



# City of Carmel

## CARMEL PLAN COMMISSION JULY 18, 2017 | MEETING MINUTES

**Members Present:** Bruce Kimball, John Adams, Dennis Lockwood, Michael Casati, Alan Potasnik, Brad Grabow, Joshua Kirsh, Susan Westermeier, Nick Kestner, Tim Moehl, Tom Kegley

**Staff Present:** Alexia Lopez, Lisa Motz, Mike Hollibaugh, John Molitor, Nathan Chavez

- D. Declaration of Quorum** – we have a quorum with 11 members present
- E. Approval of Minutes** – Joshua moves to approve, Susan seconds, motion passes 11-0
- F. Communications, Bills, Expenditures, & Legal Counsel Report** – John Molitor – at the City Council meeting the “combo committee” option was heard and forwarded to the Land Use Committee for further review.
- G. Reports, Announcements & Department Concerns** – Alexia Lopez
1. **Outcome of Projects at Committees:**
    - a. Commercial:
      - i. Docket No. 17030025 DP/ADLS: Michigan Road Self-Storage – Approved 3-0 with Condition
      - ii. Docket No. 17040016 DP Amend/ADLS Amendment: IU Health, North Campus Parking Lot Expansion – Approved 3-0 with Commitment
    - b. Residential:
      - i. Docket No. 17010017 Z: CRG Residential PUD Rezone – Sent back to full Plan Commission with Positive Recommendation, 4-1
  2. **Projects still in Committee:**
    - a. Commercial:
      - i. Docket No. 17030026 Z: 111<sup>th</sup> & Penn, C-2 Rezone – Continued to August 1
    - b. Residential:
      - i. Docket No. 17040026 Z: College & 116th PUD Rezone – Continued to August 1

**H. Public Hearings**

**1. Docket No. 17050011 Z: The Reserve at Cool Creek PUD Rezone**

The applicant seeks approval to rezone 59 acres to PUD/Planned Unit Development in order to develop approximately 164 dwellings for persons 55 years of age and older. The site is located at the NE corner of Keystone Parkway and 136<sup>th</sup> Street. It is zoned R-1/Residential within the Keystone Parkway Overlay Zone. Filed by Jim Shinaver and Jon Dobosiewicz of Nelson & Frankenberger, on behalf of Beazer Homes.

**Petitioner: Jon Dobosiewicz, Jim Shinaver, Ty Ryhart, Ryan Smith, Shawn Downey**

- Site map was displayed on overhead
- Jon made note of the subdivisions surrounding the referenced site
- Existing home on site was pointed out
- Wooded area is located north and east on the site
- Electric transmission line was pointed on map

- Existing site zoning map was placed on overhead which shows analysis of Comprehensive Plan
- Proposed layout of mixed 163 ranch and villa homes with a density of 2.76 homes per acre
- 41 ranch homes are proposed and are identified by the light green lots on map
- 61 parcels including villa homes for a total of 122 homes are on darker green lots
- The homes and real estate are sold as individual units
- These are generally located closer to Keystone Parkway and on the western portion of the site
- Open space is nearly 40% of the overall site
- Significant tree preservation have been provided and are required under the PUD
- A walking path is proposed along Keystone Parkway and there are two internal trail head features to enhance connectivity
- Design elements at these locations would include seating and way finding signage
- Location of pond adds additional separation of homes and highway
- The plans have been modified to include the potential for the preservation of the Brennan Home on lot 95
- Beazer Homes has been working with the Carmel Preservation Commission (CPC) as well as Indiana Landmarks with the encouragement of the Carmel Clay Historical Society (CCHS) in developing a strategy which may allow for the preservation of the Brennan Home in its current location
- Color photos of proposed homes were shown on the overhead
- 41 single family ranch homes which price between \$325,000 and \$450,000 and up
- The living area will be between 2,200 and 2,700 sf not including basements
- The minimum home size is 1,100 sf in a R-1 zoning. These homes will be significantly larger than the homes in a R-1 zoning.
- 61 two family dwellings for a total of 122 homes which price between \$225,000 and \$300,000
- The living area will be between 1,550 and 2,100 sf
- Architectural standards require significant architectural requirements
- Masonry is required on all sides of the home and vinyl siding is prohibited
- Window, roof and garage design requirements as well as anti-monotony provisions are also included in the PUD
- Universal Home Design Requirements are also specified within the PUD
- No other uses are proposed or permitted under PUD
- The subdivision will be age restricted under the Federal Housing for Older Persons Acts (HOPA)
- These provisions will result in a neighborhood with no impact on schools and significantly less peak hour traffic than projected for a typical subdivision
- We held a neighborhood meeting on July 11 at which time we reviewed with those attending
- We appreciate the analysis in the staff report
- We will continue to work with staff and prepare to answer questions at the committee level
- Request Residential Committee on August 1, 2017

