

**CITY OF FISHERS
ADVISORY PLAN COMMISSION MINUTES
CITY HALL AUDITORIUM
November 3, 2021**

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

Mr. Stevenson confirmed quorum and called the meeting to order.

A roll call was taken and those members present were: Selina Stoller, Rick Fain, Pete Peterson, Howard Stevenson, Bruce Molter, Bill Stuart, Dawn Lang, Todd Zimmerman

Absent: Kim Logan, Steve Richards

Others present: Rodney Retzner, Megan Vukusich, Jason Taylor, Jonah Butler, Kay Prange, Steve Melton, Steve Hardin, Randy Siebert, Peter Daum, Chris O'Malley, Brad Hendricks, Brad DeReamer, Ryan Davies, Kerry Davies, Nancy Revak, Mike and Alexis Akers, Chris Welsh, Melissa Bock, Larry Manship, Tabitha Lawson, Rex Ramage, Sam Swafford, Scott B. Rosemary and Dan Flannery.

Mr. Stevenson asked for a Motion to approve the Minutes from the 10/6/21 meeting. Mr. Peterson made a Motion to approve, seconded by Mr. Molter. The Minutes were approved, 8-0.

1. RZ-21-8 Delaware Park

PUD Consideration of a text amendment from PUD-C (Kincaid) to PUD-C (Delaware Park). The text amendment includes the concept plan and development standards for the Highline at Delaware Park project consisting of (a) approximately two hundred eighty (280) multifamily, residential units; (b) approximately eighteen thousand six hundred square feet (18,600 sq. ft.) of first (1st) floor restaurant, commercial and retail space; and (c) approximately four thousand eight hundred (4,800 sq. ft.) of restaurant space.

Megan Vukusich, Director of Planning and Zoning, presented the Rezone and a full replacement of the existing PUD. There are currently 6 office buildings in Delaware Park. One property owner has asked to be removed from the PUD. All access and ROW will be reviewed by Engineering. Staff recommends approval.

Steve Hardin of Faegre Drinker presented the Text Amendment for Delaware Park. Based on feedback from potential employers, they are developing a campus environment with amenities and restaurants aimed at the 20-40 young professional. The apartments are needed and there is demand and a waiting list. Thompson Thrift is developing the north side.

Mr. Stevenson opened the Public Comment portion of the meeting. Seeing no one present to speak, he closed the Public Hearing.

In Committee discussion, Selina Stoller asked for details about electric chargers. She also asked if outlot restaurants would have a drive-thru. Mr. Stevenson asked about Lantern Road Elementary School was taken into consideration and it is part of the overall Engineering review.

Mr. Stevenson asked for a Motion for RZ-21-8. Mr. Peterson made a Motion to approve, seconded by Mr. Zimmerman. The Motion was approved, 8-0.

2. RZ-21-9 Lehman PUD

Consideration of a rezone of 15 acres from R-3 to PUD-R. The new zoning district will be known as the 'Lehman PUD'. The underlying zoning district for this PUD will incorporate the R5 Residential Zoning District development standards found within the City's Unified Development Ordinance (UDO), except as modified by the proposed ordinance. The project consists of 35 single-family residential lots.

Megan Vukusich presented the Rezone and PUD. The location of 126th and Allisonville, NW of Holland Park. The property is currently r-3, surrounded on the E, S, and W by Sunblest. The development will have no stub streets. There are 32 lots- existing tree line will be maintained. The local road being constructed is a cul-de-sac. The road is very long but Fire Department is OK with it. There are a number of Public Comments about the passing blister, drainage, impervious surface, and the 126th St. ROW and Traffic. Staff recommends approval.

Rex Ramage of Pulte presented the subdivision. This is ranch homes of 1600-2700 sq ft., designed for empty nesters. The site geometry is challenging. Drainage-the low point on the property is the NE corner. In order to protect neighbors, there is a 20-ft tree preservation line, and a 16-ft common area surrounding the property. Front setbacks will be varied to help the streetscape and an anti-monotony commitment for the PUD was made for flat back homes. A neighborhood meeting was held last week. The passing blister is of concern to residents in the area.

Mr. Stevenson opened the Public Comment portion of the meeting.

Chris O'Malley (8098 E. 126th St)- lives in the Hollow Wood subdivision. Concern- safety- passing blister, speed. Also concerned about a shotgun street and packing in homes. He as a shared driveway- are utilities moving?

Randy Siebert (129 Northland St.)- no PB, concerned about Drainage and HOA costs.

Peter Daum (12440 Haydon Ct. – is this area unincorporated.

