

**SHELBYVILLE PLAN COMMISSION
SPECIAL MEETING MINUTES
September 28, 2021**

Mike Evans: Alright welcome to the September 28, 2021 meeting of the Shelbyville Plan Commission. Before I call the meeting to order, I would like to let the audience know that at our August meeting, it was brought up that we still, as part of the extra territorial planning authority given to us by the county that they get to appoint two voting members to our board. While they have not appointed those members as of yet, we do recognize those two seats and so they will be counted as abstentions on any vote so thus it takes 6 votes to pass a petition. So with that being said, I will thank you for coming out tonight and let you know that the school requires masks to be worn so while you are sitting in close proximity to everyone else, please keep your mask on. Any members of the public that wish to come up and speak during public comment, you please pull your mask down as long as you are standing at the podium by yourself so we can better hear your comments or ask your questions because we do transcribe everything. So with that being said Mr. Secretary, if you'll please call the roll.

Adam Rude: Miss Bowen - here, Mr. Richards - here, Mr. Hall - here, Mr. Cassidy - here, Mr. Evans - here, Mr. Lewis - here, Mr. Nolley - here, Mr. Lux - here, Mr. Kuntz - here.

Evans: Alright, thank you. We have no approval of minutes and we have no Old Business so we start off with New Business tonight and the first thing on the docket is PC 2021-16 Davis Homes Stratford Place PUD conceptual plan so if I could have the petitioner step forward to the podium and at the same time, please have the secretary read the petition.

Rude: First item under New Business is PC 2021-16 Stratford Place planned development concept plan. The petitioner's name is Davis Builder's Group, LLC. The owner's name is Martin and Tammy Zinser. The petitioner's representative tonight is Paul Carroll. The address of the property is on Amos Road. The subject property zoning classification is currently R1 single family residential with a proposal for planned development. The comprehensive future land use is single family residential and the action requested tonight is a request for approval of planned development concept plan for the development of Stratford Place.

Evans: Alright, thank you. Welcome, could you please state your name for the record and then tell us a little bit about your petition?

Paul Carroll: Thank you. My name is Paul Carroll. Offices at 13 N. State Street, Suite 241 in Greenfield, Indiana. Represent the petitioner, Davis Building Group with respect to the concept plan in front of you tonight for which we're seeking approval of Stratford Place. I have a handful of handouts if that would be appropriate to circulate.

(?): Inaudible comment.

Rude: Yes.

Carroll: And the handouts are going to mirror what's been put on the powerpoint above you. Stratford Place as was stated, is planned on five separate parcels, approximately 13.8 acres of property. Some of the parcels are within Shelbyville's jurisdiction. Some are within the county's jurisdiction. We've begun the process of annexing the parcels that are outside of Shelbyville's jurisdiction in order to proceed with this petition. Stratford Place is 73 residential parcels. The what is in front of you is not your standard rezone to a recognized class but rather a concept plan for a planned development which we believe is very appropriate in this specific instance given the mixes, the mixed use of land surrounding this property. We have commercial to the north. It is the Shelbyville school board building. You have a manufactured home development to the east, an existing residential both to the south and to the west. There are nearby PUDs, kind of recognizing that we do have a fair amount of mixed uses in this specific area. Residential is planned with respect to the Shelbyville parcels. And we believe it is an appropriate use of this specific site to develop it in a conceptual manner that's in front of you that's been displayed overhead. We are in communication with the school board. We're planning on meeting with them on October 13th with respect to a drainage easement. We're seeking to access their dry detention pond for overflow. We've met with them previously in the circulated draft easements and so we're into that process and hope to accomplish that. My hope is in October if not shortly thereafter but certainly during this process. We've submitted, as part of our petition, development standards with the PUD. There are anti-monotony standards that we proposed so that you don't have the same house over and over again. In the handout that's in front of you there are samples of the products that Davis Homes would anticipate building in this subdivision. We would anticipate an average price point of \$240-250,000. The that's going to be an average and that's going to be an estimate that I'll have to qualify. As I'm sure most of you aware pricing on construction materials has been kind of all over the board over the last year because of supply chain difficulties so that is going to have an impact as well as customer options. Davis is not a here's a house and you'll take what we give you sort of builder. There are a number of upgrades and options that'll be made available to residents in this neighborhood. I'll open it up for questions. I do believe we have staff support on this petition and I wanna respect everyone's time but certainly if you have any questions, I have Bruce Fagan, the director of land development with Davis and Jarrod Kline, who's the vice president of sales and marketing.

Evans: Alright, thank you. I will now open it up for questions from the board. Let's start down here with Mr. Kuntz.

John Kuntz: I don't have any questions at this time.

Evans: Alright, thank you. Mr. Lux?

Joe Lux: Yeah it seems like this board has seen a lot of housing developments with similar price points. Does your market research indicate it will support all of the other ones plus this one?

Carroll: You know I would probably turn that over to Jarrod, who's our vice president of sales and marketing who would research that more than I would. So Jarrod, if you're comfortable talking to that issue?

Jarrod Kline: Yes, thank you for the question. Obviously with the significant investment that we would have, that is research that we do and the market indicators today certainly would support the community, this new community.

Lux: But you guys are also you are aware of the number of other PUDs that are also in the process in the area?

Kline: Yes, sir.

Lux: Okay.

Kline: Yeah we track that very close.

Lux: Thank you. Fair enough.

Evans: Alright thank you, Mr. Lux. Mr. Nolley?

Gary Nolley: No questions right now.

Evans: Mr. Lewis?

Wade Lewis: Is there a current traffic study you guys are in the process of doing one on Amos Road?

Carroll: With respect to this specific development, no. We've made a commitment with the understanding that Shelbyville is going to perform a much larger traffic study and Davis has agreed to contribute toward that traffic study as part of the larger traffic study that Shelbyville's conducting.

Lewis: Thank you. That's all.

Evans: Alright, Mr. Cassidy?

Doug Cassidy: Three months ago or so you guys came to this board and asked us our opinion here what we thought Shelbyville needed and most of us own some type of business here in town but we all thought condos or something like that like Lorraine Court, which is south or McKay, Berwick condos on the west side of town. Did that come into play at anything (inaudible)....doing houses like this when we've got seven, six other developments of the same thing? That you would build condos instead of this?

Carroll: It's certainly something that was considered. Once we met with this board prior to filing, went back and took a look at the market, the demands in this area as well as what Davis constructs and is good at constructing, I think the determination and again, I'll kick this over to Jarrod if there's more input on this but I know there was serious consideration on condos and age targeted developments but the market seemed to demand this sort of a product here.

Cassidy: Sure. You made the comment of investments and I asked some other developers this. Besides you buying the property, what other investment you made, I'm sure the city's probably giving some type of helping with the infrastructure like they do the rest of the developments around town but do you plan on using local plumbers, electricians, brickers, framers, anything like that to make a real investment here?

Carroll: I would, I can turn that over if one of my Davis folks knows. I know with respect to the investment, it's not just merely the purchasing the property but there is a considerable investment that goes into developing the property, to constructing you know both the playground, additional paths to provide for pedestrian access in and out among the development as well as that pedestrian path on the west side which would connect to the larger path to the north and I believe the south. With respect to which contractors Davis would use in the construction, I know Davis to have an efficient development in construction of homes, has a set of contractors that they tend to use pretty regularly. As to where they are located, I know certainly central Indiana but I'll kick this over to Jarrod if we know anybody specifically in Shelbyville.