#### Dave Coots

- I am here to represent the five affected subdivisions in the surrounding area
- Please stand if you are here for this petition. A group of people stood up.
- This group is calling themselves the “59 Acres Group” which was established to meet with other representatives with surrounding properties. Tonight we will present to you the reasons why this petition should be denied. This group includes Kyle Munk, Derek Empey, David Honig, Leslie Weisenbach and Michelle Krcmery
- The Comp Plan addresses all property in this area as single family detached residential only

- Mr. Coots read off of the minimum standards and setbacks
- The PUD objective is to maximum the value of the property of this owner at the expense of the adjacent property owners
- You have not been told why this property is undevelopable. The surrounding areas are zoned R-1. This PUD should not be permitted.

Kyle Munk – Smokey Ridge

- We have submitted a petition with 517 signatures from 361 homes from the surrounding five neighborhoods

David Honig - Foster Estates

I have been asked to speak about transportation. My concerns are:

- Traffic study
- Stub streets attached to R-1. Exits are shown on map.
- Elders are working much longer than they used to

Derek Empy - Smokey Ridge

Leslie Weisenbach – Smokey Ridge

I am representing all five subdivisions. Our concerns are the following:

- We are not in opposition to a subdivision in an R-1 zone
- Value influences for residential properties
- Conformity

Michelle Krcmery

- Ms. Krcmery reads from the Comp Plan and encourages the Committee to abide by the guidelines in the Comp Plan regarding single family homes in the R-1 zoning district

**Petitioner Rebuttal: Jon Dobosiewicz**

- We have followed the direction of staff in terms of density to make sure we are comparing apples to apples
- We don't decide how density is measured, the city decides as it evaluates all neighborhoods. The common metric and it measurement of density was followed that standard.
- Our objective is to provide an empty nester community that's going to provide opportunities and options for those residents that want to sell their larger homes in the area and stay here.
- We don't believe these homes in this range will give a negative impact
- Under R-1 there are not any architectural requirements. The minimum standard in R-1 is 1,100sf and neighborhoods in the area are compatible to the lots sizes and lot coverages to those being proposed in this community. However back in 2002 and 2006 those communities were developed under the ROSO provisions not requiring architectural review.

**Department Report: Alexia Lopez**

- This is a rezone request as well as a primary plat for a PUD
- They are asking for a mix of single family dwellings and single family attached dwellings
- There is a max of 2 attached but they are on their own lots and will own the land under each unit
- We do believe that the PUD does meet the Comp Plan and all requirements under Suburban Residential classification
- There are a few features it doesn't meet which are side, rear or courtyard loaded garages as well as attached single family homes

- There will be an entry from Smokey Row Road and the existing stub streets which is a normal requirement that Carmel has for any new subdivision. This helps provide many access points instead of funneling everyone onto one road as well as better access for emergency vehicles.
- The Engineering Department is reviewing this petition as well
- They are providing appropriate drainage with a retention pond along Keystone Parkway which will provide a better buffer for the homes in the neighborhood. They are preserving the wetlands that are identified on this site.
- They are proposing the minimum 5ft sidewalks which we require for any new subdivision as well as minimum street width. There will be a 10ft asphalt path along Keystone Parkway.
- They are proposing architectural standards in the PUD which we encourage and like to see
- They are also proposing Universal Design in the PUD
- We are still working with the petitioner on the setback on the garages
- There is a historic home on the site and we have received letters from both the CHPC and CCHS about it and the developer has been great to work with on this subject. We have meet with both groups at the site of the home and separately to try to figure out how we can save this home. They have already redesigned the layout to have one lot for the home to be saved and become an existing single-family home in the subdivision. We will continue to work with the petitioner and our goal is to save the home and rehab it and sell as a single family home in that subdivision.
- Landscaping is important and they are preserving about 30% of existing woods
- They are focusing a lot of the tree preservation along the bufferyard
- The PUD is proposing minimum lot foundation plantings
- Recommend sending to Residential Committee on August 1, 2017 for further discussion

