



**Westfield–Washington Township Advisory Plan Commission**  
**Minutes of the February 1, 2021 APC Meeting**  
*Presented for approval: March 1, 2021*

**Westfield-Washington Advisory Plan Commission (APC) held a meeting on Monday, February 1, 2021 scheduled for 7:00 p.m. online via Skype.**

**ROLL CALL:** Noted presence of a quorum.

**Present:** Kristen Burkman, Robert Horkay, Ginny Kelleher; Andre Maue, Victor McCarty, and Dave Schmitz.

**Members Absent:** Randy Graham.

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

**Legal Counsel Present:** Manny Herceg and Beth Copeland with Taft Stettinius & Hollister LLP.

**ELECTION OF OFFICERS**

- **President:**
  - Motion: Kelleher motioned to nominate Robert Horkay as APC President.
  - Burkman seconded. Motion passed. Vote 6-0.
- **Vice President:**
  - Motion: Burkman motioned to nominate Ginny Kelleher as APC Vice President.
  - Maue seconded. Motion passed. Vote 6-0.

**APPROVAL OF MINUTES**

- December 21, 2020, minutes
  - Motion: McCarty motioned to approve the December 21, 2020 meeting minutes as written.
  - Maue seconded. Motion passed. Vote 6-0.

**REVIEW OF RULES AND PROCEDURES**

Howard reviewed the modified public meeting rules and procedures.

**CONSENT AGENDA ITEMS**

**2102-DDP-01**

**Vision Westfield**

*17414 Tiller Court*

Vision Real Estate LLC by Design Build Corporation requests Detailed Development Plan review of a 33,405 square foot addition on 3.26 acres +/- in the EI: Enclosed Industrial District.

*(Planner: Caleb Ernest - [cernest@westfield.in.gov](mailto:cernest@westfield.in.gov))*

**Motion:** Kelleher motioned to approve the Consent Agenda as presented. Schmitz seconded. Motion passed. Vote 6-0.

**MISCELLANEOUS  
BUSINESS**

**Request to suspend APC  
Rule of Procedure**

EdgeRock Development requests suspension of Article IX(6)(b) of the Westfield / Washington Planning Commission Rules of Procedure.  
(Planner: Daine Crabtree – [dcrabtree@westfield.in.gov](mailto:dcrabtree@westfield.in.gov))

Todd overviewed this request to suspension of Article IX(6)(b) of the Westfield / Washington Planning Commission Rules of Procedure. He explained the Petitioner wishes to withdraw and resubmit immediately with changes made to the PUD.

Jim Ake on behalf of EdgeRock Development summarized the reason for this request in order to make changes to the proposed PUD. He stated that the changes were Council-driven and would reflect less density within a portion of the PUD.

Motion: Kelleher motioned to approve to suspension of Article IX(6)(b) of the Westfield / Washington Planning Commission Rules of Procedure.  
Maue seconded. Motion passed. Vote 6-0.

**ITEMS OF BUSINESS**

**2012-ODP-18 &  
2012-SPP-18**

**Spring Mill Centre**

*Northeast corner of Spring Mill Road and SR 32*  
Haehl Group, LLC by Commercial Links, LLC requests Overall Development Plan and Primary Plat review of 4 Blocks on 55.36 acres +/- in the Spring Mill Centre Planned Unit Development (PUD) District.  
(Planner: Caleb Ernest - [cernest@westfield.in.gov](mailto:cernest@westfield.in.gov))

Ernest overviewed this request for an Overall Development Plan and Primary Plat review. He said since this item's Public Hearing Staff had not received any comments and the plans were fully compliant.

No Presenter comments.

No Commission comments.

Motion: Kelleher motioned to approve 2012-ODP-18 & 2012-SPP-18 with the following conditions.

- o 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.

Burkman seconded. Motion passed. Vote 6-0.

**PUBLIC HEARING ITEMS**

**2102-PUD-01  
[PUBLIC  
HEARING]**

**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.  
(Planner: Daine Crabtree – [dcrabtree@westfield.in.gov](mailto:dcrabtree@westfield.in.gov))

Crabtree overviewed this request for a change of zoning. He said the Petitioner, Patch Development, proposes to repeal and replace the Kalorama Park PUD with a new PUD with areas for single family units as well as an area designed to fit the needs of senior citizens. He said this project had its virtual neighborhood meeting on January 4, 2021. He said that several public

comments had been received by Staff and that those comments were made available as an exhibit to this case.

