

WRITTEN PUBLIC COMMENT

Docket Number: 1606-PUD-07
Petitioner: TMC Developers, LLC by Nelson & Frankenberger
Request: Petitioner requests an amendment to the Mixed Use District of the Harmony Planned Unit Development (PUD) Ordinance.

Enclosed Attachments:

- | | |
|-----------------------------------|--|
| 1. Rochester Email (06/03/16) | Jen and Derek Rochester (Harmony) |
| 2. Cardimen Email (06/03/16) | Michelle Cardimen (Harmony) |
| 3. Eggleston Email (06/03/16) | Ann Eggleston (Brookstone Park) |
| 4. Raftery Email (06/03/16) | Scott Raftery (Harmony) |
| 5. Sell Email (06/03/16) | Mark and Gina Sell (1611 W 146 th St) |
| 6. Towne Email (06/03/16) | Brittney Towne (Harmony) |
| 7. Schaaf Email (06/03/16) | Mark and Carla Schaaf (Harmony) |
| 8. SW Centennial Email (06/03/16) | Bruce Watson on behalf of SW Centennial area |
| 9. Patterson Email (06/03/16) | John Patterson (Village Farms) |
| 10. Taylor Email (06/03/16) | William and Jennifer Taylor (Centennial) |
| 11. Vahrenkamp Email (06/03/16) | Erin Vahrenkamp (Brookstone Park) |
| 12. Simonson Email (06/03/16) | Barbara Simonson (Centennial) |

Jesse Pohlman

From: Jen Rochester <Rochester@bigi.org>
Sent: Friday, June 03, 2016 8:46 AM
To: Jesse Pohlman
Cc: drochester@theoris.com
Subject: Harmony Mixed Use / Development at 146th & Ditch

Hello Jesse,

I'm a new resident of Westfield, living in Harmony. We just moved into our beautiful new home in late March. My husband, Derek and I have concerns over the development being discussed for our neighborhood. I've heard a few things, namely a CVS, a gas station, and a fast food restaurant. I'm extremely concerned with both the gas station and the fast food restaurant. I feel like we moved into a very elegant and pricey neighborhood, with promises of high-end use for the new development, and this sounds like cheap commercial. I'm very much in favor of a NICE restaurant and as a family who likes to eat out, we'd likely frequent a location near us. Even something one step up from fast food like a Panera or similar but a fast food restaurant with a drive-thru paired with a gas station is exactly why we moved from Nora to Westfield. We wanted to escalate our surroundings and now I feel like they are being brought right back down to all the ugliest of commercial uses – and not only that, but literally in our backyard.

We are very concerned and can only hope that you are working in our best interests and choosing commercial development that enhances the new, up-and-coming, beautiful Westfield, set apart from its neighbors in class and city management.

If you have any suggestions as to who further I may contact, or meetings to attend, please let me know. I welcome any opportunity to discuss this further.

Jen & Derek Rochester
14933 Pollard Drive, Westfield
317-775-9229

Jesse Pohlman

From: Michelle Cardimen <mcardimen@icloud.com>
Sent: Friday, June 03, 2016 9:05 AM
To: Jesse Pohlman
Subject: Harmony PUD

Jesse,

I was very discouraged after attending the meeting last night at the Westfield City Hall.

I just purchased a home in Harmony and moved in in December 2015. We were made aware of the commercial development but were informed that it would be a "quaint" retail corner that would fit with the residential appeal of both Harmony and Centennial. We were told the concept was to create a continuation of the Carmel appeal into Westfield City Limits.

I am terribly concerned as the homeowner directly north of the pond along Ditch Road. We were required to upgrade the back of our property which cost us approximately \$15,000.00 including decorative fence so that it was appealing to the city. The commercial property should be held to the same standards.

I have multiple concerns:

1. The types of businesses should reflect the type of neighborhood we are trying to achieve. Coffee shops, small sit down restaurants, banks, cafe's, ice cream or smoothie place. No fast food and no gas stations.
2. The hours of operation should not be of a 24 hour nature. 8am-10 pm to keep people away from residential areas at night.
3. The aesthetics of the landscape and building should be close to the architecture of the surrounding community with green space. This is supposed to be a village feel. That is what we were promised when we moved into the Harmony Development.

