



Meeting Minutes

Whitestown Plan Commission

Date: January 31, 2011

Time: 6:30pm

Location: Whitestown Town Hall, 6320 S. Cozy Lane, Whitestown, IN 46075, (317) 769-6557

Call to Order:

6:37pm

Roll Call

- Kevin Servies, President
- Dennis Anderson, Vice Pres
- L.J. Jernstadt
- Jan Jones
- Greg Semmler
- Mark Worthley
- Manual Navarro (6:50pm)

- Staff: Deborah Luzier, Town Planner, GRW

Agenda

Motion by Jernstadt to only consider item 1) PC11-002-OB Maple Grove TIF and item 3) 2011 Meeting Schedule, and to table item 2) Rules and Procedures and 4) Application packets because of the weather. Second by Semmler. Vote 6/0, motion passes.

New Business – Public Meeting

- 1) **PC11-002 Maple Grove TIF District.** Request for the PC to confirm that the plan for the TIF area conforms to the Whitestown Comprehensive Plan for this area. Representatives: Dennis Otten – Bose McKinney, Michael Jansen – Valenti Held.
 1. Jernstadt - is there a staff report?
 2. Luzier – a brief history and staff opinion is contained in the agenda.
 3. Otten – this not a zoning request. When a TIF area is created, it first goes before the plan commission to confirm that it conforms to the area plan, and then it goes to the council.
 4. Servies – wasn't this initially heard at the county?
 5. Jansen – we have been before the county for proposed developments, but not for this matter.
 6. Otten – there have been some zoning discussions in this area, but this is separate from the TIF consideration for tonight.
 7. Servies – (reads the summary and staff opinion contained in the agenda)
 8. Worthley – what is the easement through the middle of the development?
 9. Jansen – overhead power lines are in the easement as well as along the road. They are very tall, which is why there's a 150-foot easement. The power lines also run through Stonegate. They're all above ground.
 10. Worthley – what about the properties that face the power lines? Are there concerns?
 11. Jansen – the lots are outside of the easement.
 12. Servies – the focus tonight is not how it will be developed, but whether it meets the comp plan.

6:50pm – Navarro arrives

13. Jansen – (discusses history of development along the power line easements in the area)
14. Otten – the Whitestown Redevelopment Commission established the TIF area and adopted the plan that outlines the types of uses and how they will be funded. The PC must determine if the concept meets the Comprehensive Plan, not the specific uses.
15. Servies – Otten, can you elaborate on the Comprehensive Plan?
16. Otten – shows the Comp Plans that affect the Town (2005 and 2009) and explains the function of a TIF district.
17. Servies – is there anyone who has more questions before we consider this?
18. Worthley – what are the single family home sizes? What amenities will serve the apartments? I would like more detailed information about the proposed development.
19. Jensen – two-story single family homes. Apartment amenities may include a clubhouse and pool. It will be similar to the complex across the street.
20. Luzier – please provide any additional information to staff and I will distribute it to all the WPC members.
21. Jernstadt – all of the covenants that I've seen for this project conform to the subdivision standards.

Motion by Jernstadt for a favorable recommendation to the Whitestown Town Council. Second by Semmler. Vote 6/0 (Worthley abstaining), motion passes.

- 3) **2011 Meeting Schedule.** The WPC shall discuss and consider their 2011 Meeting Schedule. It is proposed that the WPC meet on the 2nd Thursday of each month, beginning in March, 6:30pm at the Whitestown Town Hall.
 1. Luzier - the Thursday schedule was proposed because that's the day that I will physically be working in the Town, the day of the Town Department Head meetings, and one of the few days that the meeting space is available. Meeting space is also available on the 2nd, 3rd, and 4th Monday of the month.
 2. Jernstadt – Thursday nights do not work for me.
 3. Servies – I confirmed that the building is available Mondays and Thursdays for meetings.
 4. Worthley – Mondays work for me.
 5. Manual – Mondays are open for me.
 6. Luzier – shall we try for the 2nd Monday of each month?

Motion by Worthley to meet the 2nd Monday of each month beginning in March. Second by Jernstadt. Vote 7/0, motion passes.

Adjournment

7:25pm

Kevin Servies, President

Deborah Luzier, Secretary



Meeting - Cancelled

Whitestown Plan Commission

Date: February 7, 2011

Time: 6:30pm

Location: Whitestown Town Hall, 6320 S Cozy Lane, Whitestown, IN 46075, (317) 769-6557

Members: Kevin Servies, Dennis Anderson, Manual Navarro, L.J. Jernstadt, Jan Jones, Greg Semmler, Mark Worthley

Due to a lack of agenda items, the WPC meeting for February has been cancelled.



Meeting Minutes

Whitestown Plan Commission

Date: March 14, 2011

Time: 6:30pm

Location: Whitestown Town Hall, 6320 S. Cozy Lane, Whitestown, IN 46075, (317) 769-6557

Call to Order:

6:30pm

Roll Call

- Kevin Servies, President
- Dennis Anderson, Vice Pres
- L.J. Jernstadt
- Jan Jones
- Greg Semmler
- Mark Worthley
- Manual Navarro

- Staff:
 - Deborah Luzier, Town Planner, GRW
 - Steve Unger, Town Attorney, Bose McKinney

Agenda

1. Jernstadt – before adjournment, I'd like to discuss something at the end of the meeting.

Motion by Jernstadt to approve agenda. Second by Navarro. Motion passes unanimously.

Minutes

Motion by Anderson to approve the January 31, 2011 minutes. Second by Jernstadt. Motion passes unanimously.

New Business – Public Meeting

- 1) **Docket PC11-001-DP - Development Plan - Love's Travel Center.** The petitioner is requesting approval of a Development Plan. The subject property contains 11 acres and is located at 4125 S Indianapolis Rd, at the southwest corner of I-65 and SR267, between Indianapolis Rd and I-65, in The Crossing at Whitestown subdivision, Phase I, Lot 1. The property is zoned GB-General Business in the I-65 Overlay District and is classified as "Mixed Use Commerce Park" in the Comprehensive Plan. The Technical Advisory Committee (TAC) reviewed the plans on 2/24/2011. The petitioner is Love's Travel Stops & Country Stores, Inc., the owner is Whitestown Crossing, LLC, and the project engineer is Innovative Engineering. Represented by Jerry Kittle and Mike Andreoli.

1. Luzier – reads Staff Report.
2. Jernstadt – the zoning is GB and has been rezoned. We need to update our zoning map.

3. Andreoli – we can follow up on the rezoning ordinance and the commitments and get that to Luzier.
4. Andreoli – introduces petition. This is a Development Plan that is only 11 acres. The remaining lots will come in for their own Development Plan approval. We appreciate getting written comments from the TAC promptly after the meeting. Jerry Kittle, the engineer for the site, will present more details.
5. Kittle – Describes the site details. Describes vehicular circulation within the site. We submitted revised plans last week. There will be sidewalks along Indianapolis Road as each lot is developed; this was part of the subdivision approval. Describes the landscape plan for the site and associated variances that were granted by the BZA in February. Describes the lighting plan for the site.
6. Andreoli – we will have an overall signage plan for this entire development.
7. Luzier – in looking over the plan just last week, the maximum height of the lighting fixtures is 30 feet.
8. Andreoli – we can work with any changes that staff recommends.
9. Servies – will you have street signs that match the Whitestown standards?
10. Kittle – I am working on that. We would like to discuss the details with you.
11. Andreoli – this also deals with the location and language on the signs.
12. Servies – there are new state regulations that apply too.
13. Kittle – describes building elevations. The buildings are all bricks with some efface (a masonry type material with a stucco-like finish). The brick is a reddish, dark brown. The efface material is a sand color – similar to the one in Pittsboro. It is a one-story building with a parapet wall to hide the mechanical equipment. The tire barn is sided with a brick-like material and it will match the main building.
14. Jones – Is it durable like brick?
15. Kittle – yes, it’s still a masonry product.
16. Worthley – does the McDonald’s have a drive-thru?
17. Andreoli – yes, and we received a variance from the BZA for the location of the drive-thru.
18. Worthley – asks about on-site circulation.
19. Andreoli – the first intersection is a right-in/right-out only intersection as required by INDOT. A lot of discussions went on to get the state satisfied.
20. Kittle – the route was basically designed and required by the state.
21. Servies – at first, they weren’t even going to allow that intersection.
22. Kittle – the “pork chop” that prevents left-hand turns will get built when 267 is rebuilt. It will not be built right away.
23. Semmler – this project is in the area where I live. I thought there were covenants and restrictions about walking paths in the area.
24. Jernstadt – you are referring to Perry Industrial Park. This is not part of that.
25. Semmler – the timing of the installation of the pathways will need to be worked out. There is a lot of interest in the pathway and you should describe where it at least should go.
26. Kittle – I’d like to see it on the north or west side of SR267. When SR267 gets reconstructed, the design will allow for locating a pathway a lot better on those sides.
27. Andreoli – we don’t disagree with having a pathway, but it may not be appropriate on this side of the road.
28. Kittle – we can put it on the plat for that side of the road.
29. Luzier – we should discuss exact location, standards, and maintenance.
30. Servies – public meeting is closed.
31. Jernstadt – I would like to see a sample of the actual lighting fixture that you’re referring to.

32. Andreoli – we will submit that to Luzier for review to ensure it meets the standards of the I-65 Overlay District.
33. Jernstadt – and you will get revised plans to the Health Department. Can you describe item #6?
34. Kittle – we have addressed each of the items in the revised plans. The change in pipe size has been shown on the plans. The project has received Drainage Board approval as well as drainage requirements for the state.
35. Jones – will staff take care of the zoning discrepancy in #8?
36. Jernstadt – yes, we will make sure that is consistent.
37. Andreoli – we will make sure that staff gets that information.