Kline: I'll just add to that that yeah there is a you know significant trade shortage right now and we have become more I think like most builders and developers in the area, more geographical by nature as the market has strengthened and demand has increased you know those various you know trades like to stay closer and get as much business as they can in a closer to home. So although we're a little early on the building side right now, that is absolutely something that I think you'll see happen. I mean we again that benefits, that really benefits everybody right now.

Cassidy: Thank you.

(?): Sure.

Evans: Alright, thank you. Mr. Hall?

Hall: Yeah I'll wait for public comments.

(?): Mr. Evans? I'd like to add to that.

Evans: Okay.

Bruce Fagan: For the record, my name's Bruce Fagan. I'm the vice president of land development for Davis. We bid every job we do because of the nature of land development and infrastructure costs and that kind of thing. I know the last job that I bid in Indianapolis, I also included Wallace, who I think is sort of a local contractor down here. So along those lines, yeah we are always looking for competitive bids and if local is gonna be a better option from a price perspective, we'd definitely entertain that. So those are my thoughts.

Cassidy: Okay, thank you.

Evans: Alright, you were reserving?

Hall: Yeah.

Evans: Alright, Mr. Richards?

Perry Richards: Yeah I just wanted to say what's the distance between each of the homes would you, when you build 'em?

Carroll: Between each home, so these are all 40' wide lots, there will be a 5' setback and a 10' aggregate setback among each residence.

Richards: Okay.

Evans: Any other questions?

Richards: No, that's all.

Evans: Alright, Mrs. Bowen?

Joanne Bowen: The plans, what's your timeline if everything passes? When would you like to start your project?

Carroll: Yeah I would tend to defer to the director of land development, but springtime is really the target for when we're looking to start moving dirt out there.

Bowen: Okay, thank you.

Evans: Okay I just have a few questions.

Carroll: Sure.

Evans: When you came in with the question and answer conceptual plan, the retention pond was on the south as a buffer between that and Southern Trace and now with this conceptual

plan that's moved to the north and that was due to as I think you explained earlier that you are gonna outlot your retention pond into the school's?

Carroll: Yes. So the school maintains a dry detention pond immediately to the north. We've been working with the schools for some time now to gain an easement in order to drain the property which currently drains there anyway. The engineer reports and narratives that we obtained and shared with the school board and the school board has obtained their own engineers and you know certainly communicating with each other. Ultimately, and I don't wanna speak incorrectly here but I believe the net water going to this site will be largely be the exact same and will minimize the in a hundred year flood event, less would be going into that dry detention period at one time but over a longer stretch. So it would seem and I'm not an engineer but it would seem to be that.

Evans: Okay and that retention pond, I mean I know we're still talking about the PUD but it will have typical safety ledge around the because this'll be a wet pond, correct?

Carroll: It yes on our site it will be a wet detention pond. We're working with the school. They've asked us and we've agreed to construct a black vinyl coated fence for safety purposes around the pond. We'll also have mosquito mitigation techniques, specifically blue gill and surface-feeding fish to reduce any mosquito activity and larva that would otherwise you know come along with a pond.

Evans: I think the neighbors are more concerned about the canadian geese but that's just somebody that lives on down the road. How with this being, I apologize but with this being smaller than we've seen recently, smaller total development, how are you going to start the build? Will you essentially create the whole street network and then build the lots out or will you start at the Spruce Drive entrance and work around? I was just curious to how that and I know I can bring it.....

Carroll: I'm going to defer to the much smarter Bruce Fagan.

Fagan: Don't know about smarter but I probably know a little bit more about land development than the attorney perhaps. So because of the nature of the infrastructure that's required on this site, we're gonna have to have a lift station on the south entryway of our site there. And the pond obviously is in the north portion of the site so we'll begin with dirt moving activities and do the bulk dirt moving first. But because of those two infrastructure elements that I just spoke to, we're gonna have to develop the entire site at one time.

Evans: Okay.

Fagan: So when we're done, we'll have 73 lots available for Davis to build on once we're done with the land development activities.

Evans: Okay, thank you.

Fagan: Uh huh.

Evans: That's all the questions I have so now I will get ready to open this up to public comment. For those of you who were here last night, we are going to excuse me while I get this open, we are gonna put a five minute cap on public questions or comments to with that being said, I will now open this up for public comment. If any member of the public wishes to come forward, ask a question or make a comment about this project, please feel free to step forward the podium. If you're independent, please remove your mask since we do transcribe these hearings into minutes and we can understand everyone. And with that being said, we are now open for public comment.

Rude: The sign in sheet.

Evans: Oh and please fill out the sign in sheet. Sign in if you step forward. Although seeing nobody rush down the aisles to clamber like on the Price is Right. Going once, going twice. Okay we now will close public comment. And open it back up to questions from the board. If any member of the board has a question or would like to make a comment, please do so. If not, I will entertain a motion on PC 2021-16 Davis Homes Stratford Place PUD concept plan.

Cassidy: Like to make motion to approve the Stratford Place PUD concept plan as presented to this body and Findings of Fact.

Evans: Alright, I have a motion. Do I have a second?

Hall: Second.

Evans: Alright Mr. Hall seconded that. If everyone would please cast their ballot for PC 2021-16.

Rude: This is a motion for approval of PC 2021-16 Davis Homes Stratford Place PUD.

Evans: Adam, could I have you either remove your mask if you're independent down there.

Rude: Yes.

Evans: We're having trouble hearing you up here and I'm sure the audience is as well.

Rude: This is a motion for approval of PC 2021-16 Davis Homes Stratford Place PUD. Ms. Bowen - yes, Mr. Richards - yes, Mr. Hall - yes, Mr. Cassidy - yes, Mr. Evans - yes, Mr. Lewis - yes, Mr. Nolley - yes, Mr. Kuntz - yes and Mr. Lux - yes. Motion carries 8-0-2.

Evans: Okay and those 2 abstentions are reflected in that vote. Thank you very much and good luck with your project and we'll look for dirt moving after harvest.

Carroll: Very good. Thank you very much.

Evans: Thank you. Alright moving on this evening, we now come to PC 2021-18 MI Homes PUD concept plan. If I could have the petitioner.....what'd I say?

Inaudible reply.

Evans: If I could have the petitioner step forward and Mr. Secretary, if you'd please read the petition.

Rude: Second item under New Business is PC 2021-18 MI Homes Progress Parkway planned development concept plan. The petitioner's name tonight is MI Homes of Indiana, LP. The owner's name, Scott & Andrew Sumerford. The petitioner's representative tonight, Brian Tuehy(?). The address of the property is Progress Parkway. The current property zoning classification is a combination of business neighborhood, institutional and A1 and the proposed classification is planned development and the request tonight is a request for approval of a planned development concept plan for a development of a residential neighborhood along Progress Parkway.

Evans: Alright, thank you. Welcome. If you'd please state your name for the record and tell us a little bit about your petition.

