WRITTEN PUBLIC COMMENTS

[Summary of comments that were submitted in response to the revisions as presented at the August 1, 2016, Plan Commission meeting.]

Docket Number: 1606-PUD-07

Petitioner: TMC Developers, LLC by Nelson & Frankenberger

Request: Petitioner requests an amendment to the Mixed Use District (Commercial Area) of the Harmony Planned Unit Development (PUD) Ordinance.

Enclosed Attachments:

1. Sell Email (07/28/16) — Mark and Gina Sell (1611 W 146th St)
2. Goodere Email (07/31/16) — Steve and Bea Goodere (Harmony)
3. Magnussen Email (07/31/16) — Marc Magnussen (Harmony)
4. Kissling Letter (08/01/16) — Richard Kissling (Centennial)
5. Ashman Email (08/01/16) — Janet Ashman (Centennial)
6. Goldstein Email (08/01/16) — Kingsborough Neighborhood Petition
7. A. Anderson Email (08/01/16) — Amy Anderson (Brookstone Park)

Jesse Pohlman

From: Gina Sell <magisell@aol.com>
Sent: Thursday, July 28, 2016 9:29 AM
To: Jesse Pohlman
Subject: Get Go Gas Station Alternative

We are vehemently opposed to the construction of a Get Go gas station on the parcel of land adjacent to our home on 146th street.

Why are these developers so aggressively trying to put this gas station in the middle of a residential area? Did they even attempt to find any other type of business to go on that piece of land? Or did they go straight for the gas station because that's what they do. It's almost laughable that they are calling this gas station "high end" - do they think we are that shallow?? I don't care if they sell caviar it is still a gas station with unhealthy fried food, tobacco, sugary and caffeine fueled monster drinks, lottery tickets, etc. Nothing has changed. I'm assuming this business will be open 24 hours bringing transitory traffic into the area at all hours day and night.

But the main reason we do not want this gas station is the potential exposure to health hazards.

A study that found a child whose home was within two blocks of a fuel station was four times as likely to develop leukemia as a child than a child whose home was further away and the longer a child had lived nearby, the higher the risk of leukemia seemed to be.

So here we are faced with the possibility of having a gas station basically in our front yard, where our children play. This is not right.

I also do not appreciate their attempt to entice us by offering to take fast food restaurants off the table if we stop voicing our opposition to the gas station. If they themselves don't see a benefit that fast food restaurants would provide the neighborhood then why on earth would they want to bring that type of business here? There are many more appealing alternatives to "Popeye's Chicken and Taco Bell". We understand that the developers are going off of what this property is zoned for but it doesn't say fast food only. Just because you CAN do something doesn't necessarily mean you SHOULD do something.

If we must choose one over the other then let them bring in a restaurant that the parcel is already approved for.

So to answer the question the developers posed - "are fast food restaurants more preferable and beneficial to the quality of life in the surrounding neighborhoods than the GetGo alternative?" To that we give you a resounding YES! A fast food restaurant can at least provide employment to the teens in the area - unlike a gas station. Fast food restaurants are more preferable than a gas station that's open 24 hours a day bringing crime and transients into our neighborhoods. Fast food restaurants are more preferable and beneficial to the quality of life than a gas station with underground storage tanks that can leak and fuel spills that can contaminate our ground water, and chemicals released in the air that can make our children sick.

We implore you to deny the request to put a gas station on this parcel of land.

Respectfully,

Mark and Gina Sell

From: Steve Goodere [mailto:sgoodere@gmail.com]
Sent: Sunday, July 31, 2016 9:19 PM
To: Jesse Pohlman <jpohlman@westfield.in.gov>
Subject: Harmony PUD Questions and Information

Questions about the Harmony PUD after the Neighborhood Meeting on July 27, 2016 with John Dobosiewicz

To: Jesse Pohlman jpohlman@westfield.in.gov
Advisory Planning Commission

From: Steve & Bea Goodere sgoodere@gmail.com 317.753.1359
1393 Bridgeport Drive
Westfield, IN 46074 July 31, 2016

Enhanced Architectural Design of the Harmony Commercial Development - the timing?