I will be at the meeting Monday. I am not opposed to the development as long as it is done with surrounding residential area taken into account.

Please represent the neighborhood views when this goes to a vote.

Michelle CARDIMEN
14917 Pollard Drive
Harmony Development
317-414-5984

Sent from my iPhone

Jesse Pohlman

From: Ann Eggleston <kaeggleston@sbcglobal.net>
Sent: Friday, June 03, 2016 9:14 AM
To: Economic Development
Subject: Development at 146th Street and Ditch Road

Hello,

My name is Ann Eggleston and I live in Brookstone Park Subdivision located on the southeast side of 146th Street and Ditch Road. I attended the Information meeting last night (6/1) to discuss the planned development at 146th Street and Ditch.

I am concerned that the new proposal includes an exception to the 2012 requirements to allow a Get and Go Gas station on the southwest corner of 146th and Ditch.

A gas station is unacceptable for the area. This is a residential area and I very disappointed that a developer with local ties would even consider constructing a gas station in a residential area. The lights, traffic and trash that go along with a gas station is unacceptable. Besides, the proposed gas station would sit right in front of an existing home.

I encourage the Board to vote against the requested zoning exception for the tract of land on the southwest corner at 146th street and Ditch road.

I am not opposed to the development on the northwest corner but the proposed design of the CVS store must be improved to blend in with the architect design of Harmony. A red brick building with bright lights is not acceptable.

Thank You

Ann Eggleston
317-407-2478

Jesse Pohlman

From: Scott Raftery <sraftery20@gmail.com>
Sent: Friday, June 03, 2016 10:39 AM
To: Jesse Pohlman
Subject: Harmony Neighborhood

Jesse,

I built and moved into our retirement home in Harmony in October, with the hopes that Westfield would not continue to put a drug store and gas station on every corner. A CVS is currently being built on 161st as well as the existing ones (Walgreens/CVS) on 32/Carey. We also have plenty of brand new gas stations on 32 that the council approved. The low end/cheap commercial/retail development (fast food, gas stations, drug stores) need to stay close to Grand Park, like we were promised and NOT be placed into/right next to our neighborhoods. If you need guidance, look to Carmel and Zionsville as to how they protect their neighborhoods and have development near and in their downtown commercial areas.

Sent from my iPhone

From: Gina Sell [mailto:magisell@aol.com]
Sent: Friday, June 03, 2016 11:15 AM
To: Jesse Pohlman <jpohlman@westfield.in.gov>
Subject: Proposed Gas Station 146th and Ditch

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

This type of business would decrease our property values while increasing crime; it will create a chokepoint for traffic. Gas stations bring lights, chemicals, noise, and trash pollution with it - we do not want to allow it to be that close to the vicinity of our homes where our children play.

To provide high visibility to passing motorists and fend off would-be armed robbers, gas stations are very well lit. This can cause light pollution to the surrounding area and can be a particular nuisance if the station continues to operate late into the night or 24 hours a day, as many stations choose to do.

Gas stations have large and numerous curb cuts to allow for the easy flow of traffic, but these curb cuts interrupt the sidewalk and create an unpleasant and unsafe environment for pedestrians and bicyclists.

But more importantly the main reason we do not want this gas station is the potential exposure to Benzene. The air around gas stations have been found to have significantly higher levels of carcinogens such as Benzene that put current and future generations at higher risk for various cancers. Benzene is a known carcinogen that has been shown to affect the central nervous system, respiratory track, and the immune system. After prolonged exposure, it has also been shown to cause brain damage, anemia, and leukemia. Toluene is another chemical that is found in gasoline vapors; and it is associated with cardiac arrhythmias, liver and kidney failure, and developmental problems in fetuses.

Scientists carried out 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.

Despite all the modern health and safety guidelines they must follow, gas stations can still pose significant hazards to neighbors, especially children. Some of the perils include ground-level ozone caused in part by gasoline fumes, groundwater hazards from petroleum products leaking into the ground.

A new study suggests that drops of fuel spilled at gas stations — which occur frequently with fill-ups — could cumulatively be causing long-term environmental damage to soil and groundwater in residential areas in close proximity to the stations.

