



Westfield–Washington Township Advisory Plan Commission (APC)

Minutes of the April 19, 2021 APC Meeting

Presented for approval: May 5, 2021

Westfield-Washington Advisory Plan Commission (APC) held a meeting on Monday, April 19, 2021 scheduled for 7:00 p.m. in person and online.

ROLL CALL: Noted presence of a quorum.

Present: Kristen Burkman, Robert Horkay, Mike Johns, Ginny Kelleher, Andre Maue, Victor McCarty, Dave Schmitz, and Cindy Spoljaric.

Members Absent: Randy Graham.

City Staff Present: Kevin Todd, Director; Pam Howard, Senior Planner; and Caleb Ernest, Associate Planner.

Legal Counsel Present: Beth Copeland with Taft Stettinius & Hollister LLP.

APPROVAL OF MINUTES

- April 5, 2021 minutes
 - Motion: Graham motioned to approve the minutes as written.
 - Kelleher seconded. Motion passed. Vote 8-0.

REVIEW OF RULES AND PROCEDURES

Howard reviewed the modified public meeting rules and procedures.

CONSENT AGENDA ITEMS

2103-DDP-10

Sunbelt

16915 Westfield Park Road

Detailed Development Plan review for an existing Outside Storage Area on 2.63 acres+/- in the EI: Enclosed Industrial District and US Highway 31 Overlay District.

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

2103-DDP-11

Wheeler Landing Apartments

Southwest corner of Virginia Rose Ave and Wheeler Rd

JC Hart Company, Inc. requests Detailed Development Plan review of 7 multi-story multi-family buildings on 7.65 acres +/- in the Wheeler Landing Planned Unit Development (PUD) District.

(Planner: Caleb Ernest - cernest@westfield.in.gov)

Motion: Maue motioned to approve the Consent Agenda as presented:

McCarty seconded. Motion passed. Vote 8-0.

ITEMS OF BUSINESS

2102-PUD-01

Sanders Glen PUD

2432 South Street

Patch Development, LLC requests a change of zoning for approximately 9.07 acres +/- from the Kalorama Park PUD to the Sanders Glen PUD District.

(Planner: Daine Crabtree - dcrabtree@westfield.in.gov)

(Presenting Planner: Kevin Todd - ktodd@westfield.in.gov)

Todd overviewed this request for a change of zoning. He said that since its Public Hearing, several changes had been made to the ordinance

Agendas for all City meetings are updated and available at our website.

Website: <http://www.westfield.in.gov> | Community Development Department E-mail: community@westfield.in.gov

The Petitioners, Andrew Greenwood and Pat Chittenden with Patch Development, summarized the changes, modifications, and enhancements made to this PUD ordinance. Greenwood said that they had several meetings with the Neighbors that resulted in several modifications. Greenwood said that these modifications included lower density, age restriction for the cottages, addition of a park area, reduction in the number of home style products that would be offered, tree preservation and tree replanting if necessary. He said any traffic congestion would be mitigated by the reduction of density.

Burkman thanked the Petitioner for lowering the density. She said she was glad the development would be age restricted. She mentioned that all garages were all side-load, but this was not committed to in the PUD text. She asked if there had been a response received that the neighbors were satisfied with the changes.

- The Petitioner said they would add language committing to all side-load or courtyard garages. He added that they did not have anything in writing from the neighbors.

Johns said he appreciated the changes and the park location in the front. He said he understood that page 25 contained actually renderings instead of those on page 23. He said he appreciated the reduction in density and the tree preservation.

Kelleher said she liked that the renderings showed what they are going to build. She said she liked that they would commit to no front-load garages.

McCarty said that his concerns from the last meeting were addressed. He said he thought that the changes made were good including the park being located in the front of the development and the lower density. He said it seemed that the neighbors' concerns were addressed.

Schmitz stated that he liked the changes that were made, especially those at the north and south sides of the development.

Spoljaric agreed with others and also mentioned that the PUD says that vinyl aluminum siding was not permitted, and that it should be have an "and" or an "or".

Howard read an email comment that was received.

- The Petitioner said that they would reach out to the sender.

Attorney Copeland asked if the Petitioner would consider adding a severability clause.

The Petitioner said that that they would add such a clause.

Motion: Schmitz motioned to send 2102-PUD-01 to the City Council with a favorable recommendation subject to the commitments:

- Garages for single-family detached residences shall be side-load or courtyard only;
- Section 7.1(B)(i) shall say "Vinyl and aluminum" rather than "Vinyl aluminum"; and
- A severability clause shall be added

Burkman seconded. Motion passed. Vote 8-0.

