Westfield-Washington Township Advisory Plan Commission
Minutes of the September 8, 2020 APC Meeting
Presented for approval: October 5, 2020

Westfield-Washington Advisory Plan Commission (APC) held a meeting on
Tuesday, September 8, 2020 scheduled for 7:00 p.m. in-person and online via Skype.

ROLL CALL: Noted presence of a quorum.
Members Present: Kristen Burkman, Randy Graham, Robert Horkay, Mike Johns, Andre Maue,
Victor McCarty, Dave Schmitz, and Cindy Spoljaric.

Members Absent at Roll Call: Ginny Kelleher (joined the meeting at 7:02 p.m.)

City Staff Present: Kevin Todd, Director; Pam Howard, Senior Planner; Daine Crabtree,
Associate Planner; and Scott Frissell with Krieg DeVault.

Kelleher joined the meeting at 7:02 p.m.

APPROVAL OF MINUTES
Motion: Horkay motioned to approve the August 17, 2020 meeting minutes as written.
Spoljaric seconded. Motion passed. Vote 9-0.

REVIEW OF RULES AND PROCEDURES
Howard reviewed the modified public meeting rules and procedures.

CONSENT AGENDA
2008-DDP-18 Urban Vines
303 East 161st Street
Detailed Development Plan approval of an existing 600 square foot enclosed
patio and 196 square foot outdoor stage for a previously approved winery on 5
acres +/- in the Urban Vines PUD District.
(Planner: Pam Howard - phoward@westfield.in.gov)

2008-DDP-21 JACM Building Addition
16815 Southpark Drive
Keeler-Webb Associates by Design & Construction LLC requests Detailed
Development Plan review of a building addition of 5,600 sq. ft. on 1.36 acres
+/- in the Enclosed Industrial District ("EI").
(Planner: Corey Harris - charris@westfield.in.gov)

Horkay motioned to approve the Consent Agenda as presented.
Maue seconded. Motion passed. Vote 9-0

ITEMS OF BUSINESS
2006-PUD-05 Urban Vines PUD Amendment I
303 E. 161st St.
Herron Holdings, LLC by Pleasant Cities, LLC requests an amendment to the
Development Standards of the Urban Vines PUD District.
(Planner: Pam Howard - phoward@westfield.in.gov)

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Howard overviewed this request for an amendment to the Development Standard. She said the one modification included in this request is the removal of the outdoor restroom requirement and replacing it with an inside restroom requirement extending the time allotment for one year.

Matt Pleasant, with Pleasant Cities LLC, on behalf the Petitioner, summarized this petition. He said that with the variance granted to Hoosier Hills, this would allow the processing facility to be transferred to that location allowing for renovations to be implemented at Urban Vines.

He stated that Staff completed an on-site landscape review of the 161st Street location/Urban Vines and found it to be compliant.

Kellecher mentioned previous compliance issues, and the fact that the delay could continue if there were to be issues with the planned construction. She said that currently three port-o-potties have been on site for nine-plus months and should only be temporary per the UDO. She addressed sanitary issues relating to COVID and voiced concerns that the indoor restrooms would not be finished in a timely manner. She said would like to see the the restroom issue fixed now.

Schmitz mentioned that the 161st Street/Urban Vines site plan still showed a significant portion to be used for processing and asked why that was if the processing operation would be moved.

- Noah Herron, the Petitioner, replied that Urban Vines is expanding the beer brewing operations as well as the cooking operations at the 161st Street location. He said that moving the wine processing to the new site would afford room for additional restrooms.

Johns agreed with Kellecher’s comments. He added that he was also disappointed that a permit had not yet been issued for the existing enclosed patio.

- Howard responded that the Petitioner was not able to be issued a permit for that patio until after the DDP that was presented earlier in tonight’s meeting’s Consent Agenda was approved. She said there was a condition in the DDP for the Petitioner to apply for permit within two weeks.

Schmitz asked why the need was this long to install new restrooms.

- Pleasant replied that this is an aggressive time line as the Petitioner needs to complete construction/renovation at one site before starting construction on the other.

Spoljaric said she was also concerned about the presence of temporary port-o-potties at Urban Vines. She said that this matter was supposed to be finalized this September. She said the Petitioner’s track record creates concerns.

- The Petitioner replied that the Hoosier Hills project had not yet been planned when Urban Vines was approved last year.

Graham agreed with Spoljaric. He said he didn’t have didn’t faith that the Petitioner would not be back in another 11 months due to changes.

- Pleasant said the Petitioner was willing to add commitment to remove the port-o-potties.
- Graham said that did not change his position on this matter.

Spoljaric asked if the outdoor restrooms would be removed tomorrow.

- The Petitioner stated that the reason they are using the port-o-potties this year is that they are not letting the public inside the building due to COVID. He said the port-o-potties are removed in the winter. The permanent restrooms would need to be shut off in winter, so the facility would be down
to only down one restroom in the winter. He said that he thought an indoor year-round restroom would be better.

Graham motioned to send 2006-PUD-05 to the City Council with a negative recommendation. Maue seconded. Motion passed. Vote 9-0.

