza, Public: A public plaza is primarily paved, open, public space in a city or town that's intended for public use and enjoyment. Plazas are often located near urban buildings and can include walkways, trees, shrubs, places to sit, pavilions, ice skating rinks, and band shells.

Parking Garage: A public or private structure with multiple vehicle (car, bike, golf cart, etc.) parking spaces, garage entrances and exits, ramps and drives, elevator lobbies, and related facilities. This definition does not apply to Single-Family uses.

Personal Service: Services or expertise that a business, department, or individual provides instead of a physical product. Such services can be freelance, contract, or private practice work and may include but not be limited to services such as dry cleaning, salons, barber shop, tattoo parlors, etc.

Restaurant – with Drive-Through Service Unit: A commercial establishment where food and beverages are prepared, served, and consumed primarily within the principal building and where food sales constitute more than 80 percent of the gross sales receipts for food and beverages and has a Drive-Through Service Unit, *See* ZCD "Drive-Through Service Unit". However, a snack bar or refreshment stand for the convenience of the patrons at the facility located in a public, semi-public or community swimming pool, playground, playfield, or park operated by an organization, agency or an approved vendor operating the recreational facilities shall not be deemed to be a restaurant.

Sexually Oriented Business: A sexually oriented business that includes but is not limited to Adult Bookstore, Adult Cabaret, Adult Drive-in Theater, Adult Live Entertainment Arcade, Adult Entertainment Business, Adult Matter, Adult Mini Motion Picture Theater, Adult Motion Picture Arcade, and Adult Service Establishment. *See*, ZCD.

South Village Review Committee: ("Committee") The intent is to streamline communication between the Town and developer/property owner during the initial feasibility and concept phase prior to submitting any petition with the Town. *See* Section 11 for further information.

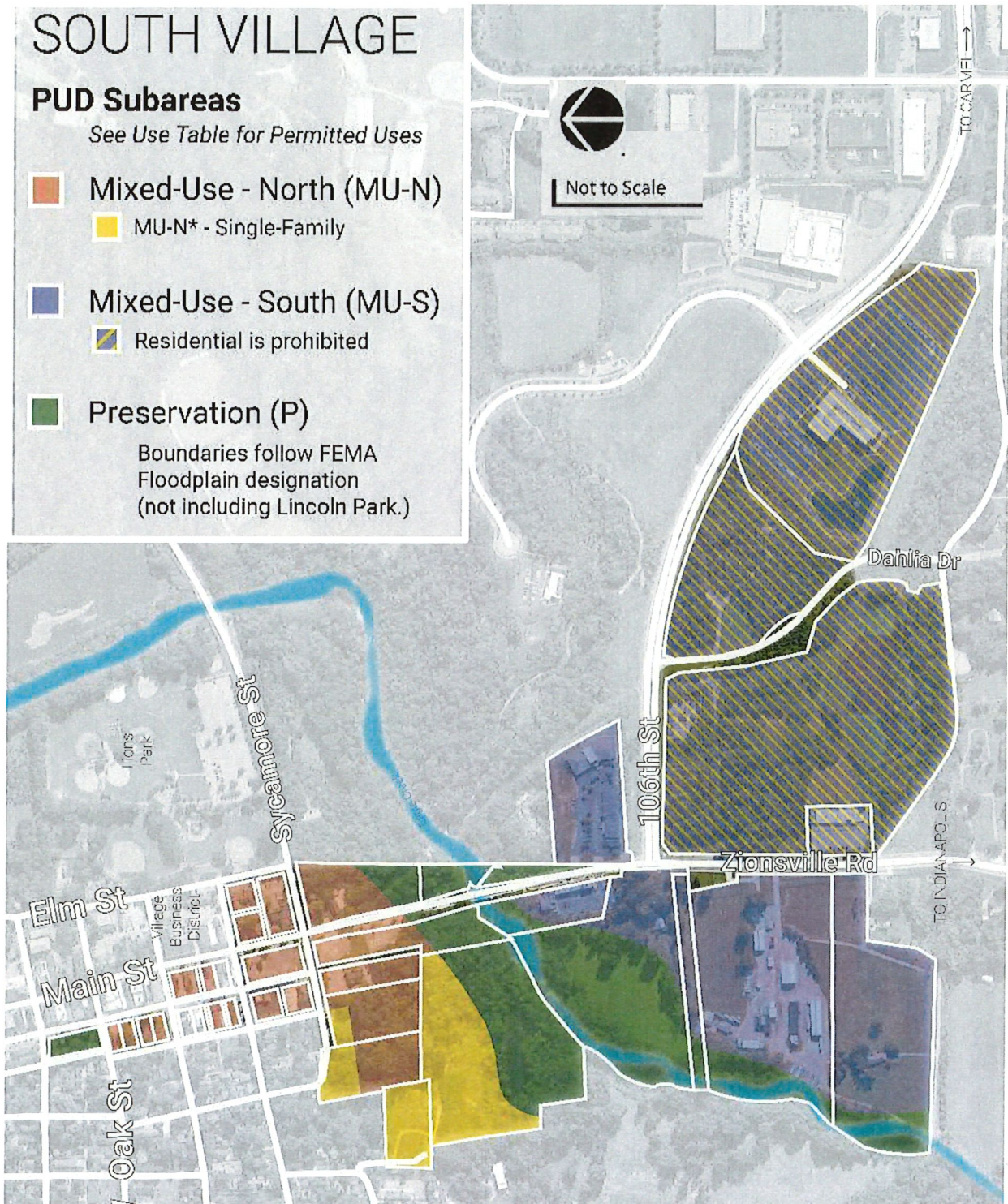
Tree Canopy Preservation: Preserving tree canopy by (1) retaining an existing tree on site and/or (2) an orientation to provide for maximum tree coverage on site by retaining existing trees, especially those of high value, rather than by replanting, or a combination of both.

Walk-Up Service Units: Customer service windows or automated teller machines (ATMs)

V/C RATIO: Volume is the number of vehicles passing through a point on either a lane, a direction, or a highway. It is expressed as vehicles per time. Volume-to-Capacity (v/c) ratio, also known as demand-to-capacity ratio, is the ratio of current or projected demand flow rate to capacity of a segment.

$$\frac{V}{C} \text{ ratio} = \frac{\text{Demand flow rate}}{\text{Capacity}}$$

SECTION 4. SOUTH VILLAGE PUD SUBAREA MAP



SECTION 5. PERMITTED USES

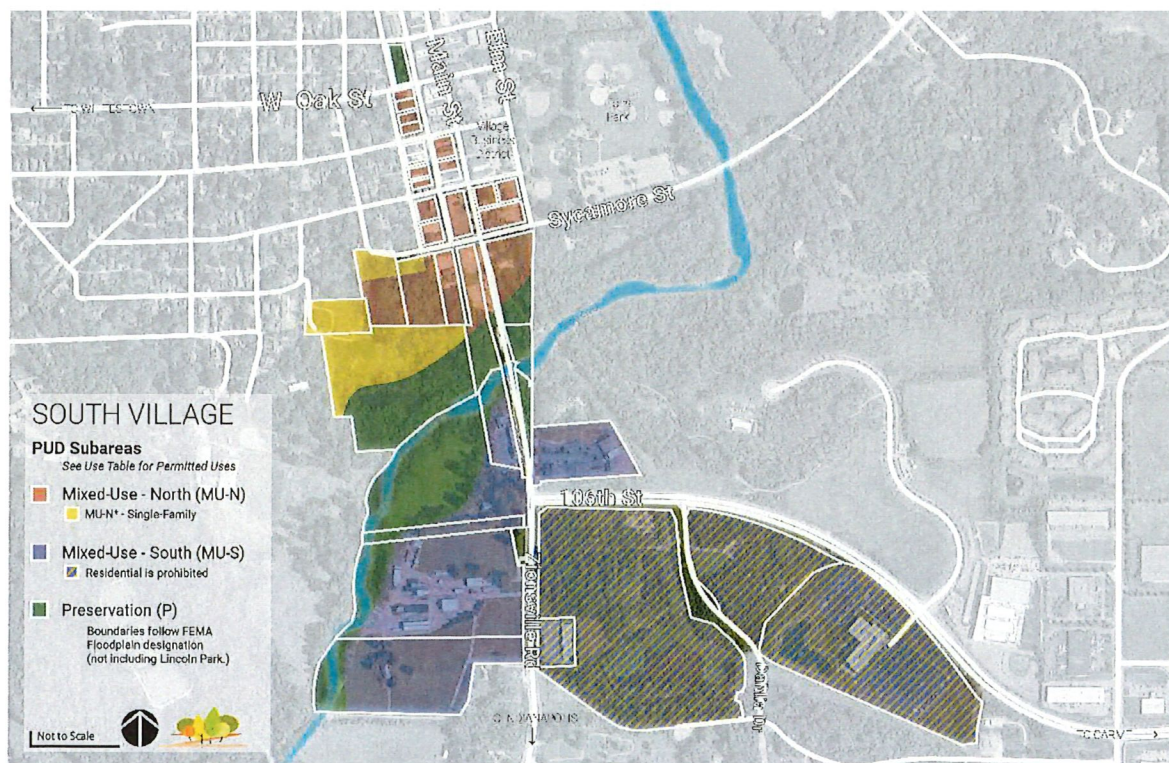
Underlying Zoning District(s). The Underlying Zoning District of this South Village shall be the 194.062 Urban VBD: Urban Village Business (the "Underlying Zoning District").

MIXED-USE – NORTH (MU-N)	MIXED-USE – SOUTH (MU-S)
See current Village Business District Permitted Uses. <i>A copy of the current Village Business District Permitted Uses is provided in the Appendix for ease of reference during the adoption process of this PUD.</i>	Art and Music Center Art Gallery Artisan Industrial Catering Establishment Clinic or Medical Health Center Dwelling Units above first floor, only where designated on map Dwelling, Multiple Family, only where designated on map Entertainment- Commercial Recreation/Fitness Facility, Indoor or Outdoor Entertainment- Indoor or Outdoor Theater Entertainment- Meeting or Party Hall Financial Institution, Bank, ATM High-tech Manufacturing Hotel Medical Surgery Center Outdoor sales and dining Park/Plaza, Public Parking Garage Personal Service Private Club or Lodge Professional Office Restaurant- Bar, Tavern, Micro-Brewery Restaurant, with drive-thru food sales (Special Exception) Restaurant, with walk up Food Sales Retail Sales and Service (Less than 5,000-square feet of gross floor area per business use on a single floor/level) Rooftop Parks/Gardens Rooftop Restaurants/Bars Special Event, Outdoor Trail/Right-Of Way uses
MIXED-USE – NORTH (MU-N) SINGLE FAMILY	
Dwelling, Single Family (detached only -formerly known as "The Cove") Dwelling, Single Family (attached or detached, 35' depth (north/south) along Sycamore Street right-of-way, and west towards parcel line edge, as shown.	
PRESERVATION (P)	
Compensatory Stormwater Storage, open retention Erosion Control activities Floodplain Management Passive Recreation activities (trail walking/running, cycling, bird watching, etc.) - non-motorized mobility equipment. Reforestation Activities Trailhead rest and messaging amenities South Village District Tree Canopy Preservation Restroom/Pavilion Structures/Overlooks/Piers Canoe/Kayak Storage	

SECTION 6. NOT PERMITTED

Any uses not permitted within the Permitted Uses Section shall not be permitted within the South Village.

MIXED-USE – NORTH (MU-N)	MIXED-USE – SOUTH (MU-S)
Crematorium, Embalming Center Fueling Station/Car Wash Garage access off Sycamore Street between 1 st Street and 3 rd Street Garage rooftop mechanical units that are above the top floor screen/safety ledge. Outdoor Storage Restaurant – with drive-thru Retail larger than 5,000 square feet Sexually Oriented Businesses Vehicle Sales and Service Warehouse/Distribution/Datacenter	Crematorium, Embalming Center Fueling Station/Car Wash Garage rooftop mechanical units that are above the top floor screen/safety ledge. Outdoor Storage Retail larger than 5,000 square feet Sexually Oriented Businesses Vehicle Service Warehouse/Distribution/Datacenter
PRESERVATION (P)	
Any regularly occupied enclosed structure Outdoor Storage	



SECTION 7. DESIGN PRINCIPLES

Underlying Zoning District. The Underlying Zoning District of the South Village shall be the Urban VBD: Urban Village Business (the "Underlying Zoning District").

Development in the South Village PUD shall follow these design principles, at a minimum.

