



Meeting Minutes

Whitestown Plan Commission

Date: 07/11/22

Time: 6:30 pm

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

Call to Order

6:30 pm

Pledge of Allegiance

Roll Call

- Danny Powers - **Absent**
- Dave Taylor
- Steve Milstead - **Absent**
- Andrew McGee
- Matt Doublestein
- Lauren Foley
- Phillip Snoeberger
- Staff:
 - Jill Conniff, Planning Administrator
 - Alex Intermill, WPC/WBZA Attorney

Approval of the Agenda

Motion to approve amended correction on 06/13/22 minutes for items c. and d. the votes should have been 5-0 approved by Snoeberger. Second by Taylor. Motion passes 5-0.

Motion to combine c. and d. as well as e. and f. by Foley. Second by Snoeberger. Motion passes 5-0.

Request to continue item b.

Public Comments for Items Not on Agenda N/A

Presentations N/A

Unfinished Business N/A

New Business (Public Hearing)

a. PC22-032-ZA Ellis Acres

- i. **Jim Shinaver** – Nelson and Frankenberger 550 Congressional Blvd – Went over site plan of 10-acre parcel with two different zonings of AG and GB. Discussed site plan with 70 units of 2 two- and three-story buildings. They have held three neighborhood meetings and made some changes according to feedback. Went over landscape plan and modifications to the materials made. Units will range in price from \$375,000 to 425,000. Would have zoning commitments for rentals/leasing, believes it meets comprehensive plan.
- ii. **Jill Conniff – Staff Report** - Staff is providing an unfavorable recommendation for the Ellis Acres PUD Rezone Docket PC22-032-ZA. The applicant is proposing to rezone the described area from the General Agriculture (AG) and General Business (GB) Zones to the Planned Unit Development (PUD) Zone. The Whitestown Plan Commission and Town Council shall pay reasonable regard to the five decision criteria when taking action on all rezoning acts. Because this is a legislative act, the Plan Commission can require that certain commitments be made as part of the Rezone action. Staff's recommendation to the Plan Commission finds the Rezone does not comply with all of the following requirements in accordance with UDO Section 11.16 I. 1. The proposed rezone is not in compliance with the Comprehensive Plan; 2. The proposed rezone is not appropriate given the current conditions and the character of current structures and uses in each district; 3. The proposed rezone proposes the most desirable use(s) for which the land in each district is adapted; 4. The proposed rezone does not conserve property values throughout the Jurisdictional Area; and, 5. The proposed rezone does not demonstrate responsible development and growth. Although staff finds the use of the site for townhomes is in line with the Town's vision, the density is too high for the site in question. The applicant is proposing 70 dwelling units at a density of 7.02 dwelling units per net acre. The Low-Density Residential land use classification calls for this site to have a density between 2 to 3.5 dwelling units per net acre. The Medium-Density Residential land use classification proposes a density of 3.5 to 7.0 dwelling units per net acre. The adjacent Eagles Nest subdivision has a density of approximately 2.6 dwelling units per net acre. Staff's recommendation is that an appropriate density for Ellis Acres is in the range of 2 – 2.25 times higher than Eagles Nest resulting in a proposed density of 5.2 to 5.85 units per net acre. Staff's recommendation attempts to follow the logic of the density range in Medium Density Residential which permits a doubling of the density from 3.5 to 7. Staff suggests that a doubling of the Eagles Nest density is within a reasonable expectation as a density transition. Suggesting a slightly higher range of 2.25 is an attempt to acknowledge that some give and take may have to happen to make a project economically viable.
- iii. **Matt Doublestein** – We received and review public comments via email. Question for legal counsel asking if Airbnb would be legal.

- iv. **Alex Intermill** – I believe it is legal.
- v. **Matt Doublestein** – Concerned with density and negative recommendation from staff.
- vi. **Jim Shinaver** – Stated that they do not expect a high volume of traffic from residents that will be purchasing these units. Asked what buildings the commission would want to see removed.
- vii. **Matt Doublestein** – Noted that staff provided numbers for lowering the density.
- viii. **Paul Rio** – Platinum Properties – They began working with the owner of this property two years ago. Went over what they have done to accommodate the neighbors to include change of architecture and added landscape. Stated that they meet 3 of the 5 requirements and disagrees with staff that they do not meet the comprehensive plan.
- ix. **Phillip Snoeberger** – Believes residential is the best use of property and not GB.
- x. **Andrew McGee** – Hung up on density and spoke of the residents’ emails received.
- xi. **Phillip Snoeberger** – Units removed question addressed, staff provided numbers for developer to adjust density.
- xii. **Matt Doublestein** – This will be favorable or unfavorable, correct?
- xiii. **Andrew McGee** – Fits in area but not at this density.

