



HEARING DATE: December 9, 2024, AT 6:30 PM

1. OPENING THE MEETING

- a. Call to Order: The meeting was called to order at 6:30 PM
- b. Pledge of Allegiance
- c. Roll Call

<u>Members</u>	<u>Town Staff</u>
<input checked="" type="checkbox"/> Andrew McGee, President	<input checked="" type="checkbox"/> Todd Barker, Dir Dev. Services, AICP
<input checked="" type="checkbox"/> Phillip Snoeberger, Vice President	<input checked="" type="checkbox"/> Allan Henderson, Planning Administrator
<input checked="" type="checkbox"/> Lauren Foley	<input checked="" type="checkbox"/> Ashley Ulbricht, Town Attorney
<input checked="" type="checkbox"/> Nathan Harris	<input checked="" type="checkbox"/> Shannon Downs, Executive Assistant
<input checked="" type="checkbox"/> Sri Venugopalan	
<input checked="" type="checkbox"/> Tobe Thomas	

2. APPROVAL OF THE AGENDA

- a. **Andrew McGee** called for a motion on the approval of agenda, **Phillip Snoeberger**, made a motion to approve the agenda and combine PC24-045-CP and PC24-046-DP one presentation and two separate motions, and **Lauren Foley**, seconded the motion, the motion **PASSED 6-0**
- b. **Andrew McGee** Called for a motion on the November 12th Meeting Minutes. **Phillip Snoeberger** made a motion to approve the meeting minutes, **Sri Venugopalan** Seconded the motion, and hearing a second motion, The President called for discussion, hearing none, he called for a vote, and the motion **PASSED 6-0**.

3. PUBLIC REQUEST TO SPEAK (Topics Not related to an Agenda item)

- a. None.

4. PRESENTATIONS

- a. None.

5. OLD BUSINESS

- a. PC24-043-TA Ellis Acres

A request by Lennar Homes for a **text amendment** from the Ellis Acres PUD Ordinance for the Ellis Acres housing development at the intersection of East County Road 750 South and Indianapolis Road, Whitestown, Indiana.

Presentation:

Sean Blackburn, (Lennar Homes of Indiana, 11555 N Meridian St, Carmel IN 46032) – requesting a PUD text amendment on brick fronts for the three-story townhomes and allowing for the townhomes being in line with one another creating symmetry. There are 9.76+/- acres 64 town home units, 34 three-story units and 30 two-story units.

Sean Blackburn, (Lennar Homes of Indiana, 11555 N Meridian St, Carmel IN 46032) – Shared a site plan, The proposed effected area is in red for PUD amendment. Lennar came out with a new 3 story townhome elevation and would like to offer this design as part of Ellis Acres. The current PUD doesn't allow for the 3 story townhomes. This would be the first location in the state with Lennar's new 3 story townhomes.

The current PUD states that units are off set, our standard units are in line. We are proposing the end units be more forward set and the two middle units will be recessed back and in line with each other, this would be for the even numbered units.

Shared the new two-story façade. Would like to amend items 1 & 4 of the PUD.

1. Shall consist of masonry material and Two of the following material: composite veneer panels, horizontal siding, shake siding or board and batten siding. In Lieu of this requirement, the front façade may include full masonry material other than trim and architectural details around windows (window wraps, shutters, etc.)
4. A minimum of the one offset at least one-foot deep by a minimum height equivalent to one-story (exclusive of relief for doors, windows and other openings) unless this requirement creates a townhome building that is not symmetrical on each units. In that case, two townhome units may be next to each one without an offset to create a symmetrical design for the end units. Said relief could be either on the first floor or second floor.

Staff Report: Allan Henderson (Whitestown Planning Administrator), This is a request for a text amendment from the current PUD. This is recommendation to the council. As was mentioned by the petitioner this is an improvement in product Planning staff is suggesting a favorable recommendation.

Public hearing opened: 6:39pm

Jennifer Knotts (7729 Tangier court, Zionsville, IN 46077, Eagles Nest Sec 10, HOA

president) – concerned with the look and how this will affect the two-story townhomes. Asking for clarification as to why changes are now just presenting to the town.

Public hearing closed: at 6:41pm

Sean Blackburn, (Lennar Homes of Indiana, 11555 N Meridian St, Carmel IN 46032) – no effect on the two-story buildings. Lennar recently has new elevations with new color brick and helps break up the m is We are now presenting their new elevations. Lennar feels that this will help break up.