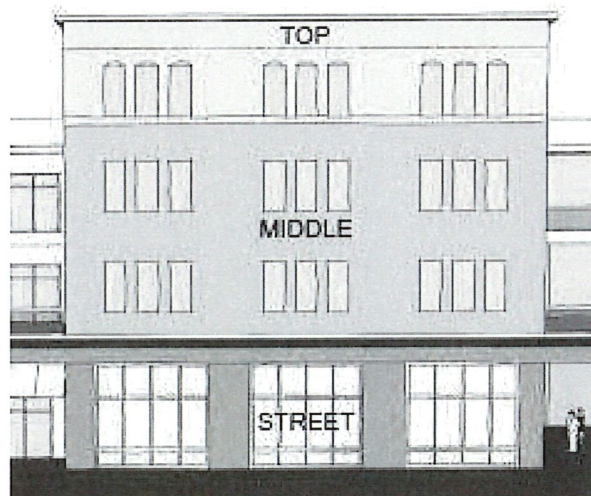
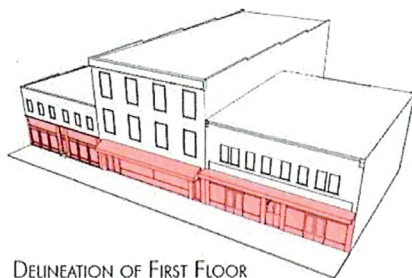
- 1) All proposals must go through the early review of the South Village Architectural Committee and the development plan process and express an eclectic design aesthetic and exhibit high quality materials. The proposed development should be designed to produce an environment of stable and desirable character in harmony with the Village Business District, character images included in this document, and the Town's Comprehensive Plan.
- 2) Interest and variety should be sought by means of street design and changes in and mixtures of building types, heights, façades, setbacks, planting, or size of open space. The design should be harmonious as a whole and not simply from street-to-street.
- 3) The height of buildings more than 40 feet should be designed and planned to be reasonably consistent with the neighboring property and foster efficient use of existing public services and facilities.
- 4) Streets shall incorporate a safe pedestrian environment that is buffered from vehicular traffic and shall include safe/adequate pedestrian crossings.
- 5) Development Plans shall incorporate a use that engages with public street frontage on the first floor in MU-N and MU-S, like retail, restaurant, or personal service.
- 6) Sidewalks and trails shall actively connect to existing networks.
- 7) All proposed development shall have consistent signage with the South Village Character Exhibit provided in the Appendix.
- 8) Multi-Family proposals must go through Development Plan process. Multi-Family developments shall be of the highest quality as compared to other multi-family projects in Central Indiana area. Considerations for Multi-Family during development plan phase shall include considerations of:
 - a. Max number of units by unit type
 - b. Square footage of unit by type

A. Architectural Standards for New Construction

For reference, a Character Exhibit expressing images that meet some or all the following Design Standards is provided in the Appendix.

- 1) **Intent.** These architectural standards are intended to guide human-scale design for the building/block. Each building, like the Village today, should display individual character and contribute to the pedestrian/human/street-level experience with comfortable massing, building elements and material use/variety, and landscape/streetscape. Each block should follow a similar form to the Village Business District today, between Hawthorne and Cedar St. by considering massing, access to the building, parking location, and building height.
- 2) **Review and Recommendation.** The architecture, interior layout, and finish of all initial buildings (new construction only) shall be subject to the South Village Review Committee review and recommendation to the Plan Commission prior to seeking any petition with the Town. The details of an approved project shall also be written in the public-private partnership agreement between the developer and the RDC if a TIF is a consideration for project financing. Changes to a pre-existing building after the initial construction (e.g., an addition, façade alteration, or the like) shall be reviewed by the South Village Review Committee.
- 3) **Street level, Middle Level, Top level.** All buildings shall incorporate a base, middle, and top, if allowable.

- a) **Street level.** The street level shall include an entryway with transparent windows and a horizontal molding or reveal placed between the first and second stories or over the second story. This level shall relate to the pedestrian scale.

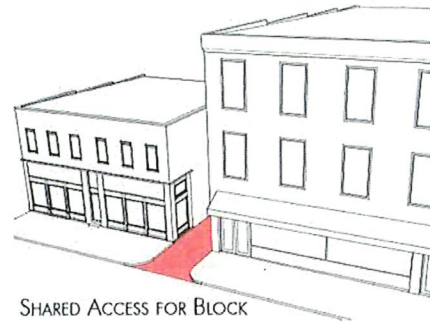


- b) **Middle level.** The middle level may include balconies that are located between the reveal and the cap area, if allowable.
- c) **Top level.** The top level includes the area from the top floor to the roof of the building.
- 4) **Alignment.** Windowsills, and other architectural elements such as moldings and cornices shall align with those of adjacent buildings. The bottom and top line defining the edge of the windows (the "windowsill alignment") shall not vary more than two feet (2') from the alignment of surrounding buildings. If the adjoining buildings have windowsill alignments that vary by more than two feet (2') from each other, the proposed building shall align with one (1) of the adjoining buildings.

¹ Courtesy of the City of Rapid City, Downtown Area Master Plan, 2016. Graphics prepared by Gould Evans and Progressive Urban Management Associates

5) **Spacing of Buildings.** The intent of these standards is to offer space for public amenities, parking, pedestrian access, etc. The minimum space between multi-family buildings shall not be less than thirty feet (30').

6) **Articulation.** Large blank facades are not permitted. Buildings shall not have a façade with a vertical wall plane greater than fifty feet (50'). Buildings shall be broken into smaller components by one (1) or more combination of the following techniques:



a) **Offsets (projections or recesses).** Massing shall create deviations in the wall plane of at least two feet (2') if projecting from the façade and at least five feet (5') if recessed from the façade and continuous for not less than ten feet (10') along the length of the façade.

b) **Structural Bays.** Emphasize vertical breaks in interior components or massing elements of the building, with visual features such as columns, pillars, or pilasters and material, color changes or other details and accents that project between four (4") and twelve inches (12") off the façade.

7) **Building materials.**

a) **Intent.** The intent to regulate building materials is to establish a consistent look and feel of South Village Development(s) that harmonize with the existing Village. Likewise, the intent is to design buildings with materials that do not lose their quality, color, or safety integrity over time.

b) **Primary building materials.** Durable natural building materials such as brick, stone, wood cladding, and other similar materials are preferred primary building materials. Concrete block or similar masonry units (including CMU or split-face blocks), glass block on façades abutting a street, except as a specific architectural element, windows, or replacing windows with glass block, aluminum or vinyl siding products, aluminum or vinyl soffits, fascia, or trim are prohibited as a primary building.

c) **Accent building materials.** In addition to approved primary wall materials, tinted, textured, or glazed decorative concrete masonry units, cementitious cladding products, metal and other materials may be used on façades as an accent or secondary material only. Such accent material may not comprise more than twenty percent (20%) of any building façade. Acceptable accent materials shall be approved by the Director of Planning or designee during the site plan review and approval process.

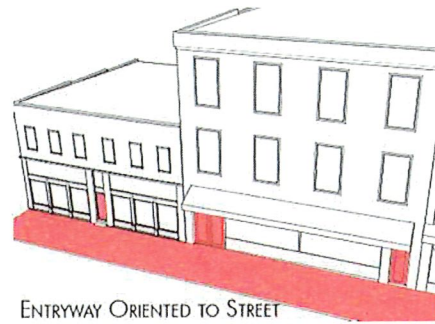
8) **Street level design.**

a) **Building entrance(s).** All buildings shall have their principal entrance or entrances open onto a street, sidewalk, or public space. The principal building entrance shall not open onto a parking lot, although a secondary or subordinate entrance may be provided to a parking lot. When the principal structure is greater than 100 feet (100') from the right-of-way, these buildings may meet this standard by providing new sidewalks and appropriate pedestrian accommodations to the Town's sidewalk/path/trail network.

b) **Mixed-use building(s).** The main entry for first floor retail and restaurants shall open onto a street, sidewalk, or public space. The main entry to upper-level office and residential shall have a main entrance opening to the side or back of the building.

9) ²Entryway alignment.

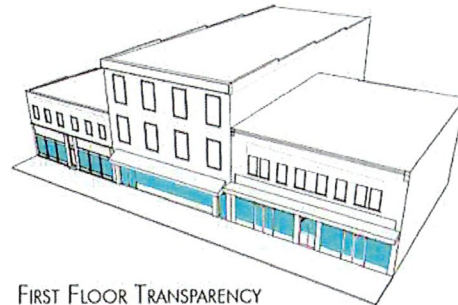
- a) **Nonresidential uses.** For all buildings with nonresidential uses on the first floor, the ground floor of the principal entrance shall align with the elevation of the adjacent sidewalk. Sunken terraces or stairways to a basement shall not constitute principal entrances to a building for the purposes of this section. It is not the intent of this section to preclude the use of below or above grade entryways, provided that such entryways are secondary, not principal entrances.



- i) **Residential and live/work uses.** For first floor residential and live/work uses, the ground floor of the building (and consequently the principal entrance as well) may be raised up to 36 inches (36") above the elevation of the adjacent sidewalk. This is intended to create greater privacy for first floor residential uses by elevating windows above the view of passing pedestrians.

- b) **Recessed entrances encouraged.** Doors are encouraged to be recessed into the face of the building to create a sense of entry and to add variety to the streetscape.

- 10) **Transparency.** The transparency of the front façade creates actual and perceived connections between the uses in the building, particularly at street level, and the activity along the street scale. The degree of transparency and the composition of windows and doors on the façade contribute to the quality and character of the street. The following requirements apply to façades of buildings facing a public street or public space such as a plaza or square.



- a) **Ground floor façade transparency.**

- i) Buildings with first floor nonresidential uses shall maintain transparency for at least seventy percent (70%) of the first-floor façade area between two feet (2') and eight feet (8') above grade level. Doors and windows provide transparency.
- ii) All windows shall use transparent, non-reflective glass.
- iii) Areas of solid wall shall not exceed a length of 20 feet (20').

- b) **Upper floor façade transparency.**

- i) The upper stories shall have a minimum of 30 percent (30%) transparency.
- ii) The percentage of transparency shall be measured between the floor level and ceiling level of each story.

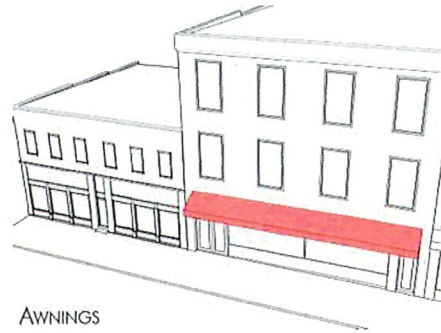
- 11) **Encroachments.** The following building elements must go through the Right-of-Way Encroachment process before being permitted to encroach into a public right-of-way.

- a) **Balconies.** Balconies on upper stories may encroach up to 6 feet (6') into any required setback area and up to 4 feet (4') into any right-of-way area.
- b) **Stoops.** Unenclosed and uncovered front stoops may encroach up to five feet (5') into a front yard setback area, provided that the stoop maintains a minimum setback of five feet (5') from any right-of-way line.

² Images this page are courtesy of the City of Rapid City, Downtown Area Master Plan, 2016. Graphics prepared by Gould Evans and Progressive Urban Management Associates

c) **Awnings.**

- i) ³Ground-story awnings may encroach up to six feet (6') from the face of the building into the setback or right-of-way area.
- ii) Awnings shall have a minimum of eight feet (8') of clear space between the sidewalk and the bottom of the awning or any support structure and shall not exceed a height of 12 feet (12') to the highest point of the canopy.
- iii) If the awning encroachment of six feet (6') will interfere with the placement of street lighting or street trees, the awning projection shall be reduced to resolve the conflict.
- iv) Awning material and lighting shall be approved by the Plan Commission during the Development Plan process.



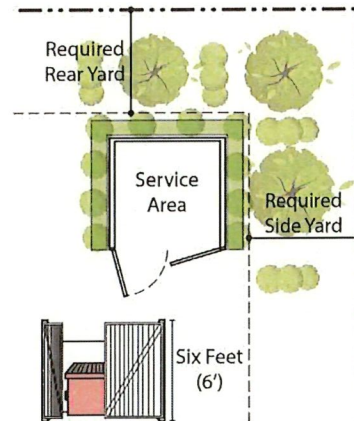
- d) **Bay windows.** Bay windows on the ground story may encroach up to three feet (3') into any setback area but may not encroach into a right-of-way area. Bay windows on upper floors may encroach up to three feet (3') into any setback or right-of-way area.
- e) **Eaves.** Roof eaves may encroach up to three feet (3') into any setback or right-of-way area.

B. Service Areas

- 1) **Service areas.** All service areas, including utility access, above ground equipment and dumpsters shall be in rear or side yards and shall be screened from view from any street or residential. Trash container(s) shall be completely screened on all four (4) sides with a solid-walled or opaque fenced enclosure with gate not less than six feet (6'), nor greater than eight feet (8') in height above grade.

- a) Be located behind the established front building line; and,
- b) Not be located within a required yard.

- 2) **Mechanical and utility equipment.** Mechanical equipment, electrical and gas meter and service components, and similar utility devices (whether ground level, wall mounted, or roof mounted) shall be screened from view from the property lines. Exterior screening materials shall be the same as the predominant exterior materials of the principal building.



- 3) **Soundproofing.** Rooftop mechanical units shall have a soundproofing treatment added to the visual screen.
- 4) **Buffers and Screening.** A minimum of fifty feet (50') wide natural or landscaped buffer shall be provided adjacent to every exterior property line excluding portions abutting a street right-of-way. Provided, however, where same use or similar-type development adjoins (i.e. residential next to similar residential), the required buffer may be automatically waived as determined by the Town's Director of Planning or designee.
- 5) **Storage.** Storage of all products, goods, and materials shall be within an enclosed building.

