

I. CALL TO ORDER

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

II. ROLL CALL AND DETERMINATION OF QUORUM

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

Representing the Town were Town Manager Scott Reske, Planning Director Kayla Hassett, Planning and Zoning Administrator Hannah Urbanski, Town Attorney Jeff Graham and Clerk Denise McKee.

Others in attendance were Brandon Kendera, Ryan Phelps and Varu Musunuri representing Madison County Council of Governments of 739 Main Street, Anderson, Indiana 46016, Willie Boles of 1217 South Pendleton Avenue, Chet Babb of 451 Janis Avenue, Robert Jones of 117 West Water Street and Edward Wolenty representing Decker, Lawyer & Maynard of 505 West 9th Street, Anderson, Indiana.

III. APPROVAL OF MINUTES OF PREVIOUS MEETING

BRAD BALLENTINE MOTIONED TO APPROVE THE MEETING MINUTES FROM THE PREVIOUS MEETING, SECONDED BY CONNIE SHULTZ-HEINZ. ROLL CALL TAKEN AND ALL MEMBERS PRESENT VOTED IN FAVOR OF THE MOTION. MOTION CARRIED.

IV. OLD BUSINESS

A. Thoroughfare Plan Update –

Kayla Hassett reported that the Thoroughfare Plan document has been provided to Plan Commission members for review. Hassett also introduced Brandon Kendera from Madison County Council of Governments to present the document and go over any questions from the Board.

Brandon Kendera reported the following on the review of the Thoroughfare Plan Document:

- Thoroughfare Plan Final Draft document located in Google Drive and email sent to Steering Committee with link to document in addition to survey.
- Three main items changed include:
 - All analysis/images added to document
 - Moved Thoroughfare Plan Fund to immediate timeframe after adoption of Thoroughfare Plan.
 - To await August Plan Commission Meeting after Public Workshop before adopting Thoroughfare Plan.
 - Document available between now and August Plan Commission Meeting on town website and Facebook page.
 - Only additions from Public Workshop expected to be added.

MOTION TO SUSPEND REGULAR MEETING AND OPEN PUBLIC HEARING REGARDING ACCESS MANAGEMENT AND CONTROL ORDINANCE AMENDMENT – 1ST READING MADE BY CAROL HANNA; SECONDED BY TIM PRITCHARD; ROLL CALL TAKEN AND ALL MEMBERS PRESENT VOTED IN FAVOR OF THE MOTION. MOTION CARRIED.

Brandon Kendera presented the following in regards to the Access Management and Control Ordinance Amendment 21-16:

- Seek Plan Commission favorable recommendation to Town Council
- Asking for 1st reading for favorable recommendation
- Only changes to the Ordinance is to:
 - Replace Figure 1 – Clear vision at driveways with a new graphic to better match the intersection visibility requirements of the Unified Development Ordinance
 - Some text in Section 1.4 Subsection A3 of the Ordinance will also be updated to reflect where to find the value of “x” in the Unified Development Ordinance Intersection Visibility Section

MOTION TO CONCLUDE PUBLIC HEARING AND REOPEN REGULAR MEETING MADE BY TIM PRITCHARD; SECONDED BY CAROL HANNA; ROLL CALL TAKEN AND ALL MEMBERS PRESENT VOTED IN FAVOR OF THE MOTION. MOTION CARRIED.

B. Unified Development Ordinance (UDO) & Right of Way Dedication Update –

Hannah Urbanski reported the following about the release of draft for public review:

- Unified Development Ordinance is available on Google Drive.
- Two versions provided – draft and new draft
- Working on making more user friendly and interactive
- Public Hearing on UDO scheduled July 29, 2021

The following discussions and comments were made:

- Kayla Hassett stated that after the Public Workshop, Public Hearing will be held to seek favorable recommendation of the Thoroughfare Plan and UDO to take place at the 8/4/21 Plan Commission Meeting.
- Hassett stated that comments at the Public Workshop will be taken into consideration for August 4, 2021 Plan Commission Meeting. Tim Pritchard expressed concern not enough time for collection of input. Hassett suggested holding a joint Special Meeting between Plan Commission and Town Council in mid-August, if necessary to wrap in August.
- Brad Ballentine expressed concern for provision outlined in UDO which allows a higher structure on smaller lots [40 feet for multi-family lot; 30 feet for small & medium lots; 25 feet for large lot]. Ballentine requests revisit of these figures with consideration of increasing large lot to 30 feet structure limit.
- Kayla Hassett invited all Plan Commission members to send input on the Thoroughfare Plan and the UDO to Planning Department. Hassett will also send out information on Facebook, website and email blast.

MOTION TO PROVIDE FAVORABLE RECOMMENDATION OF THE ACCESS MANAGEMENT & CONTROL ORDINANCE AMENDMENT MADE BY TIM PRITCHARD; SECONDED BY CONNIE SHULTZ-HEINZ; ROLL CALL TAKEN AND ALL MEMBERS PRESENT VOTED IN FAVOR OF THE MOTION. MOTION CARRIED.

C. Finalize Date of Public Workshop for Thoroughfare Plan and UDO

- Kayla Hassett announced that the Public Workshop on the Thoroughfare Plan and UDO is scheduled for July 29, 2021 from 6:00 – 8:00 pm.