Motion by Jernstadt to approve the Development Plan with the condition that TAC items #1-10 be addressed. Second by Semmler. Motion passes unanimously.

Other Business

- 2) **Rules and Procedures.** The WPC shall discuss and consider the draft Rules and Procedures.
 1. Luzier – presents the Rules and Procedures.
 2. Jernstadt – add a section about attendance under Article 7. Add the Pledge of Allegiance under Article 6. Isn't the President a non-voting member?
 3. Steve Unger – the President usually doesn't vote unless there's a tie, per Robert's Rules of Order. Or he can vote to create a tie.
 4. Servies – a "no recommendation" is a bad decision to send on. And we shouldn't make decisions because the developer is in a hurry.
 5. Worthley – I wouldn't want to restrict anyone from voting.
 6. Unger – you need four votes to pass anything, regardless of how many people show up. You may have a tie at the BZA.
 7. Luzier – the BZA will have separate Rules.
 8. Jernstadt – we need to put a cap on the number of continuances that can be requested.
 9. Worthley – the PC can approve or not approve a request for a continuance. We don't need a cap.
 10. Luzier – I'm afraid that the petitioner may feel entitled to a maximum number of continuances.
 11. Servies – we can approve these verbally per the changes, distribute them electronically, and then sign off on them at the meeting on April 11, 2011.

Motion by Jones to approve the Rules and Procedures per the changes discussed. Second by Anderson. Motion passes unanimously.

- 3) **Application Packets.** The WPC shall discuss and consider using the Boone County application packets that the Town previously utilized.
 1. Luzier – I am developing application packets. If one is not yet available, people can use the county's application and then make application with the town.
- 4) **WPC Legal Representation.** The WPC shall discuss legal representation and prepare to distribute a request for proposals.
 1. Unger – for services, you can contract however you like through a "request for information" instead of using an RFP.
 2. Jernstadt – the PC and BZA could have different attorneys.
 3. Worthley – why would the attorney meet with staff?
 4. Luzier – to review ordinance language, for example.
 5. Jernstadt – or to go over a zoning violation.

6. Worthley – change “fixed retainer” to “flat fee”.

Motion by Servies to distribute the “request for information” as discussed and amended. Second by Worthley. Motion passes unanimously.

New Business from the Floor

5) Compensation for Meeting Attendance.

1. Jernstadt – there has been a lot of email discussion about compensation for the Commission members. We need to get a copy of the Town’s budget and what line items have been allocated. We need to develop line items for operating the Plan Commission. In Boone County, we received \$50/meeting, which was an issue for taxes. We should have a provision to opt out of getting compensation.
2. Unger – I believe that the statutes allow the Council to ultimately approve the compensation. Even if you opt out, the IRS may still count it as income. Employees do not hold lucrative offices, so they could still get paid.
3. Worthley – I don’t want compensation either.
4. Servies – I moved here to work for the town. As a town employee, I don’t think I should be compensated.
5. Anderson – there is an issue that all town boards should be compensated.
6. Unger – you should tell the Council that you do not want to be compensated so that they don’t set up a line item for it. Towns may adopt a salary ordinance that includes board compensation.
7. Jernstadt – Unger, if you could get clarification on that it would be helpful.
8. Jones – I too took this position to serve the town. I didn’t do it to make money.

Motion by Jernstadt to have the PC President recommend to the Council that the PC not be compensated. Second by Worthley. Motion passes unanimously.

6) Zoning Violations.

1. Jernstadt – we need to set up a procedure for handling complaints.
2. Unger – we could use the rules and procedures in place for complaints that the county uses. That was part of our establishment process.

Adjournment

8:32pm

Kevin Servies, President

Deborah Luzier, Secretary



Meeting Minutes

Whitestown Plan Commission

Date: April 11, 2011
Time: 6:30pm
Location: Whitestown Town Hall, 6320 S. Cozy Lane, Whitestown, IN 46075, (317) 769-6557
Staff: Deborah Luzier (Town Planner, GRW) and Steve Unger (PC Attorney, Bose McKinney and Evans)

Call to Order

7:03pm

Roll Call

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Kevin Servies, President | <input checked="" type="checkbox"/> L.J. Jernstadt | <input checked="" type="checkbox"/> Greg Semmler |
| <input checked="" type="checkbox"/> Dennis Anderson, Vice Pres | <input checked="" type="checkbox"/> Jan Jones | <input checked="" type="checkbox"/> Mark Worthley |
| | | <input type="checkbox"/> Manual Navarro (absent) |

Approve Agenda

Motion to approve agenda by Jernstadt, second by Worthley. Motion passes unanimously.

Minutes

Motion to approve the March 14, 2011 minutes by Anderson, second by Semmler. Motion passes unanimously.

Old Business

New Business – Public Hearing

- **Docket PC11-003-PA - Plat Amendment - Eagles Nest, 7B.** The petitioner is requesting approval of a Plat Amendment to reduce the driveway setback for selected lots to less than 75 feet. The subject property is located on the south side of 750 S, east of 600 E, in Eagles Nest subdivision, Section 7B. The property is zoned R4 - high density residential and it is classified as Residential in the Comprehensive Plan. The Technical Advisory Committee (TAC) reviewed the plans on 3/22/2011. The petitioner and owner is Eagles Nest Land Developer and the project engineer is Benchmark Consulting. Represented by Tim Walter.
 1. Staff and Public Official's Report – Luzier
 2. Presentation – Walter. Given the easements on the property, it's difficult to construct a home on these two corner lots and still meet the driveway setback. We are asking to reduce the driveway setback from the intersection from 75 feet to 72 feet.
 3. Public Discussion – none.
 4. WPC Discussion
 - a. Worthley – did the homeowner's association have any comments?
 - b. Walter – the developer is still acting as the homeowner's association for this subdivision.
 - c. Jernstadt – will you still meet the other required setbacks?

- d. Walter – yes.
- e. Jernstadt – given the easements, I would say that there is an evident hardship.

Motion to approve the plat amendment by Jernstadt. Second by Anderson. Motion passes unanimously.

- **Docket PC11-004-DP - Development Plan - Westhaven Apartments.** The petitioner is requesting approval of a Development Plan for a multi-family development. The subject property contains 6 acres and is located at 6101 S 700 E, on the east side of 700 E, just north of SR334. The property is zoned PUD - Anson and it is classified as Residential - Medium in the Comprehensive Plan. The Technical Advisory Committee (TAC) reviewed the plans on 3/22/2011. The petitioner and owner is Glick Whitestown, LLC and the project engineer is Innovative Engineering. Waiver requested to allow administrative (staff) review of the secondary development plan. Represented by Mike Andreoli, Doug Elmore, and Jerry Kittle.
 1. Staff and Public Official's Report – Luzier
 2. Presentation - Andreoli. There is a significant gas line easement across the eastern side of the property. We have worked with the utility to place the town's required landscaping within their easement. Preliminary approval has been granted by the Drainage Board. We are also requesting to waive the secondary public hearing.
 3. Public Discussion – none.
 4. WPC Discussion
 - a. Luzier – with regard to the waiver request, I am confident that TAC is prepared to thoroughly review the plans and not have a public hearing on the secondary development plan.
 - b. Servies – I have been involved with this project from the utility standpoint. How is the drainage working?
 - c. Kittle – this connects to the pond on the west side of 700E, which will serve as an outlet. The site partially sheet drains to the east.
 - d. Servies – I have no problems with staff doing the secondary approval.
 - e. Anderson – was there talk of fire access across Morton Road?
 - f. Anderoli – emergency access is still on Morton Road as we originally committed to. Morton Road serves as a bike path, pedestrian path, and emergency access.
 - g. Unger – you can waive the secondary public hearing, but not the actual approval. The PC will still need to consider the approval at their meeting.
 - h. Kittle – the project has received all erosion control approvals.
 - i. Jearnstadt –there were variances requested for the previous section to allow buildings to be built prior to site work.
 - j. Elmore – the county won't let you get a building permit until all of the site work is done. This is impractical for this type of development.
 - k. Luzier – if they get development plan approval, they can pull building permits. How they coordinate site work and building construction is up to them. Staff will ensure that everything is constructed per the plans submitted. If there is a problem, we can hold off on inspections or the certificate of occupancy as a last resort.
 - l. Jernstadt – how is the drain going in along and across the road?
 - m. Kittle – the road will be protected with our method of drainage installation.
 - n. Servies – that road is one of the most heavily travelled in our jurisdiction.
 - o. Jernstadt – do we have an agreement letter from the gas line easement?

- p. Luzier – I don't see it in the application hard file. I will check the electronic file and ensure that we get it.
- q. Semmler – we need to ensure that the lighting complies with ordinance too.

Motion to approve the development plan and waiver of the secondary hearing by Jernstadt. Second by Anderson with the condition that the recommendation of the Staff Report is met. Jernstadt concurs with the amendment. Motion passes unanimously.

