

Westfield-Washington Advisory Plan Commission (APC) held a meeting on Monday, September 6, 2016, scheduled for 7:00 p.m. at Westfield City Hall.

Opening of Meeting: 7:00 p.m.

Roll Call: Noted presence of a quorum.

Members Present: Nathan Day, Randell Graham, Steve Hoover, Robert Horkay, Tom Smith, Andre Maue, David Schmitz, Robert Smith and Chris Woodard.

City Staff Present: Matthew Skelton, Director; Jesse Pohlman, Senior Planner; Kevin Todd, Senior Planner; Daine Crabtree, Associate Planner; Matt Pleasant, Associate Planner; and Brian Zaiger, City Attorney.

Approval of Minutes: August 15, 2016, Meeting Minutes

Motion: Approve the August 15, 2016, minutes.

Motion: Woodard; Second: T. Smith; Vote: Approved 9-0.

Pohlman reviewed the meeting rules and procedures.

ITEMS OF BUSINESS

Case No. 1510-DDP-17

Description: Towne Road Wireless Communication Tower
16414 Towne Road
Crown Castle by Bingham Greenbaum Doll, LLP requests Detailed Development Plan approval for a new wireless communication tower on 34.2 acres +/-, located in the AG-SF1: Agriculture / Single-Family Rural District.

Todd presented an overview of the detailed development plan, as outlined in the Department report, and noted its compliance with the applicable ordinances.

R. Smith summarized the Board of Zoning Appeals' consideration and approval of the use.

Motion: Approve 1510-DDP-17.

Motion: R. Smith; Second; Horkay; Vote: 9-0.

Case No. 1606-PUD-07

Description: Harmony Planned Unit Development (PUD) District Amendment
Northwest Corner of 146th Street and Ditch Road (Commercial Area)
TMC Developers, LLC by Nelson & Frankenger requests an amendment to the
Mixed-Use District (Commercial Area) of the Harmony Planned Unit Development
(PUD) District.

Pohlman presented an overview of the proposed amendment ordinance, as outlined in the Department report.

Jon Dobosiewicz, Nelson and Frankenger, on behalf of the petitioner, gave an in-depth presentation of the revisions to the proposed amendment ordinance. He noted further changes to the Illustrative Character Exhibit for GetGo would be made prior to the Council's consideration that will incorporate decorative wood beam elements in the gable and carry over stone as a building material to the base of the structures, consistent with Illustrative Character Exhibit for CVS. Also, he noted the petitioner's willingness to restrict the outdoor audio to communication between the attendee and patrons at the pump, and emergency situations.

Hoover inquired about prohibiting signs on the gasoline service station canopy, not disturbing existing trees in the right-of-way of old 146th Street, and clarification regarding restrictions for the outdoor audio. He further requested the petitioner coordinate with the owners to the south of the proposed gasoline service station to offer additional screening on their properties.

T. Smith commented that the public comment in opposition was overwhelming and that he could not support the amendment.

Woodard requested an explanation to the proposed restrictions for the gasoline service station's hours of operation.

R. Smith asked if an analysis for the impact on surrounding properties had been completed, and questioned whether the permitted gasoline service station in the Towne West PUD District effected the market competition if that station's hours of operation were such a concern.

Maue stated support for the revisions to the proposed architectural theme, and requested that the illustrative exhibit for the gasoline service station include the decorative lighting for wall signage. He noted that he was not as concerned with matching masonry between the two proposed buildings, as depicted in the illustrative character exhibits, but that he also desired to see the petitioner offer additional screening on the properties to the south of the proposed gasoline service station.

Hoover summarized the many meetings with surrounding property owners and the petitioner to work through revisions and that he appreciated the efforts of everyone involved.

Dobosiewicz confirmed the petitioner was willing to preserve the existing trees in the right-of-way along the south property line of Area C, except as otherwise required by a jurisdictional authority to accommodate utilities and the driveway access to the site. He further noted that they would continue to work with the property owners to the south and provide an offer in writing to them for

additional screening on their properties.

