

### **Members Present**

John Shell, Josh King, Mark St. John, David Lekse, Sheri Gardner, Monica Magna, Brian Walker, and Michael Probst. Members attended in-person with the option to use Zoom.

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

### **Call to Order**

Mr. Shell called the meeting to order at 7:02PM.

### **Approval of Meeting Minutes**

Monica moved to approve the meeting minutes from January 23, 2023, seconded by Mr. Walker. Vote: Ayes: Mr. St. John, Mr. King, Ms. Gardner, Monica, Mr. Walker, and Mr. Probst. (6-0). Mr. Shell abstained.

### **New Business**

**PC2022-078, 079** Chase Bank Landscape Waivers – JP Morgan Chase requests waivers from the following:

Sec 10-03-06(G) Foundation Plantings- requesting to provide perimeter planting around a majority of the building, with areas less than 10' where 10' is required.

Sec 10-03-06(J2d) Perimeter Parking Lot Landscaping- requesting a 9 to 9.5' buffer area perimeter area when abutting a Primary or Secondary Arterial, where 15' is required.

Sec 10-03-06(J2e) Perimeter Parking Lot Landscaping- requesting to relocate a portion of the Drive Aisle Perimeter Parking Lot plantings elsewhere on site.

The public hearing was opened.

Chad Mayes, 250 E 96<sup>th</sup> Street, Suite 480, Indianapolis, Indiana 46240, was administered the oath. Mr. Mayes represented Chase Bank in their landscape waivers. The new bank is located at 565 S State Road 135. It is currently zoned Commercial Medium. The primary plat was presented November 14, 2022.

The proposed curb cuts will mimic the existing.

Staff had favorable recommendations for all three waivers. Mr. Nelson discussed the waiver requirements and standards.

The public hearing was closed.

Mr. King moved that the request of JP Morgan Chase for a waiver of the requirements of the Unified Development Ordinance, Greenwood Municipal Code Chapter 10, Article 25, Division III. Generally Applicable Regulations, Sec. 10-03-06 Landscaping and Buffering, G. Foundation Plantings, that specifies that commercial properties under 25,000 square feet shall have a minimum 10' wide landscaping strip along the full length of a foundation facing the street, to permit perimeter planting around a majority of the building with areas less than 10' in width, be approved, and that the Plan Commission find that JP Morgan Chase, NA has met the criteria set forth by Greenwood Municipal Code Sec 10-04-03 K. for the waiver, for the reasons set forth in its request for waiver and as presented, seconded by Mr. Walker. Vote: Ayes: Mr. Shell, Mr. St. John, Mr. King, Ms. Gardner, Monica, Mr. Walker, and Mr. Probst. (7-0).

Mr. King moved that the request of JP Morgan Chase, NA for a waiver of the requirements of the Unified Development Ordinance, Greenwood Municipal Code Chapter 10, Article 25, Division III. Generally Applicable Regulations, Sec. 10-03-06 Landscaping and Buffering, J Parking Lot Landscaping, 2. Perimeter Parking Lot Landscaping, d., that specifies an additional 10' wide buffer area beyond the 5' wide landscaped area between the parking lot landscaping and edge of right-of-way when the parking lot abuts a major thoroughfare, to reduce it to 9' to 9 1/2' wide buffer area to accommodate required sidewalk, existing utilities, and maximum building setback, be approved, and that the Plan Commission find that JP Morgan Chase, NA has met the criteria set forth by Greenwood Municipal Code Sec 10-04-03 K. for the waiver, for the reasons set forth in its request for the waiver and as presented, seconded by Ms. Gardner. Vote: Ayes: Mr. Shell, Mr. St. John, Mr. King, Ms. Gardner, Monica, Mr. Walker, and Mr. Probst. (7-0).

Mr. Walker moved that the request of JP Morgan Chase, NA for a waiver of the requirements of the Unified Development Ordinance, Greenwood Municipal Code Chapter 10, Article 25, Division III. Generally Applicable Regulations, Sec. 10-03-06 Landscaping and Buffering, J Parking Lot Landscaping, 2. Perimeter Parking Lot Landscaping, e., that specifies a minimum 5' wide landscaped area with continuous row of shrubs and a minimum of one tree and three shrubs per 35 feet of lineal planting at the perimeter of a parking lot drive aisle, for the area in the existing utility easement and the dry detention pond spillway, because the areas do not allow for adequate growth and trees could create an issue with overhead utility lines, be approved, and that the Plan Commission find that JP Morgan Chase, NA has met the criteria set forth by Greenwood Municipal Code Sec 10-04-03 K. for the waiver, for the reasons set forth in its request for the waiver and as presented, seconded by Mr. Probst. Vote: Ayes: Mr. Shell, Mr. St. John, Mr. King, Ms. Gardner, Monica, Mr. Walker, and Mr. Probst. (7-0).