Brian Tuehy(?): Good evening, Mr. President, members of the plan commission. My name's Brian Tuehy. My address is 50 S. Meridian. Thank you for your time in hearing our case this evening. I represent MI Homes of Indiana and here tonight is Tim Westerfield and Alex Anderson of MI Homes. We have passed out a copy of what we have on a powerpoint and I will with the plan commission's consent walk through the powerpoint with you and describe the case. As we, if we'll go to the first slide please. Thank you very much, Adam. So this is a request for approval of a planned development concept plan for a PUD zoning for a single family residential subdivision. Then it's about 58 acres on the east side of Progress Parkway just underneath, south of the assisted living facility. And the land is owned by Scott Sumerford and Andrew Sumerford and then there was about five acres that we recently have come under contract with and that's owned by SI Development which I believe is the company that's developed the assisted living facility. So that diagram or that slide shows you about where this is located. Up there in the insert you can see where the assisted living facility is. And when we originally brought this before you all, we didn't have an entrance. We only had once entrance and that was the one on the south along Progress Parkway but Mr. Westerfield and his team were able to recently, like today, reach an agreement with the SI folks which allowed us to buy a few more acres, an additional 5 acres which took it from about 53 to 58 acres 'cause you can see down in this exhibit, it says 52.99 and now I'm telling you it's about 58 'cause we've added that additional acreage. But most importantly, it also gives them another connection point out to Progress Parkway. So the next slide please? Thank you. It shows our site and you can see there's a couple of different zoning classifications around the site. There's IS and BN. There's

R1 across the street and we propose to rezone this. We're requesting a rezone to a PUD with an R1 underlying zoning classification and it would be limited to a single family residential. Next slide please? So the next slide shows the future land use map. Sometimes folks call those comprehensive plan maps and we've labeled on that slide where the site is located. And as you can see, the comprehensive plan for Shelbyville designates this as a likely site for single family residential and that's what we are proposing this evening. Next slide please? So there was some questions about setbacks and things so I'm glad that the MI folks put this slide together. First off the types of homes they would build, starting from the bottom would be either single family one story or single family two story. They would be homes that would at a minimum would be about 1520 square feet for a one story home and about 1800 square feet for a two story home. Those homes would range up to about 1800 square feet for a one story ranch home and up to about 2300 square feet for a two story home. The overall density in this area, in this subdivision would be about 3 homes per acre and there would be 14' as a minimum between every home. You can see the setbacks. The front yard setback would be 25'. The side yard would be a minimum of 5 but everybody home would have at least 14' between the buildings throughout this neighborhood. As to estimated prices, we believe the prices of these homes will be around \$300,000 as an average. It might be a little bit more. Might be a little bit less but with the way building costs are and the way we expect people to add on to, add options onto their homes as they have been doing such as bump outs or three car garages or things like that, we expect these homes to be in the \$300,000 and possibly north of that as an average. Next slide please? What we think this brings, we think this is a terrific site. It's close to downtown which you folks have done a terrific job on. It will have cohesive architecture and landscaping. I'll show you examples of the homes in a minute. We'll also have a fairly sizable open area for the folks that are in this community to access. That open area also serves as a pretty significant buffer between us and our residences, our neighbors to the east and I'll cover that in a second. Next slide please? So these are photographs and renderings of the homes that we would propose to build and as you can see I don't think I have any pictures of one stories but there are two stories. The one in the lower corner is an example of what I was speaking about as a bump-out. You can see there's that extension off the garage to widen the home or the garage. That's an example and of why the some of the homes will be 14'. Some of 'em will be 16' apart but we wanted to have that ability to have those options and make these homes wider because we think that's attractive and the homebuying customers are ordering those. Next slide please? So the staff, which we appreciated working with Adam and Allan on this, in a staff report wrote that our concept plan is illustrates a development that is pursuant to the intent of a district for single family residential but it's varied in form in terms of density lot size and especially open space. There's a terrific amount of open space which I'll talk about in a minute. The plan provides varied housing types. A common open space which we'll connect by trails throughout the subdivision and we'll have those when we come back for our detailed development plan but also preserve some natural resources in the southeast corner of the site. The plan proposed about 25% open space which I believe is a fair amount, more than in your R1 residential district. And the planning staff concluded that our plan accomplished both goals. It'll have a positive impact on property values and that our average home prices should align with other housing and other developments in the area. Next slide please? So this is a close up of the latest iteration which we can now do because of entering into a contract with the folks

on the north end and as you can see, there's significant green space over at the entrance into the subdivision off of Progress Parkway at the south end. And then as you go, then there's green space in the center of the neighborhood and then you go through the neighborhood. You can see there's a green, which will be a pathway from that first detention pond through connecting all the way back to this southern area back here where there's another detention area and a large, a wooded area which will remain in its natural state. There will also be another connection point to the north of that southern cul-de-sac into that park area so folks that live in the neighborhood, even if they're up at the very north end will be able to walk on the sidewalk and/or trail into these areas of common area. The we did hear from one of our neighbors concerning about the impact on his property and we're respectful of that and we understand that. I would point out that I believe that neighbor's home is really to the right or east of for the most part of where that green area is and I would also respectfully suggest that that neighbor's home is about 800' from the edge of our property and in that 800' there's a fair stand of trees and of course in the wintertime, those trees don't have foliage on 'em but there's a fair stand of trees and green area. So we think the likelihood of a negative impact of our community on his home is pretty small. Next slide please? So again, thank you for your time in hearing our presentation. We'll try to answer any questions you might have but the staff concludes that this proposed planned unit development district does align with your planned unit development district ordinance. The staff has also concluded that our proposed plan aligns with your comprehensive plan and that our proposed petition and plan is in alignment with your UDO. Lastly, I believe the staff has recommended approval for this and we would appreciate your favorable consideration of our petition. Try to answer any questions you might have. Thank you.

Evans: Alright, thank you. Alright, let's go to questions from the board. Let's start down on this end with Mrs. Bowen.

Bowen: I'm gonna wait for public input, comments..

Evans: Okay. Mr. Richards?

Richards: Yes are we talking about middle to upper middle class, right buying those homes?

Tuehy: Yes, sir.

Richards: Okay, thank you.

Evans: Alright. Mr. Hall?

Hall: No questions at this time.

Evans: Mr. Cassidy?

Cassidy: Don't have a question right now.

Evans: Alright. Mr. Lewis?

Lewis: Looking at the green space and the connectivity of it, I think everything looks really good. It just seems, the only thing I would say it would be nice if you could have some connectivity, green space or trails to that north section. Maybe connecting to the north eventually like you have the street that's butting into that neighborhood and then something on that, on the northern edge.....

Tuehy: Up there in the northwest corner in that green.....

Lewis: Yeah the north, in that north quadrant....(inaudible)...

Tuehy: Yep. Okay

Lewis: Like some, I see the one going into the that southern cul-de-sac.

Tuehy: Yes, sir.

Lewis: That's just a comment that connecting it.....

Tuehy: Okay. When we come back in for a detailed.....

Lewis:the other green space looks really nice.

Tuehy: Thank you.

Lewis: You know everything's connected, so that's all I had.

Evans: Alright, thank you. Mr. Nolley?

Nolley: Nothing at this time.

Evans: Alright. Mr. Lux?

Lux: Nothing at this point.

Evans: Alright. Mr. Kuntz?

Kuntz: Nothing.

Evans: Okay I have a question. I know this is early on but with the three detention ponds, will those all be interconnected and overflow into our storm water along Progress or will they outlet to the creek?

Tuehy: May I ask Mr. Westerfield to address that?

Evans: Okay, thank you.

Tim Westerfield: Yeah hi. Tim Westerfield ,MI Homes 8425 Woodfield Crossing Indianapolis. Thanks for having us here today and listening to us. Excuse me. As far as the drainage is concerned, everything does run to the southeast of the property and so therefore it would go into the creek would be the ultimate goal and it would come at a reduced rate because of the way that we've built these ponds to hold water. So it would not be anything. In fact, we'd like to think that with the wetlands that you have out there today that it would be less intrusive to the creek going forward because now we've got capacity to hold that water and to be able to let it release at a rate that makes sense from an engineering perspective.

