

SHELBYVILLE PLAN COMMISSION
MEETING MINUTES
April 26, 2021

Mike Evans: Welcome to the April 26th meeting of the Shelbyville Plan Commission on what has turned out to be a beautiful spring day. Mr. Secretary, if you'll please call the roll.

Adam Rude: Yes. Mr. Lux - here, Mr. House - here, Mr. Nolley - here, Mr. Evans - here, Mr. Cassidy - here, Mr. Lewis - here, Mr. Hall - here, Ms. Bowen - here and Mr. Martin - here.

Evans: Alright, thank you. First item on the minutes or excuse me on the agenda tonight is the approval of the minutes from the March meeting. I'll entertain a motion on those minutes.

Joanne Bowen: I move to approve.

Gary Nolley: Second.

Evans: Alright I have a motion for approval and a second. All those in favor, signify by saying, "Aye".

In Unison: Aye.

Evans: All those non approval?

No reply.

Evans: Alright motion has approved passed for approval of the minutes. Under Old Business we have none and under New Business first item tonight is PC 2021-02, Sumerfield subdivision. Excuse me, Mr. Secretary, if you'll please read the petition.

Rude: First item under New Business is PC 2021-02 Summerfield preliminary plat. The petitioner's name is Forestar Group. The owners are Fanland, LLC and Scott & Andrew Sumerford. The subject zoning classification is R1, single family residential. The comprehensive future land use is single family residential and the requested or the action requested tonight is a petition for preliminary plat approval for a new residential subdivision consisting of 187 lots on approximately 64.1 acres as well as 2 waiver requests. One from UDO 6.08b51 and UDO 6.03(?).

Evans: Alright, thank you. Can I please have the petitioner step forward? State your name for the record and tell us about your petition.

(?): Yeah, absolutely. Let's see if I can share my screen here. I'm sorry, is it okay if I take my mask off? You'll be able to understand.....

Evans: As long as everybody's socially distanced from you.

Melissa Gerard: And I've been vaccinated for over a month so, we're good. I wanted to introduce myself and my company and the project to you. My name is Melissa Gerard. I'm the entitlements manager for Forestar Group. I have been and still am a practicing lawyer for over 25 years so I've been doing this a lot. But I'm new to Forestar and I think the meeting I came to you guys and I sat in the back and watched the rezoning recommendation last time but I listened and we took your comments down. I have with me today Hope Martin, who is our professional engineer and she's here to answer your technical questions if you have any that I can't answer. I wanna suggest to you that this is really a unique situation. Never in my 25 years of practice in Indiana doing real estate and zoning have I ever seen an all woman development team so we're really excited about that. So we are here to present Summerfield subdivision, a Forestar community and actually this I was gonna tell you a little bit about Forestar and this thing I submitted is actually outdated at the time that I submitted it last week. I went to our website today to pull to summarize it and apparently we are now in 54 markets and 22 states so we did a quarterly filing last week I guess. Forestar is the largest residential land developer in the country. We have operations in over 54 markets across 22 states. We have 84,500 lots under control currently. We are not dependent on bank financing. We are publicly traded on the New York Stock Exchange and have approximately \$500 million in liquidity as of March 31st of this year. All of the principles in our Indianapolis development team have well over 20 years of experience in their respective areas of expertise so we've been doing this a long time. This just gives you a general overview of the lay of the Summerfield subdivision and its location in the area. This is the wonderful site plan that Hope has provided and conducted and we'll delve into it in further detail on some of the following slides but one thing I did wanna point out to you is one of the reasons for the block waiver is you can see our pond is quite large so we can't really build a bridge across the pond there so that's one of the things that's dictating the block waiver. There are a couple of features of the Summerfield development that I wanted to highlight before we go into the individual slides. The actual number of single family homes we're proposing, even though my original application said 188, tonight we're bringing you 187. We have lost one lot and that is because we listened to your comments at the March meeting and about having a playground and we have turned one lot that was originally included in our filing into a playground for the subdivision. So that's the discrepancy between the numbers but the plat that you're actually looking at is for 187 per our most recent visions tonight. So and so I've mentioned the playground. We have added a playground in the most recent revisions. We have trails, let's see I calculated or I had someone calculate this today. We have 1,960' of asphalt trail. We have 635' of a north/south sidewalk connector. Actually the connection that on the waiver item isn't gonna be an asphalt trail. It's gonna be a sidewalk but it meets the requirements of your ordinance for alternative block waiver access, pedestrian access. And in addition to that, we're adding 920' of asphalt trail on Amos Road which as I understand it doesn't currently have any sidewalks on it so that will be a good thing to minimize pedestrian/vehicular conflicts on Amos Road. I wanted to give you a little overview of this is what we've kind of designed as the entrance feature, entrance monumentation for the subdivision and we will have two entrances here and it will be located at both the Progress

Road entrance and the Amos Road entrance. I wanted to take a minute to address the remonstrator comment and Mr. Lux's comments about why we're not using the access on southern Progress Park. Apart from the safety issues that you and Adam discussed in the pre-meeting, we actually looked at keeping that open. However the existing curb cut was not to subdivision entrance standards per your UDO with accel/decel lines and a passing blister. It would've have to been completely demolished and we would've had to start from scratch anyway. So given that, we decided to apply best planning practices and minimize the conflicts to the extent possible with Progress Road. Your thoroughfare plan doesn't name Progress Parkway as a principle arterial, a status only a step down from I74. You would not put a subdivision entrance on I74 and by the same token you probably should avoid it as much as possible on a principle arterial. We did not have a choice but to put one on Progress Parkway on the eastern side in order to have 2 points of access but we thought putting two entrance subdivision entrances on Progress Parkway when Amos Road was available as well didn't really represent responsible development. To that end, we have located the second subdivision entrance along Amos Road. Amos Road is designated as a minor arterial in your thoroughfare plan and we are using it for the purpose that it's designated in the thoroughfare plan which is to direct and distribute traffic. So and Hope's here to address any more technical comments you might have about why we didn't locate it there. So you'll see our subdivision has two major wet ponds. Functionally, especially the northern pond has been designed to really overdetain on the site. We are really constricting down the rate of release of discharge on this site. And as well we actually learned from the landowner that when Progress Road came through, he had field tiles going all the way south of where Progress Road is now that all drained up to the north but when Progress Road came through, that cut those field tiles so that cut a large amount of water that was going through to the north on this site too and we're gonna be constricting it down even further. Then we have the wildflower garden here and it's dry detention. We have referred, our landscape architect to your wildflower garden at Blue River Memorial Park at the intersection of Morris Avenue and Lee Avenue and we want to simulate that design as much as possible. As I've indicated, we are providing mounding as requested in the March plan commission meeting and Adam as well. This was a really tricky thing to figure because the dirt balance on this site is really really tight and we weren't gonna have a lot of dirt left over for mounding. But Hope engineer extraordinaire figured it out and she is the one to thank for us being able to provide mounding along Progress Parkway. So in this connection I wanna talk a little bit about the favor(?) that we're requesting on the perimeter landscaping. The only reason why we need to ask for this is because we are designing this subdivision in accordance with 6.08 of your subdivision control or your UDO because actually the normal required perimeter right of way in section 6.13 is 25'. So 6.08 has 60' and the normal standard is 25'. So by reducing it down to 30' we are still 5' above what is normally required for subdivision perimeter buffering. In addition to that, I know we were talking about the utilities and this may be a question you wanna ask Hope a little bit more too but so the right of way on Progress Road it's 80' half right of way so it's 80' on our half of this roadway. And in addition, let's see it's 40' to the edge of pavement. So there is gonna be 10' between the pavement and where our landscape buffer starts because of the way it works. So not only are we gonna have our 30', your 30' and we're gonna landscape both of those there's gonna be another 10' before you hit the edge of pavement and I would presume that most of the utilities would be located in that 10' edge of pavement. But

regardless, we'll minimize the conflicts with any utilities in connection with the landscaping for sure. We are not proposing to reduce the number of plantings. We just need to use a little bit of the real estate to plant them in. We agree with staff. We think this is a win-win for both of us. It is gonna make Progress Parkway look like you know a landscaped boulevard. So we think that's good for everyone. So we as I mentioned, we have a significant amount of trails. We are adding this whole new section along Amos Road. Oh and I didn't talk about the subdivision entrance at Amos Road. We are putting in accel/decel lane and a passing blister in that location on Amos Road as well. So the green area that runs east/west through the middle is going to be an asphalt trail. The kind of yellow section here is actually a sidewalk north/south connector. And we actually pulled some plans on Twin Lakes and there is at least one area of Twin Lakes that has a similar sidewalk area of pedestrian access so we decided to just kind of use that as a model. So as Adam mentioned, 6.0382 of your UDO states that blocks shall not exceed 800' however section 6.03b of the UDO provides the alternative for blocks exceeding 600' and we are complying with that and staff has suggested that the alternative provision is acceptable. And we're gonna contact that all the way down to the existing trail along Progress Parkway. It's gonna run all the way through our common area. So as I mentioned, we heard you last month and we have added a playground here for the youth of the community. And then I have a representative elevations here. Now you know I heard I researched this when I got involved. I was trying to learn all the background history but I guess when Mark Masterocco was before the city council before I actually joined Forestar, one of the city council members asked him well why do you wanna be in Shelbyville and I think that's a good point. We're really excited to be here but I don't think this is our first foray into Shelbyville. We're already here. We're a landowner at Twin Lakes and we're developing at Twin Lakes so it's not a new experience for us but we think you have great schools. You have a wonderful sense of community. I'm a small town donut county girl too so I come from a town just like Shelbyville. Your downtown revitalization project is absolutely beautiful, what you're working on downtown. Your proximity to the interstate is very attractive and desirable. You have a variety of retail and new businesses and mature established neighborhoods and like I said, we've been very happy with our experience at Twin Lakes and we wanna continue it. And then in addition to this I think I'd add you have, you don't know what a resource you all have in your staff. They are great and we really appreciate all the effort that they have put into this. They have been very professional and they have turned things around very quickly on this project and we really appreciate that and that's definitely the way that you encourage developers to come to your community and develop and create economic development is by providing wonderful resources like this. So with that, I think that's my presentation and I'm happy to answer any questions you might have and Hope is here as well.

Evans: Alright, thank you. We'll start with questions from the board and we'll start down with Mrs. Bowen.

Bowen: I don't have any questions yet.

Evans: Okay.

(?): Yeah, I don't....

