

## **I. CALL TO ORDER**

The Pendleton Plan Commission (PC) met on March 3, 2021 at 7:00 pm at 100 W State Street, Pendleton, Indiana. The meeting was called to order by Tim Pritchard at 7:03 pm.

## **II. ROLL CALL AND DETERMINATION OF QUORUM**

Commission members present were Tim Pritchard, Kyle Eichhorn, Jenny Sisson, Connie Schultz-Heinz, Carol Hanna, Brad Ballentine and Cheryl Ramey-Hunt. A quorum was established.

Representing the Town were Planning Director Rachel Christenson, Planning and Zoning Administrator Kayla Hassett, Town Attorney Jeff Graham and Clerk Denise McKee.

Others in attendance were Phil and Ann Gardner of 336 Blue Spruce Drive, Pendleton, Indiana, Keith Van Wienen representing Precise Land Surveying of 920 Main Street, Ryan Phelps representing MCCOG of 739 Main Street Anderson, Brandon Kendera representing MCCOG of 739 Main Street Anderson, Dr. Brent Crabtree from Pendleton Veterinary Clinic 1011 S Pendleton Avenue, Mark Graf representing Pendleton Veterinary Clinic and Edward Wolenty representing Decker, Lawyer & Maynard of 505 West 9<sup>th</sup> Street, Anderson, Indiana.

## **III. APPROVAL OF MINUTES OF PREVIOUS MEETING**

**CHERYL RAMEY-HUNT MOTIONED TO APPROVE THE MEETING MINUTES FROM THE PREVIOUS MEETING, SECONDED BY JENNY SISSON. ROLL CALL TAKEN AND ALL MEMBERS PRESENT VOTED IN FAVOR OF THE MOTION. MOTION CARRIED.**

## **IV. OLD BUSINESS**

### **A. Thoroughfare Plan Update –**

Rachel Christenson provided an update of the Thoroughfare Plan Update on Google Drive. The Timeline also available on Google Drive Presentation.

Progress made since the February Plan Commission meeting:

- The Access Management and Control Ordinance went through first reading at the February Town Council Meeting. It is on the agenda for the second reading on March 11<sup>th</sup>.
- Working with Ryan Phelps and Brandon Kendera of MCCOG with the Right of Way Ordinance. Staff has worked through options for the ROW Dedication Ordinance that will be discussed later in this meeting.
- 280 responses were gathered in the latest online transportation survey.

Next steps include:

- Access Management and Control Ordinance will go before Town Council for second reading on March 11<sup>th</sup>.
- Steering Committee Meeting #6 will be scheduled for March. MCCOG is finalizing the TDM Analysis and Forecasting.
- Final Draft will be presented to the Steering Committee and staff in April for review.

### **B. Unified Development Ordinance Update –**

Rachel Christenson provided an overview of the Unified Development Ordinance Update and available on Google Drive. The Timeline also available on Google Drive Presentation.

Progress made since the February Plan Commission meeting:

- Tweaking on final timeline for adoption.
- Looking at small extension of moratorium through end of June.

- Lots of meetings in May will have scheduled in next few weeks.
- Wish to communicate with public for good feedback before adoption.
- UDO Monthly Report #8 is included in the Plan Commission Google Drive folder.
- Focus Group Meeting #3 was held on February 17<sup>th</sup>.
- Next steps include:
  - Staff is doing final reviews of chapters as received by The Planning Workshop and forwarding them to the town attorney for review.
  - Final draft without illustrations will be ready in April.
  - A draft UDO with images/illustrations will be released to the Steering Committee the third week of April.
  - Long-term plans for approval of UDO will then follow these chains of events: public review, Plan Commission review, Public Workshop, back to Plan Commission, Public Hearing and then go to Town Council with favorable recommendation.
  - Short-term plans include working this month to go through and make changes as necessary and continue to send to Council Jeff Graham for review.

