



Meeting Minutes

Whitestown Plan Commission

Date: 03/11/2019

Time: 6:30pm

Location: Whitestown Municipal Complex, 6210 Veterans Drive, Whitestown, IN 46075, (317) 769-6557

Call to Order

6:30pm

Pledge of Allegiance

Roll Call

- Danny Powers
- Dave Taylor
- Josh Westrich
- Craig Arthur
- Sarah Ford
- Andrew McGee
- Matt Doublestein
- Staff:
 - o Brittany Garriott, Town Planner, (Jason Lawson in place of Brittany Garriott)
 - o John Molitor, WPC/WBZA Attorney

Approval of the Agenda

- a. 02/11/2019 Meeting Minutes

Motion to approve meeting minutes by Arthur. Second by Ford. Motion passes 7-0.

Craig Arthur: Asked to Combine Items A & B- Docket PC19-005-CP & Docket PC19-006-DP

Motion to approve combining of items a & b by Arthur. Second by Ford. Motion passes 7-0

Public Comment for Items Not on the Agenda

1. **Pat Howenstine:** 2587 S 650 E. Pat is concerned about Trailside. She has learned that D R Horton has acquired Westport Homes, as of November 13, 2018. On 11-19-2019, the Plan Commission had before them, Westport homes requesting a zoning approval to PUD. It was not revealed that D R Horton now owed Westport.

Pat went on to say, through her research, that D R Horton had a very poor rating with their buyers. 1.3 rating, out of 5. She does not want sub-standard housing around her. She asked the Plan Commission, if they, the Town Council and other Boards, inquire of who builds here? Do they research if buyers are happy with their homes? Do you talk to someone other than the Lawyer's representing the Developer? How do you get a builder to honor the previous builders' promises? We, as the residents of Whitestown, depend on the Town Council and the Boards, to look after our best interest. She wants to keep the rural living feel, that she had there, for many years. They have spent a lot of money and time on their property, so it would look nice and feel park like. She wants no cookie cutter type homes to go here. New families have moved here for the same reason, to get away from Town and Crowded subdivisions.

2. **Craig Arthur:** Thank You, Pat. I want to give feedback from a residence perspective. I moved here 6 years ago, and I now have 3 young children. I understood the potential of this town and knowing it would grow. The build quality concern, is definitely, from an education stand point, something we could deal with. That is why we have a UDO and why we made a favorable recommendation to a UDO. This is why a UDO is good, To make sure standards are met. Doesn't matter who the developer is, those are the standards. We have Concept plans and development plans that have to come through, the approval process. - Discussions can be had.

3. **Sarah Ford:** Can I back up for just a minute? So, what we approved at that meeting, was the zoning, Right? We have not seen concept plans or development plans? Has the builder changed from who it was originally? I know Brittany isn't here.

4. **Jason Lawson:** I have not heard that, but I can say, no matter who the home builder is, they have to follow our UDO and development standards.

5. **Ford:** So, we were just approving zoning that night, right?

6. **Lawson:** Just Zoning, yes.

7. **Dave Taylor:** As far as building standards, I am the director of the Building Department and have 3 other inspectors and the houses will be built per State Code and National Code. They all follow the same standards.

8. **Howenstine:** Is that requirements that Westport have passed through? We have Prairie Chase, and Prairie Chase is one of them.

9. **Taylor:** Nothing to do with Westport, Pulte or anybody who is out here. This is Whitestown Standards, as the building Department for Whitestown. Our Standards, not theirs. We determine our standards when we go in and inspect their products.

10. **Howenstine:** If there is a wiring problem, you can catch it before the drywall is up?

11. **Taylor:** Absolutely, that is exactly what we do.

12. **Howenstine:** to the very last house built?

13. **Taylor:** Yes, we not going anywhere. We have done it for the last 3 years.

14. **Howenstine:** She is concerned because of the reviews she has read, and their poor performance, substandard contractors are bought in, opposed tot eh Phase I contractors.

15. **Taylor:** That's fine, maybe other places, but they are going to learn how Whitestown works.

16. **Howenstine:** I hope you are right.

17. **Taylor:** I know I am right

18. **Lawson:** For every step of the process whether it be a footer or drywall, the wiring, is a step, and boxes they have to get checked off to go to the next step, through Dave's Office.

