



Meeting Minutes

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*Whitestown Plan Commission*

**Date:** 06/12/23

**Time:** 6:30 pm

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

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**Call to Order**

6:33 pm

**Pledge of Allegiance**

**Roll Call**

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

**Approval of the Agenda**

*Motion to approve the agenda by Snoeberger. Second by Taylor. Motion passes 7-0.*

*Motion to approve the 05-08-23 meeting minutes by Foley. Second by Harris. 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

- i. **Matt Price** – Representing Peabody Farms. Went over conditions from the staff report and that they agree 100% with those conditions. Agree to easements and to stub in utility easements for existing residents on 575.
- ii. **Desire Irakoze** – Staff Report - Staff is providing a favorable recommendation for the Peabody Primary Plat Docket PC23-001-PP. The applicant is proposing to subdivide approximately 137.57 acres into 312 single-family attached, trails, and internal right-of-way. The proposed Primary Plat is in compliance with the Peabody PUD, Concept Plan, and applicable chapters of the Whitestown Unified Development Ordinance. If Plan Commission approves the Primary Plat, staff recommends adding the following conditions to be completed prior to the Secondary Platting phase: Any sanitary sewer that is 20' to 30' in depth will need a 30' wide easement. ROW corner cut at the 575 entrance for future improvements by Whitestown. I've attached the concept (Figure R). ½ ROW (60') dedication of 575 for length of Peabody West. Overall exhibit showing how the future 575 road improvements detention will be handled with in the Peabody PUD. Stubbing the sanitary sewer north of the entrance for Whitestown to extend in the future for service to the existing houses on CR 575. Dedicating sidewalk area west of CR 575 as ROW. Adding a utility easement within CA B for sanitary sewer/water for future project by Whitestown.
- iii. **Cheryl Hancock** – 5400 E 300 S – Question about the new developer and why it was not renoticed. Questions about buffer on 300 S, nothing mentioned about 300 s. Asked about water, sewer and sidewalks. Will they plat East and West side separate? Questions about rentals and if the HOA structure was going to remain the same. Questions about infrastructure.
- iv. **Melissa Malicoat** – Lives at the corner of 575 and Albert S White. – Would like clarification on site plan and easement affecting her property. Questions about buffer, greenspace and entrances.
- v. **Brandi Davidson** – 5550 E 300 S – Frustrated with lack of communication. Contacted developer about dead trees and no on called back. Concerns about entrance on 300 and landscaping. Will agreements be the same as Pulte?
- vi. **Matt Price** – All commitments made with Pulte are the same, this is the same Plat. This item has been continued on every agenda therefore it did not need to be renoticed. Are willing to talk with residents on 300 about tree issues.
- vii. **Jon Hughes** – As shown on the public notice report, this was noticed in April and have been continued every month since then, did not need to renotice. Zoning commitments run with the land and not developer and will remain in place.
- viii. **Dave Taylor** – What product are you putting in?
- ix. **Matt Price** – We will comply with the PUD standards.
- x. **Nathan Harris** – What is the yellow line on the map?
- xi. **Kyle Eichhorn** – HWC – It is a pedestrian path.
- xii. **Matt Price** – Went over parks and trails incorporated.
- xiii. **Phillip Snoeberger** – Are those trees?

- xiv. **Matt Price** – Yes, met the required for tree canopy.
- xv. **Danny Powers** – For the entrance on 300 they are giving 60 feet of right of way and 15 feet for drainage easement. Showing decel lane with shift in road, but it is all South. 575 will take from existing road to the East. Dedicating ROW at Albert S White and 575 for future round about. Still in talks about utilities and will continue to plan in the secondary plat phase.
- xvi. **Andrew McGee** – Asked if there were going to be sidewalks.
- xvii. **Matt Price** – Yes, 4700 linear feet includes perimeter sidewalks.
- xviii. **Phillip Snoeberger** – Question about southern half will connect to existing and run North on 575.
- xix. **Kyle Eichhorn** – West side of 575 continues all the way to the southern property line.
- xx. **Andrew McGee** – Question about entrance being the only one shown.
- xxi. **Kyle Eichhorn** – One on 575.

*Motion to approve as presented with conditions by staff by Snoeberger. Second by Foley. Motion passes 7-0.*

**b. PC23-014-CP and PC23-015-DP Blue Beacon** – This item was continued.

**c. PC23-021-PP Park 130 Trailer Parking**

- i. **Liam Sawyer** – Kimley-Horn for Peterson Company – Went over aerial, zoning and request for 49 additional parking spaces for Building 3. Showed site plan and went over staff favorable recommendation.
- ii. **Jill Conniff** – Staff Report - Staff is providing a favorable recommendation for the Park 130 Trailer Parking Primary Plat Docket PC23-021-PP. The applicant is proposing to subdivide a lot fronting on CR 475 E and combine a portion with Lot 3 of the existing Park 130 Plat. The proposed Primary Plat is in compliance with applicable chapters of the Whitestown Unified Development Ordinance and commitments made with the original site rezone. The applicant will need to go through the Secondary Plat process to legally plat the subdivided and combined parcels.