**C. PC01062021-02: Pendleton Veterinary Clinic Site Development Plan (Amendment) – 1011 S. Pendleton Avenue. (Graf)**

Kayla Hassett provided an overview of the Site Development Plan. Site Development Plan Application and images, both of existing building and future development (Phase 1 and Phase 2) included in the presentation.

Kayla Hassett presented the following:

- Fire Department approved layout.
- Emergency turn-around provision now added.
- Same proposal as initially submitted, but with additions including acoustic buffering around the parking lot to decrease noise.
- Dog park will be for dogs at Vet Clinic only and pets accompanied by dog owner at all times.
- Drainage plan in place from Pendleton Avenue to ditch by Reformatory Road.
- Twelve feet drive to employee parking, have a couple of ways to help navigate:
  - Postage of sign "Employee Parking Only"
  - Sidewalk will have rolled curve to allow room to maneuver if the event of an emergency.
  - Additional emergency turn around will allow other vehicles to also turn around.
- Landscape plans and buffer along Pendleton Avenue side to shield residents across the road.
- Two cuts in plans – one wide cut off Pendleton Avenue and a second one at the north side of the property.
- Plan Commission should determine if proposal is in compliance with Planned Business Design Guidelines and compare to proposed Access Management Control Ordinance.
- Planning Staff asked the Plan Commission members for their thoughts as to whether there are any site concerns to be addressed, such as parking lot being too small and utilization of space in the right of way as well as screening between business and residential use.
- In regards to Proposed Phase 2 Site Plan, the Planning Staff also asked Plan Commission members to consider how does the site compare to Planned Business Design Guidelines and to further consider the following:
  - Compliant in nature, in that it features high-quality architecture, adequate green space, and improved traffic management.
  - Some areas require waivers altogether, which would take the site back to the zoning ordinance (namely parking lot drives).
  - Architectural plans are still being developed.

- Advised Petitioner is seeking partial approval to expand parking lot as shown. Petitioner will return to Plan Commission with more plans at later date.
- The following discussions took place:
  - Rachel Christenson commented the following in regards to Petitioner's proposal:
    - Site is a different type of area.
    - Planning Staff looked at Thoroughfare Plan Map in context zone on collector street and at the end of the day feel that plan will work.
    - With future growth in the area, especially with farmland to the north of the property, such could easily become residential area; therefore, leading into a connection to Reformatory Road with use of roundabout.
  - Rachel Christenson confirmed that two access drives was permitted as lot originally on two separate lots. Kayla Hassett also added that one will offer 25 feet wide entry as well as Access Management Control gives Plan Commission discretion on width of driveways.
  - Carol Hanna stated that likely staggered appointments will resolve concern for significant traffic as not like typical retail. Rachel Christenson added that even if in the future the business changes, two ins/outs will be okay. Kyle Eichhorn stated that each entry is wide enough to accommodate in/out at the same time.
  - Jenny Sisson commented that all questions/concerns at last meeting have been addressed.
  - Kyle Eichhorn asked if there were plans for acoustic barrier such as shrubs. Kayla Hassett replied yes.

**Motion to Accept PC01062021-02: Pendleton Veterinary Clinic Site Development Plan (Amendment) – 1011 S. Pendleton Avenue as presented made by Carol Hanna and seconded by Jenny Sisson. Roll taken and all members present voted in favor of motion. Motion carried.**

#### **D. Right of Way Dedication Ordinance**

Rachel Christenson provided a brief update and introductory of the Right of Way Dedication Ordinance and such available on Google Drive.