Allan – this change is to allow for 100% masonry on what has recently been presented.

Discussion of WPC

Nathan Harris – asked to review the site plan.

Sri Venugopalan – asked for clarification about the 100% masonry as it will on be on the 3 story.

Sean Blackburn, (Lennar Homes of Indiana, 11555 N Meridian St, Carmel IN 46032) – there are no changes for the two-story townhomes, The Townhomes are rear-loading, and the fronts will be facing the road.

Phillip Snoeberger – asked to review the colored elevation for the new 3 story townhomes. Will the different colored masonry be what is built, as it will help break up the monotony.

Nathan Harris – asked if the proposed stagger is as presented. Will the stagger be the same for the two story as well.

Sean Blackburn, (Lennar Homes of Indiana, 11555 N Meridian St, Carmel IN 46032) – confirmed that the staggering would apply to all buildings.

Nathan Harris – can you please clarify asked if there are odd numbers of units and where those will be located.

Sean Blackburn, (Lennar Homes of Indiana, 11555 N Meridian St, Carmel IN 46032) – There are a few 5-unit buildings, shared the location on site plan.

Andrew McGee – asked if any further questions

Call for a Vote

Andrew McGee called for a motion **Phillip Snoeberger**, made a motion for Favorable Recommendation PC24-043-TA Text Amendment, based on the staff

report and information presented **Lauren Foley**, seconded the motion, and the motion **Favorable Recommendation 6-0**

2. NEW BUSINESS

a. PC24-044-ZA Beckman Park

A request by Braun Property Development, LLC for a **Zoning Map Change** of approximately 262 acres from AG – General Agriculture to PUC – Planned Unit Development between CR S 650 E and CR S 500 E (to the east & west) and between CR E 200 S and CR E 150 S (to the south and north), Whitestown, Indiana.

Presentation: Bryan Tuohy, (Tuohy, Bailey & Moore LLP, 50 S. Meridian St., Indpls., In 46204) also in attendance Adam & John Braun, and Scott Noell.

The property presenting is approximately 262 acres, the idea is to change the site from AG to planned unit development. This property has recently been annexed into the Town of Whitestown. This would be proposed to be zoned into 4 different districts, Sub Urban District, General Urban District, Urban Center District and the public park area. These districts would all be connected by trails. At the heart of the project is a 27-acre park that is planned to be deeded to the town. This plan would be developed over a 7-10-year time frame. The sub-urban district will include detached single-family homes, general urban district will also include single family homes, urban center district will include a higher density residential and commercial (townhomes, multifamily, commercial, office, restaurants and retail) development.

No more than 10% of the sub urban districts will be allowed to be rentals and the homeowner must own the property for the first year prior to renting and the rental term must be nothing less than a 12-month commitment.

John Braun, (Braun Property Development, 1155 Parkwood Dr, Zionsville, IN 46077) – Shared site plans, commercial retail along 600, the large public park of 27 acres will be deeded to the town. There are 4 districts, this plan is to give the members of the community place to come together and enjoy their family time and create memories. There are walking paths throughout the properties allowing connectivity. Committing to 25% of open space, including parks, green space, walking trails and ponds. The overall project timeline is 7-10 years beginning the project on the east side working towards the west and completing with 10 phases.

During the community meetings and listening to those in attendance we have set limitations on the MU-COR and rental restrictions are in place (10% cap, must own

for 12 months prior to renting). Working on different rental options in the MU-COR area due to feedback received during the community meetings.

Staff Report: Allan Henderson (Whitestown Planning Administrator), Shared presentation, for Braun property development group for a zoning map change. Zoning the 262 acres with a PUD. The site is north of 200 and just outside of the town limits. The land use in the special district coincides with the proposed development. The red dotted line on the comprehensive plan map, there is a road expansion on 575 and see this being a way of development. There are several supporting policies within the land use development plan.

Concerns we've heard are the traffic and utilities. Comprehensive plan does support this request. CO RD 575 expansion will help support the growth and traffic that would come with this project.

5- Development within the community needs to be designed to be efficient and compact and walkable.

6- Future developments should be encouraged to provide a mix of uses in appropriate areas and high-quality products and design.

9- Future land use and density decisions need to be coordinated with the needs and availability of transportation, utilities and other infrastructure facilities.