2103-PUD-07

Midland South PUD

Generally near 321 South Cherry Street

Old Town Companies requests a change in zoning of 3.67 acres +/- from the SFA: Single-family Attached District to the Midland South PUD District.

(Planner: Caleb Ernest - cernest@westfield.in.gov)

Ernest overviewed this request for a change in zoning. He said that since its Public Hearing, this plan has been updated along with Petitioner responses to the issue list. He said Staff had received one public comment on this item that was included in the public comment exhibit on the agenda.

The Petitioner, Justin Moffett with Old Town Companies, summarized the updates made since the project's Public Hearing including setback language in the PUD text. He also addressed the referenced trail's "tree canopy" and explained that it was not actually a healthy canopy and would be approached more like a future planting area. He addressed the tree lawn area between the development and the church, and also spoke to road infrastructure and drainage. He said one nuance not yet vetted was appropriate sight distance at the corner of Roosevelt and Cherry Streets, and that item would be treated as a special study area. He addressed product types, end-cap facades, streetscape view, and planting strips/buffers.

Kelleher asked if the building height limitation was 35-feet.

- The Petitioner replied yes.

Maue said he appreciated the attention to detail.

McCarty said he appreciated the effort that was made with the video at the Petitioner's previous presentation. He added that he also appreciated the tree lawn buffer between the project and the church.

Schmitz said he appreciated the effort put in at this stage of planning.

Burkman asked what would be planted in the 15-foot buffer. She asked Staff how to capture this in writing. She also said she had architectural comments yet felt like language was too open-ended. She said she did not want to see something drastically different built than what was presented.

- The Petitioner said he felt that the parks department should dictate what needed to be planted in the buffer.
 - Howard replied that Staff was looking into that.
- The Petitioner stated that there may be some adjustments with how floor plans are articulated with the facades.
- The Petitioner said he would be comfortable adding a 5-year sunset on the PUD.

Johns thanked the Petitioner for bringing the opportunity for home ownership to the downtown.

The city attorney asked the Petitioner to add a severability clause.

Motion: Kelleher motioned to send 2103-PUD-07 to the City Council with a positive recommendation with the following conditions:

- Provide a twenty-five (25) foot setback from the north property line;
- Provide a fifteen (15) foot landscape buffer from the north property line;
- Provide at a minimum, in accordance with UDO Article 6.8(M), Buffer Yard A along the north property line;
- Provide a buffer from the west property line;
- Include language for using the character exhibits as the intended architecture of the townhouse product;
- Incorporate a sunset clause;
- Incorporate a severability clause.

Motion: Burkman seconded. Motion passed 8-0.

2103-PUD-08

Union Square at Grand Junction PUD Text Amendment

Generally near 305 South Cherry Street

Old Town Companies requests an amendment to add an additional 5 acres +/- and modify the concept plan, character exhibits, development and design standards of the Union Square at Grand Junction Planned Unit Development (PUD) District.

(Planner: Caleb Ernest - cernest@westfield.in.gov)

Ernest overviewed this request for a PUD Text Amendment. He said that since its Public Hearing, this plan has been updated along with Petitioner responses to the issue list. He said Staff had received public comments on this item that were included in the public comment exhibit on the agenda.

The Petitioner, Justin Moffett with Old Town Companies, overviewed some of the Petitioner's responses to public comments and also addressed public parking. He addressed the collaboration with the City for a parking garage. He said they received positive public feedback on the Union restaurant building. He said the many comments addressed trails and

Agendas for all City meetings are updated and available at our website.

Website: <http://www.westfield.in.gov> | Community Development Department E-mail: community@westfield.in.gov

landscaping. He spoke about the green belt along the creek and said that they understood the desire for this connection and will continue to study along with the Parks Department. He spoke about the buildings along Union Street and parking counts. He talked about the building heights of the proposed buildings with the maximum being 4-stories.

McCarty said he loved the design, architecture and the Union restaurant and thought that it was necessary to Westfield's future to have a thriving downtown. He asked how the State Road 32 discussion would affect the Petitioner's main structure.

- The Petitioner said he thought that whatever happens to State Road 32 needs to take place sooner rather than later. He said that they could not comment on design but said he did not think delaying was a good idea. He said he thought that a delay could negatively impact the development; however, they would likely still build the project. He said he thought that there would be economic development damage done to the City if State Road 32 wasn't widened within the next five years.

Spoljaric asked about the loading berths exemption in the original PUD. She asked where the loading berths would be placed. She also asked about the character exhibit language versus public design process. She asked what the intention was for the public design process.

