

Westfield-Washington Advisory Plan Commission (APC) held a meeting on Monday, June 1, 2015, 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:** Randell Graham, Steve Hoover, Robert Horkay, Ken Kingshill, Andre Maue, David Schmitz and Robert Spraetz.

**City Staff Present:** Kevin Todd, Senior Planner; Pamela Howard, Associate Planner; Jeffrey Lauer, Associate Planner; Amanda Rubadue, Associate Planner; and Brian Zaiger, Attorney.

**Approval of Minutes:** May 18, 2015, APC Meeting Minutes

Motion: To approve the May 18, 2015, minutes.

Motion: Kingshill; Second: Spraetz; Vote: Approved 7-0.

Lauer reviewed the meeting rules and procedures.

**Case No.:** 1505-PUD-07 [PUBLIC HEARING]

**Description:** Viking Meadows PUD Ordinance Amendment  
930 Viking Sunrise Lane

Denese and James Stachoviak request a text amendment to the Viking Meadows PUD Ordinance to reduce the Rear Yard Minimum Building Setback requirement to accommodate the construction of a swimming pool.

Todd presented an overview of the proposed ordinance, as noted in the staff report.

Kingshill asked about the area south of the lot.

Todd replied that it is common area.

Public Hearing opened at 7:07 p.m.

No public comments.

Public Hearing closed at 7:08 p.m.

Motion: To forward 1505-PUD-07 to the City Council with a favorable recommendation.

Motion: Horkay; Second: Schmitz; Vote: 7-0.

Case No.: **1506-DDP-09 [PUBLIC HEARING]**  
Description: AT&T Wireless Communication Facility  
*Southeast corner of 146<sup>th</sup> Street and Oak Ridge Road (between former and existing 146<sup>th</sup> Street right-of-way)*  
AT&T Mobility requests Detailed Development Plan approval of a new wireless communication service facility.

Todd presented an overview of the project, as noted in the staff report.

Kingshill asked the petitioner to describe the stealth tower.

Matt Price, Bingham Greenebaum Doll LLP, representing the petitioner, stated that stealth tower is designed to look like a flag pole, and that all of the cable is internal to the tower and are more aesthetic.

Kingshill asked if a flag could be flown on this tower.

Price said that it could be, but that it was their plan and preference was to not have a flag because of maintenance concerns. He also stated that installing a flag may draw more attention to the tower.

Public Hearing opened at 7:14 p.m.

Steve Baranyk, 202 E Senator Way: Does not feel that it is appropriate to put something like this in the middle of a residential area, regardless of how unobtrusive it would be.

Doug Holtz, 135 E Senator Way: Represents Village Farms HOA, concerned with the placement of this tower due to the residential area it is within. He stated that the HOA attended the BZA hearing on May 12, 2015 and expressed their concerns to the Board and the petitioner regarding the tower and its proposed location. He stated that residents offered alternative suggestions for locating the tower, and are requesting that the tower be moved to a less residential area.

Scott Kenney, 440 Sapphire Drive; Village Farms resident state stated that he agrees with Holtz and feels that they were not heard at the May 12, 2015 BZA meeting. He said that he believes that the Board cannot state without a doubt that the tower will not pose a risk to the health and safety of the community, citing concerns with the tower falling into vehicular traffic on 146<sup>th</sup> Street.

David Mueller, former school board member; Likes the design of the tower was approved for Shamrock Springs and he likes that it will have a flag. He stated that adding a flag to this tower will help make it look better, and believes that this tower should have a flag.

Public Hearing closed at 7:22 p.m.

Price said that if the community wishes to have a flag on the tower, even though it was not a part of the BZA approval of the use, they would willing to accommodate the request to fly a flag. He added that the tower is designed to collapse into itself, in the event it were to ever fall, and not

toppling over. He also added that the location of this tower enhances E911 services, contributing to the public safety of the citizens.

Kingshill asked about the appeal process for BZA decisions

Zaiger responded that appeals to a BZA decision are made to the courts.

Horkay asked about existing co-location options.

Price responded that the towers in the area have been maximized and do not have room for additional providers.