We have chosen not to fight a gas station but rather work with the developer on an enhanced architectural design of the Harmony commercial development.

What is the legal process through the City of Westfield of creating and approving an enhanced architectural design for the Harmony shopping center?

What would be the timing for creating this new design?

How do we work with the developer on the shopping center design? John Dobosiewicz said at his 7/27/16 meeting to coordinate everything through one person like Jesse Pohlman. We did not think that was your job nor should it be. We would like one person from Harmony and Centennial neighborhoods to be the point persons working with the developer because it effects both of those neighborhoods directly.

An Acceptable "Village Feel" Design (We have a chance to create something distinctive)

We have attached a design of a CVS in Wayland, Massachusetts and a design of another shopping center in Massachusetts which could fit very well with the Harmony Home Development. Several of the Harmony and Centennial homeowners support these types of design. If fact everyone I have shown these pictures, likes them.

We like the "village feel" of these design - these type of buildings.
We like the overhang that could go around the buildings protecting shoppers from the weather rather than your typical 4 sided walled building...also dormers like the Harmony homes.
We like the columns which could match the homes in Harmony...more pyramid with brick bases.
We like the smaller windows...again, matching the homes in Harmony.
We like this type of signage on the buildings with hanging lamps rather than back lighted signs.

We prefer brighter colors, again tying in with the Harmony Home colors.

A. (CVS in Wayland, Mass see attached picture)

B. http://dmrconstruction.com/images/portfolio/pembroke-plaza1.jpg
(A similar idea for a center, see attached picture)

Steve

Jesse Pohlman

From: Marcus Magnussen <mjmagnu51@gmail.com>
Sent: Sunday, July 31, 2016 10:34 PM
To: Jesse Pohlman
Subject: Harmony PUD

Mr. Pohlman,

My name is Marc Magnussen. My family lives at 1400 Waterleaf Dr in the Harmony neighborhood. We live across the street from the Harmony mixed use district. I have attended several city meetings and met directly with a member of city council (Chuck Lehman) regarding the PUD for this plot of land. I am writing to ask you to vote against the gas station and the other adjustments to the Harmony mixed use district PUD.

I feel that the addition of the gas station will decrease property values, further congest the round about at 146th and Ditch Rd, and leave this portion of Westfield less desirable for future home buyers. I understand that voting against the gas station allows development to proceed under the current PUD. I ask that you keep the PUD as it was when I chose to build my home, and please do not grant a special exception for a gas station.

Thank you,

Marc Magnussen

Jesse Pohlman

From: Tara Magnussen <tmagnussen08@gmail.com>
Sent: Sunday, July 31, 2016 10:38 PM
To: Jesse Pohlman
Subject: Harmony PUD

Hi Mr. Pohlman, my name is Tara Magnussen. My family and I live at 1400 Waterleaf Drive in Harmony.
I want to state that I am strongly opposed to the Get Go gas station/convenience store south of 146th and Ditch.
I believe this will not only have a negative effect on our property value, but could very well put our family and community's health and safety at risk.
This will increase noise, light, and environmental pollution; I think the traffic flow with all semis/trucks etc coming in and out of the area will be a nightmare.
However, what concerns me probably the most is the draw/introduction for crime right to our front door. No business needs to be open 24 hours that directly connects to a single family neighborhood or is in someone's front yard.
It simply is not needed in this location, esp since there is a gas station approved for 146th and Towne. This proposed Get-go is not only a gas station, but somewhat of a "fast food" restaurant too. I don't want it.
I know Gas stations/Get-go's follow strict rules and regulations, but accidents can always happen and I would urge the city council to deny this proposal and not grant it a special exception.
The gas station was denied for a reason in 2012 and nothing has changed since that time, except maybe a better esthetic appeal to the overall mixed use district to some people.
.I have been to almost all of the meetings, I have researched what I could, and I understand that me saying NO to the GetGo will mean me saying yes to the state road 32 layouts.
Our house directly looks at the Harmony Mixed Use district, and I have no problem with it looking like SR 32 if that means it keeps our family safe and not risking the value of our property.
Thank you for your time.

