

Westfield-Washington Advisory Plan Commission (APC) held a meeting on Monday, February 1, 2016 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:** Nathan Day, Randell Graham, Steve Hoover, Robert Horkay, Ken Kingshill, Andre Maue, David Schmitz and Bob Smith.

**City Staff Present:** Matthew Skelton, Director; Jennifer Miller, Assistant Director; Jesse Pohlman, Senior Planner; Kevin Todd, Senior Planner; Pam Howard, Associate Planner; Jeffrey Lauer, Associate Planner; Amanda Rubadue, Associate Planner; and Brian Zaiger, City Attorney.

**Approval of Minutes:** January 4, 2016, APC Meeting Minutes

Motion: To approve the January 4, 2016, minutes.

Motion: Kingshill; Second: Day; Vote: Approved 8-0.

Pohlman reviewed the meeting rules and procedures.

**Case No. 1512-PUD-28**

**Description:** Culver's Sun Park PUD

Northeast corner of S.R. 32 and SunPark Drive

Custard Kings, Inc. by Bose McKinney & Evans LLP requests a change of zoning of approximately 1.11 acres +/- from the EI: Enclosed Industrial District to the Culver's Sun Park PUD District.

Todd presented an overview for the change of zoning request, as outlined in the staff report.

Joseph Calderon, attorney with Bose McKinney & Evans, LLP on behalf of the petitioner, Custard Kings, Inc., presented an update of the revisions to the proposed development.

Motion: Forward petition 1512-PUD-28 to the City Council with a favorable recommendation.

Motion: Maue; Second: Schmitz; Vote: 8-0.

**Case No. 1601-DDP-01**

Description: StorAmerica  
4420 East 146<sup>th</sup> Street  
StorAmerica 146<sup>th</sup> LLC requests review of a Detailed Development Plan amendment for a self-storage facility on approximately 6.77 acres +/-, located in the 146<sup>th</sup> Street Commerce Centre PUD District.

Lauer presented an overview of the Detailed Development Plan amendment proposed to change the one story building to a two story building, as outlined in the staff report.

Jeff Ryan, on behalf of the petitioner, Real America Development, introduced himself.

Motion: To approve 1601-DDP-01 with the condition that all necessary approvals and permits be obtained from the Westfield Public Works Department prior to the issuance of an Improvement Location Permit.

Motion: Hoover; Second: Horkay; Vote: 8-0.

**Case No. 1602-DDP-03 [PUBLIC HEARING]**

Description: Central Christian Church  
SEC of 151<sup>st</sup> Street and Towne Road  
Central Christian Church by Weihe Engineers requests Detailed Development Plan review for a new church building on approximately 19.99 acres +/-, located in the AG-SF1: Agriculture/Single-Family Rural District.

Todd presented an overview of the Detailed Development Plan, as outlined in the staff report.

Mark Thorpe, Weihe Engineers, on behalf of the petitioner, gave a brief overview.

Public Hearing opened at 7:19 p.m.

Cindy Spolgaric, 16131 Chancellors Ridge Way: Expressed concern about the architecture and whether it fits with the surrounding area.

Public Hearing closed at 7:20 p.m.

Kingshill asked about the size of the daycare and if it will be replacing the existing location and whether the new building will be replacing the existing church in Carmel or if this location would be a satellite campus.

Adam Chester, architect with Aspen Group on behalf of the petitioner, responded they anticipate one hundred and eighty (180) children in the daycare with potential expansion. He confirmed this site will be replacing the existing church and daycare and would not be a satellite campus.

Hoover inquired whether the timing of the future phases was known yet.

Chester replied the timing was not yet known.

No additional action is required at this time.

**Case No. 1602-ODP-04 & 1602-SPP-04 [PUBLIC HEARING]**

Description: West Rail  
NEC of 156<sup>th</sup> Street and Ditch Road  
Beazer Homes of Indiana, LLP by Nelson & Frankenberger requests Overall Development Plan and Primary Plat review for 183 single family lots on approximately 108.2 acres +/-, located in the West Rail PUD District.

Rubadue presented an overview of the Overall Development Plan and Primary Plat, as outlined in the staff report and noted representatives on behalf of the petitioner were available for any questions or comments.

Public Hearing opened at 7:27 p.m.

No public comment.

Public Hearing closed at 7:27 p.m.

Hoover asked whether there were any changes to the design from the recent amendment to the PUD Ordinance and the proposed development plan.

Jon Dobosiewicz, Nelson and Frankenberger PC on behalf of the petitioner, responded that there were changes as the development plans were already being prepared at the time of the PUD Ordinance amendment.