Evans: Okay, thank you. And it's probably not addressed to you so you guys'll have to flipflop again but with this design, will your phase I will it start with the independent access from Progress Parkway? Will you start in like the southwest quarter?

Westerfield: We would like to utilize, the main entrance to us when you come in 'cause we're try....we wanna create that welcome environment and nothing we, we were so pleased to get in with SI. Don't wanna take anything away from that. But SI's the main focus of that property when you come up to it when you go into that entrance. We're still treating the southern entrance today as our primary entrance. So that's where we're going to want to see the progression built out. We may end up phasing it where the first few homes go to the second street and then go up to the north. And then we can build the connective drive at that time as well because there are some questions about sewer. Right now sewer availability is on the west side of Progress so we're gonna have to come from that area and that's the highest point. So we are gonna be doin' a lot of infrastructure work from that direction coming in. So at that time it's gonna say hey, why don't we just go ahead and put the road in, get that ready and then we can start building homes from north to south as well as from south to north.

Evans: Okay.

Westerfield: That'll bring it together. But it's more than likely gonna be the viewpoint of that and I also wanted to make it understand too that we are going to be purchasing from the look of this, you can't tell but that road stretch from where SI Development today stops, if you're familiar with that?

Evans: Uh huh.

Westerfield: Where the gray takes on a darker shade, we're actually gonna be purchasing all that road and then dedicating it back to you and to the city and that's part of the responsibility that we're gonna have to do.

Evans: Okay. And have you picked a name for this development yet? And the only reason I ask is because it seems like everybody's buying from Sumerford and(inaudible)....

Westerfield: I know. We joke around about it.

Evans: 15 additions all named after Sumerford.

Westerfield: Yeah we're open to suggestions. We're we do like looking at the history of it and our marketing team is as well to find things that have taken place along the (?) or some names that might be just fitting for this corridor and past owners of the property. Right now I feel like Sumerford might have owned this for a few hundred years. It just seems like they have a lot of ground. So yeah that it has not been determined but we would definitely wanna bounce that off of everybody before we make that decision 'cause it's something that's gonna stay with the area.

Evans: Alright, thank you. That's all the questions I have so if I can have you yield the podium, we're gonna open this up for public comment.

Westerfield: Thank you.

Evans: So before I open it up, I do believe we have a letter that and I will hold you Adam to the five minute rule so please read the letter.....

Rude: Try to read quickly.

Evans:quickly but audibly.

Rude: We have two letters that came in. One came in earlier today. The first is from Jeremy Fitzwater and Erin Basler(?) at 1899S 200E. This is the one that was posted online. To Whom It May Concern: I live at 1899S 200E. My property extends to the west past the creek and stops at the field that is in question 60 acres +/- east of Progress Parkway between McKay Road and county road 225S. I'm writing this letter in petition to this project being developed into subdivision for single family homes. I lived much of my life in Fountain Square. It is a very populated area of Indianapolis with tons of homes close together. Daily you see dozens of people walking down streets, hanging on your fence, adults and teenagers congregating behind your home or right in front of your front yard gate, constant noise, constant crime. I could not let my kids play outside along because it was never safe. I could not leave decorations for my home outside because it would be stolen. Everything I owned had to be under lock and key or it would be taken away just as fast as it was acquired. I have my girlfriend and three kids living with me. My girlfriend, Erin Basler and I wanted to give our kids the best life possible. We found that living in a bustling community such as where we were was not for us. That is why we decided to move to a rural area. What we wanted was for our children to have a large yard to play in, safety, away from large groups of strangers. We wanted a home in a low crime area. We wanted privacy. We wanted piece and quiet. We found all these things when we found our

home in Shelbyville. Now I feel like that is being taken. That is being threatened. My family feels like our dream of country living is all going to be taken away from them. We do not want to feel like we are living back in the city. We love our home and we work hard for it. It would not be fair to my family to have it all taken away with a large development of single family homes. Large subdivisions of people will bring in higher crime, teenagers and kids wandering around and trespassing on our property, vandalism. Our sense of peace and quiet will be destroyed. This will also increase the amount of road traffic down our quiet road. It will change our sense of small community that we are so used to. Right now we enjoy a quiet road with few neighbors. I speak not just for myself and my family but for all my neighbors when I say that this will ruin what we all so enjoy now. It will ruin our sense of security and peaceful dwellings. I will do anything I can to keep what we have now. My family and I are 100% opposed to this proposition. And then we received another letter from Connie Carmony that just states; I have a concern regarding traffic on Progress Parkway with all additional housing traffic will increase with the design of Progress. If a car or truck is stalled, there is hardly room to get around let alone an emergency vehicle. Those are the two letters we've received.

Evans: Alright, thank you. With those being read in, we will now open this up for public comment. I just wanna remind everyone that there is a five minute maximum time limit. So if anyone has a question or would like to make a comment, please step forward to the microphone, sign your name, state your name for the record and ask your question or make your comment. So public comment is now open.

Scott Robinette: Good evening. My name is Scott Robinette and I live at 1991S 200E. I live just south of the people that you just had a letter from and I too moved out here from Indianapolis as a law enforcement officer of 42 years, still currently serving. I wanted to move out to a more peaceful, tranquil area and one in which I did not have to deal with homicides every night. I'm not opposed to this. And so we moved out here and we own five acres just to the east of the proposed location. I have two questions and my mind's not made up one way or the another but the two questions I have are I believe that the gentleman who first spoke said that they have taken provisions to be good neighbors or to the people to the east which would include me. I would like to know what kind of provisions those are. Are there any sound barriers that will be to the east along the creek? And secondly, my second and probably more important question is probably for one of the gentlemen in MI Homes who's a well respected developer throughout central Indiana. I know they've been developing homes for decades and my question is do they have any statistical information as to the developments that they have built in the past as to over a five year or a seven year period of time how many of the homes that they have built turn from a buyer's home a single family home into a rental home. Because I can tell you rental homes bring problems and I'd like to know if there's any statistical information that may not apply out here as it does to other parts of central Indiana but I am curious about whether or not there's any provisions in there as far as rentals. I know there are some in Johnson County and once they become rentals, people don't take care of their property. And with that, I yield back to these gentleman. Thank you.

Evans: And I'll have them address all questions after the public comment is closed. Alright, if

any other member of the public has a question or would like to make a comment about this proposal, please have them approach the podium.

No reply.

Evans: Alright, seeing no one rise to run down to the podium, I will now close public comment and return and open this up to questions from the board. So if I could have the petitioner step forward, we have two questions that you probably heard. If you could, kind of address that please.

Tuehy: Thank you, Mr. President. I have one first question was the second letter was that from a woman named Connie Carmody?

Rude: Inaudible reply.

Tuehy: Thank you. I thought for a minute it might've been my cousin's ex-wife and I....

Laughter.