- The Petitioner said that other buildings would not necessarily need loading berths and that they would find a good way to manage trash. He said that there would be no exposed dumpsters as dumpsters would be pulled out for pickup. He said that the Union's berth design would be similar to what was done at Sun King in Carmel.
- The Petitioner said there had been a 3-year public design process and had asked the community at open houses for feedback. He said the public feedback related to the need for a parking garage resulted in the Petitioner incorporating additional land and go through that process. He said that massing (size, height, roofline) shown on the plans would not change, but the architecture could.

Burkman said she was confused on what the Commission (APC) would be voting on architecturally, if the community did not like what was shown in PUD it could completely change. She asked what Westfield could do as a community to make the Petitioner more comfortable showing what they were going to build and have the APC vote on that.

- The Petitioner said there was no legal definition of a community feedback requirement. He said they were not going to hugely change the massing on the plans just because a few people didn't like it. He said the architecture might change.

Horkay reminded APC members that they were only voting on a text amendment.

- Todd and Ernest said that the Petitioner was also updating the concept plan and the character exhibits of the original PUD with this request.

Kelleher asked about removing the community feedback language.

- Todd said that he was fine with that.

Burkman asked about the labeling on the concept plan asking if the APC would only be permitting those uses as they are labeled on the building, or just the location. She said she would like to see retail along the trail.

- The Petitioner replied that permitted uses were not changing from the original PUD.
- He said that retail uses struggle when they don't have a street presence and he would be reluctant to put retail along the trail.

Johns stated that the Council had not yet decided on the parking garage in respect to its financing.

Kelleher asked if the Petitioner would be limiting building height.

- The Petitioner replied yes, that it would be 4-stories for the expansion area only.

Motion: McCarty motioned to send 2103-PUD-08 to the City Council with a favorable recommendation with the following conditions:

- Provide a twenty-five (25) foot setback from the north property line;
- Provide a fifteen (15) foot landscape buffer from the north property line;
- Provide at a minimum, in accordance with UDO Article 6.8(M), Buffer Yard A along the north property line;
- Incorporate a Maximum Height of four (4) stories for the additional real estate only;
- Incorporate a sunset clause;
- Incorporate a severability clause.

Motion: Kelleher seconded. Motion passed 8-0.

2103-PUD-09

Harmony PUD Amendment (Signage)

1367 S. Waterleaf Drive

Woodmont Westfield Ditch Academy LLC by American Structurepoint, Inc. requests an amendment to the Harmony PUD District modifying the sign standards.

(Planner: Caleb Ernest - cernest@westfield.in.gov)

Ernest overviewed this request for an amendment to the Harmony PUD District. He said that since this item's Public Hearing that Staff had received public comments that had been uploaded to the agenda. He said the Petitioner had made updates based on those comments.

Josh Rogers, with American Structurepoint, on behalf of the Petitioner stated that the Petitioner responded to public comments including lighting, lighting fixtures, and the addition of language to the amendment tying the monument sign to the lot not the business.

Grant Gary, with the Woodmont Company, spoke to the lighting modifications.

McCarty said he did not remember seeing any lights on the sign at the location on 191st. He added that he did not see a need for additional lighting on the sign.

Spoljaric asked how late the business would be open and if anyone would be going in to the building after closing. She asked if a requirement could be added that the light on the sign would be turned off at 8:00 p.m.

The Petitioner replied:

- Sometimes people arrive at 6:30 p.m. and sometimes at 7:00 p.m. and that the cleaning staff would arrive after closing.
- This is a 2-tenant sign and would be just as important to the adjacent parcel. He said the adjacent user was not yet determined, but they may have different hours of operation.
- He said that they would consider requiring the sign lights to be turned off at 8:00 p.m.

Johns agreed with Spoljaric's comment and added that he would support an 8:00 p.m. shut off time.

Kelleher said she was fine with the monument sign lights staying on, but she added that she would like to see a requirement that the wall sign lights be turned off at 8:00 p.m.

Maue said he thought the lighting on the monument sign was adequate and that he appreciated having lighted signage at night.

Schmitz agreed with Maue and added that he liked Kelleher's suggestion about the wall sign.

Horkay asked if there could be a condition regarding the wall sign lighting on this petition.

- The city attorney said they were not comfortable with such a condition unless the Petitioner willingly agreed.
- The Petitioner was not comfortable making a commitment at that time.

Agendas for all City meetings are updated and available at our website.

Website: <http://www.westfield.in.gov> | Community Development Department E-mail: community@westfield.in.gov

Motion: Maue motioned to send 2103-PUD-09 to the City Council with a favorable recommendation.
Horkay seconded. Motion failed. Vote 3-5 (Kelleher, McCarty, Spoljaric, Burkman, Johns)

New Motion:

Spoljaric motioned to send 2103-PUD-09 to the City Council with a favorable recommendation with the following condition/amendment:

- Turn off the lighting on the proposed Monument Sign no later than thirty (30) minutes after the closing for the later of the two (2) businesses.