No additional action is required at this time.

**Case No. 1602-ODP-02 & 1602-SPP-03 [PUBLIC HEARING]**

Description: Waterford at the Bridgewater, Parcel L3  
SEC of 151<sup>st</sup> Street and Carey Road  
Throgmartin Henke Development, LLP by Stoepelwerth & Associates, Inc. requests Overall Development Plan and Primary Plat review for twenty (20) single-family lots on approximately 10.23-acres +/-, located in the Bridgewater PUD District.

Lauer presented an overview of the Overall Development Plan and Primary Plat, as outlined in the staff report.

David Mennel, on behalf of the petitioner, gave a brief presentation.

Public Hearing opened at 7:31 p.m.

No public comment.

Public Hearing closed at 7:32 p.m.

Smith asked whether the builders were known yet.

Mennel responded the builders have not yet been chosen.

Kingshill asked about the lot at the entrance in the adjacent Waterford section and whether headlights from vehicles would be an issue.

Mennel replied they have been working with that lot owner on positioning the opening of the subdivision and potentially incorporating additional landscaping to offset any potential impact so headlights were not a problem.

No additional action is required at this time.

**Case No. 1601-PUD-01 [PUBLIC HEARING]**

**Description: Wilshire PUD**

North side of 156<sup>th</sup> Street, appx. 1,300 feet west of Spring Mill Road  
Steve A Wilson, Inc. by Nelson and Frankenberger requests a change in zoning from the Centennial North PUD District to the Wilshire PUD District.

**Case No. 1601-ODP-03 & 1601-SPP-02 [PUBLIC HEARING]**

**Description: Wilshire PUD**

North side of 156<sup>th</sup> Street, appx. 1,300 feet west of Spring Mill Road  
Steve A Wilson, Inc. by Nelson and Frankenberger requests Overall Development Plan and Primary Plat approval of 86 residential lots on approximately 38.951 acres +/- located in the pending Wilshire PUD District.

Howard presented both the PUD Ordinance amendment and the Overall Development Plan and Primary Plat, as outlined in the staff reports.

Jon Dobosiewicz, Nelson and Frankenberger PC on behalf of the petitioner, gave a brief presentation of both items.

Public Hearing opened at 7:38 p.m. for both agenda items.

Robyn Wirkerman, 15919 Ditch Road: Noted she was not provided notice of the neighborhood meeting but commented for \$300,000 homes they seem to be very close together, particularly along the east property line abutting the adjacent neighborhood. Suggested a more natural rural setting would be appropriate with prairie grasses and wild flowers similar to West Rail and the Conservancy theme. Would also like to see a larger playground space.

Public Hearing closed at 7:41 p.m. for both agenda items.

Hoover inquired whether the Unified Development Ordinance's perimeter architectural standards

were being applied, and asked for the petitioner's consideration regarding a playground.

Dobosiewicz replied about twenty (20) people attended a neighbors' meeting, with about twelve (12) from Crosswind Commons where landscaping and drainage was discussed with those that attended and shared the property line. He also noted the density of the proposed amendment is less than currently permitted, and that the PUD Ordinance does default to the Unified Development Ordinance's perimeter architectural standards.

No additional action is required at this time.

**Case No. 1602-CPA-01 [PUBLIC HEARING]**

Description: The Conservancy Addendum

The Conservancy Task Group requests approval of The Conservancy Addendum, an addendum to the Westfield-Washington Township Comprehensive Plan.

Skelton provided a brief procedural overview and clarification of the proposed addendum.

Pohlman presented an overview of the proposed addendum, as summarized in the staff report, and noted that all written comments received prior to the meeting have been provided with the Plan Commission's agenda materials.

Kristen Burkman, on behalf of the petitioner, gave a presentation of their proposed addendum. Dr. Ginney Kelleher and Dr. Bruce VanNatta, on behalf of the petitioner, also provided brief presentations.

Public Hearing opened at: 8:20 p.m.

Woodard arrived at 8:25 p.m.

Bill Koss, 15411 Shelborne Road; Opposes the addendum because land owners should not be limited to the options imposed by others who may not own substantial acres. If people want to stop development they need to purchase the land themselves and not restrict the property of other people. Noted submitted written comments.

Jerry McColgin, 17040 Eagletown Road; Opposes the addendum as it is stated, thinks it is a good idea but not for this area. Other areas in the township would better suited that have large areas of natural land. Believes that buffers and conservation efforts can still be accomplished with development proposals.