³ Images is courtesy of the City of Rapid City, Downtown Area Master Plan, 2016. Graphics prepared by Gould Evans and Progressive Urban Management Associates

C. Site Design

- 1) See Zoning Code for Landscape and Buffer standards. Tree Canopy Preservation is encouraged, especially as a buffer between varying uses. Tree Canopy Preservation is the preferred buffer yard implementation method.
- 2) See "LIGHTING/ SIGNS/ INFRASTRUCTURE"
- 3) See "PARKING & LOADING STANDARDS"
- 4) Buildings shall be arranged in a manner that optimizes the ability of adjacent residents and consumers to access public spaces and pedestrian amenities.
- 5) The open space provided shall be designed as a public gathering place. Arcades, courtyards, parks, greenspace, or other common areas shall be in a manner that connects buildings to each other and to public/private sidewalks without interruption from parking areas or automobile travel lanes to the greatest extent possible.
- 6) Features used to create open space areas may include, without limitation, fixed benches, fixed tables, fountains, pathways, bikeways, period lighting, shade trees, perennial gardens and other similar fixtures or features.
- 7) Open space ownership and maintenance shall require the applicant to document the ownership of said common areas and provide a detailed maintenance schedule to ensure the long-term care of open space and shall be approved by the Plan Commission and Council.
- 8) Where existing residential neighborhoods abut the new residential development, appropriate transitional features shall be used and may include landscaping, open space, and clearly defined and designed pedestrian features.
- 9) Pedestrian connections shall be established between any rear parking areas and the sidewalk areas in front of the building.
- 10) All stormwater management measures, and related site design must follow the requirements of the Town's Stormwater Ordinance and Technical Standards. Parking lot designs shall encourage the use of low impact development (LID) practices to reduce, absorb, and filter storm water rather than pipe it to a retention pond or other outlet. The use of French drains, cisterns, brick pavers, rain gardens, swales, vaults, and the like are recommended. However, no such LID stormwater management measures are to be installed within the public right of way unless approved by Zionsville's Department of Public Works (DPW).
- 11) **Stormwater Runoff from a Building:** The site designs should attempt to offset the stormwater impact of the impervious surface created by a building through the utilization of green roofs, pervious sidewalks, brick pavers, rain gardens, rain barrels, cisterns, swales, selection of plant material, and the like.
- 12) **Retention Pond/Detention Basin:** Open retention/detention systems are permitted with enhanced park-like landscaping as approved by the Director of Planning or designee.

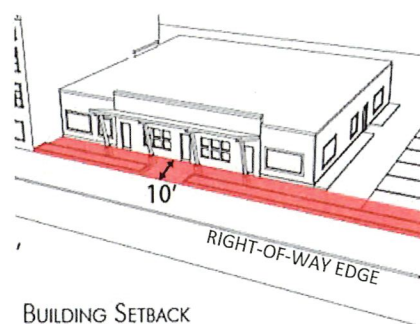
D. Base Dimension Standards

1) SETBACKS

Development Type	Front Setback minimum	Side Setback minimum	Rear Setback minimum	Lot Coverage (%) Maximum
MU-North	0'	0'	0'	90 %
MU-South	10'	10'	30'	60 %
P	Administrative Approval (Planning Director or designee)			

The following standards shall be applicable to all subareas:

- (a) If the structure is commercial, mixed-use, or apartments, is higher than thirty feet (30') and adjacent to single-family residential the setback shall be half the building height.
- (b) If a commercial use abuts single-family residential use and is located south of Sycamore Street, the minimum setback shall be fifty feet (50').

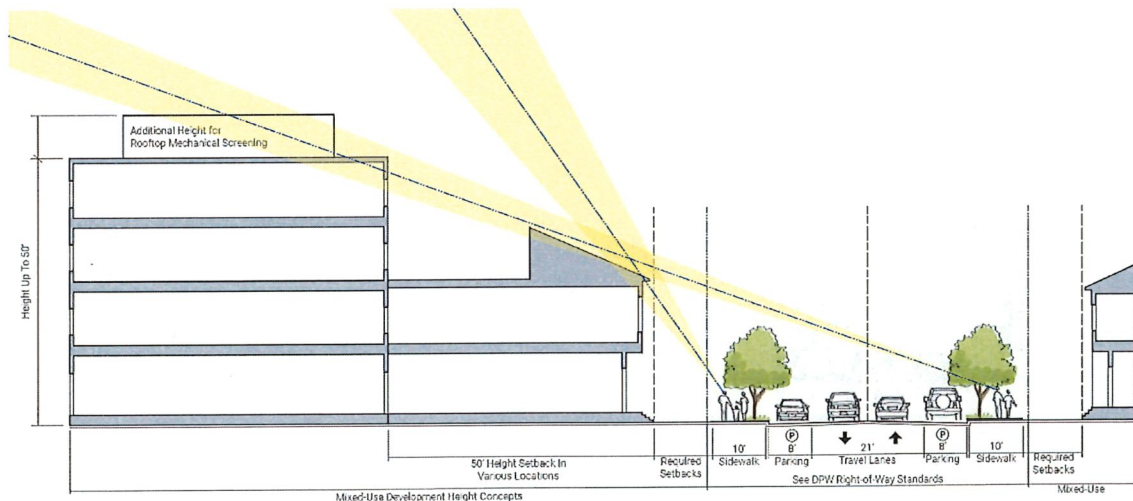


2) SINGLE-FAMILY RESIDENTIAL (MU-N* ONLY)

Minimum Lot Size	28' X 81'	
Maximum Units	24 units single-family, detached, in the area formerly known as "The Cove". Other SF use areas have no limit on number of units.	
Minimum Front Setback	10'	
Minimum Rear Setback	8'	
Minimum Side Setback	Detached Dwellings – 0' setback with a minimum 6' separation	
	2-Story	3-Story
Maximum Building Height	30'	40' (no more than 50% of units shall be 3-story)
Minimum Parking	2-car garage; 10' x 16' drive	2-car garage; 16' x 20' drive

E. Height Standards

- 1) **Intent.** It is the intent that the prescribed maximum building heights should not be exceeded regardless of the project type. In other words, height variances are strongly discouraged to maintain the character and small town feel of the Main Street streetscape; doing so will adversely impact the nature of the surrounding areas.
- 2) **Minimum and Maximum Height.** The maximum height, of structures, measured by linear feet, shall be established by the Building Height Transition Map.
- 3) Height shall be measured from the primary public street intersection to the top of coping, top of street façade, or parapet. Additional height may be added for mechanical screening, additional height not to exceed ten feet (10').
- 4) Half-Stories shall be stepped back a minimum of ten feet (10') from the two (2) most public-facing facades.
- 5) Half-Stories shall not have a conditioned occupiable space that is larger than 50 percent (50%) of the total ground floor area.
- 6) North of the creek, the height of the building may exceed thirty-five (35'), up to a maximum height of forty-eight (48') if a parking garage is on the first floor. However, no height exceptions will be allowed in the thirty-five (35') wide height buffer shown in yellow on the following map. Likewise, no rooftop mechanical units will be allowed above the 48' height exception.
- 7) As shown below along Sycamore Street, Zionsville Road, and 106th Street, developments shall remain at or below the height illustrated for a minimum of thirty-five feet (35') from the edge of right-of-way.



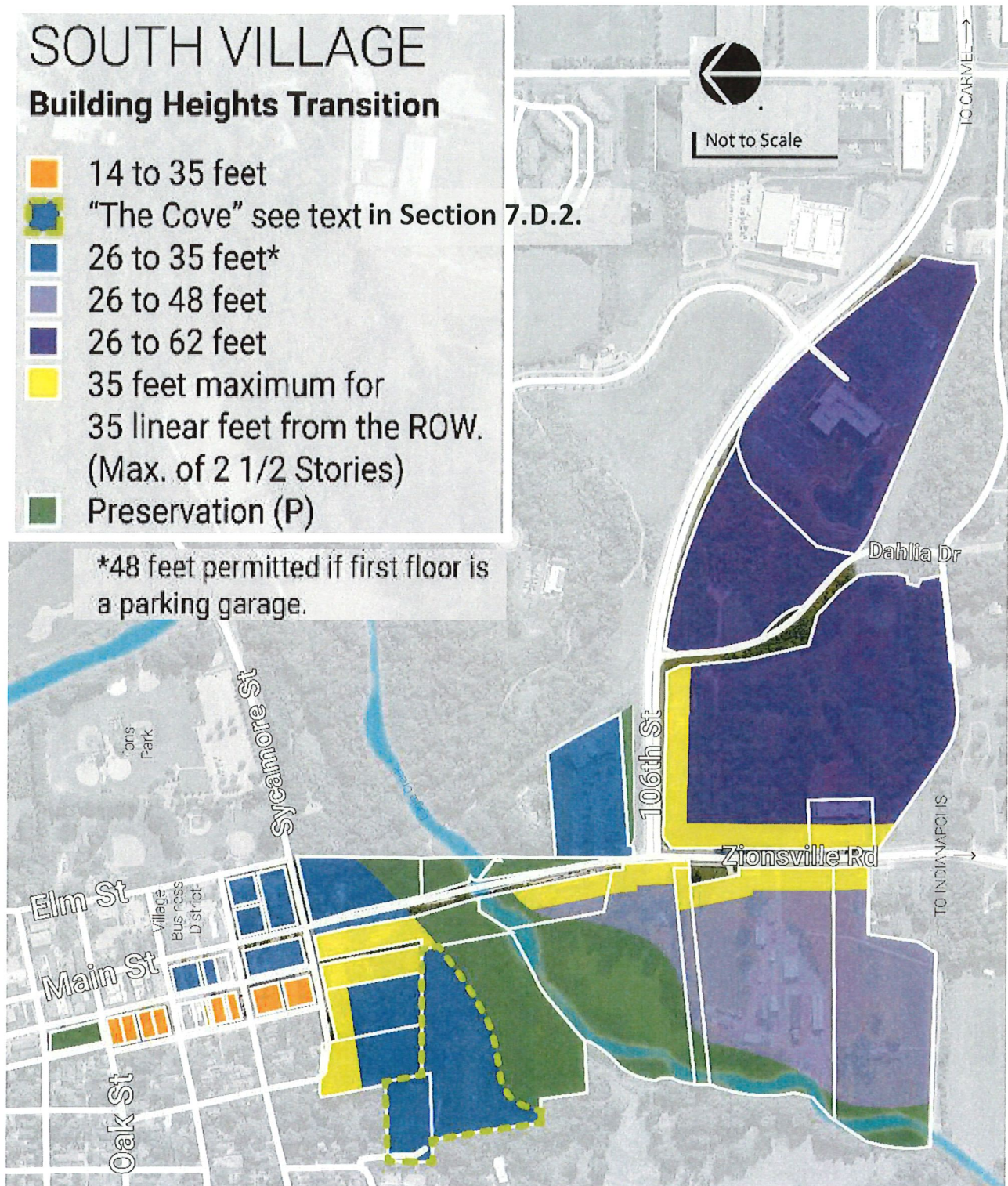


Figure 7.1 – Building Height Transition Map

F. Improvements within the Floodplain or Preservation Subarea

- 1) **Intent.** The flood hazard areas are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare. Additionally, structures that are inadequately elevated, flood-proofed, or otherwise protected from flood damage also contribute to flood loss. To minimize the threat of such damage and to achieve the purposes hereinafter set forth, these regulations are adopted. The uses listed within this district are restrictive to preserve and increase the active and passive open space within the Town. These areas may consist of public parkland, trails, wetlands, wooded areas, etc. Open space development has numerous environmental and community benefits, which can include:
 - a) A reduction in impervious surface improving water quality, reducing surface runoff, and improving water infiltration into the soil.
 - b) A reduction of rainfall pollutants infiltration into the water system.
 - c) Reduce pressures to encroach into natural resources.
 - d) Reduce soil erosion.
 - e) Preserve green space and open space for recreation.
 - f) Reduce the capital cost of development.
 - g) Reduce cost of stormwater management.
 - h) Increase future property values.
 - i) The creation of urban wildlife habitat "islands."
 - j) The creation of a sense of community and pedestrian movement.
- k) **Floodplain Management.** It is the purpose of this PUD to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:
 - i) Protect human life and health.
 - ii) Minimize expenditure of public money for costly flood control projects.
 - iii) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the public.
 - iv) Minimize prolonged business interruptions.
 - v) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, and sewer lines, streets, and bridges located in floodplains.
 - vi) Help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight area.
 - vii) Ensure those who occupy the areas of special flood hazard assume responsibility for their actions.
 - viii) Minimize the impact of development on adjacent properties within and near flood prone areas.
 - ix) Ensure that the flood storage and conveyance functions of the floodplain are maintained.
 - x) Minimize the impact of development on the natural, beneficial values of the floodplain.
 - xi) Prevent floodplain uses that are either hazardous or environmentally incompatible; and
 - xii) Meet community participation requirements of the National Flood Insurance Program.

2) **Areas to be preserved.** Areas designated as Preservation areas by the “South Village Subarea Map” shall be designated for only open space and other uses outlined in the Permitted Uses Table under “Preservation”.

a) *Also, Floodplain.* This section shall apply to all areas of special flood hazard (SFHAs), as designated on a FEMA map. In the absence of a published FEMA map, or absence of identification on a FEMA map, the regulatory flood elevation, floodway, and fringe limits of any watercourse in the community’s known flood prone areas shall be according to the best available flood layer as provided by the Indiana Department of Natural Resources, provided the upstream drainage area from the subject site is greater than one (1) square mile. Upon issuance of a Letter of Final Determination (LFD), any more restrictive data in the new (not yet effective) mapping/study shall be utilized for permitting and construction (development) purposes, replacing all previously effective less restrictive flood hazard data provided by FEMA.

i) **Discrepancy between Mapped Floodplain and Actual Ground Elevations:** In cases where there is a discrepancy between the mapped floodplain (SFHA) with base flood elevations provided (riverine or lacustrine Zone AE) on the FIRM and the actual ground elevations, the elevation provided on the profiles or table of still water elevations shall govern.

