

PLAINFIELD PLAN COMMISSION

August 2, 2021

6:30 p.m.

Mr. Slavens: Good evening. I'd like to officially call the August 2, 2021 Plan Commission to order.

ROLL CALL/DETERMINATION OF QUORUM

Mr. Slavens: Mr. Secretary, if you could do roll call to determine a quorum?

Mr. Klinger:

Mr. Phillip – here

Mr. McPhail – here

Mr. Brandgard – here

Mr. Smith – here

Mr. Kirchoff – here

Mr. Bahr – here

Mr. Slavens – here

Everyone is present and accounted for.

Mr. Slavens: Thank you

PLEDGE OF ALLEGIANCE

Mr. Slavens: If you all could please join me in the Pledge of Allegiance.

APPROVAL OF MINUTES

Mr. Slavens: Next item is the approval of the meeting minutes from our July 13, 2021 meeting.

(Brief pause)

Mr. Slavens: Motion or amendments?

Mr. McPhail: I move that we approve the minutes as submitted.

Mr. Slavens: We've got a motion from Mr. McPhail.

Mr. Brandgard: Second

Mr. Slavens: Second from Mr. Brandgard; all in favor please say aye.

(All ayes)

Mr. Slavens: Thank you

PUBLIC HEARING GUIDELINES

Mr. Slavens: Tonight, there are two items listed for public hearing

1. The proceedings are recorded for public record purposes; please come to the podium, located in the front of the Meeting Room, give your name and address and make your presentation.
2. Please make presentations as concise as possible; try to limit your comments to no more than five (5) minutes and avoid repetition of points made by previous speakers. Each speaker will be allowed to speak only once.
3. If possible, please designate a spokesperson for groups supporting or opposing same positions.
4. Following your presentation, please print your name and address on the speakers' sheet provided by the Plan Commission Secretary to ensure the official record reflects your appropriate name and address.

We are LIVE streaming tonight, but I don't think there's comments for it, and I think we have everybody in the room tonight (inaudible) potentially flow over, so if there is flow over, we'll reach out to Kevin and get individuals in here who – they are one speaker, for or against the petition.

OATH OF TESTIMONY

Mr. Slavens: Oath of Testimony...

Mr. Daniel: Anyone expecting to testify before the Plan Commission, please stand and raise your right hand.

(Mr. Daniel administers the Oath of Testimony)

Mr. Slavens: Thank you Mel.

PUBLIC HEARINGS

Mr. Slavens: First item up on the agenda – I'm assuming we're combining these – RZ-20-129, RZ-20-130, and PUD-20-131.

Mr. Berg: Thank you Mr. President, I was going to ask if we could combine them but you're ahead of me, which is probably good. Okay, we did talk about the docket numbers here; this is the last of our 2020 dockets. This has been a long, strange trip with a whole bunch of changes and annexations. So, it's been a little bit strange, and I think in the 10 months that we've had this on our radar screen, I think I've aged about 45 years, but I'll get over it. Brian Tuohy of Tuohy Bailey and Moore is here to represent Drees and the Redbird Group. This is a combination of, as you mentioned, three different petitions: two rezones and a Planned Unit Development. One of the rezones to the R-3 is seeking a development incentive for sideyard setback to allow for side entry garages. It is south and west of the Hadley Road/Hall Road intersection. You can kind of see it here on the big town map; it's that pinkish/purplish area there. It did not show up on that as well as I had hoped, but it's about 187 acres+/- . Here is the most latest and greatest of the submittals. The darker green is the R-4 – I'm sorry, the R-3, and then the lighter is the R-3. In the middle there, about halfway down on the right, is the Hall PUD, Hall Business PUD. Here's a closeup of that PUD. The top graphic there shows what's currently on the site, with the bottom one there in gray showing the changes that eventually are proposed to be made by the applicant. And because Theodore Roosevelt always said that the three "B's" are important: be brief, be sincere, and be seated, I'm going to do that right now. The legend of land use law, at least that's what his admins call him, Brian Tuohy is here to discuss the proposal.

Mr. Slavens: Thank you Eric.

Mr. Tuohy: Members of the Plan Commission, good evening. Thank you, Eric, and thank you for the introduction Eric. I'm Brian Touhy and I represent the petitioners who are actually three different entities: Redbird, as he mentioned, and then also Drees and Pulte are all co-petitioners in this. I greatly appreciate the Commission's consideration in allowing us to present these three cases together. As you will see here in a minute – and I think from our previous formal

presentation – you know that they're very closely tied together. Here with me tonight, and I'd just ask them to stand so the Commission knows they are here – John Hall, Linda Hall, and Damon Jones, the people that actually own the real estate and they're here in the room. And then from Drees homes is Lee Phillips, and the President of Drees homes here locally, Randy McNutt. And then with Pulte, Dave Compton and Robin Crawford are here. And then the people that really know what they're doing, Jeff Banning and Jason Coil from Banning Engineering. And then the Traffic Engineers who have consulted on this, Brad Worland and Joe Johansen are also here. So, thank you for hearing our case; it's great to have a LIVE presentation. As Eric said, this is a combination of three different zonings, and it's across about 185 acres, that's shown on this exhibit before you. I will be as brief as I can, but it is three cases, so I want to make sure that I give a full presentation to the Plan Commission. There's 185 acres that's shown, and you can see on the outline it's frontage on County Road 675 East, that's over there to the right; that's also called Hall Road. And it's got frontage on Hadley Road, also known as 600 South, and it's got a bit of frontage down on County Road 700 South. So, it's a big site; it's from County Road 700 South to 600 South. And it's surrounded by primarily residential uses, including right across the street, Bridlewood Estates which this Plan Commission approved a couple of years ago which has been a very successful single-family residential development. The proposal before you tonight, as Eric said, is divided into three different zoning classifications: R-3 for single-family homes, R-4 for single-family homes, and to change the Hall business, which has been there for about 55 years, which is a multitude amalgamation of different businesses, to change that into a PUD zoning. And of course, eventually bring all of this property into the town of Plainfield. We're here tonight pursuant to an interlocal agreement where the county's agreed to allow you folks to rezone this because frankly, it just made sense given the location. Let's first talk about the Hall PUD. As I mentioned, the Hall family has been there for about 55 years, and the business, they've actually been in and around this site for over 100 years. John Hall and his son John Hall Jr. live within a short distance of this business. Currently on their site there are 14 buildings, and members of the Plan Commission, I've been to this site several times now and when you hear about the uses that are there – there's construction companies, there's trucking companies, there's farm/agriculture businesses, there's excavating businesses – you think, wow, that's going to have a lot of stuff; it does, but the Halls have very neatly and tightly organized this site so that all of that stuff, all of that equipment, all those pieces and parts of all of those businesses except for the west end, they're all inside essentially a closed in area, and I'll show you that in a minute. This is the front view of their building right along Hall Road, and that was just taken on a weekday. It just shows that these folks have been and will continue to be good operators and good stewards and good neighbors, and I'll talk about what I think is evidence to their being good neighbors in a minute. The idea is to limit the building's, right along Hall Road, the two buildings, to General Commercial uses, and then to divide this existing 18 acres into three lots. Again, I just wanted to show what the buildings along the front look like. These are buildings where heavy equipment is stored, farm equipment is stored, but they are attractive, handsome, well-maintained buildings. This view I think is important to understand – so, part of this case, part of the commitment in connection with these rezonings is to provide an extension, and eventual extension of Hackamore Road. This Commission might remember that as part of the Bridlewood subdivision, Hackamore Road got

extended; not too far a distance, a few hundred yards, eastward. If this is approved, this gives a vehicle, a development that will create an opportunity for Hackamore Road to be extended westward, as shown on this plan. It will not get all the way to Moon Road because that property is not in this petition, but what my point of the photograph is – I took that photograph standing right here, where Hackamore Road would be extended, and I took that to show the Commission that the perimeter of Hall’s business, even though it has that amalgamation of all those different businesses – it’s got storage, it’s got agriculture, it’s got construction, it’s got excavating – you can't see it. You can't see it from there because the Halls have done a terrific job of creating a perimeter around their existing operations. They propose that they would cut this site into three lots. This is what it looks like now – Eric just showed you that picture – that’s the existing conditions. So, the buildings I just showed you, in the bottom of that drawing, the white building where the cornfield was in front of it, that’s those buildings along there. And the first buildings I showed you, the front door buildings, are out there on Hall Road. They would take this, and they would – they have some space there at the back left hand side of what you’re looking at, and that would be improved eventually, into three lots. The Halls, at some point, would phase some of these businesses out of this site. They don’t have an exact timetable for that, but Mr. Hall is here and what he said is, when the homes start coming in it’s probably not going to be very feasible to have giant combines coming in and out of their site. So, the farm operation probably gets phased out first. But they want to cut this into three lots, and that’s what this PUD proposes to do, and it would eventually phase out of some of the businesses that they have now, and get more into storage only operations, which I’ll show you in a minute. So, the property would be proposed to be cut into three lots, and those lots would be developed approximately as this shows. So, to kind of get us oriented now – in the right center of that exhibit is what the existing buildings look like. So, those are those buildings that I showed you that front on Hall Road, and those buildings that I showed you where Hackamore would come through. And let’s spend a minute on this exhibit. This is what the finished product would look like if this is approved. And so, starting at the bottom, you can see there's more road coming up from the south. And then to the north of Hackamore Road would be the Hall PUD, and then to the north of that, which we’ll talk about in a minute, would be the proposed Drees and Pulte subdivision called Trescott. And members of the Plan Commission, the idea is to create a perimeter around the Hall site with, what's shown on this plan, a 10-foot-tall landscape mound that would be 60-70 feet wide, so quite a wide mound, quite a tall mound. As an example, the mound across the street, fronting right outside Hall’s door screening Bridlewood, is only 6 feet tall. So, this would be 4 feet taller and quite a bit wider. And then in addition, none of those buildings would face, or front, or have garage or any other kind of doors out into the south where the subdivision goes, or to the west where the subdivision is going to go, or to the north. So again, you would create a perimeter with the 10-foot-tall mound, 60-70 feet wide, and then buildings would be built around the edges of the Hall property – I’ll show you what that will look like in a minute – that would again, continue that screened in area of the Hall’s business. The reason behind all that, of course, is to allow the successful sale of rather expensive, high-quality, single-family homes, R-3 and R-4 homes, all around the perimeter of this subdivision. That mound would have a Level 5 landscaping, which the engineers tell me, and that exhibit down in the corner tells me, that’s like 10 trees for every

