



Meeting Minutes

Whitestown Plan Commission

Date: 03/13/23

Time: 6:30 pm

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

Call to Order

6:33 pm

Pledge of Allegiance

Roll Call

- ☒ Danny Powers
- ☒ Dave Taylor – via teams
- ☒ Steve Milstead
- ☒ Andrew McGee
- ☒ Nathan Harris
- ☒ Lauren Foley
- ☒ Phillip Snoeberger
- ☒ Staff:
 - Jill Conniff and Desire Irakoze,
Planning Administrators
 - Jon Hughes, WPC/WBZA
Attorney

Jon Hughes – Noted clerical error and correction
on docket numbers for items 6 b. and 6 c.

Approval of the Agenda

Motion to combine b. and c. by Snoeberger. Second by Foley. Motion passes 7-0.

Motion to approve the 02-13-23 meeting minutes by Snoeberger. Second by Foley. Motion passes 7-0.

Public Comments for Items Not on Agenda N/A

Presentations N/A

Unfinished Business N/A

a. PC23-001-PP Peabody Farms West – Still Continued.

b. and C. PC23-008-PP and PC23-009-DP Whitelick Commerce Park West

- i. **Brian Tuohy** – 50 S Meridian with John Cumming and Bryan Sheward. Went over slideshow of map of the site and they history of the rezones of the property. Noted that they are now calling this development 65 Commerce Park West. Noted that they held neighborhood meeting on March 7th. Showed elevations of the proposed buildings.
- ii. **Desire Irakoze** – Staff Report – Staff is providing a favorable recommendation for White Lick Commerce Park West Primary Plat Docket PC23-008-PP. The applicant is proposing to subdivide approximately 360.17 acres into 3 lots and 2 tracts. The proposed Primary Plat is in compliance with the applicable sections of the Whitestown Unified Development Ordinance.

Staff is providing a favorable recommendation for the White Lick Commerce Park West Building 1 Development Plan Docket PC23-009-DP. The petitioner is in compliance with the commitments associated with the rezone. The petitioner is proposing to construct a 621,829 sq.ft. industrial building with associated parking on approximately 32.67 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.

iii. **Andrew McGee** – Read letters sent for public comment.

iv. **Dana Sparks** - I cannot make the meeting, but I am against this project.

v. **David Rochford** - Whitestown Planning Board:

We just received a letter dated Feb 28 on March 2, for a meeting on March 7 with SCP LLC at Golf Club of Indiana concerning 65 Commerce Park West phase 1A. Getting notice on March 2 for a meeting on March 7 is not enough notice, and we won't be able to attend. We think this shows a lack of respect for the neighbors involved, and will cause less people to attend; which may be the intention.

We think the berming and landscaping that has been done for the development at the corner of 550 S and SR 267 is very nice and should be used as a standard for all of these developments going forward, and it would be nice if the other developments that are already on 550 S would have to do them as well. Hopefully that can apply to this development.

We'd appreciate the board acknowledging receipt of this email.

Thank you,

David and Ellen Rochford

4075 550 S, Lebanon, IN 46052
317.828.1897

- vi. **Cheryl Hancock** – 5400 E 300 S – All houses on the Eastside need to be considered and have screening.
- vii. **Bryan Sheward** – Kimley-Horn – The property in question has been purchased by Lord and no one is living there.
- viii. **Phillip Snoeberger** – Happy commitments are being met and asked to give more notice for neighborhood meeting next time.
- ix. **Brian Tuohy** – Will give better notice next time, they had a conflict with a place to hold meeting that caused it to be later than they expected.
- x. **Andrew McGee** – Recommends houses to the South have berming.
- xi. **Bryan Sheward** – Are aware and working with staff on landscaping and trees that will remain.

Motion to approve PC23-008-PP by Snoeberger. Second by Foley. Motion passes 7-0.

Motion to approve PC23-009-DP by Foley. Second by Harris. Motion passes 7-0.

d. PC23-010-ZA 750 South Rezone

- i. **Linsey Phipps** – 65 E Cedar Street, Zionsville. Requesting to rezone from AG to I-1. Went over concept of possible site map. Showed arrows where entrances will go. Stated that the gravel road to the Whitestown Town property will remain. Went over list of commitments from staff.
- ii. **Jill Conniff** - Staff Report - Staff is providing a favorable recommendation for the County Road 750 S Rezone Docket PC23-010-ZA. The applicant is proposing to rezone the described area from the Agricultural (AG) Zone to the Light Industry (I-1) 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.