Graham, Kingshill and Hoover commented that they believe adding a flag to the tower would be a welcoming sight, instead of a plain pole.

No action is required at this time.

**Case No. 1506-ZC-02 [PUBLIC HEARING]**

Description: Bent Creek Commitment Modification

Langston Residential Development, LLC by Nelson & Frankenberger requests a modification to the commitments associated with the rezoning of property from the AG-SF1: Agriculture/Single-Family Rural District to the SF2: Single-Family Low Density District, as approved by Ordinance 04-43, for Bent Creek.

**Case No. 1506-ODP-16 & 1506-SPP-15 [PUBLIC HEARING]**

Description: Bent Creek

*Northwest corner of 159<sup>th</sup> Street and Town Road*

Langston Residential Development, LLC by Nelson & Frankenberger requests Overall Development Plan and Primary Plat approval of 158 single-family lots on approximately 129.74 acres +/-, located in the SF2: Single-Family Low Density District with Zoning Commitments.

Todd presented an overview of the proposal highlighted changes to the proposed ordinances, as noted in the staff report. The zoning commitment modification and the Primary Plat/Overall Development Plan petitions were presented together.

Jon Dobosiewicz, Nelson & Frankenberger LLP, representing the petitioner, gave a brief presentation.

Kingshill asked if there had been a neighborhood meeting.

Dobosiewicz said there had been and that a summary of the meeting was included in the packet.

Graham asked about Towne Road improvement.

Todd responded that the City of Westfield is in the process of designing plans to widen Towne

Road between 156<sup>th</sup> Street and 166<sup>th</sup> Street. He said that the project will include widening each travel lane 12' with shoulders on each side, adding turn lanes, and improving vertical sight distances, especially at 159<sup>th</sup> Street and Towne Road. He said that the widening project will begin construction in either late 2017 or early 2018.

Hoover asked about widening the bridge on Towne Road.

Todd said that the project includes widening the culverts within that mile stretch of Towne Road.

Public Hearing opened at 7:47 p.m.

Kevin Paschke, 2527 W 159<sup>th</sup> Street: Concerned with the location of the 159<sup>th</sup> Street entrance and would like for it to be moved to the west. He asked who is responsible for paying for the construction expenses for improving the roads. He also asked if sewer prices will go up as a result of this development. He asked how the stated average home price of \$450,000 will be guaranteed.

Patrick Heitz, 2605 W 159<sup>th</sup> Street: Handed out pictures with concerns with 159<sup>th</sup> Street entrance. He noted that in the original 2004 proposal, there were no entrances on 159<sup>th</sup> Street and two on Towne Road. He said that the current proposed location is too dangerous given the topography of the area and that it should be moved to the west. He expressed a desire to see 159<sup>th</sup> Street shift to the north, which would improve sight lines.

Larry Bowman, 2601 W 159<sup>th</sup> Street: Lives directly across from the proposed 159<sup>th</sup> Street entrance. Expressed concern with headlights coming into the home. He also expressed concern with Little Eagle Creek Avenue being a 3-way stop and causing back-up of traffic. And he asked if Towne Road/159<sup>th</sup> Street would have a stop light. He suggested that 159<sup>th</sup> Street should be shifted to the north.

John DuBois, 1719 W 161<sup>st</sup> Street: Welcomes development that respects the community and considers the needs of the constituents of the community. He said that the Comprehensive Plan calls for estate lots/artesian farms. He said that the comp plan and infrastructure service needs should be evaluated carefully for this project.

Sarah Gillim, 16505 Little Eagle Creek: Concern with traffic/road/infrastructure needs, bicycle safety concerns and providing an adequate buffer to the surrounding farms. She also noted that the nearby sewer plant provides a lot of unpleasant smells that need to be monitored by Citizens Westfield.

Ginny Kelleher, 3920 W 166<sup>th</sup> Street: Representing Sugar Grove Neighbors, Stated that she is supportive of the commitment modification requests regarding masonry and the southern buffer yard. She expressed concern, however, with the proposed layout. She stated that the exhibit associated with the 2004 rezoning was more desirable to neighbors because it showed cul-de-sac next to adjacent agricultural/large-lot single-family uses and two entrances on Towne Road instead of an entrance on 159<sup>th</sup> Street. She stated that the proposed location of the north/south connecting street and the amenity area were of concern to neighbors to the west.