100 feet. So again, you've got a pretty substantial screen that's part of the PUD ordinance, and it is located on the Drees/Pulte property, because they'll have a Homeowner's Association made up of 382 lots, that will have a keen interest in keeping that mound up at all times, and also have the financial wherewithal with an Association of that size. So, those are the kinds of buildings that the Halls would propose to build; matching the existing architecture of the existing buildings that I showed you earlier, matching that existing architecture – that's just an example, those colors aren't quite right. But they would propose to build those on the perimeter and all that you would be looking at would be the bottom photograph; that would be essentially what the rears of those buildings would look like, along with the rears of the buildings that I've shown you, that kind of style, but there'd be a 10 foot, 60-70 foot wide mound on the other side of that between them and the home proposed to be built. So, this slide just shows you that what we have here now is an existing, allowed business that's been there for – John tells me, over a century – and what we would propose to do, in conjunction with two substantial residential subdivisions, is to eventually change it to what's shown in the bottom exhibit, which would transition that empty area, to the west of the existing buildings, into a storage facility, as I've shown. I think it's important for the Plan Commission to know that no new buildings would be built on the perimeters of the Hall property until that mound is installed – and that's in the Hall PUD and it's in the Trescott commitments. Trescott, the Drees and Pulte folks, can't come in and start building homes next to the existing Hall businesses until that mound is installed, and the Halls can't come in and start building new buildings on their site until that mound is installed. They can't build any new buildings on the interior of the site until those perimeter buildings are built, again, to ensure that the screening is in place for the residential subdivision. I asked Banning to create an exhibit that would try to give the Plan Commission an example of what this would look like, and this next exhibit that I'm going to show, you the point of view is when you would come into the main entrance of the neighborhood here, right off of Hall Road – that will be the first primary entrance, off of Hall Road, of course – and that arrow shows you right there as if you were a person or a car just coming in off of Hall Road and into the Trescott Development, what would that look like. When they first build it, that shows the 10-foot mound, 60-70 foot width; it shows the trees at a Level 5 at their planting. You can see in the background, that's where the Hall buildings will be built – again, no doors or windows looking out; those are all blank walls along there. And then this next exhibit shows what it will look like when the trees are mature. I think that's an important concept to try to show the Plan Commission that sure, when it's first built the trees are going to be small, but there's going to be that mound, but as they mature it turns into a heck of a view coming into the boulevard of Trescott, and it's a view that the Pulte and Drees people are very comfortable with; they believe firmly that they can sell high-quality homes in this area, with this kind of screening. They think – they, who are going to invest tens of millions of dollars in the Trescott subdivision – they believe this is a very compatible zoning, the PUD of Hall's and their R-3 and R-4 zoning, and I think that's evidenced by their willingness to invest those sums in this development, and it certainly makes them wanting to go forward when they reach these agreements about the berms and the screening. Now, this would be further into the subdivision, right before the first home, so that view would be right here, right before you see this home on your left next to Hall's. You can see those buildings behind it; you can see those proposed

buildings behind the berm, and this shows what it will look like once those trees come in, with the Level 5 landscaping that is committed to in the PUD. The notion that might not be compatible to have the Hall Business PUD right in the middle of that subdivision is understandable; we get that, but if you go out to Hall Road right now and you look along the front door of John Hall's business – that's his existing building right there – across the street is the Bridlewood subdivision; they only have a 6 foot mound screening them from the front door of the Hall business. The mound proposed this evening is a 10-foot mound. I talked to the Bridlewood folks today and asked them how their sales are going and what I could disclose to the Plan Commission; they said they have a backlog of almost 50 homes right now, and their average sales price is \$400,000. My point about sharing that with the Plan Commission is that clearly, from the perspective of the Bridlewood developers, the Hall's business operations have not slowed sales, have not discouraged people from buying quality homes, expensive quality homes, right across the street. I think that is what evidence is Pulte and Drees' desire to be in this location; that's on top of the desire to be in the Plainfield community. They believe this works well, and the evidence of that is right across the street. So, now let's turn to what Drees and Pulte propose to do in the R-3 and R-4. Eric is exactly right, the green lots are the R-3 lots, and the lighter color lots are the R-4 lots. The R-3 lots are comprised of about 55 acres up on that drawing; there's about 130 lots. Those lots are 80 x 125 feet, so 10,000 square feet at a minimum. The homes they've agreed to would be between 2,200 square feet and 3,600 square feet, as a minimum. They expect the prices to be in the \$450,000 +/- range. The yellow lots are R-4 lots; that's 111 acres, there's 251 of those lots. Those homes would be a minimum of 1,774 square feet to 3,200 square feet, so slightly smaller. And they expect those homes to be in the range of \$350,000 to \$425,000. Eric is right, we requested a development incentive to allow for side-load garages, which is shown in hopefully the next slide – I'll get to that in a minute. The side-load garage incentive is to reduce the sideyard on one side. So, if you've got two homes with side-load garages on either side of a home with a front-load garage, the request is to reduce the sideyard setback on one side to 6 feet, maintaining a separation of a minimum of 16 feet between the sideyards; that will allow them to build more side-load garages. Some of the commitments they've agreed to, and it's in the Plan Commission's packet: every home would have a brick or masonry element on the front elevation – and there's detail on that. There's nothing wrong with vinyl siding, but it would be prohibited in both R-3 and R-4. The commitments talk about the minimum home size, which we just went over. The homes constructed with a third car garage door would have a minimum offset of that third car garage door of a foot from the front elevation. All of the garages would be a minimum of 484 square feet inside the garages. The garages would be setback at least 30 feet from the right-of-way line adjacent to the front of the garage. But the key part, one of the key commitments is this zoning, sort of like what the Plan Commission saw on the ADESA site, would be conditioned upon the petitioner's, in the R-3 and R-4, entering into an MOU regarding certain roadway improvements. The roadway improvements – and Mr. Singleton's here, I'll let him address this better because he knows it better than I do, but the roadway improvements they would be looking at would be improvements to the intersection of Hall and Hadley Road, which is just right up there in the corner of the site right here, and then the extension of Hackamore Road westward from Hall Road, along through the subdivision, as I showed you if that doesn't get worked out then the

zoning would just be annulled and this would go back to where it is now. And then I mentioned that no homes would be built along the perimeter of the Hall PUD until that adjacent landscaped berm is installed. So, I just tried to highlight the key commitments. What would the homes look like? These are some elevations of the styles of homes, with some of the finishes that they would have on them. These are elevations both of Drees homes and Pulte homes. I think the subdivision that's been very well received here in town where I believe Drees and Pulte both built – and here in a minute, if I've made a mistake – is the Vandalia subdivision, and these homes are representative of the kind of quality of homes that would be built in this R-3 and R-4 community, if it was approved. Here's to give you an idea of what the interiors would look like; again, high-quality single-family homes. Here's the slide I was looking for; this is the request for development incentive. So, this exhibit gives you an idea that homes on either the left or right of the middle home show a side-load garage, and you can see that there is a minimum of 16 feet between the homes, and then on one side there's 26 feet separation; this is what the development incentive is requesting. They believe that maybe a quarter, to almost a third of those home may want those side-load garages, and they like to be able to have that and offer that. The reason we're asking for that development incentive is to be able to do that, to have side-load garages. This shows the proposed intersection improvements, this is the intersection I was speaking of, and there's the Hackamore Road extension. We've had several meetings with the town's Tim Belcher, Scott Singleton, and there's been a traffic report done, and so they've been communicating about that. How would this be built? What is the timing of this? If everything worked according to plan, the development works, or the moving of the earth would be starting in the spring of 2022. Likely the first home wouldn't start until November of 2022. And the first actual resident, occupancy of homes, would likely be in the second quarter or third quarter of 2023. So, we're a little ways out before anybody would actually live there. Again, an estimate is the Hackamore extension might commence in the fall of 2024, and the total expected build-out time would be four and a half years to five years, but you need to think about that starting in 2022, so 2026-2028 is an approximate timeline of what the build-out of this would be. This is a substantial, would represent a substantial increase in fair market value of the real estate. It's agriculture now, and the whole Hall business operation – I believe when the homes would be built, depending on what they cost, you would have north of \$150 million in appraised value, new appraised value on fair market value on this site. Plus, when Hall would build their property, there would be several million additional dollars, of course at a higher tax rate because of its use, on its site. So, it's a substantial capital investment and increase in value of that real estate. The black outline there shows what the proposed Phase 1 would be. So, I believe they say they would start, have an entrance up on Hadley Road, and then that entrance off of Hall Road is shown; that would be the first phase of development, so it would have both R-3 and R-4 in the first phase. So, we have received a note from a gentleman named Jason Stanke; he sent that to Eric, and Eric was kind enough to send it to me this morning. He said he was excited to see the subdivision going in; Drees makes fantastic homes. I checked, he does not work for Drees, I'm told. He said, "Just visit the Overlook community to see the pride in ownership and home designs." He ends by saying, "Let's get out the shovels and build a happy and healthy new community!" The summary of this – and thank you for allowing us to the time and put these cases together – we are respectfully

seeking zoning of three different rezonings that covers about 187 acres. It's a rezoning of 18.5 acres to PUD, to allow the Halls to continue their existing business and eventually transition into a storage business with offices and some general business uses along the front. A rezoning to an R-3 district to allow for about 131 single-family homes. A rezoning to an R-4 district of 111 acres to allow for about 251 homes. And the approvals of the rezonings would be contingent upon reaching an agreement with the Town of Plainfield with a Memorandum of Understanding for these roadway improvements that I mentioned a minute ago. And then just a reminder that there would not be new buildings on the Lot 1 of the Hall PUD built until that landscaped berm is installed, and there would be no homes built along the perimeters of the Hall PUD until that landscaped berm is installed. With that, we thank you again for your time, and we would try to answer any questions you might have. Thank you.

Mr. Slavens: Thank you Mr. Tuohy. Any questions from the commission for Mr. Tuohy yet?

Mr. Smith: There was another note that we received – and I apologize, I've forgotten the gentleman's name – in our materials, where he was asking for an additional area of berm...

Mr. Kirchoff: Waterfill

Mr. Smith: Waterfill?

Mr. Tuohy: Mr. Waterfill.

Mr. Smith: Mr. Waterfill – could you address that plan? I was a little unclear on exactly where he is.

Mr. Tuohy: Yes, Mr. Smith, let me – maybe that's the first thing I do, is show you where he is...

Mr. Slavens: In your hand out here, I think you're looking...