Andrew Greenwood and Pat Chittenden, with Patch Development, presented the details of this proposal that includes three distinct areas. He said that Area 1 & Area 2 would be single-family dwelling units with Area 3 being designed with a focus on senior citizens and offer access to the Sanders Glen amenities. He said they would enhance access to the Midland Trace Trail which runs along the north side of the property.

He addressed density and traffic and stated that they would plan to convert the 3-way intersection at 171<sup>st</sup> Street and Oak Road into 4-way interception with plans for a future roundabout. He said that City Engineer, John Nail, issued an email to them that stated no concerns about traffic at this intersection should it become a 4-way intersection.

Public Hearing for 2102-PUD-01 opened at 7:27 p.m.

There were no public commenters present at City Hall.

One email was received from Martin Kirkwood and was read aloud.

Other public comments were forwarded to the Commissioners prior to the Public Hearing.

Public Hearing for 2102-PUD-01 closed at 7:30 p.m.

Burkman said she agreed with the density concerns that had been expressed by residents and that she thinks this project is too dense for the parcel. She said she was confused about the project's strategy, and asked if Area 3 would truly be age restricted. She said that the exhibits show a lot of 2-story elevations. She said she would like to see something closer to Kalorama with more tree preservation. She said she would forward additional comments to Staff.

Kelleher said she also prefers Kalorama PUD and said that it was a better fitting infill project. She said the infill project, the Reserve on South, to the west of this was also good infill for this area. She said she didn't think the higher density housing fits on this parcel like it does in front of Sanders Glen. She said it is just way too dense.

Maue said he has some concerns about the density and how this proposal fits in as an infill project. He said he needs to study this a bit more.

McCarty said he agreed with the others' stated concerns especially the high-density of the project. He said a second in/out connection should be considered for safety reasons and that there seemed to be a lack of connection with Sanders Glen.

Horkay said he was sensitive to all of these issues and would struggle to approve this proposal without significant changes. He asked how the residents would access Sanders Glen. He asked if there would be transportation to Sanders Glen. He also asked how much interaction would the residents have with that facility. He said he really liked the Kalorama proposal and was disappointed that it was not going happen.

Kelleher suggested that others look at the original Kalorama PUD. She said she didn't did not feel that 50 rental units is an appropriate infill.

McCarty asked if the project would have its own amenities or just those that exist nearby. He also voiced concerns about what could happen if the rentals products were not actually age restricted.

Schmitz said he shared the others' concerns. Overall, he said that this plan could include more creativity.

- Petitioner's responses:
  - They want to continue their investment that was made to the west at Sanders Glen.
  - A market study was done prior to their previous project showed that 200+ units were needed.
  - This project would serve a different purpose than the assisted living facility.
  - Rental fees include the use of facilities at Sanders Glen. Rent would be cost prohibitive for someone who did not want to utilize those features. This cost factor would mitigate not having an age restriction in place.
  - They would love to connect a road to Sanders Glen, but are not able due to the Midland Trail.
  - They are working with Westfield Public Works/Engineering and Westfield Fire Department about the road design and public safety. Both departments issued their support on the design.
  - They also really liked Kalorama, but realized that plan was over ten years old.
  - If there is not a need for the 50 rental units, then we won't build them; however, they think the need is there.
  - There is a significant grade change from west to east and that is why the Newby property is all floodplain.
  - They said they talked to Jim Anderson about Kalorama, and what Anderson proposed would not work for this area due to the proximity to commercial.

Kelleher said she understood that times have changed. She said that the community to the west is a newer project more suited to an infill project. The previous proposal of Kalorama didn't include expensive homes but cottages that were nestled into the property and well buffered. She said that the large amount of greenspace in Kalorama reduced the total density and its effect on neighboring properties. She said the current proposed number is just too dense.

