



## Meeting Minutes

*Whitestown Plan Commission*

**Date:** 11/14/22

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

### Approval of the Agenda

*Motion to approve the agenda and combine c. and d. by Powers. Second by Foley. Motion passes 5-0.*

*Motion to approve 10/10/22 meeting minutes by Taylor. Second by Snoeberger. 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. PC22-070-ZA Goode Property

- i. **Brian Tuohy** – 50 S Meridian representing Braun Property Development LLC. Petition to rezone 23-acres to R-4 from AG. Went over site plan and existing surrounding zoning. Showed concept plan for 109 townhomes. Noted common area between Allen Acres and new development as well as green area that borders the site. They will be three-to-four-bedroom townhomes with two car garages priced at \$275-325,000. Noted how it fits into the comprehensive plan and recommendation on staff report.
- ii. **Desire Irakoze – Staff Report** - Staff is providing a favorable recommendation for the Goode Property Rezone Docket PC22-070-ZA. The applicant is proposing to rezone the described area from the Agricultural (AG) Zone to High-Density Mixed-Family Residential (R-4) 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 complies with the following requirements in accordance with UDO Section 11.16 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. The proposed rezone demonstrates compliance with the Comprehensive Plan by meeting the mixed development, transportation and circulation goals, and the development of Special Area 3. The rezone is appropriate given the current conditions by providing a residential use surrounded by other mixed residential uses. The rezone represents the most desirable use by increasing the diversity of housing options within the town limits. The addition of residential use in this area will not harm property values. The rezone demonstrates responsible growth by meeting the increasing demands for various types of housing within Whitestown and being located in an appropriate area. If Plan Commission provides a favorable recommendation, staff recommends adding the following conditions: 1. The applicant will provide a multi-use path from Main Street to the southeast portion of the property. The layout and connections to be decided by the Whitestown Parks Department and the petitioner prior to the issuance of permits.
- iii. **Pat Howenstine** – 2587 S 650 E – Feels the project is irresponsible and out of character for the area. Concerns with traffic, density, flooding and asked the commission to think of the surrounding homeowners.
- iv. **David Marshall** – 6611 E 250 S – Property backs up to drainage ditch. Concerns and questions about flooding. Is opposed to the project.
- v. **Cheryl Hancock** – 5400 E 300 S – Agree with others that this is irresponsible development. Noted per comprehensive plan this should be low density, traffic concerns with only one way in and out and that it is in a flood plain.

- vi. **Brian Touhy** – Misspoke it is 103 homes. It is currently zoned AG but not likely to become a farm in the future and believes it is matching what is in the area and what is to come. Noted that the comp plan calls for MU density and the staff report agrees.
- vii. **Rick Ellis** – Weihe Engineers – Has worked on Prairie Chase and Trailside for years. They have opened up the existing legal drain, all water will be captured on site and has been approved by the County drainage board.
- viii. **Brian Tuohy** – Plans would not be approved without Town and County approval for drainage.
- ix. **Phillip Snoeberger** – Questions about emergency exit. It is a large number of residents to only have one way in and out.
- x. **Adam Braun** – Braun Property Development – We have worked with the Town. Based on the Town standards the emergency exit would be in compliance. We would be open to looking at another road.
- xi. **Phillip Snoeberger** – Would it be a gated drive, the emergency access?
- xii. **Adam Braun** - The emergency access would only be open to the police and fire departments, but in an emergency, others might be able to use.
- xiii. **Andrew McGee** – Can it connect somewhere else, Jackson Run?
- xiv. **Adam Braun** – Yes, we can look at how to accomplish this, do not have information tonight.
- xv. **Phillip Snoeberger** – Question about protecting the neighbors to the West.
- xvi. **Adam Braun** – Yes, we can create buffers, at least the minimum requirement just as we did for Jackson Run.
- xvii. **Dave Taylor** – What is the intention, will these be for sale or rent?
- xviii. **Adam Braun** – That will be up to DR Horton, could possibly be rentals. They would like the option to choose.
- xix. **Phillip Snoeberger** – My opinion is that this is not the best option and would be a disservice to future Prairie Chase residents.
- xx. **Andrew McGee** – No consideration to the lots to the West, not feeling comfortable with it.
- xxi. **Brian Tuohy** – We should take a look at the site plan for access and screening and come up for more information and come back next month.
- xxii. **Jon Hughes** – A unanimous vote needed with five members tonight.