Mr. Tuohy: Oh yeah – so, to first orient you: if you see up at the top where our green area is, if you go to the left of that there's a long driveway coming down from Hadley Road – I would use a pointer, but I don't think – oh, there it is, there he is. And I actually believe that he owns a couple, two or three parcels up here on Hadley Road also. So, Mr. Waterfill's home is right here and what he requested is for us to consider building a 10-foot-wide berm with a Level 5 landscaping along here. The petitioners would respectfully decline that request for a couple of reasons. One, a 10-foot-wide berm, as I said, would take up 60-70 feet in width, so that would take up about half of these lots in here of berm, if it was on our property; it would also result in the elimination of several lots in this area. The other reason we would respectfully decline is, if you look at Mr. Waterfill's home – so, this is a close-up view of it - and I checked it with John Hall, almost all of these woods here are on Mr. Waterfill's property, and as you can see, from the back of his home to the property line is about 253 feet here, so that'd be about 50 feet short of a whole football field. And over here on the east side its about 427 feet, so that's not too far off of a football field and a half. And between his home and these homes is this terrific stand of trees, and then part

of the border along his home is a common area, so there's not even a lot in this area. We are willing to extend utilities to Mr. Waterfill's border should he want to hook into a sewer or water connection; the developers are willing to do that, but we don't think that a 10-foot berm is necessary when you have this kind of distance between the backs of our lots and his home, and you have this terrific stand of trees in there. So that's our reasoning behind that, and in addition, as I said, the size of real estate that a 10-foot berm from the east up, would result in substantial shrinkage of those bordering lots.

Mr. Smith: And did I also see that he requested a stub street from your development? And it does appear that you do have a stub going out the south side of his property.

Mr. Tuohy: Let me move back to that. So, in this plan we have one, which is not quite on his property, I don't believe...

Mr. Smith: Right

Mr. Tuohy: We have one here, we have two here, we have an entrance down here, we have another stub street here – so, 1-2-3-4 – then we have Hackamore Road-5, we have another entrance up here-6, I think we have seven entrances. I think the Drees and Pulte people believe that having a stub street somewhere along here is not a good idea. They would again, be willing to extend sewer and water/utility connections but would not agree to extend a stub street because they feel there's enough stub connections in this development – there would be another one here at Hackamore Road where that would stub into the eventual development on that side.

Mr. Smith: Thank you

Mr. Tuohy: Thank you

Mr. Slavens: Any questions (**inaudible**)? Eric, anything else to add, or Scott, anything to add before we turn it over to public hearing?

Mr. Berg: I have to tease Brian a little bit, I think you could take a refrigerator box, laminate it and probably sell it for about \$150 at least, in Plainfield right now. One thing that I did bring up in the staff report is that I do have a bit of a concern about commitment #9. The way it's written appears to say that the Level 5 landscape berm that's proposed is a part of the Hall PUD, also takes care of the perimeter landscaping for the subdivision which is a Level 3. That's kind of like if we had a requirement that you own a truck and Robin owns a truck, but Bill doesn't, Bill gets to use it, but there's still only one truck, you're not really meeting the requirement. That analogy sounded a lot better when I practiced it a couple times; it didn't quite come across that well this time. So, we're a little concerned about that. We'd just like to note that it does not account for that perimeter landscaping, to do that would require a variance. That is all I have, I believe. Scott?

Mr. Singleton: Good evening, Scott Singleton. I have not made any formal presentation for you guys, I spent most of my time on the MOU memo that I offered to the Plan Commission for

digestion. I'm certainly happy to answer any questions or comments that the Commission might have after having reviewed that, or anything that was offered from the petitioner this evening, and I can certainly respond back to any questions that came up through the process.

(Brief pause)

Mr. Slavens: Good, everybody's shaking their head "no".

Mr. Singleton: Thank you

Mr. Slavens: These items are listed for public hearing; if you're in the room and you would like to come speak for or against this proposal, please do so now.

(Brief pause)

Mr. Slavens: IF you could state your name and address...

Mr. Waterfill: Certainly

Mr. Slavens: ...and then did you take the Oath of Testimony?

Mr. Waterfill: Absolutely. Good evening, my name is Mark Waterfill and I reside at 6425 East County Road 600 South, along with my wife Missy. Yes, we have approximately 20 acres that Brian was pointing out, as well as a house with two lots at 6407 East County Road 600 South. I was hopeful that I would hear, "Yes, we've gotten your request and that's fine" and away we'd go, and I wouldn't even have to speak to the Commission this evening, but we're not hearing that. You know, when we cleared the property in 1999 and 2000, Myron Maxwell told us "Wet, wet, wet" man, that property is wet. Water comes across that property like crazy and we actually found drainage from the depression era, where they had tried to drain that and other property. So, one of the concerns that we presented in the request, and that was not discussed, are the drainage between Lots 1 and 7, and 11 and 12. That is a huge problem – and we are not in the town of Plainfield. The County has handled those drainage issues in the past, not very well. We have huge backup in the Ellis' backyard; it floods their barn. And so, we haven't heard anything about drainage plans. It has a greenspace apparently there, but those are concerns and that is something that was in that document that I send him, item #4, that we do have strong concerns about that. We also have concerns about, I mean let's face it, kids and others coming in on to our property. Mr. Tuohy has pointed out that we do have some woods there, but woods don't always last forever, who knows if those woods will be there forever. Those types of berms, whether they're 10-foot berms or 5 or 6 foot berms, are used regularly in our area. They're in front of Glen Haven, they're in front of Bridlewood; Mr. Hall has negotiated a 10-foot berm around that property. And so, we've got concerns that we set out, on the east side of the property, as well as the south side of the property, that there should be more separation in there so that we don't have people coming on to our property. And then as far as the stub road is concerned, as Mr. Tuohy pointed out, they do have stub roads to some other properties, and certainly why not to

the east side of our property, the west side of the Jones property, because the town is always looking at future development and what might happen in the future, and stub roads are used in Plainfield routinely to handle that. There's a stub road less than a half a mile from our house, there at the new Bridlewood subdivision and Westfield homes. So, we have known the Halls for decades, they're fine people. This development is huge, there's considerations and questions; I have got to think about traffic and all of the issues on Hadley Road. But those were the issues that we wanted to present to the commission, as well as a concern that the drainage with our pond, and currently we're on a well, whether the well is for us and for our neighbors, we'll be impacted by this really huge development. Any questions for me?

Mr. Slavens: No, I don't think so.

Mr. Waterfill: Thank you very much.

Mr. Slavens: Thank you Mr. Waterfill. Anybody else like to come forward and speak for or against the petition?

(Brief pause)

Mr. Rice: Hi, my name is Richard Rice, I live at 6430 East County Road 700 South and I'm here with my wife. We've been in the neighborhood about 35 years, and this house about 8 years. We used to live back in the woods where Erin lives now. I've got a couple concerns; one is water. Right now, John and I together – John mostly – have put in about five tiles, one goes to the front of my property, and the county has come in and put in – and I'm there in the corner, I don't have anything to show you, I guess. Right off of 700 South there, that little black spot there, and there's about 5 or 6 homes around me – but the water in that whole area comes across our property. Now, with the tiles that we have got in, it has taken care of that except for on heavy rains; when it rains the water still comes in but a day later it goes away, and it takes about 3-4 days for it to dry out. So, the county has come in and put a ditch in from the creek, all the way up to our house, and that takes care of a lot of the water. And I've put in a couple of tiles – well, John and I have. John and I have known each other for about 35 years – I have no problems with what he's doing, it's just that I'm worried about water.

Mr. Slavens: Sure

Mr. Rice: Now, second is with the homes around me, I only have, it's a really long and narrow lot and I'm not sure what kind of – if they're going to put in two story homes, one story homes, whatever, you know, it's going to come over into our property because it's such a narrow lot. The back two lots, there's no problem, it goes back 335 feet, and we're setback about 90 feet. So, that's the main concerns: the narrow lot and the water.

Mr. Kirchoff: Can you tell us again, where's your house?

Mr. Rice: It's right there – do I have a pointer or something? Right there, right there in that corner.

Mr. Kirchoff: Thank you

Mr. Philip: That's why it's notched like that, it's for your property.

Mr. Rice: So, I guess that's it. Have any other questions?

(inaudible)

Mr. Rice: All right, thanks.

Mr. Slavens: Thank you. Anybody else that would like to come forward to speak for or against the petition?

Ms. Stubbeman: My name is Marcia Stubbeman, I'm here with my husband Eric. We're not residents of Plainfield but the property we own is Kes Place Once, LLC. We bought the property on Gadsen Court, and we use it as a rental property and we have it managed by a rental company. Our concern is that our home backs up on Hadley and there already is quite a bit of traffic and we're concerned about widening of that road. Right now, we have a small easement from our privacy fence to the road, but if we widen the road to four lanes – I think it's two with a median strip now – we're concerned that there will be issues, that we might have traffic 10 feet from our back door. I'm sure you have ordinances or rules about that, but if the road is widened, we'd like to know, will that be to the south? Do you have plans for that? We've heard about the roundabout down – we know the other roundabout went in further to the west, but we're really concerned about that.

Mr. Slavens: Okay, thank you Marcia. Anybody else come to speak for or against the petition?

Ms. Macek: Good evening, my name is Sharen Macek and I'm on 5979 Williams Drive, Hadley Acres off of Hadley Road. I was one of the first houses with my mom and dad in Hadley Acres, so that kind of gives my age away – in 1976 – and we've seen growth. When we moved in, Hawthorne Ridge wasn't there. I understand growth, I understand community. You know, you've gone toward Avon, you've gone towards Indianapolis, but I'm going to say, I used to sit in my backyard, and you'd hear quiet. I now hear nothing but I-70 noise, you've got those warehouses in there that you just built off of I-70 to the south; I hear noise there all night long, you hear traffic running up and down. I think that's a beautiful area and it sounds like the homes are very pretty. I guess I would consider, we've got a boom in the housing market, what are you going to do in five or six years when this drops, which may not be the town's problem, it's the builder's problem. There's been some numbers that the school – what are you going to do to the school system? I'm very involved in the school system. Teachers, even though there is room in the schools, the high school is only at, I think, 73% capacity; they're stressed. You've got a lot of things going on in the world but where's the classroom quality, where's the growth? I mean, I made the analogy that there's a big difference being in an elevator with ten people that weigh 100 lbs. versus an elevator with ten people that weigh 200 lbs. You don't have much room to move, so I'm just asking that as you think about the growth and you're planning and doing this, how to help that

community. And there's a point where – I think there's so much good in the Town of Plainfield; I've moved away, I've moved back, I still take care of the neighbors and things like that – there's a way to build a town in quality between things, events, using the parks/the greenspace, all the great neighborhoods, you've got the malls; there's a way to build incoming growth in quality, rather than just putting up houses. So, I want you guys to consider that. And yes, I mean, I would say if you're going to do it, build big, nice custom brick homes because – and I understand you've got to make affordable housing for everything. The other thing I want to know: Hadley Road, everybody's going to talk about it. You come off of I-70 – and I'm sorry I didn't draw a map because I kind of thought other people would speak up – and there's a "V" to go off into the high school – today, coming back from the grocery store a Plainfield cop goes into that school lane and passes me. I'm doing 34, he's over the speed limit; our own Plainfield cop. Up there in that Hadley Road, you have a drug infested hotel population, over there. So where – I'm just trying to urge you, I'm not telling you guys what to do, I mean I love this town, so I think you're doing a good job. I'm telling you the way and all the possibilities and the impacts that it's going to present with 300 some houses times four or five people, extra cars. You know, when I moved into Hadley Acres, you had some birds and a chipmunk, and you were the dumping grounds for the stray animals; I have foxes, skunks, hawks, and coyotes at my front door now. So, if you guys have any questions for me...

