

The Westfield-Washington Advisory Plan Commission held a meeting on Monday, November 17, 2008 scheduled for 7:00 PM at the Westfield City Hall-Council Chambers.

Opening of Meeting 7:00 PM

Roll Call – Note Presence of a Quorum

Commission Members Present: Robert Smith, President; Cindy Spoljaric, Vice-President; Pete Emigh, Robert Horkay, Daniel Degnan, Bill Sanders, Bob Spraez, and Rob Stokes.

Commission Members Absent: Ginny Kelleher

City Staff Present: Gregory J. Anderson, Director Community Development; Brian Zaiger, City Attorney; and Kevin Todd, Planner II.

Approval of the Minutes:

Spoljaric questioned page 5, incomplete condition; need verbiage added.

Motion: To approve the October 20, 2008 Public Hearing Meeting Minutes as amended.

Motion by: Sanders; Second by Emigh; Approved by Voice Vote

The amended minutes will be included in the next APC packet.

The Public Hearing Rules and Procedures were reviewed.

Anderson reviewed the agenda and any changes, continuances, and/or withdrawals.

NEW BUSINESS

Case No.	0811-DP-14 & 0811-SIT-12
Petitioner	Primrose School Franchising Company and Schneider Engineers
Description	14807 Gray Road (<i>approximate address</i>) Requests Development Plan Review for a proposed commercial facility on approximately 1.63 acres in the Bridgewater PUD District.

Anderson introduced the petition and reviewed the petition history.

Todd reviewed the staff report and addressed any deficiencies previously identified at the workshop meeting including, landscape plan and lighting. He stated there were some issues with the species selected for the shade trees; those issues have been resolved and

the landscaping plan is fully compliant at this time. He stated that on the lighting plan, staff questioned whether the fixtures selected were complaint; it has been determined the fixtures are compliant and missing information has been submitted. Lastly, he stated the photometric plan is also compliant.

Discussion followed regarding:

- Horkay discussed the lighting of the flag pole. Anderson responded staff will look into this issue and work with the petitioner.
- Spoljaric asked about the vinyl chain link fence. Todd responded the Bridgewater PUD does not speak to this issue; according to the City Standards, this is a perfectly acceptable fence in the City of Westfield.
- Spoljaric complimented staff on the completeness of the staff report.

Mr. Mark Pavey, Children's Design Group, stated they are available for any questions of the Commission. He stated as far as the sign light, a down light will be attached to the sign which will light the sign straight down. He will discuss the flag light with the client.

A Public Hearing opened at 7:20 p.m.

Ms. Ann Vandever expressed concern about the natural spring water, Mitchell Ditch; the contamination of the well water, no fertilizer, no run off, and no bad water.

Mr. Brandon Burke, Schneider Corporation, responded to Vandever's concern stating this project is part of a master plan development from a storm water quantity aspect, and that there is a regional detention pond that all the outlots will drain to. He further stated that the state's regulations for storm water quality have been adhered to and that prior to any discharge from this site or any water coming onto this site, it is routed through storm sewers, but just prior to being discharged into the detention pond, it goes through an aqua swirl device, which is part of a storm water quality treatment standard to remove 80% of total suspended solids. Those requirements have been reviewed and storm water quality has been implemented on this project.

Vandever asked what is done with the other 20% of solids.

Burke responded that storm water runoff from the project goes to the detention pond, and water from the building will be filtered through sod, grass which is the filtering process. In addition to that it will be going through the aqua swirl device.

Vandever was advised to confer with the Westfield Public Works Department for further review of the water quality.

The Public Hearing closed at 7:26 p.m.

Motion: To approve 0811-DP-14 & 0811-SIT-12 with the following condition:

- That all necessary approvals and permits be obtained from the WPWD and the Hamilton County Surveyor's Office prior to the issuance of an ILP for the proposed building.

Motion by: Emigh; Second by: Sanders; Vote: 8-0

Case No. 0811-PUD-03
Petitioner FMH Family Limited Partnership
Description 704 East State Road 32 (*approximate address*) Requests an amendment to the Oak Ridge Pointe PUD District to allow the addition of approximately 1.593 acres.