V. NEW BUSINESS

A. Pendleton Road Impact Fee

Scott Reske provided the following review of the Road Impact Fee Zone Improvement Plan:

- Study was conducted on the Road Impact Fee Plan as mandated by State Law.
- Study looks at current situation and if Town were to grow, determines what needs to be done to accommodate the growth such as in infrastructures, roads, etc.

MOTION TO SUSPEND REGULAR MEETING AND OPEN PUBLIC HEARING ON PENDLETON ROAD IMPACT FEE MADE BY CAROL HANNA; SECONDED BY BRAD BALLENTINE; ROLL CALL TAKEN AND ALL MEMBERS PRESENT VOTED IN FAVOR OF THE MOTION. MOTION CARRIED.

Scott Reske continued to report:

- Study revealed road weak points in 2020 and looked at ratings of current intersections.
- A few of the weak points revealed in the Study include:
 - Water Street and State Road 67
 - Madison Avenue and State Road 67
- Study looked at 10 years out with 5000 growth in population, approximately double the size of the current population.
- Study provided intersection analysis based on anticipated growth and came up with projects with a total cost estimate of 20 million dollars. Total costs used to determine number of trips produced by new development, to then determine cost per trip. Formula resulted in \$931.00 cost per trip.
- Homes are flat rate as about the same average. Businesses based on number of trips from employees and/or customers.
- Study and fees will be updated every five (5) years.
- Impact Fee triggered by Improvement Permit Application.
- Study does not take into consideration parking not provided on business site, yet the UDO will address.
- Impact Fee will be paid by one who applied for permit.
- If a change in use, Impact Fee can be triggered as well.

The following discussions took place:

- Carol Hanna expressed concern for small businesses and residents with the size of impact fee being proposed.
- Tim Pritchard commented that the Impact Fee is critical as with new homes, the Town does not receive property taxes for quite some time.
- Brad Ballentine added that that the Town of Pendleton also is impacted by unincorporated Madison County growth that still traverse through the hub of Pendleton.
- Jeff Graham advised that should one not pay, the Town can attach a lien. Graham added that the Improvement Permit Applicant can make installments over two years.
- Scott Reske stated that the Town has some flexibility with the designed projects and can spend in other ways so long as improvement solves the traffic impact problem.
- Jeff Graham advised that the Town has two years to spend the money once received.
- Scott Reske stated that projects can be done in phases so long as projects moving.
- Scott Reske commented that removal of State Street parking is an option to help traffic flow, yet not in the near future. Brad Ballentine suggested multi-story parking options. Reske added that the Town can also enhance current parking lots.
- Scott Reske commended that if the Town is to have an impact fee, it should be enough to create an impact. Tim Pritchard added that the 20 million dollar project costs will also

grow over the years with material cost. Jeff Graham stated that the numbers built in a 5% inflation adjustment per year.

- Scott Reske stated that the Study was based on 4500 population, yet soon to be 6000 and eventually to increase to 40,000. Project and traffic decisions are based on 40,000 population.
- Edward Wolenty from Decker, Lawyer & Maynard expressed concern that the Plan Commission body is not in compliance with State Statute. Wolenty requested Plan Commission members to table the matter until in compliance with membership requirement, consisting of four public members and three Town Council members or appointed public official or staff. Wolenty raised objection and requested meeting minutes to reflect.

Jeff Graham advised the following about the Road Impact Fee Ordinance:

- Ordinance includes Road Impact Fee
- Next year to see Park Impact Fee
- State Statute says that it has to be based on qualifiable analysis
- Banning Engineering Report provided in March 2021
- Steering Committee reviewed and adopted
- Town Council adopted report in May 2021
- Comes to Plan Commission as change to planning code
- Impact fees for capital costs and infrastructure with maximum of 5% to consultants
- Jeff Graham gave overview of Road Impact Fee Ordinance, Exhibit A and Road Impact Fee Schedule. See attachment.

MOTION TO CLOSE PUBLIC HEARING AND REOPEN REGULAR MOTION MADE BY CAROL HANNA; SECONDED BY BRAD BALLENTINE; ROLL CALL TAKEN AND ALL MEMBERS PRESENT VOTED IN FAVOR OF THE MOTION. MOTION CARRIED.

MOTION TO GIVE FAVORABLE RECOMMENDATION OF THE PENDLETON IMPACT FEE ORDINANCE 21-15 WITH CHANGES TO BE MADE AS REFERENCED IN REGARDS TO STRUCTURE HEIGHT LIMITS MADE BY BRAD BALLENTINE; SECONDED BY TIM PRITCHARD; ROLL CALL TAKEN AND ALL MEMBERS PRESENT VOTED IN FAVOR OF THE MOTION. MOTION CARRIED.

The additional comments were made:

- Jeff Graham advised the following in regards to the Impact Fee Appeals Board:
 - Appeals Board will be determined by Town Council or Town Council President
 - Decision will be made at the August Town Council Meeting
 - Board members can serve three years with one member rolling off each year
 - Three members include a realtor, accountant and engineer
- Kayla Hassett stated that the new UDO will address solar and wind turbine limits and requirements as well as address buffer yard requirements for shielding.

VI. ADJOURNMENT

Meeting adjourned by Tim Pritchard at 8:16 pm.

Next meeting August 4, 2021 at 7:00 pm.

Denise McKee
Pendleton Municipal Utilities