Sincerely,
Tara Magnussen

1361 Trescott Drive
Westfield, IN 46074
August 1, 2016

Mr. Jesse Pohlman, Senior Planner
City of Westfield, Indiana

RE: Harmony 1607-PUD-07
Ordinance 16-12

Dear Mr. Pohlman:

Please add these comments to the file for the official record for the Advisory Plan Commission on August 1, 2016.

First, the developer is proposing to revise the ordinance from the State Highway 32 Overlay District to a new "Village Overlay District" which I believe is more appropriate than that in place currently. That does not mean what is proposed is satisfactory, but merely just a step in the right direction.

I believe a village overlay concept should be focused around the central space of the development, not the corridors passing by on the fringe of the space. Business buildings should be faced inward, promote easy access for pedestrian and non-motorized traffic, and generally enhance the residential neighborhood it will serve. That is the concept utilized in shopping areas as nearby as Clay Terrace.

To this point, the developer has not either understood the basic concept or has chosen to ignore it.

The CVS store proposed should face inward toward the other future businesses and should only be of an architectural design CVS so far has refused to embrace. I refer you to the example submitted by Hilary Machemer of the Cape Cod design already in use by CVS. CVS is only thinking about attracting the traffic flow on 146th Street and is ignoring the village concept envisioned by the community.

Second, I see no reason why the Get Go gas station should be forever tied to the "Village Concept Overlay District". The proposed changes to Ordinance 16-12 would allow that to happen. Chapter 12 of the Uniform Development Ordinance specifies that the proposed gas station receive "a greater level of scrutiny and review." I believe this can only be accomplished by keeping the issues separate from each other.

Again, to this point, the developer has chosen to try and skirt around the spirit of the ordinance in place rather than work within it and work with the community.

There are many more basic issues of landscaping (we should have no deciduous trees), access points to Ditch Road (inappropriate) and 146th St (insufficient), hours of operation (no 24 hour options), basing

delivery and emergency vehicle needs to too small turning radii allowable for safe operation, and requiring access to the apartment complex to go through the commercial area, just to name a few.

Regarding the 146th St. access issues, how does the Hamilton County Highway Department respond to this proposal? The access point into the commercial area and apartment complex from 146th St is grossly inadequate as currently designed. Has anyone performed a traffic study to determine if Ditch Road can handle the increased traffic? How will Hamilton County and Westfield address the increased noise resulting from the increased number of people living and shopping here (and from construction traffic In the short term)?

In summary, it has become clear that in 2 months' worth of meetings and discussions, this developer has not and apparently is not willing to listen to the community and actually develop something that is acceptable. The CVS building is still not of a design that is even close to the desired concept. That the Gas Station is still even being considered should derail the entire proposal. If this is the best they can come up with, then the proposal should be rejected in its entirety except for the new proposed "Village Concept Overlay District". I am truly disappointed in the developer's performance. I expected much better.

Sincerely,

Richard Kissling
melodyandrick@gmail.com
317-414-7529

Jesse Pohlman

From: Stephen Ashman <bentwoodtree@att.net>
Sent: Monday, August 1, 2016 11:00 AM
To: APC
Subject: 146th/ditch retail project

Dear Sirs:

I have been following the discussions regarding the addition of a gas station to the corner of 146th and Ditch roads. As you are aware many residents who have invested in homes near this area have asked (for many reasons) that the construction of a gas station and convenience store should not be allowed in the project.

An article in the July 28 edition of the Indianapolis Star should be reason enough--it states that Indiana is "No. 1 for pharmacy robberies". and that "As security measures in Marion County are ramping up, they're going out to other places,"--meaning the criminals.

With a CVS at that intersection already a potential target for crime why would you want to add what is a very close to second target-- convenience stores and gas stations--to the area?