Anderson introduced the petition, stating this is an amendment and restatement of the original PUD.

Todd reviewed the staff report and addressed previous concerns of the Commission from the Workshop meeting, including questions about additional signage and the change in signage for Commercial District 3 of the development. He stated the petitioner originally requested 120 square feet per face to be a monument sign on SR 32 in addition to a 30 square foot sign per face on Oak Ridge Road to the north of SR 32; the Commission requested this be reduced. He further stated the petitioner has proposed 90 square feet per face and nine foot height maximum on SR 32 and keeping with the same 30 square feet per face on Oak Ridge Road. Staff recommends sending this petition to the City Council with a positive recommendation.

Mr. Jon Dobosiewicz, Nelson & Frankenberger, provided background history on the project, discussed the newly added parcel, and presented modifications including: Page 3, deleting Melody Sweat since she resigned from City Council; Article 3, change Town to City; Article 6, correction on building permit fees; and add to sign section that the sign located along SR 32 with in Commercial District 3 would be a minimum of 400 feet offset from the sign along SR 32 in the other district.

A Public Hearing opened at 7:45 p.m.

No one spoke and the Public Hearing closed at 7:46.

Sanders asked if the decision is made to sell off a portion or all of the phases, will there be any kind of restriction that will pass concerning mutual access between the phases so there will be no request for additional curb cuts.

Dobosiewicz responded this issue is being dealt privately with a mutual agreement on cross access.

Motion: To send 0811-PUD-03 to the Westfield City Council with a positive recommendation.

Motion by: Sanders; Second by: Spratz; Vote: 8-0

Dobosiewicz asked for clarification that the positive recommendation included the modifications discussed during the petitioner presentation.

Smith confirmed the recommendation did include the previously discussed modifications.

Case No.	0811-CPA-02
Petitioner	City Staff
Description	Thoroughfare Plan Amendment; The City of Westfield is requesting an amendment to the text and exhibits of the Thoroughfare Plan, as a component of the Comprehensive Plan, with regard to the Bicycle and Pedestrian Plan and the right-of-way requirement for the downtown segment of State Road 32.

Anderson reviewed the Thoroughfare Plan amendment. Anderson is asking that the portion of the right of way requirement be deleted out of this request, stating this portion is more complicated than trying to present this evening, but it will be brought back and presented at a later date. However, he stated we are still moving forward with the first part, which was presented at the workshop meeting which is to reroute and reconfigure the Monon-Midland Trace loop.

A Public Hearing opened at 7:54 p.m.

No one spoke and the Public Hearing closed at 7:55.

Motion: To send 0810-DP-13 to the Westfield City Council with a positive recommendation.

Motion by: Emigh; Second by: Sanders; Vote: 8-0

DELEGATED TO STAFF

Case No.	0811-SFP-04
Petitioner	Weihe Engineers
Description	700 East 156 th Street; Requests an amendment to the previously-approved secondary plat of Lots 20 and 21 in Valley View at Viking Meadows, Section 1, amending the common property line between the two lots.

Anderson stated this item requires no action; it is simply to notify the Commission and keep them informed.

PLAN COMMISSION COMMENTS

Spoljaric asked for clarification on the zoning ordinance amendments. She also asked Mayor Cook if he had any comments.

The Mayor stated the decision was made to approach the Council and the Commission to determine what the expectations were of not only what the ordinances were to be but in what format they would be written in and also to better define what the process is that they will be introduced by, be it either an ordinance or a rezone. He further stated staff has done some research and interviews and are in the process of finalizing the information to develop more firm definitions and policies so staff can bring forth the zoning ordinance in the desired manner. He also stated he has requested that beginning in January staff begin better defining the process and have it finished by April.

Anderson clarified that format means technical, form based, etc. He also stated the ordinance is still being rewritten, reviewed, and developed.

Degnan stated the staff reports are much more complete and easier to understand and wanted to thank staff.

ADJOURNMENT (8:07)

Approved (date)

President, Robert Smith, Esq.

Vice-President, Cindy Spoljaric

Secretary, Gregory J. Anderson, AICP