

## **I. CALL TO ORDER**

The Pendleton Plan Commission (PC) met on August 4, 2021 at 7:00 pm at 100 W State Street, Pendleton, Indiana. The meeting was called to order by Tim Pritchard at 7:08 pm.

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

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

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

Others in attendance were Brandon Kendera and Ryan Phelps representing Madison County Council of Governments of 739 Main Street, Anderson, Indiana 46016, K.K. Gerhart-Fritz representing The Planning Workshop of 7829 Wawasee Court, Indianapolis, Indiana 46250, Edward Wolenty representing Decker, Lawyer & Maynard of 505 West 9<sup>th</sup> Street, Anderson, Indiana and Becky Perry of 7031 S 300 West, Pendleton, Indiana 46064.

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

**KYLE EICHHORN MOTIONED TO APPROVE THE MEETING MINUTES FROM THE JULY 7, 2021 MEETING; SECONDED BY CONNIE BRAD BALLENTINE. ROLL CALL TAKEN AND ALL MEMBERS PRESENT VOTED IN FAVOR OF THE MOTION. MOTION CARRIED.**

## **IV. OLD BUSINESS**

### **A. Thoroughfare Plan Update –**

#### **Review of Document by Plan Commission**

Kayla Hassett reported that the Thoroughfare Plan is available on Google Drive and that Brandon Kendera and Ryan Phelps are in attendance to present the Thoroughfare Plan in seeking recommendation to Town Council. Should Plan Commission recommend the plan, such approval would be the 1<sup>st</sup> reading and could then be adopted upon the 2<sup>nd</sup> reading at the August 12, 2021 Town Council Meeting.

**Tim Pritchard made motion to suspend regular meeting and open Public Hearing regarding the Thoroughfare Plan – 1<sup>st</sup> reading for consideration of a favorable recommendation of the document.**

Brandon Kendera reported the following about the Thoroughfare Plan Document:

- Thoroughfare Plan Final Draft document located in Google Drive.
- Three main items changed include:
  - Updated executive summary
  - Chapter 3 updated from Public Workshop
  - Input and Survey action items now in priority order
- Seek favorable recommendation from Plan Commission at the August 12, 2021 Town Council Meeting.

**Tim Pritchard closed the Public Hearing and reopened the regular meeting.**

**Motion to give favorable recommendation by the Plan Commission on the Thoroughfare Plan to the Town Council made by Carol Hanna; seconded by Jenny Sisson; roll call taken and all present voted in favor of the motion, motion carried.**

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

**Review of UDO & Right of Way Dedication by Plan Commission**

Kayla Hassett reported the following:

- Updated UDO available in Google Drive for review
- Special Plan Commission/Public Hearing meeting set August 11, 2021 at 7 pm to discuss in detail and seek favorable recommendation to Town Council meeting scheduled for August 12, 2021.
- K.K. Gerhart-Fritz present to go over any questions from the Plan Commission.

K.K. Gerhart-Fritz reported the following:

- Memo in Google Drive summarizing project to date, details provided in memo.
- Appreciate decision to address UDO and Right-of-Way dedication at the same time.
- Received one comment card from the public. Comment card asked for stricter lighting standards. General verbal comments from public were that they were very pleased with project. Comments made at Public Workshop included focus on landscaping, additions to natural wildlife, open space standards (trees versus retention pond), lighting standards beyond shielding (in line with International Dark Skies) as well as acceptable and non-acceptable light designs.
- Document has been available to public since July 17<sup>th</sup>.
- Several Steering Committee meetings and Public Hearing set for August 11, 2021.
- Additional comments provided by Kyle Eichhorn and local surveyor, available for review and consideration.
- At the upcoming Public Hearing, seek favorable recommendation from Plan Commission to then go to Town Council for adoption of the UDO Ordinance. After adoption, will notice in newspaper and be recorded by the County Surveyor. Further after adoption, training workshop will be available for Plan Commission Members and Town Staff.

The following discussions and comments were made:

- Kyle Eichhorn expressed need to address lot size and landscape buffer requirements. Eichhorn also stated that the Town of Pendleton needs to strengthen land buffers by creating larger land berms and increase tree requirements as well as implement subdivision buffer requirements, including increase to 60 feet when rear of home faces the road. Eichhorn also suggested to address solar system and consider increasing setbacks for solar energy panels. Eichhorn added to place the responsibility of buffer requirements with the subdivision Home Owner Association and not property owners.
- K.K. Gerhart-Fritz advised that all of these requirements can be determined by the Plan Commission and can be increased as deemed necessary, including walls/fencing and buffer requirements.
- Tim Pritchard stated that it is the time to increase the requirements and can always set smaller requirements in the future. Jenny Sisson added that she prefers a larger/taller mound for busier roads. Kyle Eichhorn suggested to implement increments of mounding and fencing per type of roads.
- Kayla Hassett suggested increasing the focus on nature wildlife. Brad Ballentine added that he would like to have a combination of floral and wildlife addressed.