- Planning Staff and MCCOG completed additional research based on the PC's feedback at the February 2021 meeting.
  - Staff, MCCOG, and the Planning Workshop have agreed it would make sense to include the Right-of-Way Dedication Ordinance as part of the Unified Development Ordinance.
  - Five examples of Right-of-Way Dedication Ordinances that are found in UDO's have been included in Google Drive for review.
  - Key working has been changed and will be discussed this evening.
  - Plan Commission now needs to take due diligence and discuss the Right-of-Way Dedication Ordinance.
- Brandon Kendera, Project Manager for the Thoroughfare Plan, introduced himself and Ryan Phelps, Principal Transportation Manager. Kendera presented the following information:
  - Determined last year to have Right of Way Dedication Ordinance separate from the UDO.
  - Since then, adopted the Thoroughfare Plan Map.
  - As now all on line, feel the Right of Way Dedication Ordinance can be included with the UDO.
  - Anticipate this inclusion to be accomplished before the moratorium expires.
  - Language to be used will still include the same definitions, but limit trigger of Right of Way Dedication to subdivisions and not determined by individual improvement location permits.
  - Revision has been sent to Planning Staff for review.

- Encouraged Planning Staff and PC members to review the Brownsburg ROW Dedication Ordinance as an example.
- Land Alteration Permits will trigger the ROW Dedication Ordinance. Rachel Christenson added that Land Alteration Permits usually always addresses Right of Way already.
- Roof/fence and permit applications of the like will not trigger the ROW Dedication Ordinance.
- Kyle Eichhorn commented that he has researched Supreme Court Rulings and confirmed that they are consistent with this proposed approach.
- Ryan Phelps stated that this approach will not take too much work to get rolled into the UDO as well as the ROW Dedication will change only slightly.

#### **E. Interchange Master Plan Review**

Rachel Christenson provided a copy of the Interchange Master Plan to the Plan Commission members for their review and such available on Google Drive.

Rachel Christenson shared the following project overview:

- Will give feedback from Plan Commission members to the Redevelopment Commission.
- Kimley Horn will return in April to present update to the RDC members.
- Project is being driven by the Pendleton RDC. Tax Increment Finance (TIF) funds are financing the project.
- The purpose is to purposefully and incrementally plan for development at the Exit 219 Interchange, which include uses, architectural standards, and stormwater drainage.
- Utility coordination meetings (water, electric, sanitary sewer) have taken place.
- Kimley Horn, Pendleton Staff, and the RDC have worked to develop a Proposed Interchange Master Plan layout.
- Next Steps: Planning Staff will send PC feedback to the RDC members.

The following discussions took place:

- Carol Hanna commented that she likes the idea of having a plan in place as things come to Town to guide development as a whole.
- Kyle Eichhorn added that people will also know what to expect in planning.
- Brad Ballentine asked when the Master Plan will be finalized. Rachel Christenson responded that so long as there are no objections taken back to RDC, the final plan should be presented to RDC in April along with drainage and stormwater plans.
- Brad Ballentine commented that with the proposed 67<sup>th</sup> Street Extension will create heavy industrial area back to I-69 and asked how this heavy traffic will be brought into the I-69 Interchange. Rachel Christenson replied that there are different theories on truck traffic, with anticipation of heavy residential focus as well as retail traffic. Christenson also stated that when looking at the traffic patterns, the traffic movements usually show use of Exit 222 versus Exit 219. Tim Pritchard added that the dedication on the ramp at Exit 222 will likely be used with trucks coming out of Nestle.
- Brad Ballentine stated that the area north of the Keystone District is designated as residential, but likely the best area for an interchange. Rachel Christenson stated that the Town of Pendleton can establish an Ordinance stating that no truck traffic is to drive through the downtown part of Pendleton. Christenson also stated that this Master Plan will help have a plan in place which can require putting roads in place to therefore not limit growth. Christenson suggested that the Town of Pendleton will also need to take the necessary steps to mitigate traffic issues. Christenson added that transportation is important to keep the Town of Pendleton connected to other viable communities.
- Kyle Eichhorn suggested to have four lanes on Old State Road 132 should they have dump-trucks and large vehicles travel on the road. Rachel Christenson stated that the Town of Pendleton will need to seek community decision as project goes forward.
- Kyle Eichhorn asked for update on plans for the 67<sup>th</sup> Street Extension. Rachel Christenson provided the following updates:

- Phase 1 Design submitted.
- Utility under review.
- Four lane divided highway proposed.
- Town of Pendleton utilities reviewing plans.

