

## Exhibit B

### **JOSEPH DECUIS WAGYU FARM DETAILED PLANNED UNIT DEVELOPMENT PLAN**

#### **I. Introduction**

On June 6, 2022, the Whitley County Commissioners approved a rezoning ordinance for 108.97 acres, more or less, of real estate in Jefferson Township, Whitley County, Indiana (“Real Estate”). The Real Estate is owned by Arete Development Company, LLC (“Arete”) and Peter and Alice Eshelman (“the Eshelmans”). The County Commissioners rezoned the Real Estate from the “AG” Agricultural to a Planned Unit Development District (“PUD”).

The intent of the PUD rezoning was to allow the Real Estate to be used for the mixed uses associated with agritourism, while also allowing certain residential uses and land conservation. Agritourism in the rezoning ordinance was defined as: an agriculturally-based commercial enterprise that is conducted for: (a) the enjoyment, education and/or active involvement of visitors; (b) raising the interest in agriculture; (c) promoting learning about how and where food is grown; (d) providing a unique culinary experience and related events; and (e) providing complementary personal services. The PUD established five separate use districts on the Real Estate: (1) Agritourism District 1; (2) Agritourism District 2; (3) Conservation District; (4) the Village District; and (5) the PUD Agricultural District.

Under the Whitley County Zoning Ordinance, the County Commissioners’ approval of the PUD is valid for two years. Within this 2-year period, the PUD must receive approval of a final, detailed PUD plan (“Detailed PUD Plan”) for either the first section or the entire development.

Pursuant to the Whitley County Zoning Ordinance, Joseph Decuis Wagyu Farm, LLC (“Joseph Decuis”) is seeking approval from the Whitley County Plan Commission for its Detailed PUD Plan, which addresses the proposed development for the entire Real Estate. While future development is noted in the Detailed PUD Plan, the future

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development will be developed in phases, which are based on the applicable PUD zoning district. The phases will not necessarily be in sequential order.

The intent of the Detailed PUD Plan is to keep the Real Estate primarily agricultural in appearance, while still allowing the agritourism and residential mixed-uses permitted by the PUD rezoning ordinance.

### **II. Joseph Decuis Detailed PUD Plan**

The Joseph Decuis Detailed PUD Plan consists of:

- (1) The Joseph Decuis Farm Master Plan (“Master Plan”), which shows the existing buildings in each PUD district; the existing conditions and vegetation on the Real Estate; future buildings and future expansions of certain buildings; future trees and landscaping; future drives, access and paving; and future sign locations.
- (2) The Joseph Decuis Farm Site Plan (“Site Plan”), which shows the existing and future plans for sanitary sewer, water service, storm detention, road, parking, landscaping and buildings.

The Joseph Decuis Wagyu Farm Detailed PUD Plan meets the requirements of the PUD rezoning ordinance and is consistent with the approval of the 2022 preliminary PUD plan that was attached to the rezoning ordinance. Each of zoning ordinance criterion will be addressed below; however, the description is intended only to highlight certain information to show that is consistent with the PUD zoning ordinance and it is not intended to replace the information shown within the Detailed PUD Plan.

#### **a. Accurate boundaries of all lots.**

The Master Plan accurately shows the boundaries of all the PUD zoning districts. There are currently no subdivided lots on the Real Estate and the existing and future agritourism buildings will not be placed on individual, subdivided lots. However, in the Village District phase of the

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Detailed PUD Plan, it contemplated that up to four (4) additional private residential structures may be constructed around the circle drive. Prior these future residential structures being constructed, a subdivision plat would be submitted to the Plan Commission for approval in accordance with the Whitley County subdivision regulations and the plat would meet these regulations. Except for these platted residential lots, no other subdivision of land or separate lots is contemplated as the Real Estate is intended to remain under common ownership.

### **b. Township lines.**

The Real Estate is located entirely within Jefferson Township.

### **c. Drainage plan.**

Future development will not alter the existing drainage on the Real Estate. The Site Plan shows that drainage will be handled through the Village Pond in the Village District and the deep ravine to the southeast of the Stable in Agritourism District 1. No substantial additional impervious surfaces are contemplated as the intent is to maintain the agricultural ambience of the Real Estate. There will be drainage review as part of any subdivision plat and the future plat will meet the Whitley County drainage requirements. To the extent additional storm water detention is required for future development, the Real Estate will be able accommodate this additional detention. The parking lot at the eastern entrance to the farm may be expanded in the future and to the extent additional retention is needed as a result of this expansion, there is sufficient land to provide storm water detention.