PUBLIC HEARING ITEMS

2009-PUD-10 [PUBLIC HEARING] Osborne Trails PUD Amendment II

NE Corner of 191st Street and Horton Road
HQ2 by Clark, Quinn, Moses, Scott & Grahn, LLP requests an Amendment to the Osborne Trails PUD to accommodate an Agritourism Use on 25.41 acres+/.  

(Planner: Pam Howard • phoward@westfield.in.gov)

Howard overviewed this request for an amendment to the Osborne Trails PUD.

Russell Brown, on behalf of the Petitioner Blake Jones with West Fork Whiskey, summarized the details of this request. He said this project, HQ2, would include new uses. The new uses would include agritourism, light industry, and accessory uses. He said that the Petitioner's goal was to “move here and grow here”. He said the ordinance had been edited in response to these proposed new uses. He said there had been a neighborhood meeting held for this project that did not result in many questions and that no subsequent input had been received.

Blake Jones, the Petitioner, said that West Fork Whiskey is an Indiana whiskey distillery that had been looking for a permanent home for over a year. He said West Fork Whiskey founded in 2014, wished to commit to and honor Indiana’s agricultural history while finding a community home for the business that would allow for investment and expansion.

Public Hearing for 2009-PUD-10 opened at 7:36 p.m.

No public comments.

Public Hearing for 2009-PUD-10 closed at 7:38 p.m.

Spoljaric said she would submit her comments in writing.

McCarty said he was concerned about the proposed renderings. He said he thought the buildings in the original character exhibit would be a better fit for the area. He said the new renderings looked more like Grand Park. He said he had concerns about traffic.

Graham thought the elevations were lack luster, especially west and north elevations.

Burkman said she thought that this was an exciting project. She said she was concerned about light industrial and agritourism uses being broadly permitted by the PUD. She said she was concerned about lack of details for events (tent size, parking) as well as light industrial use at this location should the distillery not be built. She said she would also submit her comments in writing.

Kelleher agreed with Burkman about light industry definition needing to be narrowed down. She said she would like to see something like the Sierra Nevada facility located in Asheville, NC. She said she was concerned about what will be included in the outdoor amenity area; and she asked if that would be part of
agritourism. She said she agreed with McCarty that this building looks more industrial. She said she will also submit written comments.

Petitioner comments:

- Brown said that they would take the architectural comments back to the design team for consideration. He said that the Petitioner would like room to grow and expand. He said that there would be a need for light industrial as eventually that portion of the site would be larger than the agri tourism portion. He said that the aging process storage requires a lot of space. He said they were also concerned about a potential second generation use if needed, as this building would not easily re-adapt to a commercial use. He said that they would look at paring down the permitted uses. Brown said that the outdoor amenity area could be used for events as an accessory use, but would not be a primary use. He said that they would work with staff on comments before coming back before the Commission.

Kelleher said she understood the storage concerns, but she said she still thought that light industry was too broad. She said she thought that a secondary use should be required to come back before the Commission for another amendment.

Burkman agreed with Kelleher’s comments that light industry was too broad.

Maue said he agreed with previous comments regarding the uses. He said he was glad they had planned well and tried to cover all the future uses that they plan to have on site.

2009-PUD-11 Woods Robinson Briggs PUD
[PUBLIC HEARING]  
North side of 191st Street, West of Tomlinson Road
EdgeRock Development, LLC requests a change of zoning for approximately 157 acres +/- from the AG-SF1: Agriculture/Single-Family Rural District to the Woods Robinson Briggs Planned Unit Development (PUD) District.
(Planner: Daine Crabtree • dcrabtree@westfield.in.gov)

Crabtree overviewed this request for a change of zoning. He said this proposed project would contain six districts: commercial, suburban rental homes, two single family small lot districts, a trailhead park, and townhomes. He said a neighborhood meeting was held on August 18, 2020.

The Petitioner, Birch Dalton with EdgeRock Development, reviewed the project as a whole and summarized the different components of this proposed project including a tennis facility; championship pickleball courts; a “Sports Business Incubator”; a church/“Family-Life Center”; and a legacy-type conservatory/natural trailhead park. He addressed the suburban rental homes and homes that are planned to be similar to what was built within Suffolk and at West Clay. He said the suburban rental homes would be under a single ownership and would be long-term rentals of at least one year that would have a great deal of amenities and high rental rates. He said that he would reserve at least a 60-foot of setback for an expansion of 191st Street and a proposed roundabout to help with traffic. He said the empty nester homes would be in low $500,000’s and the small homes will start around $300,000. He said he had not received any comments from the neighborhood meeting.

Public Hearing for 2009-PUD-11 opened at 8:04 p.m.