The proposed rezone is in compliance with the Comprehensive Plan. The proposed rezone is appropriate given the current conditions and the character of current structures and uses in each district; The proposed rezone proposes the most desirable use(s) for which the land in each district is adapted; The proposed rezone conserves property values throughout the Jurisdictional Area; and, the proposed rezone demonstrates responsible development and growth. The proposed rezone is in compliance with the Land Use Map and Special Development Area 8 in the Comprehensive Plan. The proposed rezone meets other goals and objectives of the Comprehensive Plan including bringing a diversified business base that does not currently exist within the Town. While the site is surrounded by Agriculture uses, the Comprehensive Plan foresees this area transitioning to allowing for institutional and industrial uses as the Ronald Reagan Parkway is constructed. In conjunction with the proposed commitments, the rezone will have heightened architectural standards and other restrictions that will enhance the surrounding area. The addition of light industrial uses and limited site access will not harm property values. The rezone demonstrates responsible growth by meeting the demand for a diversified business base and requiring additional transportation/street commitments.

If Plan Commission provides a favorable recommendation, staff recommends adding the following conditions. The following uses are not permitted: Service Station, Local Auto/Boat/Light Truck Sales or Rentals. Motorcycle/ATV/Lawn Care Sales or Rentals is a permitted use. No outdoor storage is permitted. All uses are subject to the following outdoor display requirements: outdoor display area must be in conformance UDO Section 3.8, D. outdoor display is not permitted in parking stalls or in drive aisles outdoor display cannot be left out overnight or during non-business hours outdoor display is allowed up to 5% of the tenant user square footage. Access points to the site shall be limited to the two approximate locations as shown on the 2022 Comprehensive Land Use Plan, Special Development Area 8. All site lighting shall be coordinated throughout and be of uniform design, color, and materials. The maximum building footprint is 40,000 square feet. The maximum building height is 50 feet. The proposed structures must comply with UDO Section 9.7 Industrial Architectural Standards in addition to the below: Building facades, which are 240 feet or greater in length, shall be designed with offsets. Offsets shall be a minimum depth of 4 feet and a minimum aggregate length of 20 percent of the horizontal plane of the overall Building Façade. The main building entrance or tenant space pedestrian entrances shall be defined and articulated by architectural elements such as projections, lintels, pediments, pilasters, columns and other design elements as appropriate. All pedestrian entrances must be covered. If pre-cast or architectural concrete is used it shall be painted, textured (rough, striated, imprinted with a pattern or form), or designed to simulate brick or stone (limestone, marble, or granite). If EIFS is used it shall not be permitted within 8 feet of the ground level. A maximum of 60% of any one exterior building material may be used. Dedicate right-of-way for minor collector for CR 450 E, 32.5' half ROW & additional ROW for corner cut at CR 450 /CR 750 S for future roundabout. Dedicate wastewater treatment plant access easement area to Town of Whitestown. Full access is not permitted to the proposed development site, only emergency access is permitted. This commitment #11 may be modified by the time of the Plan Commission hearing given ongoing staff conversations at the time of the staff report publication.

- iii. **Andrew McGee** – Read email public comments received. Dear Zoning Commission, Our names are Ray (Bud) and Karen Everett Jr., we live at 3930 E 750 S in Lebanon IN 46052 and we own the property directly northwest of this planned development. First, we'd like to tell you about our road, it's a road that is pure country; we have bicyclist at least once daily and on weekends we have packs of bicyclists starting in March and until November. Families walk their dogs along it and we have avid runners and walkers. It is a nice quiet road, with community traffic; with the exception of construction trucks, caused by current development. During the spring and fall we share our roads with our communities' farmers. Farmers who live in our communities who take care when moving their equipment. Who will still need to be able to move their equipment and sustain their livelihoods as development happens. Most people go the speed limit as they live along the road. The road was resurfaced in 2022, and lines were added, we should have known development was coming as my husband has lived here all his life and the road had never had a line. Our road still remains a two-lane country road, with a weird little jog going east near the end. We have a historic schoolhouse, that host school children, and a pioneer graveyard. It's a beautiful