### **d. Sewage disposal plan.**

The Site Plan shows that there is an existing sanitary sewer line along 900 South and serves the agritourism buildings in Agritourism District 1. As part of the Agritourism District 1 phase, this sanitary sewer will be extended to the Stable, which is expected to the first remodel and building expansion in Agritourism District 1. The expectation will be that the Stable will provide overnight accommodations to guests, so this building will be connected to sewer. As part of the Agritourism District 2 phase, Culinary Academy will be constructed and the sewer will be

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extended to the south under 900 South. As part of the Village District phase and the future subdivision of the residential platted lots, the sanitary sewer will be expanded to these new residential units. In addition, there could be a future remodel of the Cattle Barn as part of the Agricultural District phase and, if this occurs, the Cattle Barn would also be connected to the sanitary sewer system.

### **e. Water system plan.**

There is no public water service available for the Real Estate. The existing and new buildings will continue to be served by private wells.

### **f. Accurate location and size of recreational facilities.**

There are no new improvements proposed for the Conservation District phase on the west side of the PUD. The Conservation District will preserve the existing woodlands and have walking trails. The Anniversary Cabin and the Deer Pond in the Conservation District may be used as recreational activities for the agritourism activities on the Real Estate, such as nature walks, trail runs, or campfires by the Deer Pond.

### **g. Site Perimeter treatment and other pertinent site development features.**

The Master Plan shows that there is substantial tree coverage on the Real Estate and these existing trees will be preserved throughout the PUD zoning districts, which will include any existing trees along the site perimeter.

Traffic circulation will need to be addressed when the residential lots are platted in the Village District phase. The streets serving the residential lots will be private. The Master Plan and Site Plan show a future 24-foot wide driveway being improved from the Village District to the far east entrance to allow for two-way traffic. Additional entrance improvements at the eastern entrance will be made upon a determination of traffic needs during the subdivision platting process. All county entrance requirements will be followed. The Site Plan also shows that the eastern parking lot will need to be reconfigured for this new eastern entrance and

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entrance road. From the new 24-foot wide driveway, traffic will be circulated in a one-way, counter-clockwise direction around the circle drive in the Village District. The middle access off of 900 South will be closed to traffic, and the western entrance will be restricted to employees and delivery traffic for the agritourism activities.

### **h. Landscape Plan, including sizes, types and location of plants and other landscape features.**

Additional trees will be provided in the Village District as additional landscaping when the residences are platted and constructed. Existing buildings already have landscaping around them and additional landscaping will be added for future buildings. The parking lot on the east side of Agritourism District 1 will have a landscaping buffer the parking area. The intent is to keep all landscaping consistent with the agricultural setting of the PUD. No other landscaping is proposed at this time.

### **i. Land use on each parcel and/or in each building show on the plan.**

The Master Plan specifically identifies the 35 different land uses that will occur throughout all 5 districts in the PUD. Those land uses in the Master Plan are incorporated herein by reference.

### **j. Location and features of proposed buildings.**

New or expanded buildings are shown in red on the Master Plan. They are as follows:

#### **1. Agritourism District 1:**

- a. Expansion of the Dogtrot Restrooms;
- b. Kitchen Expansion to the Tractor Barn Event Center;
- c. Covered Bridge for walking traffic from the parking lot;
- d. A new Gatehouse; and
- e. Renovate and Expand the Stable for overnight accommodations.

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### **2. Agritourism District 2:**

- a. Construction of the Culinary Academy.

### **3. Village District:**

- a. Construction of a new Chapel;
- b. Creation of up to 4 new platted lots and new residences; and
- c. Caretaker's House.

### **4. Agricultural District:**

- a. Possible renovation of the Cattle Barn to accommodate agritourism activities.

### **k. Sign plan.**

Future signage is shown on the Master Plan. All signs will comply with the Whitley County Zoning Ordinance. There will be a future directional sign on the west entrance advising that this entrance is for only employees and deliveries. There will be a directional sign for foot traffic from the eastern parking lot at the Gatehouse to direct them to the agritourism buildings in Agritourism District 1. When the parking lot at the east entrance is improved, there will be additional directional signs. All required permits will be applied for and obtained prior to the construction of any new signs.