I have lived in this community for only a year and have recently been alerted to nearby incidents of break-ins and theft in our area already.

I understand the developer's motivation which is money driven--they are a large and powerful company and they have been sitting on this property without much progress for some time and are very eager to move forward with anything they can. My sincere hope is that the council will not allow money only to drive this decision. Truly, there is a gas station and convenience store just 5 minutes away and the same can be said for the CVS.

As stated by the developer they would plan to put fast food stores in place of the gas station. There are many food businesses that could be wonderful additions to the community--we all know what comes with a gas station--perhaps taking a chance on the food establishments is a better decision, and I am sure the CVS would approve a softer facade with or without the gas station if the developer is willing to take away their threats.

Let's work together to find businesses designed to suit the real needs of the community. I urge the council to do whatever it can to prevent the gas station from becoming a negative addition to this area.

Most Sincerely,

Janet Ashman
1354 Monmouth Dr.

Jesse Pohlman

From: Goldstein Family <goldstein61025@gmail.com>
Sent: Monday, August 1, 2016 11:12 AM
To: Jesse Pohlman; APC
Subject: Petition against zoning changes 146th/Ditch
Attachments: Kingsborough Petition.pdf

Jesse and APC members,

I'm attaching a petition signed by numerous members of the Kingsborough subdivision in Carmel who are opposed to the proposed changes to the Westfield zoning that would allow the gas station and potentially increase the scope of fast food there.

Details are in the PDF but our primary concern is stopping the gas station. Reducing fast food expansion is our secondary concern. We also agree that members of Harmony/Centennial that have to look at the development every day should be involved in the process of finalizing look/feel.

I look forward to the APC meeting tonight. See you there.

Marc Goldstein
1375 Kirklees Drive
Carmel, IN 46032
317-964-1472

To the Westfield APC

RE: Petition against zoning changes to allow gas station at 146th/Ditch road.

The attached petition with signatures represents more than 24 signatures from 18 homes within the Kingsborough subdivision of Carmel in zip code 46032. Kingsborough is a development of 106 homes; during the knock-on-door phase we got 12 homes signed up just from our single block of Kirklees Drive plus adjacent corner homes on other streets. 100% of contacted homes opposed the development and signed the petition. Several additional signatures were obtained by leveraging social media. Due to a vacation I was unable to knock on additional doors but will do so in the future if it would be helpful; for now I offer this as testament to the strong opposition to the 1607-PUD-07 proposed zoning changes.

Thank you for your continued openness to community input regarding this controversial proposal.

Sincerely,

Marc Goldstein
1375 Kirklees Drive
Carmel, IN 46032
317-964-1472

Total 18 Homes

PETITION

6 Homes This Page

We, the Kingsborough neighbors of the HARMONY PUD at 146th and Ditch Rd. Westfield, IN 46074, state that we are in agreement of the following items regarding the commercial development being proposed at the corner of 146th and Ditch:

1. **NO GAS STATION NORTH OR SOUTH OF THE OLD OR NEW 146TH ST.**

2. **NO CHANGES TO THE ZONING REGARDING THE FAST FOOD: NO ADDITIONAL FAST FOOD SITES SHOULD BE APPROVED AND NO CHANGES SHOULD BE MADE TO THE ALLOWABLE FAST FOOD FRANCHISE TYPES.**

3. **The commercial buildings should be designed in accordance with the originally approved plans, and factor in Harmony/Centennial resident concerns regarding exterior appearance.**

4. **Special attention is to be given to layout and facilities that will promote a family friendly atmosphere with pedestrian and bike movement along with automobiles.**

Petition

We, the undersigned, would appreciate your help in our efforts to see that the above items are a major piece of any proposal that will be considered by the Westfield Planning Commission and Westfield City Council. Thank you.