Paul Estridge, 15747 Oak Road; The effect of this addendum would be a moratorium on development in this area. The existing Comprehensive Plan already sets aside areas of the community this type of development even though there is no demand for conservancy subdivisions. Presented a map depicting a majority of the landowners within the area that oppose the addendum.

Nels Ackerson, 14211 State Highway 32; Opposes the addendum because the concepts can already be adopted by the landowners who voluntarily wish to do so. He referenced a map of landowners

who are opposed to the plan and commented that it is not that they don't like nature, but don't believe it should be the government telling them what they can do with the conservation of their land which they are already doing. Noted submitted written comments.

Charles Davis, 15802 Springmill Road; Opposes the addendum as it is written. It seems unfair for a few property owners to force their wants and needs on other property owners. If they want larger lots and green space, then they should purchase farm property around their land to achieve their desires. The proposed restrictions will increase property taxes and leave less money for road construction. It is ineffective to restrict development to a rural area where investment has already been made. Noted submitted written comments.

Judy Crandall, 4873 Windrift Way; Opposes the addendum. Stated the task group did not communicate with landowners in the area that the addendum was being processed. Why are the wishes of only a few residents carrying more weight than the large landowners who own nearly 2,000 acres within the affected area? How could the addendum be considered without any fiscal consideration? Noted submitted written comments.

Kurt Homann, 15404 Shelborne Road; Opposes the addendum. Asked why as an owner within the area being considered he only found out about the public hearing because of a newspaper article. He believes the addendum needs more study before a decision is made.

Nancy Davis, Westfield; Opposes the addendum. Stated that as a third generation farmer in the area that farming is becoming increasingly difficult. She noted that there is no wildlife or streams on her land, so why is the addendum being imposed on her property? Suggested that the economic impact is analyzed. Her family wants to sell her property for the best use, which is residential development. Noted submitted written comments.

Karna Baker, 1816 West 161<sup>st</sup> Street; Supports the addendum. She believes there needs to be less development and that more development results in more problems.

David Compton, Pulte Group, 11590 North Meridian Street; Opposes the addendum. Presented that Pulte is the contract buyer of Woodwind Golf Course and that they are working on a development proposal to maintain the golf course as a sustainable public course. Supports individual owners voluntarily applying conservation and buffering to their properties, but does not support the addendum as written. Noted submitted written comments.

Gary Watkins, 2191 West 166<sup>th</sup> Street; Supports the addendum. Commented that the existing community assets and rural living opportunity needs to be supported and protected. Noted submitted written comments.

Mark Thompson, 169<sup>th</sup> Street, representing owners of Woodwind Golf Course; Opposes the addendum. The golf course would not be viable if the addendum is passed as proposed.

Kate Collins, P.O. Box 44670, representing the Builders Association of Indianapolis; Opposes the addendum in its current form but desires to work with the task group for compromises. Commented that if the addendum were to be adopted, then it would reduce land values and that the current

Comprehensive plan already allows for the proposed type of conservancy development. Concerns that the addendum doesn't contemplate transitional areas near State Highway 32 or 146<sup>th</sup> Street and that consideration should be given to utility and tax rate impacts. She submitted her comments.

Karen Jamesen, 1421 State Highway 32; Opposes the addendum. The addendum is unfair to those that have invested and planned under the current Comprehensive Plan. As proposed, the addendum does not allow for transitions, and includes very little diversity for housing options. No one will be able to afford to live in Westfield.

Clark Byrum, 3810 West 146<sup>th</sup> Street; Opposes the addendum. Intended to develop his land once infrastructure was extended, which will never happen if this addendum is adopted. Concerned with the tax impact on the community and that this plan will effect more than just the people around the golf course. The existing Comprehensive Plan is a good plan, so why change it?

Doc O'Neal, 12938 Brighton Court, Cohoat and O'Neal, manager of Woodwind Golf Course; Opposes the addendum. Believes the golf course is an asset to the community is excited to be working with the Pulte Group for a development that will be an asset and save the golf course. Would like to see a compromise between the addendum and the existing Comprehensive Plan to accomplish the task group's intended goals because element in the addendum are counter to supporting the golf course.

Josh Motsinger, 18681 Joliet Road, on behalf of Central Christian Church; Opposes to the addendum because the church intends to sell some of their land to fund their new campus to a developer intending to develop a traditional neighborhood.

David B. Hughes, 13782 Driftwood Drive, representing Timothy J. Murphy Charitable Lead Trust and Thomas Murphy; Opposes to addendum. He noted his submitted written comments for this clients that own roughly ten percent (10%) of the land within the proposed area.

