



Meeting Minutes

Whitestown Plan Commission

Date: 10/10/22

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
- Andrew McGee - **Absent**
- Matt Doublestein
- Lauren Foley
- Phillip Snoeberger
- Staff:
 - Jill Conniff/Desire Irakoze,
Planning Administrator
 - Jonathan Hughes, WPC/WBZA
Attorney

Approval of the Agenda

*Motion to approve the agenda and combine d. and e. by Snoeberger. Second by Milstead.
Motion passes 5-0.*

Motion to approve 09/12/22 meeting minutes by Foley. Second by Taylor. Motion passes 5-0.

Public Comments for Items Not on Agenda N/A

Presentations N/A

Unfinished Business N/A

New Business (Public Hearing)

a. PC22-063-ZA Peabody

- i. **Matt Price** – With Dentons for Pulte Homes presenting an amendment for Peabody Farms for changes to their plan based on the marketplace. Went over original plan and changes that have been made to include new property added and duplexes eliminated. Proposal now includes all single-family homes. Went over new park land commitment. Showed slide show presentation of amended proposal with new lots added and other new commitments. Both sides of the development will have a HOA. Any portion that will be for lease will be to the West of 575. Will discourage homes for rent on the Eastside and will only sell one per customer limiting that in the first year it can't be rented and no Airbnb.
- ii. **Jill Conniff – Staff Report** – Staff Recommendation Staff is providing a favorable recommendation for the Peabody-PUD Rezone Docket PC22-063-ZA to rezone the described area owned by Sara Shelton from the General Agriculture (AG) Zone to the Peabody-Planned Unit Development (PUD) Zone. However, staff is providing an unfavorable recommendation to update the existing PUD ordinance in accordance with Exhibit A. 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 from AG to PUD complies with the following requirements in accordance with UDO Section 11.15 I. 1. The proposed rezone is in compliance with the Comprehensive Plan; 2. The proposed rezone is 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 conserves property values throughout the Jurisdictional Area; and 5. The proposed rezone demonstrates responsible development and growth. Staff's recommendation to the Plan Commission finds the Updated PUD Ordinance does not comply with all of the following requirements in accordance with UDO Section 11.15 I. 1. The proposed rezone is 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 conserves property values throughout the Jurisdictional Area; and, 5. The proposed rezone does not demonstrate responsible development and growth. Staff has some concerns about the proposed PUD Ordinance as drafted. Staff believes the proposed PUD would comply with the requirements of UDO Section 11.15 I. if the following revisions were made: 1. Proposed landscaping, including street frontage landscaping, will be in compliance with the UDO. a. The applicant is proposing in the right-of-way, 1 street tree per lot and 2 street trees for corner lots and 70-foot-wide lots. The UDO requires 1 street tree per 35 feet in the right-of-way. The additional landscaping as approved in the previous PUD will still apply as it relates to buffering adjacent property owners and along CR 300 and Albert S White. 2.

- Driveways should not be permitted within 20 feet of a street intersection. a. Staff recommends including a provision that states “driveways must be a minimum of 20 feet between the end of a radius of a street intersection and the beginning of a driveway curb cut as measured at the curb line” be added. Staff has concerns about placing 40 wide lots near an intersection and cars backing out of their driveways into the intersection. 3. Reconfigure the southeast cul-de-sac on the west side of CR 575 E to accommodate useable park land. a. A minimum of 3 to 4 acres be provided that is outside of the floodplain, accessible to the entire community, visible from outside of the neighborhood, and able to features amenities like parking, shelters, restrooms, and/or playgrounds. The acreage and location must be acceptable by Whitestown Parks. If acreage and location acceptable to Whitestown Parks cannot be found within the proposed development the developer would make a payment above and beyond the park impact fees to acquire comparable ground for Whitestown Parks. To be paid prior to 50% of building permits being issued. If Plan Commission approves the proposed rezone, staff recommends the commitments that were approved with the previous rezone still apply (PC21-029-ZA). These commitments relate to (1) continued corresponding with the Whitestown Parks Department on the potential park area, (2) providing drainage plans at the next Plan Commission application, and (3) providing right-of-way dedication.
- iii. **Matt Price** – Staff report made request for three clarifying criteria. Will be a compliment to the landscape ordinance. Language for driveway separation has been added. Cut and pasted parks language from staff report to amendment.
 - iv. **Dave Taylor** – The Westside will be all rentals?
 - v. **Matt Price** – Could be for sale or rent.
 - vi. **Phillip Snoeberger** – Westside of 575 is all or nothing for lease option?
 - vii. **Matt Price** – If any homes are built for leasing, they must be on the Westside.
 - viii. **Dave Taylor** – What if an investor comes in to buy houses on the Eastside to rent?
 - ix. **Dave Compton** – We have worked with staff and will not have rentals on the Eastside. Rentals will be \$2400 - \$2800 per month.
 - x. **Phillip Snoeberger** – I am confused about the Eastside.
 - xi. **Dave Compton** – We can’t say it will be 100% for sale or for rent. Could be one owner for 200 homes. Institutional owner will maintain entire subdivision.
 - xii. **Phillip Snoeberger** – Subject to the same HOA on Eastside?
 - xiii. **Dave Compton** – Yes, most people that rent make \$90,000 plus. They don’t want to own.
 - xiv. **Jon Hughes** – Question for Matt Price, concerns about b. and c., concerned about mix. We need to work on this commitment more.
 - xv. **Matt Price** – Homes for sale on Westside same standards as homes on the Eastside. Willing to add that to the commitment.
 - xvi. **Phillip Snoeberger** – Rentals on the Westside can we add how lots must be contiguous and not mixed together?
 - xvii. **Dave Compton** – Yes, other communities have pods, we will add to commitments before going to Town Council.
 - xviii. **Jon Hughes** – Two votes for two different sections of the staff report. Rezone 1.5 acres from AG to PUD.

