

**Members Present**

John Shell, Josh King, Paul Peoni, Michael Probst, John Price, David Lekse, Charrie Stambaugh, Brian Walker, and Steve Milbourn. Members attended in-person with the option to use Zoom.

Also present: Planning Director Gabriel Nelson, Senior Planner Kevin Tolloty, Attorney Shawna Koons, Recording Secretary Stevie Jarrett, and Steven Crook.

Mr. Shell called the meeting to order at 7PM.

**Approval of Meeting Minutes**

Ms. Stambaugh moved to approve the meeting minutes from November 13, seconded by Mr. Probst. Vote: Ayes: Mr. Shell, Mr. King, Mr. Peoni, Mr. Probst, Mr. Price, Ms. Stambaugh, Mr. Walker, and Mr. Milbourn (8-0). Mr. Lekse abstained.

**Special Requests and Continuances**

**PC2024-060 Center Grove Zone Map Change**, petitioner, Lennar Homes of Indiana LLC, requests a zone map change for approximately 90.7 acres, located at 3111 S State Road 135, Greenwood

Brian Tuohy requested this docket be continued to the December 9<sup>th</sup> meeting. Petitioner has been working with Planning staff to come to an amendment on this zone map change.

Mr. Walker moved to continue this to December 9<sup>th</sup>, seconded by Mr. Price. Vote: Ayes: Mr. Shell, Mr. King, Mr. Peoni, Mr. Probst, Mr. Price, Ms. Stambaugh, Mr. Walker, Mr. Lekse, and Mr. Milbourn (9-0).

**Old Business**

**PC2024-022 Panda Express**, petitioner, Lannie Cowden, on behalf of Penney Property Sub Holdings LLC, requests Primary Plat approval for approximately 0.86 acres located at 1285 North U.S. 31, in the southwest corner of the JCPenney parking lot

Lannie Cowden, Heights Venture Architecture and Design, 3333 Warrenville Road, Suite 200, Lisle, IL 60532, appeared by electronic means and was administered the oath.

Tim Shoemaker, American Structurepoint, 9025 River Road, Suite 200, Indianapolis, 46240, appeared by electronic means and was administered the oath.

Ms. Cowden stated drainage updates have been made to the site. They have been working with Stormwater on this site. This site is carved out from an existing JC Penney.

Mr. Shoemaker stated staff had identified this area as an area that needed updated stormwater.

Mr. Nelson explained this had been continued work with staff. The comments have now been addressed. This is a primary replat of an existing lot.

Staff is not prepared to go forward with the landscape waiver at this time.

Mr. King asked about the water quality that was mentioned in the Tech Review Comments. Mr. Peoni explained they are providing water quality underground.

Mr. Nelson stated actual curbs and green space will be installed. This will help with people cutting across.

Mr. King moved to approve the proposed primary plat of Panda Park commercial subdivision, submitted by Heights Venture Architecture + Design on behalf of Panda Express, Docket PC 2024-022, subject to the Technical Review Committee condition that all staff comments are addressed, because the primary plat upon meeting the condition complies with the Unified Development Ordinance Subdivisions standards, and to direct the President to sign in the Commission's behalf the Notice of Determination and written findings regarding the approval of the primary plat as prepared by the Planning Director, seconded Mr. Walker. Vote: Ayes: Mr. Shell, Mr. King, Mr. Peoni, Mr. Probst, Mr. Price, Ms. Stambaugh, Mr. Walker, Mr. Lekse, and Mr. Milbourn (9-0).

### **New Business**

**PC2024-022 Panda Express – Landscape Waiver**, petitioner, Lannie Cowden, on behalf of Penney Property Sub Holdings LLC, requests a waiver from Section 10-06-03 (D) Lot Frontage, to allow a parcel without sufficient street frontage, for the property located at 1251 N. US 31

Mr. Nelson stated that staff was not comfortable moving forward with the landscape waiver. This was not a public hearing.