Nedra Holloway, 16427 Little Eagle Creek Avenue: Concerned that 159<sup>th</sup> Street would not be able to handle the additional traffic, and that it needs to be improved.

Tom Pielemeier, 16101 Little Eagle Creek Avenue: Expressed concern about the location of the road that connects the northern and southern sections of the subdivision. He would like to see it moved to the center of the project. He also expressed concerns with the location of the pedestrian access to the park.

Riley M. Pendleton, 16523 Little Eagle Creek Avenue.: Request that the stub-street to the north not be paved to the property line and that landscaping and/or a fence be located at the end of street. She expressed concern with the density of houses, traffic, and the impact the project would have on adjacent farms and animals.

Linda Naas, 1122 E 161<sup>st</sup> Street: Stated that she would like to see developments that work with agricultural properties that surround them. She also thought that the southwest annexation tax money was supposed to be used to improve roads in the area.

Twyla Arnold, 2443 W 159<sup>th</sup>: Would like to keep this area agricultural and rural.

Public Hearing closed at 8:17 p.m.

Dobosiewicz said they will work with staff regarding traffic and site access and circulation issues. He stated that there were no commitments regarding entrances and site layout in 2004. He added that any improvements that the City makes to 159<sup>th</sup> Street could be accommodated on the north side of the right-of-way, off-setting the current center line. He added that they will work with the Pendleton's regarding their concerns. He also noted that they are considering different options for trail connections and pathway locations.

Kingshill asked the petitioner to consider changing entrances to the subdivision to address neighbor concerns, moving the amenity center more towards Towne Road, and designing the subdivision in a way that is more sensitive to neighboring agricultural uses. He asked staff for an update regarding Raymond Worth Park.

Melody Jones, Director of Westfield Parks Department, stated that Raymond Worth Park has always been targeted to be a nature park. She stated that there are planned amenities including ropes course and a horse hitching post. She added that the park across the street to the west is contemplated as being used for primitive camping opportunities.

Hoover suggested the petitioner explore and consider moving the 159<sup>th</sup> Street entrance to the west and adding a second Towne Road entrance to help with traffic flow.

Dobosiewicz said that he will work with staff on addressing the issues that came out of the hearing.

No action is required at this time.

5 Minute recess, reconvene at 8:36.

**Case No:** 1506-PUD-09 [PUBLIC HEARING]

**Description:** Tamarack PUD

*Northeast corner of 161<sup>st</sup> Street and Oak Road*

M/I Homes of Indiana, LP by Nelson & Frankenberger, P.C. requests a change of zoning of 34.4 acres +/- from SF2: Single-family Low Density District to the Tamarack PUD District.

Lauer presented an overview of the proposal, as noted in the staff report.

Jon Dobosiewicz, representing the petitioner, gave a brief presentation. He established the framework for comparison with the proposed Tamarack PUD District to Villages of Oak Manor, Bridgewater (Carey Rd. & 156<sup>th</sup> St.) and Bridgewater (156<sup>th</sup> St. and Gray Rd.). Dobosiewicz mentioned a tree preservation easement along the east property line and committed to 1,900 square foot homes.

Hoover asked if it was possible to have a side-load garage standard by limiting the number of front-load garages permitted.

Dobosiewicz responded that it would be difficult to make it a standard throughout the project, except for the corner homes.

Public Hearing opened at 9:02 p.m.

Jonathan Dilley, 16421 Oak Manor Drive: Spoke on behalf of the Oak Manor HOA. Argued this is a change in the established character of the area: characterized this as a continuing trend of "over development:" suggested prioritizing existing plans: took issue with the proposed architectural quality and square footage of the homes.

Larry Clarino, 2533 Live Oak Lane: Suggested this was a "step down" from the surrounding neighborhoods due to a "lower level" home product: suggested this is not comparable to Bridgewater, Brookside, Oak Park or Oak Manor. Concerned also with the pipeline, lots should be bigger.