Mr. Slavens: No, thank you Sharen.

Ms. Macek: Thank you.

Mr. Slavens: Anybody else like to come forward to speak for or against this petition?

Ms. Holtsclaw: Thank you, my name is Jamie Holtsclaw and I live at 6657 Gadsen Court – I'm going to take a minute and write that down – so, I am in Glen Haven. My husband and I are from Indiana, and we moved up to Wisconsin and when it was time to move back, we started looking around – we lived in Greensburg most recently and I was like Plainfield, Plainfield is where we want to be; it has the schools, it's a nice little town. We've got a great house, love the school system here, and this many homes added to – I know you've done traffic studies, I understand that that's part and parcel to all of this, but I'm wondering how many of those folks that did the traffic studies actually live in our neighborhood and actually tried to leave Glen Haven, or Glen Haven West, or the Hall Road addition. Trying to leave there, I understand your looking at the roundabout there at the Hall Road place, I get that, but if you add 382 homes and you assume that maybe half of those have two cars, you add almost 600 more cars to our already congested roadways there. So, I'm curious to hear more about the traffic plans that you have for that. And I agree with the former speaker, the schools are a huge concern. Thank you.

Mr. Slavens: Thank you Jamie. Anybody else to come forward to speak for or against the petition? Anybody online, do we have any comments online at this time? Nobody's online? Okay, we'll close this for public hearing and turn it back to staff and Commission for questions/comments I

think I heard most is around Scott, the traffic, the idea of a potential roundabout and the traffic study. Would you like to address those?

Mr. Singleton: Yeah, certainly. The best thing I can do is really kind of go through the information that I put into the memo and just reiterate those points to you guys so everybody can just kind of digest that I think. We did obviously require a traffic study by ordinance, and the developer did that and they admitted that study when they added the east parcel to Lewis, which extended Hackamore over to County Road 675. The (inaudible) of the mitigation measures that came recommended from the study, of course were already planned, and they knew that. (inaudible) Hadley/Moon, obviously that's going to increase (inaudible) at that nearby intersection. We are making modification that is starting underway today, to the roundabout at Center and Hadley, changing the lane configuration. We are expanding the capacity without actually adding pavement. It's a recommendation from previous engineering review that came through, and so I won't get into the details of trying to explain changes that we're doing there but we do hope that that's going to make that roundabout work more efficiently, and that has been reviewed previously by a traffic study, so that improvement was already underway. As the lady mentioned, there are discussions, and I would say an expectation, it's not inevitable at this point but it's likely that a roundabout would be seen at Hadley and Hall Road at some point in the future. Obviously, an improvement was just undertaken a few years ago. The level of traffic today doesn't necessarily justify it, but to the point that was made, we understand and do see that the traffic analysis does indicate that there's a significant wait time for southbound traffic coming out of the center – is that Center Ridge neighborhood, am I getting that right? – and north side there on Hall Road. Glen Haven does have a connecting road to that, and so that is a reason that we value making an improvement at that intersection. For folks that find the wait too long, which it will be, it already is today at certain times of the day, they do have the option of getting over to the Center Ridge neighborhood, to come down and get to Hadley Road. So, an improved intersection does offer relief for both of those neighborhoods. Unfortunately, Glen Haven west has a single point of entry and exit, with a boulevard separation; there is little that we can do, it is not ever going to probably rise to the level of significant intersection improvement at Hadley Road. So, that's just something we're going to have to be challenged with, going forward because of course this area is going to develop, it's just a matter of timeline, how that happens and how dense it gets. And then I would say, as part of the (inaudible) with the Town of Plainfield, the Town of Plainfield did receive funds from INDOT where we are planning on improving capacity at the intersection of S.R. 267 and Hadley, to help with that queuing distance that happens at the peak hour where cars are not able to get into the que of the intersection. So, we look to add a double left lane there, really as more of an entrance solution as we look at some of the longer-term solutions that we talked about in the memo as well. I apologize, I should have mentioned, INDOT as part of the current I-70 project that's happening now, is adding two exiting lanes from I-70 westbound to Quaker Boulevard northbound, and the expectation will be that folks that want to go to Hadley road and travel west, will be in that left lane and as they get the right turn movement – it's going to be a signalized intersection now – as they get that movement they won't actually have to fight and weave across the northbound traffic on Quaker Boulevard

because traffic will be stopped behind them. That is a design that INDOT implemented as we collaborated on some of these long-term views of that intersection. And then from a more local standpoint, just for this development, two improvements that Mr. Tuohy mentioned, that we collaborated with them on is identify again on Hall Road, that that was going to be a traffic issue, a long wait issue for that traffic on the north approach – we are opening the door, I would say it's committed; we're going to look at this study and see how the traffic grows with the rates that we're seeing with the roundabout and take a look at that, but we want to kind of propose that a signal gets installed there as somewhat of a stop measure, stop interim measure, until that roundabout is fully justified when we have more traffic going in there. A traffic signal, we believe, could actually help the local traffic flow, and will certainly take care of some of those waits, at least control them so they don't get too out of hand. And then of course everybody did talk about Hackamore Road; Hackamore Road was something that we added when we did the Thoroughfare Plan and Comprehensive Plan update back in 2015-16 into the 2019 Thoroughfare Plan. And the intent of that road is, you know, it's spaced very similar to the old parts of Plainfield we've got Stanley, Reeves, Stafford going on in that half mile increment – that is intended to carry a lot of those east/west trips as this area does develop, that don't need to go up on Hadley Road. That is a measure that we're taking, and proposing, and planning for, and this is an implementation as part of that, to give an alternative for new trips that won't go up on Hadley Road, and not get the congestion to the levels that were previously forecasted before that road was being proposed. So, this developer has worked with us to take some steps to see that done. And then I will say, in the memo again, some of the really longer-term improvements are – even Hackamore is, say where S.R. 267 interchange is, we know that has a life of about 20-30, so inside about 10 years we expect INDOT to be looking for improvement at that interchange, which will improve capacity. We do look to expect to see some collaboration between S.R. 267/Hadley and that interchange, to make all of that traffic flow better at those peak hours. And the of course we've recently done the interchange study for something in between Quaker Boulevard – I keep saying S.R. 267 – quaker Boulevard and S.R. 39. Again, not really associated with this particular zoning request, but just from a long-term standpoint, we understand these are going to continue to stress Hadley and we are developing those longer-term solutions for the traffic problems that we're going to see. That being said, my last comment I would add is, and I reiterate in the memo, Hadley is an arterial roadway, we do expect it to get to four lanes wide someday, it's been identified in our comprehensive planning for over a decade. When we do our improvement projects, which we have done in the past, we acquire the full-width right-of-way in the expectation of that widening. So, any home that's already been built, in the past 15-20 years, you can look at that and more than likely the right-of-way has already been purchased for the needed widening of that road. And so, yes, the road might encroach upon properties a little bit in the future, but the property lines are not expected to change significantly for most of the properties through there because that's already been acquired, and that road is already kind of planned already. Any additional questions?

Mr. Philip: Just maybe an additional thing, Scott. I know, as you talk, you know, people get excited when they hear of the potential of a roundabout on Hall Road, and I know when we've talked

about Hadley Road before, about the idea of only roundabouts between Martin and Quaker Boulevard, as not great for settling traffic, particularly for people who may live on Williams that come up Hawthorne Ridge or Glen Haven. And so, I just want it said out loud, so I'll say it, a light at Hall Road and Hadley Road could have a longer life than what people are thinking, if they're excited about the prospect of a roundabout there.

Mr. Singleton: That is true. We are curious to look at the actual traffic patterns as we make some of these changes, these big changes, Hadley/Center, Hadley/Moon, get that done and get some of these houses on that traffic and see – you know, we can better anticipate at that point, how a traffic light and a signal stop might actually create some artificial gaps along the corridor that gives some of these drivers better access. So, other communities who have a lot of roundabouts have struggled with this; their solution has been to take a right, go to the roundabout and take a left, and they block those drives off. We're not there yet, so we are hoping that signals kind of strategically placed provide another benefit beyond helping just the intersection, to help improve the corridor flow. That analysis will be something that we will be looking at, separate from this, and more of a town project and the timing for those signals. Yes, thanks for pointing that out.

Mr. Slavens: Thank you Scott, I think you captured everything.

Mr. Singleton: Thank you

Mr. Slavens: Thank you. The other items (inaudible) were primarily around (inaudible) concerns. Distance between lots and existing... petitioner, if you could, Mr. Tuohy, if you would care to address the concerns from Mr. Rice and Mr. Waterfill's potential for flooding in that area, especially given that it's on a well.

Mr. Tuohy: Yes sir, I think the appropriate person to address that is the engineer from Banning, Jason, who's looked at that and I think he's even had an exhibit made. And Jason, I think that the two issues that – of the flooding up at the north and the south, so they're concerned about the effect on the wells.

Mr. Coil: Sure, thank you. Good evening, my name is Jason Coil with Banning Engineering, 853 Columbia Road, Suite 101, Plainfield, Indiana. I live in Hawthorne Ridge so I'm very familiar with this area; I'm familiar with the traffic patterns, and drive by this area all of the time on my way out to Pine Hill Archery Club. But just to speak briefly to Mark Waterfill's concerns; we'll start with his pond. We did a quick watershed analysis of his pond and where he generates, or where the pond generated water from – I can pass this exhibit around, but what we did is we took LIDAR Contours and just kind of mapped out where the existing watershed is. He's got almost 60 acres that comes not from the Trescott property, it comes from much farther west and makes its way to his pond. Our initial thought, based upon the evidence that we have at this time, which is LIDAR Contour, is that the Trescott development will have very little to no impact to the existing pond. As far as the water wells in the area, you know, we're working in the first 20 feet of the soil; his well is – I don't know the depth of his well, my guess, it's upwards of 100 feet – we will

not be into that groundwater at all. The development will, I'm going to say barring a drought, will not have – and a drought is something we can't control – will have little to no impact on his well. The last item is drainage between, it was Lots 1 and 7, and then I believe 11 and 12. Our intent is to meet the Stormwater Control Ordinance, and our intent between those two areas that he pointed out would be to not impede the flow, the current flow that goes there, but to allow it to get through our site as quickly as possible. And so, we've got two crossings, I believe, at those locations, so we will install a culvert that will be able to handle those flows and should not impede any of those flows upstream. I'd be happy to answer any questions you might have.