*Motion to continue to next month by Snoeberger. Second by Powers. Motion passes 5-0.*

#### **b. PC22-071-PP Habitat for Humanity**

- i. **Brett Huff** – Kimley-Horn – 8.5 acres site zoned R-3 with 25 lots. They held a neighborhood meeting. The site meets all standards, and they are asking for a waiver for the sidewalk.
- ii. **Desire Irakoze** - Staff Recommendation on Waiver Staff is providing a favorable recommendation for the Habitat for Humanity Sidewalk Waiver Docket PC22-071-PP. The applicant is proposing to not construct sidewalk along one side of an internal development street. 1. The proposed development will enhance the use or value of area properties. 2. The proposed development will not be injurious to the public health, safety, morals, or general welfare of the community. 3. The strict application of the Ordinance standard will result in a development that is undesirable when compared with the proposed

development. 4. The proposed development is consistent and compatible with other development located in the area. 5. The proposed development is consistent with the intent and purpose of the Comprehensive Plan. There are site constraints that make constructing a sidewalk along the eastern side difficult, including existing easements. The Comprehensive Plan notes this area as Mixed Residential land use classification. The intent of the UDO is being met because the connection to Panther Park and Pierce Street are present. Future residents of the subdivision and other Town residents will have adequate access to utilize the sidewalks and get from Point A to Point B. Pedestrian circulation of the entire site will not suffer with the approval of this waiver. This is the first development under the UDO that has not met this criteria and requested a waiver. Trailside PUD has a similar situation where connections are provided to the trail network but do not have sidewalks on both sides of the street. Staff Recommendation on Primary Plat Staff is providing a favorable recommendation for the Habitat for Humanity Primary Plat Docket PC22-071-PP. The applicant is proposing to subdivide approximately 8.35 acres into 25 parcels, common area, and right-of-way. The proposed Primary Plat is in compliance with the Whitestown Unified Development Ordinance, with the exception of the requested waiver.

- iii. **Ken Newell** – 609 W Pierce St – Lives on the Western edge of the property and is favor of this development and welcomes his neighbors.
- iv. **Laura Viperman** – 507 W Pierce – Attended the neighborhood meeting and still has some questions. Questions about buffer, hours of work and drainage.
- v. **Dave Taylor** – Work hours 7am – 10pm weekdays and 8am – 11pm weekends.
- vi. **Julie Whittman** – 3300 Paisley Pointe – Supports the project.
- vii. **Andrew McGee** – Read email received from resident Tania Ridenour - Hello! Our household is not in favor of a 25-home subdivision in the 8.35 acre plot off of 300 S. That is too many houses for that small area near other homes. I don't understand what the Nov 14th hearing is for. Is this a place where homeowners can petition against this? Thanks, Tania
- viii. **Brett Huff** – Buffer from residential to residential not required however Habitat is willing to discuss as building happens but not willing to commit tonight. This site has been approved by the Boone County Drainage Board and our detention basins will improve drainage in this area. Distance from home approx. 80- 100 feet from the back of any home to property line.
- ix. **Jon Hughes** – The UDO does not require screening residential to residential.
- x. **Dave Taylor** – Has Habitat ever done a subdivision like this before?
- xi. **Jim Lafayette and Liz Qua** – Habitat for Humanity – We have not locally but they do exist around the country.
- xii. **Dave Taylor** – Does it have an HOA?
- xiii. **Liz Qua** – Yes, they will. Builds are from 9am – 3pm because we have volunteers.

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

**c. PC22-072-CP and PC22-073-DP New Hope Church Expansion**

- i. **Liam Sawyer** – Kimley-Horn – When over site plan for building and parking expansion. Showed elevations and recommendation from the staff report.
- ii. **Desire Irakoze – Staff Report** - Staff is providing a favorable recommendation for the New Hope Church Expansion Development Plan Docket PC22-073-DP. The applicant is proposing

to expand an existing religious use structure and additional parking on approximately 37.41 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. If Plan Commission approves the Development Plan, staff recommends adding the following conditions: 1. Any additional TAC Comments discussed with the Public Works Department will need to be met. 2. The applicant will go through the Quitclaim deed process to consolidate the various deed descriptions. The applicant will submit proof once recorded. Additionally, the applicant will submit the legal description and exhibit dedicating the half right-of-way along Main Street. 3. A temporary gravel parking lot is permitted from the date of the Development Plan approval to the time the Certificate of Occupancy is granted. Due to the church expansion taking place over existing parking areas the temporary parking is permitted during construction.

- iii. **Andrew McGee** – Question about parking connecting to existing and New Hope Blvd.
- iv. **Liam Sawyer** – Yes, utilizing existing drive.
- v. **Andrew McGee** – The rest of the property is remaining undeveloped?
- vi. **Liam Sawyer** – Yes.

*Motion to approve PC22-072-CP and PC22-073-DP with the three conditions from the staff report by Snoeberger. Second by Taylor. Motion passes 5-0.*

#### **d. Whitestown Park 133 TIF Bond**

- i. **Jon Hughes** – Proposed TIF complies with the development of the Town and has already passed through the RDC.
- ii. **Andrew McGee** – Requested a map.
- iii. **Danny Powers** – Went over improvements that will be made with the TIF money.

*Motion to approve and authorize the vice-president to sign by Powers. Second by Snoeberger. Motion passes 5-0.*

### **Other Business**

#### **Announcements**

**Jon Hughes** – The Town Council approved the UDO amendments.

## Adjourn

*Unanimous vote to adjourn.*

7:48 pm

DocuSigned by:

*Andrew McGee*

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Andrew McGee, Vice-President

DocuSigned by:

*Desire Irakoze*

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Desire Irakoze, Staff