

Westfield-Washington Advisory Plan Commission (APC) held a meeting on Monday, October 6, 2014, scheduled for 7:00 PM at the Westfield City Hall.

**Opening of Meeting:** 7:00 PM

**Roll Call:** Note Presence of a Quorum.

**APC Members Present:** Daniel Degnan, Randy Graham, Steve Hoover, Robert Horkay, Ken Kingshill, Andre Maue, Bill Sanders, Robert Spraez and Danielle Tolan.

**City Staff Present:** Matt Skelton, Director; Jesse Pohlman, Senior Planner; Ryan Clark, Associate Planner; Jeffrey Lauer, Associate Planner; and Brian Zaiger, City Attorney.

**Approval of Minutes:** September 15, 2014, APC Meeting Minutes

Motion: To approve the September 15, 2014, minutes

Motion: Tolan; Second: Horkay; Vote: Approved 9-0

Pohlman reviewed the APC Public Hearing Rules and Procedures.

**Case No. 1410-SPP-22 [PUBLIC HEARING]**

**Description:** *Kroger Primary Plat*

Kroger Limited Partnership by EMH&T requests Primary Plat review of 3 lots on approximately 7.75 acres+/- in the 161<sup>st</sup> Street and Springmill NE Quadrant PUD District.

Clark presented an overview of the primary plat, as outlined in the staff report, and noted the primary plat complies with all applicable ordinances and is eligible for approval following the public hearing.

Public Hearing opened at 7:04 p.m.

No public comment.

Public hearing closed at 7:05 p.m.

Motion: To approve Petition No. 1410-SPP-22.

Motion: Horkay; Second: Degnan; Vote: 9-0.

**Case No. 1409-DP-28 & 1409-SIT-13**

**Description: Kroger Fuel Depot**

16201 Springmill Road

Kroger Limited Partnership by EMH&T requests Development Plan and Site Plan review of a new fuel service station on approximately 2.272 acres +/- in the 161<sup>st</sup> Street and Springmill NE Quadrant PUD District.

Clark presented an overview of the development plan, as outlined in the staff report and noted the following concerns raised at the public hearing have all been addressed:

1. Passing lane on Springmill has been added.
2. A parking space was removed from the internal drive.
3. Landscaping plan has been revised.
4. All other items were deemed satisfactory to Public Works.

Hoover commented that he received an e-mail from the public inquiring about whether the trash enclosures could be modified to incorporate a man door so that the large gates can remain closed when not being serviced.

Mark Salman, on behalf of the Petitioner, agreed to make that modification if it is not already in the design.

Motion: To approve Petition No. 1409-DP-28 and 1409-SIT-13 with the modification to the trash enclosure design to incorporate the man door.

Motion: Hoover: Second: Horkay: Vote: 9-0.

**Case No. 1410-DP-31 & 1410-SIT-14 [PUBLIC HEARING]**

**Description: Kroger Building Expansion**

150 West 161<sup>st</sup> Street

Kroger Limited Partnership by EMH&T requests Development Plan and Site Plan review of a 13,884 square-foot building addition to an existing grocery store building on approximately 4.32 acres +/- in the 161<sup>st</sup> Street and Springmill NE Quadrant PUD District.

Clark presented an overview of the development plan for the expansion of the existing building, as outlined in the staff report.

Degnan inquired if the Springmill Station Task Force had received this petition. Clark responded yes and that members of the task force group were present as well.

Public Hearing opened at 7:11 p.m.

Deanna Schetzslsle, 65 Markleville Lane; Commented she lives directly to the east of Kroger and had a few questions. Will there be a trail extended and will there be more trees planted as a buffer so the noise level will not increase? Will there be seating areas on the side of the building?

Public Hearing closed at 7:12 p.m.

Mark Salman, on behalf of the Petitioner, responded that they plan on integrating a patio on the southwest corner of the building. There are plans in the future to put a trail at the back of the building and that the landscape plans provide for enhancements and improvements to the buffering along those areas.

Hoover explained the Springmill Station Task Force Group and the City had not come to a conclusion on sign standards at the time they were originally discussing this building expansion with the Petitioner; however, Hoover commented the Springmill Station Task Force has recently expressed a desire to only see either halo-lit signs or externally lit signs, such as goose-neck lighting. Hoover noted that future development at the intersection will not likely be permitted to have internally lit signs and he asked if the Petitioner would be willing to agree to no internally lit signs for this petition.