The Zoom line platform providing electronic means of participating in the meeting was interrupted and the connection was terminated.

On petitioner's behalf, Mr. Nelson explained that petitioner that the waiver is for public access to Lot 1 through use of the existing ingress/egress easement to access U.S. 31 through the mall, the lot does not have frontage on U.S. 31. Mr. Nelson stated staff are strongly favorable of using the existing road to access Panda Express.

Mr. King moved that the request of Heights Venture Architecture & Design on behalf of Panda Express for a waiver of the requirements of the Unified Development Ordinance, Greenwood Municipal Code Sec. 10-06-03 Lots, D., that specifies that every lot or parcel shall have sufficient frontage and access to a public street, to allow no direct street frontage on Lot 1 of the subject property and access to U.S. 31 South through the existing ingress/egress easements along the interior private ring road of Greenwood Park Mall, be approved, and that the Plan Commission find that the criteria set forth by Greenwood Municipal Code Sec. 10-04-03 K. for

the approval of the waiver has been met for the reasons set forth in the attachment to the written waiver request and as presented, seconded by Mr. Milbourn. Vote: Ayes: Mr. Shell, Mr. King, Mr. Peoni, Mr. Probst, Mr. Price, Ms. Stambaugh, Mr. Walker, Mr. Lekse, and Mr. Milbourn (9-0).

The Zoom online connection was restored and communication with Ms. Cowden resumed. Mr. Nelson confirmed for Ms. Cowden that the waiver was approved.

**PC2024-055 Scottsdale Estates East – Primary Plat**, petitioner, Lantz McElroy, on behalf of Silverthorne Homes, requests Primary Plat approval for approximately 83 acres located at the northwest corner of Honey Creek Road and Whiteland Road

The public hearing was opened.

Lantz McElroy, Manager of Engineering, Silverthorn Homes, 9225 Harrison Park Court, Indianapolis, IN 46216, was administered the oath.

This is 135 lots on 83 acres previously zoned RM.

The public hearing was closed.

The public hearing was reopened.

Jesse Allen, 1115 Old Adobe Lane, Greenwood, IN 46131, administered the oath. Mr. Allen had brought in a letter earlier last week. There was no name or address on the letter. Mr. Allen expressed concerns for the amenities and trails. He stated this is already a large community and expressed concerns for current residents paying for these amenities and future residents of Scottsdale Estates East having access to and using those amenities. Mr. Allen stated he would like the current assets to be protected, adding in privacy barriers, and ensuring the electrical grid can handle the development.

Mr. McElroy stated he wasn't sure if the HOA's would be combined. There are some amenities in Scottsdale East that have already been planned.

Mr. Allen expressed concerns for the road that would be extended into Scottsdale East. He would still like to see an updated proposal with privacy barriers and home variation.

The public hearing was closed again.

Mr. Nelson explained there were concerns for a future roundabout to accommodate the traffic. Mr. Nelson asked that they dedicate some area so that they can develop in a safe manner. Staff also requests a traffic impact study. Staff is favorable, but they would like some conditions.

Mr. Shell asked if a location for the roundabout has been discussed. Mr. Nelson stated the general location is where Whiteland Road and Honey Creek Road intersect.

There was discussion about the stub street. Mr. Nelson stated there wouldn't be a buffer requirement between the two neighborhoods.

The petitioner is not asking for any reduction in standards. There was discussion about the utility companies land swapping. Mr. Probst asked about the landscaping requirements.

Mr. King moved to approve the proposed primary plat of Scottsdale Estates East residential subdivision, submitted by American Structurepoint, Inc. on behalf of Silverthorne Homes, Docket PC 2024-055, subject to the Technical Review Committee condition of Engineering Division approval, because the primary plat upon meeting the condition complies with the Unified Development Ordinance Subdivisions standards, and to direct the President to sign in the Commission's behalf the Notice of Determination and written findings regarding the approval of the primary plat as prepared by the Planning Director, seconded by Mr. Price. Vote: Ayes: Mr. Shell, Mr. King, Mr. Peoni, Mr. Probst, Mr. Price, Ms. Stambaugh, Mr. Walker, Mr. Lekse, and Mr. Milbourn (9-0).