- Kyle Eichhorn stated that the Town of Pendleton can encourage native grass versus shrubs. K.K. Gerhart-Fritz stated that native grass is an option for landscaping, but requires maintenance control.
- Jenny Sisson stated that Plan Commission will want the HOA to be responsible for common ground maintenance.
- K.K. Gerhart-Fritz asked PC members if they want to require buffer for Agriculture use as implemented bonus for tree preservation, but UDO did not add requirement for Agriculture like Residential and Commercial uses. Plan Commission did not respond. Gerhart-Fritz did confirm that major subdivision buffer requirement applies all around. Gerhart-Fritz added should there be a rezone in town limits for a more intensive use than Agriculture, buffer requirement would likewise apply.
- Tim Pritchard asked if the Plan Commission should limit how much Agriculture use can be lost. Brad Ballentine replied that should one look at six homes per acre, this results in very high density, creating stress on transportation and infrastructure. Ballentine suggested to preserve the feel of Pendleton.
- K.K. Gerhart-Fritz stated that in developing the UDO, went back to the goals outlined in the Comprehensive Plan reflecting the need for more types of housing available for the younger and older generations. Kayla Hassett added that Town Staff is looking at an easier transition between the two agriculture lot types. Hassett also stated that there is room in the Ordinance to give flexibility and trusts the Plan Commission to not spur on growth too quickly.
- Tim Pritchard stated that other communities have a restriction of holding 10% of land to agriculture. K.K. Gerhart-Fritz replied that this practice is not common in Indiana. Kayla Hassett suggested that Plan Commission can make efforts in preserving rural farm community and landscape with taking on extra-territorial districts around Pendleton.
- Brad Ballentine stated that the Town of Pendleton offers a lot of diversity and concerned not trying to preserve it, especially when putting six homes on one acre. Ballentine added that with complications such as Covid-19, calls on more need for backyard playgrounds. Kayla Hassett stated that the Town of Pendleton will continue to pursue park plan growth. Ballentine expressed agreement for need of the community parks to serve as the hub, but that there is a need for reasonable space for family structures and less density. Hassett stated that farmland preservation is a focus for outside of town limits, but higher density inside the town limits. K.K. Gerhart-Fritz stated that in looking at the Comprehensive Plan, it did not call for the entire area to be high density, but that it also expressed need for options for those that do not desire large lots to maintain. Gerhart-Fritz added that the UDO can specify where open spaces are required.
- Brad Ballentine stated that he would like to see higher density in the center and lower density in the parameters, yet understands there is not a potential in every area in town limits. K.K. Gerhart-Fritz this can be controlled through the function of the zoning map. Ballentine stated that Pendleton has one shot to develop right.
- K.K. Gerhart-Fritz stated that she is not aware of any towns or cities that are making great effort to preserve Agriculture use. Gerhart-Fritz further stated that the UDO was based on model ordinance of the State of Indiana, by setting aside funding to purchase development rights from Farmers, who has not supported much Agriculture preservation and given minimal effort in preserving farmland. Kayla Hassett added that efforts can be made to preserve farmland by use of Agriculture Tourism use.
- Becky Perry expressed agreement with Brad Ballentine with having too many homes within one acre, especially with fire concerns.
- Connie Shultz-Heinz and Brad Ballentine expressed concern regarding property setbacks, primary structure at 10 feet and accessory building at only 5 feet.
- Kyle Eichhorn asked for confirmation that Primary Plats will be reviewed by the Plan Commission and Secondary Plats by Town Staff. K.K. Gerhart-Fritz confirmed that this decision was made to help streamline the process for all. K.K. Gerhart-Fritz also clarified that Town Staff will not be approving discretionary/rezoning items, but will be

reserved for the appropriate board approval. Gerhart-Fritz added that provision is built in to allow staff to kick any plan decisions directly up to Plan Commission as they see fit. Gerhart-Fritz also mentioned that they will be forming a Technical Advisory Committee to review technical items presented by subdivisions, including items such as drainage and thoroughfare designs.

- Discussion took place amongst PC Members on the following topics in which may be further discussed at the Public Hearing on August 11, 2021:
  - Lot size increase per home type and road classifications
  - Property setbacks increase options
  - Animal limits and setback requirements on hobby farms, with built-in distinctions per size of lot and property types.
- Carol Hanna, Kayla Hassett and Jenny Sisson all shared comments that the UDO is a good start and can be changed as deemed appropriate to address cultural changes, special needs and population changes. Tim Pritchard also added that Town Staff and Plan Commission will want to watch trends and conditions of the market to make appropriate adaptations.
- Jeff Graham advised that there are steps that can be taken to adopt a change in the UDO, including Public Hearing Notice, 1<sup>st</sup> reading at Plan Commission Public Hearing and then to Town Council for approval.
- Brad Ballentine expressed agreement in the ability to make changes in the future, yet concerned if developer comes in and town makes changes to requirements mid-stream of the development.

**Date of Special Meeting for UDO -**

- Tim Pritchard asked Plan Commission Members to gather their comments and questions as soon as possible before the August 11, 2021 Special Meeting/Public Hearing.

**V. NEW BUSINESS**

**A. Resolution Establishing Electronic Means of Communication Policy  
Review of Resolution Establishing Electronic Means of Communication Policy by Plan Commission**

Jeff Graham recommended to table the Agenda items as State of Emergency is still in effect.

**Tim Pritchard motioned to table the discussion at this time.**

**VI. ADJOURNMENT**

Meeting adjourned by Tim Pritchard at 8:20 pm.

Next meeting August 11, 2021 at 7:00 pm.

Denise McKee  
Pendleton Municipal Utilities