Tuehy: Last time I had heard from her wasn't all that pleasant so thank you. I will ask Tim Westerfield to answer the gentleman's question about the statistics as to rentals. We're in the business of building homes for sale and we expect those homes to be sold. As to whether after they're sold someone would come in and rent their home out, I'll let Tim address that question. As to the question about our neighbors to the east Adam, could you please go to the slide number, let's next one please, next one. Right there, thank you. So here is an aerial photograph, which I know is hard to see from where you are, of our site. It's right here and this area here is the area that we're gonna maintain as open space. And I think the gentleman that wrote the letter, the first letter, is right here and I think if I understood Officer Robinette, he's actually south of the first gentleman so I believe he'll be sort of east of that green area and in addition to a part of our PUD is to preserve that so there won't be any homes back in there and that would be a commitment or part of a zoning. But also along the backs of our homes to the north of the green area, we'll put a landscape buffer to separate ourselves from our neighbors to the east. So that would be our way of trying to mitigate the impact of going from a farm field to a neighborhood. And Tim, I'll ask you to address the question about the leasing.

Westerfield: So appreciate the question. As far as do we have any statistics on that, the answer is no. But the reality with the owner's rights, not only here in Indiana but across the country, it's extremely difficult to tell somebody that you know may lose a sibling or a husband or wife and they downsize and they have a tough time selling the home that they aren't able to rent that. I understand the concern but I have seen some neighborhoods where it has gone that direction where it all of a sudden ends up being all rentals. The unfortunate thing too, well fortunate from our perspective at least from this perspective today, those situations are typically in areas that are more blighted. You know the homes have been around for 30 years. Some of the HOA rules and covenants, if they haven't just disappeared mysteriously, they just are

ignored. The HOA tends to stop caring and being concerned about how things are going and then next thing you know, you do have a big problem. So the hope would be that whenever these are put in and recorded into the homeowner's associations are put in the hands of the city and it becomes more of something that they can regulate throughout the rest of the time. But there is a natural progression. I'm not gonna deny that. I've seen it. I think this is not in my lifetime. I mean out here we're still very young and fresh, I can't imagine seeing this turn into rentals when the homes are valued in that \$300,000 range. It's gonna be a pretty hefty investment to turn around and rent it out.

Evans: I know a lot of people and I'm gonna make this comment first, surviving the '08 crash where a lot of people were under water when they bought the house and then they couldn't afford it when the economy crashed and we had a large subdivision here in Shelbyville that people lost their homes and people were buying them up cheap and they were turning them into rentals. So that's kind of still in the back of everybody's mind.....

Westerfield: Understood.

Evans:as we go into this. I don't even think Mr. Nolley would buy a \$300,000 rental house but maybe he would. So okay, with that being answered, I will turn this back over to questions from the board. Let's start down on this end with Mr. Kuntz.

Kuntz: No questions.

Evans: Mr. Lux?

Lux: Yeah I have one. The population that I'm most concerned about on Progress Parkway is the goose population.

Laughter.

Lux: And it seems to be growing and we've got a new pond being built there now. Are there techniques that you can employ on your subdivision that can help reduce the population of Canadian geese?

Gun cocking sound.

Lux: Well I know that currently there are hunters that come to this property and hunt geese and I welcome them to spend as much time as possible doing that. But I have seen north of town the MHP property had some what I heard Canadian geese.....

Westerfield: Distractions.

Lux: Well not like.....

Nolley: The cattails and stuff around the edges.

Lux: Yeah not like a fox or a dog which would be good but more like I think there are trees in there or cattails that....so I just, there's a growing problem of Canadian geese as much as anything in that area.

Westerfield: I agree with you and I do not have an answer for that. I just don't. I really do not.

Lux: Alright, well thank you. Thank you anyway. No other questions.

Evans: Alright, Mr. Nolley?

Nolley: One, I would explore possibilities 'cause I think you're right. I think if you have growth they've told us that the duck or geese are afraid. They can't see the predators so they stay away from areas that have....

Westerfield: Oh predators? Yeah that's....(inaudible)....

Lux: Labrador retrievers are also good at preventing them but we can't control that.

Westerfield: And we do have arborvitaes and we have folks that are you know not here tonight but will be in contact with when it comes to making sure that the pond is taken care of correctly, that it's being cleared out and fountains may be utilized in certain areas. Those are questions that....that's the first time I've been asked that and I will take that and make sure that we get some kind of an idea of anything that we can do that would help out without scaring the neighbors.

Nolley: It's not the first time this board has asked that question though, is it? Probably the same guy. My only other I guess comment going back to the rental thing is I live in a subdivision, an HOA and it is restricted as far as we cannot rent out and we have an active HOA, a little too active sometimes but anyway yeah that would be a must I think that and really something we should be talking with everybody because it does, we all have a bad taste in our mouth for what happened before, what's you know the people who still own there are forced to live around that and that's hurting their value, so.....

Westerfield: And sir, if you don't mind, that's where the I had mentioned about a relative or a family member or something happens that's devastating, put some of these people in a position that can be difficult.

Nolley: Yeah.

Westerfield: And we've even gone so far to do it by you know putting in the regulations that no more than you know three or four months out of a year or 6 months max, depending on how that's all perceived and agreed upon.

Nolley: Right.

Westerfield: That that does hold some weight. My biggest thing ultimately is is exactly what you just stated. Your homeowner's association is strong and that's what we try to build when we get into a neighborhood and hand it over after 75% of the homes are sold. A lot of training goes into place. We just would hope that they continue that once it becomes theirs.

Nolley: I have no other (?).

Evans: Alright, thank you. Mr. Lewis?

Lewis: No questions.

Evans: Alright, Mr. Cassidy?

Cassidy: On the southern entrance, will you put a, after you name the development or whatever, a nice sign out there showing what

Westerfield: Yes, sir.

Cassidy:it is?

Westerfield: Yeah we would put in like in the median in between of the entrance, we'd like to do that or have 2 like a big open wall on both sides to the north and the south.

Cassidy: That'd be nice.

Westerfield: And then have the goose neck lighting or the underground pointing up with the name on the brick itself or material.

Cassidy: Yeah but do you foresee you could use any of our local contractors here to help you out?

Westerfield: Of course. We well what we wanna do is make sure, here's the thing I when I caught that question earlier but when we come into a community, especially a new one, you know when you make the bids, you've gotta look at the reality of how far somebody's gotta come to make it happen. And you look at, with this time period and I think that Davis said it really well. There is a huge shortage and we're all aware of that issues that we're dealing with today. However, when you have a group of people that are here locally and they're within 15-20 minutes from being able to get out to the site to take care of something, that can be a lot more valuable than having a group come in from you know the west side of Indianapolis or you know in between here and Indianapolis. So.....

Cassidy: That's all I have.

Evans: Alright, Mr. Hall?

Hall: So this question is for Adam. Based on the proposed setbacks, I know we'll get into it on the detailed plans but we don't see any, there's not gonna be any need for variances in those based on what they're proposing now, right?

Rude: Can you say that again?

Hall: Yeah so I know a lot of times when we get into the detail plans we end up reviewing variances on setbacks. Based on what they're proposing here, do we see that there would be any need for any variances associated with that?

Rude: I don't think so.

Hall: Yeah.

Rude: What they're showing now on their site plan and what they've submitted in their kind of proposed detail plan, I don't think there would be much change from that.

Hall: Okay so we basically they're starting with already compliant to what we normally have in our required setbacks?

Rude: Yeah. I think there's a slight reduction. Instead of amake sure I'm looking at the right one....instead of a 20' aggregate setback between two homes, they're showing a 16' aggregate setback between 2 homes. That's what they're showing right now in their plan. So I wouldn't imagine any further reduction past that.

Hall: Okay.

