



Meeting Minutes

Whitestown BZA

Date: February 10, 2022

Time: 6:30pm

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

Call to Order:

6:33pm

Pledge of Allegiance

Roll Call

- ☒ Mark Pascarella
- ☒ Phillip Snoeberger
- ☒ Craig Arthur
- ☒ Andrew McGee

- ☒ Staff:
 - Jill Conniff, Planning Staff
 - Jonathan Hughes, WPC/WBZA Attorney

Election of Officers

Motion to nominate Andrew McGee as president by Arthur. Second by Snoeberger. Motion passes 4-0.

Motion to nominate Mark Pascarella as vice president by Arthur. Second by Snoeberger. Motion passes 4-0.

Approve Agenda

Motion to approve agenda and combine items c. and d. by Arthur. Second by Snoeberger. Motion passes 4-0.

Public Comment for Items Not on the Agenda- none

Presentations- none

Unfinished Business- none

New Business – Public Hearing

- a. **BZA22-001-VA 65 Commerce Park Building 4 Parking Variance**
 - i. Phillip Snoeberger leaving room for voting due to a conflict of interest.
 - ii. **John Cumming** – 65 Commerce Park in the third phase and Building 4 was in phase two. The tenant occupies the whole building and needs more space. Went over aerial and site plan for expansion.
 - iii. **Liam Sawyer** – Kimley-Horn – Stated that the pond expansion has gone through the county. The need for more parking as they plan to add 250 jobs. Went over landscape plan and additional buffering.

- iv. **Jill Conniff** – Staff Report - Staff recommends the Variance be approved with the following finding of facts: 1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because: Approval of the variance will not be injurious to the public health, safety, morals, and general welfare because parking is already located on site. The new proposed parking offers proper circulation for safety of pedestrians and vehicle drivers. 2. The use or value of the area adjacent to the property included in the variances will not be affected in a substantially adverse manner because: The use or value of the surrounding area will not be negatively affected if the variance is approved because the area is generally industrial in nature and the proposed parking is located to the rear of the site out of view from the right-of-way. 3. The strict application of the terms of the Ordinance will result in practical difficulties as applied to the property for which the variance is sought because: The ordinance's maximum parking standard would limit the business' ability to staff the business for practical operations. The business has been operating on site since the original building was constructed and has an understanding of what it's employee parking requirements are that are more fine-tuned than the UDO parking table.
- v. **Craig Arthur** – How many employees per shift? 150?
- vi. **John Cumming** – 150 total and 250 per shift total.
- vii. **Liam Sawyer** – Not clearing anything existing, will be adding to it per the ordinance.
- viii. **Craig Arthur** – 200-300 employees and adding 150 for a max of 500. Seems to have plenty of parking now.
- ix. **John Cumming** – They plan to add more down the road.
- x. **Craig Arthur** – Thank you.
- xi. **Mark Pascarella** – It is already paved; you are just changing from truck to employee parking?
- xii. **Craig Arthur** – The variance is just for lines.
- xiii. **Jon Hughes** – Clarification that the expansion is smaller than listed.
- xiv. **Andrew McGee** – Will wooded area remain?
- xv. **John Cumming** – Yes.
- xvi. **John Hughes** – You can make reasonable conditions.
- xvii. **John Cumming** – We will make that commitment plus additional landscaping.

Motion by to approve with conditions that the trees remain to the North with additional landscaping and to accept with the staff recommendations by Arthur. Second by Pascarella. Motion passes 3-0.

b. BZA22-003-VA and BZA22-004-VA Giles Building 1 and 2 Loading Berth Variance

- i. **Mark Leach** – Faegre and Drinker W 600 E 96th Street with Matt Brauer from the Peterson Company. Went over power point with aerial, location and site plan.
- ii. **Jill Conniff** – Staff Report - Staff recommends the Variance be approved with the following finding of facts: 1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because: Approval of the variance will not be injurious to the public health, safety, morals, and general welfare because loading berths are commonly found throughout existing and future industrial developments. The site in question will be facing a similar use and other loading berths; any light or noise from semi-trucks will directed to a similar use across the street. 2. The use or value of the area adjacent to the property included in the variances will not be affected in a substantially adverse manner because: The use or value of the surrounding area will not be negatively affected if the variance is approved because the area is generally industrial in nature and the building across the street has also applied for a variance for the same matter. Given the current

and future use of CR 475 E, the Town's preference is that loading berths would face CR 475 E instead of CR 500 S. 3. The strict application of the terms of the Ordinance will result in practical difficulties as applied to the property for which the variance is sought because: The ordinance's prohibition on loading berths facing a public right of way did not take into account corner lots. Corner lots have two sides with right of way and many light industrial use buildings are designed and require loading berths on opposite sides of the structure.

Motion by to approve BZA22-003-VA with staff findings by Arthur. Second by Pascarella. Motion passes 4-0.

Motion by to approve BZA22-004-VA with staff findings by Arthur. Second by Snoeberger. Motion passes 4-0.

Announcements

Adjournment

6:58 pm

Unanimous vote to adjourn

Andrew McGee, President

Jill Conniff, Planning Staff