“When gasoline spills onto concrete, the droplet will eventually disappear from the surface. If no stain is left behind, there has been a belief that no gasoline infiltrated the pavement, and all of it evaporated,” Hilpert says. “According to our laboratory-based research and supported by our mathematical model, this assumption is incorrect. Our experiments suggest that even the smallest gasoline spills can have a lasting impact.”

Many homes on the southside of 146th utilize wells for their water supply. Another study said wells should be at least 500 feet from a gas station.

A research study shows that a "minimum" of 328 feet should be the distance from "especially vulnerable" facilities such as hospitals, health centers, schools and assisted living centers. How far away is Copper Trace?

The board has already approved construction of a gas station at Towne and 146th street. There is no need for this gas station.

For the safety of our children and future generations we implore you to deny the request for inclusion of a gas station on the Southwest Corner of 146th and Ditch. Ask yourselves, would you expose your child to the risk of cancer for a few more tax dollars? Deny this request. It would be unconscionable to do otherwise.

Sincerely,

Mark and Gina Sell
1611 W. 146th Street
Carmel, IN 46074
magisell@aol.com



Jesse Pohlman

From: Brittney Towne <bgailcrane@hotmail.com>
Sent: Friday, June 03, 2016 11:39 AM
To: Jesse Pohlman
Subject: 146th & Ditch Commercial Development

Mr. Pohlman:

As a homeowner in the Harmony community, I would like to formally voice my concerns regarding the commercial project at 146th and Ditch that will be presented to the planning commission on Monday, June 6th. While understanding that the area was always zoned commercial, the types of businesses initially presented were drastically different than the properties being petitioned now. Gas stations, fast food restaurants and big box stores will severely degrade property value, affect quality of life with increased traffic (including semis and other delivery trucks) and potentially affect health and safety with water runoff issues and 24 hour commercial activity. I urge the commission to look at The Village Of Westclay in Carmel as a model of a master planned community. They have managed to seamlessly blend commercial and residential sites while respecting the aesthetic of the community. The plans that are before the committee do not match the aesthetic of Harmony or any of the surrounding communities. The same thought and planning that goes into communities in Carmel need to be applied in Westfield. Please, take the time to invest in our city and make it the best it can possibly be.

Sincerely,
Brittney Towne
1617 Rosebank Drive
Westfield

Sent from my iPhone

Jesse Pohlman

From: Mark Schaaf <mschaaf@mac.com>
Sent: Friday, June 03, 2016 1:46 PM
To: Jesse Pohlman
Cc: Carla Schaaf; Andy Schaaf; Andy & Erin Schaaf; paulestridge@estrige.net
Subject: Design Changes at 146th & Ditch Road

June 3, 2016

Dear Jesse,

We attended the meeting on Thursday evening regarding the property development at 146th and Ditch Road. Just six weeks ago we moved into our new home in Harmony which is two houses north of pond one and our backyard backs up to Ditch Road.

When we purchased the lot and were in the process of designing our home, we were told that because the house backs up to Ditch Rd., Westfield required that we had to meet certain architectural standards. We incurred extra cost because of these requirements and were happy to comply because of Westfield's high standards. Frankly, we were excited about this because, after 42 years in Carmel, we became accustomed to the same high standards. We were also told that the commercial development to the south of us would also comply with the same standards and fit the architecture of the Harmony and Centennial communities.

Last night we were told that the standards that Westfield originally planned for our area were to match those along State Road 32. That area is very commercial, definitely not residential. As surely you can understand, times have changed and so have the circumstances.

The design that we saw for the CVS pharmacy is totally out of character for the surrounding neighborhoods and is unacceptable. We have no objection to a pharmacy, but CVS must be held to the same design standards that we homeowners must comply with. Just one example is the gaudiness of the big sign on the front of the building.

In addition to the issues regarding the design of the buildings, we are concerned about landscaping and lighting. When we looked at the plans online, we saw provision for a few trees on the south side of the ponds. We would like to see a large mound of earth with shrubbery and trees to shield our neighborhood from the noise and lighting that would accompany these businesses. We want to be good neighbors and we expect that they be good neighbors as well.