Westerfield: Excuse me, I'm sorry. Wanted to interrupt before it gets too far there. As you noticed, we did have, we have 14' as a minimum on the plans that were submitted to you all today. When we look at these homes, we're always talking about architectural standards and how you want a house to pop in features. If we're saying that yeah we're gonna have a 16' consistently, majority of the time yeah but if you have a homeowner that says I want the third car garage and I also want the 4' bump out, that cuts into that separation and that's why we're asking for the 14 minimum to be able to allow those options. Not everybody's gonna jump up for that and we know that but there's gonna be a few.

Hall: Right.

Westerfield: So we wanted to make sure that that was brought to light before you guys this evening. So if that's a you know if that's a variance or you know.....(inaudible)...

Hall: Yeah that's fine. That's where I was just wondering where we were at, what we would see when we get to the detail plan, just being aware of that.

Rude: Yeah that number that Mr. Westerfield just stated, that's what will be in the detail plan when it comes to you and that's what's being shown here.

Hall: Okay.

Evans: Alright, thank you. Mr. Richards?

Richards: Just an observation; I was gonna say depending on how the inflation goes and the rise in the cost of the houses too, that won't curtail the market for you, will it?

Westerfield: That would not, I'm sorry?

Richards: Curtail the market for people to buy?

Westerfield: We're not seeing, this is a whole different creature from all the specialists that are out there.

Richards: Uh huh.

Westerfield: And it does feel different from obviously from 2006 and 7 and 8.

Richards: Well yeah.

Westerfield: It's not a matter of people not having the money. Right now it's we don't have the materials.

Richards: That's what I heard too, yeah.

Westerfield: We don't have, so we feel we believe enough in this country and the people that work within it that we're gonna build up and we'll get this back on track. In fact, it might've been a good little breather. We may end up planning out next year that we did have to slow down as much building as we were doing 'cause we're, I know most everyone in our industry is going to no more than three new homes per month in a subdivision. So you know that's taken its toll but we have people who are waiting in line and waiting in line and

Richards: Yeah I know.

Westerfield:so with that said, I truly do believe that no, I mean if I can't say that a recession

or however that financially would chance things, we're just seeing it as a different direction. We're not, these prices are not astronomical. We're still maintaining and keeping them, our square footage cost is the same as it was last year. I mean we're keeping everything true and it's not easy but it just means our return on investment changes. So we're prepared for that. Our company's been in business since 1974 and we've made it through a lot of hard times and we believe we'll get through this one as well.

Evans: Okay, Mrs. Bowen?

Bowen: When would you like to start your project then?

Westerfield: We'd like to start next month.

Bowen: Okay.

Westerfield: But the reality is is we know we're looking at spring of '22 to be able to get dirt after we get our approvals. Then we can start dirt movement and the hope would be to be able to get a couple of homes out there in fall of next year with the latest being spring of '23. So.....

Bowen: Okay.

Evans: Alright, I'd like to say I commend you. Out of the projects that have come through with the exception of the 16 lots in Clearview, this is the I'll say the highest priced product that we've seen. So it at least gives additional options. What you'll find out right now is is that they can't build houses fast enough in Shelbyville. We have one addition that I think is fully built out probably 4 years ahead of schedule. So I applaud you at your preparedness and securing that other piece of ground to give that second access point. I'm curious to see how quickly this fills. So with that being said, if there's no other questions from the board, I'll entertain a motion for PC 2021-18 MI Homes PUD concept plan.

Bowen: I would like to make a motion to approve the MI Homes PUD concept plan as presented to the body pursuant to the planning staff's report and Findings of Fact.

Nolley: Second.

Evans: Alright, I have a motion for approval and a second; everyone please cast their ballots for PC 2021-18.

Rude: This is a motion for approval of PC 2021-18 MI Homes PUD concept plan: Ms. Bowen - yes, Mr. Richards - yes, Mr. Hall - yes, Mr. Cassidy - yes, Mr. Lewis - yes, Mr. Kuntz - yes, Mr. Lux - yes, Mr. Nolley - yes and Mr. Evans - yes. Motion carries 9 -0-1 or 2.

Evans: Alright congratulations on that. We look forward to your project and I appreciate you. It seems like there's some side conversation going on with one of the neighbors with some concerns so please be good neighborhood stewards and.....

Tuehy: We'll reach out to 'em and thank you very much for your time this evening.

Evans: Alright, thank you. Alright, moving on we have PC 2021-19 Shelbyville Plan Commission rezone.

Nolley: Mr. Evans, I'm gonna recuse myself since I own property within the subject area, so I'll step away from.....

Evans: Alright, thank you. Mr. Nolley has recused himself from this hearing based on property ownership in the area that we will be hearing tonight so for those of you who did not hear that, that's why he's stepping away. So.....wait for the planning secretary to make his way to the podium to present this petition.

Rude: The last item under New Business this evening is PC 2021-19. It's the extra territorial planning jurisdiction for the City of Shelbyville. It's just a zoning map amendment for a portion of the city's extraterritorial planning jurisdiction. It's what we've been working on for a few months now, well probably a year or more now, acquiring this jurisdiction and then zoning these different districts. So I'll just walk us through the screen and in your packets. We have it broken into the northern half and then the southern half of this section.

Evans: Adam, before you begin this portion, only because I see a lot of new faces in the audience, will you explain exactly how we received this from the county, why we received this from the county and how it will affect the county property owners and they are not being annexed into the city please?

Rude: Yes. So what this is this evening, it's a few years in the making. Back in 2019 when the City of Shelbyville and Shelby County both updated their comprehensive plan, we began the process of codifying what the future land uses should be in what I'll call the fringe areas, the areas right around the city where we know growth is gonna happen. In that process, we started conversations about transferring jurisdiction of some of those fringe areas from the county to the city as well as jurisdiction of on the islands inside the city, the parcels that are outside the city's jurisdiction but completely surrounded by the city. All of that jurisdiction has been transferred over to the city for those areas and now plan commission, the city council has begun the process of assigning city zoning classifications for those areas. And in doing so, our logic has been to follow uses of the comprehensive plan while also considering what uses exist there today. So that's where, that kind of leads us to the map today. On this northern portion, I'll just start at the top. North of 450N, our comprehensive plan calls for a lot of this area to be light industrial and high tech so we are proposing a light industrial zoning classification. Anything within close proximity to the casino and race track typically has what's called a race track overlay district. It just limits some uses that could be negatively, could negatively impact the

casino and race track so we're proposing that light industrial with the race track overlay directly south of that at 450, just south of 450N. We are proposing a business highway zoning classification for the land owned by Ceasar's Entertainment. And then to the west of I believe that's 200W, kinda tucked away, the substation for the casino and race track is not in the city limits and we're proposing to zone that business highway with race track overlay as well. As we come down the interstate, just southeast of the National Guard, we see a self-storage facility that we are proposing that light industrial zoning district. It allows the current land use and it also complies with the comprehensive plan. As you come further down the road, all of the single family homes all the way down Michigan Road, we're proposing to maintain those as a R1 residential zoning district so that those homes can exist in their current capacity. I actually had a one of these residents reach out and ask why the property wasn't being shown as light industrial like the comprehensive plan calls for. My answer to them and my answer to that question to all of you is that while those are homes, it's easiest for the property owner and for staff to administer it as an R1 zoning district. If one of those homeowners wants to build a shed or a pool or an addition or do something on the property, if it's zoned light industrial, we have to apply an industrial level of development standards which is gonna probably call for a lot of variances on every single project they do. So if and when the time comes that any of those property owners want to sell or be part of some larger development, those all those parcels would be primed for a rezone to light industrial but right now we're proposing R1 single family residential. And then the southern half picks up yep, right there around Bassett Road. So you can see those single family home lots in the upper northwest corner. That's where we just left off on the last page. We come down tucked away on the south side of Michigan Road, tucked between Michigan and I-74 are the duplexes that are there. Again, because they exist and we want it them to easily maintain the property into the future, we're showing that as R2 two family residential. On the north side of Michigan and the east side, that is all land owned by Purdue for the equine center and then to the north of the equine center it's land that they have for any future development. We're showing all of that as institutional again, so if they ever intend to build out, that zoning's already in place. From that point east, all the parcels that do not have deed restrictions against residential are shown as single family residential. So there's a handful of agricultural lots right now that are shown as R1 and then there are two parcels that have deed restrictions that do not allow them to be developed in any other way so we are showing them as agriculture and you see that as the two green parcels. And then Country Club Heights, all of those parcels are currently zoned a single family residential in the county. We are just matching that with a city single family residential. And then the only other piece is in the southwest part of this map along Michigan Road. This is a collection of existing single family homes again and then a small pocket of undeveloped land tucked between two areas of single family homes so we are showing this all as R1 single family residential. And that's everything I've got.