Motion: Forward 1606-PUD-08 (Ordinance 16-12) to the Council with a favorable recommendation, subject to the following:

1. Signage shall be prohibited on the Gasoline Service Station canopy.
2. Outdoor audio for the Gasoline Service Station shall be restricted to communication between the attendee and patrons at the pump, and emergency situations.
3. The Illustrative Character Exhibit – GetGo (Exhibit C) shall be revised to incorporate decorative gooseneck lighting of wall signs, decorative wood beam gable elements and stone as a building material to the base of all structures, to complement the Illustrative Character Exhibit – CVS (Exhibit D).
4. The existing trees in the right-of-way along the south property line of Area C shall not be disturbed by this development, except as otherwise required by a government agency, utility agency or to accommodate ingress/egress into the site.
5. The petitioner shall offer to provide additional screening on the two properties immediately south of Area C on the south side of old 146th Street.

Motion: Hoover; Second; Horkay; Vote: 7-2 (N. Day, T. Smith)

PUBLIC HEARINGS

Case No. 1609-PUD-14 [PUBLIC HEARING]

Description: Junction North Planned Unit Development (PUD) District
Southwest Corner of Hoover Street and Union Street
Matthew and Teresa Skelton request a change of zoning of 1.55 acres +/- from the SF3: Single-Family Medium Density District to the Junction North Planned Unit (PUD) District.

Todd presented an overview of the proposed change of zoning, as outlined in the Department report.

Public Hearing opened at 7:55 p.m.

Linda Naas, 1122 East 161st Street, on behalf of the 161st Street Neighbors; Distributed a handout to the Plan Commission and summarized her concerns regarding a potential conflict of interest with the Unified Development Ordinance's authority granted to the Director, and that the Director was also the petitioner for this property. She further expressed concerns regarding why this is proposed as a Planned Unit Development, the lot sizes and number of lots, setbacks, access onto Hoover Street with the school, and the development's consistency with the Comprehensive Plan.

Ray Schneider, 4455 Whitney Road; Stated this would result in the existing three lots becoming five lots and that he believed this is inconsistent with the lots in the surrounding area. He further expressed a concern that it would be cookie-cutter homes and agreed with the prior comment regarding potential conflict of interest.

Bob Rebling, 523 North Union Street; Concerned the proposed development is not consistent with

the character of the one to two-acre lots in the area and is morphing into a multi-family character, which they oppose in the neighborhood.

Judi Stanley Shuck, 209 West Main Street, on behalf of the Westfield Preservation Alliance; Concerned with old versus new repurposing and why this was necessary. She stated a concern regarding traffic and the school proximity.

Public Hearing closed at 8:09 p.m.

Matt Skelton, on behalf of the petition, responded that he intends to follow-up with the adjacent neighbor that has concerns. He further noted he believes their request is consistent with the Grand Junction Implementation Plan, and that they consulted with and received support by the Grand Junction Task Group.

Maue stated he believes the character exhibits represent positive improvements to the neighborhood and that he'd like to see how the potential conflict of interest could be addressed when the petition returns to the Plan Commission for their recommendation consideration.

No additional action is required at this time.

Case No. 1609-PUD-15 [PUBLIC HEARING]

Description: Springmill Trails Planned Unit Development (PUD) District Amendment
South Side of West 186th Street (Water's Edge)
MI Homes of Indiana, L.P. by Nelson & Frankenberger requests an amendment for 50.30 acres +/- of the Springmill Trails Planned Unit Development (PUD) District pertaining to certain architectural standards.

Pohlman presented an overview of the proposed amendment ordinance, as outlined in the Department report, and noted its consistency with the first sections of the Water's Edge subdivision.

Public Hearing opened at 8:10 p.m.

No public comment.

Public Hearing closed at 8:11 p.m.

B. Smith inquired what the consequence was to reduce the thickness of the vinyl siding and whether it impacted the quality or durability of the siding.

Jon Dobosiewicz, Nelson and Frankenberger, on behalf of the petitioner, responded the reduction allowed for a wider range of spectrum colors and that the petitioner believed the reduction was negligible.

Horkay inquired about the plain garage door depicted in Exhibit B on page 11 and stated that it did not appear to be consistent with the amendment approved for the first sections.