*Motion to approve by Snoeberger. Second by Taylor. Motion passes 7-0.*

**d. PC23-023-ZA Wally's**

- i. **Nathan Hale** – For Wally's – Went over site plan, location and annexation. Went over proposed split zoning and that they agree with all staff commitments.
- ii. **Jill Conniff** – Staff Report - Staff is providing a favorable recommendation for the Wally's Rezone Docket PC23-023-ZA. The applicant is proposing to rezone the described area from the General Agriculture (AG) Zone to the Accommodation Business (AB) and Mixed-Use Commercial, Office, and Residential (MU-COR) Zones. 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 in the Comprehensive Plan which designates this area for Commercial and Light Industrial classifications. The proposed rezone meets other goals, objectives, and policies of the Comprehensive Plan including encouraging new businesses and mixed-use developments. The proposed Service Station, Local use is the most desirable use at this site due to the access to Interstate-65. The surrounding area has existing industrial uses and the proposed rezone fits the character of the surrounding area conserving property values. If Plan Commission provides a favorable recommendation, staff recommends adding the following commitments: Residential uses are not permitted. The site will be split zoned between Accommodation Business (AB) and Mixed Use- Commercial, Office, and Residential (MU-COR) Zones as approximately shown on the Zone District Map attached hereto. At the time of platting, legal descriptions for the AB Zone and the MU-COR Zone will be recorded with this Ordinance at the Boone County Recorder's Office. At the time of platting, right-of-way will be dedicated to the Town for a Major Collector roadway connecting Perry Worth Road and Albert S White Drive. Prior to full build out of the site the Developer will construct the Major Collector roadway to Town street standards.

- iii. **Cheryl Hancock** – Asked about plans to update Perry Worth Road from South portion up to Wally's.
- iv. **Danny Powers** – We know if needs to be done, but no immediate plans at this time. Perry Worth is being widened to the South. With interchange, done it will be added to our capital plan.
- v. **Phillip Snoeberger** – Is this mainly for passenger vehicles?
- vi. **Nathan Hale** – We discourage all trucks except for delivery.
- vii. **Andrew McGee** – Does it have diesel truck pumps?
- viii. **Nathan Hale** – We have diesel pumps but not for large trucks, for RV's or large pick up trucks.
- ix. **Phillip Snoeberger** – Any overnight truck parking?
- x. **Nathan Hale** – No, we have signs about towing.
- xi. **Andrew McGee** – Would you agree to commitment?
- xii. **Jon Hughes** – No overnight semi parking.
- xiii. **Phillip Snoeberger** – Gives us a way to hold you accountable for parking. Question about connector to ASW prior to full buildout of site? All portions or gas station.
- xiv. **Jill Conniff** – full 33 acres.
- xv. **Phillip Snoeberger** – so it does not have to be done for Wally's to open.
- xvi. **Jill Conniff** – They are dedicating ROW and can open gas station without connection.
- xvii. **Danny Powers** – intention is to build that road with Wally's but those details need to be worked out.
- xviii. **Dave Taylor** – Questions about residential use. Are we allowing residential.
- xix. **Jon Hughes** – MU COR would allow but we put this in to make sure there is no residential, reason for the condition.
- xx. **Dave Taylor** – Who enforces overnight parking?
- xxi. **Nathan Hale** – We would work with WPD.

- xxii. **Phillip Snoeberger** – What is your timeline?
- xxiii. **Nathan Hale** – Late fall 2023 open early spring 2024.

*Motion for favorable recommendation with commitments presented by staff and no overnight semi and/or trailer parking by McGee. Second by Snoeberger. Motion passes 7-0.*

**New Business (Public Hearing)**

**Other Business**

**Amendments to the WPC rules and procedures** – Presented by Jill Conniff – Went over few changes.

**Phillip Snoeberger** – Question about 10 days, business days?

**Jill Conniff** – 10 calendar days.

**Andrew McGee** – Appreciate the neighborhood meetings being added.

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

**Announcements**

**Adjourn**

*Unanimous vote to adjourn.*

7:20 pm

DocuSigned by:

*Andrew McGee*

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Andrew McGee, President

DocuSigned by:

*Jill Conniff*

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Jill Conniff, Staff