

## I. CALL TO ORDER

The Pendleton Plan Commission (PC) met on June 7, 2023 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, Brad Ballentine, Carol Hanna, Cheryl Ramey-Hunt. Attending via Zoom was Andrew Holloway. A quorum was established.

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

Others present: Marissa Skaggs, Timothy Ochs of Ice Miller and Joe Slayton, Director of Real Estate, for Community Health Network, Brian Moench of Moench Engineering P.C. and Tim Eckert of Starlite Leasing Inc, for Blue Start Redi Mix Corp, Mike and Dan Liotti of Indy Boat Co., Tim Paul of 222 Lucky Lane, Reese Axel-Adams of Wooded Ridge neighborhood, James Riffey of W 700 S, Pendleton

## III. APPROVAL OF MAY 2023 MEETING MINUTES

Tim Pritchard requested a motion to approve the May 2023 Meeting Minutes; motion made by Carol Hanna, seconded by Kyle Eichhorn. Roll call taken and all members present voted in favor of the motion. Motion carried.

## IV. OLD BUSINESS

## V. NEW BUSINESS

A. PC06072023-01: Request for zoning change from Heavy Business (HB) to Institutional (I). Approximately 200 Enterprise Dr. Parcel ID: 48-14-19-100-014.003-013. Community Health Network Inc. via Timothy Ochs

Hannahrose Urbanski presented on the parcel and request:

- Zoned: Heavy Business (HB)
- Property is 10.30 acres and currently vacant
- Property is part of the Southeast Quadrant of the I-69 Interchange Master Plan in the Pendleton Business Park
- Petitioner is requesting a Rezone from Heavy Business (HB) to Institutional (I)
- Community Health proposes to build a 2-story a medical office building and clinic that will face Enterprise Dr. The facility will not have overnight stays or Emergency Room services

Tim Ochs with Ice Miller presented (presentation available on Google Drive)

- Change to Institutional would be for a medical facility with doctors' offices, imaging services, urgent care, emergency services, etc. This would be a no-bed facility, not a trauma center
- The design provided is conceptual; 50, 000 SqFt, 2 floors
- Open area in plan could be utilized as a Phase 2 build-out
- Existing facilities should not be impacted

Discussion and Questions

- Traffic would be considered average flow for this type of facility; it would be come and go traffic and parking vs office building morning / evening traffic and all-day parking; some issues with traffic in and out of Enterprise were discussed
- Detention analysis are currently being done
- Number of offices is undetermined; depending on types of services and space requirements

Hannahrose Urbanski provided on the Staff Analysis:

- The function of Planning staff is to analyze the petition against the Comprehensive Plan, other approved/relevant plans and ordinances, as well as any existing conditions and/or variances placed upon the site, to present facts and analysis. Based on that analysis, staff has the following comments:
  - Proposed rezone fits parcel size, road frontage and use requirements
  - Proposed use fits with the surrounding uses, zoning designations and adheres to the language of the I-69 Interchange Master Plan for projected uses in this quadrant
  - Roadways in this area are sufficient for additional traffic from development

**Tim Pritchard requested a motion to approve PC06072023-01: Request for zoning change from Heavy Business to Institutional. Motion made by Brad Ballentine; Motion seconded by Carol Hanna. Roll call vote taken and all members present voted in favor of the motion. Motion carried.**

B. PC06072023-02: Request for zoning change from Rural Residential (RR) to Heavy Industrial (HI). 8775 W 700 S Parcel ID: 48-15-22-200-003.000-041. Thomas and Pamela Watson via Moench Engineering P.C and Starlite Leasing Inc.

Hannahrose Urbanski presented on the parcel and request:

- Zoned: Rural Residential (RR)
- Property is 8.8 acres
- Currently used as a farming field
- Directly to the east of Indy Boat Co. site (under development)
- Petitioner is requesting a Rezone from Rural Residential (RR) to Heavy Industrial (HI)
- Proposed use will be a dry mix batch concrete plant by Blue Star Redi Mix (Concept site plan on Google Drive)
- The project will include an enclosed concrete batch plant, exterior raw material storage, concrete mixer truck parking and employee parking. The batch plant and aggregate bins will be located to the rear of the property with the maintenance/office structure along 700 S
- The site will undergo an estimated \$6 million worth of building improvements, including landscaping and roadway improvements, with a potential for up to 20 new employees

Brian Moench of Moench Engineering P.C. presented:

- Moench provided brief Blue Star Redi Mix history of the family-owned business and the function and flow of the business; this is a dry mix facility
- Description of the proposed site: entrances/exits, material flow, loading, delivery process, dust collection system, filtration, staging, parking, propane tank farm and fuel island, location of dry powder storage, landscaping, dust collection system, office area

- Moench reviewed the concrete batch enclosure and the silos; it was noted that the silos exceed the height maximum ordinance, but that it allows for needed extra dry powder storage and reduces traffic
- Petitioner is conscious of the Pendleton community and have self-imposed commitments of no truck traffic through downtown, no business on Sundays or holidays, noise levels at 65 decibels or less at property lines, heavy landscaping and mounding, and road improvements to 700 S from east entrance to SR 13