Evans: No questions? How about you, Mr. Wade?

Wade Lewis: No questions.

Evans: Alright. How about Mr. Cassidy?

Doug Cassidy: No she answered my question about the south entrance why (?) didn't use that 'cause I always thought that was put there to be a development and I don't think it's, I walk that a lot and I don't think it's that close to that curb but you know you guys know better so I have nothing right now.

Evans: Alright. Mr. Nolley?

Nolley: Couple of comments. First of all, thanks for listening. I knew I made a comment about the mounds and I think you maybe you made the comment about the playground so it's good to see those. I'm glad that our \$20 million down here is incentive because some people just want put lipstick on the pig, flowers and that wasn't gonna cut it so I'm glad to hear that because (inaudible)...Just a clarification on that point and I don't know maybe you can Matt can answer this but safety issue 'cause I know a lot of people here are concerned about that that are in the audience. Is there a rule of thumb on like being close to a curve and whatever our speed limit is on that curve about where a safe place is, how far away from a curve? Is there a standard for that or just judgement? I mean.....

Matt House: Oh well this what Adam was referring to is the line of sight is kinda behind your turn to see it. There's rules about that and then there's I don't know if that I don't know of a specific rule. I mean being in a curve or near a curve is generally bad because you're where you have to look.

Nolley: Well I agree. I just didn't know if there was like shouldn't be within x feet of a curve.

Gerard: At least in my experience, that vision thing gets tighter as the speed, the developed rate of speed for that road gets because you know you'll have traffic coming around the bend really fast. Progress Road has just been designed to be a fairly fast road so the sight distance issues are gonna be even more of an issue around that curve on Progress Road than a normal you know collector street.

Nolley: And since you do have one entrance already on Progress which obviously you have to put there, do you think there'll be any need for anything for traffic there? And I'm not saying it's a stoplight. Is there any type of blinker or anything that we think.....

Gerard: Well we're putting the accel/decel lanes and the passing blister there.

Nolley: That's that will address that speed?

Gerard: Uh huh.

Nolley: Okay. That's all I have.

House: These oh sorry.

(?): No, go ahead.

House: In response to what you're saying, these this size project automatically requires a traffic study according to the UDO so that kind of you know whether it requires a light or not would be part of that traffic study. I we I reviewed this for Tech Review tomorrow so I'll have a few questions then but I don't I'm curious to see if there's anyone in the audience that has questions and then we might have more afterwards.

Evans: Mr. Lux?

Joe Lux: Yeah same for me. I usually like to wait until after the public but thank you for addressing some of those. Good explanation on that southern exit but as we talked about in the pre-meeting, can you include in your project to continue to take that curb cut out and extend that as part of the

Gerard: Oh absolutely. We're gonna demolish that driveway and it'll become part of the perimeter landscaping.

Lux: Alright.

Evans: Alright, first of all, I commend you on bringing the plantings into the right of way. There's nothing that looks more separative than having all of that right of way and then having that beauty. The more that comes out towards the parkway is gonna enhance the parkway as it goes around. So alright that being my only comment, I will now close the board comment and get ready to open public comment. Let me deal with a little diabetic thing here for a second and I apologize to the crowd. Insulin pump waits for no one. Alright now we'll get ready for public comment. I just wanted to explain the rules so everyone's clear. First, if you wish to make a comment, ask a question that pertains to the petition we're hearing, please step forward to the podium. State your full name for the record. We do transcribe these into minutes. And then begin to ask your question or make your comment. I do ask if you've made your opinion on this petition on record for a letter or email previously submitted to the board, I ask that you yield that time to those who have not spoken on record. Each speaker tonight will have a maximum of three minutes to ask a question or make a comment. Please keep it to the preliminary plat petition that we are hearing about tonight. After we hear the last gallery question, we will go to the zoom comments because we do have some people that are watching tonight on zoom and after those the public comment will be closed and then I'll ask the petitioner to step forward and

address any of those questions. So now I will open it up for public comment so if you have a comment or would like to ask a question, please step forward to the podium, state your name for the record and ask your comment or make your ask your question.

Mike Babbitt: Hello, I think I know about everybody. My name's Mike Babbitt. I live in Eagle Brook addition. I'm here for park. We're not against this subdivision. We're glad it's coming to Shelbyville. Everything we see and what she's talked about we like. One thing that we have a big concern about is traffic flow. If you look at this addition, it's bigger than Eagle Brook and Lantana put together. We only have probably 130 lots so we've got a we feel like you're probably gonna have close to 500 cars in this addition and they're all flowing out onto Amos Road on the east side. Going into Southern Trace there'll be very few people go to Southern Trace. We would love to see and we want that southern entrance kept like it is. That's what it's put there for. That's why they put it there is to go in and out. We'd like to see the, understand the street, the name of this street is Larkspur Drive. We wanna see that go straight south to that entrance. I think that's lined up. That lines up into that. Get the traffic flow coming in and out. When you've got that many cars, Amos Road is already one of the busiest roads in Shelbyville. If we dump probably close to two thirds of these people are gonna be flowing out to Amos Road instead of and some of 'em will over on the east side will but if we have that southern entrance which what it's for opened up, then that would certainly take the pressure some pressure off of Amos Road. Yeah I've talked to everyone in Eagle Brook. I gotta list of all the people that live here and they're all, I'm speaking to them. They're against everything coming out onto Amos Road and we wanna see that southern and I know the developer probably doesn't want to spend the money to do that if they have to make it the curb(?) a larger curb or a bigger curb well they don't wanna do that. They don't wanna lost any lots. I realize that but maybe they should've thought of that before they did all this development. But we really want, the people that live here in this town and that live there want that entrance to see that entrance open. We want 'em to use it. So we appreciate you considering that.

Evans: Alright, thank you.

Tony Logan: Good evening. My name's Tony Logan. All you guys probably know me. I'm here representing my wife and myself on this development. As many of you know, I live north of that property. I own 8 ½ acres north of there. I do have some questions. One, the walking trail you discussed - is that gonna deadend into your property or is it going on through my property? You talked about putting an asphalt walking trail on Amos Road.

(?): It connects to the road on Progress that the two locations on the east and the south and on the west we are adding a proposed trail along Amos for the(inaudible)....

Logan: Where is the....does that deadend?

(?): Inaudible comment.

Evans: I need to....you need to address us and then we'll have her answer the questions.

Logan: My questions....

Evans: All I can suggest is that it would deadend on their property and it would probably turn and then you would cross Amos much like if you go further north on Amos where the trail stops and then it directs you across with the pedestrian lights to put you back on the west side.

Logan: Well is....

Evans: 'Cause we couldn't cross your property without your.....

Logan: Sure. As well as Mr. Babbitt said, there's a lot of traffic on that road. Since the school in particular which I'm glad they took over the Marsh building. It's a great great job but there's been a there's a lot of traffic on that road especially in the mornings especially in the afternoons when kids are getting in and out of school. You mentioned running, that's my question. If you're gonna put a crosswalk right there like you do in the other two locations we have already problems with people not stopping for people on those crosswalks. So that's another concern I'd have. Another concern I have is if you look, I don't know if you can bring up that power point or not where she talked about putting the mound completely around the property on Progress Parkway. Southern Trace has already got a mound in the back of their property. One of my concerns is water runoff which is already a problem for me coming over onto my property. I got pine trees along my perimeter and they're dying due to water standing in that area. So I'm curious; is there a way to put a mound or something up to that water from coming over on my property?

Evans: Okay.

Logan: I am concerned about the exit coming out on Amos Road because like I said as Mike Babbitt mentioned, there's a lot of cars coming down that road. That's not the same as it used to be 15 years ago. It's a lot busier now. So those are my concerns.

Evans: Thank you, Tony.

Valerie Sell: Hello, my name's Valerie Sell and I'm an Eagle Brook homeowner as well and in kind of piggy back on what Mr. Logan had stated. We also have a drainage problem in Eagle Brook 'cause what flows off of the Logan's property flows into Eagle Brook and we have a greenspace area and we get a lot of water flowing off of his property when we get a lot of rain. In addition to that, we have a farmer's field behind us and that property drains onto us. Now I realize that's not part of their property but we have a lot of water flowing down into our properties affecting us so if you guys could take that into consideration, we'd really appreciate it.

Evans: Thank you.

Logan: I have another question since she brought that point up.

Evans: Say your name for the record again, Tony.

Logan: Tony Logan again.

Evans: Alright, thank you.

Logan: I did speak to Hope on the phone a couple of weeks ago. She asked me how to keep get water off my property to help with that. We had a pretty good conversation but that's all I know. At one point, they talked about running an easement through my property and dumping it into the ditch up front. So I don't know where that is. If somebody could help me understand that one.

Evans: Alright, thanks.

Brad Ridgeway: No, no, no. You're more important than I am. I'd like to thank the commission. I'm Brad Ridgeway and I'm in favor but I've just got some questions if they could be answered so I'll be very brief here. The what my understanding is you can get any builder. I don't see a builder on here so the landowner now can name any builder. When you say they're gonna be similar to Twin Lakes, am I gonna have that kind of house back there for sure or....

Evans: That's my understanding. We'll ask the petitioner.