- **Docket PC11-005-ZA - Zoning Amendment - Whitestown Crossing.** The petitioner is requesting approval of a Zoning Amendment from AG - General Agriculture to GB - General Business. The subject property contains 17 acres and is located northwest of the intersection of SR267 and Indianapolis Road. It is to be the next phase of Whitestown Crossing subdivision. The property is classified as Highway Commercial in the Comprehensive Plan. The petitioner and owner is Whitestown Crossing, LLC, and the project engineer is Innovative Engineering. Represented by Jerry Kittle and Mike Janson.
 - 1. Staff and Public Official's Report – Luzier
 - 2. Presentation – Kittle. Coordinating traffic patterns with INDOT began for this area in 2005. We met with the neighbors last week to discuss their concerns. We talked about buffering Saratoga subdivision to the west and are proposing the location of our retention pond, undulating berm, and landscaping (two rows of 6-foot evergreens).
 - 3. Public Discussion
 - a. Craig Triscari – resident of Saratoga subdivision. The separation distance is similar to the one between Lowe's and Royal Run. There's a lot of trash behind Lowe's. We're also concerned about transient activity in the area. We were anticipating a grocery store and related uses in the area instead of a truck stop. Lighting is a concern. The types of permitted uses are a concern.
 - b. Servies – this has to come back for development plan approval when the site develops.
 - c. Anderson – what type of buffer were you thinking of?
 - d. Triscari – a solid wall to physically keep people out would be an adequate buffer.
 - e. Tony Theofanis – resident of Saratoga subdivision. Lighting and adequate buffering is also a concern.
 - f. Worthley – a four-foot berm is insufficient.
 - g. Triscari – the height of the structures going up is also a factor.
 - h. Worthley – how far is Saratoga from I-65? 800 feet?
 - i. Triscari – less than ¼ mile, but we have lots of trees blocking us from I-65.
 - j. Worthley – for the Town of Whitestown, why should we leave that area undeveloped to protect a residential land use?
 - k. Triscari – we're not saying that it shouldn't be developed. We just don't want an open-ended list of uses in the GB district.
 - l. Worthley – there really isn't a lot of difference between GB and the other business districts. Perhaps we should go through the list of permitted uses and decide.
 - m. Luzier – if you want to limit uses, it needs to be done at the rezoning phase by going through the table of uses.
 - 4. WPC Discussion
 - a. Jernstadt – I appreciate the input of the public. This project has been coming before the Town since 2005 with many opportunities for input. With the rapid growth of the town, we don't get a lot of public input until it's almost too late. Janson – why are we piece-mealing the rezoning?
 - b. Janson – we just acquired the subject property so that we could accommodate the Indianapolis Road connection. The other phases have already been rezoned.
 - c. Jernstadt – we had conditions with the previous rezoning along with covenants, including a limitation on building height and limiting uses.
 - d. Janson – we have no problem meeting the standards of the I-65 Overlay District.
 - e. Servies – Per INDOT, you cannot close Indianapolis Road until the connection is made.
 - f. Worthley – is this the final plan for the road layout?

- g. Janson – yes.
- h. Worthley – Unger, to address the remonstrator’s inquiry about sexually oriented businesses, where do they fall?
- i. Unger – those types of businesses are prohibited in the I-65 Overlay District.
- j. Jernstadt – reviews the I-65 Overlay District standards. Even with the proposed buffer, you’ll still be able to see anything taller than two stories.
- k. Janson – office buildings are being considered for this area.
- l. Jernstadt – can you commit to not going above two stories along the western area?
- m. Janson – we can make that commitment. We can’t make the mound itself taller because of its width.
- n. Jernstadt – walls would have to be brick-faced per the I-65 Overlay District standards if it was to serve as a buffer.

Motion to give a favorable recommendation to rezone to GB-General Business with the following three conditions by Servies. Second by Jernstadt. Motion passes 5/1 (Worthley dissenting).

- 1) No structure shall be taller than two stories on the west side of Indianapolis Road;*
- 2) 2) the buffer design shall be coordinated with input of residents at the time of Development Plan approval; and*
- 3) 3) the I-65 Overlay District standards shall apply. Second by Jernstadt.*

- **Docket PC11-006-SP – Secondary Subdivision - Walker Farms, Sect 12.** The petitioner is requesting Secondary approval of a Subdivision to be known as Walker Farms, Section 12 with 82 lots. The subject property is located on the south side of 400 S, west of 650 E. The property is zoned R3 - Medium Density Residential and is classified as Medium Intensity Residential in the Comprehensive Plan. The Technical Advisory Committee (TAC) reviewed the plans on 3/22/2011. The petitioner and owner is Beazer Homes, the owner is Beazer Homes and the project engineer is Stoeppelwerth & Assoc.

- 1) Staff and Public Official’s Report – Luzier
- 2) Staff anOlmstead - Presentation. We are in agreement with the recommendation of the Staff Report.
- 3) Public Discussion – none.
- 4) WPC Discussion
 - a. Worthley – refers to map, only the highlighted lots are asking for secondary approval.
 - b. Semmler – the comment list from TAC is extensive.
 - c. Luzier – they cannot proceed with the project until all of the comments have been addressed.
 - d. Worthley – Walker Farms continues to the north of 400S as well.
 - e. Olmstead – this is the first secondary plat for the Walker Farms development south of 400S.
 - f. Cook – the primary engineer for the site said that all of the TAC comments should be addressed by the end of the week.
 - g. Worthley – it looks like the lots in Section 17 are larger.
 - h. Olmstead – those lots are intended to have duplexes. Lots at the southwest corner of 400S and 650E are planned for businesses development.
 - i. Worthley – how are sales in this subdivision going?
 - j. Cook – we’re selling about 70-80 lots a year.
 - k. Worthley – what is the tax value of each lot?
 - l. Cook – you would have to check with the Assessor’s Office.
 - m. Worthley – what’s the average price-point of the homes?
 - n. Cook - \$160,000-\$170,000.

Motion to approve the development plan per the Staff Report by Jernstadt. Second by Worthley. Motion passes unanimously.

Other Business

- WPC Legal Representation
 - a. Jernstadt – Semmler and myself are serving from the BZA, so we cannot serve on behalf of the PC.
 - b. Servies – I would like to appoint Navarro.
 - c. Jernstadt – I’m hesitant to include him since he’s not here to speak for himself.
 - d. Worthley – I’ll volunteer to do it.
 - e. Servies – Jones, would you like to review the attorneys?
 - f. Jones – I would like to participate.
 - g. Jernstadt – staff will set up the meetings with the PC and BZA appointees as well as the attorneys. Hopefully, the committee will be able to make a recommendation to the PC and BZA so that they can make a final decision at their May meeting.
 - h. Worthley – we have four applicants. I would like to interview everyone and have the committee narrow it down to two.
 - i. Dompke – GRW representative. The committee can narrow it down to one if they like. The decision ultimately comes back to the PC and BZA.
 - j. Jernstadt – the committee can get input from the other members if they like.
 - k. Worthley – we don’t have to hire the same attorney to serve both groups.
 - l. Jernstadt – the PC is advisory to the Town Council.
 - m. Unger – you’re referencing the state statute designation between an area plan commission (multiple jurisdiction) and an advisory plan commission (single jurisdiction). Regardless, the Town Council controls the budget.
 - n. Worthley – we have autonomy to select the attorney, but the Town Council approves the budget.
 - o. Dompke – it’s still unclear who will ultimately sign the contract – probably the Town Manager.
 - p. Unger – there’s money that’s been budgeted by the Council for the PC and BZA to operate.
 - q. Worthley – we have to decide if we want one attorney or two.
 - r. Servies – if the BZA picks one and the PC picks another, then we have two separate attorneys.
 - s. Dompke – you have a lump sum budget, but not specific line items.
 - t. Worthley – we need to save tax payers’ money and select just one attorney to serve both groups. We also need to clarify what their fees include.
 - u. Dompke – the committee is responsible for reviewing and summarizing their qualifications and then discussing it with each of the applicants.

Motion for Jones and Worthley to serve on the review committee by Servies. Second by Anderson. Motion passes unanimously.

- Rules and Procedures. The WPC shall discuss and consider the draft Rules and Procedures.
 - a. Unger – the BZA made changes to the conflict of interest section in Article 7. Those changes should be similarly reflected in the PC rules.

Motion to adopt Rules and Procedures with the change discussed by Jernstadt. Second by Jones. Motion passes unanimously.

New Business from the Floor

Announcements

Adjournment

9:30pm



Meeting Minutes

Whitestown Plan Commission

Date: May 9, 2011
Time: Immediately following the BZA Meeting
Location: Whitestown Town Hall, 6320 S. Cozy Lane, Whitestown, IN 46075, (317) 769-6557

Call to Order:

7:11pm

Pledge of Allegiance

Roll Call

- Kevin Servies, President
- Dennis Anderson, Vice Pres
- L.J. Jernstadt
- Jan Jones
- Greg Semmler
- Mark Worthley
- Manual Navarro

- Staff:
 - Deborah Luzier, Town Planner, GRW
 - John Molitor, PC/BZA Attorney

Agenda

Motion by Jernstadt to approve the agenda. Second by Anderson. Motion passes unanimously.

Minutes

Motion by Anderson to approve the minutes. Second by Navarro. Motion passes unanimously.

Old Business

- 1) Rules and Procedures.
 1. Jernstadt – did we actually approve the Rules?
 2. Luzier – we approved them “subject to the changes discussed”.
 1. Jernstadt – the BZA still had some changes and we’d like the new attorney to review them, so we continued them to the next meeting. We the BZA added the reference to Robert’s Rules of Order and Article 9.a need to add “Reporter” for the Lebanon newspaper.

Motion by Jernstadt to adopt the Rules and Procedures as amended as well as the changes discussed. Second by Worthley. Motion passes unanimously.