We hope and, frankly, expect that the city of Westfield will look out for our interests as new residents and see beyond the financial gains that may be possible. We feel that the residents of Centennial and Harmony will be able to find common ground with the commercial developers so that everyone will be comfortable and that we will be good customers as well as good neighbors.

Sincerely,

Mark and Carla Schaaf
14925 Pollard Drive
317-439-7540

Jesse Pohlman

From: Bruce Watson <bruce@bwatson.us>
Sent: Friday, June 03, 2016 1:43 PM
To: Jesse Pohlman
Cc: jplankis@gotown.net
Subject: Notes on the Harmony Mixed Use Development
Attachments: PUD Changes Letter to APC 060216.docx

Jesse,

The attached notes regarding the Harmony mixed Use Development reflect the opinions, concerns and objections of the residents in the SW Centennial area which is directly adjacent to this development. Please forward this on to the APC members and the City Council for their consideration.

Thank you for your assistance.

Bruce

Bruce A. Watson
Representative for South Centennial Residents
1355 Trescott Dr.
Westfield, IN 46074
317-443-3101

June 2, 2016

RE: Neighborhood Meeting – Proposed Amendment to the Harmony PUD mixed Use District – 1606-PUD-07

Comments / Concerns / Objections to Proposed Zoning Changes – Southwest Centennial Residents

1. In 2012 when the Harmony PUD was first proposed, the SW Centennial Residents were opposed to a Fueling Station and Convenience Store in the midst of a residential neighborhood, and still are today. At that time this was excluded from a use in this commercial development. In our opinion, nothing has changed. We continue to be strongly opposed for the following reasons:
 - a. Possible air and water pollution from the fueling Station
 - i. Runoff drains into retention ponds that drain into protected wetlands
 - b. A gas station does not belong in the middle of a residential area
 - c. Increase in traffic volume and noise 24/7
 - d. Convenience Stores attract crime and transient customers
 - e. A gas station will significantly devalue the properties on the old 146th St. who would look directly at this property

The better place for this use would be in the proposed commercial development at 146th & Town Rd. where there are no homes today that would be affected by it. If homes are eventually built in that area, it would be the choice of the homeowners to live in proximity to a Fueling Station/Convenience Store, rather than forcing it on existing residents.

2. Likewise, in 2012 when the Harmony PUD was first proposed, the SW Centennial residents were opposed to a Fast Food restaurant in the mixed use development, and still are today. This type of restaurant does not fit with the nature of small retail businesses in the midst of a residential development. We are opposed for the following reasons:
 - a. An increase in traffic volume and noise on 146th & Ditch Rd. all hours of the day and night
 - b. Offensive cooking odors waiving over our residences due to the prevailing winds from west to east
3. The residents on Trescott Dr. whose homes back up to Ditch Rd. object to the addition of a right in-right-out drive between the 146th St. and Somerville Rd. roundabouts. Due to the increased grade of the land, headlights from vehicles exiting onto Ditch Rd. will shine over the top of the existing fence and into the living spaces of these homes.
4. The increase in height of the grade of the Mixed Use District has already created a drainage problem on Ditch Rd., and in the back yards of homes on Trescott Dr. and Somerville Dr. When Ditch Rd. is reconstructed, and raised to address the puddling issue, more water will be forced toward the back yards of these homes. This drainage issue must be addressed.

The excess roof and surface coverage of large flat roof structures and paved parking and roadways, will only exacerbate this problem.

The height of the grade of this Mixed Use area will also create a light pollution issue for the homes on Trescott Dr. that back up to Ditch Rd. and this development. Although shorter light poles and down lighting may be used, the grade is so high that that the lights will still shine into the living spaces of our homes. Turning vehicle headlights in the proposed parking areas, will also shine over the existing fence behind the homes on Trescott Dr. This issue needs to be addressed by the type of lighting used along with light shields, and by mounding/berming and the dense planting of evergreen trees and shrubs and/or the replacement of the existing fence with a taller one.