Dobosiewicz responded they would confirm and remove the image prior to the Council's consideration if it was not included as an option with the prior amendment.

Motion: Forward 1609-PUD-15 (Ordinance 16-25) to the Council with a favorable recommendation.

Motion: R. Smith; Second: Woodard; Vote: 9-0

Case No. 1609-PUD-18 (Formerly: 1609-PUD-17) [PUBLIC HEARING]

Description: Enclave & Springs Planned Unit Development (PUD) District Amendment
15807 Longship Court (The Springs at Viking Meadows)
Heather Raymond by Perma Pools Corp. requests an amendment to modify the minimum rear yard building setback line for a swimming pool from twenty (25) feet to fifteen (15) feet.

Crabtree presented an overview of the proposed amendment ordinance, as outlined in the Department report, and he noted submitted written comments by neighbors.

Public Hearing opened at 8:16 p.m.

Jeremy Sebens, 510 Byrding Court; Stated his concerns that a swimming pool should have been taken into consideration when the lot was purchased by the petitioner, that the pool will be constructed directly on the property line, that he would like to see a fence required for the safety of the children in the neighborhood and for privacy from his property so his children can run freely.

Public Hearing closed at 8:20 p.m.

Bill Lambert, PermaPools Corp. on behalf of the petition, responded that a swimming pool is a typical improvement and use in a residential neighborhood and that when the home was purchased there was some misinformation and mistakes regarding the applicable setbacks for the lot. The petitioner also has children and is willing to make the investments to incorporate a pool cover and fence to address the safety concern and that they will propose landscaping to address the aesthetic comment before returning to the Plan Commission.

Hoover commented he would like to see the plans revised to show the fence, pool cover and landscaping as a requirement.

Schmitz noted he understands the building code may not require both the pool cover and fence, but that he agreed the fence, pool cover and landscaping helped address the unique situations of the lot configuration.

Maue inquired regarding clarification for the applicable setback lines and the requested change.

Hoover inquired regarding the impact on the drainage and utility easement.

Lambert responded and clarified the rear setback change, and that the swimming pool and fence would not be located within the easement.

No additional action is required at this time.

Case No. 1609-PUD-16 [PUBLIC HEARING]

Description: Wood Wind Planned Unit Development (PUD) District
Towne Road; 146th Street/166th Street
Pulte Homes of Indiana, LLC by Ice Miller LLP requests a change of zoning of 731 acres +/- from the AG-SF1: Agriculture / Single-Family Rural District to the Wood Wind Planned Unit Development (PUD) District to allow for a mixed-use development to include a golf course, single-family residential, multi-family residential and commercial uses.

Pohlman presented an overview of the proposed change of zoning, as outlined in the Department report, and he noted the written comments submitted prior to the meeting have been included with the Plan Commission's agenda materials. He summarized that following the public hearing, the Department will prepare a summary of the issues raised during the public hearing and within the written comments and provide that summary to the petitioner and Plan Commission.

David Compton, Pulte Homes, presented a PowerPoint presentation outlining the details of the proposed development.

Joseph Scimia, Ice Miller LLP, on behalf of the petitioner, presented a summary of the proposed development in context to the 2007 Comprehensive Plan.

Public Hearing opened at 9:11 p.m.

Chris Michelstetter, 15409 Kilburn Court; Stated his opposition because he is concerned about the impact to the schools and traffic.

Andy Card, 200 East 186th Street; Stated his support for the petition.

Ross Laufter, 2702 West 146th Street; Stated his opposition to the commercial and multi-family areas abutting his property and decreasing his property value. He presented his buffering concerns with a PowerPoint presentation.

Lawrence Armstrong, 2553 South 1200 East; Stated his opposition and concerned regarding traffic and lighting.

Dawn Knight, 4304 West 156th Street; Stated her opposition and concern with the impact on the schools.

Rodney Bartlett, 15030 Shelborne Road; Stated his opposition and concern with lots smaller than what he believes they should be and the traffic impact.

Bruce A Watson, 1355 Trescott Drive; Stated his support for the petition and preservation of the Wood Wind Golf Course.

