

The Pendleton Plan Commission met on June 13, 2018 at 7:00 pm at 100 W State Street, Pendleton, Indiana. The meeting was called to order at 7pm. Commission members present were Chair Tim Pritchard, Carol Hanna, Mike Romack, Cheryl Ramey-Hunt, Kyle Eichhorn and Matt Roberts. A quorum was established. Representing the Town were Planning and Zoning Administrator Kayla Hassett, town attorney Alex Intermill and Planning Clerk Kate Edwards.

Also in attendance were Town Council President Bob Jones, Andy Fesler of 7001 S SR 67 Pendleton, Eric Gleissner representing TSC, Matt Banker of 15492 Tabers Court Fishers and Steve Denney of 303 Pearl Street Pendleton.

MINUTES

MOVED BY MIKE ROMACK, SECONDED BY CAROL HANNA, TO APPROVE MAY 9, 2018 MINUTES, WITH NOTED CORRECTION FROM CAROL RAMEY-HUNT TO CHERYL RAMEY-HUNT. MOTION CARRIED.

OLD BUSINESS

Comprehensive Plan Update

Hassett reported that, to satisfy the proper 10 day Notice of Public Hearing, the Comprehensive Plan will be tabled until the July meeting.

NEW BUSINESS

PC06132018-01 : Site Development Plan for Tractor Supply Company 320 Enterprise Drive

Hassett gave a presentation via Google Drive including Site Development Plan Application, Vicinity Map, Site Map, Photos, schematic of Existing Conditions, Site Plan of proposed changes, Landscape Plan, and renderings of the Guard Shack.

STAFF FINDINGS

Hassett advised that our Planned Business Design Guidelines do not address accessory buildings but in the case of a guard shack there is not a customer entrance and is considered a utilitarian structure.

Hassett went on to report that the site plan meets most of our Planned Business Design Guidelines. Metal is not an approved material for siding. The guard shack does not feature a pattern, but since this is a utilitarian structure we will take that into consideration. There is not a connection between the sidewalk and Enterprise Drive, however, security is an issue and Tractor Supply does not want to encourage people to walk onto the property from Enterprise Drive. And there is no bike rack.

STAFF RECOMMENDATION

Staff recommendation is that the Plan Commission approve the site plan with the condition that bicycle parking for at least eight bicycles be provided, which is calculated based on parking spaces.

MIKE ROMACK MOTIONED, SECONDED BY CHERYL RAMEY-HUNT, THE APPROVAL OF PC06132018-01 AS PRESENTED WITH STAFF RECOMMENDATION REGARDING BICYCLE PARKING. MOTION CARRIED.

**PC06132018-02 : Site Development Plan for Fesler LLC
7001 S SR 67**

Hassett reported that Andy Fesler was approved for Conditional Use to sell cars at intersection of Water Street and State Road 67. Currently the site has a pole barn and concrete lot. In order to sell cars at this site he wants to construct a small office building in front of the pole barn. We requested that he look at a few different items: having the lot corners located before any permits are issued because there was SR 67 right-of-way that was taken and we requested that Mr. Fesler remove two access points that are near the corner of Water Street and SR 67.

Hassett's presentation on Google Drive including Site Development Plan Application, Vicinity Map, Site Map, Site Plan, New Office rendering, New Office blue prints, and Photos of the site, stating that Mr. Fesler has done maintenance on the property by painting the pole barn and taken down a lot of over growth on the property.

Hassett reiterated the concern about the current two corner accesses to the lot. Also the parking lot encroaching into the state right-of-way is a big concern. We would like to see six parking spaces drawn onto the pavement around the new building, as well as sidewalks around the building perimeter.