Mr. Slavens: And then there was a question from, I believe Mr. Rice, about the front of the neighborhood.

Mr. Coil: Yeah, Mr. Rice, the same way; our intent is to meet the standards within the Stormwater Ordinance. In that particular instance we will be probably diverting water away from his property, so if water currently crosses his property, we will capture that into a storm sewer and take it away from his property and route it either around or away from his property. Any tiles – he mentioned five tiles – any tiles that the contractor was to encounter, we put on our construction plans that they are to tie those into the storm system, and so that continues to flow as it should.

Mr. Slavens: Okay, thank you.

Mr. Coil: You're welcome.

Mr. Slavens: Any questions from the Commission?

(Brief pause)

Mr. Slavens: Okay, all right, I think that looked to addressed most of the concerns. We'll turn it bac to the Commission for further discussion, and particularly, I think, on Eric's concerns around the PUD.

Mr. Kirchoff: I guess I have a question of Brian. Brian, I thought you made a comment, something about the Homeowner's Association would take care of the Berm; I'm not certain who's berm it is.

Mr. Tuohy: Thank you, I didn't make that clear. That berm would be on, Mr. Kirchoff, would be on the Trescott property. It would not be owned by the Halls; it would be owned by the developers of the Trescott real estate.

Mr. Kirchoff: All three sides?

Mr. Tuohy: All three sides.

Mr. Kirchoff: Okay

Mr. Tuohy: It's all on their property, and of course would be maintained – would be built by the developer and maintained by them during the build-out, and then eventually turned over to the Homeowner's Association.

Mr. Kirchoff: Okay

Mr. Tuohy: So, it's all on the Trescott property.

Mr. Kirchoff: Thank you

Mr. Slavens: The clarification needed was, if I'm understanding it correctly, is the PUD is the one that states a 10-foot berm, the development does not state is as a 10-foot berm. The development – the PUD states the 10-foot berm...

Mr. Kirchoff: Yes

Mr. Slavens: So, you're – but the developer, Pulte/Drees, they're just going to assume it from the PUD? I'm trying to distinguish responsibilities here...

Mr. Tuohy: Yeah, so what's going to happen is that the real estate that gets conveyed to the Pulte/Drees people, will include the real estate of that berm. And so, nothing will get built either in the Hall property, there won't be any additional buildings, nor will there be homes on the Drees property until that berm is in there; that has to be built by the Drees/Pulte developer.

Mr. Slavens: (inaudible) PUD for the Hall...

Mr. Tuohy: It's in the Trescott real estate...

Mr. Slavens: Okay

Mr. Tuohy: Yeah

Mr. Slavens: Okay, I'm confused but you guys get it.

Mr. McPhail: Eric mentioned the Level landscaping on that berm that I'm confused about. Could you address that again Eric? (inaudible)

Mr. Berg: Yes, the PUD calls – and again, it is on the Trescott property – the PUD calls for a berm of a Level 5 which is basically to be a buffer for that, but separately of that the subdivision requires a Level 3 on the perimeter. So, in essence, what we're trying to avoid is a double counting of the 5 as a buffer for the Industrial, but also as the perimeter for the subdivision.

Mr. Kirchoff: The berm is not part of the PUD; the berm is part of the Trescott.

Mr. Berg: No, the berm is on the Trescott property, but it is cited in the PUD as the buffer.

Mr. Philip: In the staff report it stated that that is odd, okay...

Mr. Berg: (inaudible)

Mr. Philip: (inaudible) almost as far as abnormal, okay. And so, I think that's one of the reasons why we look quizzically at it. Go ahead.

Mr. Kirchoff: No, I'm just saying that's... I'm still processing that.

Mr. McPhail: Okay, well if I understand it, the Residential would have to do a Level 3, but they're going to do a Level 5 to meet the standards for the Industrial.

Mr. Kirchoff: Okay

Mr. Bahr: Is that correct?

Mr. Berg: Yes

Mr. Slavens: So, where's the double count?

Mr. Berg: The double count would be if they're not putting in the Level 3. That's our concern, is that it's made a part of the record that the Level 5 is there for the Industrial, and the required Level 3 would have to be there for the Residential.

Mr. Brandgard: So, you're going to have a Level 8?

Mr. Berg: Yes

Mr. Kirchoff: Why would you do that?

Mr. Bahr: (inaudible)

Mr. Kirchoff: If the Residential only requires a Level 3 but you're going to put a 5 in, why haven't you exceeded the expectations?

Mr. Berg: Because the 5 is the buffer for the Industrial.

Mr. Kirchoff: Oh, no.

Mr. Brandgard: Well, now wait, wait, wait...

Mr. Slavens: That's why I was confused, so that's why...

Mr. Brandgard: Wait, wait, wait – Residential require 3...

Mr. Kirchoff: Right

Mr. Brandgard: You're going to have the PUD at 5. If I put 5 in there, a 3 is already there, why am I going to put...

Mr. Berg: You can't double count landscaping, according to the ordinance.

Mr. Brandgard: What?

Mr. Berg: You can't double count plant unit in the ordinance.

Mr. Brandgard: You're not.

Mr. Berg: You are, because you're calling for a Level 5 with the PUD, okay, so you can't count...

Mr. Kirchoff: But the berm's not in the PUD.

Mr. Berg: It is in the PUD sir.

Mr. Klinger: That's where it gets complicated, is that the Level 5 landscaping in the berm is related to the PUD but is being built on the Trescott property. And so, what Eric is saying is, if that is related to the PUD then the Trescott property still has to provide a Level 3 landscaping in addition. Right, is that how...? Yeah.

Mr. Slavens: According to the ordinance.

Mr. Bahr: And even though the berm is in the PUD, the ownership is with Trescott.

Mr. Klinger: The berm is associated with the PUD, but it is actually being built on the Trescott property, outside of the PUD property.

Mr. Bahr: But the ownership of the Berm...

Mr. Kirchoff: And maintenance.

Mr. Klinger: Would be with Trescott, yes.

Mr. Kirchoff: Eric...

Mr. Klinger: Essentially what is happening is Trescott is building a berm and putting in landscaping to meet the conditions necessary for the PUD. Does that make sense?

Mr. Kirchoff: Yeah, I understand that...

Mr. Klinger: And then in addition to that, they want to develop their own property, so there's two requirements that seemingly overlap.

Mr. Kirchoff: That doesn't make sense.

Mr. Brandgard: It doesn't make sense to me (inaudible)...

Mr. McPhail: (inaudible)

Mr. Berg: Well, if you have two Residential next to each other, they both still have to do a Level 3, on each side. So, it's not uncommon.

Mr. Klinger: Yeah

Mr. Tuohy: Can I address this, members of the Plan Commission? This is – we're putting our finger on it here, and actually I think there's maybe something that we need to think about here. Under your landscape ordinance it does say that between Residential developments you have to have a Level 3, so up there on the north side next to Mr. Waterfill's property, we're going to have to have a Level 3 landscaping package of trees, or whatever that is. But when you look at your ordinance and when you look at what has to be between an R-3 and an R-4 in a PUD District, which is exactly this case, you've got to look down to this footnote here and it says, "Landscaping may be any level as determined by the Plan Commission, as part of the review and determination of the Planned Unit Development." So, our thought was, and Jason just reminded me, that our Level 5 is actually a Level 6 because of the amount of landscaping that we're going to put on there, and the height of the berm. Our thought on this is to, because these properties are adjoining each other and are tied at the hip, our thought was to assure the Plan Commission that there would be this Level 6 landscaped berm between the Residential development and the PUD development, but it seemed to us that it would be more assurance if it was on the Residential property because they're going to have the interest in screening those homes from that Industrial development, and they're going to have the continued interest in keeping it up. So, what we've said in the PUD was that you couldn't build anything until that berm next door got put on that property. And then we said in the Residential zoning, you couldn't build anything until you actually put the berm in. So, that's how we tried to tie it together, and that was over a lot of meetings and discussions and sorting it out. The bottom line was that homes weren't going to be built on the perimeter of Hall's business operations until that berm went in on that property, and Hall wasn't going to be able to add on to his business operations until that berm went in on the Residential property. And I believe in your ordinance, Plan Commission, when a PUD borders an R-3 or R-4, you've got the right to set the level, and we thought we set the level pretty high, and that was our suggestion. So, hopefully that attempts to clear it up a little bit.

Mr. Kirchoff: And Eric, I appreciate your thought process, I just – I think it's wrong with the ordinance.

Mr. Brandgard: (inaudible)

Mr. Philip: Every now and then we run into something that could be a problem with the ordinance, that can happen.

Mr. Kirchoff: Yeah

Mr. Philip: Go ahead Robin, I'm sorry.

Mr. Brandgard: I guess whoever gets there first has to put it in, not both.

Mr. Berg: I guess what I would say is that this is basically, at this point, an I-4 use. And I-4 use, if it was a straight zoning, would require a Level 5, and that's where we're looking at.

Mr. Kirchoff: (inaudible)

Mr. Berg: I mean, it's obviously your call. But just to kind of explain our rationale on that...

Mr. Kirchoff: No, I understand where you're coming from. Thank you.

Mr. McPhail: They just committed to a Level 6.

Mr. Smith: So, my small two cents worth is that we have a quirk in the ordinance. The peculiarity here is that you have the same owner, and he is pushing the future maintenance of this mound off to the neighbor. Let's just be honest about it, well, that works too, but on the other hand the HOA, the homeowners are going to have a much greater interest in keeping this mound maintained properly, so maybe that's a good trade-off.

Mr. Brandgard: John Hall doesn't care whether that mound is there or not.

Mr. Smith: No, probably not.

Mr. Brandgard: No, wait - people buying the property, building the homes, care whether it's there or not.

Mr. Smith: They have the greater interest.

Mr. Brandgard: So, it's...