Motion for a favorable recommendation to rezone 1.5 acres into PUD by Snoeberger. Second by Taylor. Motion passes 5-0.

Motion for a favorable recommendation to the Peabody PUD ordinance as presented this evening with the three amendments. With the commitments that are before you with exhibit C in the packet as well as the additional park commitment as exhibit one and that Jon Hughes will work with Matt Price on the contiguous and for sale vs for lease issues on the Westside of 575 by Snoeberger. Second by Foley. Motion passes 5-0.

b. PC22-064-PP Jackson Run Southeast

- i. **Brett Huff** – Kimley-Horn – Presenting for 133 lots on 31 acres, we have worked with Staff.
- ii. **Desire Irakoze** – Staff Report – Staff is providing a favorable recommendation for the proposed primary plat located near the southeast corner of CR 200 S and CR 700 E in Whitestown for the Jackson Run Southeast development.
- iii. **Shawn Sullivan** – Homeowner in Jackson Run asking about plans to update 700.
- iv. **Brett Huff** – Jackson Run East has commitments for road improvement.
- v. **Adam Braun** – Braun Property Group – Has been working with Danny Powers and have agreed to all areas with turn lanes and passing blisters will have full road reconstruction and Whitestown Public Works will complete the remaining areas.
- vi. **Matt Doublestein** – Questioned the timeline.
- vii. **Adam Braun** – Spring 2023.
- viii. **Matt Doublestein** – This road is very dangerous on a bike or car, needs to be improved as soon as possible.

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

c. PC22-065-DP Weaver

- i. **Petitioner** – This location was already master planned, we worked with staff on landscape requirement.
- ii. **Jill Conniff** – Staff report - Staff is providing a favorable recommendation for the Weaver Popcorn Parking Expansion Development Plan Docket PC22-065-DP. The applicant is proposing to add additional parking beyond what was originally approved as a part of the initial development plan on approximately 16.88 acres. 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. 3. 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.

Motion to approve PC22-065-DP by Snoeberger. Second by Foley. Motion passes 5-0.

d. and e. PC22-066-CP and PC22-067-DP Shoppes at Anson Lot 4

- i. **Aaron Boyle** – 50,000 square foot Dicks Sporting Goods West of the existing Hobby Lobby. Have worked with Staff and meet requirements.
- ii. **Desire Irakoze** – Staff report - Staff is providing a favorable recommendation for the Shoppes at Anson North Lot 4 Concept Plan Docket PC22- 066-CP. The applicant is proposing to develop a commercial retail use with associated parking on approximately 5.03 acres. The proposed Concept Plan is in compliance with the Anson Planned Unit Development and applicable UDO Chapters. Staff is providing a favorable recommendation for the Shoppes at Anson North Lot 4 Development Plan Docket PC22-067-DP. The applicant is proposing to develop a building for commercial use and associated parking on approximately 5.03 acres. 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. 4. 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.
- iii. **Matt Doublestein** – One drive on Mills Drive or will it connect to Central? Is Traders Point location closing?
- iv. **Aaron Boyle** – One connection and they plan to stay open.

Motion to approve PC22-066-CP and PC22-067-DP by Snoeberger. Second by Taylor. Motion passes 5-0.

f. PC22-068-TA Whitestown Unified Development Ordinance Text Amendments

- i. **Jill Conniff** – Once a year we bring changes to the UDO before the Commission. Read through brief summary of changes for each chapter. Page 31 change noted. Also noted chapter 8 for signage was not included tonight but would be coming back in the future.
- ii. **Jon Hughes** – Chapter 11 allows for one minor amendment to Development Plans and will not have to come back before the WPC.

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

g. Approval of the 2023 WPC Calendar

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

h. Whitestown Big 4 2022 TIF Area

- i. **Jon Hughes** – Order for the Big Four TIF is consistent with the comprehensive plan. RDC approved and it complies.

Motion to approve the order related to the Whitestown Big 4 TIF area by Snoeberger. Second by Foley. Motion passes 5-0.

Other Business

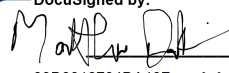
Announcements

Adjourn

Unanimous vote to adjourn.

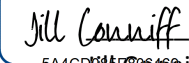
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Matt Doublestein, President

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Jill Conniff, Staff