New Business – Public Hearing

- 2) **Docket PC11-008-PP - Subdivision - Primary - Whitestown Crossing, Phase II.** The petitioner is requesting primary approval of a Subdivision to be known as Whitestown Crossing, Phase II with 2 lots. The subject property contains 40 acres and is located at the northwest corner of SR267 and Indianapolis Rd, southwest of the I-65 interchange. The property is in the process of being rezoned from AG to GB - General Business and it is classified as Highway Commercial in the Comprehensive Plan. The Technical Advisory Committee (TAC) reviewed the plans on 4/19/2011. The petitioner and owner is Whitestown Crossing, LLC and the project engineer is Innovative Engineering. Representatives: Mike Andreoli, Jerry Kittle,
1. Staff and Public Official's Report – Luzier
 - a. Jernstadt – as part of the zoning commitments, will they be committing to the same commitments as for the Loves Travel Center?
 - b. Luzier – I do not know. They have submitted the commitments for the Council's review and I don't know if those were included. I do know that they need to comply with the I-65 Overlay District standards.
 - c. Andreoli - if that's what they agreed to, then that's what will be included for the Council's consideration.
 2. Presentation by Kittle. This plat will allow us to make the Indianapolis Road connection. We will be submitting construction plans as part of the Secondary Plat. We have submitted revised plans since the TAC meeting on April 19th. There was originally a round-about at the end of the Indianapolis Road connection and part of it was outside the town limits. We will need to have this little piece annexed into the town for right-of-way.
 3. Public Discussion – none.
 4. WPC Discussion
 - a. Luzier – I looked over the minutes and while the covenants for the previous section were brought up, they weren't made part of the official motion for the rezoning.
 - b. Andreoli – if the Town Council wants to impose conditions, they could do that.
 - c. Kittle – the issue is whether or not we can get them prepared by tomorrow's Council meeting.
 - d. Luzier – I will email the town's attorney to let them know about the issue.

Motion by Jernstadt to approve the development plan subject to the TAC comments being met and approval of the rezoning. Second by Worthley. Motion passes unanimously.

New Business – Public Meeting

- 3) **Docket PC11-009-DP - Development Plan - Westhaven Apartments.** The petitioner is requesting secondary approval of a Development Plan for Westhaven Apartments. The subject property contains 6 acres and is located on the east side of 700E, north of SR334. The property is zoned PB - Professional Business and it is classified as Residential-Medium in the Comprehensive Plan. The Technical Advisory Committee (TAC) reviewed the plans on 4/19/2011. The petitioner and owner is Glick Whitestown, LLC and the project engineer is Innovative Engineering. Representatives: Mike Andreoli, Doug Elmore, and Jerry Kittle.
1. Staff and Public Official's Report – Luzier
 2. Presentation by Andreoli. We did receive approval to waive the public hearing, but still need approval by the Plan Commission. We have submitted revised plans and the other requested information for the primary development plan.
 - a. Luzier – revised plans have been submitted, but they have not been signed off on by the full TAC yet.

3. Public Discussion – none.
4. WPC Discussion – none.

Motion by Jernstadt to approve the Secondary Development Plan with the condition that the TAC comments be met. Second by Anderson. Motion passes unanimously.

- 4) **Docket PC11-010-PA - Plat Amendment - The Neighborhoods at Anson, Sect 1B.** The petitioner is requesting approval of a Plat Amendment for Section 1B of the The Neighborhoods at Anson. The subject property contains 6 acres and is located on the north side of Central Blvd, west of 650E. The property is zoned PUD - Planned Unit Development. The Technical Advisory Committee (TAC) reviewed the plans on 4/19/2011. The petitioner and project engineer is Blaine Paul, PE, and the owner is Duke Realty Corporation. Representatives: Craig Anderson and Blaine Paul.
1. Staff and Public Official's Report – Luzier
 2. Presentation by Craig Anderson. The developers and builders for this section have changed, so we're re-designing the lot layout in order to accommodate their custom product. If approved, we anticipate building to start in late June.
 - a. Paul – discusses the specific changes from the plat that was originally approved. We're essentially going from fifty-five (55) lots to thirty-nine (39) lots. All of the infrastructure, streets, alleys, drainage, etc is in place. In order to accommodate the front-load homes. We'll remove the alleys and replace them with grassy drainage swales. The lots were to have rear-access, but the new homes will have front access. We have met with the utility providers to ensure that their infrastructure isn't affected when moving lot lines. Other than changing the alleys to swales, there are not changes to the storm water plan. We did not number the common areas because they are not taxable parcels.
 - b. Anderson – the existing parks are common areas and are not taxed.
 - c. Paul – the common areas will be maintained by the homeowner's association. We have no problems addressing the TAC items.
 3. WPC Discussion
 - a. Molitor – to clarify, the parcel isn't tax exempt, it's that the value is included as part of the residential lot taxation.
 - b. Jernstadt – will all the alleys be completely removed?
 - c. Paul – they are partially removed to retain adequate access. There are three major sections that will be removed per the diagram filed.
 - d. Semmler – why only partially remove them?
 - e. Paul – they provide access to the few lots that don't have public road access. They will act as shared drives and will not be public.
 - f. Navarro – how wide will these be? The fire department will also need ladder access.
 - g. Paul – there will be no reduction in the size of the access points that are there today. These were previously approved to meet your standards.
 - h. Jernstadt - we need to see if they can have access to a thoroughfare.
 - i. Luzier – The SCO states that lots can't have direct access to arterials or collectors. Per the PUD, these residential streets are not considered arterials or collectors.
 - j. Worthley – why won't builders touch the rear-load product? Aren't there other communities utilizing this type of development?

- k. Anderson – they’re an issue of maintenance and desirability. The lots are small and narrow and the builders don’t have a product that fits.
- l. Worthley – how many rear-load homes have been built?
- m. Anderson – about 15 out of 184 lots.
- n. Worthley – will they be out of place?
- o. Anderson – yes. That’s why we’ve isolated this section to change to front-load homes. The builders don’t have the capital to build spec and model homes. There may be a replat coming for another part of the development.
- p. Dennis Anderson – there’s no change in quality; just a change from rear-load to front-load, right?
- q. Anderson – correct.
- r. Paul – with regard to a few of the TAC comments about the easements, several of the easements go with previous sections that the reviewing team may not have been realized.

Motion by Anderson to approve the replat with the condition that the TAC comments be addressed. Second by Semmler. Motion passes unanimously.

Motion by Jernstadt to allow public comment. Second by Worthley. Motion passes unanimously.

4. Public Discussion

- a. Trowsnell - As a homeowner that has a rear-load home, we were sold on the vision for this product. They are proposing a very significant departure from the original concept. I am concerned about my property values.
- b. Worthley – there is a clear delineation between this section and the other.
- c. Trowsnell – true, but this doesn’t address the change in density. This new section will grow faster now.
- d. Worthley – this is a valid point, but since they’re not building anything right now, it’s in everyone’s best interest to change things to get development going again.
- e. Trowsnell - When you’re on site, it’s not as pronounced as it is on the drawing.
- f. Servies – it brings a country atmosphere to your area of the development. The builder that is being considered is a custom builder, so they will be custom built homes.
- g. Jernstadt – they aren’t going to combine the home styles, so there is separation.
- h. Servies – we hope that this change will help you.
- i. Navarro – in Village at West Clay, there is a mix of homes and it flows well together. With more growth, it will draw more attention to the rear-load product.
- j. Jernstadt – there will be people interested in all types of these homes. We can’t predict the future.
- k. Semmler – there is still a market for your product.
- l. Nees – there’s been so many tweaks to this development that it’s hard to predict what’s going to happen. We haven’t had enough time to let the dirt settle.
- m. Jernstadt – Duke has been a quality developer here.

- 5) **Docket PC11-011-SP - Subdivision - Secondary - Walker Farms, Sect 13A.** The petitioner is requesting secondary approval of a Subdivision known as Walker Farms, Section 13A with 37 lots. The subject property contains 19 acres and is located at the southwest corner of 650E and 400 S. The property is zoned R3 - Medium Density Residential and it is classified as Medium Intensity Residential in the Comprehensive Plan. The Technical Advisory Committee (TAC) reviewed the plans on 4/19/2011. The petitioner and owner is

Beazer Homes and the project engineer is Stoeppelwerth & Assoc. Representatives: Brian Robinson and Steve Cook.

1. Staff and Public Official's Report – Luzier. I would like to stress to the Commission and petitioner that approval subject to addressing the TAC comments is a privilege. Projects with excessive TAC comments may be required to make revisions before being placed on the PC agenda in the future.
2. Presentation by Robinson. Section 12 was approved by you last month. We anticipate construction on Sections 12 and 13A.
3. Public Discussion
4. WPC Discussion
 - a. Worthley – could you address the setback issue per the first TAC comment?
 - b. Robinson – the primary plat was approved with a 20-foot setback, but we will be revising the plans to meet the required 25-foot setback.

Motion by Jernstadt to approve the Secondary Plat with the condition that the TAC comments be met. Second by Worthley. Motion passes unanimously.

Other Business

6) General Discussion

1. Jernstadt – please restart the numbering for each entity that reviews the plans in the TAC comments.
2. Luzier – No problem. To summarize my role with regard to petitions, I act as the clearing house for all the petitions. Once they are complete, I bring them back to GRW where 2-3 experts review them for drainage, plat dimension, and ordinance compliance. I attend the TAC meetings where these things are discussed, but I personally am not an expert in the fields of drainage and plat dimensioning.
3. Scott Dompke, GRW – we have been advocating the drafting of Thoroughfare Plan with the Town Council so that we can alleviate some of these transportation and roadway issues.
4. Molitor – the Thoroughfare Plan is part of the Comprehensive Plan.
5. Jernstadt – can we amend the Comp Plan and add this section?
6. Molitor – yes.
7. Worthley – is there a Thoroughfare Plan in the current Comprehensive Plan?
8. Luzier – there is, but it's very vague. It's not something we can easily enforce.
9. Dompke – we need concise roadway classifications, pathway designs, etc. Whitestown has existing, typical county roads. You can classify these for an upgrade as new development comes in. You also have gravel roads that could serve as pathways.
10. Molitor – now is a good time to address these issues while development has slowed.