McCarty said he heard the word "can't" a lot from the Petitioner and that "can't" doesn't exist outside of physical constraints of the land. He said that part of our role is to listen to the petitioners, but part is also listening to neighbors. He said he thought the opinions of neighbors that live in the area outweighs the Petitioners' opinions.

Burkman said she would like to see the market study that the Petitioners referred to. She encouraged the Petitioner to reach out to the surrounding HOAs that submitted comments.

**2102-PUD-02  
[PUBLIC  
HEARING]**

**Lancaster, Phase 2 PUD**  
*NEC of 186<sup>th</sup> Street and Casey Road*  
William Tres Development, LLC by Nelson & Frankenberger, LLC requests a change in zoning of 36.2 acres +/- from the Springmill Trails PUD District to the Lancaster – Phase 2 PUD District.  
*(Planner: Kevin Todd – [ktodd@westfield.in.gov](mailto:ktodd@westfield.in.gov))*

Todd overviewed this request for a change in zoning. He said the Department had received comments that were attached as an exhibit to the agenda.

Jon Dobosiewicz with Nelson & Frankenberger, LLC, on behalf of the Petitioner, summarized the details of this project.

Public Hearing for 2102-PUD-02 opened at 8:00 p.m.

There were no public commenters present at City Hall.

Two public comments were forwarded to the Commissioners prior to the Public Hearing.

One email from Christopher Larsen was read regarding the amenities.  
Public Hearing for 2102-PUD-01 closed at 8:04 p.m.

The Petitioner responded that the amenity center to the south is for Residential District 2 of the Springmill Trails PUD, south of 186<sup>th</sup> street. This community would utilize the facility at Lancaster.

Maue pointed out that the density is slightly lower, which is usually considered good.

McCarty said he appreciated the explanation on the amenities. He voiced concerns about traffic and density. He said that 186<sup>th</sup> as a road had not changed much over the years and was not built to handle the current day traffic.

Schmitz said he liked the amount of open space, product type, and appreciated the amenity explanation. He stated that he was generally favorable about the project.

Burkman asked for an update on how the Petitioner was working with the adjoining neighbor that submitted comments. She asked if vinyl siding was still a permitted building material. She stated that she thought Westfield gotten away from using vinyl siding.

Kelleher said she noticed that there were no maximum number of units in the original PUD and asked if that could be added. She asked about the architecture of homes that back up to road. She said she noticed there was no buffer proposed and said that was not acceptable.

Horkay said he agreed that they need to work with the landowner to the south.

Petitioner's responses:

- The lack of buffer yard refers to the eastern property line against the existing Lancaster area.
- They are working with the Markusfeld family on the buffer along their property.
- The maximum number of 90 units would be added to the PUD text.
- They had received preliminary comments about enhancements of the homes whose rear facades face Casey Road and the Petitioner would be providing further details.
- As for vinyl siding, everything south of the connecting drive in Lancaster is .46 mm vinyl, everything south of Springmill Trails is the same type of vinyl.
- Addressing the condition of 186<sup>th</sup> street, road impact fees are paid with every home and those funds are used for future road improvements. The developer has no control over these improvements. The priority of those improvements is determined by the City of Westfield.

McCarty stated that there is a need for the road impact fee dollars to be implemented here. He said that was not a part of previous approval, but felt the precedent had been set and that road improvements would be a good type of project for the area.

Schmitz said he would like additional details on the buffers as well as architectural enhancements about the rear facades along Casey Road.

**2102-PUD-03**  
**[PUBLIC**  
**HEARING]**

**Maple Knoll PUD Amendment V**

*Southeast corner of SR 32 and Spring Mill Road*

Panda Restaurant Group, Inc. by Nelson & Frankenberger, LLC requests an amendment to modify the sign standards of the Maple Knoll Planned Unit Development (PUD) District.

*(Planner: Caleb Ernest – [cernest@westfield.in.gov](mailto:cernest@westfield.in.gov))*

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*Website: <http://www.westfield.in.gov> | Community Development Department E-mail: [community@westfield.in.gov](mailto:community@westfield.in.gov)*

Ernest overviewed this request for an amendment to modify sign standards. He said this item held a virtual neighborhood meeting on January 21, 2021 with three community members present and that one comment had been received to which the Petitioner responded.

