

Westfield-Washington Advisory Plan Commission held a meeting on Tuesday, September 4, 2012 scheduled for 7:00 PM at the Westfield City Hall.

Opening of Meeting: 7:00 PM

Roll Call: Note Presence of a Quorum

Commission Members Present: Bob Smith, Dan Degnan, Steve Hoover, Ken Kingshill, Bob Spraez, Charles Lehman, Danielle Tolan, and Cindy Spoljaric (7:03)

City Staff Present: Matt Skelton, Director; Ryan Clark, Planner; Andrew Murray, Planner; Sarah Reed, Planner; and Brian Zaiger, City Attorney.

Minutes:

Motion: To approve the minutes for the August 6, 2012 APC meeting as presented.

Motion: Spoljaric; Second: Tolan; Vote: Passed by voice vote

Murray reviewed Public Hearing Rules of Procedure.

ITEMS OF BUSINESS

Case No. 1208-DP-08 & 1208-SIT-05 & 1208-SPP-03
Petitioner Weihe Engineers
Description Epiphany Evangelical Lutheran Church, NE corner of 156th Street and Ditch Road; Petitioner requests Development Plan, Site Plan and Primary Plat review for new church building on approximately 9.4 acres in the Centennial North PUD.

Clark reviewed the petition stating two minor changes were made since the public hearing, including moving any future building expansion out of the setback and additional landscaping.

Motion: To approve 1208-DP-08 & 1208-SIT-05 & 1208-SPP-03 with the following condition:

- That all necessary approvals and permits be obtained from the Westfield Public Works Department prior to the issuance of a building permit.

Motion: Hoover; Second: Spraez; Vote: 8-0

Case No. 1209-DP-09 & 1209-SPP-04
Petitioner Herman & Kittle Properties
Description Casey Acres Apartments; 1400 Feet north of SR 32 on the west side of Casey Road; Petitioner requests Development Plan Review and Primary Plat review for a 252 unit apartment complex.

Reed introduced the petition, which is a 252-unit project on approximately 18 acres. She stated that the petitioner is working with Westfield Public Works, Westfield Fire Department as well as staff regarding site circulation, parking compliance, and a few outstanding landscaping items.

Mr. Mike Roterer, Herman & Kittle Properties, stated Herman & Kittle will be the developer and general contractor as well as the owner and property manager. He stated that the project would offer a range of multifamily units and amenities, including clubhouse, pool, playground, and garden areas; he also discussed building materials.

Spoljaric stated that we do not typically allow apartments to have sole access on to anything less than a secondary arterial; since Casey Road is a local road, she asked how we can allow access.

Roterer responded the property is currently laid out with access only on Casey Road with future intent for a secondary access point on Eagle Parkway once it is constructed.

Kingshill asked how this property relates to the rest of the PUD; noting that this appears to be in the Market District.

Mr. Beau Wilfong responded that this does overlap the Mixed Use and Market Center districts. He noted that Sections 2.3 and 4.1G of the Springmill Trails PUD permit the zoning districts to increase or decrease up to 15%, and this configuration and acreage amount fall within those bounds.

Spoljaric asked how much the PUD will be developed before the road gets built.

Skelton responded that there is no legal trigger in the PUD to cause the road to be built.

Wilfong stated Eagle Parkway will be built with TIF dollars.

Hoover expressed concern regarding the Market Center area and the roads servicing the area at this time. He also stated that the rear elevations of the apartment buildings are very plain

Reed added that it is required for the rear elevation to have the same materials as the front elevations along the future Eagle Parkway and there is a buffer requirement, which is one of the landscape items staff is working on with the petitioner.

A Public Hearing opened at 7:27 p.m.

Mr. Jeremiah Emerick asked about the location of Casey Road going through the middle of the project, which he does not believe is reflected on the diagram.

The Public Hearing closed at 7:31 p.m.

Hoover responded that Emerick was correct, but the Commission does have the correct diagram.

Hoover would like to see rear elevations with something other than flat walls and a few windows.

Spoljaric agreed.

Smith stated that it would be nice to have something that shows Casey Road as well.

Case No. 1208-PUD-07
Petitioner Two PL LLC
Description Towne West PUD; NE corner of Towne Road and 146th Street; Petitioner requests a change in zoning of approximately 120 acres from the AG-SF1 District to the Towne West PUD.

Murray reviewed the PUD which is to rezone 120-acre property located at the northeast corner of Towne Road and 146th Street. The multi-family area will be governed by a Multi-Family district in the City's zoning ordinance, and staff is working with the petitioner to determine which district is best to apply.