Motion for no recommendation to Town Council by McGee. Second by Snoeberger. Motion passes 4-1.

c. and d. PC22-042-PP and PC22-043-CP – Groover

- i. **Bryan Sheward** – From Kimley-Horn – Stated that this project was now called Citimark. Went over site plan and project details as well as primary plat. Went over concept plan for proposed four buildings with the North lot for a multifamily development. Went over infrastructure being provided by development.
- ii. **Desire Irakoze – Staff Report** - Staff is providing a favorable recommendation for the Groover Industrial Site Primary Plat Docket PC22-042-PP. The applicant is proposing to subdivide approximately 96.28 acres into five parcels. The proposed Primary Plat is in compliance with the Whitestown Unified Development Ordinance.
- iii. **Henry Hamilton** – 4323 E 300 S – Stated he attended the last meeting and since that time the developer has not reached out to him. Stated that the proposed 8-foot berm would not be enough. Would like to see more of a plan prior to approval.
- iv. **Edward Janeczek** – 4281 E 300 S – Same opinion as Hamilton, would like to see a well developed plan with the neighbors.
- v. **Kyle O’Boyle** – 3473 S 450 E – Would like clarity on the SE portion, will there be a berm? All access to this site will be in front of his house. Requested more berming.
- vi. **Brad Schweibold** – 3370 S 450 E – Thank you to commission. This is very close to his house and a berm and fencing would be appreciated.
- vii. **Bryan Sheward** – This is the Concept and Primary plat stage. We will commit to work with the neighbors during the development plan stage. Commit to do site line study before they come back for development plan. M Will follow the ordinance for landscaping and will talk with Mr. O’Boyle.
- viii. **Andrew McGee** – Asked for guarantee to meet with neighbors before Development Plan.

ix. **Bryan Sheward** – Yes.

Motion to approve PC22-042-PP with commitment to meet with neighbors by McGee. Second by Foley. Motion passes 5-0.

Motion to approve PC22-043-CP with commitment to meet with neighbors by McGee. Second by Snoeberger. Motion passes 5-0.

e. and f. PC22-044-PP and PC22-045-CP Whitelick Creek Industrial

i **Bryan Sheward** – Kimley-Horn – Went over site plan, zoning and details of Phase one of the project. Also discussed plans for dedicated right of way with the project.

ii **Jill Conniff** – Staff Report - Staff is providing a favorable recommendation for the Whitelick Creek Industrial Primary Plat Docket PC22-044-PP. The applicant is proposing to subdivide approximately 382 acres into two blocks, two lots, common area, and right-of-way. The proposed Primary Plat is in compliance with the Whitestown Unified Development Ordinance and any applicable commitments at this point.

a. Staff is providing a favorable recommendation for the Whitelick Creek Phase 1 Concept Plan Docket PC22-045-CP. The applicant is proposing to develop two light industrial buildings with associated vehicle and trailer parking on approximately 66.64 acres. The proposed Concept Plan is in compliance with the Whitestown Unified Development Ordinance and with the conditions made as part of the previous site rezone. A variance to permit loading berths facing a public right of way will be required prior to development plan approval for any building site that does not meet the requirements, otherwise the site plan will need to be revised to meet the requirements of the UDO.

iii **Phillip Snoeberger** – Asked if traffic will route off 550 S.

iv **Bryan Sheward** – Yes.

Motion to approve PC22-044-PP by McGee. Second by Foley. Motion passes 5-0.

Motion to approve PC22-045-CP by McGee. Second by Foley. Motion passes 5-0.

g. PC22-047-DP Cottages at Bridle Oaks

i. **Bryan Sheward** – Kimley-Horn – Went over site plan, project details, parking, sidewalks, fencing for yards, utility details and amenity plan. Shared rendering for the different buildings.

ii. **Jill Conniff** – Staff Report - Staff is providing a favorable recommendation for The Cottages at Bridle Oaks Development Plan Docket PC22- 047-DP. The applicant is proposing to develop a cottage home style multi-family development with associated parking and internal private street network on approximately 21.79 acres. The proposed Development Plan is in compliance with applicable chapters of the Bridle Oaks Planned Unit Development. Staff's recommendation to Plan Commission finds the development plan complies with the following requirements in accordance with UDO Section 11.8 E. and approval be granted upon: 1. The proposed Development Plan is in compliance with all applicable development and design standards of the zoning district where the real estate is located. 2. The proposed Development Plan manages traffic in a manner that promotes health, safety, convenience, and the harmonious development of the community. 5. The applicable utilities have enough capacity to provide potable water, sanitary sewer facilities, electricity, telephone, natural gas, and cable service to meet the needs

to the proposed development. If approved, the applicant will need to provide an updated photometric plan that meets the requirements of the UDO prior to building permits.

iii. **Matt Doublestein** – Asked about fire safety concerns.

iv. **Bryan Sheward** – Discussed changes made after working with Fire Marshall Milstead.

Motion to approve by Snoeberger. Second by Taylor. Motion passes 5-0.

Other Business

Announcements

Comprehensive Plan Draft – Rachel Christianson HWC – Brief presentation on reasons for the update and highlighted changes.

Motion for favorable recommendation to Town Council by Snoeberger. Second by McGee. Motion passes 5-0.

Adjourn

Unanimous vote to adjourn.

7:59 pm

Matt Doublestein, President

Jill Conniff, Staff