Jon Dobosiewicz with Nelson & Frankenberger, LLC, on behalf of the Petitioner, summarized the details of this project within the Maple Knoll PUD and how the project is specific to an individual outlot.

Public Hearing for 2102-PUD-03 opened at 8:24 p.m.

There were no public commenters present at City Hall.

No public comments were received.

Public Hearing for 2102-PUD-03 closed at 8:26 p.m.

McCarty asked if additional businesses were to go in this area, would their request be presented on the consent agenda as the use is already permitted.

- Ernest replied yes, only after a secondary plat was filed to subdivide and a DDP review conducted by Staff to confirm compliance before appearing on the Consent Agenda.

Dobosiewicz asked if a recommendation could be made at this meeting due to lack of comments.

Motion: Kelleher motioned to forward 2102-PUD-03 to the City Council with a favorable recommendation.

McCarty seconded. Motion passed. Vote 6-0.

Manny Herceg interjected at this time that one of the four City Councilors needed to excuse themselves from the meeting to avoid breaching the Open-Door Policy. Mike Johns left the virtual meeting.

**2102-PUD-04**  
**[PUBLIC**  
**HEARING]**

**Lantern Commons PUD**

*NWC of 161<sup>st</sup> Street and Westfield Boulevard*

Front Street Partners, LLC by Church, Church, Hittle + Antrim requests a change of zoning for 60.74 acres +/- from the GB-PD: General Business/Planned Development District to Lantern Commons Planned Unit Development (PUD) District.

*(Planner: Pam Howard – [poward@westfield.in.gov](mailto:poward@westfield.in.gov))*

Howard overviewed this request for a change of zoning. She said that a virtual neighborhood meeting was held on January 11, 2021. She added that a summary of that meeting was Exhibit 7 on the agenda. She said Staff had received several public comments that were also included as an exhibit on the agenda. She said that after the final update of the agenda's exhibits that Staff had received additional comments that would be emailed to the Commissioners prior to the Public Hearing.

Matt Skelton with Church, Church, Hittle + Antrim, on behalf of the Petitioner, summarized the details of this project. He said that the Petitioner had received several public comments and that he felt he could address those at this meeting. He presented a zoning history of this property beginning in 2001 and some of its previous planned uses. He said this current project incorporates the City's

thoroughfare plan. He said this current proposal could include assisted living uses, low-rise neighborhood commercial, hotel destination, office use, and potential office headquarters.

Martin Ing with Front Street Partners addressed the Commissioners and overviewed the Petitioner's vision of this development. He said the proximity to the trails was an advantage. He addressed that multi-family component and said it has become desirable to many due to the amenities offered. He introduced the team at Front Street Partners.

Skelton addressed many of the questions posed in the Public Comments.

- Will this impact the proposed Roundabout at 161<sup>st</sup>/Union?
  - No
  - Can't address the City's timeline.
- There were several concerns about increased traffic.
  - This proposal would have significantly less of an impact than what could be proposed as currently zoned.
  - Union street would have a 2-way stop to de-emphasize South Union. Westfield Boulevard would be the emphasized route for through traffic.
- Woodside residents have stated that they don't want a connection to the new road.
  - The City confirmed that a connection is not in its plans.
- Petitioner received comments about buffering on northside.
  - Petitioner will revisit buffer on northside.
- Will this negatively impact drainage?
  - Petitioner will be required to release drainage at a controlled rate.
- How this will impact property values?
  - One could find both good and bad examples of the impact. The project's amenities will be good and will have a favorable impact. The currently approved zoning would be more likely to decrease property values.
- Will the Petitioner relocate wildlife living on the property?
  - Petitioner will look into this.
- Natalie Wheeler Trail
  - Petitioner feels like this trail is a great amenity.
- Light pollution
  - Petitioner will abide by city standards and look at adding additional standards.
- Tree Preservation
  - Petitioner is open to exploring target areas for tree preservation, it can be difficult but there are some preservation opportunities along the north property line.
  - Many trees were harvested when original development was proposed, anything on the property now is probably not very old
- Architectural Standards
  - High architectural standards would be applied to parking garages, if one was to be built. A parking garage would likely be associated with a large office type project.
  - Petitioner will look at adding thematic and consistent requirements for architecture and signage.