Adjournment

8:50pm

Kevin Servies, President

Deborah Luzier, Secretary



Meeting Minutes

Whitestown Plan Commission

Date: June 13, 2011
Time: Immediately following the BZA Meeting
Location: Whitestown Town Hall, 6320 S. Cozy Lane, Whitestown, IN 46075, (317) 769-6557

Call to Order:

8:03pm

Pledge of Allegiance

Roll Call

- Kevin Servies, President
- Dennis Anderson, Vice Pres (absent)
- L.J. Jernstadt
- Jan Jones
- Greg Semmler
- Mark Worthley (absent)
- Manual Navarro

- Staff:
 - Deborah Luzier, Town Planner, GRW
 - John Molitor, PC/BZA Attorney

Agenda

Motion to move “#6 Discussion of updates to the State statute with regard to Planning” to the next date by Jernstadt. Second by Navarro. Motion passes unanimously.

Minutes

1) May 9, 2011

Motion to approve the May 9, 2011 minutes by Semmler. Second by Navarro. Motion passes unanimously.

2) May 9, 2011 – joint meeting of the PC and BZA

Motion to approve the May 9, 2011 minutes of the joint PC/BZA meeting by Jernstadt. Second by Semmler. Motion passes unanimously.

Old Business

3) Rules and Procedures. The WPC shall discuss and consider the final draft Rules and Procedures.

Motion to approve the Rules and Procedures by Jernstadt. Second by Semmler. Motion passes unanimously.

- 4) WPC/BZA Attorney Contract – review and consider the contract for the new BZA Attorney, John Molitor.
 1. Jernstadt – at the BZA meeting, we asked about conflict if Molitor had a conflict and he stated that he wouldn't represent either. Molitor would charge us for time, but not mileage. Molitor also noted that he no longer represents Boone County.

Motion to approve the WPC/BZA Attorney Contract by Jernstadt. Second by Navarro. Motion passes unanimously.

New Business – Public Hearing

New Business – Public Meeting

- 5) **Docket PC11-012-SP - Subdivision - Secondary - Whitestown Crossing, Phase II.** The petitioner is requesting approval of a Secondary Subdivision to be known as Whitestown Crossing, Phase II with 2 lots. The subject property contains 40 acres and is located at the northwest corner of SR267 and Indianapolis Rd, southwest of the I-65 interchange. The property is in the process of being rezoned from AG-Agriculture to GB - General Business and it is classified as Highway Commercial in the Comprehensive Plan. The Technical Advisory Committee (TAC) reviewed the plans on 5/24/2011. The petitioner and owner is Whitestown Crossing, LLC and the project engineer is Innovative Engineering.
 1. Presentation – Jerry Kittle. This plat allows for right-of-way to construct the Indianapolis Road extension right-of-way, and a couple of blocks. Block D and the southern part of Block C are the subject of the rezoning that is currently before the Council. We are in agreement with the Staff Report.
 2. Staff and Public Official's Report – Luzier.
 3. Public Discussion – none.
 4. WPC Discussion
 - a. Servies – I had questions about the catch basin design on either sign of the roadway.
 - b. Kittle – the inlets are shown where they will be constructed. Ultimately they will be on the curb line of the final roadway.
 - c. Jernstadt – can we approve a secondary prior to Council approval of the rezoning?
 - d. Molitor – you can approve it subject to the approval of the rezoning. If the Council adds other conditions, you can make it subject to that as well.
 - e. Luzier – the subdivision process and the rezoning process are independent.
 - f. Molitor – we could put them off for another month until the rezoning is approved, but it wouldn't be accomplishing anything.
 - g. Servies – the Council has reviewed all of the conditions of the rezoning. They would then run with the land and apply to this development.
 - h. Jones – could you explain the “monuments” referenced?
 - i. Kittle – these are rods and survey stakes that are required by state code and local code to be placed on the property so that you have reference points out in the field.

Motion to approve the secondary plat subject to addressing all of the TAC comments and any further conditions imposed by the Council by Jernstadt. Second by Jones. Motion passes unanimously.

Other Business

- 6) Discussion of updates to the State Statute with regard to Planning (handout distributed – discussion moved to a future meeting)

7) Discussion of 2012 Budget (handout distributed)

Adjournment

8:47pm

Kevin Servies, President

Deborah Luzier, Secretary



Meeting Minutes

Whitestown Plan Commission

Date: July 11, 2011
Time: 6:30pm
Location: Whitestown Town Hall, 6320 S. Cozy Lane, Whitestown, IN 46075, (317) 769-6557
Members: Kevin Servies, Dennis Anderson, Manual Navarro, L.J. Jernstadt, Jan Jones, Greg Semmler, Mark Worthley

Call to Order:

6:30pm

Pledge of Allegiance

Roll Call

- Kevin Servies, President
- Dennis Anderson, Vice Pres (absent)
- L.J. Jernstadt (absent)
- Jan Jones
- Greg Semmler
- Mark Worthley
- Manual Navarro

- Staff:
 - o Deborah Luzier, Town Planner, GRW
 - o John Molitor, PC/BZA Attorney

Agenda

Motion to table item #3 Discussion of updates to the State Statute to the August 8, 2011 meeting by Worthley. Second by Semmler. Motion passes unanimously.

Minutes

1) June 13, 2011

Motion to approve the June 13, 2011 minutes by Navarro. Second by Jones. Motion passes unanimously.

Old Business

New Business – Public Hearing

2) **Docket PC11-014-SP - Subdivision - Secondary – Eagles Nest, Sect 8.** Continued to the August 8, 2011 hearing so that revised plans for the drainage can be re-examined by the Technical Advisory Committee.

Motion to continue PC11-014-SP to August 8, 2011 by Worthley. Second by Semmler. Motion passes unanimously.

New Business – Public Meeting

Other Business

- 3) Discussion of updates to the State Statute with regard to Planning (handout distributed)

Continued to August 8, 2011.

- 4) 2012 PC Budget (hand out distributed)
1. Luzier presents materials.
 - i) Comprehensive Plan Updates
 - ii) Zoning & Subdivision Control Ordinance Updates
 - iii) GIS Services
 - iv) Transportation Plan
 2. Dompke, GRW – the PC needs to prioritize these items because it is likely that the Council may not be able to fully fund them all.
 3. Worthley – is there a deadline for making updates to the Comprehensive Plan?
 4. Luzier – There is not a deadline or time frame in Indiana.
 5. Worthley – are these things that can be completed in one year?
 6. Luzier – yes.
 7. Dompke – it depends on how many public hearings that you would want to have and how detailed you would like the discussions to be. What is presented is just a summary – we can add other tasks if needed.
 8. Servies – these are all items that the Council has discussed having at one time or another. Nothing on here is new.
 9. Worthley – Servies,
 10. Servies
 - i) Transportation Plan
 - ii) GIS Services
 - iii) Update Zoning and Subdivision Control Ordinances
 - iv) Comprehensive Plan
 11. Luzier – even if the Council allocates a portion of the funding for each item, there are tasks within each that we could complete.
 12. Jones – can you explain road centerlines as listed in this Thoroughfare Plan?
 13. Servies – properties are usually defined by the road centerline, and then there's right-of-way.
 14. Dompke – if you put just the centerline in the GIS system, it simplifies your calculations. If you use the road width, you can calculate the asphalt surface, the radius of turns, etc. The cheapest way is using the centerline and then overlaying the photography. But to do calculations, you would want road width listed.
 15. Jones – the maintenance routes. Is fire equipment accessibility in that category?
 16. Dompke – it could be. This category would also establish the policies for parking on both or one side of the street too.
 17. Servies – so is there consensus on the following hierarchy:
 - i) Transportation Plan
 - ii) GIS Services
 - iii) Update Zoning and Subdivision Control Ordinances
 - iv) Comprehensive Plan
 18. Molitor – I wouldn't eliminate any of these. You could do some tasks simultaneously and/or partially.
 19. Worthley – and if monies are allocated, we could always re-allocate if needed.

20. Servies – we should ask for a lump sum that we could distribute as needed.
21. Worthley – then we would like at least \$80,000 to get the Transportation Plan and GIS started.
22. Semmler – they work with line items, so that would be difficult.
23. Worthley – if the full amount is not allocated for these items, we should ask that some amount be added to each line item so that we can start working on them.

Adjournment

7:37pm

Kevin Servies, President

Deborah Luzier, Secretary



Meeting Minutes

Whitestown Plan Commission

Date: August 8, 2011

Time: 7:00pm

Location: Whitestown Town Hall, 6320 S. Cozy Lane, Whitestown, IN 46075, (317) 769-6557

Call to Order:

7:00pm

Pledge of Allegiance

Roll Call

- Kevin Servies, President (absent)
- Dennis Anderson, Vice Pres
- L.J. Jernstadt
- Jan Jones
- Greg Semmler
- Mark Worthley
- Manual Navarro

- Staff:
 - Deborah Luzier, Town Planner, GRW
 - John Molitor, PC/BZA Attorney

Agenda

Molitor – I would suggest that we move the discussion Item #5 regarding updates to the state statutes to the September meeting.

Motion to continue Item #5 to September 12, 2011 by Worthley. Second by Semmler. Motion passes unanimously.

Motion to approve the agenda as amended by Worthley. Second by Jernstadt. Motion passes unanimously.

Minutes

1) July 11, 2011

Motion to approve the minutes by Worthley. Second by Navarro. Motion passes 4/0 – Anderson and Jernstadt abstaining.

Old Business

New Business – Public Hearing

2) **Docket PC11-014-SP – Secondary Subdivision – Eagles Nest, Sect 8.** The petitioner is requesting approval of a Secondary Subdivision for Section 8A in Eagles Nest with 21 lots. The subject property contains

4 acres and is located west of Indianapolis Rd, between 750 S and 800 S. The property is zoned R3. The Technical Advisory Committee (TAC) reviewed the plans on 6/24/2011. The petitioner and owner is Eagles Nest Land Developer, LLC and the project engineer is Benchmark Consulting, Inc.