Evans: Okay and the question that seemed to come up the last time when we were further northwest; if it's farmed right now, it can be farmed no matter what its zoning description, correct?

Rude: Yes, that is correct. And no matter what it gets zoned through this process, any use that is currently existing there is legal nonconforming. A lot of times that's referred to as grandfathered. So it'd be grandfathered in. It could continue to exist under our zoning ordinance and then at some point it can develop as the new zoning district. But all of the land out there that is agricultural right now can remain agricultural.

Evans: Okay, thank you. Let's start with questions from the board so let's start down on this end. Mrs. Bowen?

Bowen: No question.

Evans: Mr. Richards?

Richards: No questions.

Evans: Mr. Hall?

Hall: No questions.

Evans: Mr. Cassidy?

Cassidy: No questions.

Evans: Mr. Lewis?

Lewis: No questions.

Evans: Mr. Lux?

Lux: No questions.

Evans: Mr. Kuntz?

Kuntz: No questions.

Evans: And obviously I have no questions and I assume since we seem to be in attendance of roughly 75 people and only had a handful of petitioners step forward, there's probably a lot of questions or comments from the public so if I can have Adam step away from the podium and I will now open this up for public comment. So again we have the five minute maximum public comment per individual. Again, please sign your name, remove your mask if you're by yourself, state your name for the record and then please ask your question or make your comment.

Jeff Bate: Thank you. Jeff Bate. I don't live in Country Club. I grew up in Country Club. My son and his wife currently live at 2481 N. Richard Drive. I see quite a few of his neighbors here

and I did, I don't see where Adam, there it is. I had given a couple weeks ago, just 'cause I was familiar with the property that sits right behind my son's house and several others that I see here tonight that it's currently a cornfield and I know that (?) you guys that it's Home for Hope. It's actually a trust of Charlotte Wright and the trust says that the money goes to it's to be farmed really as you read the deed, in perpetuity and the money and the proceeds go to Home For Hope for spaying and neutering animals. If Home For Hope ever goes under, then that money will go to the Indianapolis Humane Society and as Adam mentioned, it does have restrictive. It is solely for agricultural purposes but it is a trust of Charlotte Wright and maybe a lot of you knew the Wrights that Bonded Oil. But I wanted to make sure since we are here and you did a great job of explaining 'cause I know some Country Club Heights folks that that field is the field remains agricultural and so and I know you guys are the planning commission and you're the planning director and I know Gary owns I think 17 acres right out there. My question would be and I appreciate the acknowledgement of that has to remain agricultural, is what are the plans? I mean is there a you know we saw MI Homes and we saw Davis Homes. Is there somebody planning on coming in to this area or do you know yet? Are you just getting ahead of the ball? And that's really.....

Evans: I'm gonna pause your time 'cause I'm getting ready to make a comment to you.

Bate: Okay.

Evans: This is just giving us the planning authority.

Bate: I understand.

Evans: There is no immediate plan but it gives us the planning authority over the fringe. It's not annexation. I have a lot of coworkers that live out in Country Club Heights that the letter was a little I guess misleading to read it. It looked like the City of Shelbyville was annexing this. That is not the case. It is strictly planning authority. Currently there is not anything, just like Purdue has all of that those extra 60 acres that are under our planning if this passes and it'll be zoned institutional but right now they lease it out to be farmed. So we're just trying to bring that in and the easiest R1 designation on that particular parcel, while there is nothing in the immediate plan, it is as you've seen with some of the projects that've come through, that's just an area of growth. So that's why....(inaudible)...

Bate: Well I know some people who have voiced some concerns and usually when the ball gets rolling, then there's usually a reason behind why we extend or why we're interested in this area because we have. I mean that's your job, right, planning? I that was just a question if you had something like well we know that Purdue is gonna build on to another equine center or there's a new housing development. So I take it then from your answer and I'll shut up that you don't know of anything?

Inaudible reply.

Bate: Okay, just wanted to make sure.

Evans: Alright, thank you, Mr. Bate. Alright if any other member of the public has a question or would like to make a comment, please step forward. State your name for the record, please sign the sign in sheet, remove your mask and ask your question or make your comment.

Leslie Bate: Leslie Bate. I know excuse me if my voice gets shaky 'cause it does. My question is.....

Evans: No, before you make your.....

L. Bate: Can you hear?

Evans: I didn't identify you by name.

L. Bate: Leslie Bate.

Evans: No, no, no. I was trying to acknowledge you for letting us know at the August meeting that while the county has not appointed those two positions yet, we recognize those two vacancies and we have been carrying, conducting business with those two vacancies being considered abstained.

L. Bate: Okay. Well that was another thing that I was gonna bring up this evening because even with the proposal from the MI Homes, it sounds like we're gonna be dipping down more into the two mile fringe there. So we're there again, people from the county having representation on your board. But my question is back in September, your September 29th meeting of 2020, why was this area not considered in that proposal at that meeting? This area too was not proposed to be taking planning jurisdiction over at your September 29th meeting of 2020.

Evans: Okay.....

L. Bate: Why is it, why was it then added?

Evans: Just like with your, I assume he's your significant other, I'm gonna pause your time while I address this.

L. Bate: Okay.

Evans: What we are doing is rather than looking at the whole fringe and we are not taking the two miles that were offered. We are actually reducing that. So we are working around in small segments coming around the city. So we will hear property further south. We haven't even gotten into the southwest yet or headed west so that's why that wasn't addressed. We started

in the northwest quadrant of our fringe area and we are slowly coming around the city as well as inside the city.

L. Bate: Okay but that's what I'm asking. When was this part too added because this was not proposed on September the 29th.

Evans: Because we were only addressing the northwest quadrant on the southwest side of I-74.

L. Bate: Okay so when was part II proposed that you were taking planning jurisdiction? At what meeting did that have, did that happen?

Evans: Part 2?

L. Bate: Yes.

Evans: I'll have Adam answer that when you come back.

L. Bate: 'Cause you took planning jurisdiction over it on July the 26th but I'm asking when was that proposed in part 2?

Evans: Go ahead and keep asking your questions. I'll have the answered after all the public comment.

L. Bate: That's that's okay. Okay that was another question that I had. And also so what you're saying in those two plots that we're talking left of the ag land, so is that gonna fall under county ordinance if a developer would come in or is that falling under city? Because then you would have to annex that in.