Public Hearing for 2102-PUD-04 opened at 8:59 p.m.

Thirteen public comments were forwarded to the Commissioners and posted prior to the Public Hearing.

Four public comments emails that were received after 6:30 p.m. and were forwarded to the Commissioners.

Verbal comments from City Hall:

- Heather Sommer, 1614 Woodside Drive, said she submitted email comment. She said her areas of concern included environmental concerns including animal habitat, floodplain, this type of project would be better located in a deforested area. She said the Woodside Drive owners would be the most impacted by this project. She said that those property owners chose the area because of its wooded nature. She said she thought that some things were strategically omitted from ordinance to minimize the impact on the adjacent residents. She stated that the amenities provided were not what the current residents desire. She said she included several exhibits in her email that show areas of concern and included potential changes to make the plan better. She said that this project would significantly affect property values in a negative way. She said the SEP headquarters to the south includes a forest preserve area. She said this proposal is too conceptual and that additional details had not been provided.
  
- John Long, a Woodside Drive resident, asked what would one want to see as they enter Westfield. He said the developer kept comparing this to 2007 plans. He said he would like the buffer to keep as many trees as possible. He asked how the Natalie Wheeler Trail would cross the roundabout at 161st Street. He said he thought that approving a development where the main road had not been planned yet does not make sense. He said people won't want to drive by apartments and offices.

Public Hearing for 2102-PUD-4 closed at 9:09 p.m.

Petitioner's responses:

- Petitioner said most of the comments had been addressed.
- This project is much more in line with City's Thoroughfare Plan and Comprehensive Plan the previous proposal.
- Every mixed-use project has a master developer. It is rare for a single developer to build the entire project. He said it is also rare for all users for a project like this to be known ahead of time.
- This project is big, but not that big. He said that the Petitioner knows that this proposal will basically be the layout and is trying to meet the highest architectural standards of the community.

Schmitz said he agreed that a mixed-use approach would be best for this property, and that the current proposal was a better project than the previous approval. He said he did not think the previous project would be feasible at this point. He said he was appreciated the commitments for a quality development. He stated that he thought more detail was needed and that he saw both good things and areas of concern.

Burkman thanked the neighbors for reaching out with comments. She said she would email her comments to Staff. She said she thought the current vision had potential, but voiced concerns about language in the PUD that would not allow the concept plan to shift too much. She said that things needed to be tightened up and that she thought the buffer to north needed to be as good or better than the previous project proposed. She asked about the Stone Crest project in Tennessee, and asked if Front Street Partners built those apartments and, if so would they meet the standards of the PUD. She asked the Petitioner if they mainly deal with multi-family. She asked what would the relationship be with other developers and asked if townhomes could be done instead of apartments. She asked if the Petitioner if they had visited the Research Triangle in North Carolina in regard to tree preservation. She added that the Petitioner should look at other examples around country to see how to better incorporate greenspace and tree preservation.



Kelleher said she thought that this was an improvement over what had already been approved. She said she talked with Steve Hoover who said that the previous project had significant buffering along north property line and that there were tiered building heights with taller buildings all to south. She said significant planning would be needed to preserve the wooded areas and existing topography. She said there were not enough details in the current PUD to achieve what was shown in exhibits. She said some areas were shown as office on the concept plan, but all the underlying zoning was GB for all commercial parcels; so, she said we might not get any office use. She asked if the Petitioner would provide additional comments. She voiced concern about the permitted uses, that there were no height maximums for some areas. She stated she would like to see more buffering on Union Street. She said that there were no amenities mentioned in the current PUD. She said she would send in her mark-up comments. She said that 600sf maximum for apartments didn't sound like high quality, and asked if the Petitioner could show how they would achieve the quality at that size. She said it would be nice if the road didn't connect to the north, or perhaps just move it further south so it's not along north property line.

