

The Pendleton Board of Zoning Appeals met on September 18, 2018 at 7:00pm at the Pendleton Town Hall, 100 W State Street, Pendleton, Indiana. The meeting was called to order at 7pm. Board Members present were Tammy Bowman, Tim Swartz, Tim Pritchard and Matt Roberts. A quorum was established with four of five members present. Representing the Town were Planning and Zoning Administrator Kayla Hassett and Assistant Planning Director Rachel Christenson. Minutes of the August 21, 2018 meetings were approved.

Others in attendance included Derek Snyder and Greg Ilko of CrossRoad Engineering Beech Grove, Chris Vensel of Lauth Group, Inc Carmel, Kim and Mr. Hubartt of 5738 Park Road Anderson and Town Council member Chet Babb.

OLD BUSINESS - none

NEW BUSINESS

V09182018-01 – 6535 S SR 67 – iGLAM Microblading

Kayla Hassett presented on Google Drive. Microblading is a form of cosmetic tattooing and this is an example of how our use matrix needs updated to include new uses, as the matrix does not include microblading or tattooing. The presentation included the Variance Application, brochures that explain microblading, a vicinity map, site map, picture of Pendleton Crossing shopping center and interior of iGLAM.

The applicant spoke to the board from her public seat and was inaudible for transcribing.

MOTIONED BY TIM SWARTZ, SECONDED BY MATT ROBERTS, TO APPROVE V09182018-01. MOTION CARRIED.

FINDING OF FACT FOR V09182018-01 SIGNED BY ALL PRESENT MEMBERS AND ATTESTED BY RACHEL CHRISTENSON.

CU09182018-01 0 S Heritage Way – Heath & Wellness Center

Hassett Google Drive Presentation included the Application for Conditional Use from Gregory J Ilko of CrossRoad Engineers on behalf of Business Owner Klipsch-Card Athletic Facilities, LLC. CrossRoad Engineers and Lauth Construction are present tonight. Two conditional uses being sought. One for a structure greater than 20,000 square feet and one for having a structure with two to three businesses in it. Presentation included Vicinity Maps, Site Plan and conceptual drawings of the building.

The Vicinity Map reflects that the area is presently zoned Industrial. They have already applied for re-zoning to Planned Business for this function. It is 25 acres, currently just a cultivated field. The size structure they are applying for is 116,000 square feet and will

contain tennis and gymnastics facilities as well as other wellness facilities. This will have to go through site development review so it will be going in front of the Plan Commission to make sure it complies with all of the planned business guidelines. There will also be a platting process.

Derek Snyder approached the board, introducing himself as the Civil Site Engineer from CrossRoad. He clarified that the Conditional Use applications they filed for are intended to apply only to what is to be known as Lot No 1 which is the Health and Wellness Center.

Pritchard asked if CrossRoad was going to be putting structures also on Lot 2 and Block A noted for Future Development. Snyder indicated that they provide the option for future development. Pritchard asked if he could lease that area in the future if he chose. Snyder was not able to answer that. Pritchard asked if the Healthplex building is pre-engineered with metal sides. Snyder asked Chris Vensel with Lauth to address the questions on the building itself. Vensel advised that the building is primarily a pre-engineered metal building, reporting that he and the owners have upgraded quite a bit of the exterior so it has more of a retail scale on the north and west sides of the structure.

Babb asked the proportion of Lot 2 to the 25 acres. Hassett reported that Lot 1 is 14 acres. Lot 2 is 3 acres. Block A is about 5 acres. Babb asked if Klipsch-Card can lease out part of that land. Snyder advised that the intent of creating a commercial subdivision is that it allows for potential secondary owner, but they could conceivably construct another building on it and lease it, he believed, but it does allow for the option of that being a different land owner. Babb said, in his opinion, this was not part of the agreement. Christenson asked that they meet with Town Manager Tim McClintick the next day as he would know all of the details and planning was not prepared to address this topic at a BZA meeting.

Staff Findings:

Unified Development Code

154.07 Purpose

Conditional uses are those uses that, because of their potential adverse impact upon the immediate neighborhood and the Town, as a whole, require a greater degree of scrutiny and review of site characteristics and impacts to determine their suitability in a given location. As such, the determination of conditional uses as appropriate shall be contingent upon their meeting a set of specific standards and the weighing, in each case, of the public need and benefit against the local impact, giving effect to the proposals of the applicant for ameliorating adverse impacts through special site planning and development techniques and contributions to the provisions of public improvements, sites, right-of-way and services.

154.07.05 Standards for Conditional Uses

The Board of Zoning Appeals shall review the particular facts and circumstances of each proposed conditional use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

- A. Is in fact a conditional use established within the specific zoning district involved;
- B. Will be harmonious with and in accordance with the general objectives or with any specific objective of the Town's Comprehensive Plan and the Unified development Code;
- C. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the same area;
- D. Will not be hazardous or disturbing to existing neighboring uses;
- E. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;
- F. Will not create excessive additional requirements at public expense for public facilities and services and will not be detrimental to the economic welfare of the community;
- G. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors;
- H. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares; and
- I. Will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

Staff Recommendation
Approve

MOTIONED BY MATT ROBERTS, SECONDED BY TIM PRITCHARD, TO APPROVE CU09182018-01. MOTION CARRIED.

FINDING OF FACT FOR CU09182018-01 SIGNED BY ALL PRESENT MEMBERS AND ATTESTED BY RACHEL CHRISTENSON.

Next meeting is scheduled for October 16, 2018 at 7:pm.

BZA
September 18, 2018
Page 4

Meeting adjourned at 7:26pm.

Kate Edwards
Planning Clerk
Town of Pendleton