Ridgeway: 'Cause I just love what they've done in Twin Lakes 'cause it was gonna be hard matching up that existing small neighborhood into housing and they've done a great job with that brick wraparound. It looks nice. That neighborhood will sustain for a long time. I hope that but nothing in here says that so I didn't know if they're gonna use the same builder. We talked about that cutoff out there on the south side. My only concern about the road and I think Eagle Brook, Amos Road, I would've like to seen a road study before now though. I mean it's kinda gonna be too late once you approve this and then you get a road study and you say oh wow we might've made some changes. I don't know. Maybe we still can but Amos Road's gonna be a problem for years and it is now. So that's and but I just still don't understand the road going into Southern Trace that we're gonna use. I understand that it's gonna be for existing but now we've got these other cutouts and Mr. Hall lives there. And I don't care if that happens I guess. If it's gonna happen it's gonna, it's just a safety. If you ever travel there Wilmington, it just kinda goes around slow and you're asking a lot of traffic going around there. It's not a straight shot and parking on both sides so that'd have to change. I mean I just it doesn't make sense to go through an existing neighborhood to get to another neighborhood unless it was just you know convenient. It's not really gonna be convenient. I just hope maybe the traffic study will say something about that. How, if that does go through maybe we can make it the best it can be. So the off street parking, they've went out of their way and I'm not talking for them, but they went out of their way and tried to get cars off the street in this new subdivision which is a huge plus. Most and that's when I was and I'm sorry if I seemed to be kinda contentious last meeting. It was just we've done that so much in like in Twelve Oaks and stuff. We've discouraged off

street parking and got more on street parking so that's a plus. And I wanna thank you guys. I tried for years because if anybody's been back there and you all have. Cassidy, Mr. Cassidy walks back there all the time. The I've been just really pushing for landscaping on Progress Parkway. What a beautiful stretch. And for some reason I just I've just never had so they're gonna do what the city failed to do and it's gonna be a huge plus. Wait 'til you see the landscaping on Progress Parkway. It's just gonna be really nice. So there's a lot to like about this project. I think that's about it. I know this is not the meeting, but I'm not going to the Board of Works and I talked about if we build new subdivisions Plan Commission I would like for them to take into consideration the older neighborhoods and see how we can mesh them up better and that was my goal last meeting. But David Finkel has installed two lights in my neighborhood which was sorely needed. We've worked on that for over a year now with David and it finally happened. It really the neighbors are just really thankful so I just you know in other communities, you guys do a great job. I just sometimes we neglect the older neighborhoods and they don't mesh up very well. So older neighborhoods, new subdivisions needs to be okay. I would like for you to look at the existing ones and see how we can make them better also but I think that's about it. But here again, Amos is really gonna be an issue if we don't do something about that but I just I'd like for us to really look hard going through Southern Trace. It's not me. I live in a cul-de-sac. It's really not gonna affect me. It's just not a very good throughway street. Here again Mr. Hall lives there and we've got that stop sign. I'd like for Matt House or somebody to look at that. That stop sign shouldn't be there right when you go in Southern Trace off of Progress Parkway. I don't know why it is. Soon as you go in you stop. It should be reversed and the cul-de-sacs need to stop and it's just a hindrance right there and that's and I don't know if it's for speed or just I think somebody just installed it.

Evans: I have to cut you off, Brad. That's...

Ridgeway: Inaudible comment.

Evans: Thank you, Brad. Any other member in the gallery have a question or a comment?

Inaudible reply.

Evans: Okay.

Derrick Martini: Hello. My name's Derrick Martini. I live in southern Trace there and I just wanna bring up again about you're talking about the overflow and I'm one of the four houses on the very where that new road's going in there. We've had runoff issues for since I've moved in there so that's been now all the like the last three houses there on the end like if we get a couple of inches of rain in a day and half or something, that water's already going up to her back door of her sliding glass back door in her back yard and it's right next to where that like where you guys are building a new road, taking the old road and building a new road into the new neighborhood. And you said something about hey you know you don't wanna take an existing two decade neighborhood and that's about as that's as our neighborhood's pretty much two decades old now. So it's like 18 years old and so you just mentioned that about how you didn't

wanna take an old neighborhood and build a new road that leads right into a new neighborhood. So.....thank you very much.

House:(inaudible).....do you live on the west side of the road or the east side of the road? Or is that.....where's the drainage problem?

Martini: There's no houses on here on the on like the east side but it's right there where that (inaudible)....for the new road basically going in there. The existing road that we have....

House: Okay, okay. Gotcha.

Martini: So that's just gonna make things worse is what I'm saying as far as the runoff is.

House: Understood. Okay, thanks.

Evans: Any other members of the public?

Martini: It's already up against my fence and my fence I've gotta

Evans: I'm gonna have to have you step back to the podium if you're gonna continue to make comments, please.

Martini: Oh I thought you were asking me something.

Evans: No I wasn't asking you. I was asking the rest if there was anybody else.

Martini: Like I've got a privacy fence and it's probably I'd say at least 40' from the field from the where they're gonna start developing there and that's you know it's that far away from the you know and it's already flooding over now so I don't know if they're gonna try to put something in. They did something here about three years ago where they came in and basically took about 10 truck loads of dirt out and put in a pipe like a 6" pipe down there and that's pretty much it man but it didn't really help any. It kinda made things worse is what it did. So I didn't know if they could are they gonna redo that or what, so.....kinda was my question, so....

House: I'm gonna get, is it alright if I contact you afterwards? 'Cause we're I'm reviewing the drainage. I'd be curious to see where it's flooding back there.

Martini: Uh yeah. Yes, sir.

House: Now's the time to fix it. I mean them developing the area with their storm sewers and drainage plans is probably gonna solve the problem but I'd like to make sure and see where you're having that.

Martini: Yeah I don't know what it is or but you know I just don't wanna make you know it's already if get I'm not kidding you an inch and a half of rain, two inches of rain on a weekend on the that girl on the very corner where that road that new road is at on Wilmington, it's I mean it's all the way up to her sliding glass door 'cause it just kinda it opens up out there but you know I'd hate for her when she's got a half foot of water in her house that is trying to....I'm just trying to help people that's been living there for the last 20 years. So thank you.

Evans: Thank you. Any other member of the gallery wish to step forward make aI see you're returning. So did you think of something else?

Babbitt: Yes. Mike Babbitt, Eagle Brook. I got a question. One concern we didn't talk about is the drainage going into our ditch on Eagle Brook. I talked to Matt about that. I guess you haven't come up with exactly there's supposed to be a 12" tile coming either through Tony Logan's or through or across the street into our ends up in our ditch right now it's in Eagle Brook.

House: Yeah there's been a few alternate things proposed but yeah that the northwest part of the project that everything drains into that large pond and leaves the pond in a 12" pipe and ultimately ends up in that ditch. But yeah there's been a few outlet locations proposed. I think there's still you guys are still looking at it.

Babbitt: That way maybe they could comment on if they cross that road with that 12" draining into our ditch, I would assume they would not have an open ditch on Amos but close it. Pave over it and have a closed ditch. The other question I had was if you approve this preliminary plat the way it is now without you doing a southern entrance and exit, then does it then it goes to the council, is that where it goes next?

Evans: No. If we approve it this evening as proposed, then it is it is approved.

Babbitt: Okay. I just again want you to really consider all that traffic coming out on Amos Road. It's really serious. The community does not want that. We wanna see that southern part open.

Evans: Alright, thank you. Alright we will close to the gallery and we will open for the zoom questions or comments. So go ahead with the first.

Rude: Someone came up board member I think. We'll let Josh address that at the next time for board members but Angela Ridgeway says what type of street lighting will be established. Angela also says also would be nice if we could address the drainage problem on the Southern Trace section 3 and 4 pond.

Evans: Okay. Can we was do you have another comment or question?

Rude: Says good evening and addressing the traffic issue and increasing a entrance/exit to three, could one of the home lots on the south side be used to create the road for a third exit

proposed city park and the 3.462 acres between Eagle Brook and Lantana? It is currently owned by the Eagle Brook HOA. That property could be developed as a park and the proposed park space in the housing development could be turned back into a home lot.

Evans: Is that it for zoom?

Rude: That's it for zoom.

Evans: Alright I will now close the public comment. We appreciate and we can have the petitioner please step forward to address some of these questions that will be brought up by the board. So let's start down on with Joanne and you heard the public comment. I assume that you have some of those questions as well.

Bowen: I do. Thank you. Along with the traffic, is there a possibility to have some turn lanes put on Amos or Progress Parkway?

Gerard: Okay well let me, since we're talking about Amos Road, I'll deal with all those issues. I was gonna respond to the remonstrators. So I don't know where we're coming up with 500 cars on Amos Road because my calculation, that's 2 and $\frac{2}{3}$ cars for every house in our community and most people just don't have three cars in the house. And then and that assumes that they're all stacked up like we need to leave at the same time. I mean most road designers will design things for peak which is never the total number of cars in the subdivision. It's always some reduced amount plus they're all gonna flow to Amos Road. I don't know that that's necessarily true because we've got the entrance on Progress Parkway too. So a lot of the subdivision is gonna go that way I would assume. In terms of the turn lanes, we are putting in the accel/decel lanes and the passing blister on Amos Road per your UDO standards so there will be that provision and there will be a way to pass around the traffic at our subdivision entrance. In terms of anything upstream on Amos Road, that's really beyond my capacity to address here. But we've complied to do what we think we can do that the impact that our subdivision may be having on those roads to mitigate that impact. And Mr. Babbitt indicated that you know we probably just don't wanna spend the money but that's not true. I mean we're gonna be demolishing that curb cut on the south side anyway. So and that costs a bit of money to just demolish it but and we're not losing a lot because we would just move the entrance there and theoretically it would be an even trade. We're just doing it because we think it's more a responsible development than putting two subdivision entrances on Progress Parkway. And commissioner House, what's the rated speed design for Progress Parkway?

House: I think it's 40.

Gerard: 40.

Several people speaking at once; no one is clearly audible.

Gerard: Posted 40. So yeah and I we're gonna put the accel/decel lanes on Amos Road. And then there'll be a passing blister on the other side of the road so that people can go around any traffic waiting to turn into the subdivision. So we think with that you know the impact will really be mitigated. Do you want me to address these other comments that the remonstrators made or do you want me to go individually?

Evans: Yeah let's go ahead and do that and then that way we can follow up.