Michael Miller, 15936 Oak Park Court: Highlighted comments from his letter and focused on the safety of the pipeline and the wisdom of permitting development within a certain proximity: suggested that pipelines of a similar size have issues such as leaking, fires, explosions: asked the Plan Commission to review the best practices of development within proximity of pipeline easements and address safety standards and regulations.

Stacy Miller, 15936 Oak Park Court: Discussed "risk reduction;" drinking water capacity: safety and maintenance measures for the pipeline company; maintaining line markers: operator name changes; proper local training such as hospitals, firefighters and police, to respond to issues involving the pipeline: right-of-way classifications: unforeseen/future costs: encroachment: how will the HOA handle digging to fix a problem in the pipeline.

Matt Pridd, 15757 Oak Road: Suggested there is no comparison to Oak Park: asked for comparable homes within the area: warned these homes could become rentals or abandoned homes in the future thereby affecting land values: concerned about the proximity to the pipelines.

Patrick De Heer, 2830 Oak Park Circle: Concerned about the quality of the homes and the effect on home/property value.

Nancy Anderson, 15941 Oak Park Court: Concerned about the safety of the pipelines and the potential danger to Carey Ridge Elementary: suggested the pipeline or federal regulation calls for an eight-hundred (800) foot hazard area: noted the comparisons are not adjacent to Tamarack: not like to see this project happen.

Dave Mueller, 2812 Oak Park Circle: Concerned that a SF4 underlying zoning district on an SF2 lot: suggested that proposed target market will lead to children: leads to a burden on the school system: Westfield needs to be more selective.

Dennis Theurer, 16200 Carey Road: Asked that the existing trees etc. within the proposed buffer yard be preserved: a berm is added along the east property line with all evergreens in a double row and staggered for maximum privacy: no trespassing sign be installed along the east property line: do not include a path along the east property line: erect a fence along (a portion) of the east property line, especially along pipeline easement: would like a meeting with M/I Homes to walk the property and understand their concerns.

Jerry Hollan, 2982 E 161<sup>st</sup> Street: Concerned about the lot sizes (not consistent with Oak Park, Oak Manor) and suggested the lot sizes should mirror those: drainage detention and outlet: asked if existing pipe in which the detention pond if outlet is sufficient enough to accommodate that water: how is the water level regulated in the ponds: suggested no walking path across his property: concerned about the impact of traffic on the streets, schools and other public facilities.

John Boyer, 2220 Oakwood Lane: Suggested this proposal was "drop-in development:" too many homes: suggested it is not compatible with surrounding neighborhoods: prefer to see custom homes: characterized the development as a "wasteland" between Oak Park and Oak Manor: asked to see more accurate home comps to surrounding neighborhoods: asked Plan Commission to keep continuity between neighborhoods.

Brian Collier, 16429 Oak Manor Drive: Suggested that the petitioner's willingness to address screening along the north property line indicates a difference in the property values: too many homes "crammed in;" additional traffic: requested a traffic impact study.

Mic Mead, 15466 Oak Road: Suggested that the farmers who are trying to sell this land have already been well compensated.

Public Hearing closed at 9:45 p.m.

Dobosiewicz addressed the concerns with additional exhibits which showed that the same pipeline crosses several subdivisions to the south, both in Carmel and Westfield. He added that the Tamarack proposal does not allow home lots to be located within the pipeline easement.

Hoover asked if the petitioner would be willing to require that homes adjacent to the pipeline easement comply with the enhanced rear elevation architecture standards, similar to the perimeter architectural standards of the UDO. He also asked if the perimeter lots, on the outside of the real estate, would have to comply with the enhanced architecture standards.

Dobosiewicz responded that yes, the perimeter lots would have to comply. In addition, he said that he and M/I Homes of Indiana would look into the enhanced architecture for homes abutting the pipeline easement.

Kingshill stated that he is less concerned about the density of the project and more concerned about the architectural quality of the homes. He noted that the surrounding character of the area is custom homes on large lots. He asked how many floor plans are available.

Dobosiewicz responded there that are six or seven (6-7) separate floor plans currently with three (3) different elevations each. He suggested that M/I Homes of Indiana may be adding additional character exhibits.