**PC2022-086, 087 Oliver Springs Landscape Waivers** –India Olson requests waivers from the following:

Sec 10-03-06(G) Foundation Plantings- requesting to eliminate the 5' foundation planting along the foundation facing a street where garage doors are present.

Sec 10-03-06 (I ) Buffering- requesting small buffer yard to the north where a large buffer yard is required, a small buffer yard to the west where a large buffer yard is required, and a large buffer yard to the south where a small buffer yard is required.

Sec 10-03-02(E) Parking Spacing Dimension- requesting 9' width for ninety-degree parking spaces, where 10' is required.

The public hearing was opened.

India Olson, Garrett Companies, 1051 Greenwood Springs Blvd, was administered the oath.

Ms. Olson is a development manager with the Garrett Companies. Ms. Olson gave a brief overview of the Garrett Companies. This will be the 3<sup>rd</sup> project in Greenwood.

The three waivers include foundation plantings, buffer yard, and parking space dimensions. The required plantings will be spread to other sides of the building. The waiver for buffer yard would flip the yards. This would provide more privacy. There would be a fence along the northern property line. The parking stall width request from 10 feet to 9 feet. This would give a few more parking spots.

Mr. Probst asked if landscaping amounts would be the same on the buffer yards. There would be some landscaping differences. Ms. Olson stated that will be quite a few trees on side.

There was discussion about the parking stall widths.

Staff recommends approval for all three waivers.

The public hearing was closed.

Mr. King move that the request of the Garrett Companies for a waiver of the requirements of the Unified Development Ordinance, Greenwood Municipal Code Chapter 10, Article 25, Division III. Generally Applicable Regulations, Sec. 10-03-06 Landscaping and Buffering, G. Foundation Plantings, that specifies that multi-family properties shall have a minimum 10' wide landscaping strip along the full length of a foundation facing the street, to permit no foundation planting along the garage door and entry door side of the 2-story, 10-unit product (Type I Building) of the proposed project because the plantings would block the doors, be approved, and that the Plan Commission find that the Garrett Companies has met the criteria set forth by Greenwood Municipal Code Sec 10-04-03 K. for the waiver, for the reasons set forth in its request for waiver and as presented, seconded by Mr. Probst. Vote: Ayes: Mr. Shell, Mr. St. John, Mr. King, Ms. Gardner, Monica, Mr. Walker, and Mr. Probst. (7-0).

Mr. King moved that the request of the Garrett Companies for a waiver of the requirements of the Unified Development Ordinance, Greenwood Municipal Code Chapter 10, Article 25, Division III. Generally Applicable Regulations, Sec. 10-03-06 Landscaping and Buffering, I. Buffering, that specifies:

- 1) a minimum 40' large size buffer yard where an RMC Zone abuts an IL Zone, to allow a minimum 20' wide buffer yard along the north property line of the subject property abutting the IL Zone;
- 2) a minimum 20' buffer yard along the west property line that abuts an AC District (that follows IM landscaping and requires a large 40' buffer yard); and
- 3) the installation of landscaping on the inward side of the planned privacy fence (ordinance requires installation on outward side of fence) for the proposed project;

to provide privacy to the residential neighbors to the south because there is a 6' privacy fence along most of the northern property line and a portion of the western property line offset 1 foot inside the property line, reducing the required width of the buffer yard, and the installation of landscaping on the outward side of the fence would limit viability of plant materials, be approved, and that the Plan Commission find that the Garrett Companies has met the criteria set forth by Greenwood Municipal Code Sec 10-04-03 K. for the waiver, for the reasons set forth in its request for the waiver and as presented, seconded by Ms. Gardner. Vote: Ayes: Mr. Shell, Mr. St. John, Mr. King, Ms. Gardner, Monica, Mr. Walker, and Mr. Probst. (7-0).

Mr. Walker moved that the request of the Garrett Companies for a waiver of the requirements of the Unified Development Ordinance, Greenwood Municipal Code Chapter 10, Article 25, Division III. Generally Applicable Regulations, Sec. 10-03-02 Parking and Access, E. Parking Space Dimensions and Drive Aisles, that specifies 90° angle parking spaces must be a minimum of 10' in width, to allow a reduction to 9' width for the 90° angle parking spaces in the proposed project, because the reduction will allow petitioner to increase the number of parking spaces to serve residents and guests, 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 Ms. Gardner. Vote: Ayes: Mr. Shell, Mr. St. John, Mr. King, Ms. Gardner, Monica, Mr. Walker, and Mr. Probst. (7-0).