19. **Howenstine:** I know all that, I have gone through that with remodeling. So, you have enough people to through 595 homes?

20. **Taylor:** They will not be going all at once. I have other projects, and I have it set up, if I need to bring in another one, I can bring in another one. I am fully aware of what kind of work we have coming in, so we planned ahead for that.

21. **Howenstine:** Okay, that answers the question of making sure it is not below standard.

22. **Taylor:** No, absolutely not

23. **Howenstine:** But still to address whether this company or Westport, is building these homes.

24. **Taylor:** That might be a question to ask Westport Homes, on what happened and what they are doing. We have no control over that.

25. **Craig Arthur:** Plan Commission, BZA, Town Council, Dave's Team, is holding the developers to the exact same standards. I would say, since I have lived here, most certainly over the last three years, you can tell no matter what developer, that quality still remains. Be careful doing that research on the Internet. State to State, Standards are different. Builders could adhere to a different standard that those buyers do not know, and that they are not knowledgeable up front. I love that you are doing your research. I applaud that. Rest assured, we have you covered.

26. **Howenstine:** We feel, that if this is proven, that Westport is not the builder, and it is Horton, will they start from the beginning?

27. **Arthur:** I would think they have to submit the Concept Plans & development Plans. Now if they would have to go through a PUD approval, I would say, they wouldn't, because they would be adopting the PUD, that we made the recommendation, and ultimately that got passed by the Town Council. They would have to make sure their Concept & Development Plans adhere to the PUD. Absolutely not, on going back to the beginning. That would be a waste of time and a waste of money for the Government, as well as the developer. Now going back, they have to adhere to the same standards, regardless. Does that answer your question?

28. **Howenstine:** Until we can find out, what is the deal between Westport and Horton. I wanted more than anything, for you to be aware of what I see, in my letter that I received. It was buried a little bit, but it was there, and it was a shock.

29. **Taylor:** Builders buy out Builders. We had a builder in Eagles Nest that was bought out three times. It happens alot. Nothing changes. They still have to follow all the rules, same PUD and same things we have set forth for that project.

30. **Arthur:** You are welcome to hold Whitestown and the developer responsible and the time to do that, is when they have a Concept Plan to submit, and a Development Plan to submit. If something doesn't jive with what the original developer says, bring it to our attention. We could always use an extra pair of eyes.

31. **Howenstine:** Okay, we will be there.

Presentations- N/A

Unfinished Business- N/A

New Business- Public Hearing

1. Docket PC19-005-CP and PC19-006-DP- 65 Commerce Park 1 b Project Panther Concept Plan & Development Plan

- i. **Bryan Sheward:** Kimley Horn, 250 E. 96th Street Suite 580. The 10.86 acres is now owned by Delco Realty. Sheila Scott, Gochenour Trust, was the owner. The property closed ten days ago. 150,000 sq. ft build to suit warehouse. Portion of the West side is a dry warehouse with office space. The NE Side is a cold storage warehouse for Italian food. There will be no producing of food in this facility. There are 138 regular parking spaces. There is a Dock only on the Northside, and a place for future building. They will share the same curb cuts. As far as planning, on the south side of the building, they will be outside Equipment, and they will be screening around this with Ever greens and others. They are still working on a few technical items with the Fire Marshall.
- ii. **Jason Lawson:** Staff recommends Plan Commission approve Docket PC19-005-CP & Docket PC19-006-DP, 65 Commerce Park, building 1b, Project Panther.

Motion to approve by Ford. Second by McGee. Motion passes 7-0

iii. **Arthur:** John has an announcement.

iv. **John Molitor:** The Litigation we still have pending by Mrs. Drake last fall, that involves the Concept Plan approval for PPG Development and the Paul Property. I did file a motion to dismiss in that case, a couple of weeks ago and we recently learned that another special Judge, but actually, it has gone back to the new Judge of the Circuit Court, Lori Shine. So, the case will be heard by our new circuit court Judge, here in Boone County going forward. If we need to discuss this, we will need to schedule an Executive Session

Other Business: N/A

Adjourn

Unanimous vote to adjourn

6:50pm



Craig Arthur, President



Brittany Garriott, Staff