Horkay seconded. Motion passed. Vote 8-0

2104-ODP-09 &
2104-SPP-09

Northpoint Plat Amendment

Southeast corner of 202nd Street and East Street

Holladay Properties by Stoeppelwerth & Associates, Inc. requests a Primary Plat and Overall Development Plan amendment for 1 lot on 21.25 acres +/- in Northpoint PUD District.

(Reviewing Planner: Corrie Meyer - cmeyer@westfield.in.gov)

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

Howard overviewed this request for a Primary Plat and Overall Development Plan amendment. She said that Staff had received no public comments on this item, and that it is compliant and ready for approval.

Motion Maue motioned to approve 2104-ODP-09 & 2104-SPP-09 with the following condition:

- All necessary approvals be obtained from the Westfield Public Works Department, and Hamilton County Surveyor's prior to the issuance of an Improvement Location Permit.

Motion: Maue Schmitz seconded. Motion passed 8-0.

2104-PUD-12

Northpoint PUD Amendment IV

South side of SR 38, east and west of Grassy Branch Road

Northpoint Owners, LLC by Clark Quinn Moses Scott & Grahn, LLP requests an amendment to the Architectural Standards of the Northpoint PUD.

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

Howard overviewed this request for an amendment to the Architectural Standards of the Northpoint PUD. She said since this items public Hearing the Petitioner had made modifications.

Chris Wilkes, with Holladay Properties, presented the background for this request and summarized the changes and modifications made as a result of comments made at the previous APC meeting.

Spoljaric said she had concerns about this applying to primary facades. She said the look along East Street and State Road 38 was important.

Johns said he understood the need for the Petitioner's request and thought it made sense.

Maue said he was satisfied with the modified language.

Motion: McCarty motioned to send 2104-PUD-12 to the City Council with a favorable recommendation.

Motion: Schmitz seconded. Motion passed 8-0.

ITEMS CONTINUED TO A FUTURE MEETING

2008-PUD-09

[CONTINUED]

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)

Agendas for all City meetings are updated and available at our website.

Website: <http://www.westfield.in.gov> | Community Development Department E-mail: community@westfield.in.gov

2101-ZOA-01
[CONTINUED]

Unified Development Ordinance Amendment

Westfield City Council requests approval of an ordinance to amend Article 10.9 of the Westfield-Washington Township Unified Development Ordinance.
(Planner: Kevin Todd - ktodd@westfield.in.gov)

**2104-ODP-06 &
2104-SPP-06**
[CONTINUED]

Ackerson Farms

West Side of Ditch Road between State Road 32 and 166th Street
Estridge Development Management, LLC by Innovative Engineering requests Primary Plat and Overall Development Plan approval for 423 residential lots on 236.78 acres +/- in the Ackerson Farms PUD District.
(Planner: Daine Crabtree - dcrabtree@westfield.in.gov)

**2104-ODP-07 &
2104-SPP-07**
[CONTINUED]

The Courtyards of Westfield

Southwest corner of Towne Road and 151st Street
Epcon Westfield, LLC by Kimley-Horn & Associates, Inc. requests Primary Plat and Overall Development Plan approval for 89 Single-family residential lots on 37.03 acres +/- in The Courtyards of Westfield PUD District.
(Planner: Daine Crabtree - dcrabtree@westfield.in.gov)

2104-ODP-08
[CONTINUED]

Fork Whiskey

NEC of 191st St. and Horton Road
West Fork Whiskey by Cripe requests Overall Development Plan review of 1 lot on 12.83 acres +/- in the Osborne Trails PUD District.
(Planner: Pam Howard - phoward@westfield.in.gov)

2104-PUD-11
[CONTINUED]

Bonterra PUD

South side of State Road 32, 1/4 mile west of Gray Road
M/I Homes of Indiana, LP by Church Church Hittle + Antrim request a Change of Zoning for 28.22 acres +/- from the GO: General Office District to the Bonterra PUD District.
(Planner: Pam Howard - phoward@westfield.in.gov)

2104-PUD-13
[CONTINUED]

Sycamore Glen PUD

South of and adjacent to 159th Street and west of Towne Road
Coronado Development Corporation by Nelson & Frankenberger, LLC requests a change in zoning for 28.5 acres +/- from the AG-SF1: Agriculture / Single-family Rural District to the Sycamore Glen PUD District.
(Planner: Caleb Ernest - cernest@westfield.in.gov)

REPORTS/COMMENTS

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

ADJOURNMENT

Motion: Adjourn Meeting.
Motion: McCarty; Second: Burkman.
Motion passed. Vote: 8-0.
Meeting adjourned at 9:12 p.m.