Mr. McPhail: (microphone not on) (inaudible)

Mr. Slavens: So, the way that Mr. Tuohy explained it, I think you mentioned earlier, would we need a - (inaudible) my apologies - a waiver or something like that, from the Residential side, saying you don't need that because your 5 is superseding it?

Mr. Berg: Dependent how you...

Mr. Brandgard: I didn't hear anybody ask for a change; I just heard a request for an explanation, actually.

Mr. Slavens: Well, I thought when Eric presented, the initial concern was that there was a potential, because of the resident versus the PUD, the Residential Ordinance says you have to have a 3, and the PUD says you have to have a 6...

Mr. Brandgard: Yeah, but what I'm saying is, the petitioner didn't have any...

Mr. Slavens: Yeah

Mr. Kirchoff: What do you have in the motions Eric?

Mr. Berg: (Not at microphone) We do have a condition (inaudible) clarification.

(Brief pause)

Mr. Slavens: Can it be rewritten to reflect any updated landscaping requirements?

Mr. Daniel: Based upon what was handed out, I think a couple of revisions need to be made on the motion, if you're going to make a motion. One, my understanding is, upon what Mr. Tuohy said, the first two items are conditioned upon and MOU between the town and the developers, and that should be in the motion. And secondly, this has not been annexed by the town, so I believe you should have a condition on all three of these that it be subject to the annexation being approved by the town. If the annexation is not approved, then this recommendation is (inaudible). (inaudible) we had that, in the last couple of months, on another petition – I can't think of who it was.

(inaudible)

Mr. Daniel: I mean, this has to go to the Town Council if the Plan Commission makes a favorable recommendation, but I, because of the way it's been presented here, that should be a condition that the Plan Commission approves it as well.

(Brief pause)

Mr. Daniel: The other thing I think you need to consider is, I don't know how much tied together the Plan Commission sees these, but on the rezoning itself, whether or not the rezoning is tied together with either all three of these or (inaudible) rezoning, or (inaudible), so that's another consideration. (inaudible) some language on that. (inaudible)

Mr. Philip: Yeah, I'll take the language.

Mr. Daniel: Now, this is on the annexation petition only; the other one's real simple.

Mr. Philip: Thank you sir.

Mr. Slavens: Is that for the clarification of the MOU?

(inaudible)

Mr. Slavens: We would still need additional motion criteria for the conditions on the MOU commitment. Is that right?

Mr. Daniel: I'm sorry?

Mr. Slavens: We need to add in here – around the MOU?

Mr. Daniel: The MOU only applies to the first two.

Mr. Slavens: Yeah, yeah. Any further discussion, comments from the commission?

Mr. Brandgard: I'd like to make just one comment. Schools came up a couple times, the capacity of schools; the town works pretty close with the schools out here, and a week and a half ago, a little over a week, the School System opened up a new Guilford Elementary School with 500 kids in it. It's only at half capacity; they'll be able to add another 500. They took those 500 kids from a school that had almost 900 and some kids, so that school still has capacity for 500 kids, so the grade schools have over 1,000 capacity without building anything else. The high school has capacity, and the school's constantly looking at what's happening within the schools. And as I said, the town works with the system pretty well, because we don't want to overload them like other areas have.

Mr. Slavens: Thank you Robin.

Mr. Brandgard: Yeah

Mr. Kirchoff: Before we go to a motion, where are we on landscaping?

Mr. Philip: Robin said the petitioner hasn't asked for anything on landscaping.

Mr. Brandgard: I haven't heard anybody complain about it, so...

Mr. Kirchoff: Okay

Mr. Brandgard: But we need to clarify this at some point.

Mr. Kirchoff: Yeah, I think there's a conflict in the ordinance.

Mr. Brandgard: Yeah

Mr. Slavens: Any other comments, or a motion?

Mr. Philip: I'll take a swing at the motion, watch me. I move that the Plan Commission certify the zone map amendment request RZ-20-129, a petition seeking a zone map amendment of 55.675

acres (+/-) of land near the southwest quadrant of the intersection of Hadley Road and Hall Road in process of annexation from AG: Agriculture to R3: Medium Density Residential including a Residential Development Incentive with a favorable recommendation with the following conditions:

1. Commitment 9 will be rewritten to reflect the independent perimeter landscape requirements of the PUD and the residential zoning.
2. All required and requested street lighting shall be approved as a part of the Primary Plat process and all streetlight costs shall be the responsibility of the developer and/or Homeowners Association.
3. Completion of a Memorandum of Understanding with the Town of Plainfield relative to the traffic requirements for building out roads relative to this development.
4. The annexation by the Town of Plainfield of the real estate that is the subject of RZ-20-129, RZ-20-130, and PUD-20-131. If the described real estate is not annexed by the Town of Plainfield, the recommendation becomes of no force or effect without any further action by the Plan Commission.

Mr. McPhail: Second

Mr. Slavens: We have a motion from Mr. Phillip, second from Mr. McPhail. Mr. Klinger, if you could take roll call, please?

- Mr. Klinger:
- Mr. Phillip – yes
 - Mr. McPhail – yes
 - Mr. Brandgard – yes
 - Mr. Smith – yes
 - Mr. Kirchoff – yes
 - Mr. Bahr – abstain
 - Mr. Slavens – yes

The motion for Zone Map Amendment is approved 6-0, with 1 abstention.

Mr. Slavens: Thank you

Mr. Philip: So, Mr. President, I have a second motion. I move that the Plan Commission certify the zone map amendment request RZ-20-130, a petition seeking a zone map amendment of 111.495 acres (+/-) of land near the southwest quadrant of the intersection of Hadley Road and Hall Road in process of annexation from AG: Agriculture to R4: Medium Density Residential with a favorable recommendation with the following conditions:

1. Commitment 9 will be rewritten to reflect the independent perimeter landscape requirements of the PUD and the residential zoning with a Plant Unit Value of 8 or greater for the perimeter areas abutting the Hall Business PUD.
2. All required and requested street lighting shall be approved as a part of the Primary Plat process and all streetlight costs shall be the responsibility of the developer and/or Homeowners Association.
3. Completion of a Memorandum of Understanding with the Town of Plainfield relative to the traffic requirements for building out roads relative to this development.
4. The annexation by the Town of Plainfield of the real estate that is the subject of RZ-20-129, RZ-20-130, and PUD-20-131. If the described real estate is not annexed by the Town of Plainfield, the recommendation becomes of no force or effect without any further action by the Plan Commission.

Mr. Brandgard: Second

Mr. Slavens: We have a motion and a second...

Mr. Tuohy: Members of the Commission, I thought you might have said a Level 8; I think I was seeing that the accommodation was a Level 6. I don't think we discussed a Level 8.

Mr. Philip: 8 is what I had written here on this motion, so...

Mr. Smith: I thought we were taking about 6 total.

Mr. Philip: I'll amend my motion to a Level 6, with everyone's agreement.

Mr. Kirchoff: Well, I agree with that, I just – does that take a Variance? What I hear, it's not according to our ordinance.

Mr. Whaley: I don't want to muddy the water, but I'll give my perspective here.

Mr. Kirchoff: You just did.

Mr. Whaley: Sorry

Mr. Philip: Welcome

Mr. Whaley: So, I think what staff was trying to convey is that under traditional zoning district development, if this was an I-4 with an R-4 adjacent to it, we'd have a Level 3 landscaping for the subdivision and then the Industrial would require a Level 5. So, between the two properties we would have a Level 8 combined. What we are asking is that you increase that to a Level 8, similar with what we did with the Hobbs Station project where you had the Industrial development adjacent to Residential, to make sure the total plant unit value is maintained and you have that consistency throughout, otherwise it could be perceived as a PUD process being used to circumvent the standards of the ordinance. (inaudible) concern.

Mr. Slavens: So, if it was lowered to a 6 it would require a Variance?

Mr. Brandgard: No, it would not require a Variance because you're approving a PUD.

Mr. Whaley: (inaudible) can be specified for that district, but we are looking for consistency.

Mr. Slavens: Okay

(Brief pause)

Mr. Slavens: For consistency purposes (inaudible) currently a motion on an 8 (inaudible) for consistency purposes. Look to the Commission for further discussion.

Mr. Smith: Is 8 even a practical...?

Mr. Brandgard: I think it's overkill.

Mr. Philip: Yeah

Mr. Kirchoff: And I appreciate what staff is saying but it seems to me, from a reasonable standpoint, a 6 would be reasonable.

Mr. Philip: More than sufficient. I amend my motion to that being a Level 6 landscaping.

Mr. Brandgard: I'll second the amendment.

Mr. Slavens: We have a motion from Mr. Philip with a second from Mr. Brandgard, with the amendment of the commitment #1 with the landscape requirement to be a Level 6, rather than a Level 8.

Mr. Philip: It's condition #1 – excuse me.

Mr. Slavens: We have a motion and a second, so Andrew?

Mr. Klinger: All right, we're talking about the original motion here, as it is amended with Level 6 landscaping?

Mr. Slavens: Yes

Mr. Phillip: Correct

Mr. Klinger: I just want to make sure everyone understands what we're voting on.

Mr. Klinger:

Mr. Phillip – yes

Mr. McPhail – yes

Mr. Brandgard – yes

Mr. Smith – yes

Mr. Kirchoff – yes

Mr. Bahr – abstain

Mr. Slavens – yes

RZ-20-130 is approved by a vote of 6...

Mr. Daniel: I thought you were approving the amended motion?

Mr. Slavens: Yes

(inaudible)

Mr. Kirchoff: Yeah, we have to vote on...

Mr. Klinger: Okay, that's what I was trying to get – okay, that's what I was wanting clarification on – okay. So, the amended motion, the motion is amended?

Mr. Slavens: Yes

Mr. Klinger: All right, so now we need to consider the motion itself.

Mr. Slavens: Yes

Mr. Smith: Can I just say, with this vote and lowering it to 6 – I’m not trying to counteract the recommendation from staff in their report, I’m looking for some reality here, of what's practical for the circumstance, an unusual set of circumstances here for the same owner, and all the rest of this going on. And hopefully this is maybe something we can discuss as we’re working through revisions of our ordinances; maybe this is one that needs a tweak or refinement. We’re doing that now in a committee, and maybe we can look at this.

Mr. Philip: Are we ready for the third motion?

Mr. Kirchoff: Well...

Mr. Philip: We haven’t cleared up the second motion yet, is that true?

Mr. Klinger: Correct

Mr. Philip: That’s where I thought we were.

Mr. Slavens: We had a motion...

Mr. Philip: An amendment to the motion.

Mr. Kirchoff: The motion has now been amended, we’re ready to vote on the amended...

Mr. Slavens: Vote on the amendment.

