

Westfield-Washington Advisory Plan Commission (APC) held a meeting on Monday, July 2, 2018, scheduled for 7:00 p.m. at the Westfield City Hall.

Opening of Meeting: 7:00 p.m.

Roll Call: Noted presence of a quorum.

Members Present: Randy Graham, Steve Hoover, Ginny Kelleher, Andre Maue, Dave Schmitz, Robert Smith, Scott Willis, and Chris Woodard.

Members Absent: Robert Horkay.

City Staff Present: Matt Skelton, Director; Kevin Todd, Senior Planner; Pam Howard, Senior Planner; Caleb Ernest, Associate Planner; and Brian Zaiger, City Attorney.

**APPROVAL OF MINUTES:**

Motion: Approve June 18, 2018 Meeting Minutes as presented.

Motion: Schmitz; Second: Willis. Motion passed. Vote: 7-0.

Ginny Kelleher arrived at 7:02 p.m.

**REVIEW OF RULES AND PROCEDURES**

Todd reviewed the meeting rules and procedures.

**CONSENT AGENDA ITEMS**

No Consent Agenda Items.

**ITEMS OF BUSINESS**

**1803-PUD-08**

**Wheeler Landing PUD**

Northwest Corner of SR 32 and Wheeler Road  
Wheeler Farms LLC by Church, Church, Hittle and Antrim Law requests a change in zoning of 321 acres +/- from the AG-SF1 and EI Districts to the Wheeler Landing PUD District.  
(Planner: Caleb Ernest - [CErnest@westfield.in.gov](mailto:CErnest@westfield.in.gov))

Ernest presented an overview of this request for a change in zoning to the Wheeler Landing PUD District. He said that staff has worked with the petitioner to add clarification to the ordinance.

Kelleher stated that although she thinks this is a wonderful project she feels it needs more details regarding traffic, setbacks and multi-family standards.

Smith expressed concern about alignment of roads.

Maue expressed concern about traffic.

Skelton said that the City Engineer has been very engaged with the issue of traffic and that Council will require the project to accommodate traffic.

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Smith expressed concern about if this large of a project will have any financial burdens on the City.

Hoover said he would like to hear from the City Engineer. He added that as a City Councilor, he said that traffic will have to be satisfactorily addressed before City Council would approve this project.

Willis said he understood the big picture of this project and the plan to address traffic after meeting with ECD and WPWD staff.

John Nail, City Engineer, said the city is well aware of the traffic situation. He summarized the following three areas of study:

- 1) State Road and Wheeler Road intersection; 2) Oak Ridge Road connection to Grand Park Boulevard; and 3) 181<sup>st</sup> Street and Wheeler Road roundabout.

Woodard asked if the intersection at Tournament Trail and Wheeler Road was considered for a roundabout.

Nail replied a roundabout would not be an efficient use at that location because the distance between State Road 32 and Tournament Trail would not allow sufficient spacing.

Nick Churchill, representing the petitioner, said that traffic has been discussed from the onset of this project and that the property owners, the Wheeler family, are integral to the proposed road improvements.

Motion: Forward 1803-PUD-08 to the City Council with a favorable recommendation with the following condition: Traffic planning for the area be resolved to the satisfaction of the City Engineer and City Council.

Motion: Maue; second, Kelleher. Motion passed. Vote: 8-0

**1806-PUD-13****Spring Mill Grand Station PUD Amendment**

16156 Spring Mill Road

Spring Mill Grand Station, LLC by Church, Church, Hittle and Antrim Law requests an amendment to the General Regulations and Development Standards of the Spring Mill Grand Station PUD District. (Planner: Pam Howard ▪ [PHoward@westfield.in.gov](mailto:PHoward@westfield.in.gov))

Howard presented an overview of this request for an amendment to the Spring Mill Grand Station PUD Amendment.

Motion: Forward 1806-PUD-13 to the City Council with a favorable recommendation.

Motion: Smith; second, Schmitz. Motion passed. Vote: 8-0

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**PUBLIC HEARING ITEMS**

**1801-PUD-03**

[PUBLIC HEARING]

**Aurora (Northpoint) PUD Amendment**

South side of State Road 38, East of U.S. Highway 31, on both sides of Grassy Branch Road

Chris White Aurora, LLC by Clark, Quinn, Moses, Scott & Grahn, LLP requests an amendment to expand and amend the Aurora PUD District. (Planner: Kevin Todd ▪ [KTodd@westfield.in.gov](mailto:KTodd@westfield.in.gov))

Todd summarized this request for a PUD amendment to expand and amend the Aurora PUD District.

Russell Brown with Clark, Quinn, Moses, Scott & Grahn, LLP, on behalf of the petitioner, overviewed the proposed modifications to the Aurora PUD, including text amendments incorporating a name change to Northpoint PUD District, the addition of approximately 115 acres, and modifications to the Business Parke standards.

Public Hearing for 1801-PUD-03 opened at 7:46 p.m.

No public comments.

Public Hearing for 1801-PUD-03 closed at 7:47 p.m.