Maue said he would love to keep the property the way it is. He added that the area wasn't currently a nature preserve or park and that as far as zoning goes, it was high intensity retail which could be built now. He said he would be happy to see something better proposed. He said it seemed that the proposed development neither proposed nor relied on the road connection, and that was led by the City and was a separate issue. He said he thought better buffering and screening to north would be good and that terracing building height was a good idea. He stated that a structured parking with high architectural standards could be better than a large flat parking lot.

McCarty said that he agreed with much that had been said. He said he thought the previous approval wasn't good. He said, that as a millennial, he would like to see mixed use buildings with retail/dining on bottom and residential on top. He said he would like to see something very impressive along this portion of the US 31 corridor. he would like to see more preservation, something more tangible.

Horkay said that he liked it is better than what was approved in 2007. He said he was wondering about apartments along US 31, and referred to this area as Westfield's "beachfront" property. He said that this proposal was is a good start, but it needs more detail. He said he noticed that very little water was shown on the property, but understood that it was not yet engineered. He asked how much impact the engineering would have on a water location.

Petitioner's responses:

- The Petitioner thanked everyone for their comments and said they will take all comments received into consideration.
- Westfield Boulevard is an integral part of this project.
- The Petitioner will work with Staff to revise ordinance before coming back.

**2102-PUD-05**  
**[PUBLIC**  
**HEARING]**

**Wheeler Landing PUD Amendment IV**

*Generally north and west of the intersection at Wheeler Road and State Road 32*

J.C. Hart Company Inc. by Church Church Hittle + Antrim requests an amendment to the Wheeler Landing Planned Unit Development (PUD) District modifying the architectural, parking and landscaping standards.

*(Planner: Caleb Ernest – [cernest@westfield.in.gov](mailto:cernest@westfield.in.gov))*

Ernest overviewed this request for an amendment to the Wheeler Landing PUD. He said the Petitioner held a neighborhood meeting on January 26, 2021 with two attendees from the community and that no comments were received. He added that Staff had received no comments.

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Eric Douthit with Church, Church, Hittle + Antrim, on behalf of the Petitioner, summarized the details of this project. He said the area included in this request is Area 1 for a proposed high-end apartment community. He detailed the text amendments for the PUD.

Randy Sherman with Weaver Sherman Design, the architectural design firm for the project, spoke to the details of the architectural designs, amenities for this project and was designed to present an urban development/village feel. He said that sidewalks in the development would connect to the Monon Trail.

Public Hearing for 2102-PUD-05 opened at 9:57 p.m.

There were no public commenters present at City Hall.

No email comments were forwarded to the Commissioners prior to the Public Hearing.

Public Hearing for 2102-PUD-05 closed at 9:59 p.m.

Burkman stated that she really liked the architecture and thoughtfulness in the presentation. She said that the architectural colors mentioned were the colors the ones shown . She said she thought the architecture would be tied to character exhibit.

- Douthit replied that the finalized colors were not received in time to get exhibits updated for tonight's meeting. He said that would be done before next meeting.
- Sherman said the slides presented tonight would be the colors that would be used.

Kelleher said she agreed with Burkman's comments. She said that a lot of attention to detail was given to the design.

McCarty said he agreed with others in that this was a nice looking project that fits well in the area.

Horkay said he was concerned about apartments when the PUD first came through. He said he now thought this is a terrific proposal.

Schmitz said he appreciated Petitioner's explanations that were presented.

**2101-ZOA-01**  
**[PUBLIC HEARING]**

**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](mailto:ktodd@westfield.in.gov))*

Todd introduced this request from the Westfield City Council that proposed time duration limitations on new planning development developments based on certain development milestones being met. He said the new legal team had expressed some concerns with the draft and was still looking at this item in depth.

Cindy Spoljaric, on behalf of the Westfield City Council, presented a summary of this request. She referenced the prior zoning of the Lantern Commons parcel. She said the retroactive aspect of the proposal had been removed.

Public Hearing for 2101-ZOA-01 opened at 10:09 p.m.

There were no public commenters present at City Hall.

No public comments received.

Public Hearing for 2101-ZOA-01 closed at 10:11 p.m.

Kelleher asked if this item had been properly advertised.

- Todd replied that it was introduced at the Council meeting and had been properly advertised.

Kelleher said she would wait on the attorney's comments and any comments from developers.