1. Presentation – Bill Ottinger.
2. Staff and Public Official’s Report – Luzier.
3. Public Discussion – none.
4. WPC Discussion – none.

Motion to the petition subject to the by Jernstadt. Second by Jones. Motion passes unanimously.

- 3) **Docket PC11-15-DP – Development Plan – Hampton Inn.** The petitioner is requesting approval of a Development Plan for Hampton Inn. The subject property contains 2 acres and is located at the northeast corner of 650E and Central Blvd, in Anson - Business District, Block G, Lot 12. The property is zoned PUD. The Technical Advisory Committee (TAC) reviewed the plans on 7/19/2011. The petitioner and owner is Anson Hospitality, LLC and the project engineer is Gensic Engineering.

1. Presentation – Nash Patel. The hotel will have 92 rooms and suites that meet the Hampton Inn standards. Duke has approved the structure and development.
2. Staff and Public Official’s Report – Luzier. It appears that item #1 is a typo and not relevant to this petition, so disregard this item. With regard to the last item, it is recommended that the southern driveway be moved to the west so that the existing manhole is no longer in the sidewalk ramp and also to prevent left turns into the site from eastbound Central Blvd. This southern driveway should clearly be right-in and right-out only with adequate directional signage.
3. Public Discussion
 - a) Kevin Russell – I want to make sure that lighting is addressed as well as when construction will begin.
 - b) Nash – Duke has a specific lighting standard. Construction will begin as soon as permits are in place.
4. WPC Discussion
 - a) Jernstadt – have you discussed the Whitestown lighting standards with Duke?
 - b) Patel – we discussed the lighting with Duke and we know that there is a candle limitation at the property lines. The fixture we are required to use is a box-shape.
 - c) Jernstadt – landscaping along central and 650 E. What is going to protect visibility and pedestrian safety? The traffic patterns along the roundabouts are already confusing. We don’t need additional hazards here. We may need some reflectors along the sidewalk and roadway, which isn’t the responsibility of the petitioner.

Motion to approve the petition with the amended TAC Comments by Worthley. Second by Semmler. Motion passes unanimously.

New Business – Public Meeting

Other Business

- 4) Presentation by Scott Miller from The Brick Industry Association
- 5) Discussion of updates to the State Statute with regard to Planning

Continued to the September 12, 2011 meeting.

Announcements

Adjournment

8:32pm

Dennis Anderson, Vice-President

Deborah Luzier, Secretary



Meeting Minutes

Whitestown Plan Commission

Date: September 12, 2011

Time: 6:30pm

Location: Whitestown Town Hall, 6320 S. Cozy Lane, Whitestown, IN 46075, (317) 769-6557

Call to Order:

6:32pm

Pledge of Allegiance

Roll Call

- Kevin Servies, President (absent)
- Dennis Anderson, Vice Pres
- L.J. Jernstadt
- Jan Jones
- Greg Semmler (absent)
- Mark Worthley (arrived 6:36pm)
- Manual Navarro

- Staff:
 - o Deborah Luzier, Town Planner, GRW
 - o John Molitor, PC/BZA Attorney

Agenda

Motion to approve the agenda by Jernstadt. Second by Navarro . Motion passes unanimously.

Minutes

Motion to approve the minutes by Jernstadt. Second by Navarro. Motion passes unanimously.

New Business – Public Hearing

- 3) **Docket PC11-016-DP – Development Plan – Amazon Parking Lot Expansion.** The petitioner is requesting approval of a Development Plan for a parking lot expansion at the Amazon Building in Anson – All Points. The subject property contains 4 acres and is located 4255 Anson Blvd, on the south side of 400S, between Anson Blvd and 500E. The property is zoned PUD. The Technical Advisory Committee (TAC) reviewed the plans on 8/23/2011. The petitioner and owner is Browning-Duke and the project engineer is American Structurepoint.
1. Staff and Public Official’s Report – Luzier.
 2. Presentation – Blaine Paul. This parking lot expansion allows access to the adjacent site so that they would not need their own curb cut.
 3. Public Discussion – none.
 4. WPC Discussion – none.

- a) Jernstadt – Where do we stand on Fishback Creek bridge?
- b) Paul – we are only involved with right-of-way. There is money for the design, but not construction. The county plans to realign 400E before doing the bridge construction.
- c) Jernstadt – with regard to the extra cuts on to 400S, traffic controls are needed. Have you considered round-abouts instead of t-intersections?
- d) Paul – we have not contemplated round-abouts at these locations. They would have to be extremely large to accommodate a four-lane road.
- e) Jernstadt – I’m just curious about your conversations with the County Highway Department and road cuts.
- f) Paul – there are inter-local agreements in place between Whitestown and the County Highway Department.
- g) Jernstadt – with regard to the screening, the docks are visible from other roads.
- h) Paul – it isn’t feasible to screen the docks from every possible vantage points.
- i) Carol Sparks Drake – the existing berms are satisfactory. However, there isn’t any landscaping that blocks the trucks that line up.
- j) Jernstadt – if the trucks are sitting in the lot or on the road, it’s not possible to screen them. Only the docks are required to be screened. We are concerned about traffic safety.
- k) Paul – we can meet with the property management and discuss these concerns so that they can bring it to attention of the businesses.
- l) Scott Dompke – it is appropriate for us to ask for a traffic analysis and how it impacts the roads as development occurs. It will be relevant to the Transportation Plan that we are advocating for the town.
- m) Worthley – this is an existing facility and a parking expansion. A traffic analysis isn’t relevant at this time.
- n) Anderson – they expanded the facility inside and are adding a significantly amount of seasonal facility.
- o) Jernstadt – this has become a national distribution facility, so it has grown larger than anyone thought it would be.
- p) Worthley – if we had them do a traffic study, do we have control of whether a traffic light is needed?
- q) Dompke – yes you have authority to request improvements to the system. There are criteria that are used to determine when various devices are warranted.
- r) Jernstadt – at some point in time, 400S is going to be part of the Ronald Reagan Pkwy.
- s) Dompke – federal funds may be used to construct the road, but it will still be a local street.
- t) Paul – a traffic study by itself is going to determine if this system will or will not work and they are very expensive. What would be the goal of having a traffic study?
- u) Dompke – to ensure the current and future safety of vehicular circulation.
- v) Paul – INDOT has indicated that the proximity of traffic signals to interchanges needs to be monitored.
- w) Jernstadt – The Boone County Thoroughfare Plan was done in the mid 90’s and needs to be updated regularly. A traffic study would assist with planning for the updates. We don’t need a knee-jerk reaction for requiring studies, but there are times when they should be required.
- x) Worthley – adding the parking lot won’t add to the traffic. The building expansion is what makes the impact.

- y) Dompke – future improvements could warrant improvements. You can coordinate this so that one single development isn't responsible for installing all of the improvements. This should also be coordinated with all of the other agencies/jurisdictions. The 2012 budget is supposed to accommodate a Transportation Plan.
- z) Paul – we would request that this traffic study not hold up the parking lot expansion.

Motion to the petition by Jernstadt. Second by Worthley. Motion passes unanimously.

New Business – Public Meeting

- 4) Ordinance Amendment Discussion – Luzier gives summary of proposed changes
 - 1. Flood Hazard Area Ordinance
 - 2. Zoning Ordinance and Subdivision Control Ordinance
 - 3. Fee Schedule

Other Business

New Business from the Floor

Adjournment

7:36pm

Dennis Anderson, Vice President

Deborah Luzier, Secretary



Meeting Minutes

Whitestown Plan Commission

Date: October 10, 2011

Time: 7:30pm

Location: Whitestown Town Hall, 6320 S. Cozy Lane, Whitestown, IN 46075, (317) 769-6557

Call to Order:

7:00pm

Pledge of Allegiance

Roll Call

- Kevin Servies, President (absent)
- Dennis Anderson, Vice Pres
- L.J. Jernstadt (absent)
- Jan Jones
- Greg Semmler
- Mark Worthley
- Manual Navarro

- Staff:
 - o Deborah Luzier, Town Planner, GRW
 - o John Molitor, PC/BZA Attorney

Agenda

Motion to approve the agenda by Worthley. Second by Semmler. Motion passes unanimously.

Minutes

1) September 12, 2011

Motion to approve the minutes by Worthley. Second by Semmler. Motion passes unanimously.

Old Business

New Business – Public Hearing

1. Anderson – can we combine the first two petitions?
2. Luzier – yes, provided the voting for the rezoning is separate from the change in commitments.
- 2) **Docket PC11-017-CA – Amendment to Maple Grove Commitments.** The petitioner is requesting amendments to commitments to accommodate a new concept plan for the development. The subject property contains 48 acres and is located on the south side of SR334, just east of 700E. The property is zoned GB, MF, and R3. The petitioner and owner is Diversified Property Group, LLC and the project engineer is Innovative Engineering. **Docket PC11-018-ZA - Maple Grove Rezoning.** The petitioner is requesting approval of a Zoning Amendment from R3 to GB and from MF to R3. The subject property contains 3 acres

and is located on the south side of SR334, just east of 700E. The overall property is zoned GB, MF, and R3. The petitioner and owner is Diversified Property Group, LLC and the project engineer is Innovative Engineering.