Salman said they would be happy to coordinate the sign lighting for a satisfactory sign package with the City and task force group.

No action is required at this time.

**Case No. 1209-PUD-11**

**Description: Spring Mill Station SEC PUD** (formerly known as “Springmill Corner PUD”)

Southeast corner of Springmill Road and 161<sup>st</sup> Street

Cooperstown Partners, LLC requests a change in zoning of approximately 7.654 acres from the AG-SF1 District to the Spring Mill Station SEC PUD District.

Ryan Clark presented a project overview, as outlined in the staff report, and explained there were two outstanding items as a result of the Springmill Station Task Force Group’s review of the petition. The two items include allowing internally lit signs and then allowing an additional drive thru on the site.

Murray Clark, Faegre Baker Daniels, LLP, on behalf of the Petitioner, presented a detailed overview and update regarding ordinance and site plan changes since the development was originally proposed.

Kingshill inquired whether a second drive thru on the site would be only for a bank. Horkay asked where the likely drive thru location would be located.

Murray Clark responded the proposed ordinance contemplates a second drive thru only for a bank, but that prior to it being allowed, it would require an amendment to the PUD Ordinance and that the wording is just a business plan and nothing is entitled. The location of a potential second drive thru is not known until the developer presents the development to the market.

The Plan Commission and staff had discussion about the proposed drive thru language in the proposed PUD Ordinance.

Degnan commented that whatever language is included in the PUD Ordinance should provide a guarantee that the City has the ability to approve or disapprove the drive thru.

Skelton commented he believed the proposed language would require an amendment to the ordinance before the drive thru would be permitted and that the Plan Commission and Council would review it before approving or denying it and that the Spring Mill Station Task Force Group would be a part of that review process.

Kingshill inquired about the Spring Mill Station Task Force Group's comments regarding the two outstanding items.

Chris Bluto, on behalf of the Spring Mill Station Task Force Group, said that they are supportive of the proposed development and are not against a bank use and that a bank is actually one of the businesses that they would like to see in Spring Mill Station. The concern is the scale and density and the drive thru location and number. The task force group asked the Petitioner to remove a drive thru originally proposed on the multi-tenant building end cap because it directly created traffic flow that interferes with internal pedestrian and vehicular connectivity that they are trying to emphasize. The task force group was happy with the site plan but just had concerns with key issues of the signage and drive-thru, and they believe any speculative change to the plan would change all the hard work that has gone into this Petition for both parties.

Hoover commented that he believes that allowing no internally lit signage is a priority to stay true to the goals for that corner and that there will be three other corners to develop. He expects that they will hold every future development at this intersection to the same standard of no internally lit signage and that even the previous petitioner for the Kroger Building Expansion agreed to not have internally lit signs even though they are not required.

Skelton said if the Plan Commission chooses to keep the language in the proposed PUD Ordinance regarding drive thru's, then he believes the wording does not entitle a second drive thru to the property, rather it simply acknowledges that it is contemplated subject to review and approval of an amendment to the PUD Ordinance.

Motion: To send a favorable recommendation of Petition 1209-PUD-11 to the City Council with the condition that no internally illuminated signage shall be permitted on the real estate.

Motion: Horkay: Second: Tolan: Vote: 9-0.

**Case No. 1410-DP-32 & 1410-SPP-20 [PUBLIC HEARING]**

Description: *Oak Park, Section 2*  
16201 Springmill Road  
Pedcor Investments, LLC by Stoeppelwerth & Associates, LLC requests Overall Development Plan and Primary Plat review of 28 lots on approximately 34.924 acres+/- in the SF-2 District.

Pohlman presented an overview of the primary plat and overall development plan, as outlined in the staff report, and noted the primary plat and development plan complies with all applicable ordinances and commitments.

Craig Linter, on behalf of the Petitioner, is available for any questions.

Public Hearing opened at 8:08 p.m.

Dave Mueller, 2812 Oak Park Circle; President of the Oak Park Homeowners' Association Board: Asked that Citizens Energy be mindful of the front yards when putting in utility lines in the existing easements and that they repair the yards the way they were before putting in the lines in a timely manner and consistent with the rest of the neighborhood.

Nancy Anderson, 15941 Oak Park Court; Oak Park Homeowners' Association Board Member: She provided a written summary of her requests and comments. She explained she was confused on how much of her yard will be torn up for utilities since she is a corner lot and understands the Petitioner's need to upgrade the utility lines but it should not come at the expense of the existing homeowners in the neighborhood.