quiet place to live and my husband's family homesteaded our part of heaven in the early 1800s. On our road you'll also walk or drive over a bridge that is at least 50 years old. The point is that we in Perry are a small farming community and our infrastructure is older. We don't have high speed internet, or cables television, because that infrastructure isn't in place. Our water comes from our wells and our waste water goes into our septic tanks. We live a quite peaceful life out here, but we know the community is changing. We understand that we can't stop growth, but we require infrastructure in place before more rezoning or development is approved. Furthermore, what guarantees do we as property owners have that the current plan map submitted as flex office space, will be what is actually developed. The map demonstrates flex office space with which appears to be parking for cars. An almost identical proposal is going in front of the Zionsville Commissioners, on the same road at 750 S and 475 S. This means two almost identical plans are in front of two different municipalities, can the growth of the area support the need for all these buildings. Our primary concern is that without a set in stone plan, changing the zoning to industrial is putting the cart before the horse. As we don't want the zoning changed to I-1 thinking we will get flex office space and then the supposed plan changed and a huge warehouse is built there. It has happened before with Whitestown Council's approval. Once zoning is changed to light industrial, it isn't a leap to get to a million square foot warehouse with semi-trucks coming up and down our country road. Plans change all the time and approval of a zoning changed without an actual a final plan would be careless on the commission's part. We as property owners don't want to be baited and switched by either the developers or the commission, or town council. I understand Kite Harris Property Group want to change the zoning to make the property look enticing to future builders, but just changing zoning without a solid plan in place, we think is a poor decision. Furthermore, as to the areas infrastructure, as sited in G.5 we've been informed by the Whitestown town manager Jason Lawson, that after Ronald Reagan Parkway extends into Boone County our road 750 S would go from two lanes to three, but with no present plans for this expansion to happen at this time, 750 S would remain two lane for the foreseeable future. Kite Harris Property Group states in their proposal, the development will aid public infrastructures expansion. We as a community in Perry haven't seen any developer aid to our community's infrastructure, we have increased traffic on our roads that have remained the same for over fifty years, with the exception of resurfacing. Whitestown Parkway is a major example of the lack of infrastructure, the commissioners and town council have approved both industrial and residential housing with nothing being done to that existing road, it still has no shoulder, and is still a narrow country road despite the increased traffic development and growth it has brought. Whitestown has a history of approval of rezoning and developments without having the infrastructure in place first and like Whitestown Parkway, the only thing that has changed over the years is the name. We have seen an increase of trash littering along Whitestown Parkway, making it look like a dumping ground. We presently don't have the infrastructure i.e., roads/bridges in place prior for development and that needs to be addressed, before rezoning takes place. Slapping in a turn lane isn't infrastructure expansion. We can't stop development, but we do ask you at this time to not approve the rezoning until an actual plan is in place for the infrastructure of the roads, and traffic this development will bring. We aren't against progress, but we want a clearer view on what will actually be built on the site and how it will impact our communities infrastructure,

our property value, our livelihood, our heritage and our community. We request that our views be read into to minutes of the meeting

Kind Regard

Ray (Bud) & Karen Everett Jr.

3930 E 750 S.

Whitestown Plan Commission,

Our four generation family farms west of the proposed zoning amendment on 40 acres located at 4301 E 750 S. Brownsburg, IN. According to the information we have received it is being discussed next Monday evening Mar 13th at your monthly meeting. **Petition #PC23-010-ZA**

Zone Map Change - The petitioner is requesting approval for a Zoning Map Change from AG District to the I-1 Classification. Unfortunately, our neighbors and us received our legal letter from the petitioner just this week and have not had an opportunity to learn any further information and have not previously been contacted by this developer in any fashion. Then yesterday we received the WPC Agenda and Staff Report that both stated this proposed agenda item was on the "southeast corner of County Road 750 S and County Road 450 E in Whitestown." WOW! OUR FAMILY OWNS THAT PARCEL! So, of course we have the right to be concerned and have questions and need answers before this proposal be allowed to continue. We have a previous commitment out of town next Monday and cannot attend the WPC meeting to speak and get some answers so we hope this emailed letter will be received by your commission. We are not against allowing a farm owner to sell their property as they wish, but we do want to make sure that developers do not damage or destroy our narrow rural roads, overload our old county tiles, destroy our small rural bridge on 450 E. near this proposed development, and most importantly put more surface water across our farming property as the earlier Whitestown Sewer plant access road has done.

Our family has an active farming operation across 450 E and have operated the two adjacent properties in agriculture for over 100 years. So, this proposed development is very concerning to our family and we feel sorry for Mr. Drummond who lives in the house between our farm and this proposal. Would you want this development across the road from your quiet rural home? Can a barrier be added on the east side to protect him in some manner?

How are they obtaining city water for this development as stated in the Staff Report?

How will the site be drained to the Etter Legal Drain? This is our main concern as the surface water from a large portion of this parcel drains across our farm. This water problem was compounded several years ago when the town built the access road back to the new sewer plant. This blocked the natural southerly flow of the water, both in the field and the side ditch and forced most of the water under 450 E across our standing crops. Can this drainage issue cause the town be corrected with this development?

Which side of the CR 450 E. will the sidewalk be built?

If the applicant obtains all necessary approvals, will the construction equipment and land moving equipment even be allowed access to the site from CR 450 E? Or can you require them to only use 750 S.? Obviously, we know that they will want to use both county roads for easier access, and park their large trucks and trailers in the middle of the road to load/unload, then park along the road in the side ditches blocking the roads for school buses, mail carriers, local residents, and our farm equipment. Will the county highway or

Whitestown Street Dept. have to keep the roads repaired and cleared of mud and debris, or the developer?

The narrow bridge on 450 E. on the south side of this parcel will not be able to handle heavy construction traffic either. Will the developer be allowed to stage equipment and supplies in the county/town right of way along 450 E and/or 750 S?