Gerard: Okay 'cause I think I can probably answer most of your questions. Chief Logan asked is the walking trail going to go basically north to his property. It's kind of again beyond our capability to address issues beyond the property that we own ourselves or what is owned by the municipality in the case of the passing blisters or the accel/decel lanes. We can use right of way. So the answer is no. Right now we are terminating the walking trail on his property. We won't be encroaching up there onto his property. He is certainly willing or has the ability to talk to the city about giving you that if you want to extend it later but right now, we're only extending it to the north property line of our subdivision. He also made a comment about the water runoff from the mounds and it in general let me address the drainage comments in kind of a broad brush. So we are capturing around the perimeters and internally all of the water that our property would be generating through a system of inlets and ponds and things like that. So we will basically be cutting off the water that would normally flow outside of our property and routing it through our drainage system and releasing it at a controlled rate whereas right now it is not controlled. It is sheet flowing over the property. So that and in the case of well our property the way it's been explained to me and Hope may correct me, sheds a couple of different directions. There's some ridges in our property and some of the water goes west and some of the water wants to go south and a very small portion of the property wants to go north. And we just can't make the water flow the other way because commissioner House is not gonna let us put a drainage system in that has pumps so it has to go north. It goes north now but what we are going to be doing as part of and this section I think is probably less than a quarter of the site. It's much smaller. So what we're doing is routing it through our very overengineered northern pond which I don't know if you've had a chance to look at the drainage calculations on this but my engineers tell me is severely reducing down drastically from what the current rate of release is. Way more than your UDO would even require us to reduce it down. We are reducing down that water that would normally flow north. So in terms of Chief Logan's comments on the water runoff from the mounds, I am told that we are going to be capturing all that water as part of our curb inlets and drains and it will be captured through our internal drainage system so it should not exacerbate his problems at all. In fact it is likely to make it better but it shouldn't make it any worse. The discharge point; Chief Logan mentioned the easement. We did talk to him or well I guess Hope probably talked to him about an easement and the landowner I can also talk to him about an easement as far as I'm aware. We have a couple of different options. This is not the only one. We're trying to figure out what's the best in the general scheme of things in the development and that's something that your technical committee they're probably gonna talk about it tomorrow. So that's something that'll be worked out as part of the secondary platting process and but like I said, we have a couple different options there. Mr. Ridgeway was concerned about the fact that, oh and if you have any more comments on drainage, I've given

you the total lump sum of my ability to address drainage comments. They will have to go to Hope from here on out. Mr. Ridgeway raised a concern that we don't know who the builder is. Let me tell you, I probably didn't tell you enough about Forestar and what our business model is but we are basically a land developer. We don't build the houses. However we are 65% owned because we're a publicly traded company, by D.R. Horton. There are interconnecting agreements between the two companies. It is likely it will be D. R. Horton. They have certain rights to contractually to what we develop but they may there may be another builder there so I can't really commit to you who the builder's gonna be. Probably D.R. Horton but that's not entirely certain because of the contractual agreements. It could go somewhere else to a different builder. But when I was and I forgot to tell you, part of my experience in real estate development is I was the Boone County area plan commission lawyer for a great many years and I always told my clients you can't design for a particular builder because in the development world you don't know who it's gonna be. C.P. Morgan goes bankrupt. You know companies close their businesses down. Banks take over properties which isn't gonna be a concern on our site but you know. So the best you can do is to design to your standards and to design to a kind of product that you want to have and then you're safe no matter who it is. So that's really the responsible way to do it. We I will say this, part of our project, and Adam will confirm this, we have been developing this site under section 6.08 of your UDO which does contain some enhanced architectural standards that will be required of this subdivision that are not generally applicable in your jurisdiction. I think probably even Twin Lakes wasn't a 6.08 development. So we do have that and that language is on the plat per your staff's comments. So even if the you repealed the UDO, Adam's point is I still want it on the plat and it'll still be on the plat. So Mr. Martini's issues with the runoff, I think I've addressed that. We're capturing it. I don't know if there are other sources that are contributing to his water problem other than our site but it sounds like Mr. House is gonna work with him and talk to him about that. The street lighting; I do not know about the street lighting. Hope, you wanna take that one?

(?): Inaudible comment.

Gerard: There was one of the.....

Evans: Step back forward. There was just a question about street lights. A lot of times evidently in Southern Trace there were not enough street lights when that actually came through and residents there thought it was underlighted and so they wanna make sure that with this development that there will be ample street lights to light the streets.

(?): Absolutely and we've shown street lights on our section one development plans. We have 'em at every intersection and mid block uh some of the longer ones. So that's definitely something that we can address if there's any comments on more street lights being needed on the plans.

Evans: Thank you.

Hope Martin: Hope Martin, HWC Engineering.

Evans: Alright, Mrs. Bowen, do you have any further.....

Bowen: No, thank you.

(?): I have no further questions. Thank you.

Evans: Mr. Lewis?

Lewis: I have no questions.

Evans: Mr. Cassidy?

Cassidy: Well I'm still worried about the southern, the entrance on the southern. I still think we oughta open that up but nothing else.

Evans: Alright. Mr. Nolley?

Nolley: Going back on those lights, you said mid block. These are longer blocks so would the and obviously if you talked with the folks that had concern about that but in thinking also where your trails cross and things as a (?) point I'm assuming.

Martin: Yes.

Nolley: To where that, they meet the streets.

Martin: Absolutely. At the trail crossings we have 'em in and you have the intersections where you have pedestrian crossings and I'd have to check on exact dimensions, maximum dimensions.

Nolley: Okay.

Martin: We can definitely take a look at that with detail at the next phase.

Evans: Mr. House?

Nolley: Well I had one follow up.

Evans: Oh, sorry.

Nolley: I'm sorry. So I'm too like everybody I mean I and I had someone in the audience approach me about that southern and I'm a little mixed on it. I have to be honest. I mean I'm getting the explanation which makes sense and maybe I'm not standing there right now where I can look and see well how bad of a curve is it but if it is 40 mph. But I guess logically and this is more of a comment I guess, if somebody was gonna use Amos Road and we put in a southern

exit for them, if somebody who lived down in the east (?) and needed to go Amos Road they're gonna go Amos Road anyway. In other words, you're just gonna get on it further down and come around. And if you wanna go to Walmart, you're gonna go to Progress so I don't know, (?) but I would think that people would just cut through the neighborhood to get faster to Progress you know. So I guess it's more of a response back to them about I don't know if it'll make a difference. I think we're gonna have to look at that road though long term before it gets built out 'cause we're probably two or three years before we get that far. So maybe faster, maybe not so

Evans: 'Cause the Amos Road connection doesn't happen until phase three, correct?

Martin: I believe yes. That's phase three.

Nolley: Let me ask you this just as a point....(inaudible)....that proposed southern connection, would that be in phase one or phase two? In other words, could it be looked at? It's phase two.

Rude: Yeah.

Nolley: So I guess my question we're approving the plat but if later down the road studies or something were done, could that be changed?

Rude: Uh....

Nolley: And (?) can change. I understand that.

Rude: Yeah it....trying to think. Yeah it could probably be changed at Technical Review if a traffic study or something said that it would need....

Nolley: Well I don't know if Technical Review(inaudible)....this has been approved but I think before it got done there would be another chance to revisit it if new evidence came to light, new information. That's all I'm asking.

Rude: I think that, I don't think it would come back before plan commission. It would come to technical review committee and it'd be a review of the facts and determining what a third party engineer says makes sense.

Nolley: And it might even be like a year down the road.....

Rude: Yes.

Nolley: 'cause that's a phase two, so....

Rude: Yeah and yeah it's probably at least a year down the road.

Nolley: Yeah I'm just.....We're approving it but there, if circumstances change that we could revisit or maybe somebody could revisit it. Not us. Okay, thank you. That's all I've got.

Evans: Okay. Mr. House?

House: What was that last comment about the common area between Eagle Brook and Lantana?

Evans: There, you had it.

Rude: Yeah it's

House: What was the summary of it I guess?

Evans: Well this are we talking about, yeah it's hard to read but somebody was talking about making that, which is owned by the HOA of Eagle Brook, making that space into a park. If you go way back into the 1963 plat of Lantana, it showed that stub road continuing and a city park being built at the end of that stub road along that creek.

House: Okay.

Evans: Back in 1963. The HOA when Eagle Brook was developed, they bought all of that right of way right up against Lantana and they do with what with the creek there and there, I mean it's a nice thought but there's just a lot of greenspace that's owned by Eagle Brook's HOA.

Rude: I yeah I think it is that stretch of land where the creek's at.

House: Yeah, yeah.

Rude: I think that's what they're talking about.

House: Okay. I was just curious.

Several people speaking at once; no one is clearly audible.

Evans: I said there is no plan for a city park and it's owned by the HOA.

House: Sure. Okay. I had so I wanted to share, I do have a so when Twin Lakes was being put in we had a two way left turn lane analysis. That was basically in lieu of a traffic study. The road itself was on the comp plan under a wide under a possible widening but that widening would be a middle two way turn lane, suicide lane. So we did have someone look at that. Shrewsberry, Jill Palmer, the traffic engineer and at the time I'll just read the summary. The recommendations were not to build a continuous two way left hand turn lane or left turn lane south of the railroad. And then it said evaluate whether a southbound left turn lane should be

constructed with the extension of Twin Lakes Boulevard. Conduct a cost/benefit analysis of Twin Lakes north of the railroad. And if note two way turn lane evaluate whether a southbound left turn should be constructed at Highpointe Boulevard or other higher traffic intersections. So that was the gist of it and we had them looking at the area and it is I mean so the issue is you know when someone turns left anywhere on Amos Road, it's a narrow road and it backs the traffic. Even right hand turns slow down traffic but it is an issue and we have been somewhat looking at it and I think the answer to this is when we get a traffic study, see if the city does need to commit to doing something you know north of the railroad or some of these left hand turns.

(?): Inaudible comment.

House: Right. Yeah. The school's south of the railroad and they're and oh this mentions you know Highpointe and all that north. But I think those are where the impacts will be seen for the worst is further north.

(?): Inaudible comment.

House: 16, 7/16.

(?): Inaudible comment.

Evans: Do you have anymore questions or comments?

House: No I was tryin' to look at the I have the traffic data on here. Amos Road 14 had 5,445 and then in then it had 5,500 last year. I think the peak is a lot the peak hours a lot worse. The traffic was 4,800 in 2020 but the pandemic with the pandemic so I think the school has caused the peak to be a lot worse but the traffic according to the counts on INDOT's website haven't grown substantially. That, so I just wanted to pass that along. I think the decision put the drive, adding a drive onto Progress is kind of a separate issue and I think the point of that is to pull traffic away from Amos onto Progress. So I think it's a little it's a separate issue than the what the traffic data we have shows. And going back to what Gary said, people are gonna go up Amos or Progress. If they're going north, they're by the time you get to St. Rd. 44, they're over a mile apart so they would've made that decision before, I don't think they're gonna be you know on the east side of the neighborhood and take that road if they weren't already gonna do that. They're gonna go, they're gonna cross into the neighborhood and go to Amos so I just wanted to make that comment. I think the next step for the city is to look at the traffic study and check out the two (?) of left hand turns onto Amos Road. And then going back, Mr. Ridgeway, we'll check I'll check the stop signs. The connections we keep referring to they are, the city, I don't think there's any gray area. We do connect to neighborhoods so it's just the way it is. There's(inaudible)....on Rolling Ridge and I know no one likes it when it happens in their area but there's good reasons why the city requires it. That's all.

Evans: Mr. Lux?