### **Committee Comments**

Alan Potasnik

- Please describe the legend under Tab 5 where it notes the duplexes are the darker color
- Is that Cool Creek that runs through there? Jon – it is not, it is a tributary to Cool Creek
- Will that be affected in any way? Jon – only in that we are preserving the corridor. The predominant area of our storm water management will go into this pond and then be discharged under a culvert that would go under 136<sup>th</sup> and into the dry detention and end at Cool Creek
- Is there a reason why you are using indefinite words to describe the historical home on the site? Jon – we are waiting for a proposal from Indiana Landmarks. They are the administrative staff for the historic preservation commission. We are anticipating a proposal from them that would specifically outline their proposal for the preservation of the house. We want to make sure that the house is an asset to the neighborhood not a liability. We are still working with them and will have more information at the committee level.
- Please display that lot again on the overhead

John Adams

- Would the duplexes be for rent? Jon – these lots will have individual homes on them and be sold separately

Tim Moehl

- I visited the home last week and was supposedly built in 1836
- Mr. Moehl gave other dates of homes built in that era
- The importance of the home deserves more than just a maybe. I am challenging you to make those items definite.
- I want the house to stay. Jon – we would agree with you and I would not view the lack of

presentation being made by any of those groups as a sign that they don't feel the same way as you do. I am surprised that they didn't speak tonight during the public hearing. We would anticipate that they would come to the Residential Committee Meeting.

Nick Kestner

- I have concerns about the number of duplexes which is a potential for a rental community and is hard to control by a homeowners' organization. I would like to see that number greatly reduced.
- I would like to see that the homes which the rear faces the street are treated the same as the front Jon – displayed photos on overhead. These represent the minimum and doesn't mean that we cannot exceed those minimums in regard to the masonry and materials.
- Lighting is also a concern. I would like to see garage lighting expanded to intersections.
- The 4ft stoop needs to be a minimum of 5-6ft

Susan Westermeier

- I would like to see the numbers of the ranch homes and the villas switched
- It would increase the home value
- The garages don't all need to be in the front
- If this would stay R-1, how many homes can be there? Jon – I will have that number at the committee level
- We need the 55 and over housing in Carmel and we will try to make this the best it could be

Michael Casati

- I think the petitioner should consider all single family detached homes for this project. At a very minimum they should be putting homes on the perimeter as single family detached homes
- I am very concerned about traffic on Smokey Row Road. At committee I want to see the street scape and how that is going to work. That intersection is a mess. I have no idea how someone is going to come out of there and turn left.
- I agree about the concern for the garages. Some of the photos have designs to the garages and some don't. All these on small lots and garages that face the front they should at least have that design element to them and not be plain garages. Jon – we will be prepared at committee and we have an illustration that we have reviewed with the city engineer that shows that access on 136<sup>th</sup> Street. We delayed our filing by two months having very detailed discussions with the engineering department and planning and zoning on coming up with the appropriate design for the access into the subdivision. We will be glad to share that with the committee. I will ask that Jeremy Kashman be at next committee meeting.