(1) If the elevation of the site in question is below the base flood elevation, that site shall be included in the SFHA and regulated accordingly.

(2) If the natural grade elevation of the site in question is at or above the base flood elevation and a LOMA or LOMR-FW is obtained, the floodplain regulations will not be applied provided the LOMA or LOMR-FW is not subsequently superseded or invalidated.

3) **Open Space Management**

a) Development in designated open spaces in the future is prohibited. Properties should be designated for this purpose through ownership, deed restrictions, conservation easements, or the like.

b) A conservation easement, established as defined in subsection c below, may be transferred to an established, designated land trust organization, among whose purposes is to conserve open space and/or natural resources. This option is recommended for natural open space areas. Such transfer is allowable if:

i) is a bona fide conservation organization with perpetual existence; and

ii) The conveyance contains appropriate provision for proper reverted or retransfer if organization becomes unwilling or unable to continue carrying out its functions.

c) The conservation easement shall:

i) Protect open space from future development and environmental damage by restricting the area from any future building and from the removal of soil, trees, and other natural features, except as is consistent with conservation, recreation, or agricultural uses or uses accessory to permitted uses; and

ii) Provide that residents always have access to the open space; and

iii) Dictate whether open space is for the benefit of project residents only or may be open to the public.

4) **Floodplain Status Standards.**

See FLOOD HAZARD PREVENTION chapter in Town of Zionsville’s Planning and Zoning Ordinance, as amended.

SECTION 8. DESIGN PRINCIPLES APPLICABLE TO SPECIFIC USES

A. Mixed-Use

- 1) **Mixed-use.** Multi-Story building built at the right-of-way line with a transparent first floor storefront.
 - a) Open, plate-glass shopfronts, located at ground-floor level along street of building address, with façade supported above by columns and beams and extending for one structural bay around building corners at intersecting streets.
 - b) Sign band and/or secondary cornice integral with shopfronts and above plate glass and/or transoms. Such cornice may be used to satisfy the one (1) horizontal molding or accent material band projection requirement.
 - c) Minimum one (1) additional horizontal molding or accent material band projection, casting a secondary horizontal shadow line, dividing the façade into layers.
- 2) **Retail/Office.** Single-story building with shopfront frontage type constructed at the right-of- way lines along street frontages.
- 3) Building cornice (at top of building). (Min. 3" conc. Cap on masonry wall).
- 4) **Linear Building.** Shallow, mixed-use building with shopfronts required, and shopfronts and main entrances allowable on all sides.
 - a) Masonry, portland cement stucco, or lap siding.
 - b) Shopfronts required along principal frontage extending minimum of fourteen feet (14') around building corners at street intersections but allowable on all elevations.
 - c) Traditional building façade treatments (including masonry reliefs and/or motifs), as well as main business entrances, to be located along streets of corresponding building addresses and at right-of-way lines.
 - d) Parking behind building and screened from view of public way substantially by the building(s) or buildings.
 - e) Open-ended, canvas, sloped awnings above shopfront windows.
 - f) Sign band and/or secondary cornice integral with shopfronts and above plate glass and/or transom windows.

B. Residential

- 1) **Dwelling, Multi-family.** A building dwelling unit with an at-grade main entrance and lobby located along the principal frontage. Amenity spaces are encouraged to be located along a public street frontage.
 - a) Minimum one (1) horizontal molding or accent material projection dividing the façade into layers of a multi-story building. See Section 7.A.3.
 - b) All multi-family dwellings shall comply with the standards of this section and all other applicable standards.
 - i) A minimum average of 900 square feet;
 - ii) The development shall offer the following amenities: fitness facilities, conference room, 70 percent (70%) of exterior units shall have a walk-out balcony;
 - iii) Communal laundry rooms are prohibited;
 - iv) Concrete sidewalks, paved pathways, or similar shall be provided between building Entrances

- and off-street parking. Pedestrian access shall be designed to be ADA-compliant; and
- v) Passive or active recreation areas, including, but not limited to, seating areas, playgrounds, swimming pools, or walking paths, shall be provided at a rate of 150 square feet per unit. Recreation areas shall not be in any required yard but may include preservation land use areas.
- 2) **Rowhouse.** Traditionally styled single-family house form containing multiple residential units each with their main entrances at the front and alternate or service entrances along the sides and/or back. Residential units exist side-by-side within building enclosures with each extending front to back and foundation to roof.
- a) Residential units existing side-by-side within building enclosure with each unit extending front to back and foundation to roof.
 - b) Front elevation to extend along min. 80% of principal lot frontage.
 - c) Pattern of solids and voids generated by the vertical and horizontal alignment of windows and doors in variously repeating sizes.
 - d) Minimum four feet (4') deep front porch, stoop, or similar structure the like, with a maximum of thirty inches (30") above grade.
 - e) Setback shall match average setback of existing residential buildings along block frontage (as measured from building face) wherever residential buildings exist. Porches may encroach less than twelve inches ($\leq 12''$) into required front setbacks.
 - f) If the garage door is on rear of building, maintain thirty feet (30') clear of any structures or other obstructions opposite.
 - g) When two (2) rowhouses share a side wall on a property line, no setback is required.

C. Commercial/Office

- 1) **Office/Financial.** A building without shopfronts, built to corresponding right-of-way lines, and sharing most other attributes with Mixed-use Building (See Mixed-use Building Type). This is one of the few building types without shopfronts that can be appropriately located within a walkable shopping district.
- a) Façades where windows and door openings occur shall be recessed.
 - b) Minimum one (1) horizontal molding or accent material projection dividing the façades into layers of a multi-story building. See Section 7.A.3.
 - c) Pattern solids and voids generated by horizontal alignment of windows and doors in repeating sizes.
 - d) Window groupings encouraged, with groups of up to 3 allowable.
 - e) Prominent sills and/or heads required for windows located along façades.
 - f) Main entrances at grade for accessibility, working in conjunction with interior lobby or vestibule and elevator(s).
- 2) **Theater Building.** Cavernous building with lobby frontage, façade, and marquee along street of address with fire exits and blank walls along all other frontages.
- a) Traditional building façade treatments (including masonry reliefs and/or motifs), as well as main business entrance, to be located along street of corresponding building address and at right-of-way line. Side entrances subordinate and allowable at right-of-way lines along intersecting streets only. Rear entrances are also subordinate.
 - b) Opaque Façade above ground floor.

D. Brewpubs, Craft Distilleries, Microbreweries, and Small Wine Makers

- 1) Brewpubs, Craft Distilleries, Microbreweries, and Small Wine Makers must obtain all required County, State, and Federal approvals.
- 2) No more than sixty five percent (65%) of the total gross floor space of the establishment shall be used for the brewing or distilling function.
- 3) Hops, barley, grains, grapes, apples, and other products used in the distilling, fermentation or brewing process may be stored in a detached structure, provided that the following are true:
 - a) Any such structure complies with the setback requirements for the district in which it is located; and
 - b) The structure is compatible in color and materials with the primary structure; and
 - c) No outdoor storage of bottles, pallets, or other containers is permitted; and
 - d) Storage in tractor trailers shall be permitted for periods not exceeding twenty-four (24) hours.
- 4) Products used in the brewing or distilling process must be stored within the primary building or off-site.

E. Outdoor Seating; Outdoor Display

- 1) Sale and seating areas shall conform with American Disabilities Act.
- 2) Outdoor seating for restaurants may be conducted subject to the following regulations:
 - a) Outdoor seating shall not reduce the effective sidewalk width, measured from the back of curb to less than eight feet (8');
 - b) Outdoor seating shall be located against the building façade;
 - c) Outdoor seating shall not block access points to the business or building; and
 - d) If located in a public right-of-way, outdoor seating shall require right-of-way encroachment approval.
- 3) Outdoor display of merchandise is subject to the following regulations:
 - a) The outdoor display shall not reduce the effective sidewalk width, measured from the back the curb, to less than five feet (5')
 - b) The outdoor display shall be located against the building façade;
 - c) The outdoor display shall not block access points to the business or the building;
 - d) The outdoor display shall be permitted only along the business' tenant bay or storefront façade;
 - e) The outdoor display shall be permitted only during the hours of operation of the business and shall be removed at the close of each business day; and
 - f) If the outdoor display is in a public right-of-way, shall require temporary right-of-way encroachment approval.

F. Parking Garages

- 1) A parking garage shall be completely screened by attached building(s) that face the property boundary or align with the South Village high-quality architectural aesthetic. Specifically, a parking garage shall distinguish itself through the unique use of materials and design features which include masonry face brick, metal features, glass storefronts, architectural concrete panels, and a unique blend of colors, textures, and signage to enhance the community.
- 2) The garage design shall incorporate creativity and tasteful expression which reflect the aesthetic appearance.
- 3) Parking deck constructed at right-of-way lines with ground-floor shopfronts along street frontages.
- 4) Brick upper Façades along street frontages.
- 5) If garage is wrapped with a surrounding use, the rooftop may be one (1)-story taller than connecting building. Notwithstanding, the structure may not exceed a total of forty-eight feet (48') in height at its highest location.
- 6) Multi-family parking garages shall not be visible from the street.

G. Drive-Thru and Walk-Up Service Units

- 1) Location.
 - a) A Drive-Thru and/or Walk-Up Service Unit(s) shall only be permitted where the underlying district allows and approved as a Special Exception. *See, Permitted Uses Section.*
 - b) Walk-up facilities may be placed between the public right-of-way and the associated building.
 - c) **MU-S only.** Drive-Thru Service Units, including service window(s), menu board(s), vehicle aisles and/or the like shall not be placed between the public right-of-way and the associated building. Drive-thrus shall be limited to the side or rear yard only.
 - d) Alternate locations for Drive Thru Service Unit windows, stalls, menu boards, and/or associated components may be considered by the Plan Commission on a case-by-case basis when seeking Development Plan approval.
- 2) Canopies. Shall be designed to be consistent with the approved building materials and colors of the overall associated building.
 - a) Signs and color bands shall not be permitted along the canopy.
- 3) Menu Board. Signs that are considered incidental shall be exempt from the sign requirements, permitted it is not visible from the right-of-way. Menu boards and incidental signs shall also comply with lighting requirements per the Zoning Ordinance.
- 4) Walk-Up Service Units: customer service windows or automated teller machines (ATMs) where allowed, shall not be free standing and shall be set flush with the façade of the building.
- 5) Drive-Thru:
 - a) Location. Drive-Thrus shall be limited to the Side or Rear Yard only.
 - b) Uses without menu boards (i.e. banks, drugstores) drive-thru facilities shall be located at the rear of a building and shall be in a manner where they cannot be seen from the public rights-of-way.
 - c) Uses with Menu Boards. (i.e. Restaurants) shall be required to have the menu board located at the rear of the building and be in a manner where it cannot be seen from public rights-of-way. The drive-thru window may be located on the side of a building, and the drive-thru window lane exit area shall be screened from the public right-of-way with a landscape island at the facility exit to screen the drive-thru lane and window. Drive-thru facilities on either side of a building that are

visible to pass-by traffic shall be screened by a five-foot wide landscape buffer of a length to cover the entire drive-thru stacking area.

- d) Minimum Width. The traffic lane serving the drive-thru window shall be at least ten feet (10') wide.
- e) By-Pass Lane. A by-pass lane or other suitable means of access to a public street shall be provided for vehicles that do not use the drive-thru unit.
- f) Off-Street Stacking Spaces. The purpose of off-street stacking space regulations is to promote public safety by alleviating on-site and off-site traffic congestion from the operation of a facility which utilizes a drive-thru. Any use having a service unit shall provide the minimum required off-street stacking spaces ("stacking spaces") as follows:
 - i) Each stacking space shall be not less than eight feet (8') and eight- and one-half feet (8-1/2') in width and seventeen- and one-half feet (17-1/2') in length, with additional stacking spaces for necessary turning and maneuvering.
 - ii) The area required for stacking spaces shall be exclusive of and in addition to any required parking space, loading space, driveway, aisle and required yard, unless specifically noted.
 - iii) A parking space at any component of a service unit (window, menu board, order station or service bay) shall be a stacking space.
 - iv) An area reserved for stacking spaces shall not double as a circulation driveway or maneuvering area.
 - v) Sites with stacking spaces shall include an exclusive bypass aisle, driveway, or other circulation area in the parking lot design to allow vehicles to bypass the stacking area.
 - vi) A service unit may project up to one (1) foot into the stacking area.
- g) Shall not abut a residential use.
- h) Development Plan Petition.
 - i) All stacking spaces and circulation patterns shall be demonstrated in the Development Plan Petition that is submitted at the time of filing for a Development Plan and Improvement Location Permit.
 - ii) The submitted Development Plan Petition shall also delineate the following:
 - (1) All existing and proposed points of ingress and egress, circulation and maneuvering areas, off-street parking and loading areas; and
 - (2) Separately tabulate the number of required off-street parking, loading, and stacking spaces in a conspicuous place on the plan.