Lux: Well I think the southern entrance, I like the answers that Matt provided and that the company provided on why they closed that off. I think those seem like real reasonable things. I think that, I think Gary's right. I think if they were coming out there they'd turn right. They'd turn right on Amos. I do think we have a problem with Amos. I think Amos is a busy road especially during school times. I think that's a problem. I think the traffic study and I think their concerns about where the water's gonna go is really valid and I think that my question, my main question is to the staff is why would this come to us before technical review and the traffic study and the water's done? Is or should that be afterwards? And I don't know what the norm, I guess I'm not involved with all those meetings enough to know but that seems like the situation on where we should sit right now.

Rude: So it moves to this process. Part of it's established in state law. Part of it's established locally but it went to Tech Review once to review the project at a very high level just to see if there's any huge red flags. After that Tech Review and after they came to you guys last month, it's coming to you for preliminary plat. Tomorrow it's going to Technical Review committee again and each phase of the project will now be I guess scrutinized at a, documents they're creating now are construction documents. So they're looking at exact heights of structures and exact slopes of things where everything lays out. So the process is laid out so that they can we can deal with some of the high level technical things before it comes to you and then some of the more granular things get dealt with through the process. So this followed the normal process.

Lux: So it.....

Rude:in a roundabout way.

Lux: So it's been to Tech Review once, but I do think that the questions raised about where the water's gonna go is real valid and it(inaudible)....

Gerard: We have submitted drainage calculations really early to your staff and I mean I think it shows that you know we're over detaining on the north quite a bit. In terms of the technical review I would note that really the only things that have changed about this subdivision since we were at Tech Review is the addition of the playground, the north/south side (?) and maybe a few lot lines shifted here and there. But that's the only things on this plan that have changed since the oh and the cross section of the street to accommodate so we could eliminate the waiver request for the off street parking. And that changed as well because we complied with the cross section that Twin Lakes has. So those are the only things that changed on this plat since we went through Tech Review the last time.

Evans: Any other questions?

Lux: No just more of a comment in that you know the only thing that we have as the board is you know we our only avenue is to say yes or no for what we're given and the public has comments that gives us gives me concern. I don't know about anybody else. And now I'm (?)

in a yes or no which seems very punitive to the applicant where it feels like it should've passed Tech Review and traffic studies before we even saw it.

Several people speaking at once; no one is clearly audible.

House:(inaudible)...yeah I did review the drainage and it does, it is they're doing more than is required. They are, all their ponds are oversized. That whole northwest side of the property, there's only 12" pipe coming out so the questions that we were discussing is there's not an easement and I think that's Tony's concern too is it's pointed it's directly to his property and there's so that's the issue that needs figured out is an easement.

Lux: I think the big pond I think it makes sense that that's gonna be a collector that they can't they can't have a bunch of runoff that's gonna go north and west but you know the public says I'm nervous about that so they want us and they want you to say hey we're good. We reviewed it and we are good so.....

Rude: I guess.....

Nolley: Are we good?

Lux: Alright, we're good.

Rude: And I guess to that point as well as all of these sections come through like we're gonna see Section 2 or Section 1 tomorrow at Tech Review. Each one of those individual drainage systems is also reviewed and those just won't be approved if standards aren't being met if these other details aren't being worked out. 'Cause there'll probably be other small details here and there that need corrected in the coming phase so all the rest of the approvals happen administratively but there are a set of eyes, Matt, myself, every about every other department head and every utility that looks over all of those to make sure those details are being worked through. 100% of them are not (?).

Lux: Alright. Okay, alright. Thank you. No further questions

Evans: Alright, Mr. Martin? If you come off of mute. Do you have any questions or comments?

Josh Martin: Yes, good evening. As an Eagle Brook homeowner, I do have concerns about traffic on Amos. I think we've talked about that exhaustively at this point. One thing I would like to point out is there is a field behind Eagle Brook that will be directly parallel to this property. That will get developed one day and possibly add to the traffic concerns so that's all I have to say.

Evans: Alright, thank you.

(?): Am I allowed to say anything else?

Evans: Not right now. Public comment's closed so I apologize. I think you're on record with your concerns about Amos Road.

(?): Inaudible comment.

Evans: No but you're gonna continue to talk and I apologize. We know you had submitted an email prior to the thing for 500 cars so I understand that. Phase 3 is when it touches Amos Road and I apologize but I think you're on record talking about the traffic on Amos Road. As someone, now it's my time to comment, as someone who has lived along Amos Road for over 20 years who abuts McKay, a very very busy road, ever since we added the Parkway we took out the zigzag curve, Amos Road has increased. I have been clipped or almost clipped many times walking or crossing the entrance to Eagle Brook when I, the pedestrian, are trying to ride my bike across and someone's zipping in or out. It's on a bad blind spot. Had I been on the plan commission when Eagle Brook came, we would've made them put in the accel/decel. I'm sure Lantana but before that time. So there are a lot of concerns along Amos Road. Our job here is to make development happen and mitigate that concern. You're gonna touch Amos Road in Phase 3. I would hope that would be in 6 months. It's probably gonna be in several years with all of the developments that we have on the books right now for home building sites. I think the area is beautiful. I think it's going to add and maintain but now I thank you for your answering the questions on the public comment as well as the board so now I am done with my comments so I'm gonna open this up for a motion on PC 2021-02 Summerfield subdivision preliminary plat.

Bowen: I would like to make a motion to forward a favorable recommendation for the rezone petition presented before this body rezoning from BN, business neighborhood to R1 single family residential pursuant to the planning staff's report and Findings of Facts.

Rude: Inaudible comment.

Bowen: Did I read the wrong one?

Rude: Inaudible comment.

Bowen:(inaudible)....

Evans: The current packet if you're gonna.....

Bowen: Great, okay. PC 2021-03. I would like to make a motion to approve the preliminary plat and two requested waivers in accordance with the proposed conditions in the planning staff's report and plans submitted to this body pursuant to the proposed Findings of Facts.

Evans: Yeah we need both of those waivers read as well because we are voting on the preliminary plat as well as both waivers please.

Bowen:(inaudible)....Staff recommendations, approval of the preliminary plat, approval of both requested waivers with the following conditions: 50% of the number of plantings required by UDO 6.03.8.2 shall be located within the public right of way. The additional pedestrian walking paths that are being shown on the submitted plat shall be required.

Evans: Alright I have a motion for approval with both waivers read; do I have a second?

(?): Inaudible comment.

Evans: Alright everyone please cast your vote for PC 2021-02.

(?): Is it 3 or 2?

Rude: 03.

Bowen: 03, isn't it?

Nolley: Alright.

Evans: You can have that back.

Nolley: Inaudible comment.

Evans: Yeah I have 02.

Nolley: Yeah that's what Mike says. Yeah I'll tell you that. It says 03 here.

Bowen: Right. The agenda says 02. The paperwork says 03.

(?): Yeah that's why....

Evans: Okay we need call for order. I need to know.

Rude: 03.

(?): 03?

Evans: Alright.

Rude: The agenda was wrong.

Evans: Will you pass those back for (?).

Several people speaking at once; no one is clearly audible.

Evans: You'll reprimand Allan on that?

Rude: Motion to approve PC 2021-03 two requested waivers with two conditions in the staff report; Mr. Lewis - yes, Ms. Bowen - yes, Mr. Hall - yes, Mr. Cassidy - yes, Mr. Nolley - yes, Mr. Lux - yes, Mr. House - yes and Mr. Evans - yes.

Evans: Don't forget Mr. Martin.

Rude: How do you vote?

Martin: I vote to approve.

Rude: All in favor.

Evans: Alright, that was a unanimous. I know that you'll be working with, especially with Matt on that water retention. You'll get with Tony at some point for the easement. My understanding is that your proposal to clean up a lot of that drainage there coming off of Southern Trace into his and bringing everything into a capture and outletting. So it's actually gonna improve the two existing developments as well as your own, so.....

Gerard: It should. Thank you. I appreciate it. Now can we have a little housekeeping?

Evans: Yeah we're ready to move on to the second item on New Business is the Resolution 2021-01 Termination of the Written Commitments. So you will read what we were about to do.

Rude: Uh.....

Evans: We will have her explain as to why.

Rude: Yes. So the Resolution before you, Plan Commission Resolution 2021-01 is terminating a zoning commitment from October 26, 1998. This was a zoning commitment made by the Plan Commission when a rezone was approved for the property owner back then. It recently surfaced through a title search so I'll let the petitioner explain a little bit about that and why they're requesting the termination of it.

Gerard: So as I think I mentioned briefly, in my previous life I've been a lawyer for 30 years and had I been with Forestar when Mr. Masterocco came before you on the rezoning, we probably would've dealt with it then because basically the whole property now has been zoned single family residential. There is no need for these written commitments limiting more intense residential use any longer. If it ever were to change or to come back before you, it's not gonna change because once you start putting single family houses on a property, it's virtually impossible to redevelop that site because you're dealing with 187 landowners at that point. Well

188 if you count the HOA as well. So it's not necessary, but as a lawyer, I wanna have everything cleaned up for closing and title. It affects our title insurance. It also potentially affects our buyers that you know we would have problems actually conveying after we transfer the lot so every opportunity I get when I'm a lawyer, I take the opportunity to clean up title and this is just one of those clean up things. It doesn't need to be there any longer. There's no purpose served by it so I'd like to get it cleaned up in our title if we can. There's a few other things that I'm trying to clean up on the title as well. There's a temporary ingress/egress easement for the construction of Progress Parkway that by its terms says it will terminate when Progress Parkway is constructed which has obviously happened but it's still on the title. Once you get something on the title, it lasts forever so I'm having to work with your city staff and your city attorney to get me a letter saying Progress Parkway's completed and so that I can take that to the title company. So it's just cleaning up everything. Every time you close on a property, you try and make it better for the next person down the road so that's what I'm here to do tonight.

Evans: Okay do you need to read exactly what we are doing or we can just go straight to the Resolution.....

Rude: No, it's been....

Evans:We will terminate a written commitment.

Rude: So there are two items. We do have to hold a public hearing tonight but then the motion can just be to accept Resolution 2021-01 as presented. It's already been posted online and it's made available to the public so we don't need to read the whole thing into the (?). That work?

Evans: Yes but we've had a hearing so do I need to open for comment?

Rude: This is a separate petition. Yeah it has to be opened separate, yeah.

Evans: Alright if you'll yield the podium, we'll open this up for public comment on the termination of written commitment to not allow RM development on this plat.

No reply.

Evans: And seeing no one approach, any zoom comments?

Rude: Nope.