**PC2024-058 Elmwood Estates II – Primary Plat**, petitioner, Neil Goradia, on behalf of Apollo Developers, requests Primary Plat approval for approximately 29 acres located at the southern terminus of Schuttler Drive and western terminus of Beverly Place, east of Emerson Avenue

The public hearing was opened.

Neil Goradia, Program Manager, Apollo Developers, LLC, 8904 Bash Street, Suite H, Indianapolis, IN 46256 was administered the oath. Mr. Goradia stated they went back to the drawing board to show stormwater detention on site. They have responded to all staff comments. The biggest update was stormwater, but they have added more street lights and an additional turnaround.

The public hearing was closed.

Mr. Nelson stated staff is favorable. He did give two conditions based on Engineering comments.

Mr. King moved to approve the proposed primary plat of Elmwood Estates II residential subdivision, submitted by Weihe Engineers on behalf of Apollo Developers, LLC, Docket PC 2024-058, subject to the two Technical Review Committee conditions of Engineering Division approval and a Stormwater waiver for capacity, because the primary plat upon meeting the conditions complies with the Unified Development Ordinance Subdivisions standards, and to direct the President to sign in the Commission's behalf the Notice of Determination and written findings regarding the approval of the primary plat as prepared by the Planning Director, seconded by Mr. Milbourn. Vote: Ayes: Mr. Shell, Mr. King, Mr. Peoni, Mr. Probst, Mr. Price, Ms. Stambaugh, Mr. Lekse, and Mr. Milbourn (8-0). Mr. Walker abstained.

**PC2024-063 The Pines PUD – Text Amendment**, petitioner, Steve Milbourn, on behalf of The Pines of Greenwood HOA, requests a text amendment to allow certain accessory structures to be permitted in the Pine PUD District.

The public hearing was opened.

Dave Walshek, The Pines Homeowners' Association, was administered the oath.

Steve Milbourn, The Pines Homeowners' Association, was administered the oath.

Mr. Walshek stated this amendment will allow accessory structures to be permitted. This was a PUD and had restrictions that would not allow accessory structures.

This text amendment would go to the Common Council.

The public hearing was closed.

Ms. Stambaugh asked whether favorably recommending this amendment would set a precedent for other subdivisions to request amendments to allow prohibited structures. Ms. Koons explained that this is a PUD, so the ordinance was written specifically for this development. General developments are subject to the provisions of the Unified Development Ordinance. Mr. Nelson explained that a variance request would be required under those circumstances, not a text amendment.

Mr. King moved that the petition of The Pines of Greenwood Homeowners Association for an amendment to the text of Greenwood Common Council Ord. 99-12, The Pines Planned Unit Development District, to permit accessory structures of utility storage sheds, hot tubs or spas, and above-ground swimming pools on individually platted detached single family lots, as set forth therein, receive a favorable recommendation from this Commission to the Greenwood Common Council and that the same be certified to the Greenwood Common Council in the form presented, seconded by Ms. Stambaugh. Vote: Ayes: Mr. Shell, Mr. King, Mr. Peoni, Mr. Probst, Mr. Price, Ms. Stambaugh, Mr. Walker, and Mr. Lekse. (8-0).


### **Announcements**

Mr. Nelson stated next meeting will be our last meeting of the year. Mr. Nelson apologized for the technical difficulty and he appreciated everyone's maturity.

### **Adjournment**

Mr. Shell adjourned the meeting at 7:57PM.

  
\_\_\_\_\_  
John Shell  
President

  
\_\_\_\_\_  
Stephanie R. Jarrett  
Recording Secretary