Maue said he was in favor of this concept, adding that he was glad it wasn't retroactive. He said he still was concerned about the ability for Council to rezone or unzone something that went through the public process. He said he was in favor of something, but not sure that this proposal is the right something.

Kelleher said she agreed with Maue. She also said that she was confused about the Council's ability to apply zoning as well, adding it should have better definition.

McCarty said he agreed with Kelleher and Maue and felt that the intention was good. He said he did not want authority taken away from the APC. He asked if this was actually a sunset clause, in layman's terms.

Schmitz said he thought that this proposal needed to be drafted very precisely from a legal perspective. He asked if this would be a burden on the land owner to do something within the proposed time frame. He said a description of the mechanics of how this would work is needed. He said he was confused about a conflict statement in Section 2.

Burkman stated she agreed with others; however, she said she thought there were areas with old zoning that Westfield does not want today.

Horkay said that this concept had come up in prior years and that he was not overly in favor of it. He said he was concerned with an elected body determining new zoning standard. He said he thought it should revert to the previous zoning. He said he thought rezoning could present issues with property being devalued by changing the zoning.

Manny Herceg, Attorney said that Legal would be providing a response to comments heard.

Maue said that we need to think about a future City Council, just as we would do with a potential change in petitioners. He said that this item could be used for vendetta in the future. He said he didn't necessarily have an answer, but added that he was really uncomfortable with this one.

Kelleher asked Spoljaric what the mechanics would be and would this item go through a full process.

- Spoljaric replied that she thought that the rezoning would go through the full process. She said she did not draft this item and that she also had other questions. She said that legal review of this item was still needed.

Kelleher said she thought there was a need for more detail on the process and mechanics of item.

- Spoljaric said she agreed and that Staff and Legal should determine what was best for this proposal.

Maue mentioned that even if the existing zoning was kept intact through renewal, this may add more cost/process for something that is already permitted.

- Kelleher said she thought some expense may be incurred if a Petitioner needed to resubmit, but that the loss of large value needs to be avoided.

Burkman asked what other communities have this type of ordinance, and if so have there been any issues.

- Spoljaric said that Fishers and Greenwood have an ordinance.
- She said she was not sure if any other communities have had ordinances expire yet.

McCarty asked why can't the zoning revert back to what it was before.

### **ITEMS CONTINUED TO A FUTURE MEETING**

**2007-PUD-07  
[CONTINUED]**

**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](mailto:phoward@westfield.in.gov))*

**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](mailto:phoward@westfield.in.gov))*

**2012-ODP-18 &  
2012-SPP-18  
[CONTINUED]**

**Spring Mill Centre**

*Northeast corner of Spring Mill Road and SR 32*

Haehl Group, LLC by Commercial Links, LLC requests Overall Development Plan and Primary Plat review of 4 Blocks on 55.36 acres +/- in the Spring Mill Centre Planned Unit Development (PUD) District.

*(Planner: Caleb Ernest – [cernest@westfield.in.gov](mailto:cernest@westfield.in.gov))*

**2012-PUD-15  
[CONTINUED]**

**Somerset PUD**

*2,650 linear feet north of US 32 on Spring Mill Road and 1,300 linear feet west of Spring Mill Road on W 186<sup>th</sup> Street*

Silverthorne Homes requests a change of zoning for 61.39 acres +/- in the AG-SF1: Agriculture / Single-family Rural District to the Somerset PUD District.

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

### **REPORTS/COMMENTS**

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

### **ADJOURNMENT**

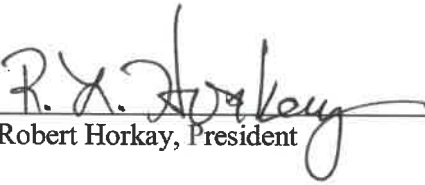
Motion: Adjourn Meeting.

Motion: McCarty; Second: Kelleher.

*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](mailto:community@westfield.in.gov)*

Motion passed. Vote: 6-0.  
Meeting adjourned at 10:32 p.m.

  
Robert Horkay, President

  
Ginny Kelleher, Vice President

  
Kevin M. Todd, Secretary