Evans: Then I will close public comment on the written or on the termination of written commitment and I will go to, are there any questions from the board? If not, I'll entertain a motion on this termination of written commitment.

Lewis: Make a motion to approve the Resolution 2021-01 as presented.

(?): Second.

Evans: Alright there is a motion and a second. Please cast your vote for Resolution 2021-01.

Rude: Approval of Resolution 2021-01: Ms. Bowen - yes, Mr. Hall - yes, Mr. Lewis - yes, Mr. Cassidy - yes, Mr. Lux - yes, Mr. House - yes, Mr. Nolley - yes, Mr. Evans - yes and Mr. Martin?

Martin: Yes.

Rude: Motion carries.

Evans: Alright, thank you. Alright moving on from the Resolution to our third New Business item is PC 2021-01. This is for Christian Investments, LLC on a rezone property. Please read the petition to refresh everyone's mind.

Rude: Yes. So PC 2021-01 1451 McKay Road rezone. Petitioner's name and the owner's name is Christian Investments, LLC. The petitioner's representative is Prince Alexander Architecture, LLC. I said the address is 1451 W. McKay Road. Subject property current zoning classification is R2, request to go to RM, multi-family residential. And the action requested tonight - a formal recommendation on rezone from R2, two family residential to RM, multi-family residential.

Evans: Alright, thank you. Would the petitioner like to step forward, state your name for the record and please tell us about your request for the rezone and why.

Crystal Kent: Good evening. I'm Crystal Kent from Prince Alexander Architecture. I know most of you already. Some of you were kind enough to give us approval on the variances already so you're familiar with the project. In the interests of our residents who've spent a marathon this evening, I'll keep this very very brief to get to what they have to say. We've been very grateful for the letters from the public. We've made changes based on their input and it's quite valuable to us so I'm delighted to report back that our research has yielded some important facts. Hopefully this will answer some questions. As mentioned, two of the three parcels are already zoned RM. It's just the rear parcel that currently has no road access. I reject the supposition that there's nothing that can be done with this parcel ever. It seems very much within your hands to do something with it. So we don't believe it's necessarily doomed to mediocrity in value. We are happy to report also that IDEM and city regulations as Matt has already demonstrated require complete onsite engineered retention that will help with some of the flooding that the neighbors are having. It will certainly not make it worse. What I can say if it's helpful to anyone here the process goes this way for a reason. We (?) pay a nice attorney such as the one you heard from earlier x thousands of dollars to represent the project to a certain point. When we start doing civil engineering, you can do 20 times that number. So they prefer to wait to start the civil engineering process until they hear back from the city to avoid wasting a lot of development dollars. If that makes sense, that's why the process runs that way but it's very normal. Third, four the owner has consented to performing a traffic study and happy to

abide by its recommendations working with the city with whatever regulations you might impose on the parcels. And there's been some concern about attracting crime. There's no data I could find to support that. The apartments are market rate. There is no intention for anything else at this time. So that's it. I'm gonna be quiet and answer any questions.

Evans: Okay, thank you. Now I will open it up for members of the board and remember that we are looking for a recommendation on the rezone of this parcel of land so let's start down on this end with Mr. Lux.

Lux: No questions at this time.

Evans: Alright. Mr. House?

House: No questions. I'll wait until after the.....

Evans: Alright. Mr. Nolley?

Nolley: I do have one question right now. You are approved by the zoning, Board of Zoning Appeals down to 50 additional.

Kent: Correct.

Nolley: Is that(inaudible)....what is that make up?

Kent: They did not, we have been presenting three story buildings but they did not restrict anything on that particular on height. We would abide by the UDO of course.

Nolley: That's all I have right now.

Evans: Alright, Mr. Cassidy?

Cassidy: I have none.

Evans: Mr. Lewis?

Lewis: No questions.

Evans: Alright, Mr. sorry, Mr. Hall?

Ben Hall: I guess I don't have any questions yet. I'll see what happens.

Bowen: Same here. I'm gonna wait.

Evans: Alright and I don't have any questions on the rezone so oh I'm sorry - Josh, I need a picture of you up there. Mr. Martin?

Martin: I don't have any questions.

Evans: Alright, thank you. Alright then I will close board questions right now and open it up to members of the public. Just a reminder we do have zoom questions as well so I will open it up for members of the gallery. If you have a question or make a comment, please step forward to the podium, state your name for the record, ask your question or make your comment. And as he's approaching, I will say that we have several letters and several emails that have all been made part of the public record and I think all of those were to recommend a non favorable recommendation on this rezone. So now that the member of the public has (?), please state your name for the record and

Ron Mitchell: My name is Ron Mitchell. I live just south of the proposed complex on Simpson Lane which is a dead end to the north adjoining their property. There's a lot of questions that our people have that live there. We've heard a lot of different things. One was a retention pond. One was a gated community that would open up into our one way street. We have no outlet on Simpson Lane into the project. Just a lot of different questions that we'd like to have answered regarding our concerns. Naturally I think I've talked to a couple of people that like to know more about the traffic situation out on McKay Road. You know we're just a short distance from the middle school and the high school and buses come by there a couple times a day. And that's just some of our concerns if anybody's got those answers, we'd appreciate it. Beyond that, I don't have anything. Thank you.

Evans: Alright, I appreciate that. Thank you. I was gonna say the only other general member of the public that isn't newspaper representation, if you have a question or a comment, please step forward. We kinda cleared the house after that last petition, so....

Steve Drake: Yeah. My name's Steve Drake. I'm New Park Condo Association president. Been watching the process here, zoning, board of appeals, etc. Some of the questions that I I'm not sure you're aware of. I definitely am not as many of our people, what kind of apartments are these going to be. Is it going to be three story, two story, one story? I still don't know that. The only thing I find to be firm is we've dropped it from 100 to 50. And also it was made comment that this was the only thing this could be used is a drop-in development, correct? I think that was mentioned by one of the board members....(inaudible)...There are many possibilities for that in this community, drop-out, drop-in but that's the that was the word that was used. There's in Riley Village, there's an area back there to play ball. There's an area on Van Avenue and Sunset, back field about probably five acres. I don't know who owns it. So those are questions I had. They talk about, this company, that they were going to improve the two buildings that exist. Now does that improve it mean just new roof? But it's a quite frankly, the two buildings are an eyesore. There's and it's not the fault I don't think of the residents totally there. There's no storage. There's no sheds. The back entrances to the building are dilapidated. So I wonder about that and we expressed some other concerns about this

development to different groups of people. And the other thing, and I received this from Adam that one of the things that seemed like these committees needed to consider was affect to value of land in the area. And to me, this I see as a domino effect very easily from the people who live near Berwick Drive that butt up to us to our few condos in that direction and a trickle down effect. Those are very, I think, legitimate concerns that we have. I think we're not against development but I think we do have a concern here. And then of course the extra entranceway or and of course being involved with the schools for a number of years, that area is becoming more and more (?) and it's a deadly intersection already 44 and I mean you read about an accident every week almost, very serious and it's gonna obviously add to the traffic. So you know I just don't see it as a good fit for our community in that area and so that's what I wanted to say.

Evans: Alright I appreciate that.

Drake: Thank you

Evans: Any member on this side of the room have a question or like to make a comment?

No reply.

Evans: If not, I will close gallery public comment and ask if we have any zoom comment.

No reply.

Evans: Alright then I will close public comment (?) and we will go back to board questions. Let's start with Josh Martin. Any questions, Mr. Martin on the

Martin: No, I don't have any questions.

Evans: Okay then let's start with Miss....

Bowen: I don't have any questions. Since Miss Kent is up there, should the petitioner answer his questions?

Evans: Well let me let me start with a statement. What we are looking for tonight and I'll address the two members of the public. Tonight we are strictly here for a recommendation for a zone change that will go to City Council. City Council then would have to vote on whether or not to change the zoning on this particular parcel of land. So I know it's really hard because they kind of cart before the horse. They went to BZA first with a project for that piece of land but the project can't even be thought of in our opinion until the zoning is addressed by city hall. City hall, or city hall, by city council. City council asks us does this fit the comp plan? Does this fit? They want our recommendation. We can give a favorable recommendation for this parcel of land to change the zoning. We can give an unfavorable recommendation. Or we can give no recommendation whatsoever because we all know, I won't say it that way, they'll do whatever

they want which is what city council does. They don't always go by our recommendations. So that's what we are here to address tonight is the recommendation on the rezone of this parcel of land. So you can't really think about the project even though they've already addressed the project with the Board of Zoning Appeals to look about apartments and do this type of stuff. That's actually what we're here to address tonight. So I will start on this end with that in mind. Do you have any questions or comments?

Bowens: Not concerning the rezone, no.

Evans: Okay. Questions?

Hall(?): No, not the rezone.

Evans: Okay.

(?): Something about the rezone.

Cassidy: Nothing.

Nolley: Well I'll make a comment. I honestly don't think it fits.

Evans: Okay.

Nolley: Just that designation. It's a small area. I think it's better suited for additional condos or to (?) some kind of greenspace use as Mr. Drake noted. That's my comment.....(inaudible)....

Evans: No, I....

Nolley: For clarification too.....

Evans: No, I understand.

Nolley:they would have to come back before us with a so the audience knows.....

Evans: Yes.

Nolley:with some kind of a plan that we could say oh no or yeah that's great.

Evans: Fits or it doesn't fit or this....(inaudible)....

Nolley: Yeah but my comment still stands.

Evans: Right, understood. Mr. House?

House: Are you guys, I think you said you already had you already said that you hadn't hired a civil engineer yet. So you haven't looked at the drainage at all. That I'm sure you're aware that ditch isn't great and the pond, a lot of times when you have an outlet control situation like this would be the pond would be a lot bigger because you're gonna be (?) you're discharging into an already filled up ditch. So I'm but you guys haven't looked at that yet.

Kent: Is that a question?

House: Yes. Sorry, I changed my statement to asentence. Have you looked at the drainage at all yet?

Kent: So we do have the storm water design manual what you guys you were kind enough to send that upon our request and so we looked through it and we there's nothing in there that seems foreign to us. We do this a lot. So we're very confident that we can address those concerns. Obviously, we can't fix an existing flooding problem beyond our boundaries but we can certainly make sure that we don't contribute to 'em.

House: No one's asked any questions. I thought there'd be more discussion. You I wasn't here for the last....that's all the questions I have.

Evans: Alright. Mr. Lux?