Review of the thoroughfare Plan, there are improvements planned for 700 E, Main Street, CR 600 E and CR 575 E. County Road 700 E will be upgraded to a major collector and 575 E will be upgraded to a major arterial. There are plans for utility expansions and the sewer and water will be in place along 200 west of Mainstreet.

Allan Henderson - shared findings of fact, meeting all 5 criteria, proposed rezone does meet all five criteria; goals, policies, and including other documentation in the comprehensive plan support the rezone being presented by Braun Property Development.

Public hearing opened 7:12pm

Josh Fedor (515 S 700 E, Whitestown IN 46075 / 1837 S 650 E, Whitestown IN 46075) – Believes there is some fine tuning that could be done on the project being presented. The general urban area, lot sizes are, and the urban center and rental cap. I am not opposed or for the project but would like to get this project right as this is a large project and doing it right from the beginning is important. Concerned about the lot size and home size and the rental property cap percentage. Also consider surrounding municipalities and their concept plans

Kristina Knotts (5845 E 100 S, Lebanon IN 46052) – Would like to bring to light that this area is Agricultural and a lot of considerations of rural residents

surrounding the project area should be taken into consideration. This property is listed at the county level as agricultural. Addressing the trees and tree lines that are currently there and don't appear to be on the plan. This is presented at the county level as Agricultural property. There are rural residents that aren't being represented due to notification and locations of the rural residents. Concerns about the impact the rural residents water wells will have due to the lack of utilities in the area where the project is being proposed. Currently the rural areas don't have access to the wi-fi and other utilities needed.

Email received from Kris Knotts

Public hearing closed 7:20pm

Bryan Tuohy, (Tuohy, Bailey & Moore LLP, 50 S. Meridian St., Indpls., In 46204)

Addressing concerns of the community; There currently is a gravel road at 600, there will be streets that will meet the towns standards, utilities will be part of the development, the key component of the project is the 27-acre park. They are planning on retaining a large area of trees. Trees removed will be replaced with landscaping.

Addressing the concerns of Josh Fedor; the density of the homes – the project has less dense home lots of approximately 1.75 homes per acre, on the perimeter of the project. The density will be increased closer to the shops to allow the residents to be within walking distance of retail shops and commercial areas.

There will be significant improvements to the roadways, this project will be a 7–10-year time frame allowing the infrastructure to catch up with the growth.

Discussion of WPC

Andrew McGee – asked for clarification about notification process, as it is based on a radius.

Bryan Tuohy – approximately 30 notices were sent, and a neighbor meeting was held and 10-12 people were in attendance.

Phillip Snoeberger – asked for clarification on the leasing space under 30,000 sq ft, allowed MUCOR and will be restricting what's not on the list, limiting big box retail?

Andrew McGee – the list provided are the allowed uses so items not on the list are being voluntarily restricted.

John Braun – Correct and have a list of the restrictions as well, following the towns UDO.

Phillip Snoeberger – following up on the rental restrictions, would like to see additional restrictions on rental property. Would like to see that there are no more than 2 rental properties per owner. Also including property maintenance.

John Braun - We are at 1 property per rental owner. We based a lot of our rental regulations off of the Peabody rentals. There is a 10-20% cap on single-family homes. We also require ownership for a 1-year period prior to rental.

Andrew McGee – asked if that rental could be increased to 3 yrs from 1 year.

John Braun – agreed with the change to 3 yrs of ownership.

Tobe Thomas – asking about a roundabout at an intersection. Is the developer responsible for the infrastructure improvements or would that be the responsibility of the town?

John Braun – Braun Properties, will be part of the infrastructure improvements and adjacent to the community. Braun property Development will work with the town and any requests they may have along the way.

Sri Venugopalan – They will have to do a traffic impact assessment surrounding the roads around the project area. The town will work with them on recommendations once the impact assessment has been completed.

John Braun – there is already a commitment for a traffic impact assessment.

Phillip Snoeberger – asked if the town purchases their water.

Sri Venugopalan – confirmed the town does purchase water from Citizens.

John Braun – there were concerns about utilities at the community meetings.

Todd Barker – private utilities, the town has experienced private utilities and with growth private utilities have become interested in extending utilities to the new users.

Nathan Harris – asked about screening and landscaping buffer. There will be trees on the right of way. There are trees on the east side that will be preserved.

John Braun – shared the plan for a buffer, and the removal of trees that are in the right of way along with the replacement of trees and landscaping.