Kelleher asked about buffering along adjacent residential.

Brown replied that buffering would include ponds and mounds.

Maue expressed concern about ponds being used in a buffer in lieu of mounding along residential areas. He is concerned that the lack of height to the buffer would result in car headlights shining in homes at night.

Hoover asked about a possible cemetery on the property that is owned by Washington Township and wondered how the PUD impacted this property.

Brown replied that they were made aware of this matter last week. He said it is unclear when the property was created and transferred versus when it was zoned. He indicated they would work with staff and Washington Township and they would work around this 0.8 acre piece of property.

**1806-PUD-15**

[PUBLIC HEARING]

**Liberty Villas PUD**

South side of 151st Street, approximately 1,300 feet west of Ditch Road CalAtlantic Homes of Indiana, Inc. by Nelson & Frankenberger, LLC requests a change of zoning of 22.2 acres +/- from AG-SF1: Agriculture / Single-Family Rural District to the Liberty Villas PUD District.

(Planner: Pam Howard ▪ [PHoward@westfield.in.gov](mailto:PHoward@westfield.in.gov))

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**1806-ODP-12 &  
1806-SPP-12**  
[PUBLIC HEARING]

**Liberty Villas**

South side of 151st Street, approximately 1,300 feet west of Ditch Road CalAtlantic Homes of Indiana, Inc. by Nelson & Frankenger, LLC requests Overall Development Plan and Primary Plat review of 84 single-family attached residential units on 22.2 acres +/- in the Liberty Villas PUD District (pending approval).

(Planner: Pam Howard ▪ [PHoward@westfield.in.gov](mailto:PHoward@westfield.in.gov))

Howard summarized the request for a change of zoning and for an Overall Development Plan and Primary Plat review.

Jon Dobosiewicz, Nelson & Frankenger, overviewed this proposed development. He was accompanied by Lennar's (formerly CalAtlantic Homes) representative Keith Lash. Dobosiewicz spoke to the several aspects of the project including the location of the project, current zoning, adjacent zoning, land use in relation to the Comprehensive Plan, types of housing, density, permitted uses open spaces, amenities and common area maintenance.

Joint Public Hearing for 1806-PUD-15, 1806-ODP-12, and 1806-SPP-12 opened at 8:11 p.m.

Greg Moyer, 15001 Shelborne Road; stated that this proposal has a lack of open space. He said the UDO requires 35 percent; however, this proposed project provides only 15 percent and other nearby developments have provided more than UDO requirement. He stated that the buffer against AG-SF1 to the west is too small.

Lisabeth Armstrong, 16414 Towne Road; said this project is in contrast to the Comprehensive Plan. She thinks area should remain AG-SF1 and that too many lots and neighborhood under construction. She said that schools, fire staff, and police are currently not adequate for this much growth.

Public Hearing for 1806-PUD-15, 1806-ODP-12, and 1806-SPP-12 closed at 8:16 p.m.

Dobosiewicz responded that other Single Family Attached (SFA) neighborhoods have more open space because of the way the projects are platted. He explained that in many SFA neighborhoods, all areas around the dwellings are considered common area, and that the home owners do not own a yard, resulting in a higher percentage of open space. He explained that this model was used when determining the 35% open space requirement for the SFA District. He further explained that the proposal for the Liberty Villas project is that home owners will own a yard that will be commonly maintained by a HOA, but that structuring the property ownership and lot lines in this manner results in a smaller percentage of common area/open space. He further responded to comments regarding consistency with the Comprehensive Plan, stating that he believes this is a good transitional product to go between the existing neighboring SF-4 and multifamily zoned properties.

Kelleher asked why the petitioner choose to design the open space this way if it is commonly maintained.

Dobosiewicz responded that Lennar has found that product sells better this way.

Schmitz mentioned that the product is more easily financed this way.

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Kelleher asked if the petitioner would they would consider putting a path all around the pond to make it more useable and accessible. She stated that without a path, people may think it is part of a yard and not open space.

Keith Lash, Lennar, stated that they have done this in other communities and would explore adding a pathway around the pond in this project.

Kelleher asked about number of units compared to The Maples and if this is why there is not a clubhouse or other gathering space.

Dobosiewicz responded that The Maples have more units.

Kelleher asked why there is no buffer to the AG-SF1 to the south. She requested the petitioner to speak with the neighbor regarding this matter.

Dobosiewicz responded, stating that they are asking for relief from this requirement. He also stated that they will reach out to the neighbors with more detailed information.

Smith stated that he agreed with Kelleher’s comment regarding the buffer yard.

Kelleher asked how price range at The Maples compare.

Dobosiewicz responded that the prices are comparable.

Schmitz asked about a Fair Housing email that was received.

Dobosiewicz responded that he believes this was sent to make sure the petitioner was aware of this potential issue. He indicated that the email said that the PUD references “active empty nester”, but it does not. This is used in the project description because it is the petitioner’s experience that this is typical of the buyer of this product type.

Willis asked what the open space percent would be if the property lines were directly around the buildings.