Dennis Lockwood

- Whether this is developed as a PUD or R-1 I think it will be a real challenge to create an access off of Smokey Row Road. I don't see how the traffic will work. Seems like everything will funnel back down to Smokey Row Road.
- I would like to see more attention to detail on elevations
- Please pay attention to the trail along Keystone and where it ends on the north.
- I was surprised that there wasn't any additional recreational activities ie: tennis court, pool
- I also want to see the number of duplexes reduced
- I would like to see paperwork that would preserve the historic home Jon – once we have talked to Indiana Landmarks we will incorporate that text into the PUD

Alan Potasnik

- The green areas to the east looks to be a large amount of trees Jon – yes, the area of woods in the shaded areas are existing trees not grass

Tom Kegley

- Other plan commissioners please drive the area and see what is happening there

Joshua Kirsh

- I was in attendance at the neighborhood meeting
- I asked for bollards, repositioning of duplex homes to the interior
- I have concerns about the connection piece to 136<sup>th</sup> Street. I see some benefits to this project regarding connectivity to other neighborhoods.
- Is that house on the preservation list? Jon – it is not but we understand it's importance
- What would protect the home from the homeowner tearing it down? Jon – there is no ordinance in place that would disallow the owner from removing the structure today.

Bruce Kimball

- I am not too concerned about the amenities
- I would like to see a traffic study in more detail
- 4 sided architecture would be extremely important

Brad Grabow

- When the site plan goes through revisions we seek the highest degree of connectivity. This petition gets an A+ in that department.
- I too have a difficult time seeing that access point so close to that roundabout. Improving that situation as opposed to exacerbating it.

**Alan moves to send to Residential Committee on August 1, 2017 then return to Plan Commission for final vote, Tom seconds, motion passes 11-0.**

- 2. TABLED TO AUGUST 15 – Docket No. 17050016 Commitment Amendment: Weston Shoppes Outlot.**
- 3. TABLED TO AUGUST 15 – Docket No. 17050017 DP Amendment: Weston Shoppes Outlot.**  
~~The applicant seeks to amend a commitment made to the Plan Commission under Docket No. 5-98 DP/ADLS to remove a park area, create other new pedestrian amenities on the site, and provide for a new building. The site is located at 4000 W. 106<sup>th</sup> Street and is zoned B-2 within the US 421 Overlay Zone. Filed by Jim Shinaver and Jon Dobosiewicz of Nelson & Frankenberger on behalf of the owner, Weston Shoppes, LLP.~~
- 4. TABLED TO AUGUST 15 – Docket No. 17030006 UDO: Unified Development Ordinance**  
~~The applicant seeks to adopt a Unified Development Ordinance (UDO) as a new format, which will replace the existing Subdivision Control Ordinance, Zoning Ordinance and Zoning Maps. Filed by the Department of Community Services on behalf of the Carmel Plan Commission.~~

## I. Old Business

### 1. Docket No. 17010017 Z: CRG Residential PUD Rezone

The applicant seeks approval to rezone 9 acres to PUD/Planned Unit Development in order to develop approximately 195 apartments. The site is located at 4538 E 96<sup>th</sup> Street. It is zoned B-3/Business. Filed by Jim Shinaver and Jon Dobosiewicz of Nelson & Frankenberger, on behalf of CRG Residential.

#### **Petitioner: Jon Dobosiewicz, Jim Shinaver, David George, Brent Davis**

- The site plan was displayed on the overhead
- A zoning comparison chart and list of permitted uses was shown
- The rezone requests that only apartments be a permitted use on the site and all other B-3 uses would be prohibited
- A Comp Plan analysis is included in your packet
- A conceptual site plan is shown on the overhead. The PUD only allows 17 of the apartments to be three bedrooms.
- The only access to the site is off of the Randall Drive Bypass
- The PUD does not permit any other public entrance
- A 50ft tree buffer is provided along the north side of the property
- A 30ft tree buffer is provided along the east side of the property along Randall Drive
- The PUD requires that the north sides of the buildings to be two stories in height. Any three story portion of the buildings be set back at least 200ft from the north property line.
- Parking spaces were removed to allow for a larger courtyard area
- A sidewalk is on the east side of the site along Randall Drive for connectivity
- Short term and long term bike parking is provided
- We have limitations on lighting with no lighting being allowed within 50ft of north property line adjacent to the single family homes to the north
- A pole light will have 90 degree cutoffs or flat lenses
- This community will have a pool and clubhouse facility
- Elevations were shown on the overhead
- Building materials will be brick, stone, fiber cement siding, fiber cement board and batten
- Garage locations were pointed out within the building and stand alone
- A trip generation analysis was included in your packet comparing B-3 zoning to the apartment community proposal
- Mr. Shinaver gave a recap of the past meetings
- This is only a PUD rezone request and would come back for Development Plan and ADLS approval at a later date

#### **Department Report Alexia Lopez**

- Ms. Lopez gave a recap of the past meeting dates
- This is considered a conditional fit next to the existing residential
- It is written into the PUD that the apartments closest to the north be only two stories
- We are supportive of the rezone
- The architecture has been refined over time
- They have made changes per our recommendations
- They have decreased the number of different building materials
- They have addressed all of our outstanding comments and received a 4-1 recommendation from committee. We recommend a favorable recommendation to City Council.