3. Presentation – Joe Scimia, Baker & Daniels, Jerry Kittle, Innovative Engineering. The property is dissected by a power line easement. The change in zoning puts the correct zoning district on the respective sides of the power line easement.
4. Staff and Public Official's Report – Luzier.
 - i) Worthley – if the rezone is approved, what is the total acreage of the new R3 area?
 - ii) Kittle – roughly 34 acres.
 - iii) Scimia – it would grow by 0.054 acres if approved.
5. Public Discussion
 - i) Roger Burris – I represent the Johnson Family who own property to the south (Wild Air Farms LLC and Coyote Lake LLC). The Johnson property is zoned RE – Residential Exception which is low density residential. The 40-foot buffer and the density limitations make it more palatable. We don't agree with the change in commitments. My client's primary concern is that the water run-off from this site does not decrease and affect the ponds to the south. This is being negotiated between the property owners and working with the Boone County Surveyor. The report from our engineer is that the buffer not only provides a separation between uses, but it also impacts water quality. I am submitting our engineer's report about the site changes. We are not concerned about the multi-family area, but we want to make sure that the buffer is in place for that area too.
 - ii) Semmler – how much of your client's property abuts the subject property?
 - iii) Burris – (shows on aerial map and on Exhibit Z-3).
 - iv) Worthley – it is only along the back of 3 lots. Why are you objecting to the change in lots from 83 to 91? The area is still the same. The number of lots bordering your client's property hasn't changed.
 - v) Burris – there is simply not a reason for them to be released from that commitment. We agreed not to remonstrate against the initial rezoning if there was a commitment not to allow more than 83 lots.
 - vi) Scimia – commitments are contracts. The real estate market has changed since this property was initially rezoned and these commitments were made. We anticipated their concerns and tried to keep everything abutting their property the same so that the impacts were minimized. We believe that the new concept plan still meets the intent of the commitments to separate the land uses and protect the drainage concerns. The pond to the north has been re-designed so that it is safer along SR334. We have improved the internal vehicular circulation on the lot.
 - vii) Worthley – who should ultimately bear the risk in the change of economy?
 - viii) Scimia – the property owner does, but that can't be the only criteria for making your decision. I think their objection is unreasonable because it only affects three lots that border their property.
 - ix) Worthley – whether or not the objection is reasonable is something that could have been worked out before you came before the PC. I don't think we should not be the ultimate mediators.
 - x) Kittle – Mike Jansen and I met with the property owner to the south. There is already a 20-foot mound that separates the property on Johnson's side. We'll still need Drainage Board approval before the site can be developed. The ponds were moved for safety reasons and to make them larger. The standards for ponds in Boone County per the Drainage Ordinance have changed, so our pond design had to change. Water quality standards will have to be met.
 - xi) Worthley – why didn't you rezone the GB area to MF?
 - xii) Scimia – the demand for commercial development was different back then. The demand is now for residential development. We also wanted to clearly identify the areas for residential development

versus residential development. We retain the flexibility to still put in commercial development in case the market changes.

- xiii) Burris – drainage, buffer, and density is the priority of our concerns.
- xiv) Worthley – what if the buffer wasn't minimized?
- xv) Scimia – the developer who is interested in this property may not be able to work with these lots.
- xvi) Kittle – your Subdivision Control Ordinance has standards for roadways and lots. If we can't meet them, we have to ask for a waiver. Our design meets the standards. Eliminating the eyebrow would make a 90-degree intersection and the safety services for the town has issues with this type of intersection.
- xvii) Luzier – you would also lose access to Pond #5 and the common area in the southwest part of the site.
- xviii) Scimia – we thought that keeping the changes in the interior of the site would minimize the impact on the abutting property owners.
- xix) Brian Reid – can you accommodate the same amount of open space required for the bufferyards?
- xx) Scimia – there are not Bufferyards required.
- xxi) Arther Elston – are you removing the buffer to the north? There are water lines and sewer lines.
- xxii) Kittle – the 70.5' right-of-way will allow more green space than was previously agreed to. SR334 has been conveyed to the town. There will still be green space behind the homes that back up to SR334.
- xxiii) Anderson – what will be in the green space along SR334? I don't want to be looking into the backyards of 3-4 homes.
- xxiv) Kittle – I can't commit to anything until we do the full site design that determines how much space and the grading.
- xxv) Scimia – we usually provide for a 10' landscape easement along the property lines and made part of the common area or part of the lots. (reads commitments regarding Bufferyards). We can still plant the trees, but just can't provide the 40-foot bufferyard because of the expansion of the right-of-way.
- xxvi) Anderson – if you're willing to provide the bufferyard planting commitment on the north side, would you be willing to provide it on the south side?
- xxvii) Burris – The existing buffer is heavily wooded - they committed NOT to disturb the existing vegetation.
- xxviii) Scimia - Instead of eliminating commitment 3a, we would combine it with 3c.

6. WPC Discussion

- i) Worthley – Molitor, they are requesting five different amendments to the commitments. Do we have to consider them all at once?
- ii) Molitor – you could consider them independently, provided the petitioner is agreeable.
- iii) Worthley – I have no problems with the rezoning, but do with some of the commitments. We should consider these independently.
- iv) Scimia – if the bufferyard is the only objection, I'd like to be able to work it out with the client and then get back with Staff.
- v) Worthley – Scimia and Burris go discuss it while we consider the rezoning.

PC11-018-ZA: Motion to give a favorable recommendation to the rezoning by Worthley with the conditions required in the Staff Report to revise and resubmit the legal descriptions. Second by Jones . Motion passes unanimously.

- i) Anderson – we'll take a short break. (8:50-8:58pm)

Motion to reopen the public hearing by Worthley. Second by Semmler. Motion passes unanimously

- ii) Scimia – we agree to construct a 6-foot farm fence, splitting the cost between the two property owners at the south, provided the bufferyard reduction remains the same. The bufferyard to the north will have the plantings per commitment discussed.
- iii) Burris – that is agreeable.

Motion by Worthley to approve the commitments as requested with the changes discussed. Second by Jones. Motion passes unanimously.

- 3) **Docket PC11-019-CA – Amendment to Crestline Commitments.** The petitioner is requesting amendments to commitments to accommodate a new concept plan for development. The subject property contains 6 acres and is located at the southeast corner of SR334 and 700E. The property is zoned GB. The petitioner is Crestline Investments, LLC and the owner is PK 334 Development Partners, LLC.
- a) Presentation – James Wilson. We are the end user, not the property owner.
 - i) Worthley – what is the “future construction” shown on the plan?
 - ii) Wilson – that is incorrect. It is to be open space.
 - iii) Worthley – how are you increasing the area?
 - iv) Wilson – the original commitment did not define the area. This commitment defines 6.5 acres.
 - v) Semmler – Does 700E divide the property?
 - vi) Wilson – it has been redesigned and is straight now. Anderson – the proposed building is in the cross-hatched area. The northern part of the site is still zoned GB and not part of our purchase agreement. It is still under the owner’s control.
 - b) Staff and Public Official’s Report – Luzier. The petitioner has submitted the legal description that was shown as a condition of the Staff Report, so no further conditions are recommended.
 - c) Public Discussion – none.
 - d) WPC Discussion – none.

Motion to approve the commitment amendment by Worthley. Second by Navarro. Motion passes unanimously.

- 4) **Docket PC11-020-TA - Flood Hazard Ordinance.** The PC is to consider a text amendment to the Zoning Ordinance for flood hazard areas.
- a) Presentation – Luzier.
 - b) Public Discussion – none.
 - c) WPC Discussion – none.

Motion to give a favorable recommendation by Worthley. Second by Semmler. Motion passes unanimously.

- 5) **Docket PC11-021-TA - Zoning Ordinance Text Amendments.** The PC is to consider text amendments to the Zoning Ordinance in order to update definitions relative to flood hazard areas, update density in the MF district, update references to Whitestown’s jurisdiction and documents, delete text that is not relative to Whitestown, and correct misspellings and number agreement throughout the document.
- a) Presentation – Luzier.
 - b) Public Discussion – none.
 - c) WPC Discussion – none.

Motion to give a favorable recommendation with the amendment by Worthley . Second by Jones. Motion passes unanimously.

Amend: add provision for Use Variance per State Statute IC36-7-4-918.4 (pg 91)

Amend: delete paragraph X.B.e. Rezone Proposals to correspond with State Statute (pg 91).

- 6) **Docket PC11-022-TA - Fee Schedule Amendment.** The PC is to consider a text amendment to the Zoning Ordinance to update the fee.
- a) Presentation – Luzier.
 - i) Dompke – we need to add another permit for the “Floodplain Development Permit” discussed in the ordinance amendments.
 - ii) Luzier - \$100 application fee plus \$125 for up to one hour of review.
 - b) Public Discussion –.
 - c) WPC Discussion – .

Motion for favorable recommendation by Worthley. Second by Navarro. Motion passes unanimously.

Amend: add provision for a “Floodplain Development Permit” for a fee of \$225 for one hour of review. A review rate of \$125/hour beyond one hour.

New Business – Public Meeting

Other Business

Announcements

Adjournment

9:37pm

Dennis Anderson, Vice-President

Deborah Luzier, Secretary



Meeting Minutes

Whitestown Plan Commission

Date: November 14, 2011
Time: 6:30pm or immediately following the BZA Meeting
Location: Whitestown Town Hall, 6320 S. Cozy Lane, Whitestown, IN 46075, (317) 769-6557
Members: Dennis Anderson, Manual Navarro, L.J. Jernstadt, Jan Jones, Greg Semmler, Mark Worthley, vacant

Call to Order

6:45pm

Pledge of Allegiance

Roll Call

- Dennis Anderson, Vice Pres
- L.J. Jernstadt (absent)
- Jan Jones
- Greg Semmler
- Mark Worthley
- Manual Navarro

- Staff:
 - Deborah Luzier, Town Planner, GRW
 - John Molitor, PC/BZA Attorney

Approve Agenda

Motion to approve agenda by Jernstadt. Second by Worthley. Motion passes unanimously.