John Levinsohn, 159<sup>th</sup> Street and Towne Road; Opposes the addendum. The proposed area is an odd location for conservation given the nature of surrounding development and infrastructure including sewers and roads in the area.

Bryan Stumpf, 12965 Old Meridian Street; Opposes the addendum. Commented this is a big change for a large area with a big impact. The current Comprehensive Plan is working and investments have been made accordingly. The addendum will not work because conservation subdivisions are economically difficult to develop and these types of subdivisions are already encouraged elsewhere and have not been built.

Dr. Cynthia Stafford, 15736 Towne Road; Supports the addendum. Chose to live here because of the rural feel and applauds preservation efforts. She noted her submitted written comments.

Chris Bluto, 16438 Lakeville Xing; Complemented the task group for their work whether others are agree or disagrees because its important to look at how we conserve. He supports some type of conservation, whether it is this addendum or one that has come after further discussion.

Robyn Wirkerman, 15919 Ditch Road; Supports the addendum. The area would be ideal for a conservancy subdivision that could possibly include her desired agritourism/restaurant use.

John Daly, 15936 Little Eagle Creek Avenue; Supports the addendum. Commented that bad development is irreversible and cannot be undone. The conservancy area is a jewel of Westfield.

Steve Polizzi, 146<sup>th</sup> Street and Towne Road; Opposes the addendum. No reason to change the existing Comprehensive Plan that included a comprehensive involvement of the community.

Katy Kaylor, 2101 West 161<sup>st</sup> Street, on behalf of David Kaylor; Supports the addendum. Read her son's submitted letter as the voice of the future generation. She noted he and her family support the addendum.

Brian Brunner, 3525 West 131<sup>st</sup> Street, on behalf of BCE Associates IV, LLC; Opposes the addendum. Further impact studies should be done to consider the economic impact of the addendum because the existing Comprehensive Plan is supported. Believes the proposal as a whole needs to be discussed more thoroughly before going forward, if at all, and that the task group's process to date has not been inclusive.

Robert McColgin, 1064 Rickwood Drive; Opposes the addendum. Addendum will decrease property values. The existing Comprehensive Plan sets a good vision. The proposed addendum is from a vocal minority and doesn't support the land owners' choices. The proposed addendum does not provide flexibility, transition areas and will cause a loss of major financial assets.

Jen Smith, 16941 Joliet Road; Supports the addendum. Specifically supports conservation subdivisions and open space because the County is severely underserved in park acreage compared to the rest of the State.

Public hearing closes at 9:45 p.m.

Dr. VanNatta responded the public hearing is simply the beginning of the process and they will take all the information and work on addressing the issue with more discussions and meetings.

Skelton explained the Department would prepare a list of issues that were brought up in the written comments and during the public hearing and share that list with the petitioner to respond to prior to the next time this item appears on the Plan Commission's agenda.

Burkman noted any questions or if persons would like to be included in future discussions that were not included the first time around to share their contact information.

No additional action is required at this time.

**Case No. 1601-ODP-01 & 1601-SPP-01 [CONTINUED]**

Description: The Trails  
East of Oak Ridge Road, South of State Road 32  
Edge Rock Development, LLC by TERRA Site Development, Inc. requests Overall Development Plan and Primary Plat approval of two (2) lots on approximately 13.75 acres +/- located in the Trails PUD District.

**Case No. 1510-ODP-20 & 1510-SPP-20 [CONTINUED]**

Description: Waters Edge West  
MI Homes of Indiana, LP by Terra Site Development requests Overall Development Plan and Primary Plat review for 88 single-family lots on approximately 55.83 acres +/-, located in the Spring Mill Trails PUD District.

**Case No. 1512-PUD-27 [CONTINUED]**

Description: Bridgewater PUD Amendment – Bridgewater Marketplace  
Northwest corner of 146<sup>th</sup> Street and Gray Road  
KRG Bridgewater LLC by Bose McKenney & Evans LLP request an amendment to the Bridgewater PUD District Ordinance to allow a discount store, in excess of 10,000 square feet of gross floor area but not to exceed 20,000 square feet of gross floor area, to locate within the Bridgewater Marketplace retail center.

**Case No. 1506-ZC-02 [CONTINUED]**

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 [CONTINUED]**

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.

**REPORTS/COMMENTS**

**APC MEMBERS**

No report.

**CITY COUNCIL LIAISON**

No report.

**BZA LIAISON**

No report.

**ECD STAFF**

No report.

**ADJOURNMENT** (9:52 pm)

Motion: Kingshill: Second: Horkay: Vote: 8-0

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President, Randell Graham

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Vice President, Andre Maue

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Secretary, Matthew S. Skelton