CITY OF FISHERS  
ADVISORY PLAN COMMISSION MINUTES  
CITY HALL PAVILION  
July 10, 2019

The Advisory Plan Commission convened at 6:00 p.m.

Mr. Harling confirmed quorum and called the regular meeting to order. (Since the meeting is being held in the Pavilion, no audio was made.)

A roll call was taken and those members present were: Warren Harling, Brad DeReamer, Bruce Molter, Kim Logan, Rick Fain, Rich Block, Howard Stevenson, Pete Peterson, Anne Kelly.

Absent were: Steve Richards, Bill Stuart  
Others present were: Rodney Retzner, Tony Bagato, Megan Schaefer, Kay Prange, Steve Hardin, and the community members on the 7/10/19 Sign-in Sheet.

Mr. Harling asked for a Motion for the June 5, 2019 minutes. Mr. Peterson made a Motion to approve, seconded by Mr. Molter. The minutes were approved, 9-0.

Public Hearings:

a. CASE # RZ-19-9 Killinger Rezone

The City of Fishers requests a public hearing and favorable recommendation for a rezone from I1 Industrial to R1 Residential for the property at 11202 E 131st Street.

Megan Schaefer, Planner II, presented the Rezone to R1 Residential in order to create lower density residential lots. Staff recommends approval.

Mr. Harling opened the meeting to Public Comment. Seeing none, he noted no remonstrations.

In Committee discussion, Mr. DeReamer asked how the rezone was determined. The property owner reached out to us.

Mr. Harling asked for a Motion on RZ-19-9. Mr. Block made a Motion to approve, seconded by Mr. Peterson. The Motion was approved, 9-0.

b. CASE # TA-19-7 Steeplechase PUD TA

Faegre Baker Daniels LLP on behalf of RH of Indiana LP and M/I Homes of Indiana LP request a public hearing and favorable recommendation for a Text Amendment to the Steeplechase Planned Unit Development Ordinance amending the commitments to reduce the number of homes required to have basements.

Steve Hardin, Esq., of Faegre Baker Daniels, and Keith Lash from Lennar presented the Petitioner remarks. Lennar and M/I homes are the builders for the Steeplechase development. At time of purchase, the owners received a commitment from the builders that all homes would have a basement as standard. Homeowners used this commitment to value their homes. The Builders both want to reduce the percentage of homes being built with basements as a response to Market changes. However, the homes in and next to the Boulders will all continue to have basements. The Builders believe that newer buyers do not want to spend their dollars on basements. The builders want to substitute concessions of 3 car garages, morning rooms, and other upgrades. Homeowners meetings were held.

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Megan Schaefer, Planner II, noted that a number of emails have been received from existing Steeplechase property owners with concerns about property values if this Text Amendment is approved.

Mr. Harling opened the meeting to Public Comment.

Craig Helmrich, Attorney for the owners and resident - (10250 Landis Bd) - Homeowners bought under the understanding that 100% basement is required. In 2013, they settled on a % of basements. The additional amendment amounts is confusing.

James Somerville (10271 Dressage Court) - One of the concessions proposed is a 3-car garage. Most lots remaining won’t hold it.

Yancey Kay (15542 Slip Anchor) - discussed the light yellow lots versus the red lots and the construction entrance on the subdivision diagram.

Ben Jefferies (10279 Dressage Court) - The builder proposal is stated that it is due to the market - no study supports that.

Mike Lathrop (10218 Landis Bd) – Everyone should live with the agreement.

Jacob Brown (10656 Slip Anchor) - this development was marketed to homeowners in a certain way - they can’t renegotiate price. Signage for is a great concession, but construction traffic needs to be moved. Pool needs to be done. Don’t more the goalpost.

Devon Brewer (10053 Midnight Line Dr) - Expected $400K property values and has neighbors in the $300’s.

Mandy Carmen (10234 Galileo) – These are estate homes with basements. Prices are dropping. Non - Basement floor plans are smaller and might be rentals.

Martha Krull (10203 Landis Bd) - since the new info came out, can the decision be postponed?

Bill Van Ladingham- (10024 Landis Bd) - wants to see data. Fishers is losing tax base. Construction equipment is killing the streets.

Mike Zaradich (10088 Blue Ribbon Bd) - We relied on marketing info. Property value has been reduced.

Mr. Harling closed the Public Comment portion of the meeting.

Megan Schaefer noted that Staff had not seen the modified commitments. Mr. Hardin noted that the pool is scheduled to open next summer. Construction traffic can come thru from the south. There is no way to do “apples to apples” on basement values since those values have changed.

Mr. Harling opened the meeting to Commission discussion.