## **Committee Report Michael Casati**

- I have nothing further to add

## **Committee Comments**

Susan Westermeier

- Since we have three City Councilors here and this will be forwarded on, please take a look at the number of apartments in Carmel in general and what we are putting in

Joshua Kirsh

- I feel like we did everything we could
- I'm not sure which direction to go with these things

Tim Moehl

- I also feel that the density was never on the table to be changed
- I'm not sure that everyone understands the size of these buildings. The length of this building is over two football fields.
- I don't know how to express my disbelief in the size of this building and lack of accessibility between the buildings.
- The density keeps getting larger
- The building is nice, the company is good
- I cannot get on board with the density issue

John Adams

- I think we all try to do the best we can do
- I also have an issue with this density
- I don't think this qualifies as a PUD
- According to the land use classifications Chapter 31 Paragraph 6-4 outlines our responsibilities. It states that we shall pay reasonable regard to 8 different criteria items.
- This site can be developed the way it is. It doesn't need to be a PUD.
- I can't support this on the basis that it fulfills enough of the requirements to consider for a PUD

Bruce Kimball

- I am one that drives thru Randall Drive and I apologize. With all the improvements happening along 96<sup>th</sup> Street I don't feel that traffic is a real concern for me.
- I like the buffer in a PUD vs. a B-3. It has a lot more to offer.
- I would like to see this go through to the City Council and it's has issues that I think they should see

Dennis Lockwood

- My concern was with regards to the "Land Bank Parking", what criteria will trigger this to happen? Jon – if in the future the owner of the real estate felt that there was a need for additional parking to accommodate their tenants they would return back to the Plan Commission with a proposal that would be an ADLS Amend showing the implementation of the additional parking. It is their thought that they have adequate parking on the site but would only need to add it with the approval of the Plan Commission if not all the apartments are being leased due to a shortage of parking spaces for the tenants.
- Why wasn't there any language in the PUD stating that? Jon – it is permissible not restricted so it would not need to be spelled out in the PUD. We could add specifics in the Ordinance that it



could not be provided unless approved by the Plan Commission.

- I would like to see some checks and balances for that

Alan Potasnik

- I think that the City needs to work on number of apartments a PUD can have
- I cannot vote for this. It's the wrong use for the wrong place.
- What would you be stuck with if this doesn't happen? I don't think we should make land use decisions based on what we might end up with.
- I understand that the Residential Committee worked a great deal on this and I do appreciate it
- Regarding the traffic study, I just don't see how the numbers add up.

Brad Grabow

- I think the petitioner and committee did a great job in producing a quality project. I think the project is one that would be highly desirable to the renter market as well as to this community.
- I have mixed feelings about this location as well. It is a challenged site and I think that the PUD qualification characteristic here is a site that is behind two other commercial uses and has only 1 entrance to Randall Drive which makes it a development challenge.
- How do we help the owner get the max value out of this that is in a way that will be satisfactory to the community and adjacent property owners? That is the challenge.
- The committee and petitioner have done a great job making this the best multi-family project that it can be.
- I don't know that this is the right site for it. The fair thing to do is not to tattoo it with a negative recommendation tonight. Let the petitioner have more time to work with the city and neighbors and continue to improve on the petition before it gets to City Council.
- It is not for us to judge whether the PUD is a vehicle that we like or dislike. It is for us to judge the projects that use that vehicle.

**Joshua moves for no recommendation to City Council, Bruce seconds, motion passes 8-3, Adams, Potasnik, Moehl.**

J. New Business

K. Adjournment

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Lisa Motz      Plan Commission Secretary

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Brad Grabow      President