Patrick and Erica Deteer, 2830 Oak Park Circle: Commented they agree the previous public comments and the requested considerations because their lot will be directly affected by any digging for new utility lines. They noted they just moved in and their property is located at the current dead end of Oak Park Circle and they have concerns of being able to get in and out of their driveway.

Public Hearing closed at 8:18 p.m.

Lintner noted the first they had heard of these concerns was today even though they have been having an open dialog with the homeowners' association over the past several months. If they had known about these concerns earlier they could have addressed them sooner.

Lintner explained when Oak Park was originally developed, the referenced easements were put into place and the utilities extended to the end of the current street by the developer to allow for the extension of utility services for this next phase. Lintner further explained that in their discussions with Citizens of Westfield, it does not initially appear that they will need to dig up any of the existing utility lines for water and sewer because the sanitary sewer in Oak Park is a forced main and not a gravity line. He noted the Oak Park Homeowner's Association is currently working with Citizens of Westfield to dedicate that as a public main line and that they are similarly working with Citizens of Westfield. Lintner commend that the electric and cable utilities will do what they need to do with their lines and easements without any control by the Petitioner.

No action is required at this time.

**Case No. 1410-DP-33 & 1410-SPP-21 [PUBLIC HEARING]**

Description: *Derby Ridge (formerly Frampton Estates)*

Fischer Homes by Stoeppelwerth & Associates, Inc. requests Overall Development Plan and Primary Plat review of 82 lots on approximately 54.52 acres+/- in the SF-3 District.

Lauer presented an overview of the primary plat and overall development plan, as outlined in the staff report, and noted Staff is currently reviewing revised plans to address outstanding items.

Public Hearing opened at 8:23 p.m.

No public comments.

Public Hearing closed at 8:24 p.m.

No action is required at this time.

**Case No. 1408-DP-24 [PUBLIC HEARING]**

Description: *Grand Park Indoor Field Facility – Development Plan*  
701 East 191<sup>st</sup> Street

Holladay Properties requests a Development Plan Review of a 371,645 square-foot building within the Grand Park Indoor Field Facility PUD District.

Skelton presented a project overview, as presented in the staff report.

Jon Dobosiewicz, Nelson and Frankenberger, on behalf of the Petitioner, presented an update of the elevation changes and presented materials' boards consisting of samples of the proposed exterior materials and colors.

Motion: To approve Petition No. 1408-DP-24 with a condition that all necessary approvals and permits be obtained from the Westfield Public Works Department, Hamilton County Surveyors Office, and Citizens Westfield prior to the issuance of a building permit.

Motion: Graham: Second: Degnan: Vote: 9-0.

**Case No. 1409-PUD-14 [CONTINUED]**

Description: *Springmill Trails PUD Amendment – Water's Edge Side-yard Setback*  
M/I Homes of Indiana, LP requests an amendment to the Springmill Trails PUD Ordinance, affecting approximately 36.74 acres +/- within the Water's Edge Subdivision of the Springmill Trails PUD District.

**Case No. 1406-DP-17 & 1406-SIT-08 [CONTINUED]**

Description: *LOR Corporation*  
950 Tournament Trail  
LOR Corporation, by RQAW Corporation requests Detailed Development Plan and Site Plan review for a new multi-tenant commercial building on approximately 2.57 acres +/- in the 32 at 31 Henke Center, in the GB District.

**Case No. 1405-DP-14 & 1405-SPP-13 [CONTINUED]**

Description: *Retreat on the Monon*  
Southwest and southeast corners of 161<sup>st</sup> Street and Monon Trail Pulte Group, by Weihe Engineering requests Development Plan, Primary Plat, and associated plat waiver request approval for a 90-unit condominium Development on approximately 13.52 acres +/- in the Viking Meadows PUD District.

**REPORTS/COMMENTS**

**APC MEMBERS**

No report.

**CITY COUNCIL LIAISON**

Report provided by Hoover.

**BZA LIAISON**

No report.

**ECD STAFF**

Report provided by Skelton.

**ADJOURNMENT** (8:36 pm)

Motion: Degan: Second: Hoover: Vote: 9-0.

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President, Ken Kingshill

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Vice President, Randy Graham

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Secretary, Matthew S. Skelton