



## Meeting Minutes

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*Whitestown Plan Commission*

**Date:** 08/14/23

**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 - **Absent**
- 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

**Jon Hughes** – Made a recommendation that PC23-033-PP be continued to the next meeting.

*Motion to continue by Harris. Second by Powers. Motion passes 6-0.*

*Motion to combine f. and g. and approve the agenda by Foley. Second by Snoeberger. Motion passes 6-0.*

*Motion to approve the 07/10/23 meeting minutes by Snoeberger. Second by Foley. Motion passes 6-0.*

### Public Comments for Items Not on Agenda N/A

## Presentations N/A

## Unfinished Business N/A

### a. PC23-025-DP Schumacher Homes

- i. **Liam Sawyer – Kimley-Horn** – Received Concept Plan approval and now the roads in the area have been developed they are ready to move forward with the Development Plan. Went over the location and scope of the project for the model homes. Went over site plan and elevations, stated it met all requirements.
- ii. **Jill Conniff** – Staff Report - Staff is providing a favorable recommendation for the Schumacher Homes Development Plan Docket PC23-025-DP. The petitioner is proposing to construct an office design showroom and two model homes on approximately 2.5 acres. The proposed Development Plan is in compliance with the approved Concept Plan for the site. 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: The proposed Development Plan is in compliance with all applicable development and design standards of the zoning district where the real estate is located. The proposed Development Plan manages traffic in a manner that promotes health, safety, convenience, and the harmonious development of the community. The applicable utilities have enough capacity to provide potable water, sanitary sewer facilities, electricity, telephone, natural gas, and cable service to meet the needs of the proposed development. If the Plan Commission approves the Development Plan, staff recommends adding the following conditions: The Secondary Plat for the site will need to be finalized and recorded prior to applying for building permits.
- iii. **Phillip Snoeberger** – Asked about potential to build more homes.
- iv. **Liam Sawyer** – No.
- v. **Lauren Foley** – Asked what happens when they are done with the houses.
- vi. **Schumacher Homes** – They will come back and do updates to the homes per Town standards.
- vii. **Nathan Harris** – Would they be sold for occupancy?
- viii. **Liam Sawyer** – No, they are not functioning residences.

*Motion to approve by Snoeberger. Second by Harris. Motion passes 6-0.*

### b. PC23-029-ZA Windswept Farms

- i. **Adam Mears** – Gradison Development, went over map and request for zone change to R-3 for villa style and single-family homes. Went over site plan and possible concept plan. Westside of property would be empty nester type homes and East side would be single family. Stated they have no plans to touch wooded areas, plan to use for trails. Went over possible elevations, commitments and will follow all architectural standards. Asked for clarification on the oversize over depth.
- ii. **Danny Powers** – Asked it to be the same as the master plan for this area. Normally would be 12-inch gravity sewer and max 12-inch water.

- iii. **Adam Mears** – Asked staff to work with us on this. Hard to know at this point what we will need and committing to certain commitments regarding public works. Number of dwelling units, asking for a 5% variance up. Wooded area preserved as common area. It could be shifted and changed slightly, would not like to be locked in at this stage. Plan to keep the wooded area but may have to shift some. Willing to commit to all other staff commitments.
- iv. **Jon Hughes** – Do you have something drafted for 3, 9 and 11?
- v. **Adam Mears** – we can come back with something after public comment.
- vi. **Desire Irakoze** - Staff is providing a favorable recommendation for the Windswept Farms Rezone Docket PC23-029-ZA. The applicant is proposing to rezone the described area from the Residential (R-1) Zone & Residential (R-2) Zone to the Medium-density Single-family and Two-Family Residential (R-3) 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.

Although the proposed rezone is not in compliance with the Land Use Map, staff finds the proposed rezone is in compliance with Special Development Area 3 in the Comprehensive Plan with the mix of densities. The proposed rezone meets other goals and objectives of the Comprehensive Plan including managing community growth and mitigating conflicting land uses. Although the Land Use Map designates this area as low density, the development aligns with the existing higher density of R-3 and provides a transition neighborhood that bridges the gap between R-3 Medium-density standards to R-2 Low-density standards.