**PC2022-101, 102 Harmony of Greenwood Waivers** – Bruce Hedrick requests waivers from the following:

Sec 10-03-02(E) Parking Spacing Dimension- requesting 9' width for ninety-degree parking spaces, where 10' is required and 9'-5" width for sixty-degree parking spaces, where 10'-5" is required.

Sec 10-06-09 Sidewalks- requesting the elimination of a portion of sidewalk along Wheatcraft Way, where sidewalks are required.

Sec 10-03-02(D) Minimum Parking Standards- requesting to provide 180 parking spaces, where 194 parking spaces are required.

The public hearing was opened.

Brian Tuohy, 50 S Meridian, Indianapolis, was administered the oath.

Mr. Tuohy explained that this is a 7.2 acre parcel and it will be developed into a senior living center. To the east is the Airport and to the north are medical offices.

The waivers requested are for parking spacing and sidewalks. The site is zoned AC (Airport Commerce District). This is not a rezone or variance. Mr. Tuohy presented the site plan.

This is about a 50 million dollar investment. There will be three types of residents residing in this facility. Very few of the residents would be driving.

It is expected to house a little over 200 residents. The building is four stories tall. There would not be any vinyl siding.

Construction would start in fall of 2023 and construction would end in fall of 2025.

Mr. Tuohy discussed the ditch at Wheatcraft Way. The waiver requested asks that a sidewalk not be constructed at that ditch. City standards require about 196 spaces. Petitioner has proposed 180 spaces. Mr. Tuohy discussed the amount of parking spaces needed at peak time.

Mr. Tuohy gave a brief description of Smith/Packett. They are a family owned senior living development with over 40 years of experience. Approval of these variances would allow for high quality senior care.

Staff does recommend approval for all three of these waivers.

The public hearing was closed.

Mr. King moved that the request of Greenwood IL-AL Investors, LLC c/o Smith/Packett Med-Com, LLC for a waiver of the requirements of the Unified Development Ordinance, Greenwood Municipal Code Chapter 10, Article 25, Division III. Generally Applicable Regulations, Sec. 10-03-02 Parking and Access, E. Parking Space Dimensions and Drive Aisles, that specifies 90° angle parking spaces must be a minimum of 10' in width and 60° angle parking spaces must be a minimum of 10'5", to allow a reduction to 9' width for the 90° angle parking spaces and a reduction to 9'5" for the 60° angle parking spaces in the proposed project, because the size of the property doesn't accommodate the required number of spaces to serve the project without reduction of the widths, 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. Probst. Vote: Ayes: Mr. Shell, Mr. St. John, Mr. King, Ms. Gardner, Monica, Mr. Walker, and Mr. Probst. (7-0).

Mr. Walker moved that the request of IL-AL Investors, LLC c/o Smith/Packett Med-Com, LLC for a waiver from the Unified Development Ordinance, Chapter 10, Article 25. Division VI. Subdivisions, Section 10-06-09, Sidewalks, A., which requires a sidewalk on both sides of a street in a residential subdivision, to permit no sidewalk on a small section of ground along the north side of Wheatcraft Way and the installation of a crosswalk to cross to the other side of the street instead due to the drainage ditch located to the north of Wheatcraft Way which cannot be altered to accommodate the sidewalk, **be approved**, and that the Plan Commission find that the criteria

set forth by Greenwood Municipal Code Sec. 10-06-09 B. and Sec. 10-04-03 K., for the approval of the waiver has been met for the reasons set forth in the Applicant's written waiver request and as presented by Applicant's representative, seconded by Ms. Gardner. Vote: Ayes: Mr. Shell, Mr. St. John, Mr. King, Ms. Gardner, Monica, Mr. Walker, and Mr. Probst. (7-0).

Mr. King moved that the request of Greenwood IL-AL Investors, LLC c/o Smith/Packett Med-Com, LLC for a waiver from the requirements of the Unified Development Ordinance, Greenwood Municipal Code Chapter 10, Article 25, Division III. Generally Applicable Regulations, Sec. 10-03-02 Parking and Access, D. Minimum Parking Standards, that specifies a minimum of .75 parking spaces per dwelling unit for Residential Care Dwelling-Assisted, to allow 180 parking spaces per dwelling unit instead of 194 for the proposed project, because the majority of residents do not own or drive cars, employees park in shifts, and the reduced number of parking spaces will provide adequate parking spaces for visitors, 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. Walker. Vote: Ayes: Mr. Shell, Mr. St. John, Mr. King, Ms. Gardner, Monica, Mr. Walker, and Mr. Probst. (7-0).