Chris Welch (7832 E. 126th St.) – walkability to Holland Park

Loren Alpert ?? (8110 E. 126th St) – She has a wooded property where children play. A PB on the North side of the street will be close to this area. Concerned also about traffic, headlights from the new street, drainage.

Ryan Davies (8090 E. 126th St.)- consider their current neighborhood as a residential community. Trails, crosswalks, no Passing Blisters.

Abraham Wonderjam ?? (16311 Loire Valley Rd.) Lives in Britton Falls and listed complaints against Pulte. His house is out of square, problems with windows, concrete, illegal septic, trees

Brad Hendrix (8100 E. 126th St.) – no PB, lights, pond runoff, erosion

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

In Committee Discussion with Mr. Ramage, he noted that there are valid concerns with drainage and they are working with the county. Trails- the best solution is to the West and shouldn't affect utilities. Megan Vukusich addressed speed as a concern and a plan is being worked on for a sidewalk on 126th St. Jason Taylor, Director of Engineering, spoke about congestion and that it is prudent to fit in a passing blister. The homes are close, 14 ft between homes. The annexation process should be standard. Mr. Ramage spoke about underground tile and that typically they don't do it.

Ms. Lang spoke about taking extra precautions on 126th St. Megan Vukusich noted the work that is being done with Engineering. Bill Stuart asked what is on the property now. There is one farmhouse on the property. Mr. Peterson stated that the property is in unincorporated Delaware Township. They should look at voluntary annexation. There are topography issues. He defers to Jason Taylor about the Passing Blister. He suggests that the Pulte complaints go before Council. He supports the project. Bill Stuart asked who has jurisdiction over 126th St. The City of Fishers. If not this project, then there will be another one. Rick Fain asked about fire access. 50 homes or more need 2 access points. Is

there a long-term plan for 126th St? Mr. Taylor stated that it could be widened for 12-ft lanes. Bruce Molter asked who maintains the drainage tiles? The homeowner.

Mr. Stevenson asked for a Motion for RZ-21-9. Mr. Peterson made a Motion to send a positive recommendation to Council, seconded by Mr. Molter. The vote was tied, 4-4. Rodney Retzner stated at this point, the Commission could make a second Motion to send “no recommendation” to Council OR to send a NO regarding this project.

Ms. Lang made a 2nd Motion to send “no recommendation” to Council, which was seconded by Mr. Fain. The Motion was approved, 7-1.

3. TA-21-45 Nickel Plate Trail (NPT) Overlay

Consideration of a Text Amendment to the Unified Development Ordinance to establish the Nickel Plate Trail Overlay.

Megan Vukusich presented the Text Amendment which would allow landscaping, pergolas, trees, to separate the Nickel Plate Trail from backyards of homes on the trail.

Mr. Stevenson opened the Public Comment Portion of the meeting.

Dan Flannery (13963 Wakefield Place)- The trail is not as represented, nobody listens. He does not want to build a prison in his back yard. Complete misrepresentation. It’s cheap, you failed. Why do I have to protect myself from something you built? No privacy. No one patrols.

Mike Akers (10857 Thistle Ridge)- There are people walking the trail with flashlights at night. He is in favor of an 8-ft fence.

Mr. Stevenson closed the Public Hearing.

In Committee Discussion, Megan Vukusich explained an accessory structure. There is an online application for a screening grant. She will work with whomever needs assistance with this. Ms. Stoller noted that Harrison Green needs help due to the elevation of the trail and the privacy issues. Mr. Peterson also added that the trail is not done.

Mr. Stevenson asked for a Motion for TA-21-45. Mr. Peterson made a Motion to approve, seconded by Mr. Stuart. The Motion was approved, 8-0.

4. TA-21-46 UDO Text Amendment

Consideration of a text amendment to various sections the City of Fishers Unified Development Ordinance (UDO), including Section 4.2.3. Interstate 69 Overlay District, Article 6.2. Accessory Structure Standards, and Article 6.17 Signage Standards.

Megan Vukusich presented the Text Amendment. It specifically addresses sign standards. A recent Supreme Court case regulated freedom of speech, and the City is making sure we are in compliance. The TA prohibits the use of commercial signs (billboards) in the Overlay district on I-69. Staff recommends approval.

Mr. Stevenson opened the Public Comment portion of the meeting. Seeing no one present to speak, he closed the Public Hearing.

In Committee Discussion, Mr. Peterson clarified that this relates to billboards on I-69.

Mr. Stevenson asked for a Motion for TA-21-46. Mr. Peterson made a motion to send a favorable recommendation to Council, seconded by Mr. Stuart. The Motion was approved, 8-0.

The Meeting was adjourned at 7:53p.m. by Mr. Stevenson.

Respectfully Submitted by:

Kay Prange, Recording Secretary