Name	Signature	Address (# & Street)
Marc Goldstein		1375 Kirklees Drive
Anne Conley-Goldstein		1375 Kirklees Drive
Al Lowe		1374 Kirklees Drive
Kevin Zhang		1372 Kirklees Drive
Marita Jones		1373 Kirklees Dr.
Michael Brennan		1367 Kirklees Dr.
Janine Hopwood		1363 Kirklees Dr

8 Homes
This Page

Stanley Chan		1361 Kirklees Dr Carmel IN 46032
Raymond Muller		1360 Kirklees Dr
John Delaney		1364 Kirklees Dr Carmel IN 46032
Neil Zlatnski		1368 Kirklees Drive Carmel IN 46032
Lynn Zlatnski		1368 Kirklees Dr Carmel, IN 46032
Lynne Wiegand		14161 Wickersworth Way Carmel, IN 46032
Lauren Mossakowski	See Attached	14163 Ivybridge Drive
Milton Hatfield	See Attached	14247 Saffron Circle
Alison Day	See Attached	14108 Welford Way

1 Home
This Page

PETITION

We, the Kingsborough neighbors of the HARMONY PUD at 146th and Ditch Rd. Westfield, IN 46074, state that we are in agreement of the following items regarding the commercial development being proposed at the corner of 146th and Ditch:

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Petition

We, the undersigned, would appreciate your help in our efforts to see that the above items are a major piece of any proposal that will be considered by the Westfield Planning Commission and Westfield City Council. Thank you.

Name	Signature	Address (# & Street)
Rex & Meagher Wolf	[illegible]	1371 Kirkleas Dr.

I Have
This Page

PETITION

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Petition

We, the undersigned, would appreciate your help in our efforts to see that the above items are a major piece of any proposal that will be considered by the Westfield Planning Commission and Westfield City Council. Thank you.

Name	Signature	Address (# & Street)
Marcy Carmichael	MJ Carmichael	1371 Newcastle Dr.

Leave at 1375 Kirklees Dr.

PETITION

2 Homes This Page

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Petition

We, the undersigned, would appreciate your help in our efforts to see that the above items are a major piece of any proposal that will be considered by the Westfield Planning Commission and Westfield City Council. Thank you.

Name	Signature	Address (# & Street)
Dawn Waddell	Dawn Waddell	14127 Ivybridge Dr. Carmel 46032
Dylan Waddell	Dylan Waddell	14127 Ivybridge dr. Carmel 46032
Oscar Waddell	[illegible]	14127 Ivybridge Dr, Carmel 46032
Bonnie Myers	[illegible]	14162 Ivybridge Dr. Carmel 46032
Keith Myers	[illegible]	14162 Ivybridge Dr Carmel 46032
Colten Myers	Colten Myers	14162 Ivybridge Dr Carmel 46032

Supporting Documentation

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Inbox » RE: Opposing the Ditch Rd Gas Station: MONDAY NIGHT MEETING REMIND

Conversation between you and Alison Day from Kingsborough

Alison Day (/profile/10617271) 3 hours ago
I authorize you to sign the petition against zoning changes for me.
Jon and Alison day
Kingsborough

Marc Goldstein (/profile/11400278) 3 hours ago
Great! Thanks! Which address?

Alison Day (/profile/10617271) 2 hours ago
14108 Welford way

(/profile/11400278)
Write a reply...

Reply

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Inbox » Zoning

Conversation between you and Lauren Mossakowski from Kingsborough

Lauren Mossakowski (/profile/11312836) 3 hours ago

"I authorize you to sign the petition against the zoning changes for me. My husband also authorizes you to sign for him

Thank you!

14163 IVYBRIDGE Drive

(/profile/11400278)

Write a reply...

Reply

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Inbox » 146th street petition

Conversation between you and Milton Hatfield from Kingsborough

Milton Hatfield (/profile/3345522) 5 days ago

Marc, I would be happy to sign the petition. I am opposed to the project! Address 14247 saffron circle. Thank you

Marc Goldstein (/profile/11400278) 5 days ago

Thank you Milton!

(/profile/11400278)

Write a reply...

Reply

Jesse Pohlman

From: Sidney Chang <nujac@earthlink.net>
Sent: Monday, August 1, 2016 11:45 AM
To: Jesse Pohlman
Subject: Construction of Get Go gas station.