This proposal meets the transportation and circulation objectives laid out in the comprehensive plan, with a network of trails, both internally and externally, by connecting to the existing trail network leading to Main Street Park and in the future the Big 4 Trail to the east. This plan promotes alternative modes of transportation such as biking and walking. The pedestrian trails connect with the neighboring subdivision while leaving trail stubs for future connections.

By Commitments proposed by staff and approved by the applicant, the proposed development has a higher architectural standard than the surrounding subdivision.

By implementing buffering and limiting development in wetlands, this proposal exhibits a commitment to environment preservation. These measures serve to both enhance the aesthetic appeal of the area and contribute to the protection of the region’s natural resources.

Overall, the proposed rezone provides responsible growth and development, while conserving property values.

If Plan Commission provides a favorable recommendation, staff recommends adding the following conditions:

1. As depicted in Attachment X, the round-about will be shown in the Primary Plat
  2. Resurface/ full depth repair where required /2'strip/gravel shoulders for Co. Rd. 700E and Co. Rd. 425 S
  3. The developer shall be responsible for all costs associated with extending sewer and water facilities for the development to and on the property, including any oversizing of facilities requested by Public Works.
    - a. This commitment #3 may be modified by the time of the Plan Commission hearing given ongoing staff conversion at the time of the staff report publication.
  4. The developer shall smoothen or straighten the road section as illustrated in Exhibit A.
  5. The developer shall work with Planning Staff to provide a pedestrian trail similar or equivalent to what is shown in the concept exhibit.
  6. The eastern side of Co. Rd. S 700 E shall adhere to R-2 lot requirements, with the exception of 41 lots. The 41 lots shall have minimum dimensions of 61' x130' and 61' x 140'.
  7. All lots within the development shall adhere to the residential standards outlined in UDO Section 9.5.A.3.
  8. Vinyl siding materials are not permitted.
  9. The number of Dwelling Units shall not exceed 294 lots or a development density of 2.38 du/acre, whichever is less.
  10. All homes shall have 30-year dimensional shingles.
  11. The wooded areas depicted in Exhibit A shall be preserved as Common areas.
  12. The following uses shall be prohibited on the site: Manufactured Homes, Group Residential, Colleges and Universities, Churches, Elementary & Secondary Schools, and Group Residential Facilities.
- vii. **Lori Endicott** – 6682 Rainwater Lane – Just moved to the area and concerned about density, property values and infrastructure.
- viii. **Steve Cooper** – 4527 S 700 E – Asked about wooded area staying and providing visual barriers. Asked to make room for future development. Concerns about flooding and additional run off causing issues down the street. Concerns with density regarding the whole area.
- ix. **Yarek Piotrowski** – 4601 Rainwater Lane – Would like to keep the wooded area as much as possible.
- x. **Greg Johnson** – 4586 Rainwater Lane – Want to keep wooded area and use adjacent land for parks. Concerned with density and roads.
- xi. **Cheryl Hancock** – 5400 E 300 S – When you pull up the map for the comp plan this area shows low density. Asked why we are making changes to the comp plan. Asked who will be paying for the improvements to 700 E?
- xii. **Andrew McGee** – Went over emails received for this docket.
- xiii. **Mark Gradison** – Addressed wooded areas, based on final plan they would place remaining wooded area into a preservation. We will keep as much as we can. Will follow all drainage rules per the Boone County Surveyor. Density at 1.84 will be well under 2. Plan to save barn on the property. Will be resurfacing roads and adding stone shoulders as part of commitment #9. Number of units at 315 as max for design and flexibility. #11 generally depicted common areas.
- xiv. **Danny Powers/Mark Gradison** – Discussion back and forth regarding what would be required in commitments.

