

I. CALL TO ORDER

The Pendleton Plan Commission (PC) met on June 1, 2022 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 in-person were Tim Pritchard, Kyle Eichhorn, Jenny Sisson, Cheryl Ramey-Hunt, Carol Hanna, Connie Schultz-Heinz and Brad Ballentine. A quorum was established.

Representing the Town in-person were Planning Director Hannahrose Urbanski, Planning and Zoning Administrator Denise McKee, Clerk Stephanie Buck and via Zoom Town Attorney Jeff Graham.

Others in attendance were Town Council Member Marissa Skaggs, David Gilman representing Petitioner Kyle Smith, Petitioner Kyle Smith, Edward Wolenty representing Decker, Lawyer & Maynard of 505 West 9th Street, Anderson, Indiana, Becca Harbert of 2417 W SR 38, Pendleton, Indiana, Jeff Humble of 1033 Gray Squirrel Drive, Pendleton, Indiana.

III. APPROVAL OF MINUTES OF PREVIOUS MEETING

KYLE EICHHORN MOTIONED TO APPROVE THE MEETING MINUTES FROM THE APRIL 6, 2022 MEETING; SECONDED BY JENNY SISSON. ROLL CALL TAKEN AND ALL MEMBERS PRESENT VOTED IN FAVOR OF THE MOTION. MOTION CARRIED.

IV. OLD BUSINESS

No Old Business to report.

V. NEW BUSINESS

A. PC06012022-01: 510 S. Main Street – Kyle Smith via David Gilman - Primary Plat

Hannahrose Urbanski provided a general overview of the Arabian Pointe Primary Plat Petition.

David Gilman, representing Petitioner Kyle Smith addressed the Board, providing updates to previous concerns and additional information as follows:

- No driveways on Main Street north from Lot 12; sidewalks and paved alley for access.
- A 21" drain tile will be put in from Tile Street to the Main Drain to address concerns of proper drainage for future developments.
- Gilman requested waiver for Open Space Requirement of 25% for subdivision type indicating the Primary Plat offers approximately 1 acre retention of existing topography, preservation of wooded areas and noted the relationship to neighboring properties and connectivity to downtown and park system.

Urbanski stated she has no concerns with requested reduction of open space, and solicited comments/questions from the Board. Questions concerning the style of build and materials to be used were raised. Kyle Smith confirmed that all homes would be custom built with no vinyl exteriors, and that garages would be rear-loading off the alley. Addressing other questions concerning

sidewalks and the alley, Smith stated that instead of sidewalk plantings, trees would be planted in the yard for increased visibility and life of the sidewalk. Urbanski indicated that the future widening of Main Street should alleviate concerns of not providing turn around space in the alleyway. Discussion followed about trash pickup, snow removal and deliveries. It was acknowledged that Smith and Gilman are addressing these concerns. Tim Pritchard solicited comments/questions from those in attendance. No comments or questions were provided.

Tim Pritchard motioned to approve the Primary Plat, with a waiver for the development standard for Open Space Requirement; seconded by Carol Hanna. All members present voted in favor of said motion. Motion carried.

B. Review and Vote on Possible UDO Amendments

Minor Residential Subdivision

Hannahrose Urbanski presented the following information on proposed modifications to Minor Residential Subdivision:

- Current UDO specifies A-1, A-2, RR, SF-1, SF-2 but does not include SF-3, SF-4, and RC.
- The number of existing parcels with the current zoning districts that could be subdivided is limited and are technically single-family zoning districts.
- These zoning districts do allow for two and multi-family, language can be added to restrict a possible minor subdivision to single-family only.

AG-1/AG-2 – Minor Residential Subdivisions

Hannahrose Urbanski presented the following information on proposed modifications:

- Removal of AG-1/AG-2 from Minor Residential Subdivisions as referenced for only Single-Family use. Also, AG-1/AG-2 only allows Single-Family residential as Conditional Use.

Kyle Eichorn expressed an interest in leaving the A-1, A-2, RR for possible future uses, and pointed out that all minor residential lot requirements would still need to be met. Brad Ballentine inquired on the reasoning to remove the AG districts, as large residential lots could be desirable for those wishing to build large homes on several acres. **Upon discussion, matter tabled.**

AG-2/RR – Conservation Subdivisions

Hannahrose Urbanski presented the following information on proposed modifications:

- Remove AG-2 & RR from Conservation Subdivision type as may contradict main use and purpose of a Conservation Subdivision type as well as would require lot size of 5-10 acres.
- Urbanski explained that the land owners could remove all trees and vegetation, which generally does not coincide with the conservation efforts of open / common spaces.

There was discussion on the value and potential desire for large lots. Ballentine asked for some examples of other communities that have developed such space. **Vote on the amendment was tabled pending examples.**

Solar Energy System Standards

Denise McKee presented the Solar Energy Synopsis, providing information on: fire and electrical safety, state legislation and case law, general planning considerations, standards set forth in current UDO, key elements from nearby towns/cities not incorporated in the current UDO for future consideration. McKee provided recommended upgrades as a first step to strengthen the UDO to ensure the preservation of the character of the neighborhoods and surrounding environment, noting there will likely be an increase in solar use as it becomes more popular and financially sound. Recommendations provided for Accessory Use Upgrades, Commercial Use Upgrades, and Residential and Commercial Use Upgrades. (attachment on Google Drive)

Accessory Use Upgrades: Brad Ballentine inquired about fire safety regarding the positioning of roof solar panels. McKee confirmed that Fire Chief Chris Nodine agreed the available perimeter space is sufficient for access and Electric Supervisor Craig Switzer agreed there is safe access for electrical shut-off.

Brad Ballentine motioned to approve the Accessory Use Upgrades as written; seconded by Tim Pritchard. All members present voted in favor of said motion. Motion carried.

Commercial Use Upgrades: Carol Hanna recommended incorporating the same setback standards of 500 ft for all property types.

Tim Pritchard motioned to approve the Commercial Use Upgrades with the adjustment of the setback of 500 ft on the side and rear of the property regardless of zoning; seconded by Cheryl Ramey-Hunt. All members present voted in favor of said motion. Motion carried.

Residential and Commercial Use Upgrades: Recommendation to remove distinction of size limits of 3000 less/more square ft for accessory and commercial use.

Brad Ballentine motioned to approve the Residential and Commercial Use Upgrades with the removal of the 3000 less/more sq ft size from the definition; seconded by Tim Pritchard. All members present voted in favor of said motion. Motion carried.

Carol Hanna motioned to submit a Favorable Recommendation to the Town Council on the Amendment to Minor Residential Subdivision, adding SF-3, SF-4 and RC to the UDO Specifications; seconded by Tim Pritchard. All members present voted in favor of said motion. Motion carried.

VI. ADJOURNMENT

Meeting adjourned by Tim Pritchard at 8:15 pm.

Next meeting July 6, 2022 at 7:00 pm.

Stephanie Buck
Clerk