Administrative Items

3. Election of new WPC President
 - a. Anderson – Servies is no longer on the plan commission and I do not have the time to act as president. Is anyone interested in filling the position? I will continue to act as vice president.

Motion to nominate Worthley by Jernstadt. Second by Navarro. Motion passes unanimously.

4. Minutes from October 10, 2011

Motion to approve minutes by Worthley. Second by Semmler. Motion passes 5/0, Jernstadt abstaining

Old Business

New Business – Public Hearing

New Business – Public Meeting

5. **Concept Plan for the Whitestown Business Center (Docket PC11-023-PP).** The petitioner is presenting a Concept Plan for an industrial Subdivision to be known as the Whitestown Business Center. The subject property contains 158 acres and is located on the west side of SR267, south of 400S. The property is zoned I-1 Industrial. The Technical Advisory Committee (TAC) reviewed the initial plans on 10/25/2011. The petitioner is Opus Development Corp, the owner is Opus North Corp & Denison Partners, LLC and Whitestown Business Center Owners Assoc, and the project engineer is Innovative Engineering.
 - a. Staff Comments – Luzier. Staff Report as well as additional comments from GRW Staff.
 - b. Petitioner presentation and PC Discussion – Jerry Kittle, Manish Ghandi, John Coming, Mack McNaught.
 - 1) Kittle – this project went through Boone County approvals in the past, but did not get constructed. The plans have not changed. It was too expensive to construct at the time. We do not have a user for the site yet. The project would be served by Whitestown sewer and water and Boone County storm drainage. INDOT has received a comprehensive traffic study for the entire area within the Whitestown Crossing project. The area projects have not been developed as quickly as originally expected.
 - 2) McNaught – we bought the property back in 2005-2006 and originally brought the project before the Boone County APC. One third of the site is undevelopable because of drainage and Whiteland Creek as well as required right-of-way. Industrial zoning was approved. We also worked with INDOT on access to SR267 and the development of Ronald Reagan Parkway. INDOT would allow full access across from Perry Blvd, but Boone County wanted full access at Fieldstone Drive. Since INDOT has jurisdiction of SR267, we provided access at Perry, but right-in/out at Fieldstone. Furthermore, the speed limit is 55mph on SR267, and this affects the design. Water and sewer have been extended and fees have been paid.
 - 3) Luzier – what approvals did you get from APC?
 - 4) McNaught – they approved the rezoning and then primary plat approval. We also got development plan approval.
 - 5) Luzier – how could you get development plan approval without secondary plat approval?
 - 6) Jernstadt – I was on the APC at the time and am pretty sure that they got primary plat approval. I had issues with access back then. Could you describe your traffic flow?
 - 7) Cummings – describes circulation.
 - 8) Jernstadt – without a light at your southern entrance, it will be difficult for heavy truck traffic to exit the site.
 - 9) McNaught – there aren't peak traffic times for warehousing and uses of this nature.
 - 10) Jernstadt – was there a business park association document?
 - 11) McNaught – yes, similar to a homeowner's association, we had drafted covenants and restrictions including architectural review as well as maintenance of the common areas. There would also be assessments. They would not conflict or supersede the town's ordinances.
 - 12) Jernstadt – have you provided a copy of the covenants?
 - 13) Luzier – we have not received them yet.

- 14) Scott Dompke, GRW – this is a great idea, but what has been submitted does not meet the requirements of a “Concept Plan” per the Subdivision Control Ordinance. They refer to items that have not been submitted – traffic studies, covenants, etc. These items significantly affect the town’s budget. We’d like to see continued dialogue between Staff and the Developers to bring the WPC a complete Concept Plan.
- 15) Jernstadt – do traffic studies expire?
- 16) Dompke – we are investigating that.
- 17) Jernstadt – some things have changed from the original project before the APC.
- 18) Dompke – architectural standards are not part of the Concept Plan. We are more concerned with access, traffic, utilities, necessary improvements, parklands, etc.
- 19) Jernstadt – also, there were changes to the Whitestown Crossing project with regard to who has jurisdiction over the internal laterals. This same language needs to also be incorporated into the plans for this project.
- 20) Molitor – there was never an ILP issued, so we are starting over.
- 21) Luzier – the primary plat expires after two years, so we are starting over with this Commission.
- 22) Dompke – was a Concept Plan approved by the APC? If so, we would like to see documentation about their comments.
- 23) McNaught – we did get approval for access from INDOT and the county. We constructed access to the requirements for 55mph.
- 24) Jernstadt – what is directly to the north?
- 25) Kittle – Giles property, active cropland. Front is zoned industrial and rear is zoned agriculture
- 26) Worthley – Dompke, should they provide this information before we proceed with the Primary Plat?
- 27) Dompke – yes, or concurrently with the Primary Plat.
- 28) Kittle – Dompke, so you are wanting to discuss the requirements
- 29) Dompke – staff would like to work with the developer to refine the Concept Plan, identify the required studies, and then proceed with the Primary Plat.
- 30) Luzier – while the Concept Plan does not require WPC action, Staff would like direction to work with the developer to refine the Concept Plan, identify the necessary studies, so that we have the information necessary to review the Primary Plat.
- 31) Molitor – they could come back next month and if everything is in order with Staff, they could proceed with the Primary Plat. Otherwise, the WPC could proceed with another review of the Concept Plan.

6. **Zoning Ordinance Amendments.** Staff provided a summary of ordinance amendments since 2004 that were not incorporated into the Zoning Ordinance that was certified to the PC back in January. *(Hard copies/handouts were distributed at the meeting)*

7. **Subdivision Control Ordinance Amendments.** Staff provided a summary of ordinance amendments since 2004 that were not incorporated into the Subdivision Control Ordinance that that was certified to the PC back in January. *(Hard copies/handouts were distributed at the meeting)*

8. **2012 WPC Meeting Schedule.** The commission to consider the 2012 Meeting Schedule.

Motion to approve the 2012 Schedule by Jernstadt. Second by Semmler. Motion passes unanimously.

New Business from the Floor

Other Business

- State Statutes Update – continue discussion when the new WPC member has been appointed.
- Molitor – we also need to deal with the Anson PUD because our ZO does not have PUD language. We currently treat Anson as a “non-conforming use”. We need to decide if we are going to allow PUDs, or would we allow just one PUD (Anson), or other means. We may want to incorporate Anson’s standards as our own.

Announcements

Adjournment

8:02pm

Mark Worthley, President

Deborah Luzier, Secretary



Meeting Minutes

Whitestown Plan Commission

Date: December 12, 2011

Time: 6:30pm

Location: Whitestown Town Hall, 6320 S. Cozy Lane, Whitestown, IN 46075, (317) 769-6557

Members: Mark Worthley, Dennis Anderson, Manual Navarro, L.J. Jernstadt, Jan Jones, Greg Semmler, vacant

Call to Order

6:42pm

Pledge of Allegiance

Roll Call

- Mark Worthley, President
- Dennis Anderson, Vice Pres
- L.J. Jernstadt (absent)
- Jan Jones (arrives 6:46pm)
- Greg Semmler
- Manual Navarro

- Staff:
 - Deborah Luzier, Town Planner, GRW
 - John Molitor, PC/BZA Attorney

Approve Agenda

Motion to approve agenda by Anderson. Second by Semmler. Motion passes unanimously.

Administrative Items

3. Minutes from November 14, 2011

Motion to approve minutes by Anderson. Second by Worthley. Motion passes unanimously.

Old Business

New Business – Public Hearing

New Business – Public Meeting

4. **PC111-024-TA Subdivision Control Ordinance Amendments.** The PC is to consider text amendments to the Subdivision Control Ordinance in order to update references to Whitestown's jurisdiction and documents, delete text that is not relative to Whitestown, incorporate previously

adopted text that was omitted from publication, and correct misspellings and number agreement throughout the document.

- a. Public Hearing is open.
- b. Public Hearing is closed.

Jones – arrives at 6:46pm.

- 1) Scott Dompke, GRW Engineering – reviews his comments.
- 2) Luzier – I will incorporate the comments into the document that is certified to the Council for their meeting tomorrow, December 13, 2011.

Motion to approve proposed amendments with changes discussed by Anderson. Second by Semmler. Motion passes unanimously.

New Business from the Floor

Other Business

- 1. Molitor – PUDs must be discussed next month. We have two PUDs in Whitestown right now: Anson and the Golf Club of Indiana. Our ordinance doesn't currently authorize PUD's, yet we annexed these two. If changes need to be made to the PUD's, there's no mechanism in our current ordinance to do so. We have three options.
 - 1) Authorize PUD's in our ordinance or just authorize the two PUDs we have now.
 - 2) Do not allow new PUD's and incorporate the two PUDs we have into our Ordinance as new zoning districts.
 - 3) Do nothing, yet come up with some procedure for amendments.
- b. Worthley – which option would treat a PUD as a non-conforming use?
- c. Molitor – we are in that current situation.
- d. Worthley – would the Golf Club of Indiana PUD expire?
- e. Molitor – they would still have the right to build as approved. We need feedback for staff to give direction.
- f. Anderson – option (2) is my preference.
- g. Dompke – in my experience, Bloomington never approved a development straight from the Ordinance. Everything came in as a PUD.
- h. Worthley – would we be able to amend the text of a PUD if we incorporate it into the ZO?
- i. Molitor – yes. With that consensus, Deb and I will draft the language for consideration in January.
- j. Molitor – we also need to draft a new section for the Rules and Procedures addressing the PC and BZA member residency requirements.

Announcements

Adjournment

8:17pm

Mark Worthley, President

Deborah Luzier, Secretary