If you do grant the rezoning request, we ask that the applicant and developers work closely with the Boone County Surveyor and her representatives to make sure any surface and subsoil drainage is correctly handled and put into the county drains as required. We have farmland that currently floods because of surface water from across this parcel and hope the developer will be a good neighbor as they proceed.

Thank you for your time and consideration for our local rural community,

Doug A. Everett, President

Aaron W. Everett Family Farm, Inc.

4075 S 250 E

Lebanon, IN 46052

and

Tyler P Everett

Tyler Everett (by electronic sig.)

- iv. **Kevin Russell** – 6123 Golden Eagle - Stated that he is running for Town Council. Has concerns about traffic. Stated that Town Council can change commitments. Concerned about height of the building and semi traffic. Asked for hours of operation commitments. Asked that they wait to approve until infrastructure is in place and the Ronald Regan is planned.
- v. **Rebecca Merritt** – 250 E 700 S – Her family has been in the area since 1835. Will miss the farmland and would not like to see concrete buildings.
- vi. **Tim Sharpe** – 7447 S 475 E – Has owned his property for 30 years and built home there 2 years ago. Stated that the Ronald Regan has been promised for years and still not coming. Would like to see Comprehensive plan for RR and where it will be going. Also concerns with noise and lights.
- vii. **Laura Rounder-Dickey** – 7990 S 450 E – Lived in house since 1994 and grew up across the street. Asked that 750 S is kept AG.
- viii. **Josh Dickey** – 7955 S 450 E – Taking away rural is sad. Asked why do we need more industrial.
- ix. **Becky Robinson** – 6845 S 200 E - Howard School – Gave out information on the school and told some history of school, the remodeling and historic registry. Asked the Commission to delay their decision, known growth is coming but not warehouses.
- x. **Laura Dickey** – How many of you are from here?
- xi. **Tim Sharpe** – How would you like warehouses by your home?
- xii. **Kevin Russell** – Wait until you can review further.
- xiii. **Andrew McGee** – Letter to WPC sent March 11th noted.
- xiv. **Lindsey Phipps** – Thank you for speaking, we want to be good neighbors. Once a plan comes together, we will hold a meeting with the neighbors. The building size commitment is a max of 40,000 square feet. We have no hours yet because this is only a rezone. Can't speak to infrastructure of roads.
- xv. **Andrew McGee** – Reminded that Town Council has the final approval.

- xvi. **Danny Powers** – Currently they have no water or sewer available, that would have to be constructed. Ronald Regan Parkway has been on plans since the 90's and is adopted into our throughfare plan.
- xvii. **Phillip Snoeberger** – No timeline?
- xviii. **Danny Powers** – Funding needed locally.
- xix. **Philip Snoeberger** – Drove down 750 this weekend. It is a narrow road and he understands that infrastructure is hard to do prior to project.
- xx. **Danny Powers** – Yes and 750 has been identified as a major arterial. They would need to dedicate right of way.
- xxi. **Andrew McGee** – Was there any neighborhood meetings?
- xxii. **Lindsey Phipps** – No, we should have done that but will do prior to a development plan coming forward.
- xxiii. **Andrew McGee** – Would you be willing to continue and hold a meeting.
- xxiv. **Lindsey Phipps** – Yes.
- xxv. **Nathan Harris** – Asked about traffic study, has one been performed?
- xxvi. **Lindsey Phipps** – Not yet do not know if the Town has done one.
- xxvii. **Danny Powers** – We have none for this area.
- xxviii. **Lindsey Phipps** – This site plan is just an example of what could be developed.
- xxix. **Nathan Harris** – Concerns about deliveries and bigger trucks. Question about connection points and layout. Possibly build road to the West.
- xxx. **Lindsey Phipps** – The site plan can be changed. The access points follow the comprehensive plan.
- xxxi. **Phillip Snoeberger** – Happy to see list of commitments. Possibility to continue and look at height requirements at 50 feet high. Like architectural standards. In favor of holding a neighborhood meeting.
- xxxii. Members went over time lived in Whitestown.
- xxxiii. **Jon Hughes** – Will not need to public notice.

Motion to table until next meeting with confirmation of a neighborhood meeting by Snoeberger. Second by Harris. Motion passes 7-0.

e. Whitestown Allpoint TIF

- i. **Jon Hughes** – Read the TIF.
- ii. **Nathan Harris** – What roads will be improved?
- iii. **Danny Powers** – Looking at 575 and 450.
- iv. **Andrew McGee** – RDC has approved?
- v. **Jon Hughes** – Yes.

Motion to approve by Foley. Second by Harris. Motion passes 7-0.

New Business (Public Hearing)

Other Business

Announcements

Adjourn

Unanimous vote to adjourn.

8:04 pm

Andrew McGee, President

Jill Conniff, Staff