**PC2022-100 Vista Hills Primary Plat** - Primary Plat for approximately 1.17 acres located at 398 S Emerson Ave. Petitioner is Hills Acres LLC.

The public hearing was opened.

Joseph Heck, Projects Plus, 1257 Airport Parkway Suite A, was administered the oath.

Mr. Heck represented Hills Acres LLC.

Owner is looking to construct an expansions, but the two lots must be combined.

The public hearing was closed.

Mr. Walker moved to approve the proposed primary plat of Vista Hills Animal submitted by Projects Plus Surveying Company on behalf of Vista Hills Animal Hospital, Docket PC 2022-100, subject to the Technical Review Committee condition that all staff comments are addressed, because the primary plat complies with the standards in the Unified Development Ordinance, Subdivisions division, 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. King. Vote: Ayes: Mr. Shell, Mr. St. John, Mr. King, Ms. Gardner, Monica, Mr. Walker, and Mr. Probst. (7-0).

**PC2023-007 Center Grove PUD Zone Map Change** – Advenir Oakley Capital LLC requests a zone map change for approximately 77.17 acres. The current zoning district is AG (Agriculture) and Commercial Large (CL) and the proposed zoning is PUD (Planned Unit Development) to allow for a mixed-use development consisting of three distinct areas: Commercial Mixed-Use, Multi-Family (Vertical), and Multi-Family (Cottage).



The public hearing was opened.

Andy Buroker, Fagre Drinker, 600 East 96<sup>th</sup> Street, Suite 600, Indianapolis, Indiana 46240, was administered the oath.

Scott Weathers, Development and Construction Manager, Advenir Oakley Capital LLC, 17501 Biscayne Boulevard, Suite 300, Aventura, FL 33160, was administered the oath.

Mr. Weathers gave a brief description Lushin Group and Advenir Oakley Capital, LLC. Mr. Weathers introduced the design team. Mr. Weathers explained their mission and presented the site plan. There are currently designed 317 units, clubhouse, pool space, multi-family units, 11 acres of commercial space, and 19 acres of open park space.

Mr. Weathers explained that they want to create pedestrian friendly spaces and presented renderings of the cottages and units. There are different facades styles. It will be inviting not barrack style.

Mr. Weathers explained why this is different. He explained that people are looking for rentals and not wanting to be tied down. Both Advenir and Lushin Group have experience of owning, developing, and managing. The partnership is not merchant builder. They intended on staying and holding. The PUD provides a range of options.

Mr. Weathers gave demographics of who might live here. Residents might be single with good paying jobs, newly married, or mature single.

The public hearing was closed.

Monica asked about the location. It is north of Smokey Row Road. Mr. Probst confirmed that this property would be held and maintained for a long time. Lushin Group would be managing the commercial side.

Paul Lushin, 5655 Castle Creek Parkway North Drive, Indianapolis, Indiana 46250, was administered the oath. The commercial spaces would be leased out.

This community will not be gated. There will be trails going around the property and public parking would be provided. Private streets and parking lots will be maintained.

Mr. Nelson explained that he provided the Plan Commission with the Tech Review minutes. The Comprehensive Plan calls for mixed-use development in this area. This is a land use that is encouraged in this area.

Ms. Koons discussed conditions and commitments. There is a difference. Commitments run with the land.

All conditions must be met before LAP is released.

Ms. Koons reminded the Plan Commission that this is a zone map change.

Mr. King moved that the petition of Advenir Oakley Capital, LLC for the rezoning of approximately 77.17 acres located at 3111 S. State Road 135 within the City of Greenwood, Johnson County, Indiana, from CL – Commercial- Large Format Zone and AG - Agricultural

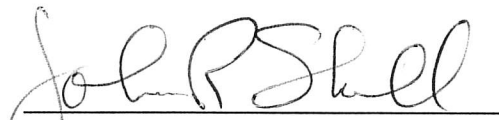
District use to Planned Unit Development District use (Center Grove Park PUD mixed-use commercial, multi-family (vertical) and multi-family (cottage) subdivision) as set forth therein, receive a favorable from this Commission to the Greenwood Common Council and that the same be certified to the Greenwood Common Council in the form presented subject to five conditions by staff, seconded by Mr. Probst. Vote: Ayes: Mr. Shell, Mr. St. John, Mr. King, Ms. Gardner, Monica, Mr. Walker, and Mr. Probst. (7-0).


**Announcements**

There are agenda items for two weeks from now.

**Adjournment**

Mr. Shell adjourned the meeting at 8:27PM.

  
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John Shell  
President

  
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Stephanie R. Jarrett  
Recording Secretary