#### Discussion, Questions and Public Comment/Questions

- Noise controlled by crushing concrete off site; most of the operations are inside
- Type 1 buffer would be required, but plan does not show it. Site plan would address this
- Stormwater Discharge; Moench pointed out the non-exclusive easement to I-69 and a pending combined storm outlet with Indy Boat Co
- The amount of trucks per day could be approximately 10-15, 1-2 tankers 15 cement mixers, up to about 60-70 total per day; it is a heavy truck use and that is why they are committed to the improvements to 700 S from their entrance to SR 13
- How this may affect the larger gateway into Pendleton with the anticipated 146<sup>th</sup> Street extension; Moench spoke to decorative panels to make more attractive
- Cast off from delivery trucks is a concern; Moench indicated that most of this happens inside the facility, and truck loads are always covered
- Height of silos is a concern; 55 ft is the max ordinance height; site design is 80 ft
- How the washout would be handled; designed as a three-bay washout system
- Tim Paul of 222 Lucky Ln, Pendleton inquired about decreasing silo height to 60 ft; Moench said shorter silos equates to less inventory which means more trucks in /out daily; estimate of about 30-40% reduction in powder and 8-10 dry powder trucks per day
- Could diameter of the silos be increased, or a third silo to get same amount of powder; Moench said less gravity for the transfer of materials becomes problematic
- If this property is rezoned and project does not go through, can property be returned to original zoning; Jeff Graham indicated there are a few ways to accomplish this if necessary; it can be a condition of this approval with commitments
- Mike Liotti and Dan Liotti of Indy Boat Co, purchaser of neighboring property to the west that is under development is not in favor of this petition due to potential high dust production that may negatively affect his business; said he may not continue with the development if this petition goes through
- Moench confirmed site would be secured with downcast site lighting above doorways/entrances, gates, security; hours of operation are typically sunup to sundown; however, if temperatures are going to be extreme they could start operations at 2:00am
- Moench pointed out that this potential development is consistent with current scrapyards and similar businesses that are already present along SR 13, and directly across the street (700 S) is Lapel; he said you typically find heavy industry where there is a State Road and Interstate connection; they would work with INDOT to improve the SR 13 and 700 S intersection
- Reese Axel-Adams of 5817 Douglas Way, inquired about jobs, salary and union; Moench stated no union, plant manager \$100,000 range, mobile equipment operators and drivers

\$60,000 range salary, about 20 blue collar hourly employees with overtime opportunities; sourced from the local Madison County area

- Moench's final comment was that this facility is state of the art; dust system, over and above by putting the system inside to control noise and dust, powder transfers, to be a good neighbor

Hannahrose Urbanski reviewed the function of Planning staff is to analyze the petition against the Comprehensive Plan, other approved/relevant plans and ordinances, as well as any existing conditions and/or variances placed upon the site, to present facts and analysis. Based on that analysis, staff has the following comments:

- Fits parcel size and use for Heavy Industrial zoning. Public utilities will be tapped once development of surrounding areas makes them available
- Proposed rezone is near a heavier truck route (SR13) with quick access to I-69. Upcoming uses around the area are commercial in nature; the Comprehensive Plan states the future land use for this area should be planned business uses
- Most heavy equipment for this use is enclosed within a structure, and dust collection systems are proposed to be utilized; consider making dust capturing systems as written in the petitioner's zoning summary a commitment
- Owner of residential home located within the interior adjoining parcel has submitted a letter of support for the project

Petitioner has committed to the following:

- No heavy truck traffic through the Town of Pendleton limits unless specifically required for deliveries
- No operation on Sundays or major observed holidays
- Any residual concrete material returned will be transported from the site without crushing.
- Noise limits at the property will be limited to 65 decibels (normal conversation limits)
- Re-building of County Road 700 North to industrial/heavy use standards from eastern most entrance to State Road 13
- Conversion to public utilities once available in the area

Tim Pritchard stated this facility appears to be state of the art, but requested from the petitioner more detailed information about the dust collection system, silo height alternatives, potential power issues, preliminary drawings of buffers on three sides for adjacent businesses, images of Fairland facility

**Tim Pritchard moved to continue PC06072023-01: Request for zoning change from Heavy Business to Institutional; to gather more information. Motion seconded by Jenny Sisson. Roll call vote taken and all members present voted in favor of the motion. Motion carried.**

C. Vote on Recommendations for possible amendments to the Unified Development Ordinance  
Hannahrose Urbanski presented:

- Multi-Family Development Process; Pg 197 – revert back to original language
- Dwelling Definitions; Pg 217
  - Single-Family – Urbanski to research definitions for SF attached
  - Two-Family – pending SF

- Multi-Family – pending SF
- Definitions – EIFS: Definitions Sec. – add as written
- Referral of secondary plat to PC; Pg 177(c) – add language as written
- Update IC number for condos; Pg 172 – update as written

General discussion regarding roles of PC, BZA, Town Council in rezones, how we attract desirable businesses, status of the I-69 Quadrant consultant, building incentives and a good balance to protect downtown, the Downtown Revitalization Plan, Airbnb's/VRBO's/Short-Term Rentals

**Tim Pritchard requested a motion to accept UDO Amendments as discussed. Motion made by Carol Hanna. Motion seconded by Andrew Holloway. Roll call vote taken and all members present voted in favor of the motion. Motion carried.**

#### **VI. ADJOURNMENT**

Meeting adjourned by Tim Pritchard at 8:40 pm.

Next meeting July 5, 2023 at 7:00 pm.