Bill Koss, 15411 Shelborne Road; Stated his support and believes it financially benefits the City and tax payers.

Cherie Cook, 1740 West 161st Street; Stated her opposition and concern with the impact on the schools.

Charles Davis, 15802 Springmill Road; Stated his support in the quality and design of the development and preserving the Wood Wind Golf Course.

Brian Brunner, 3525 West 131st Street; Stated his support and that he was impressed with the petitioner for working with all the neighbors and City to propose a compatible development. He believed the concerns regarding the school and traffic impact is already a problem without this development that is being addressed.

Janice Mowry, 14828 Adios Pass; Stated her opposition and desire to see this development pause until population growth and the influx of traffic from this development is known.

Martin Beckner, 15340 Shelborne Road; Stated his opposition and concern with the size of the lots and increasing the number of homes and traffic.

J. Andrew O'Connor, 15201 Shelborne Road; Stated his opposition and concern with the size of lots and impact on infrastructure.

Andrea Lesniewski, 16752 Lakeville Crossing; Stated her opposition and concern with impact on infrastructure and that the community is losing the small town feel. She also expressed a concern with the impact on schools.

Judy Crandall, 4873 Windrift Way; Stated her support and stated she believed the petitioner has been very thoughtful in the planning of the proposed development.

Doc O'Neal, 12938 Brighton Court; Stated his support and preserving the Wood Wind Golf Course.

Amy Armstrong, 2553 South 1200 East; Stated her opposition and concern with the proposed density, impact on surrounding land values, the rate of growth, traffic and impact on the schools.

Robert McColgin, 1064 Richwood Drive; Stated his support and proposed buffering as well as he believed the concerns with growth and traffic didn't consider the projected 11-12 years it would take for the development to buildout.

Matt Cohoat, Cohoat & O'Neal Golf, 1939 West 161st Street; Stated his support.

Mike DiMascio, 17028 Towne Road; Stated his opposition and concern with compliance with the Comprehensive Plan and with the proposed density and traffic.

Greg Moyer, 15001 Shelborne Road; Stated his opposition and concern with compliance with the Comprehensive Plan. Stated he would like to revisions to respect the Comprehensive Plan and that respects persons who want to live more rural than in a subdivision.

John Daly, West 159th Street; Stated he believes the process for this petition should slow down with time to do it right because this proposal is not a set development and should be done responsibly.

Sarah Watkins, 2191 West 166th Street; Stated her opposition and concern with compliance with the Comprehensive Plan and that the development should be citizen driven not builder driven. Stated her request that the petitioner think outside the box and be more creative with the subdivisions.

Suzy Dubois, 1719 West 161st Street; Stated her opposition and presented a video illustrating the existing rural character of the area.

Rick Burkman, 1924 West 161st Street; Stated his opposition because the petition did not meet the third statutory consideration for a change of zoning regarding the most strategic use of the land.

Bruce VanNatta, West 156th Street; Stated his opposition and presented a PowerPoint regarding home values and his desire to see more high end homes.

John DuBois, West 161st Street; Stated his opposition and concerns that representations were being made that road improvements would be made when the traffic study wasn't even completed yet. He presented that he did not believe the petition represented responsible growth.

Tracy Peilemeirer, Little Eagle Creek Avenue; Stated her opposition and that she believed that properties should be developed under the existing zoning for large lots and that the petition was inconsistent with the UDO standards. She stated her concern regarding impact on schools and police/fire services.

Karen Hymbaugh, 2929 West 159th Street; Stated her opposition because of the proposed multi-family which she believes represents low income and subsidies that put a drain on public safety, schools and tax income.

Mindy Martin, 1839 West 166th Street; Stated her opposition and concern that the petition does not follow the UDO regarding preservation of trees and wildlife and preserving the integrity of the community.

Leah Severson, 2223 West 166th Street; Stated her opposition. She stated she supports preserving the Wood Wind Golf Club but doesn't believe the golf course will be kept open and public and that the proposed development is not the right answer to preserve the golf course.

Patty Kemmer, 1708 West 161st Street; Stated his opposition.