Lux: Yeah I definitely read through all the letters that were submitted and the petition with I think 72 negative comments not wanting to promote this. The from what I've seen and this isn't related to rezone, I think for development to happen in this area, I think we need to do the rezone. Not any development, but a reasonable development. The thing is the plan that your organization's already put out there, I believe is an unreasonable plan and I plan to vote against it. But I think that the rezone seems reasonable.

Nolley: What's(inaudible)....

Lux: Yeah.

Nolley: Or a couple of houses. Something could be developed....(inaudible)...

Lux: A couple, it could be developed as a yeah I think....

Gary Nolley and Joe Lux speaking at the same time; neither is clearly audible.

Lux: It doesn't need to be a grassy area forever, but I believe if they extended the new version of the Martinique apartments, that would be a reasonable, a new version, that would be a reasonable....but and so I would plan to vote against that in the future. Regarding the rezone, just saying I have no questions.

Evans: Alright and I have no questions. So I will now entertain.....

Inaudible board conversation.

Evans: Listen to me; I will now entertain a motion on the rezone for PC 2021, I mean not a motion, a recommendation and that was either a favorable recommendation, unfavorable recommendation or no recommendation that will be forwarded to city council for their vote.

Nolley: I will make a motion for an unfavorable recommendation.

Evans: Okay do I have a second? Gary has made an unfavorable recommendation.

(?): Inaudible comment.

Evans: Excuse me?

Martin: Second.

Evans: Okay so Josh has second, an unfavorable recommendation. So everyone please cast their vote for PC 2021 which the motion is an unfavorable recommendation to city council on the rezone.

Nolley: So to be clear, since I'm asked for a negative, you have to vote in the affirmative if you agree with it?

Bowen: Correct.

Rude: Yes.

Nolley: Does that make sense?

Several people speaking at once; no one is clearly audible.

Nolley: I just wanna make sure 'cause it's one of those.....

Bowen: It's the opposite.

Several people speaking at once; no one is clearly audible.

(?): : I just wanna make sure we're clear - your recommendation was to (?) unfavorable recommendation?

Nolley: Yes.

(?): So if you were for that motion to be unfavorable, you would vote yes?

Nolley: Correct.

Bowen: Correct.

(?): Okay. Just wanted to make sure that everybody understood.

Nolley: Yeah. This doesn't really fit in this, but yeah.

Bowen: It's the opposite.

House: I'm still thinking.

Several people talking at once; no one is clearly audible.

Rude: This is a motion on PC 2021-01. This is a motion for an unfavorable recommendation. Mr. Lewis - no, Mr. Hall - yes, Ms. Bowen - no, Mr. Cassidy - no, Mr. Lux - yes, Mr. House - no, Mr. Nolley - yes, Mr. Evans - no. The motion does not carry.

Bowen: And Mr. Martin?

Evans: Get. Mr. Martin.

Rude: Oh, Mr. Martin?

Martin: Yes.

Rude: Yes. It still does not carry.

(?): Now we can....

Rude: Yes, the motion does not carry. We need a motion to carry though, so

Nolley: And what was the count?

Rude: It was 5 - 4.

Bowen: Five what? Five nos or yes's?

Nolley: Five were nos. Okay.

Rude: I've got some more ballots. Any motion has to pass at some point.

Inaudible mumbling among board members.

Evans: No you can't. Well you could repeat it exactly the same. Someone else can either make a favorable motion or they can make a no recommendation.

House: So Doug Cassidy's.....

Evans: Pardon?

House: Doug Cassidy....

Lewis: I'll make a motion to forward a favorable recommendation for the rezone.

Evans: Inaudible comment.

Lewis: For this body rezone R2, two family residential to RM, multi-family residential pursuant to Findings in staff's report and Findings of Fact.

Evans: Okay.

Nolley: Inaudible interruption.

Evans: Well...

Bowen: Second.

Evans: Well she just.....

Nolley: Inaudible comment.

Evans: We have a motion for favorable recommendation on the rezone now and we have a second so I will ask for discussion. That should allow Mr. House to ask....

House: Okay. Yeah I'd like to hear people's opinion. I wasn't here for the first run of this project.

Evans: This is the first time we've heard it. We have not heard of it before. The petitioner....

Cassidy: It came to the Board of Zoning....

House: BZA.

Cassidy:the BZA which would be the(inaudible)....

House: Sure. What's your, do you mind sharing your opinion?

Cassidy: I think that it can be developed. What they were asking was astronomical and that's why we came in and they could've done anything. They could've been up to 45 units I think that you told 'em without doin' going through any of this. So they could've just went in and said we wanna put 40 apartments or 41 apartments and they could've done it without anything so when they came to BZA, they asked for 96 additional units which our board thought was out and we came up with 50 which is not what they wanted but 9 more than what the city could that you know so I think it can be developed. I think if with your expertise and they get a good drainage the drain that can be taken care of will help out a lot. And I know there's a lot of drainage problems in that area and we talked about it but I think it can be developed into something nice than what you know that's where we came up with the number of 50 instead of 100 and, 96 or something like that....(inaudible)....

Lewis: Yeah but as far as the number of stories and just the whole development (?) that has to come to us.

(?): Right.

(?): It has to be approved, so.....

House: Right.

Bowen: The other thing(inaudible)...

Lewis: But I echo Doug, you know the apartments are RM which makes sense. The number of them I thought was too much so that's why we made the decision but still it has to be approved.

House: Sure. Yeah I think the traffic study and the drainage you know if those didn't work for the(inaudible)....project would be a time to say no. You know all the comments from the neighbors were about those two things. A lot of people also probably wouldn't like any sort of apartments back there which would be....(inaudible)....any approvable apartment. So, okay.

Lewis: Yeah but they bought houses with apartments there.

House: Yeah that's true.

Lewis: And it's okay.

Nolley: But it's fallen into disrepair.

Lewis: They have.

Nolley: And per owner.....(inaudible)....

Evans: Again, to bring it back, to bring it back, we are here with a motion for favorable recommendation after the unfavorable recommendation motion failed. So now we have a motion of favorable recommendation to City Council with a second so I'm gonna ask you now to cast your vote. It's a favorable recommendation so now you would vote yes if you are in favor of the recommendation, no if you are not in favor of the recommendation of the rezone. So please cast your vote. Do I have your ballots or are you still deciding there, Mr. House? Don't forget Mr. Martin like I keep doing.

Rude: This is a motion for favorable recommendation on PC 2021-01. Mr. House - yes, Mr. Lux - no, Mr. Lewis - yes, Ms. Bowen - yes, Mr. Hall - no, Mr. Cassidy - yes, Mr. Nolley - no, Mr. Evans- yes, Mr. Martin?

Martin: No.

Rude: Motion carries 5 - 4.

Evans: Okay so this now if the petitioner will stand back up, this sits now as a favorable recommendation that is going to city council and they will be the ones that will approve or not approve the zoning change on this parcel of land. If and when that happens that that's when the project, I'm telling this for the general, especially the two petitioner or the two members of the public, if city council approves the zoning change, then a project would be submitted back to the Plan Commission and that's where you would then also attend to voice your concerns with the project at hand. So...

Kent: If it helps the residents who are here; some renovations to the existing buildings are all part of the project. We don't intend to leave them looking the way that they are.

Bowen: Thank you.

Evans: Okay thank you very much. That was the last item on the agenda under New Business so now we will go to Discussion. I know that we have someone under Discussion that has waited very patiently to discuss so please step forward. Adam, I'll let you help with this.

Rude: And I'll just introduce briefly. The team from Davis Homes wants to kind of informally with the Plan Commission(inaudible).....screen for Josh and everyone at home. But Davis Homes has some interest in developing a parcel, a few parcels here in town into a residential neighborhood and they're very early in the process, but want feedback from the Plan Commission.....(inaudible)....

Paul Carroll: Thank you, commissioners. My name is Paul Carroll. I represent Davis Building Group which has a piece of property under a contract existing. It's a 13.8 acre. It's a number of parcels connected, all owned by Martin Zinser. This exists to the east of Amos Road and south of Michigan Road. I'm joined by Bruce Fagen, who's our director of land development here

tonight. This is, this piece of property is situated in a very unique way. It is bordered by several different uses, several different densities. We have it looks like mobile homes. It's the Mobile Home Villa to the east, a commercial property to the north, which I believe it used to be a Marsh, is now Golden Bear Preschool, I believe, an older neighborhood to the west. I think was constructed in the 40's I believe and then a more production level neighborhood to the south. So we've got all sorts of different uses and all sorts of different densities surrounding this property. Davis' proposed development would require a PUD only because the density is north of where R1 would typically be. That PUD is designed for this sort of a use where you get a unique piece of property surrounded by different types of uses. It's one of these transition pieces that would promote that sort of development. With (?) engineers we've designed a preliminary development plan and this has been circulated. It is on the board. To be clear, there is an existing owner in the center piece there. That's not greenspace or anticipated greenspace as part of this development. There is an existing owner there that our seller has been in communication with regarding this development. I can't make a commitment whether or not they are in agreement or objecting to it or anything of that nature but certainly have been in communication with them. The properties total a lot count of 74 lots on this property at 40' in width between 90 and 100' in depth. We'd have two access points off of Amos Road and having sat here for the last.....

Evans: You know it's a busy road.

Carroll: Yeah it sounds like it's a pretty busy and high activity street. So it's certainly something that we're we would appreciate you know those concerns and any feedback that this commission would have. Again, this is very preliminary. We haven't filed a petition yet. We have the property under contract and we wanted to get in front of this commission beforehand as well as to meet with surrounding owners and owner groups and the council as well just to discuss this generally before we get anything on file. As far as the look, I get that density there's a trade-off. If you're looking for density which I think we would need here to keep the price point to where the market would bear the price point we're looking at. You've got within a quarter mile radius, you've got single family home sales so we've excluded the mobile home sales from this calculation. We've got ten of the most recent sales between \$94,500 and \$179,000, so an average sale price of \$137,000. In the highest price closest proximity to the product single family community is Central Park. A total of 42 homes have sold in the last 12 months. Price range is \$122,000 - \$234,000 averaging \$174,000. So we have to keep in mind that number one we're bordered by some uses that are gonna dictate a lower price point and we're not gonna be able to build a very high end product in this specific unit. To do that we do need a little bit more density than certainly the R1 would provide for. The other side of that is and Davis wants from a sales perspective and I'm sure this commission wants some assurance as far as design, varied design, architectural standards, commitments that we're certainly willing to discuss and speak with. To that end, and again this is very preliminary, we've (?) I believe four different models, floor plans that we have and the I think it's the Madison, Jefferson, Lincoln and Roosevelt which have a total of 10 different elevations that we would certainly commit to varying the implementation of those elevations within this neighborhood so there's not a lot of monotony. I certainly expect that that's (?) we'd wanna avoid in a development like this. The square

footage of these properties would range from 1633 feet at the smallest to 2194 at the largest footprint. Of course this commission and Mr. Rude wanna make sure that we're gonna build what we're telling you we're gonna build. We don't wanna show up in a few years after we've developed this site and start building something that either this commission or Davis wouldn't be proud of. So that, again is why we certainly anticipate agreeing to some commitments as far as architectural standards and design in this product. So, the third time and I know it's late so I don't wanna keep everybody too late but we would very much appreciate your feedback.... (inaudible)...and any questions or comments or just discussion. We'd be glad to have it now on kind of the front end of this.