5. While the addition of a CVS Pharmacy is not necessarily objectionable, the proposed architectural design is. The ordinance specifically excludes "Corporate architecture", and the proposed design would violate this exclusion. Although the proposed architectural design conforms to the Rt. 32 Overlay, the design does not blend in with the appearance of its' residential surroundings. Architecture similar to that approved for the CVS store in the Springmill Station development would be more suitable for this type of building in a residential area. The architecture should include elements from the surrounding residential and commercial buildings (ie. Copper Trace, Harmony and Centennial).

Similar design elements should be applied to all of the structures in this development to create a consistency of appearance throughout the mixed use development.

6. Also opposed, is the addition of a retail strip center at the NE corner of the development. As originally proposed there were going to be a number of smaller, stand-alone buildings in this area. In 2012, this project was visualized, sold to the City and surrounding residents, and approved as a quaint, neighborhood marketplace with boutique shops and small family restaurants, a coffee shop, and a small grocery store. The proposed changes to the PUD will change the nature of the development into a high volume, high traffic commercial district with a significantly negative impact on the surrounding residences.

The surrounding residents are willing to work with the Developer to effect positive change that will complement the residential area in which this development is to be situated. We would like to see this area become a jewel in the community, and one that will attract families to live in the surrounding communities, and improve the values of our properties.

Bruce A. Watson
South Centennial Representative
1355 Trescott Dr.
Westfield, IN 46074
317-443-3101

Jesse Pohlman

From: John David Patterson <patterson_john_d@lilly.com>
Sent: Friday, June 03, 2016 2:40 PM
To: APC
Subject: 146th and Ditch

I am a Westfield resident that lives very near the 146th and Ditch area. I am objecting to any plans or consideration to grant an exception for the construction of a gas station/convenience store in this area. It is not needed as we have plenty of gas stations in the immediate area. This is a residential area and the area remaining to be developed should not be just thrown together with fast food restaurants, gas stations, etc. Instead please consider that you are making a statement for the rest of the 146th street corridor and compliment it rather than detracting from it. Make it unique.....make it stand out as a statement.....do not devalue the area by allowing crap to be built.

Thank you,
John Patterson

Jesse Pohlman

From: Bill Taylor <wataylor04@gmail.com>
Sent: Friday, June 03, 2016 3:02 PM
To: APC
Subject: 146th & Ditch Proposal

To whom it may concern,

I'm a resident of the Centennial subdivision and am very concerned about the proposal currently being discussed for the intersection at 146th and Ditch Road. When we moved in there was not approval for a gas station and to see it now being seriously considered feels like a bait and switch which certainly isn't what we expected when moving to Westfield. I'm concerned about what impact this proposal will have on traffic, crime, property values, etc. I certainly hope the planning commission will hear the voices of the citizens this proposal will impact and decline to approve the variance.

As for the CVS I understand that the zoning already allows for it but the distressing part is the design that is being considered. There are strict design standards placed on the homes in the neighborhoods immediately adjacent to this property and to hear that the CVS won't have the same strict standards just doesn't make sense. With the explosive growth Westfield is experiencing right now it's imperative that design standards are such that we can all look at new development and be proud to have it in our city.

I certainly want to be a good neighbor and understand that growth brings change and new opportunities but it's vital that the voices of the citizens of Westfield be heard to keep the city moving forward in a successful and positive manner.

Thank you,

William and Jennifer Taylor
14934 Declaration Drive
Westfield, IN 46074

From: Erin Vahrenkamp [mailto:erin.vahrenkamp@gmail.com]
Sent: Friday, June 03, 2016 4:08 PM
To: APC <APC@westfield.in.gov>
Subject: Re: Proposed GetGo Station at 146th & Ditch Road

To the members of the Advisory Planning Commission, City of Westfield:

My name is Erin Vahrenkamp and I am the resident owner of a home at 1359 Holden Ct. in Carmel, within the Brookstone Park subdivision on the southeast corner of 146th St. and Ditch Rd.

I am writing in regards to agenda item 1606-PUD-07 for the Monday, June 6th meeting of the APC, regarding an amendment to the mixed-use district of the Harmony PUD. TMC Developers, LLC proposes changing the existing zoning to allow a GetGo gas station to be built on the southwest corner of 146th and Ditch, which is essentially across the street from my home.