Beth Armstrong, Towne Road; Stated her opposition and noted she has shared a petition with the

Council to stop the excessive construction in Westfield. Stated her concern with crime, safety, and the impact on the rural setting and schools.

Henry Armstrong, Towne Road; Stated his opposition.

Linda Naas, 1122 East 161st Street; Stated her opposition.

Sharon Williams, 807 East SR 32; Stated her opposition and concern with water quality and supply, flooding and lift stations, which she doesn't believe can handle the excess usage.

Nancy Davis, 13764 Langley Drive; Stated her support and believes the petitioner has put a lot of thought and consideration into the proposed development and buffers and that the concerns expressed need to take into consideration that this development will not happen overnight and the impact on infrastructure will be phased.

Roger A Black, 3434 West 151st Street; Stated his opposition and believes that there is a better plan for the use of this land.

Mic Mead, 15466 Oak Road; Stated his opposition and does not believe that the petitioner has respect for the Comprehensive Plan.

Ginny Kelleher, 3920 West 166th Street; Stated her opposition and believes the petition totally ignores the Comprehensive Plan and that another plan should be considered for the golf course.

Kristen Burkman, West 161st Street; Stated her opposition because it does not match the Comprehensive Plan. Stated the density is too high, green space is negligible, the architecture is not in context, and the buffers and transitions do not comply. She does not believe this is responsible growth and that the development will devalue existing homes. Stated she would like the golf course to be preserved, but that this is only one solution and requested the petitioner embrace the comprehensive plan which respects the residents and this area and start over.

Public Hearing closed at 11:08 p.m.

Compton responded that this is the first meeting in this process and that they will take the information received from the meeting and will review and come back with revisions.

No additional action is required at this time.

CONTINUED

Case No. 1608-PUD-13 [CONTINUED]

Description: The Trails Planned Unit Development (PUD) District
Southeast Corner of State Highway 32 and Oak Ridge Road
EdgeRock Development, LLC requests to expand and amend The Trails Planned
Unit Development (PUD) District, consisting of 21.0 acres +/-.

Case No. 1607-PUD-09 [CONTINUED]

Description: Liberty Ridge Planned Unit Development (PUD) District
South side of 151st Street; East of Towne Road
CalAtlantic Homes of Indiana, Inc. by Nelson & Frankenberger requests a change of zoning of 59.95 acres +/- from the AG-SF1: Agriculture / Single-Family Rural District to the Liberty Ridge Planned Unit Development (PUD) District.

Case No. 1607-ODP-09 and 1607-SPP-08 [CONTINUED]

Description: Liberty Ridge
South side of 151st Street; East of Towne Road
CalAtlantic Homes of Indiana, Inc. by Weihe Engineers, Inc. requests approval of an Overall Development Plan and a Primary Plat for 123 single-family residential lots on 59.95 acres +/- in the proposed Liberty Ridge Planned Unit Development (PUD) District.

Case No. 1606-DDP-20 [CONTINUED]

Description: CVS, Harmony
Northwest Corner of 146th Street and Ditch Road
TMC Developers, LLC by Nelson & Frankenberger requests approval of a Detailed Development Plan for a 12,900 sq. ft. +/- building on 1.96 acres +/- on Lot 1 in the Harmony Mixed Use District Subdivision in the Harmony Planned Unit Development (PUD) District.

Case No. 1602-CPA-01 [CONTINUED]

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

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

Description: The Trails
East of Oak Ridge Road, South of SR32
Edge Rock Development, LLC by TERRA Site Development, Inc. requests approval of an Overall Development Plan and Primary Plat for two (2) lots on 13.75 acres +/- in the Trails Planned Unit Development (PUD) District

REPORTS/COMMENTS

Plan Commission Members

City Council Liaison

Board of Zoning Appeals Liaison

Economic and Community Development Department

Motion: Adjourn meeting.

Woodard; Schmitz seconded. Vote: 9-0.

The meeting adjourned at 11:12 p.m.

Randell Graham, President

Andre Maue, Vice President

Matthew S. Skelton, Esq., Secretary

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