No action is required at this time.

**Case No.: 1506-ODP-14 & 1506-SPP-13 [PUBLIC HEARING]**

Description: Maple Villas  
*Northwest corner of Wendover Avenue and Cayuga Drive*  
Maple Knoll Developer, LLC by Stoeppelwerth & Associates, Inc. requests Overall Development Plan, Primary Plat, and associated plat waiver approval of 56 duplex residential lots on 16.33 acres +/-, located in the Maple Knoll PUD District.

Rubadue presented an overview of the project, as noted in the staff report.

Public Hearing opened at 10:06 p.m.

Deborah Howard, 17213 Retford Drive: Was told by builder that the woods would remain. She expressed concern with the density of the project and how it would impact nearby home values. She also stated that water pressure is already low, and expressed concern that adding new homes to the system would make water pressure worse.

Adam Goodnight, 17321 Retford Drive: Stated that he paid a premium to back up to woods and is concerned that they are being removed for this project. He wondered how much of the woods would remain. He asked how the drainage for the project would work. He also asked what the target market is for the project and wondered if it would be low-income housing.

Jason Denforth, 786 Wendover Avenue: Expressed concern with the removal of much of the

woods. He said that he was also told the woods would remain. He has environmental concerns with the removal of the trees and traffic concerns with the addition of homes to the site. He said that the unconfirmed oldest-tree in Westfield is located in that woods and expressed concern for maintaining that tree. He expressed a desire to see the property become a park. Taking care of lot with the oldest tree in Westfield. Also, had been informed that woods would not be taken down.

Jim Ericksen, 17289 Retford Drive: Concerned with losing the tranquility of the woods. He also expressed concern regarding drainage.

Jill Huntsberger, 810 Wendover Ave: Concerned with the new pond becoming stagnate, which would cause odors and undesirable animals. He requested additional evergreens.

Shane Floyd, 17361 Retford Drive. Had been told that the woods would not be built on, and paid a premium for his lot. He requested a neighborhood meeting with Platinum Properties, the developer of the subject project and the current HOA.

Erin Heller, 17305 Retford Drive: Stated that she paid a premium for the lot and is concerned about flooding and scraping off topsoil down to the clay. She said that she feels like Arbor and Platinum Properties lied to her and her family regarding the future of the woods.

Public Hearing closed at 10:22 p.m.

Paul Rioux, Platinum Properties, responded to concerns about low income housing and the price point of the proposed units. He stated that the development will not be low income housing and the expected price point is \$275-\$300k per unit. He added that the PUD ordinance allows multi-family, single-family, and duplex units on this site.

Kingshill stated that he was displeased with the fact that Arbor Homes promised things about the lots abutting the woods to home-buyers.

Hoover recommended a neighborhood meeting and asked what types of uses the current zoning allowed.

Rioux stated that the current zoning allows up to 400 new apartment units.

No action is required at this time.

**Case No.: 1506-ODP-15 & 1506-SPP-14 [PUBLIC HEARING]**

**Description: Sonoma, Sections 9 & 10**

*Northwest corner of Wendover Avenue and Spring Mill Road*

Maple Knoll Developer, LLC by Stoepelwerth & Associates, Inc. requests

Overall Development Plan and Primary Plat, approval of 100 single-family

lots on 31.38 acres +/-, located in the Maple Knoll PUD District.

Rubadue presented an overview of the project, as noted in the staff report.

Paul Rioux, Platinum Properties, gave a brief presentation.

Public Hearing opened at 10:37 p.m.

No public comments.

Public Hearing closed at 10:38 p.m.

No action required at this time.

**Case No.: 1506-PUD-11 [PUBLIC HEARING]**

Description: Spring Mill Station SWC PUD

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

Westfield Residential Investors, LLC requests a change in zoning of 20 acres +/- from SF2: Single-family Low Density District to the Spring Mill Station SWC PUD District.

Howard presented an overview of the proposed ordinance, as detailed in the staff report.

David George from CRG Residential gave a brief presentation.

Public Hearing opened at 10:49 p.m.