I am strongly opposed to this amendment, as I feel that a gas station will have a negative effect on the character, environment, and safety of our neighborhood and other surrounding residential neighborhoods. This station would potentially be open 24 hours a day, and would bring all sorts of issues right to our front doors, including possible fuel spillage in our groundwater, light and noise pollution, crime, trash/associated rodents, tobacco and alcohol sales. In turn, the blight that this GetGo would cause would negatively impact our home values. I would never have purchased my home if I'd had any indication that a gas station would be built just a few hundred feet away, and I know that many of my neighbors feel the same.

In this area, I cannot think of another location where a new (not pre-existing) gas station was constructed so close to so many adjoining residential neighborhoods, and there is honestly no reason to build one in that space when there are so many other potential locations in Westfield that are not yet developed.

I urge you to protect our neighborhoods by rejecting this amendment, and plan to attend the meeting on Monday night to speak out against it.

Respectfully yours,

Erin Vahrenkamp

From: Barb Simonson [mailto:barbsimo@icloud.com]
Sent: Friday, June 03, 2016 4:31 PM
To: APC <APC@westfield.in.gov>
Subject: 146 and Ditch

June 3, 2016

Dear Jesse,

I, with many of my neighbors, attended the meeting on Thursday evening regarding the property development at 146th and Ditch Road.

I was surprised (but not shocked) that the developer of that corner is trying to push through plans that the residents of the area DO NOT WANT.

First and foremost, WE DO NOT WANT A GAS STATION AND/OR QUIKIE MART IN THE AREA OF OLD/NEW 146 AND DITCH.

Secondly, WE DO NOT WANT A FULL FAST-FOOD BUSINESS, WHETHER IT IS BEEF, CHICKEN, FISH, TURKEY, TACO, OR ANY COMBINATION OF THE ABOVE. WE DO NOT WANT THIS ANYWHERE NEAR 146 AND DITCH.

Those businesses are not needed and not wanted in our residential area.

(A coffee house (Starbucks or the like) with a drive thru option would probably be acceptable, per most of the attendees last night.)

We live in a beautiful residential area. We understand that the corner of 146 and Ditch is destined to be commercial; it is Pollyanna-ish to think otherwise.

The architecture of these proposed buildings needs to be congruent with the guidelines that we have to follow as homeowners.

A garish CVS building (or similar business) is not acceptable. The other buildings need to be designed to follow suit. The St. Rd. 32 model is not appropriate for this area; please think reserved Zionsville instead of gaudy and crowded Fishers! Quaint local shops would be perfect; but quaint-looking businesses would fare better than the loud "run of the mill" places being courted by the developer.

In addition to the issues regarding the design of all the buildings, we are also concerned about landscaping, lighting, and buffers for the neighborhoods. We would like a significant barrier with shrubbery and trees to shield our neighborhoods from the noise and lighting that would accompany these businesses.

Significant barriers should also be put on the east side of Ditch Rd, to protect those Centennial homes from the traffic, noise, and 24-hour lighting.

This is certainly not too much to ask of a developer that is licking its chops to get to that intersection!

We do not need a huge pharmacy, gas station, and burger joint on every corner and cornfield in Hamilton County.... That is already available in Fishers! Please consider the long-term effects to the upscale nature of western Hamilton County, with expensive Carmel homes being affected as well as lovely Westfield properties.

Lastly, I'd like to address the presentation itself last night. John (whose client is the developer) did not identify himself at the start of the meeting. Most attendees thought that he was somehow representing the city. After a while, (and a very embarrassing but innocent faux pas by a resident) it was clear that the developer and crew were getting tired of the comments. Snippy answers such as "People like convenience and people like drugs, so there you go!" "If you want that, go buy a corner and put it up yourself. Rich people make the rules!" and using trade terms such as "not enough rooftops" were very off putting. We may not be lawyers, but we are not stupid.... we are concerned people INVITED to this informational meeting, and a condescending manner is uncalled for.

Thank you for reading this long letter.

I look forward to the meeting on June 6.

Sincerely,

Barbara Simonson
15290 Seneca Circle
317-590-3921