Mr. Philip: Right

Mr. Slavens: And it was by Mr. Philip, and a second by Mr. Brandgard.

Mr. Brandgard: Yes

Mr. Klinger: All right, should I do roll call vote?

Mr. Slavens: Yes please.

| | |
|--------------|---------------------|
| Mr. Klinger: | Mr. Phillip – yes |
| | Mr. McPhail – yes |
| | Mr. Brandgard – yes |
| | Mr. Smith – yes |
| | Mr. Kirchoff – yes |
| | Mr. Bahr – abstain |

Mr. Slavens – yes

RZ-20-130 is approved as read.

Mr. Slavens: Thank you

Mr. Philip: So, Mr. President, third motion. I move that the Plan Commission certify the zone map amendment request PUD-20-131, a petition seeking a zone map amendment of 18.5 acres (+/-) of land near the southwest quadrant of the intersection of Hadley Road and Hall Road in process of annexation from AG: Agriculture to Hall Business PUD with a favorable recommendation with the following condition:

1. The annexation by the Town of Plainfield of the real estate that is the subject of RZ-20-129, RZ-20-130, and PUD-20-131. If the described real estate is not annexed by the Town of Plainfield, the recommendation becomes of no force or effect without any further action by the Plan Commission.

Mr. Slavens: We have a motion by Mr. Philip, do we have a second?

Mr. McPhail: Second

Mr. Slavens: a second from Mr. McPhail. Andrew, would you do roll call please?

Mr. Klinger:

Mr. Phillip – yes

Mr. McPhail – yes

Mr. Brandgard – yes

Mr. Smith – yes

Mr. Kirchoff – yes

Mr. Bahr – abstain

Mr. Slavens – yes

PUD-20-131 is approved 6 for, 0 against, and 1 abstention.

Mr. Slavens: Thank you

Mr. Tuohy: Thank you Mr. President.

Mr. Slavens: Thank you, good luck. And we will take about a 5-minute break.

(5-minute break)

Mr. Slavens: Let's resume. Next on the petition for public hearing is three items: DP-21-074, DP-21-075, and DP-21-076 – AllPoints Midwest 14, 15 and 16.

Mr. Berg: Thank you Mr. President. This is almost a momentous occasion because it puts me at about a half million square feet short of 10 million square feet that I've brought in front of you. So, one of every five square feet of Industrial, I've talked about. I'm not sure if that means I've been here a while, or if we're ramping up or... yeah, I'm just trying to make up for Brian's time here. American Structurepoint brought this to you for Browning. I've got three buildings about 700,000, about 1,000,000, and about 500,000 square feet – located just on the northwest part of the AllPoints Midwest. You'll notice there in the drawing on the right that one of the buildings is not numbered; that's the one you guys approved... oh, at least half the last project ago, earlier this spring, that was AllPoints 17. We're looking at about 124 acres to the south. East on this property you've got – I want to say that's AllPoints 12 but I'm at the point where I can't remember which numbers these are. 17 is up in the upper corner...

Mr. Hebert: You're right

Mr. Berg: 12?

Mr. Hebert: Yep, 12 is the lower one.

Mr. Berg: Okay, I should have just trusted myself and made it like I knew what I was talking about on that one. AllPoints 12 is the purple there to the south, on the southwest side there is Devonshire, and there on the west is Lexington Woods; you've got to the north the Avon Industrial area. So, normally we don't see three of these coming together but we do this time. I'm going to turn it over to Terry here because if his Canadians just had more Bulldogs, they might have won the Stanley Cup.

(inaudible)

Mr. Hebert: Yes, I do

Mr. Slavens: Did you take it already?

Mr. Hebert: I haven't taken it yet, but I can...

(Mr. Daniel administers the Oath of Testimony)

Mr. Daniel: Thank you

Mr. Slavens: Thank you

Mr. Hebert: I'm Terry Hebert with Browning, 6100 West 96th Street, Suite 150, Indianapolis, Indiana. The reason why we came in with these three applications is because this is really most of the land we have left to develop in the park. And so, we thought it would be a good idea to work with the planning staff and the Director of Transportation, and just look at everything in a bigger picture. So, we put in three separate petitions but they're basically, they're all the same thing; they're all buildings we're trying to do like our development. So, kind of like we talked about here, Eric was saying that we have that cul-de-sac that's being built through the middle of the park – so, we have the cul-de-sac being built between 16 and 14; it will kind of dead-end off of there, coming off of Smith Road. And we are currently working on building 17 right now – if you've been out there, the walls are coming up and it's moving along nicely. So, our next hope, or our next goal is to come out of the ground building 14, the one you kind of see there to the southwest. And then 15 and 16, we would just build the building pads and they would probably sit there for a while until we have some more opportunities. So again, we just wanted to look at a bigger picture from a transportation perspective, just to kind of get this all in front of you guys. So, we'd be glad to answer any questions you have, and we'd be glad to work with you, but you know, we've had quite a few conversations with the planning staff and the Director of Transportation.

Mr. Slavens: One of the comments made by staff – correct me if I'm wrong Eric – is concerns around the landscaping plan, the landscaping plan is not in compliance.

Mr. Hebert: Yeah, so – and actually I have the Landscape Architect here that we can talk a little bit about that, but I think it's a little bit of the same thing as we had in the previous application. One of the comments was, next to the buildings 14 and 16, there is that subdivision to the west, and I think we've given up pretty close to about 200 or more feet and we put a 15-foot-tall berm and landscaping. We're leaving all the existing trees in place. And I think the area where my Landscape Architect kind of mentioned was another screen at the parking lot, so we would be kind of screening ourselves, if you want to call it, because if anybody could ever see through the trees and the berm, then they would see our landscaping. But John, if you could come up, just for a second and kind of explain on why we presented it like we did, but we're willing to work with you.

Mr. John: Good evening, John (inaudible) with (inaudible) Design Group, 6944 Riverside Way in Fishers, Indiana. So, this was a little bit different in the 16, 14, and 15. 14 is the one that they're moving forward with currently. 16 and 15 they were trying to get approved for the future developments. So, we designed it specifically with regard to some of the comments on the parking that is adjacent to 14 and 16, on the west sides of those buildings, those parking lots, the screening of those parking lots, like Terry mentioned. You know, planting a hedgerow to screen the fronts of cars and headlights from adjoining properties when you've got 15 foot tall berms and evergreen planted on top of that, and existing trees on the other side of that, we just felt like it was a little bit more than might have been necessary, but if it's something that we have to put

in, then we'd be willing to do that. The other comments that I think I saw recently were regarding not enough detailed information, and I think that that's kind of the building 14 full development plan as being presented and asked for. 16 and 15 because those building could shift a little bit, the building could shrink and the parking lot could twist, or whatever, to avoid having to do multiple revisions and reiterations of landscape plant treatment, all moving around because of utilities or whatever. We presented the landscape package as a master plan, meeting the levels as per the ordinance, for the perimeter, for the parking lot, and for the foundation. The plan that submitted at the scale doesn't really give the detail but the parts that we include does provide our typical you know, Level 1 foundation, you know, whatever Level 3, Level 6, Level 2 perimeters that we're required to meet, and the parking lot trees that would be based on the actual parking lot that actually gets built; you know, it's subject to change with final development plans. So, I think that kind of addresses some of the landscape stuff, if there are other questions, I'd be happy to address those directly. I apologize too, I didn't come with a presentation that could have been a little bit more zoomed in detailed information about specific areas. And I haven't spoken with Eric on any of these specifically, I apologize for that too.

Mr. Slavens: Any comments or questions from the Commission to the petitioner? Eric, did you have anything else you'd like to follow up with?

Mr. Berg: I guess what I would say is, they are right, it doesn't make a lot of sense to have that screening for the hedgerow, but that's not something I can waive. I mean, theoretically they could put forth an alternate landscape plan that would take care of that. But again, we brought this up a couple times, and that is an option, we just have not seen anything, so we decided to bring it to you. I guess the concern I have with not having the detail is that they could build these, and we wouldn't have the detail before it happened. The DRC wouldn't have the opportunity to look and say, "oh my gosh that's a tree that the DNR says is invasive" or something like that. I mean, that's why we're looking for those details, to make sure that we're not putting us or the company, their company, into a bad position. So, that's kind of those comments; we still do need, on the south side of 14 there, we do need that full – perimeter landscaping to go the full length because that's not based upon the development incentive, it's based upon the buffering with Devonshire to the south. Hold on, I may be changing my mind...

(Brief pause)

Mr. Berg: I am changing my mind – it looks like that might be... John, is that the parcel that is the conservation area?

Mr. Hebert: Yes

Mr. Berg: All right, nix that.

Mr. John: Yeah, I think on Building 15, we do have to extend it north and south a little bit further, and we can do that. That was one of the comments.

Mr. Slavens: Nix which part Eric?

Mr. Berg: The part on the extension on the southern part of 14. I'm looking at it now and it looks like where it drops down to 1 is actually just north of the conservation area, so that would not be required. I don't think we have a commitment on that, but just to clarify.

Mr. Slavens: Okay – so, before we turn it over for public hearing let's have a discussion with the Commission members to understand – if I understood right, we don't have the detailed landscape plan and if we were to move forward with a motion for approval, denial, or whatever, if we approve it, we'd kind of be approving it in the blind, if I'm hearing this correctly.

Mr. Berg: I mean, that is something that you could make a conditional approval, that the landscape for those buildings goes to the DRC, even if they build the same building they're building here. I mean, that's certainly something that you could do to get around that. Not get around it, that's not a good choice of words, but to mitigate or alleviate.

Mr. Kirchoff: (inaudible)

Mr. Smith: But then the DRC would need to send its recommendation back to the Commission. Would that be the case, or would DRC have final approval?

Mr. Berg: It could be done that way, or if the Commission wanted to grant that they could, I mean they could see it within – I really shouldn't make a legal opinion here without looking at Mel.

Mr. Daniel: (microphone not on) There at the end there I got lost a little bit.

Mr. Smith: The DRC would be glad to look at the landscape plan, but then do you want them to have some sort of final say-so, or should the DRC send its recommendation back to the commission?

Mr. Daniel: (microphone not on) Well, I don't think the DRC has the authority to...

Mr. Smith: No

Mr. Daniel: (microphone not on) I think you're in a situation where you can either continue it and require them to provide the (inaudible) to the commission (inaudible) make that decision, require that they ask for a waiver (inaudible) what's been submitted. I do think at minimum, if you're going to approve this, you have to ask them to (inaudible) waiver (inaudible), because otherwise – but I do think there's a concern here; staff has not been provided the information they need to really (inaudible), that's up to the Commission.