Dobosiewicz responded that they will calculate this and provide later.

**1807-ODP-13 &  
1807-SPP-13  
[PUBLIC HEARING]**

**Augusta**  
West side of Ditch Road, between 156th Street and 161st Street  
Innovative Engineering & Consulting by Estridge Development Management requests Overall Development Plan and Primary Plat review of 120 single-family residential lots on 80 acres +/- in the Davis PUD District.  
(Planner: Pam Howard ▪ [PHoward@westfield.in.gov](mailto:PHoward@westfield.in.gov))

Howard summarized this request for an Overall Development Plan and Primary Plat review. The outstanding items noted in the department report will be made compliant prior to subsequent agendas.

Woodard recused himself at 8:33 p.m.

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Public Hearing for 1807-ODP-13 and 1807-SPP-13 opened at 8:34 p.m.

Suzy DuBois, 1719 West 161<sup>st</sup> Street; addressed open space and buffering. She said approximately 60% of open space is ponds and questioned how that qualifies. She asked if adding benches really make this qualify as open space. She stated the amenities minimal for a neighborhood of this size. Primary Plat shows a drainage and utility easement that overlaps with reforestation buffer, and this area is not plantable. She said the breaks are also shown in buffer due to drainage easements between lots

Sandy Wilds, 15919 Ditch Road; is concerned about amenities and open space amounts, and is also concerned about buffering along roads. She wants to ensure that traffic is considered.

Lisabeth Armstrong, 16414 Towne Road; thinks this plat should not be approved because proposed open space does not comply and neither does the buffer. She feels the City should hold this developer to higher standards.

Greg Moyer, 15001 Shelborne Road; thinks the 45 foot reforestation buffer should be upheld and should be able to move because of 60 foot Restricted Open Space Buffer.

Public Hearing for 1807-ODP-13 and 1807-SPP-13 closed at 8:41 p.m.

Bryan Stumpf with 11<sup>th</sup> Street Development, representing the petitioner, responded that the petitioner is working with staff on outstanding items, that the plat complies with both the PUD and UDO, that they do provide 27% open space and the ponds are useable, the reforestation buffer is shown and described as 9 foot on center, and that the species of the trees and maintenance will be outlined in covenants.

Kelleher asked about what percentage of the ponds count as open space.

Howard responded that no, that is not a standard. All the water can be counted as open space and there is no maximum percentage of open space represented by water, but that they must comply with landscape standards and be designed as an amenity to the public.

Kelleher asked about adding path around ponds, asked about the drainage and utility easement overlapping the reforestation buffer.

Skelton responded that we are working with the petitioner on the overlapping easement.

Kelleher asked about allowing plantings in drainage and utility easements between lots to eliminate break and she also asked about southern portion of buffer being located in yard doesn't remember it being that way.

Smith shares Kelleher's concerns and awaits staff's input.

Woodard returned at 8:50 p.m.

**1807-PUD-19**  
[PUBLIC HEARING]

**Spring Mill Station SEC PUD Amendment II**

381 South Junction Crossing

Weihe Engineers requests an amendment to the Spring Mill Station SEC PUD to accommodate a drive-thru bank.

(Planner: Pam Howard ▪ [PHoward@westfield.in.gov](mailto:PHoward@westfield.in.gov))

Howard overviewed the status of this request for an amendment to the Spring Mill Station SEC PUD.

Public Hearing for 1807-PUD-19 opened at 8:51 p.m.

No Public Comments.

Public Hearing for 1807-PUD-19 closed at 8:52 p.m.

Motion: Forward 1807-PUD-19 to the City Council with a positive recommendation.

Motion: Smith; second, Woodard. Motion passed. Vote: 8-0

**CONTINUED ITEMS**

**1805-PUD-09**

**Lyons Team PUD**

750 Liberty Drive

Lyons Team requests a change of zoning of approximately 0.09 acre +/- from SF3 Cluster District to the Lyons Team PUD District to accommodate a real estate office.

(Planner: Pam Howard ▪ [PHoward@westfield.in.gov](mailto:PHoward@westfield.in.gov))

**1807-PUD-18**  
[PUBLIC HEARING]

**Grassy Branch Marketplace PUD**

NE Corner of State Road 32 and Grassy Branch Road

Rita Hafner by Church, Church, Hittle & Antrim, LLP requests a change of zoning of 13.436 acres +/- from the LB-PD: Local Business-Planned Development District to the Grassy Branch Marketplace PUD District.

(Planner: Daine Crabtree ▪ [DCrabtree@westfield.in.gov](mailto:DCrabtree@westfield.in.gov))

Plan Commission Members.

City Council Liaison.

Board of Zoning Appeals Liaison.

Economic and Community Development Department.

Motion: Adjourn meeting.

Motion: Kelleher; second, Willis. Motion passed. Vote: 8-0.

The meeting adjourned at 8:56 p.m.

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Randell Graham, President



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Andre Maue, Vice President



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Matthew S. Skelton, Esq., Secretary