Required Stacking Spaces	
Use/Facility	Minimum Number of Stacking Spaces Required
Bank (including ATMs)	6 stacking spaces, measured from the final component of each service unit; 1 stacking space after the final component of each service unit.
Restaurant	6 stacking spaces, measured from the final component of the service unit; 2 stacking spaces after the final component of the service unit.

SECTION 9. PARKING & LOADING STANDARDS

- 1) **Intent:** Variances of the parking requirement minimums are discouraged.
- 2) A traffic impact study shall be provided by the applicant as part of the Development Plan for any mixed-use development. The Plan Commission shall not approve the Development Plan if it finds that the total peak hour trips that would be generated by the proposed mixed-use development will adversely impact the traffic capacity (V/C ratio) of the streets which provide primary access to the proposed mixed-use development. However, the developer may negotiate an agreement for construction and installation of traffic improvements necessary to preserve and maintain acceptable traffic capacity as determined by the Town Engineer for the primary access streets. Vehicular trip generation rates shall be obtained by utilizing the most current data and procedures established by the Institute of Transportation Engineers. The Town's 2024 South Village 1st Street/Main Street realignment Traffic Study shall be a referenced as a baseline for the current traffic capacity in the area. No traffic impact study shall be required for single-family or office use areas.
- 3) Developments shall have direct access to and from a public or local street, including a private street at a location acceptable to Town Engineer. Individual uses within mixed use developments shall not have exclusive direct access to an abutting public street but shall have access via common curb cuts and drives.
- 4) Provision shall be made for the separation of delivery service from general vehicular traffic and separation of vehicular traffic from pedestrian traffic.
- 5) Parking Lots shall not be permitted between a Front Building Line and a Front Lot Line.

A. Shared Parking

Different types of uses have different peak usage times. For instance, residential land uses generate the most parking demand during evening and night hours, while office uses generate the most parking demand during business hours. Therefore, the minimum parking requirement may be adjusted by a shared parking factor that considers a mixture of uses sharing a common parking facility. The uses that share a common parking facility may be located within a single building or in separate buildings located on the same or different sites.

- 1) **Shared Parking Procedure.** The number of shared parking spaces required for two (2) or more land uses sharing a parking lot or located on the same parcel of land shall be determined by the following procedure:
 - a) Multiply the minimum parking required for each individual use by the appropriate percentage indicated in the Shared Parking Factors Table below for each of the six (6) designated time periods.
 - b) Add the resulting sums for each of the six (6) columns.
 - c) The minimum parking requirement shall be the highest sum among the six (6) columns resulting from the above calculations.
 - d) **Other Uses.** If one (1) or all the land uses proposing to make use of shared parking facilities do not conform to the general land use classifications in the Shared Parking Factor Table, as determined by the Plan Commission, the applicant shall submit sufficient data to indicate the principal operating hours of the uses. Based upon this information, the Plan Commission shall determine the appropriate shared parking requirement, if any, for such uses.

Shared Parking Factor Table

Land Use	Weekdays			Weekends		
	1 AM – 7 AM	7 AM – 7 PM	7 PM – 1 AM	1 AM – 7 AM	7 AM – 7 PM	7 PM – 1 AM
Residential (other than single-family)	95%	25%	95%	95%	75%	95%
Commercial	0%	95%	75%	0%	90%	75%
Office	5%	95%	5%	0%	10%	0%

- 2) **Agreement.** A written agreement between joint users in a form approved by the Town shall be filed with the Boone County Recorder's Office and a copy submitted to the Town. The agreement shall ensure the continued availability of the parking facility for the uses it is intended to serve.

B. Off-Street Parking

- 1) The total number of Off-Street Parking Spaces required for any use, calculated per the provisions of URBAN OFF-STREET PARKING REGULATIONS of the Zionsville Zoning Ordinance, as amended, shall be reduced on a case-by-case basis before the South Village Review Committee. The Committee will review and make a recommendation to the Plan Commission during the Development Plan phase.
- 2) Access to Off-Street Parking is prohibited on S. 2nd Street, north of Pine Street.

C. Off-Street Parking Findings

- 1) The Plan Commission may modify the numerical requirements for off-street parking based on evidence submitted by the applicant that another standard would be more reasonable because of the level of current or future employment or customer traffic.
- 2) The Plan Commission may attach conditions to the approval of a modification of the requirements that bind such approval to the specific use in question, including requiring banked parking for waived parking spaces.
- 3) **Banked Parking.** Where banked parking is required by the Plan Commission during the Development Plan phase, the following standards shall be met:
 - a) The Development Plan shall show all required spaces, including waived (deferred) spaces. The Development Plan shall note the area where parking is being deferred, including dimensions and parking lot layout, and set aside as landscaped open area.
 - b) The property owner shall agree in writing to construct some or all the deferred spaces upon written order of the Community and Economic Development Department.
 - c) Stormwater calculations shall be provided to verify adequate capacity if an expansion is necessary.
 - d) Any landscaping that is located within the banked parking areas shall not count toward the required landscaping within this Ordinance.

- e) At the time of approval for banked parking, the landscape plan will be reviewed for compliance.

D. On-Street Parking

- 1) On-street parking is prohibited on S. 1st Street, between Oak Street and Sycamore Street.
- 2) 1st Street, between Oak Street and Sycamore Street. A 30-minute loading zone only is allowed on the east side of the road between Oak Street and Pine Street.

E. Bicycle Parking

- 1) All projects containing thirty (30) or more parking spaces shall provide bicycle-parking facilities at the rate of one (1) bicycle parking space per eight (8) parking spaces, up to a maximum of twenty (20) bicycle parking spaces.
- 2) Up to 50 percent (50%) of the required bicycle parking spaces may be accommodated indoors in a secure storage area.
- 3) Bicycle racks shall be installed to support the frame of a standard/typical bicycle.

F. Off-Street Loading Regulations

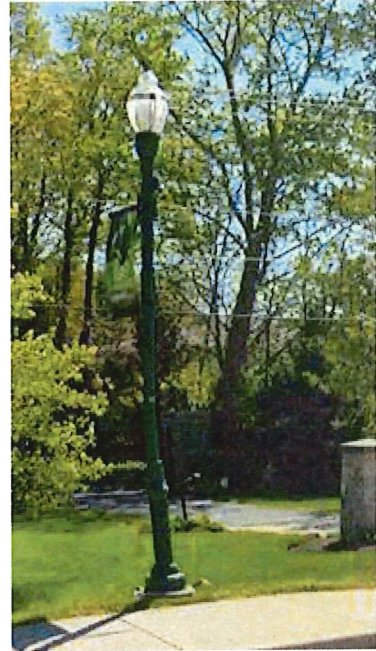
- 1) Location of off-street loading spaces.
 - a. All off-street loading spaces shall be located on the same lot as the use served.
 - b. All off-street loading spaces shall be oriented toward a side or rear lot line.
 - c. No off-street loading space shall be located between the front lot line and the front line of any portion of the building served.
 - d. No off-street loading space shall be located in a required side or rear yard or required side or rear bufferyard or greenbelt.
 - e. Shall not face 106 Street, Zionsville Road, or Dahlia Street.
 - f. Shall not be visible from 106 Street, Zionsville Road, or Dahlia Street
 - g. Shall not be a visual nuisance from an adjacent building.
- 2) Surface of loading areas.
 - a. All off-street loading areas and the ingress/egress to and from such off-street loading areas shall be hard surfaced with asphalt, concrete or other material to provide a dust-free surface.

SECTION 10. LIGHTING/ SIGNS/ INFRASTRUCTURE

Apply Zionsville urban zoning and development plan standards, except for standards noted below.

A. Lighting

- 1) Shall conform with Lighting Standards found in the Zoning Ordinance (as amended)
- 2) Lighting shall be consistent within the following;
 - a) Light poles:
 - i) Shall be in accordance with the series specified from the following manufacturer, or similar:
 - (1) Holophane: STLE-100-5k-AS-N-3-G-6-L20-PR
 - (2) Luminaries shall be LEDs with wattage and layout approved by the Town based on a submitted photometric plan.
 - (3) Luminaries housing color to be green with gold decorative trim color.
 - ii) Fluted Poles/Bases: Fluted poles, bases, and receptacle shall be in accordance with the series specified from the following manufacturers, or similar:
 - (1) Holophane: Pole-CP-A-16-F5J; Base-18-P07-ABG-GN
 - b) An approved alternative to the above specification may be recommended by the South Village Review Committee prior to seeking Development Plan Approval from the Plan Commission.
- 3) All lighting shall be coordinated throughout the development and be of uniform design and materials.
- 4) Exterior lighting of the site shall be designed so that (i) light is not directed off the site and (ii) the light source is shielded from direct offsite viewing.
- 5) All exterior ground-mounted architectural, display and decorative lighting shall be generated from concealed, low-level fixtures.
- 6) Light fixtures in parking areas shall not exceed twenty-five feet (25') in height.
- 7) All building and pole mounted lighting fixtures shall have a ninety (90) degree cut off and/or flat lenses.



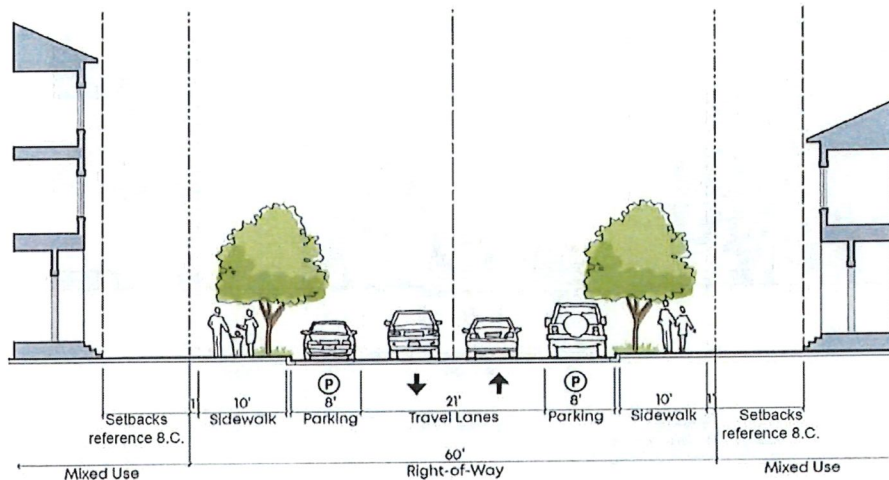
B. Signs

- 1) As per VBD VILLAGE BUSINESS DISTRICT unless specified below.
- 2) Primary signs include wall, canopy, window, suspended, and/or blade signs per commercial use.
 - a) Blade Sign – Four (4) square feet maximum size and shall meet all standards for a lower-level suspended sign.
 - b) Canopy/Awning Sign – Signs on awnings or canopies may be no larger than twenty percent (20%) of the area of the angled face constructed of cloth or canvas. No reflective, glossy materials, or illuminated plastic may be used.
 - c) Theatre Building: Marquee, with illuminated vertical sign, displaying venue name and changeable horizontal rows of black letters on a back-lit white background above main entrance and eight feet zero inches (8'-0") clearance above sidewalk.
 - d) Window Sign
 - i) Second Floor Tenant - Twenty percent (20%) of the total window area on which the sign is located.
 - ii) Ground Floor tenant - Fifteen percent (15%) of the total window area.
- 3) Signage Lighting Standards
 - a) May be internally or externally illuminated and shall conform with Lighting Standards found in the Zoning Ordinance (as amended).
- 4) Signs shall be made of materials consistent with the character of the buildings and district. Materials may include painted or natural wood, stone, copper, brass, galvanized steel, or engraved into the façade surface.
- 5) Maximum of two (2) signs per tenant based on the standards above. No tenant shall have the same type of sign on the same façade.
- 6) Signs are prohibited to face S. 2nd Street, north of Pine Street.
- 7) MU-N*, in the area formerly known as "The Cove" only
 - a) A Neighborhood Identification Ground Sign may be provided at or near the project entry, which sign design shall be approved in the Development Plan process. Such sign may consist primarily of stone, cast stone, masonry, or similar durable material. The project entry sign may be two-sided. The project entry sign may be located within a boulevard-type entry drive or near the entry drive in the western portion of the development area. If near the entry drive, the project entry sign shall not be closer to the pavement than three feet (3') and outside of any vision clearance area.
 - b) Area: Maximum sign area shall be fifty (50) square feet, per side.
 - c) Height: Maximum sign height shall be five feet (5') tall.
 - d) Setback: Sign shall be setback from the pavement area of not less than three feet (3').
 - e) Illumination: Sign may not be externally illuminated and shall conform with Lighting Standards found in the Zoning Ordinance (as amended)

C. Infrastructure

- 1) Water and Sanitary System Requirements - attachment to public water and sanitary sewer facilities shall be mandatory for development. Septic systems and wells are prohibited; but for any systems approved prior to the adoption of this PUD.
- 2) Curb-cuts on 2nd Street are prohibited.
- 3) Sycamore Street, west of 2nd Street. The intent is to maintain this section as a one-way street. No future curb-cuts shall be allowed on this section.
- 4) On-street parking on Sycamore Street, west of 1st Street is prohibited.
- 5) Typical local street cross-section

The developer of a single-family dwelling subdivision may utilize private streets with an alternative street cross-section, to be approved at the Development Plan phase.