Mr. Matt Price, attorney representing the petitioner, presented further details of the project and shared the concept plan and architectural photos. He highlighted some of the features, including garden homes, apartment style, and assisted living in the multi-family and medical/medical office in the business section. He stated that the key components to this project are the re-construction and realignment of 146th Street, the provision of sewer service to the property, the construction and installation of the regional sewer interceptor, and defining what the appropriate uses are for this location in accordance with the Westfield Comprehensive Plan.

Spoljaric expressed concern that skilled nursing could be as much as 120 acres due to the wording on the approved use lists and the PUD document.

Murray responded that staff will review and address this concern.

Degnan expressed concern about the unknown variable about what the project might end up being and challenged that having a hospital is much different than a skilled nursing facility or assisted living.

A Public Hearing opened at 7:53 p.m.

No one spoke, and the Public Hearing closed at 7:54 p.m.

Hoover asked that if the zoning requirements change within the City by the time this project is beginning to be built, if it will have to comply with the new zoning requirements.

Skelton responded yes, it would.

Case No. 1209-PUD-011
Petitioner Cooperstown Partners, LLC
Description Springmill Corner PUD; SE corner of Springmill Road and 161st Street; Petitioner requests a change in zoning of approximately 6.5 acres from AG-SF1 to the Springmill Corner PUD.

Reed introduced the petition and stated that a neighborhood meeting was held and public comments were received via email and have been added to the public record.

Mr. Murray Clark, representing the petitioner, reviewed further details of the petition. He stated that they are mindful of the development in this area and the controversy that has occurred with respect to the development across the street. He added that the petitioner believes this project is much more consistent with a true neighborhood center. He added that a traffic study was done, which assisted them with the

design of the center. He further stated that an issue was raised at the neighbor meeting regarding internal traffic flow and stop signs; the petitioner has not designed with that detail yet, but will be happy to discuss further with neighbors. Clark also stated that they have designed the project with the thought that there will be, in the future, major improvements to Springmill and the intersection. He noted that 120 foot right-of-way has been established on Springmill, which will accommodate what we think may happen in the future.

A Public Hearing opened at 8:14 p.m.

Mr. Mark Christopherson, representing the Mulberry Farms HOA, expressed concern that this project will open a gateway to the other corners of the intersection, and expressed concerns regarding home values and infrastructure.

Ms. Rene Jordan, Mulberry Farms resident, challenged the Commission to uphold the Comprehensive Plan and keep this area residential.

Mr. Tom Smith, Mulberry Farms resident, echoed Christopherson's comments that this is a gateway to other development and challenged the Commission to not approve the project.

Mr. Chad Bishop, Mulberry Farms resident, expressed concern regarding traffic volume and spoke against the project.

Mr. Chris Pluto, Countryside HOA President, echoed all concerns voiced by Mulberry Farms residents. He also stated that we need to expect more and ask for more than an average garden variety neighborhood center.

Mr. Fred Boyer spoke in favor of the project, as the owner of most of the property which is part of this project.

Ms. Cindy Beechler, Mulberry Farms resident, spoke to several residents in her neighbor and found only one resident in favor of a Walgreens. She also expressed concern about property values and traffic. She also asked if it is true that the City has no money for roads.

Mr. Mic Mead encouraged the Commission to abide by the Comprehensive Plan.

Ms. Lisa Foreman, owner of a small piece of the property involved in this project, believes the road conditions today are not very good and believes this project may help the road situation.

The Public Hearing closed at 8:38 p.m.

Clark responded to public hearing comments stating that a true neighborhood development should not create additional traffic. He added that the petitioner is prepared to help create connectivity by sidewalks and that road improvements will be the financial responsibility of the developer. Regarding the other corners and the Comprehensive Plan, Clark stated that the petitioner believes they fit some of the goals in the comprehensive plan and they do think this project is a good template for the other corners.

Spoljaric encouraged the petitioner to get with the neighbors and address their concerns. She added that the buffer yards need to be significantly enhanced from what is being proposed. She expressed concern about site access, traffic flow, and many of the items on the use list.

Hoover stated that his goal has been for some time to limit commercial on the remaining corners of this intersection, but in fairness to the property owners immediately adjacent to the existing development, we must do something to relieve their burden and to do this, we must be specific on what we allow. He further stated that each corner is an opportunity to buffer what we have there from the existing neighborhoods. He added that the proposed architecture needs to be significantly improved, stating that it looks very commercial in nature, and since this is a neighborhood center, it needs to fit in better with the neighboring residential. He expressed concern about traffic and would like more detail on what this development will provide to build the necessary turn lanes, roads, etc.

Kingshill stated that transitioning and buffering is generally intended for existing neighbors, but that the existing neighbors do not want to be buffered or transitioned. He stated that we do not have to continue what happened at Kroger, and we should not let this continue.

ADJOURNMENT (8:55 p.m.)

President, Robert Smith, Esq.

Vice President, Daniel Degnan

Secretary, Matthew S. Skelton, Esq.