

# WHITELAND PLANNING COMMISSION

March 5, 2024

## Commission Members

Gary Howard, President	<u>X</u>
Byron Temple, Vice President	<u>X</u>
Eric Funkhouser, Member	<u>      </u>
Justin Lien, Member	<u>X</u>
William A Marker, VP	<u>X</u>
Conrad Golbov, Member	<u>X</u>
Shaun Young, Member	<u>X</u>

## Other Town Officials Present

Melissa Fraser, Clerk Treasurer, Secretary	<u>X</u>
Carmen Young, Director of Administration	<u>X</u>
Shaun Young, Director of Operations	<u>      </u>
Billy Patrick, Building Commissioner	<u>X</u>
Jacob Bowman, Town Attorney	X

### Call to Order:

- G. Howard called the meeting to order at 7:02 pm

### Pledge to the Flag

### Roll Call & Determination of Quorum:

- Absent – Eric Funkhouser
- Quorum requirements reached

### Approval of Minutes:

- A. Marker made a motion to approve the 2/6/24 minutes as presented. J. Lien seconded the motion.  
**Passed 5-0-1 (S. Young abstained)**

### Swearing in for Public Hearing

- Performed by J. Bowman at 7:08pm

### Communications / Reports of Committee:

- NA

### Old Business:

- NA

### New Business:

- **Case 2024-Z-04 – Ordinance Amending text of Stillwater Glen PUD**
  - Petitioner: Adam Mears/Gradison Development
  - Request: An ordinance amending the text of the Stillwater Glen PUD Ordinance
  - Proposal: The petitioner is requesting a text amendment to the Stillwater Glen Planned Unit Development ordinance that was passed on March 8<sup>th</sup>, 2022, and adopted as Ordinance 2022-04. Property located at 600N/Tracy Rd and Emerson Ave.

- B. Patrick stated that a notice to surrounding neighbors, that is needed per the Towns/Plan Commission procedures, did not include the newly revised text amendment received within the last 24hrs. It's up to the Plan Commission to continue this hearing. J. Bowman further explained that the Plan Commission's rules of procedure require a notice that is above and beyond what the State requires. The most recent amendments were not included in the original notice sent to adjoining landowners. If the Plan Commission wishes to hear this petition, it may do so on a request from the petitioner to waive Whiteland's rules of procedures or the plan commission may continue the proceedings to next month so notices may be re-sent.
- Adam Mears, Gradison, stated the notice sent to adjoining landowners was approved by staff. Notice included changes to Stillwater PUD and development plan. No specifics named but documents could be accessed by coming to Town Hall.
- Mark Gradison, Gradison, stated that they've been in front of the commission for the last 5 years for various things and have followed the same procedure. We have worked with staff to try and get through this. We received a staff report at 1:30pm and tried to make the necessary changes asked for.
- J. Bowman asked for a motion to be made by the petitioner to proceed waiving the Plan Commission rules of procedure. Otherwise, continue to next month.
- A. Mears made a request that we proceed this evening.
- C. Young reads Town of Whiteland/Plan Commission procedures for notice.
- G. Howard made a motion to waive the Town of Whiteland/Plan Commission rules of procedure for the notice given by petitioner. A. Marker seconded the motion.

**Passed 6-0**

- B. Patrick discussed staff report.
- At the time of drafting the report, staff recommends the Commission forward an unfavorable recommendation to the Town Council, due to the language of this petition not addressing major deviations from the original conceptual plan and the use of elevations that are inconsistent with our newly developed residential subdivisions. The staff report was drafted based on the petitioners original petition, no the amendments recently received by staff.
- C. Golbov asked questions regarding the conceptual plan.
- G. Howard asked about changes made in the last 24 hrs. B. Patrick stated the major changes: No vinyl, 36" wainscot on front or bottom of windowsill
- C. Golbov asked if the staff report was completed prior to these changes and if that time did not allow to incorporate the changes? B. Patrick stated that was correct.
- B. Patrick again emphasized that the proposed changes as shown on the staff report are not the ones given to the staff less than 24hrs ago.
- G. Howard stated that the changes need to be agreed to and that's not what they are voting on and feels this should be continued.
- M. Gradison stated the staff report was prepared based upon petitioners' original information submitted. Staff and petitioner have had conversations on changes needed to gain favorable recommendation from Plan Commission. As of 3 hours ago, a discussion was had, and petitioner has agreed to additional items not submitted. It is the same petition; petitioner will make commitments above and beyond what was originally submitted.
- G. Howard asked if staff was satisfied with changes made today. B. Patrick stated yes, with the proposed changes made today, it would change to a favorable recommendation.
- G. Howard opened a public hearing at 7:30pm.
- A. Mears gave a presentation on the conceptual plan and changes made including connection to new development of Greenwood's.
- Public hearing closed at 7:42pm, with no remonstrators against the petition.

Passed by the Whiteland Plan Commission on this day 2nd of April, 2024

Aye

Nay



Gary Howard, President

Gary Howard, President

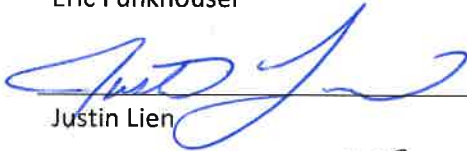


Byron Temple, Vice President

Byron Temple, Vice President

Eric Funkhouser

Eric Funkhouser



Justin Lien

Justin Lien



William A. Marker

William A. Marker



Conrad Golbov

Conrad Golbov

Shaun Young

Shaun Young

Attest:



Melissa Fraser, Clerk Treasurer

- J. Lien asked for a rundown on changes made to plan. A. Mears stated: no 3 car garages on easement, No vinyl, 36" wainscot on front or bottom of windowsill, front set back 30ft, new elevations
- G. Howard made a motion for a favorable recommendation of Case 2024-Z-04 with commitments including no 3 car garages on easement, No vinyl, 36" wainscot on front or bottom of windowsill, front set back 30ft, new elevations. B. Temple seconded the motion.

**Favorable recommendation did not pass 2-4**

- A. Marker made a motion for an unfavorable recommendation of Case 2024-Z-04. C. Golbov seconded the motion.

**Unfavorable recommendation Passed 5-1**

- **Case 2024-Z-05 – Rezoning amendment**

- Petitioner: Nicholas Canon Mason
- Request: Rezone 190 Pearl St from C2 to R3
- B. Patrick discussed staff report.
- Staff recommendation for the petition for a Zone Map Change for the rezoning of 190 Pearl St. from C-2 to R-3 as set forth therein, receive a **FAVORABLE** recommendation from this Commission to the Whiteland Town Council and that the same be certified to the Whiteland Town Council in the form presented with the petitioner's application.
- C. Golbov asked about going to Building and Zoning for variance for existing structure. B. Patrick stated that the way zoning ordinance reads for multi-family (R3) is that it needs to be in a duplex or one structure. This would need a variance because there would be two separate structures acting as primary.
- Public hearing opened at 8:15pm.
- Nicholas Cannon Mason stated his case for the rezone.
- Public hearing closed at 8:17pm
- G. Howard made a motion for favorable recommendation of Case 2024-Z-05. A. Marker seconded the motion.

**Passed 5-1**

**Other Business: N/A**

**Adjournment:**

- G. Howard made a motion to adjourn at 8:20 pm. J. Lien seconded the motion.