- 6) Pedestrian Connectivity:
 - a) All projects shall have on-site pedestrian/bikeway system in compliance with the following requirements:
 - i) Sidewalk Connection: A minimum six feet (6') wide sidewalk shall functionally and efficiently connect the primary building entries with the public sidewalk or path system.
 - b) The developer shall provide onsite pedestrian connection to the Town's Trail network (existing and proposed future). Said connection shall be a sidewalk or otherwise improved path, allowing a connection for pedestrians and bicyclists. Any onsite Town Trail network (new or existing) shall be in a dedicated easement and constructed by the Town, unless agreed otherwise in a Development Agreement.
- 7) Access. The exact location of any median opening, major or shared drive, or additional curb cuts to serve individual uses shall be determined on a case-by-case basis as a part of a final plat or development plan approval.
 - a) Median Openings along 106th Street: There shall be no more than two (2) median cuts/openings along 106th Street; those being directly across from the main entrance into Creekside/Group 1001 and the other directly across from Dahlia Drive for Creekside - Lot 9. Any other median cut shall be strongly discouraged and shall only be considered for exceptional purposes.
 - b) No Access to Old 106th Street - Direct curb-cut or driveway access to Old 106th Street shall be prohibited.

SECTION 11. ADMINISTRATION

A. Incorporation of the Zionsville Zoning Ordinance

Certain Sections of the Town of Zionsville Zoning Ordinance, as amended, have been specifically noted in the text above as providing regulations for South Village PUD. Where the South Village PUD is silent and the Zoning Ordinance is not, the Zoning Ordinance shall apply. If conflicting standards are found, South Village PUD shall apply.

It is restated here that the underlying Zoning District of this PUD is URBAN VBD: URBAN VILLAGE BUSINESS.

B. Determination of Permitted Uses

Similar and Comparable Uses - It is recognized that the PERMITTED USE provisions of this South Village PUD may require interpretation. Therefore, any land use which is not specifically set forth in this South Village PUD shall be reviewed by the Director of Planning or designee for consistency with the INTENT of this document. The Director of Planning or designee shall then determine whether the proposed use is appropriate.

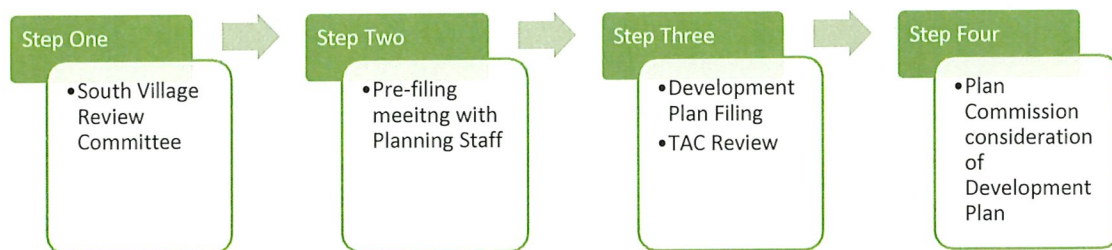
Uses Not Specified - If it is determined by the Director of Planning or designee that a particular use is not permitted, then such use shall be deemed to require a petition for a text amendment to add the use.

During the Development Plan stage, absolute specificity as to uses within a multi-use facility, for example- a "café style restaurant" should be considered vague. A more descriptive requirement should be "an indoor/outdoor open air breakfast café similar to layout/design of other Zionsville Village Business District breakfast cafés with high end breakfast/lunch items." The Development Plan must follow Plan Commission Standards.

Clarification of Determination of Permitted Uses - The Director of Planning or designee may request input from the Plan Commission prior to deciding regarding a permitted use.

C. South Village Review Committee

- 1) **Intent.** The South Village Review Committee ("Committee") intent is to streamline communication between the Town and developer/property owner **during the initial feasibility and concept phase prior to submitting any petition with the Town.** It will review every proposed development to ensure compliance with architectural and design standards to ensure such proposed development is in keeping with the character of the Village Business District and South Village.
- 2) **Purpose.** This Committee is responsible for initial review of the use, design, and architecture of new construction, prior to Development Plan filing.
- 3) **Project Process.**
 - a. The Committee shall be responsible for reviewing the use, design, and architecture of new construction within the PUD. The Committee shall make a recommendation regarding the architectural design elements of any proposed development within the PUD, with such recommendation to approve, deny or amend the proposed architectural design elements to accompany any filing with the Plan Commission.
 - b. A project may move forward to a Development Plan filing after the Committee makes a recommendation to the Plan Commission, which will have authority to accept or reject the recommendation. The Committee shall share their recommendations with the Plan Commission for the record associated with each development and/or building.
 - c. A quorum of the Committee is necessary to conduct a meeting and a majority vote of members present is necessary to advance a recommendation to the Commission. The Committee may retain or contract with advisors or consultants as it deems necessary to exercise its duties.



APARTMENT PROJECTS ONLY



- 4) **Appointment.** The Committee will consist of up to seven (7) members.
 - a. Two (2) members appointed by the Mayor;
 - b. Two (2) Town Council members appointed by the Town Council;
 - c. One (1) member of the Plan Commission appointed by the Plan Commission;
 - d. One (1) member of the Redevelopment Commission appointed by the Redevelopment Commission; and
 - e. One (1) resident of Zionsville shall be appointed by the Town Council.
 - f. Each Committee member shall serve a one (1) year term.
 - g. The Committee shall be staffed by the Town's Director of Planning or designated personnel. Additional Town staff, including but not limited to the Town's Redevelopment Commission Director, Public Works Director, Town's Fire Chief, etc. shall provide technical assistance to the Committee.
- 5) **Modifications**
 - a) **Purpose and limitations.** Upon submission to the Town of Zionsville and review of the findings, found in Building Type Standards for New Construction for the permitted building type modification, the Committee may modify certain requirements in the South Village PUD. Regulations that may be altered through the modification process are described below, along with the specific parameters by which the regulations may be altered on a project-by-project basis. Modifications are only applicable to Section 8.E Architectural.
 - b) **Modifications.** Modifications are intended to permit reasonable use of the property where the strict application of the requirements of South Village PUD would not further the public purpose. The Board of Zoning Appeals, Director of Planning or designee as outlined below, shall determine whether a relaxed or altered standard will meet the intent and purpose of the district where the site is located.
 - a. **Dimensional Standards.** Within each building type are standards within the "Dimensional Standards" Table. Deviations from these Standards shall be a Development Standards Variance Petition to the Board of Zoning Appeals.
 - b. **Modification of Standards.** All standards within "Architectural Standards for New Construction" and "Aesthetic Design per Building Type", except those Dimensional Standards noted above, may be petitioned for modification to be reviewed by the South Village Review Committee.
 - c. **Criteria for Modification Approvals.** The Director of Planning or designee may modify the South Village PUD's Architectural Standards for New Construction and Building Type Standards for New Construction requirements. The purpose is to approve architectural design that incorporates architecture, design, and overall aesthetic exterior character consistent with the South Village PUD standards. These modifications will be approved finding all the following standards have been met:
 - i. The proposed development is consistent and compatible with the intent and purpose of the South Village PUD.
 - ii. The proposed development is consistent and compatible with the architecture, design, and overall exterior character of other buildings on the site and surrounding area.
 - iii. The proposed development brings the site more into compliance with the intent, character, and standards of the South Village PUD.
 - iv. Building materials, building design, or site design features shall not be detrimental to the use or value of area properties.

- c) **Application and Review Procedures.** The applicant shall identify all requested modifications on the submitted application, site plan, and supporting documentation. The review authority shall evaluate the requested modifications and approve, approve with conditions, or deny the modification request. In evaluating a modification request, the reviewing authority shall determine the following findings:
- a. Approval of the modification will not result in development that is incompatible with or will negatively impact existing or potential future development in the vicinity of the property to be developed.
 - b. The requested modification is consistent with the intent and purpose of this Section.
 - c. The modification will result in a superior development when compared with what could be achieved through the strict application of the requirements of this Section.
 - d. A lesser modification will not accomplish the same purpose as the requested modification.
 - e. The modification will not negatively impact the potential of adjacent parcels to develop according to the requirements of this Section.

D. Appeals

Any final official determination of the Director of Planning or designee under this South Village PUD rezoning, including the determination to issue or not issue an Improvement Location Permit, shall be a determination appealable to the Board of Zoning Appeals as set out in the Zionsville Zoning Ordinance.

E. Severability

It is hereby declared that the sections, paragraphs, sentences, clauses, and phrases of this Petition for Zone Map Change are severable and, if any such section, paragraph, sentence, clause, or phrase is declared unconstitutional or otherwise invalid by any court of competent jurisdiction in a valid judgment or decree, such unconstitutionality or invalidity shall not affect any remaining sections, paragraphs, sentences, clauses or phrases of this Petition for Zone Map Change because the same would have been enacted without the incorporation into this Petition for Zone Map Change of such unconstitutional or invalid section, paragraph, sentence, clause, or phrase.

SECTION 12. PROCEDURAL PROVISIONS

A. Approval or Denial of Plats

- 1) With respect to any portion of the South Village PUD other than the areas on which lots are developed for Detached Dwellings, the platting into smaller sections shall be permitted, but shall not be required to divide the Real Estate into smaller areas for purposes of conveying title to a parcel or creating separate tax parcels. Platting or otherwise dividing the Real Estate into smaller parcels for the purpose of conveying title or creating separate tax parcels shall not create property lines to which setback or any other standards of this South Village PUD, if development of the parcels conforms to an approved Development Plan.
- 2) Primary and secondary platting shall be required with respect to any portion of the South Village PUD on which lots are developed for Detached Dwellings. All secondary plats for any portion of the South Village PUD may be approved administratively by the Planning Department and may not require a public hearing before the Plan Commission, so long as the proposed secondary plat substantially conforms with the corresponding approved primary plat.
- 3) If there is a Substantial Alteration in an approved primary plat, review and approval of the amended plans shall be made by the Plan Commission, or a committee thereof, pursuant to the Plan Commission's Rules of Procedure. Minor Alterations and Material Alterations may be approved by the Director or designee.

B. Approval or Denial of Development Plans

- 1) Development Plan approval by the Plan Commission shall be required with respect to all information as required under Sec. 194.147 of Town Code. "Development Requirements"
- 2) Development Plan approval by the Plan Commission, as prescribed in Development Plans Sections § 194.125 through § 194.128 of the Zoning Ordinance, shall be necessary prior to the issuance of a building permit.
- 3) The Plan Commission shall review a Development Plan application to determine if it satisfies the Development Requirements specified within the South Village PUD. *See* Zoning Ordinance 194.127. for submission procedures.
- 4) If there is a Substantial Alteration in an approved Development Plan, review and approval of the amended plans shall be made by the Plan Commission, or a committee thereof, pursuant to the Plan Commission's Rules of Procedure. The Planning Director shall determine what a Substantial Alteration is on a case-by-case basis based upon criteria outlined in Zoning Ordinance § 194.127.(D).

C. Modification of Development Requirements

The Plan Commission may, upon petition of the Developer, modify any requirements specified in the South Village PUD during the Development Plan approval process. However, any approval of such waiver is subject to all the following criteria:

- 1) The proposal must be in harmony with the purposes and the land use standards contained in the South Village PUD.
- 2) The proposal must enhance the overall development plan, the adjoining streetscapes, and the overall South Village PUD.
- 3) The proposal must not produce a site plan or street/circulation system that would be impractical or detract from the appearance of the development plan or the South Village PUD and must not adversely affect emergency access or deprive adjoining noncommercial properties of adequate light and air.
- 4) In granting a waiver, the Commission may impose such conditions that will, in its judgment, secure the purposes of the South Village PUD.
- 5) This Section does not affect the right of an applicant to petition the BZA for a variance from development standards.

D. Variance of Development Requirements

The BZA may authorize variances from other terms not defined herein of the South Village PUD, subject to the procedure prescribed in Section § 194.202 Board of Zoning Appeals of the Zoning Ordinance. See Section 11.C.5 Modifications for Design Standard Modifications process.