Ryan Phelps added the following information in regards to initial plans:

- Four lane divided highway proposed.
- Offering ditch and multi-use trails on both sides.
- Median down the center of the road.
- Stop sign at Old State Road 132.
- Scope of project include:
  - Defines spacing for intersection
  - Defines spacing for intersection on each side
  - To be limited access corridor
  - Looking at traffic study, projection from now and through 2025, including projection of industrial development.

Rachel Christenson added the following comments:

- Heritage Way intersection will be needed at some point in the future and to go north to connect to 600 South with new subdivisions in that area.
- Property owner north of Heritage Way concerned with dividing parcels, but will need to carefully address as area developed. Further, with ROW Dedication Ordinance built into the UDO, the property owner can dedicate property over to the Town of Pendleton.

Edward Wolenty shared the following comments with the Plan Commission members:

- Attorney from Decker, Lawyer & Maynard, representing property owners in the area of the Quadrant Master Plan.
- Concern for lack of outreach by RDC for property owners in this area as his clients' have not received outreach regarding this project.
- Inquired as to Pendleton's plans before approving the Interchange Master Plan commenting that such plans were around since early 2000 when County Master Plan was developed as well as funds had been earmarked for the project since 2001 by the City of Anderson.
- Stated that a public meeting was to be held in 2018, but not held and asked why not held.

Rachel Christenson replied that Mr. Wolenty will want to contact the Design Consultant as well as check with the City of Anderson as they are the lead on the project.

Christenson also stated that the Town of Pendleton is only a subcontractor in the project as the town agreed to pay 20% of the project for the corridor that runs through town jurisdiction.

Edward Wolenty inquired as to how the Town of Pendleton is advocating for their property owners on this project. Rachel Christenson replied that meetings have been held by the Town of Pendleton and all open to the public. Christenson added that such meetings have been advertised.

Tim Pritchard stated that these are only conceptual drawings. Pritchard also added that the information is not ready and that the Town of Pendleton is not trying to withhold information.

Tim Pritchard asked Rachel Christenson who was the point of contact for this project. Christenson replied that Chuck Lesser, Engineer for the City of Anderson was the point of contact for the 67<sup>th</sup> Street Extension Project. Christenson added that these meetings are the appropriate place to get details and once the Interchange Master Plan is adopted, they will also be placed on the website. Christenson also stated that as land change takes place, land owners will get notified.

Edward Wolenty stated that projects such as these, people want to be involved.

## **V. NEW BUSINESS**

### **A. PC03032021-01: Replat of 336 Blue Spruce Drive and 320 Blue Spruce Drive (Petitioners Phil and Ann Gardner)**

Kayla Hassett presented the following:

- Petition involves replat for lots 101 and 102 at the Pines at Deerfield.
- Fence now on neighboring property and petition fixes fence encroachment.
- Petition moves lot 101 by 6.5 feet and includes two small slivers of land deeded by Carrick Glen.
- Overall petition cleans things up and makes sense to combine the additional sections into petitioner's lot (102) to fix fence encroachment, a simple replat.
- Replat makes lot 101 a little smaller and lot 102 a little larger, but still both in compliance.
- Confirmed both parties in agreement with petition.
- Confirmed utilities within 20 feet easement on plat.

Keith VanWienen shared support of the replat proposed by the petitioner.

Ann Gardner thanked Kayla Hassett and Keith VanWienen for their wonderful support and help.

**Motion to accept PC03032021-01: Replat of 336 Blue Spruce Drive and 320 Blue Spruce Drive (Petitioners Phil and Ann Gardner) as submitted with lot lines as presented was made by Carol Hanna, seconded by Cheryl Ramey-Hunt, roll call was taken and all members present voted in favor of said motion. Motion carried.**

## **VI. ADJOURNMENT**

Meeting adjourned by Tim Pritchard at 7:57 pm.

Next meeting April 7, 2021 at 7:00 pm.

Denise McKee  
Administrative Assistant Town of Pendleton