- xv. **Phillip Snoeberger** – Eastside Villa concept, with this be single family detached. Will they be for sale or rent?
- xvi. **Mark Gradison** – Yes detached for sale.
- xvii. **Nathan Harris** – Commitment for no rentals? Where are your other developments?
- xviii. **Mark Gradison** – Yes, will not be sold as a rental community. We build for others as well as ourselves, in the Midwest.
- xix. **Nathan Harris** – Questions about expansion of 700.
- xx. **Danny Powers** – Considered a minor arterial that requires a 90 foot right of way and 3 or 4 lane road as well as a roundabout. No immediate plans, but commitments for petitioner to resurface and do shoulder.
- xxi. **Mark Gradison** – Continued discussion with all members of the commission regarding negotiation of commitments as stated in motion.

*Motion for a favorable recommendation with staff commitments and petitioner is good with all commitments except 3, 9 and 11 as amended and adding commitment number 13 by Snoeberger.*

*3. The developer shall be responsible for all costs associated with extending sewer and water facilities for the development to and on the property, including any oversizing of facilities requested by Public Works (up to a maximum of 12" sewer line, a 2" water line, and a maximum 10' diameter lift state that is a maximum 25' deep).*

*9. The number of dwelling units shall not exceed 305 lots or a development density of 2.0 du/acre, whichever is less.*

*11. The wooded areas generally depicted in Exhibit A shall be preserved as wooded common areas, and the developer shall record preservation easements on said property to ensure they are maintained primarily as wooded areas. The preservation easements shall be subject to rights to place trails in the woods for common enjoyment. Generally, shall be conserved.*

*13. Commitment that this will be a for sale only community.*

*Second by Harris. Motion passes 6-0 favorable.*

**c. PC23-031-DP The Maddox**

- i. **Brian Tuohy** – Went over site plan and past rezone for multifamily use. Went over changes that have been made based on feedback from the neighborhood meeting held. Showed elevations and talked about materials, amenities and timeline.
- ii. **Desire Irakoze** – Staff Report - Staff is providing a favorable recommendation for the Maddox Development Plan Docket PC23-031-DP. The petitioner is in compliance with the commitments associated with the concept plan. The petitioner is proposing to construct a 400-unit multi-family complex building with associated parking, and amenities on approximately 32.82 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: The proposed Development Plan is in compliance with all applicable development and design standards of the zoning district where the real estate is located. The proposed Development Plan manages traffic in a manner that promotes health, safety, convenience, and the harmonious development of the community.

The applicable utilities have enough capacity to provide potable water, sanitary sewer facilities, electricity, telephone, natural gas, and cable service to meet the needs of the proposed development. Should the Plan Commission approve PC23-031-DP, Staff recommends the following condition. The Photometric plan be updated to meet the requirements of the PUD & UDO.

- iii. **Chris Nell** - 4951 Oak Hill Drive – What will separate developments?
- iv. **Brian Tuohy** – Said that this was one of the changes they made and went over slide to show changes with landscaping, berming and fencing.
- v. **Nathan Harris** – Appreciate the neighborhood meeting.
- vi. **Andrew McGee** – Agree, moving buildings was a big deal.
- vii. **Phillip Snoeberger** – Big difference, thank you.

*Motion to approve with staff recommendations and condition that the photometric plan be submitted to meet requirements of the PUD and UOD. Second by Foley. Motion passes 6-0.*

**d. and e. PC23-033-PP and PC23-034-CP Speed Wagon Truck Parking** – Continued.

**f. and g. PC23-035-PP and PC23-036-CP Mann Brothers Friendly Market** – Petitioner did not appear to present.

*Motion to continue by McGee. Second by Foley. Motion passes 6-0.*

**h. PC23-045-TA UDO Text Amendments**

- i. **Jill Conniff** – Went over amendments about truck parking.
- ii. **Jon Hughes** – Went over the presented Text Amendments. Read definition of heavy parking.
- iii. **Phillip Snoeberger** – Must be located 500 feet from residential property or use.
- iv. **Jill Conniff** – This would also apply to Agriculture.
- v. **Nathan Harris** – Is this approval or recommendation?
- vi. **Jill Conniff** – Recommendation.

*Motion for favorable recommendation by McGee. Second by Harris. Motion passes 6-0.*

## **New Business (Public Hearing)**

### **Other Business**

### **Announcements**

### **Adjourn**

*Unanimous vote to adjourn.*

8:22pm

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Andrew McGee, President

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Jill Conniff, Staff