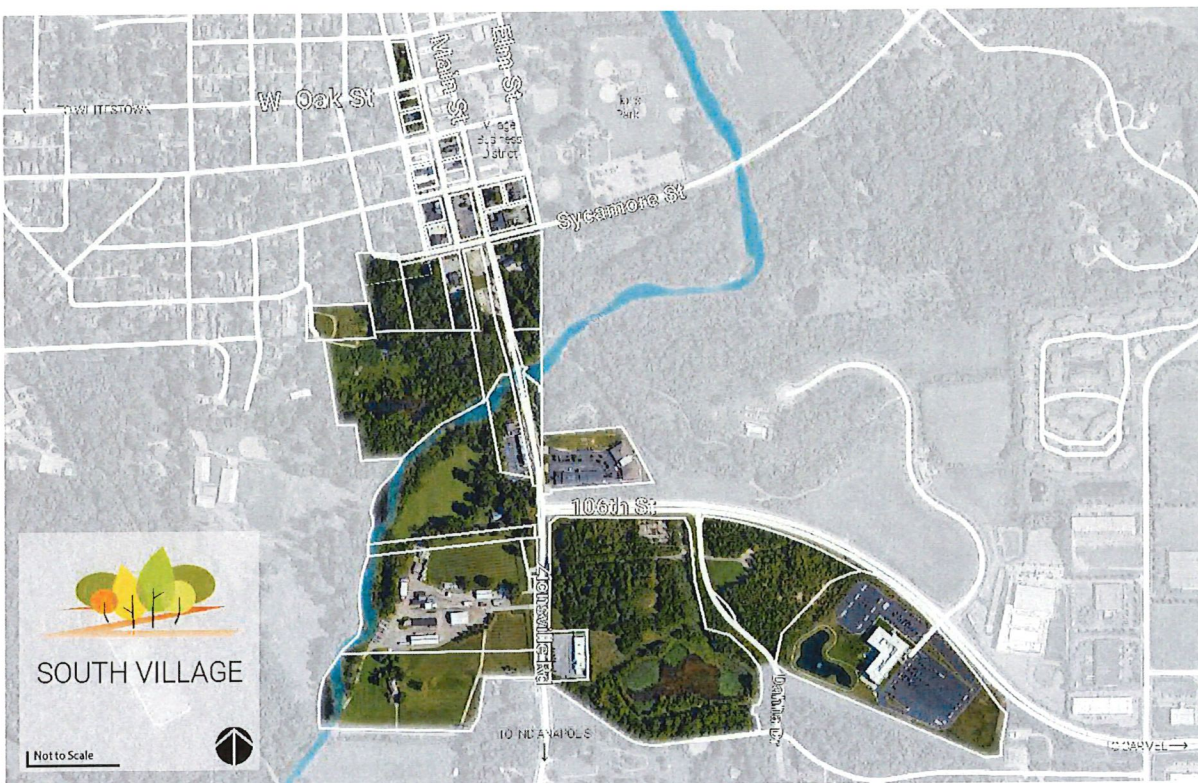
E. Town Council Approval of Apartments

Any proposed project that includes any number of apartment units, shall be subject to final approval by the Town Council. Following the Plan Commission's initial review of the proposed project, it shall make a recommendation (favorable, unfavorable, no recommendation) to the Town Council. This process shall follow the Town's Petition for Zone Map change procedure.

SECTION 13. APPENDIX- SOUTH VILLAGE BOUNDARY DESCRIPTION

Starting at the intersection of South Second Street and West Cedar Street, proceeding EAST/NORTHEAST to the intersection of South First Street and West Cedar Street, proceeding SOUTH/SOUTHEAST along South First Street to the intersection of South First Street and East Pine Street, proceeding EAST/NORTHEAST to the intersection of East Pine Street and South Main Street, proceeding SOUTH/SOUTHEAST to the intersection of South Main Street and East Hawthorne Street, proceeding EAST/NORTHEAST to the intersection of East Hawthorne Street and South Elm Street, proceeding SOUTH/SOUTHEAST to the intersection of South Elm Street and East Sycamore Street, proceeding SOUTH/SOUTHEAST to the northeast corner of state parcel ID: 06-04-02-000-059.000-006 with a common address known as 135 East Sycamore Street, proceeding SOUTH along eastern property lines across Eagle Creek to the northwest corner of state parcel ID: 06-04-01-000-014.001-006 with a common address known as 675 South Main Street, proceeding EAST/NORTHEAST along northern property lines to the northeast corner of state parcel ID: 06-04-01-000-051.000-006 with a common address known as 675 South Main Street, proceeding SOUTHEAST along westerly property line of state parcel ID: 06-04-01-000-051.000-006 with a common address known as 675 South Main Street to its southeastern most point, proceeding WEST/SOUTHWEST along southern property line of state parcel ID: 06-04-01-000-051.000-006 with a common address known as 675 South Main Street to its southwestern most point, proceeding SOUTH to the intersection of West 106th Street and Zionsville Road, proceeding EAST along West 106th Street to the intersection of West 106th Street and Dahlia Street, proceeding SOUTHEAST along West 106th Street to the intersection of West 106th Street and Creek Way, proceeding SOUTHEAST along West 106th Street and the northeastern property line of state parcel ID: 06-04-01-000-050.002-006 with a common address of 10555 Group 1001 Way to the northeastern corner of state parcel ID: 06-04-01-000-050.002-006 with a common address of 10555 Group 1001 Way, proceeding SOUTH/SOUTHWEST along its eastern property line to the southeastern corner of state parcel ID: 06-04-01-000-050.002-006 with a common address of 10555 Group 1001 Way, proceeding NORTHWEST along its southern property line to the southwestern corner of state parcel ID: 06-04-01-000-050.002-006 with a common address of 10555 Group 1001 Way, proceeding SOUTH along Dahlia Street to the intersection of Dahlia Street and Old 106th Street, proceeding WEST along Old 106th Street to the southeastern corner of state parcel ID: 06-04-01-000-009.001-006 with a common address of 10619 Zionsville Road, continue WEST along southern property line of previously identified parcel across Zionsville Road to the northeast corner of state parcel ID: 06-04-02-000-023.000-006 with a common address of 10602 Zionsville Road, proceeding WEST along property lines to the northwest corner of state parcel ID: 06-04-02-000-128.001-006 with a common address of 10604 Zionsville Road, proceeding SOUTH/SOUTHWEST along property lines to the northeast corner of state parcel ID: 06-04-02-000-001.000-029 with a common address of 10506 Zionsville Road, proceeding WEST along property lines to the southwest corner of state parcel ID: 06-04-02-000-022.000-006 with a common address of 10610 Zionsville Road, proceeding NORTH in a meandering way following the water course of Eagle Creek to the southeast corner of state parcel ID: 06-04-02-000-002.035-006 with a common address of 500 South Main Street, proceeding WEST along property lines to the southeast corner of state parcel ID: 06-04-02-000-034.000-006 with a common address of 521 South Fifth Street, proceeding NORTH/NORTHWEST along property lines to the northeast corner of state parcel ID: 06-04-02-000-040.001-006 with an estimated address of 420 South 4th Street, proceeding WEST along property lines to the southwest corner of state parcel ID: 06-04-02-000-046.000-006 with a common address of

410 South 4th Street, proceeding NORTH to the northwest corner of the previously identified parcel, proceeding EAST to the northeast corner of the previously identified parcel, proceeding NORTH/NORTHWEST to the northwest corner of state parcel ID: 06-04-02-000-045.000-006 with a common address of 235 West Sycamore Street, proceeding EAST along property lines and centerline of West Sycamore Street to the intersection of West Sycamore Street and South Second Street, proceeding NORTH/NORTHWEST along the centerline to the southwest corner of state parcel ID: 06-04-02-005-010.046-006 with a common address of 105 West Pine Street, proceeding EAST/NORTHEAST to the southeast corner of the previously identified parcel, proceeding NORTH/NORTHWEST along property lines to the northeast corner of state parcel ID: 06-04-02-005-010.046-006 with a common address of 105 West Pine Street, proceeding WEST/SOUTHWEST to the northwest corner of the previously identified parcel, proceeding WEST/NORTHWEST to the intersection of West Pine Street and South Second Street, proceeding NORTH/NORTHWEST to the intersection of South Second Street and West Oak Street, proceeding EAST/NORTHEAST along centerline to the intersection of West Oak Street and South Second Street, proceeding along centerline to the intersection of South Second Street and West Cedar Street, thus closing the area ending where it began.



SECTION 14. APPENDIX – CHARACTER EXHIBIT

New buildings shall be substantially similar in quality and character to the Character Exhibit. Examples of developments that meet some or all the design standards per use are provided in the Appendix. The images below represent a design intent and shall not be interpreted as literal examples. The images represent examples of what characteristics the architecture of new development(s) in South Village should capture. Characteristics shown include window/wall ratio, building materials, height, ornamental details, building placement, public plaza elements, etc. The purpose of the Character Exhibits shall be for illustration purposes only and ultimate approval of design lies with the Development Plan process.

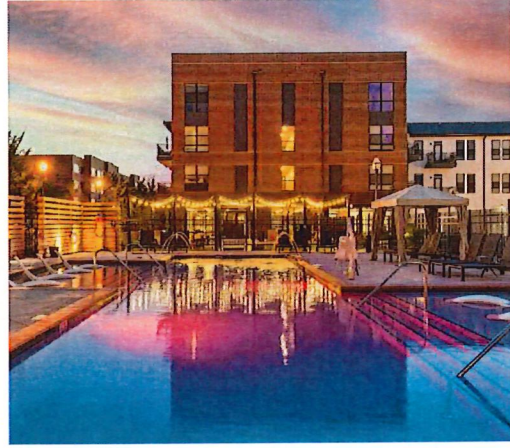
The purpose of the Character Exhibits shall be for illustration purposes only and ultimate approval of design lies with the Development Plan process.

1) MIXED-USE



2) RESIDENTIAL

CHARACTER IMAGES NORTH OR SOUTH OF CREEK



CHARACTER IMAGES SINGLE FAMILY RESIDENTIAL (MU-N* IN AREA FORMERLY KNOWN AS "THE COVE")





CHARACTER IMAGES SOUTH OF CREEK ONLY



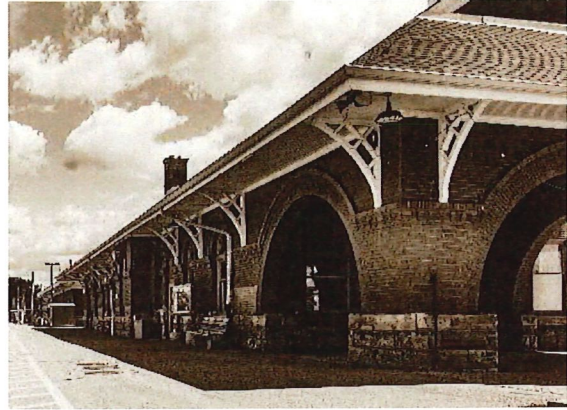
3) COMMERCIAL/OFFICE



4) GARAGE



5) PUBLIC PLAZA



Plaza amenities may include such design features as:

- Band shell
- Bicycle parking
- Covered pavilion
- Lawn (artificial or real)
- Ice Skating rink
- Trees and landscaping
- Seating
- Decorative pavement and/or sidewalks
- ADA accessibility
- Safety/security features
- Access to water and electric
- Stormwater infrastructure
- Infrastructure for the Zionsville Farmer's Market
- Other public facilities as deemed necessary by the Town

6) STREETSCAPE



Streetscape amenities may include;

- Public Art (paint and sculpture)
- Consistant lighting (vehicular and/or pedestrian)
- Trash recepticles
- Trees and landscaping
- Permenant and/or temporary seating
- Decorative pavement and/or sidewalks
- ADA accessibility
- Safety/security features
- Stormwater infrastructure

SECTION 15. APPENDIX- PROJECT BACKGROUND

A. 2021 Zionsville Gateway Area Master Plan (REFERENCE ONLY)

With the demolition of the PNC bank building and locksmith shop at the northwest corner of Main and Sycamore Streets on July 28, 2020, the Town of Zionsville began the first stage of planning for what would become known as the Zionsville Gateway Area (“ZGA”) – which has now been expanded to the South Village. The ZGA represented decades of underutilized area of downtown Zionsville. As the under-realized southern entry point and major gateway into the downtown area. It lacked the same sense of place as the adjacent Brick Street Village Business District. The Town recognized the potential boon to the overall economy, an underused resource to residents, and understood the need to revitalize the area. Some challenges in this area include vehicular congestion, and a lack of walkability, connectivity, and parking. Including land surrounding the intersection of Sycamore Street and Main Street, the ZGA’s northern boundary generally followed Sycamore Street. Creekside Corporate Park generally represented the boundary to the east and private property borders the area to the west. Eagle Creek is the extreme southern boundary and included land adjacent to South Main Street on the east and west. The ZGA included a parcel of land currently owned by The Town. North of Sycamore Street and used as a surface parking lot.

The mission statement of the ZGA is “[the purpose of the ZGA planning process was to identify the highest, best, and most sustainable mix of uses within the ZGA and to explore ideas for an economically vibrant, whole community serving, and authentically Zionsville experience.” This mission statement was generated by the Town of Zionsville and highlights the importance of identifying a current resident enhancement and an economically vibrant outcome for ZGA. The Town’s goal was to address the area’s challenges and promote development to complement the activity and character of the Brick Street Village District. The plan included a mix of public and private development options that brought together greenspace, parking, and a variety of commercial, residential, and mixed-use developments.

One option within the ZGA (right) looked at using the central block for a mixed-use structure. The development would front both the pedestrian walkway and the relocated South Main Street, as well as serve as an architecturally significant element to help define the aesthetics of the area. The adjacent plot of land to the north could be used for public gathering space, a mini-park, or as an area for branding by way of a large sculpture or signage—furthering the significance of the central block as building by way of forming an iconic destination. The areas to the west of the new South Main Street were suggested to become lower-height residential uses to better transition to the existing neighborhoods. Areas to the east of South Main Street would be mixed-use in nature.