Mr Pohlman

After the neighbor hood meeting on Gas station at the SW conner of 146th and Ditch Rd, I like to have more information on the gas station, especially the view from the South side to the Get Go gas station, I also like to see the diagram or the views of gas station before the reducing the buffer zone change and after. The proposed gas station have 3 exits 1 connect to the new 146th and 2 exits on the norther side of old 146th. The design will not only increase the traffic on the old 146th dramatically and totally destroy the purpose the frontage road and turn that section of 146th street into Get Go gas station private drive way. 2 exits on old 146th is No, No, No. My house is located on the back of propose gas station, without knowing what my house are going to face and current design of gas station, my family is object the current proposal of Get Go gas station at 146th and Ditch Rd.

Sidney & Yana

Your neighbor from Carmel.

Jesse Pohlman

From: Amy Anderson <amya14466@gmail.com>
Sent: Monday, August 1, 2016 5:21 PM
To: Jesse Pohlman; Council Members; Cari Hahn; jbrainard@carmel.in.gov
Subject: Harmony PUD

TO: Jessie Pohlman, Westfield City Council, Advisory Plan Commission, Mayor Brian Sullivan, Mayor James Brainard

FROM: Amy Anderson
14466 Welford Way
Carmel, IN. 46032

RE: Harmony PUD

I remain opposed to the development of a gas station at the corner of 146th Street and Ditch Road. I have major concerns about the increase in traffic on Ditch Road that the requested revision by Crowley and Associates would cause. If you vote for the gas station, I believe the value of my home will decrease by more than if you leave it the way the PUD currently is approved. Either way, I will see a decrease in the value of my primary financial investment and would hope you would consider this in your decision. I also have concerns that have been expressed at previous public hearing that include noise, trash, light and air pollution just to name a few.

Regardless of your decision, please consider or ask the following:

1. What type of fencing (screening) beyond landscaping will be provided to Carmel homeowners that have a direct view of the development?

2. Why does the traffic plan allow for an east bound left hand turn from the old 146th Street onto the northbound Ditch Road? The intersection of old 146th Street and Ditch is too close to the new roundabout to safely make a left turn onto Ditch. We also want consideration that limits the use of Ditch and the Brookstone Park subdivision entrance to be used for making U-turns by those wanting to go north on Ditch or west on new 146th Street. Our feeling is that they should be using the new well planned roundabout on the new 146th Street and Ditch.

3. Please ask that no backlit signage be allowed.

If you do allow a gas station as recently explained at an open meeting held by Crowley please consider or answer the following:

1. Why doesn't the plan for the gas station have adequate entrances/exits directly onto the new 146th Street? The current plan shows more entrances/exits on the old 146th Street. What is the rationale for this? We were told the primary traffic street would be the new 146th Street. Shouldn't the businesses be mostly confined to the new 146th Street instead of routed around our homes and neighborhoods?

2. Can the gas station be forced to have the pumps along the new 146th Street to mimimize the effect on the Carmel/Ditch side of the property?

3. Can you have the developer put a up a wall with the landscaping along the side of the property by the pond to reduce noise, trash, fumes and visually be more appealing to neighbors to the south and west (similar to the wall between Westfield residents and 146th Street from Oakridge to the the beginning of the apartments)?

4. Why are the majority of the entrances to the gas station at the opposite end of the property from the pumps?

5. Can the number of pumps be reduced to allow for an additional entrance onto the new 146th Street? If not, why not? Please require the developer to have no more entrances/exits onto old 146th Street than they have on the new 146th street.

6. Will triple walled gas tanks with alarms be required or will the developer use EPA minimums. What warranty is included by the manufacturer of the tanks and what amount is the company insured for?

7. Will alternative forms of fuel be available I.e. Electric and natural gas?

8. What is the planned name for the old 146th Street to identify it from the new 146th Street?

I respectfully look forward to you response to my concerns and questions.

Amy Anderson

Sent from my iPad