Roberta Rounds, 730 Hadleigh Pass: Would like zoning to remain SF2. She stated that when she moved here, she thought she would be surrounded by all single family. She presented a petition signed by neighbors who are against rezoning this property for multifamily. She said that multifamily is not consistent with neighborhood hub vision from Spring Mill Station Comprehensive Plan Addendum. She noted that traffic is already a problem and thinks that it is wrong for multifamily to be located next to a school.

Chris Bluto, 16438 Lakeville Crossing, Representing Spring Mill Station Task Group: Developer has met with group several times and with school. He noted that the Task Group includes neighbors of each surrounding neighborhood. He noted that the Spring Mill Station Plan calls for residential as buffer to commercial. He reported that the petitioner has already reduced number of units to accommodate a maximum of 2-story buildings along south boundary. He said that most of the buildings have garages, so there are no expansive parking lots on the plans. He added that the school is supportive of this development and that it should have a low impact on the schools.

Charles Davis, 15802 Springmill Road: Expressed concern regarding drainage of the Jay Edwards Drain.

Pete Sedman, 965 Hadleigh Pass: Asked why these fields should be removed.

Sharon Miller, 511 Hadleigh: Stated that she moved here to be near farmland and doesn't want to look at apartments.

Public Hearing closed at 11:01 p.m.

David George, petitioner, responded that it is his understanding that the school is selling the fields because of Grand Park, noting that teams will be playing there instead. He confirmed that most of the WYSI games have already been moved to Grand Park.

No action is required at this time.

**Case No.: 1505-PUD-07**

Description: Lantern Park PUD

*NE corner of 161<sup>st</sup> Street and Union Street, just east of Cool Creek*

Site Solutions Property Group requests a change of zoning of 40.95 acres +/- from the AG-SF1: Agriculture/Single-Family Rural District to the Lantern Park Planned Unit Development (PUD) District.

Howard presented an overview of the highlighted changes to the proposed ordinance, as noted in the staff report.

Kingshill asked if the word “only” be added to 5.2 so it reads “Parcel B shall consists of approximately sixteen (16) acres of floodplain and shall only be developed for green space uses.”

Russell Brown, Clark, Quinn, Moses, Scott & Grahn, LLP, representing the petitioner, did not want to commit to that because “wetland” is one of the potential uses for that parcel and he is not sure if that would be considered green space.

After discussion, it was decided that a sentence would be added stating that no homes will be built on Parcel B.

Hoover expressed concerned that the wording on the concept plan, “Trail system to be constructed with Parcel B” could cause future problems because the ordinance states that the trail will be installed with the final phase of Parcel A.

Brown responded that is just how they labeled the trail and is how its referred to in the ordinance. He said that it could be changed to “Parcel B Trail System.”

Melody Jones suggested that it be labeled “Cool Creek Trail” to differentiate between that portion of the trail and the perimeter trail along Union Street.

Brown said that will not work because both the perimeter trail and the Cool Creek section will be constructed at the same time.

Motion: Forward this petition to the City Council with a favorable recommendation.

Motion: Horkay: Second: Maue: Vote: 7-0.

**Case No. 1504-PUD-06 [CONTINUED]**  
Description: Gateway Southwest PUD  
*Southwest corner of U.S. 31 and State Road 32*  
Westfield Community Investors, LLC requests a change in zoning of approximately  
7.1 acres +/- from the OI and EI Districts to the Gateway Southwest PUD District.

**REPORTS/COMMENTS**

**APC MEMBERS**

No report.

**CITY COUNCIL LIAISON**

Report provided by Hoover.

**BZA LIAISON**

No report

**ECD STAFF**

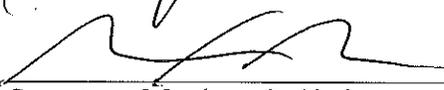
No report

**ADJOURNMENT (11:21 pm)**

Motion: Hoover: Second: Kingshill: Vote: 7-0.

  
\_\_\_\_\_  
President, Randell Graham

  
\_\_\_\_\_  
Vice President, Andre Maue

  
\_\_\_\_\_  
Secretary, Matthew S. Skelton