Call for a Vote

Andrew McGee called for a motion **Phillip Snoeberger**, made a motion for Favorable Recommendation PC24-044-ZA Zoning Map Change, Braun property Development / Beckman Park with restrictions as discussed; 1 rental per owner sub urban and general urban districts, rentals professional maintained and a waiting period of 3 years prior to being rented, as presented and based on staff recommendation and findings of fact. **Nathan Harris**, seconded the motion, and the motion for **Favorable Recommendation 6-0**

b. PC24-045-CP Dr Clark's Dental Office

A request by Grace Clark for **Concept Plan** approval for the construction of a one-story, 5,000 sf medical office building 1 acre on Phipps Lane at Bridle oaks Farms, Whitestown, Indiana.

Presentation - Keven Steely (Terra Site Development, 1307 W 161st St., Westfield, IN 46074) representing Dr. Clark's Dental office, the office will be located in part of Bridle Oaks Farms 2 PUD, SW corner is a retail lot of 5.8 acres. This has been replated to a 1 acre, this will be a second location for Dr. Clark, looking to build a 5,000 sq building, and looking to have 37 parking spaces. The utilities will come in from Phipps Lane.

Drainage will go to the east and there is an existing dry basin, gaining private easement for the drainage from the horse farm.

Will be presenting to the BZA for additional parking in January and understand that will be a pending approval as the ordinance only allow 20 parking spaces.

Staff Report: Allan Henderson (Whitestown Planning Administrator),

PC24-045-CP and PC24-046-DP, concept plan and development plan approval for Dr. Clarks dental office, have met all standards for the development plan with the exception of parking and a variance was recommended through the BZA, and any approvals for the development plan should include a variance of parking approval.

Public hearing opened – 7:47pm

Public hearing closed – 7:48 pm

Discussion of WPC

Phillip Snoeberger – asked for clarification on the building occupancy. Will the dental office occupy the entire building space?

Kevin Steele – Dr. Clark is not sure if she will lease a portion of the space or use it for their dental business. This will be dependent on the growth of the new location.

Phillip Snoeberger – asked if an additional business would have to come and make a request for WPC

Allan Henderson– a rental business would not need to come back to the WPC. They would just build out the shell.

Tobe Thomas – What could the other space be used or occupy the space.

Kevin Steele – this land use is a PUD.

Allan Henderson – there are exclusions for land use in the PUD. As long as any business meets the PUD standards then they will be ok.

Andrew McGee – asked if there are any questions and comments.

Nathan Harris – inquired if that is an ADA ramp near the trash/dumpster area.

Kevin Steele – this is more for the staff to be able to get their trash out of the building.

Call for a Vote

Andrew McGee called for a motion **Phillip Snoeberger**, made a motion for Favorable Recommendation PC24-045-CP Concept Plan, **Tobe Thomas**, seconded the motion, and the motion **PASSED 6-0**

c. PC24-046-DP Dr. Clark's Dental Office

A request by Grace Clark for Development Plan approval for the construction of a one-story, 5,000 sf medical office building 1 acre on Phipps Lane at Bridle Oaks Farms, Whitestown, Indiana.

Staff Report: **Allan Henderson (Whitestown Planning Administrator)**, PC24-045-CP and PC24-046-DP, concept plan and development plan approval for Dr. Clark's dental office, have met all standards for the development plan with the exception of parking and a variance was recommended through the BZA, and any approvals for the development plan should include a variance of parking approval.

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Call for a Vote:

Andrew McGee called for a motion, and **Phillip Snoeberger** made a motion to **APPROVE** PC24-046-DP Development Plan, conditionally on the parking variance as described on the staff report **Nathan Harris** seconded the motion, the motion **PASSED 6-0**

3. OTHER BUSINESS

- a. Administrative approval of PC24-047 ADP GXO Logistics Inc.

Allan Henderson – memo provided for an expansion of parking areas and paved areas to trailer parking. This is under the 50k sq ft. requirement.

4. ANNOUNCEMENTS

- a. Todd Barker – Town Council has a request for board and commission members for those that are up for reappointment, Todd will send an email with links only if your position is up for reappointment.

5. ADJOURNMENT

Phillip Snoeberger made a motion to adjourn, **Sri Venugopalan**, seconded the motion, and the motion **PASSED 6-0**. Meeting adjourned at 7:56pm

Signed by:



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Andrew McGee, Plan Commission President

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Allan Henderson, Planning Administrator