Evans: Okay I'll just, since we're under general discussion, ask your question.

Nolley: You said(inaudible).....so what do you anticipate in sales price? If you said it, I missed it. Sorry.

Carroll: Well, I'll tell you....

Nolley: What's your aim, your range you're shooting for?

Carroll: Well when we, kind of our dream range on this would've been in the \$180 range. If and I'm sure as most of this commission knows, material costs have gone up daily. It's almost impossible for anybody in this industry to tell you what their price point's gonna be two weeks from now. Lumber goes up 70% in the last couple of months. It's tough.

Nolley: Pre-Covid.

Carroll: Yeah.

(?): Or what was normal.

Carroll: I think pre-Covid we're talking that \$180 range. I think with lumber increases, I think we're probably at about a \$220 range I think is probably realistic.

(?): Certainly we'd hope to stay at \$200 but again it's a moving target daily. And I work more on the land development side and just as an example, plastics....(inaudible)....I mean just my plastic material has doubled since last year. I was actually working in Twin Lakes for Forestar last year so I kinda know your city and appreciate working here and as Matt knows our material costs have just gone through the roof. So that alone somewhat (?) the house price. Again we would love to say \$180,000 but I think (?) safe to say \$200,000.

Lux: Question for Adam and the staff that the Adam and Allan, just through personal experience, I know that there are some and I don't know if this is for Davis. It may not be of interest, we have a small set of duplexes or condos on Lorraine Court, 55 years and older.

We've got a pretty senior, have a pretty senior population here. A small area with some pretty nice.....

Nolley: Inaudible comment.

Lux:and you can't they they go fast. They're in demand. You can't hardly find them. Now not necessarily condos that are three bedrooms that are back behind Behind Berwick and some of that, but smaller and my grandmother lived in one for 8 years. Nice, senior community, wouldn't have a lot of traffic necessarily to Amos Road. I don't know that that's in Davis' but I think of Lorraine Court when I think of that Zinser property and I think maybe. I don't know.

Rude: Yeah I mean it's a common (?) site so something of a higher density like I think makes sense. I don't think it's a bad idea.

Lux: I don't know whether the city's, I don't know whether the city thinks that little Lorraine Court is a good thing or a bad thing for the community but I know it's a demand. It's....

Rude: I think you're right. There is a huge demand for it. The condos in Twin Lakes or Clearview you know pick any set of condos. They go quickly.

House: Is this a condo did you say or....

Rude: No.

House:single family residence?

Lux: No.

House: You know, the planning staff, I'm just curious to hear you guys talk about it but density is good in a lot of ways. You know you don't wanna have a sprawling residential areas around the periphery of your city. You know all your utilities and your road maintenance, all those costs go way up. You know some people want small lots. MIBORG came to council last year and was talking about how there's a real market for houses on small lots and there's a lot of people trying to buy a house. So all those things I think are good. Last time we had someone come in with a narrow lot like this and everyone was worried that it wouldn't look good. I forget which neighborhood that was because there's a neighborhood in town where people weren't I think it was more not maintaining their yards and it starts to look bad so I'm not sure why I'm trying to bring up the opposite side of my own argument. I think this kind of product, it's in an odd place and I think there's a market for it.

Rude: Well and I guess to that point, there is obviously some efficiency from a utility and a services standpoint, trying to keep the tax rate as low as possible. You know you can provide services more effectively on a (?) property but also from a developer's side of things, they're able to hopefully (?) an affordable product because of the density and the (?) scale there, get a

nice product. It doesn't have to be a low quality product to be which has been our conversation leading to this point is you get a little more density on the development then you get some higher quality some higher architectural standards than what you'd normally see in a in an affordable product. I agree with half of your statement.

House: I think you.....(inaudible)....about the apartments too. If those apartments were nice, it's a good thing to have denser residential mixed in. You know there's a school right there. Your know the traffic probably is an issue and the drainage is an issue but the apartments themselves could possibly be a good thing.

Evans: I knew you'd have a question, comment.

Cassidy: I was gonna say, (?) brought up that that's what I was gonna say. Have you thought, and I know Davis Homes normally doesn't get into condos (?) the bigger homes with....have you thought about doubles there? Instead of putting green space there, build a (?) clubhouse.

Carroll: We've not discussed duplexes specifically and unfortunately (?), our sales vice president is in Atlanta at a conference this evening. We wanted to get here and give you guys a quick early look at the thing. He could speak more to that probably than I can being on the land development side but I'll take this back to him for sure.

Several people speaking at once; no one is clearly audible.

(?): Yeah we have, I mean as a company, we have several multi-family, single family attached projects so it's not something that would be outside of our scope but so far I think all that's been discussed is single family residential on this site.

Cassidy: Inaudible comment.

Lewis: Yeah I think the marketability too. I mean it's sort of outside our scope too....(inaudible)...make sure that whoever lives there(inaudible)....

Nolley: Inaudible comment.

Evans: I do like.....but you at least align that with Spruce Street there so it creates a connector across. You gotta realize that's a real pretty picture but that right in front of the retention pond is a private residence. Right there of course smack in the middle of the development is private residence and then I think now it's a massage, well I won't refer to it that way, it's a health store is right there in that other green space. So you do fit. I've looked at this the land since the gentleman came in what, two years ago and said hey, I wanna sell this and thinkin' about some development. I think it's unique the way you do have the mobile home park to the east and you have Central Park and Highpointe to the south and then the school and then the older, I always get the

Rude: Wellington.

Evans:Wellington neighborhood. I think it was more in the 50s when GE came to town. National Homes, they built 'em off site and assembled 'em and they built that neighborhood quick. But I like that it is infill so that we don't wind up with those pockets of land that are landlocked you know where you can only get a tractor in there to plant corn behind you know Loper and all those areas. So.....

Cassidy:(inaudible)....have to have 'em on the houses where the back would be towards the mobile home nice buffer area so it's not you know....

Evans: It's a border wall.

Cassidy: Border wall.

Evans: BZA'll have to approve it.

Cassidy: Well they have to....I mean I'm sorry....(inaudible)....Jeff Kent's put some new mobile homes back in there so that has upgraded a little bit but still.....(inaudible)....but no, I either way I think houses or

Nolley: (?) when I look at it and I'm not putting it into the category that I there are some.... (inaudible)....but they don't look (?) because they're so close together and you know.....

(?): Inaudible comment.

Nolley:yeah I mean and maybe people like that but it it's not that (?) with the short street. I don't know how much setback you're looking at in this you know is it one car driveway?

Lux (?): We're not downtown (?) either. I mean

Nolley: No.

Lux(?):that's not where our market is.

Nolley: Right. I'm just I mean if you can sell 'em you can sell 'em, but I mean pardon me if there's a little bad taste from seeing some of these others that we've had but I just would've liked a higher standard for them.

(?): Now when you bad taste, are you talking about the upkeep of them or just the aesthetic of having them.....

Nolley: Yeah....

Cassidy: A little of both.

Nolley: Yeah. What it ends up promoting and who goes there and what happens in the tight space, it's I don't know. You drive around and see it.

House: There's examples of places that do look nice that are that close together, wouldn't you say?

Nolley: I don't know. You'd have to show me.

House: I'm sure there are. I mean I'm sure there are.

Nolley: I mean but those are just he's asking for opinions. That's why I'm.....(inaudible)....

House: Yeah that's why we're here.

Nolley:that sits in the back of my mind when they're built when I see that and the house....

Evans: Didn't you do a density comparison and this is close just a little denser than Central Park and Highpointe and Wellington and....

Nolley: Well since you mentioned those, that's who.....(inaudible)....

Evans: Well no, no....

Nolley: This is more dense actually.....(inaudible)....in my opinion.

Rude: It might be. I'd have to pull the numbers and see what Highpointe and Central Park are. It looks like it's denser than Wellington and obviously less dense than the Mobile Home Villa but I'd have to pull the numbers and see how it compares to Central Park. It's pretty close.

Carroll(?): The newest Central Park development, is that a Pyatt development, I think?

Rude: Yes.

Carroll: Okay so we would be slightly more dense than Pyatt's development. Now Pyatt came into I believe was it a CP Morgan development?

Evans: Yeah he did infill and some addition.

Carroll: So he's got the newest section that's going in.

Carroll: This would be slightly more dense than that. Now the architectural features we've focused in the examples would be an increase from what's going in it but (?).

Inaudible mumbling among board members.

Evans: Josh, are you still with us? Do you have any questions? Can you see the....

Martin: I don't have any questions (?).

Evans: Okay. Anyone else? I know that you were just here exploring if you will.

Carroll: Yeah.

Evans: I think everybody's everybody thinks this is a good project for development so there are just some questions on densities, whether Davis is you know I mean we thought condos might be better than or duplexes but I mean I like the infill. I really do. I mean just because it's all residential right there in the first place and you know you gotta slow down to 20 when you get in front of the health store you know because of the school zone. So you know, not that anybody does, but you know that might alleviate Doug and(inaudible)....traffic.

Nolley: Sure.

Carroll: Alright.

Evans: Any other questions of us?

Carroll: I don't think I have any....

Evans: I'm sure you'll have some conversations with the staff.

Carroll: Certainly. Yeah we've been in communication with Adam and we'll speak to some surrounding neighbors as well and make sure we're you know working with everybody. So we'll be in communication. Alright, thank you.

(?): Thank you guys.

Inaudible comments.

Evans: Alright do you have another item for Discussion? If not, motion to adjourn?

Rude: Inaudible comment.

Inaudible comments.

Evans:(inaudible)....we're done. Thank you.

Meeting adjourned