Evans: No we will have planning authority if this is approved and adopted by Shelbyville city council.

L. Bate: Okay.

Evans: It would be under the Shelbyville or the City of Shelbyville's planning authority. So it is not annexed in unless the property owner requests annexation but we would....

L. Bate: For city and water.

Evans: Pardon?

L. Bate: For city and water or I mean for water and sewage.

Evans: Right. You would have to be annexed in.

L. Bate: Okay.

Evans: So while we will have the planning authority, so we can require certain materials. We can require I always use the example you don't wanna have somebody build a great big investment in a barndominium 'cause that's the popular thing now and then find out that the that there may be a future plan to put a road right through the middle of your barndominium. Now of course we would have to purchase land but that's the whole reason for the fringe because we know that as the population grows the city's gonna expand and so we just want to be able to have planning authority and the county has relinquished that.

L. Bate: Okay. So in that area, that could be a housing development of high density just like the ones that were proposed this evening. So it wouldn't be like in the county. A development has to be or a housing development has to be 2 ½ acres, correct?

Evans: Correct. Unless it is a subdivision similar to I believe Country Club Heights was back when it built way back in the early 60s.

L. Bate: Uh huh.

Evans: And that was almost like a planned unit development I do believe.

L. Bate: Okay. So what my significant other as you called him.....

Laughter.

Evans: You can call him whatever you want but it is a public meeting.

L. Bate:when he said, so there is nothing planned for that area that we know of?

Evans: Correct.

L. Bate: Because what I'm saying is when a proposal happened back on September the 29th, this area this side of the interstate was not even mentioned but then now it's been brought into play. So that makes me think that something is in the works for that area.

Evans: No.

L. Bate: Okay.

Evans: I mean we have not been approached by anybody and I mean if you and your significant other wanna purchase this and develop it yourself, you would still need to come before the city planning authority in order to do so.

L. Bate: Okay.

Evans: But there is nothing planned. Now....

L. Bate: So what is it gonna take for our commissioners to appoint two people to your commission?

Evans: My understanding is is that they have one selected but that they wanna make the appointments at the same time so I think they are trying to secure the other side because it has to be balanced.

L. Bate: Okay.

Evans: We have to have this side of the aisle and this side of the aisle.

L. Bate: Right. So what I'm asking the two mile fringe that you're taking now, are those two appointments only coming from that area that you're pulling in?

Evans: They have to live and that's part of the agreement. They have to live within the territory....

L. Bate: Okay.

Evans:that we are talking about.

L. Bate: Okay that was my question. Thank you very much.

Evans: Alright, thank you. Alright if any other member of the public has a question or would like to make a comment, please step forward. State your name for the record, sign the sign in sheet. I know the Bates didn't ask everybody's question, so.....

Winnie Soviar: Hi, I'm Winnie Soviar and I just have a song. No, I'm teasing.

Laughter.

Evans: Well let me give you your five minutes before you start.

Soviar: 2570 N. Richard Drive and I just have kind of communicating a couple of thoughts just to put it in the record for any future development concerns and they are for BK McKenney and his questions or comments are really for future development should that happen at some point. His questions are around who's responsible for any hook up fees? Installation, installing those things? The concerns are always gonna be centered around busy roads, better roads and access, always as you guys have already demonstrated today thinking about the cart before the horse. Development's not always good if it's not well thought out. These are concerns that

people have expressed in the other previous topics of this evening. We would share the same concerns, the same thing for Country Club Heights, Bassett Road, the hospital there, etc., etc. So I wanted to make sure that those are recorded.

Evans: Alright, thank you.

Soviar: Thank you.

Evans: As you are signing in, I do wanna address Adam. You can just say yay or nay. I know that we have approached the state for some type of blister at Bassett Road, correct?

Kuntz: Yeah.

Evans: Okay that's what I thought because we understand even though that's not in the city we understand that that is a feeder road to the Intelliplex. It gets a lot of traffic and we've at least asked for a blister if not a turn lane in the state since that is a state road 9 is studying that feasibility. So anyhow with that being said, any other member of the public have a comment or like to ask a question? Please step forward to the podium, ask your question, make your comment.

No audible reply.

Evans: Alright with that being said, I will now close public comment and I will entertain a motion on oh, wait. Wasn't there one question that was brought up?

Rude: There were I jotted down a handful of questions here if you want me to just run through, just try to cover.

Evans: Yeah the big one is is our overall and I don't know. Allan probably, I don't even know if he's awake. No, I'm kidding. I don't know if you have that big, giant area but again we're doing segments around and then internal as we come across. So I don't want it to scare anybody especially if they're living southwest on Smithland Pike thinking that there's stuff coming in. So but go ahead. Address those questions.

Rude: Just a handful of follow ups. It was asked and answered but are there any immediate plans here? No but we know growth is happening in the entire city so we want to make sure zoning's in place for appropriate growth here. We don't know what will build there but the intentions through all the planning efforts is for single family residential to build there hence the proposed zoning classification. In terms of Mrs. Bate's question on changes to the map since I believe she said September 29th of 2020. This has been a as all of you know, a very fluid process as we've went through. We've had many iterations of maps, multiple months of meetings last year and dating back to 2019 we were meeting and talking through different revisions. The map probably did look different back in 20, September of 2020. As we continued to change that and finalize that, that boundary so that's probably what that discrepancy was. It

was just month after month we worked on this when we had the time as a plan commission. And I think that probably covers it. Yeah unless you all have any other questions.

Evans: Any other questions from the board?

No reply.

Evans: If not, and I will say that this is a recommendation to city council. So it's either favorable, unfavorable or no recommendation, correct?

Rude: That is correct, yep.

Evans: Alright so I'll entertain a motion on PC 2021-19 the Shelbyville Plan Commission rezone.

Lewis: I'll make a motion to forward a favorable recommendation for the rezone petition presented before this body assigning zoning classifications of BH business highway with race track overlay, IL light industrial with race track overlay, IS institutional, AG agriculture, R1 single family residential and R2 two family residential to the petition area pursuant to the planning staff's report and Findings of Fact.

Evans: Whoo, that was a mouthful. Do I have a second?

Lux: I'll second.

Evans: I have a motion for a favorable recommendation.

Richards: I'll second.

Evans: Okay. Motion has been commented and a second. Please cast your ballot for PC 2021-19 which would be a favorable recommendation to city council for rezone.

Rude: This is a motion for a favorable recommendation on PC 2021-19. Mr. Richards - yes, Mr. Hall - yes, Mr. Cassidy - yes, Mr. Lewis - yes, Mr. Kuntz - yes, Mr. Lux - yes, Mr. Evans - yes, Ms. Bowen - yes. Motion carries 9-0-2.

Evans: Okay and then this will go to city council on the next meeting, correct?

Rude: Yes, that is correct.

Evans: Alright, thank you. Next item on the agenda is Discussion but first and foremost I would like to thank all of you that have come out whether you live in the city or not. I appreciate the attendance. One of the reasons why we moved to Breck Auditorium so that we would have plenty of space. If you've ever been in City Hall, it's a little tight quarters in there so I would like

to thank the school for allowing us to hold our meeting here and I applaud your participation in tonight's meeting. So with that being said, we have no Discussion items. Move for a motion to adjourn?

Lux: Motion to adjourn.

Hall & Lewis: Second.

Evans: All in favor?

In Unison: Aye.

Evans: We are adjourned.

Meeting adjourned