Figures 1-3: ZGA Development Suggestions - Scenarios

ZGA plan recommendations (REFERENCE ONLY)

Residential: The rowhouses in the ZGA are meant to be a buffer between the larger mixed-use buildings to the east and the existing neighborhood to the west and north. It is suggested that they be a mix of, but no more than, two to three stories in height and of an architectural style that blends within the existing context but does not try to replicate a historic style. Future designs could include traditional forms with modern materials and detailing or more modern forms with traditional materials. Either could feel at home in the ZGA. Both connected rowhouses with modern detailing and detached style single-family homes with traditional styling are welcome in the ZGA.

Public Space: During the community listening sessions, Zionsville residents shared they would like to see a mix of hardscape/plaza spaces and landscaped beds/lawn areas. Those spaces could incorporate amenities such as public restroom facilities, seasonal or special uses, and a myriad of other programmatic elements. Small-scale structures within the public area could house functions such as restrooms, stage areas, and farmers markets. All these amenity offerings were discussed and generally desired by stakeholders in the Listening Sessions.

Mixed-Use Development: As each parcel is developed either separately by individual owners/developers or as a larger more encompassing endeavor, the materials and style of the buildings will take on a life of their own. That said, the structures will need to complement and fold into the fabric of the existing downtown area. A two and three-story development with modern and traditional elements will complement the scale and style of the adjacent areas. Traditional forms and modern materials are welcomed, as are more modern forms and traditional materials. In any case, the design of the new structures should not try to emulate or replicate a historic style. Outdoor activation of both the street and roof levels is highly desired, especially when fronting the new pedestrian section of Main Street. Buildings along the Main Street walkway have a unique opportunity to emulate and/or influence the quality, feeling, and attitude of the entire ZGA.

B. 2012 Economic Development Plan (REFERENCE ONLY)

Select “downtown” Action Plan Recommendations from the 2012 plan.

- 1) Work with the current downtown community to create effective downtown representation through a consolidated downtown partnership.
- 2) Complete market analysis of downtown area.
- 3) Maintain strong retail mix.
- 4) Continue and expand façade enhancement program.
- 5) Create a capital improvements plan for the downtown in coordination with downtown merchants and property owners.
- 6) Investigate the potential for establishing a Business Improvement District to assist in funding enhancements in the downtown.
- 7) Promote tourism to Zionsville and its many amenities including the commercial village and parks.

C. 2014 Downtown Zionsville Market Study + Parking Analysis (REFERENCE ONLY)

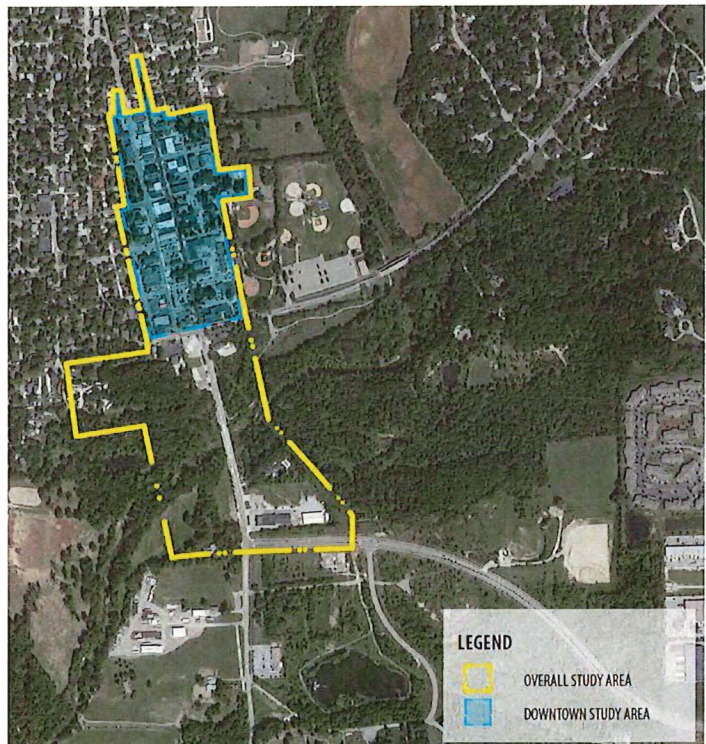
1) EXECUTIVE SUMMARY

The Town recognized the need to develop a strategy that helped guide future planning and economic development efforts to strengthen the Brick Street Village Business District in the short-term and ensure it remained viable for years to come.

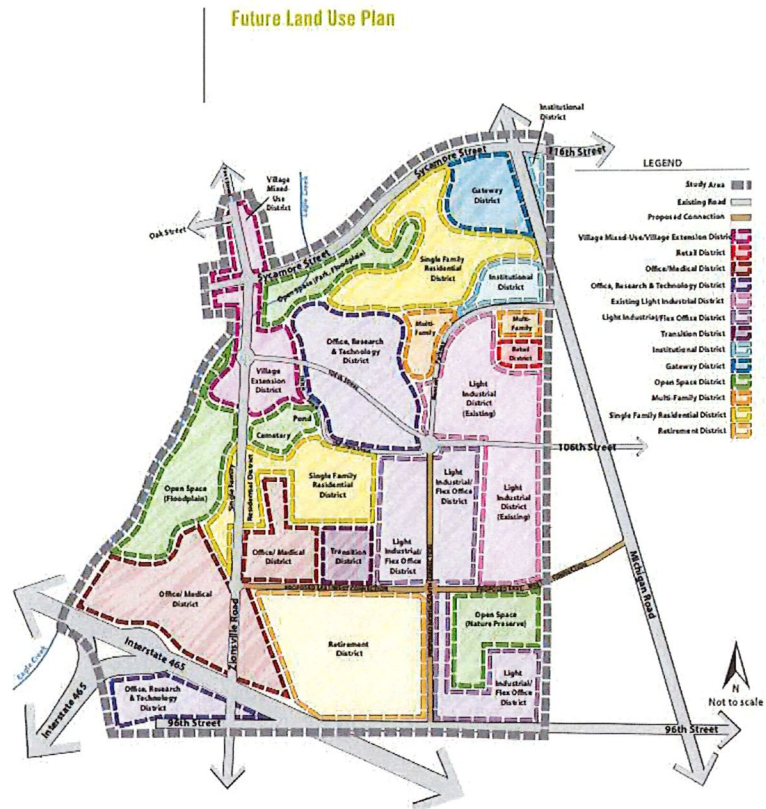
Considering the interrelationship between economic development strategies and parking conditions and how they collectively contribute to the success of a downtown district, it was important that both key elements were considered together throughout the study process. Thus, the study collectively integrated both market and parking considerations in the identification of recommended strategies to support and strengthen the study area.

2) MARKET STUDY

The brick street Village Business District serves strong local and regional consumer and visitor markets. The existing market attributes create competitive advantages for the study area and provide the basis for capitalizing on the multiple growth opportunities identified in this study. To take advantage of the study area’s inherent strengths, four (4) initial recommendations were identified for implementation.



- 1) The Town and the Zionsville Chamber can begin to strategically market the downtown offering to regional consumers and potential tenants. Part of this initial work should be an assessment of the existing special events calendar and of all current marketing efforts to Zionsville's residents and downtown's broader trade area. The work of the five (5) peer communities described in this study presented multiple examples of successful downtown marketing efforts.
- 2) Town officials and the Zionsville Chamber should share the results of this study's consumer survey with downtown's business and property owners and with the local commercial real estate community.
- 3) Reinforce the importance of collaboration as fundamental to downtown success.
- 4) The Town and its partners should work together to identify how to best manage and advocate for the Village and the overall study area.



The longer-term recommendations consist of three (3) sets of strategic action plans. For the Town, its partners, and its residents, incremental implementation of these plans will ensure the study area's vitality over time. These action plans specifically address:

- 1) Future Roles and Responsibilities for implementation of these study results;
- 2) Image and Identity actions to guide the Town, the Chamber, and their partners in promoting and marketing the study area to investors of all types; and
- 3) Business Development to focus on business growth through expansion and recruitment.

3) 2014 PARKING ANALYSIS

General parking conclusions and recommended strategies:

- 1) Parking demand peaked on weekdays at 12:00 PM during the lunch hour and on Saturdays at 10:00 AM, coinciding with the Farmer's Market. A similar utilization of public parking is also experienced on Saturday evenings at 7:00 PM resulting from patrons at the various restaurants.
- 2) Overall, pre-development, ample parking was available within the study area. However, during peak conditions, public parking was more limited than privately-owned parking and visitors may have needed to park a few blocks from their primary destination to find available public spaces.
- 3) On a typical weekday, approximately sixty (60) people parked their vehicles along Main Street and in the adjacent public lots for six or more hours, suggesting use of primary convenient spaces by business owners and employees.

- 4) Establish partial or full lease agreements with private property owners to allow public parking in privately-owned spaces.
- 5) Establish an in-lieu parking fee policy that allows property owners to pay a fee to the Town for a waiver from providing their full off-street parking requirement. This policy compensates the Town for use/maintenance of public parking and promotes economic development by facilitating appropriate site design by not placing a full on-site parking requirement on smaller parcels to the point that developing the site is no longer feasible.
- 6) Designate peripheral or potential publicly leased private parking areas for Downtown business employees. This strategy was intended to free up some of the more convenient parking spaces for customers.

SECTION 16. Current Village Business District Permitted Uses

This section is for reference only and may not be up to date. Refer to the Zionsville Zoning Code for a list of permitted uses that may or may not have been updated since the adoption of this PUD.

§ 194.062 URBAN VBD: URBAN VILLAGE BUSINESS.

(A) **Intent.** The VBD (Village Business) District is composed of the downtown business center. The regulations are intended to:

- (1) Be compatible with, and strengthen the existing character of, the historic downtown and its unique Main Street area; and
- (2) Promote a concentrated business area which maximizes the use of properties, encourages pedestrian activity and discourages interruptions in the continuity of business frontages.

(B) **Permitted uses.**

(a) **Automotive:** automobile sales, minor;

(b) **Retail food sales and service:**

- | | |
|---|---------------------|
| 1. Bakery; | 4. Delicatessen; |
| 2. Neighborhood market (no gasoline sales); | 5. Farmers market; |
| 3. Dairy bar/ice cream store/yogurt store (retail sales); | 6. Grocery; |
| | 7. Meat market; and |
| | 8. Restaurant. |

(c) **Residential:** dwelling units (upper level);

(d) **Clothing service:**

- | | |
|--|----------------------------------|
| 1. Costume rental; | 4. Millinery shop (fabric shop); |
| 2. Dressmaking; | 5. Shoe repair shop; and |
| 3. Dry cleaning and laundry establishment; | 6. Tailor and pressing shop. |

(e) **Retail:**

- | | |
|--------------------------|--------------------------------|
| 1. Antique shop; | 16. Floor coverings; |
| 2. Apparel shop; | 17. Frame shop; |
| 3. Appliance store; | 18. Furniture store; |
| 4. Art gallery; | 19. Gift shop; |
| 5. Art and craft store; | 20. Hardware store; |
| 6. Bicycle sales; | 21. Hobby, toy or game shop; |
| 7. Camera store; | 22. Home improvement store; |
| 8. Card shop; | 23. Jewelry store; |
| 9. Clock shop; | 24. Music shop; |
| 10. Coin and stamp shop; | 25. News dealer; |
| 11. Computer store; | 26. Paint/wall cover store; |
| 12. Department store; | 27. Pet store; |
| 13. Drug store; | 28. Shoe store; |
| 14. Fabric store; | 29. Sporting goods store; |
| 15. Flower shop; | 30. Stationary and book store; |

- 31. Tobacco store;
- 32. Variety store; and

(f) Office/professional services:

- | | |
|---|--------------------------------------|
| 1. Architect; | 8. Engineer; |
| 2. Artist; | 9. Insurance agent; |
| 3. Bank machines/automated teller machines (ATMs) (freestanding units not permitted); | 10. Lawyer; |
| 4. Bank/savings and loan/credit union; | 11. Musician; |
| 5. Consultant; | 12. Pharmacist; |
| 6. Dentist or physician; | 13. Photographic studio; |
| 7. Design services; | 14. Professional offices; |
| | 15. Real estate office; |
| | 16. Service organization office; and |
| | 17. Travel agency. |

(g) Personal service:

- | | |
|-----------------|-------------------|
| 1. Barbershop; | 3. Locksmith; and |
| 2. Beauty shop; | 4. Tanning salon. |

(2) Special exception uses.

(a) Government use:

- 1. Governmental offices; and
- 2. Post office (without storage of delivery vehicles).

(b) Recreation:

- 1. Dancing, aerobics, gymnastics studio;
- 2. Lodge or fraternal organization; and
- 3. Social hall.

(c) Public facilities:

- | | |
|----------------------|--|
| 1. Community center; | 4. Parking garage; |
| 2. Museum; | 5. Commercial parking lot (surface); and |
| 3. Park; | 6. Religious use. |

(d) Miscellaneous:

- | | |
|--------------------------------|---|
| 1. Print shop; | 3. Outdoor seating for restaurants; and |
| 2. Drive-through service unit; | 4. Outdoor display of merchandise |

(e) Retail:

- 1. Garden supply; and
- 2. Pet shop.

(f) Personal service:

- 1. Bed and breakfast; and
- 2. Health spa or fitness center.

(g) Liquor sales and service:

- 1. Liquor store; and
- 2. Tavern/bar.

(3) Accessory uses. See § 194.095 of this chapter.

(4) Temporary uses. See § 194.096 of this chapter.

SECTION 17. APPENDIX BIBLIOGRAPHY

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