Brad DeReamer - MI is a partial basement, Lennar is a full basement. MI is 1500 sq. feet short on a ranch. Thanks to all for the information, he votes no.

Howard Stevenson - What is property value of a basement? Keith Lash stated that a full basement is $48,000. Buyers don’t see value.

Anne Kelly - is basement unfinished? Yes.

Kim Logan - this sounds like bait and switch.

Rich Block - this is hard with a partially built-out development. There are market changes. Can value concern be offset by enough other add-ons? Wants to continue, data is needed.

Pete Peterson - He is a resident and has no basement. He went to meetings. It is not a bad thing to continue. The residents are no appeased.

Warren Harling - Not in favor. Asked some questions about percentages and recent builds. Is data valid? This is a community of homes with basement. If you don’t want a basement, you go somewhere else.

Rodney Retzner clarified that if this is approved, it goes to City Council. If denied, it’s dead.

Steve Hardin stated that the builders think this is a great opportunity and worthwhile for builders to work with owners.
Mr. Harling asked for a Motion on TA-19-7. Mr. DeReamer made a motion to deny the Text Amendment. Seconded by Mr. Peterson. The Motion was denied by a vote of 9-0.

c. **CASE # TA-19-8 Nickel Plate District Code Text Amendment**

Consideration of text amendments to the Nickel Plate District Code regarding where multi-family and mixed-use buildings are permitted and clarification of building height requirements.

Tony Bagato, Director of Planning and Zoning, reviewed the clarification of language with in the Nickel Plate District Code. The proposed changes to the wording for building heights will no longer be considered.

Mr. Harling opened the meeting to Public Comment.
Joe Nixon (7611 St. George Bd.) – clarified the language with Mr. Bagato.
Mr. Harling closed the Public Comment portion of the meeting and opened the Commission Discussion portion of the meeting.

Rich Block clarified that nothing has changed for a 3-story building. He is against it for that site and in general. He can foresee a small neighborhood center there.

Mr. Harling asked for a Motion for the language clarification. Mr. Peterson made a Motion to approve, seconded by Mr. Block. The Motion was approved, 9-0.

d. **CASE # TA-19-9 Comprehensive Plan Text Amendment – CONTINUED**

Consideration of text amendments to the Comprehensive Plan regarding right-of-way widths, the thoroughfare plan, and the parks plan.

e. **CASE # TA-19-10 Reynolds PUD Text Amendment**

Consideration of a text amendment to the Reynolds PUD to allow setbacks to be measured from the current (pre-SR 37 improvements) property lines.

Tony Bagato presented the Text Amendment for the Reynolds property in which the city took property for the SR 37 upgrade which adjusted setbacks to allow the buildings in the PUD to be conforming and put the parking lot in line. Staff recommends approval.

Mr. Harling opened the meeting to Public Comment. Seeing none, he noted no remonstration.

Mr. Harling closed the Public Comment portion of the meeting and opened the Commission Discussion portion of the meeting. As there was none, he asked for a Motion for TA-19-10.
Mr. Peterson made a Motion to send a favorable recommendation, seconded by Ms. Logan. The Motion was approved, 9-0.

f. **CASE #: TA-19-11 - UDO Signage Standards Text Amendment**

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The City of Fishers requests text amendments to "Article 6.16. Signage Standards" of the Unified Development Ordinance (UDO). These amendments provide revisions to the standards for temporary signs and drive-thru signs as well as to the purpose & intent and associated graphics.

Mr. Bagato presented the Text Amendment due to the Freedom of Speech issue, adding new standards for temporary signs and more restrictions. In addition, menu board signs can be digital for restaurant “drive thru’s.”

Mr. Harling opened the meeting to Public Comment.

Mike Colby, (7105 Coldyke Dr.) is Association President of River Glen in the 116th and Allisonville area. He spoke about numerous sign concerns in the area- Eyebrow signs, the fencepost at Centerre Bank, Nurseries in parking lots, Dunkin Donuts opening sign, garage sale signs, freestanding signs with no landscaping and enforcement time frames.

Mr. Harling closed the Public Comment portion of the meeting and opened the Commission discussion portion of the meeting.
Mr. DeReamer clarified the orderboards portion of the Text Amendment. Mr. Harling added that he thinks the sign restrictions open Pandora’s box. Mr. Block is in favor but not ready to make a recommendation. Mr. Bagato said that temporary signs are hardest to regulate.

Mr. Harling asked for a Motion for TA-19-11. Mr. DeReamer made a motion to approve, seconded by Mr. Peterson. The Motion was approved, 9-0.

As there was no more New Business, the meeting was adjourned at 7:35.

Respectfully Submitted by:

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Kay Prange, Recording Secretary