Debra Sturm, 1312 East 191st Street; said she received no information about the neighborhood meeting. She asked if this proposed project is across from her house and if this project would be a replacement for Grand Universe.
Marla Ailor e-comments: Respectfully, I'm writing in regard to the agenda item labeled: 2009-PUD-11, Mr. Dalton's presentation of the Wood Robinson Briggs PUD. I would appreciate the following comments to be read into tonight's public hearing:
First and foremost, I would like to comment with a positive note about the tennis facility in this PUD. I think this brings an exciting and welcome element to the neighborhood as the courts at Chatham Hills are generally full and not available to the public at large. Kudos to Mr. Dalton for filling a need that has been otherwise ignored in our community. While, I myself, do not play tennis, I know many in the community would appreciate such a venue. I have the following concerns and questions that I hope might be addressed immediately following the public hearing:

1) What is a suburban-rental community? Does our UDO support such a plan? Does this differ largely from Air BNB and in what way? Are 12-month rentals warranted in close proximity to Chatham Hills? Why is this so much bigger than the townhome and SF district?
2) Exactly what is a rental-townhome district? Please explain the difference from Question 1 in relationship to the districts.
3) Who owns or is in charge of leasing for such an area?
4) Can 191st Street support the traffic flow of a transient community, such as rentals?
5) Should $300,000-$500,000 homes be buried in the back of a rental/retail community?
6) Mr. Dalton described this area (in a private conversation with me) as a "Gatlinburg-esque" community. He also commented that I would hate it...he's right. Does the Comprehensive Plan describe anything such as this?
7) Should SF-1 and SF-4 homes abut, and possibly compromise the value of nearby homes, that are large-lot and higher-priced homes in and near Chatham Hills?
8) Does the commercial development in this PUD support the needs and wants of the current residents of this area?
9) Store fronts are inspired by the Indianapolis Motor Speedway. Is this cohesive with Steve Henke's vision of "New England-style" development?
10) Can the local roads and streets support development of this nature with an already busy street servicing Grand Park?
11) Do the rentals areas directly compete with local hotels?
12) Mr. Dalton recently presented a PUD in close proximity to Riverview Hospital, he argued that mixed use development in necessary there as well, with retail on the first floor and rental space above it. Is this necessary throughout Westfield?
13) Mr. Dalton has already offered a trailhead for the Monon Trail just south of 191st Street on Tomlinson that was presented in his "Grand Universe" PUD. Is another necessary?
14) In Districts 3, 5 and 6..."temporary use and event" are allowed...what is envisioned on these small lot parcels? Please explain.
15) District 1 prohibits restaurants with drive-thru's but allows fast food. Does this make sense? Isn't a drive-thru still fast food?
16) Is this PUD being built in phases and what might be the timeline of such phases? Which districts or projects will be first?

Please take all the time that is necessary to consider this PUD prior to considering a positive recommendation. Are there new definitions that should be ferreted-out in the UDO before approval? Certainly, there should be more questions, but in the interest of your time, I respectfully leave you with the above for your consideration.

Public Hearing for 2009-PUD-11 closed at 8:08 p.m.

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Kelleher said she would submit written comments.

Burkman said she would send written comments. However, generally, she said she thought that the uses within the PUD were too broad.

Spoljaric said she would submit written comments.

McCarty said that this was a lot to take in, but said that generally, he thought it was good. He said he thought the proposed housing was a good transition.

Johns said he would submit written comments. He said he was concerned mainly the with the suburban rental component and how that would work with the close proximity to high-end housing. He said he thought that the trail head was a good idea; however, he said that one was just approved for the Grand Universe project which is close by. He said he was concerned about reducing lot size from the UDO requirements in all areas.

- Dalton replied that the Link PUD (Grand Universe) was on hold due to COVID. He said he thought a trailhead, both north and south of 191st Street, would be good. He said he thought that the trailhead was necessary and important for this size of development. He replied that the rentals next to homes had not been an issue and added that the rentals would be very high end.

Graham said he thought that the transition is good. He stated he was interested in the new idea of the suburban rental community. He said he liked the trailhead, park, and church.

Kelleher left the meeting early due to technical difficulties.

ITEMS CONTINUED TO A FUTURE MEETING

2007-PUD-07 Bridgewater PUD Amendment (Culver's)
14631 North Gray Road
K&J Acquisitions, LLC by Church, Church, Hittle, + Antrim requests an amendment to the Bridgewater PUD to accommodate a new Fast Food Restaurant.

(Planner: Pam Howard • phoward@westfield.in.gov)

2008-PUD-09 Northpoint II PUD
North side of SR 38 between Anthony Road and Hinkle Road
Northpoint Owners, LLC by Clark, Quinn, Moses, Scott & Grahn, LLP requests a change of zoning for 183.5 acres +/- from the AG-SF1: Agriculture/Single-Family Rural District to the Northpoint II PUD District.

(Planner: Pam Howard • phoward@westfield.in.gov)

REPORTS/COMMENTS
- Plan Commission Members
- City Council Liaison
- Board of Zoning Appeals Liaison
- Community Development Department

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ADJOURNMENT

Motion: Adjourn Meeting
Motion: Graham; Second: McCarty. Motion passed. Vote: 8-0.
Meeting adjourned at 8:17 p.m.

Randell Graham, President

Ginny Kellcher, Vice President

Kevin M. Todd, Secretary