Mr. Slavens: Okay

Mr. Hebert: Is it okay if I just add one thing? We do have fairly developed plans, I think, on Building 14, the one that we're kind of ready to move forward with. I think the one where we may lack a

little bit more information is on 15 and 16 because we don't have fully developed plans. And the fact that we are looking at three separate petitions, I'm okay if you guys want to go vote one way for 14 and go a different way with 15 and 16 or if that gets continued or something to that degree, but I wouldn't want burden 14 with the same condition as the other two because 14 is fairly developed. Is that fair Eric?

Mr. Berg: Yeah

Mr. Kirchoff: Is staff comfortable with 14? Why don't we do 14 and continue the other two?

Mr. Slavens: Okay, these are listed for public hearing, so if anybody is here to speak for or against the properties, please step forward at this time.

(Brief pause)

Mr. Kirchoff: I don't think that she was sworn in.

Mr. Slavens: Were you sworn in earlier with the Oath...?

Ms. Vanhorn: No

(Mr. Daniel administers the Oath of Testimony)

Ms. Vanhorn: I do

Mr. Daniel: Thank you

Mr. Slavens: Thank you, if you could state your name and address.

Ms. Vanhorn: My name is Lisa Vanhorn and I live at 1168 Turfway Drive in Avon, right over there in that subdivision on the west. I guess part of the reason why I'm here has already been addressed. It's not detailed enough, and I was worried that we were all going to sweep this under the rug and say, you know, go ahead, because they are going ahead. I live at 1168 Turfway, my backyard is not near the warehouses, thank goodness, but my front yard is close; it's loud right now, every day, all the time. If we do have the 15-foot berm my worry is, is going to stay a 15-foot berm? Because we have clay soil and there's a lot of erosion. Is the plan to make sure it's a 15-foot berm? And then what are they going to plant on top for noise control? It just needs to be a lot more specific because now as they're building it's very loud. So that way my – I just wanted all of you to at least think about that while you're doing what you do.

Mr. Slavens: Yes, great, thank you Lisa. Can you sign your name on the sign-in sheet, please? While she's doing that, would anyone else like to speak for or against the petition? Seeing none, and I'm assuming nobody online, we'll close this for public hearing and turn it back to the Commission for discussion around – because these are three different petitions we can vote on them individually, 14, 15, and 16. Seems like to me that the discussions have been that we would

like to probably at least continue 15 and 16. If we would like to do that, maybe we'll start with those two, if anybody has a motion to DP-21-075.

Mr. Brandgard: How far do we need to continue them? To the next meeting or just...?

(inaudible)

Mr. Brandgard: I would move that we continue DP-21-075 and DP-21-076 to our September 9th meeting.

Mr. Bahr: Second

Mr. Slavens: We have a motion for DP-21-075 to be continued to the September 9th meeting. I think we can only do one motion at a time per – because they are individually presented. So, the first one, DP-21-075 had been motioned by Mr. Brandgard, second by Mr. Bahr to continue to September 9th Plan Commission meeting.

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|--------------|---------------------|
| Mr. Klinger: | Mr. Phillip – yes |
| | Mr. McPhail – yes |
| | Mr. Brandgard – yes |
| | Mr. Smith – yes |
| | Mr. Kirchoff – yes |
| | Mr. Bahr – yes |
| | Mr. Slavens – yes |

DP-21-075 is continued.

Mr. Slavens: Now we need a motion, officially, for DP-21-076.

Mr. Brandgard: Again, I would move that we continue DP-21-076 to our September 9 meeting.

Mr. Philip: Second

Mr. Slavens: We have a motion from Mr. Brandgard, second from Mr. Philip. Andrew if you could take roll call, please?

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|--------------|-------------------|
| Mr. Klinger: | Mr. Phillip – yes |
|--------------|-------------------|

Mr. McPhail – yes

Mr. Brandgard – yes

Mr. Smith – yes

Mr. Kirchoff – yes

Mr. Bahr – yes

Mr. Slavens – yes

DP-21-076 is continued.

Mr. Slavens: Thank you. We'll go back to the commission now, for the consideration for DP-21-074.

(Brief pause)

Mr. Philip: Does the petitioner want to say anything about the latest concern relative to the berm and how quickly you're going to seed it and what type of landscaping you're going to put on top of it?

Mr. Hebert: So, we're basically building the berm as we speak, (inaudible) the berm's already in place. We're also putting a berm south of the pond on 14 also, to try and protect the Devonshire neighborhood also down there. And then we're putting a Level 1, which is all the evergreen trees, above the berm there, and we're also putting some more landscaping. I think we might even have a fence along the other one. So, we're building the berm and it will be all seeded so there shouldn't be a whole lot of erosion happening, when it's all said and done. So, it should remain the same height.

Mr. Philip: Do you anticipate seeding it this fall, next spring?

Mr. Hebert: We would have to seed it here this fall because we can't let it go through the winter without being seeded.

Mr. Philip: That's what I was after; she expressed concern about erosion and the sooner it's seeded (inaudible) for the winter, life is better.

Mr. Hebert: We should be all set.

Mr. Philip: Thank you

Mr. Slavens: Okay, any motions or further considerations or discussions around DP-21-074. I think there's two motions in here.

(Brief pause)

Mr. Philip: Mr. President, I move that the Plan Commission approve the requested Depth of Yard Development Incentive for DP-21-074, finding that:

1. The Plant Unit Value to be provided in the required Yard or required Bufferyard exceeds the normal standard for such Yard by a multiple of 2.0 or more;
2. The proposed development is appropriate to the site and its surroundings; and,
3. The proposed development is consistent with the intent and purpose of the Plainfield Zoning Ordinance.

Mr. McPhail: Second

Mr. Slavens: We have a motion from Mr. Philip and a motion from Mr. McPhail for motion 1 of DP-21-074. Mr. Klinger, if you could do roll call, please?

- Mr. Klinger:
- Mr. Phillip – yes
 - Mr. McPhail – yes
 - Mr. Brandgard – yes
 - Mr. Smith – yes
 - Mr. Kirchoff – yes
 - Mr. Bahr – yes
 - Mr. Slavens – yes

Depth of yard incentives are approved.

Mr. Philip: Mr. President, I move that the Plan Commission approve DP-21-074 requesting Architectural Site Design approval for Architectural and Site Design review for a proposed 715,307+/- square foot speculative warehouse/distribution center on a 43.94-acre parcel to be incrementally platted that is zoned I2: Office/Warehouse Distribution within 600 feet of a residential zoned property, finding that:

1. The Development Plan complies with all applicable Development Standards of the District in which the site is located.
2. The Development Plan complies with all applicable provisions of the Subdivision Control Ordinance for which a waiver has not been granted.
3. The Development Plan complies with all applicable provisions for Architectural and Site Design Review for which a waiver has not been granted.
4. The proposed development is appropriate to the site and its surroundings.
5. The proposed development is consistent with the intent and purpose of the Plainfield Zoning Ordinance.

And that such approval shall be subject to the following condition(s):

1. Substantial compliance with the plans and document approved by the Commission.
2. A secondary plat will be required within sixty (60) days of the Primary Plan approval.

Mr. McPhail: Second

Mr. Slavens: We have a motion from Mr. Philip and a motion from Mr. McPhail for Motion 2 of the Architectural and Site Design. Andrew, could you do roll call please?

Mr. Klinger:

Mr. Phillip – yes

Mr. McPhail – yes

Mr. Brandgard – yes

Mr. Smith – yes

Mr. Kirchoff – yes

Mr. Bahr – yes

Mr. Slavens – yes

DP-21-074 is approved.

Mr. Slavens: Thank you

OLD BUSINESS/NEW BUSINESS

Mr. Slavens: Staff, any old business/new business?

Mr. Whaley: In the planning and Zoning report, it included a section regarding Special Exception for alcohol sales. This is a topic that Mr. McPhail had brought up at a couple council meetings ago, to request that staff take a look at this specific provision with the Zoning Ordinance. As noted in the report, within several of our commercial districts we do require special exception for alcoholic beverage sales, and that applies to any land use within that district that would be selling alcohol, so whether it's a hotel, a restaurant, or a full-blown liquor store, there's approval from the Board of Zoning Appeals. We do have couple of BZA members here who have seen several of these petitions over the past several years. As you saw in the report, this accounts for about 20% of the BZA's activity, and Mr. McPhail asked if we could take a look at this to see if there's a possibility of coming up with maybe a different set of regulations that maybe we could put into the ordinance. There was also a question raised about what the origin of that specific ordinance was requiring that Special Exception and because we needed to try and understand where that was coming from. As best I can tell it first appeared in the 1989 Zoning Ordinance as a requirement for restaurants only, and then in 1998 it was extended to all commercial uses where there would be alcoholic beverage sales. So, we wanted to present that to you in the report to see if you had any additional comments or feedback to offer as we continue to explore that topic.

Mr. Slavens: I think it makes sense to explore.

Mr. Brandgard: Yeah

Mr. Slavens: As a member of the BZA, we know that the last one was just for Greeks Pizzeria, that's the only item we had, and it was to approve the Special Exception of alcohol sales.

Mr. Philip: Yeah

Mr. Brandgard: Agreed

Mr. McPhail: You know, my comment was that maybe we could look at it as, if a certain amount of their sales is food service and that type of thing, it would not need to go to the BZA. You know, if it was just a bar, maybe we wanted to take a look at it. I don't know if that's discriminatory or what not.

Mr. Slavens: For a movie theater?

Mr. Whaley: Well as Bruce indicated earlier, we do have the ordinance review committee that meets on a regular basis, so we'll probably be discussing this topic and see if we can slide that in with some of our other issues that we're talking about, and come up with some alternative standards that we can bring to you guys to get feedback on, and I'll run that by legal counsel as

well and get his feedback to make sure we're not running afoul of any (inaudible) to any other ordinances. That all I have this evening.

Mr. Slavens: And a reminder for the Commission, we don't – it's the Thursday in the first week of September, September 9th.

Mr. Brandgard: Yeah

Mr. Slavens: Due to Labor Day.

Mr. McPhail: Monday's a holiday.

Mr. Philip: Yep

Mr. McPhail: Before we know it, summer will be over.

ADJOURN

Mr. Slavens: If there are no other topics, we need a motion to adjourn.

Mr. Philip: I move we adjourn

Mr. Slavens: A motion

Mr. Kirchoff: Second

Mr. Slavens: And a second, thank you guys. All in favor say aye.

(All ayes)

DocuSigned by:



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Scott Slavens, President

DocuSigned by:



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Andrew Klinger, Secretary