STAFF FINDINGS & RECOMMENDATION

Approve with the following conditions:

1. Two access points near the intersection of SR 67 and Water Street, along with any part of the parking lot in the right-of-way, will be removed and returned to grass.
2. At least 50% of parking lot edge being disturbed (where pavement is being removed from right-of-way) must be landscaped without a height requirement on plant material.
3. Parking lot must be patched and edges clearly defined, so as to be made safe for vehicular traffic.
4. Code does not allow gravel lots or drives in business zones. Gravel areas must be removed from right-of-way along Water Street, with the exception of two distinct driveways, as shown in image below. Gravel areas must be paved once a permit is retroactively issued by the Town.
5. 6 parking spaces (1 accessible) will be marked with lines around new office building.
6. 5-foot curbed sidewalk and landscaping be provided around front and sides of new office building.
7. Dumpster and outdoor storage, if any, must be located and screened according to Planned Business Design Guidelines.
8. No yard barn shall be placed east of pole barn.
9. Petitioner has one year to complete plan as presented with above conditions, in addition to those that were part of BZA Conditional Use approval.

Fesler addressed the board indicating that he does not want to cut all of the state right-of-way out of his plan. It would cut way back on his available space for vehicles for sale. Pritchard asked Hassett if the red line on the site map indicated the state's right-of-way set back. Hassett indicated that the red line is what GIS indicates as the property, adding that as part of the BZA approval, Mr. Fesler must have lot corners located before the town can issue any permits. Eichhorn asked if there was any law about placing items for sale in state right-of-way. Hassett indicated the Town cannot permit as it is not our property. Hanna asked petitioner if he could work with that space with not having the state right-of-way and Fesler said he could if he has to.

Intermill shared that while the Town cannot give permission to put vehicles in the state right-of-way, you absolutely can, both under Town Code and State Law, as a condition of approval, place a commitment to remove that parking lot (placing cars in the grass) or you leave the parking lot but you cannot put cars out there. Stating that commitments are something that this commission is empowered to put in place as part of the approval process.

Hanna stated that if that pavement doesn't come out, people will continue to use that shortcut. Fesler said if there are trucks there they wouldn't be able to do that. Pritchard asked if we could suggest he leave the pavement for now and if he finds out differently he could address that portion of this at a later date, which is not the commission saying he can put cars on the right-of-way because that is not the Town's property. Intermill advised it is not a setback issue, it is really just a condition that the BZA looked at as part of their approval for the use and also staff's addressing getting rid of the pavement and creating a buffer between the property and the road.

Eichhorn asked if other properties along 67 have been forced to remove their parking from the right-of-way. Hassett advised only as the businesses are redeveloped, such as Taco Bell demolished an existing building and parking lot and they were held to inside their property lines.

After Hassett shared a right-of-way plan map with the commission, Roberts indicated that esthetically it would be better if that entire property line along 67 was green and the trucks could be pulled right up to the grass. Advising that Mr. Fesler would have to deal with the State whenever they want to take that back. Fesler advised that he would like to do green all the way from the new Water Street entrance and around the corner and to the new entrance further south on 67.

Fesler also advised that he would like to have two years to complete. When asked, Fesler said he will work on the office first. Hanna asked if the pavement will be uniform and Fesler advised he will work on where the unevenness is and patch where needed and seal coat the whole thing. Eichhorn adding that the BZA requirement was for continuous surfacing.

KYLE EICHHORN MOTIONED, SECONDED BY MATT ROBERTS, THE APPROVAL OF PC06132018-02 WITH TWO CHANGES TO THE STAFF RECOMMENDATION BEING THE PORTION OF THE PARKING LOT IN THE STATE RIGHT-OF-WAY BE STRICKEN AND THE CHANGE FROM ONE TO TWO YEARS FOR COMPLETION. MOTION CARRIED.

FINDING OF FACT FOR PC06132018-02 SIGNED BY ALL PRESENT MEMBERS AND ATTESTED BY KATE EDWARDS.

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Next Plan Commission meeting is scheduled for July 11, 2018 at 7p.m.

Meeting adjourned at 7:50 pm.

Kate Edwards
Planning Clerk
Town of Pendleton