

I. CALL TO ORDER

The Pendleton Plan Commission (PC) met on July 5, 2023 at 7:00 pm at 100 W State Street, Pendleton, Indiana. The meeting was called to order by Tim Pritchard at 7:02 pm.

II. ROLL CALL AND DETERMINATION OF QUORUM

Commission members present in-person were Tim Pritchard, Kyle Eichhorn, Carol Hanna, Cheryl Ramey-Hunt, Andrew Holloway. A quorum was established.

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

Others present: Brian Moench of Moench Engineering P.C., Mike Bond of 6150 S Fox Ct, Carey Craig Community Development Coordinator. Present via Zoom: Aaron Carl / T-E Incorporate for JDK Kids LLC, Shree Kulkarni

III. APPROVAL OF JUNE 2023 MEETING MINUTES

Tim Pritchard requested a motion to approve the June 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

- A. 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 reviewed original zoning request from June 7, 2023

Brian Moench of Moench Engineering P.C. presented the updated site plan and commitments in response to PC's comments in June:

Moench highlighted:

- Facility is a \$6 million investment; \$4 million in land improvements, \$2 million in fixed equipment assets
- \$57,000 in taxes annually to the Community
- Approximately 20 local jobs at \$75,000 - \$100,000
- \$87,000 new revenue to the County
- Estimate of \$500 spent weekly by workers on gas, food, etc
- Enhancements from original design to building enclosures
- Minimal impact to infrastructure
- Commitment to road improvement on W 700 S
- Negotiating with Indy Boat Co on shared / combined water drainage

Revisions:

- Moench stated that he has worked with Staff to address silo height, architectural standards, commercial economic benefits to community
 - Enclosing dry powder transfers
 - Silo height reduced from 88' to 71' hexagonal shape and now located inside, creating clean lines on the facility
 - Enhanced elevated landscaping buffering on west property line with 3-4' earth mounds and heavy vegetation to address residual dust
 - Efforts to minimize dust: aggregate bin will have water source, there will be a water truck on-site, and silos and truck loading will now be done inside
 - Maintenance building to meet all architectural standards requirements

Commitments:

- There will be no heavy truck traffic through the Town of Pendleton unless specifically required for deliveries
- There will be no operations 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)
- Full reconstruction of County Road W 700 S to industrial/heavy use standards from eastern most entrance to State Road 13
- Conversion to public utilities once available in the area, within 24 months
- Exclusion of the following land uses within the HI zoning classification:
 - Automobile and Vehicle Storage (No junk or salvage)
 - Automobile Storage (Junk and Damaged)
 - Junk and Salvage Yard/Facility
 - Landfill Refuse Disposal, Dump
 - Airport
 - Recycling Center

There was general discussion and question / answer.

Hannahrose Urbanski reviewed the Staff Analysis:

- 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
- Owner of residential home located within the interior adjoining parcel has submitted a letter of support for the project

Tim Pritchard requested a motion to approve PC06072023-02: Request for zoning change from Rural Residential (RR) to Heavy Industrial (HI), with commitments discussed, utility connection within 24 months of availability, and land use exclusions discussed. Motion made by Tim Pritchard; seconded by Cheryl Ramey-Hunt. Roll call vote taken and all members present voted in favor of the motion. Motion carried.

V. NEW BUSINESS

- A. PC07052023-01: Request to amend current parcel zoning to have an additional approximately 3.1 acres of General Business (GB) zoning, and minimally shifting current Multi-Family (MF-2) and Light Industrial (LI) zones to accommodate this increase. O N Heritage Way Parcel ID: 48-14-17-300-005.000-013. JDK Kids LLC via Aaron Carl/ T-E Incorporate

Hannahrose Urbanski presented on the parcel and request:

- Zoned: General Business (GB), Multi-Family Medium Density (MF-2) and Light Industrial (LI) with a Recreation and Open Space (R/OS) common area
- Property is approximately 74 acres
- Currently used as a farming field
- Petitioner is requesting to amend approved zoning acreage (from April 2022) to allow for larger General Business parcels
- Current zoning by acres:
 - General Business (GB) = 5.1
 - Multi-Family Medium Density (MF-2) = 22.5
 - Light Industrial (LI) = 32.9
 - Recreation and Open Space (R/OS) = 5.7
- Proposed zoning by acres:
 - General Business (GB) = 8.2
 - Multi-Family Medium Density (MF-2) = 18.6
 - Light Industrial (LI) = 33.8
 - Recreation and Open Space (R/OS) = Will be absorbed into the LI and MF-2 parcels as “common area”

Discussion / Questions:

- Tim Pritchard addressed Aaron Carl with concerns of Brian Dr and proximity to the roundabout for left-hand turns, and preferred entrance to Lot 1, 2 from roundabout to/from Shree Way
- Carl indicated that limited access might kill the deal for the potential client, which is a gas station
- Carl stated Lot 1 would be a gas station and Lot 2 is undetermined but the owners are looking for a fast food type business with a drive-thru
- Pritchard said that there could potentially be a right turn in/out westbound to Brian Dr
- Kyle Eichhorn noted a reduced ROW on Brian Dr; Hannah Urbanski confirmed that it is acceptable

Hannahrose Urbanski provided the Staff Analysis:

- All proposed shifts of zoning acreage fit minimum/maximum requirements for parcel size
- Amending the zoning acreage does not pose a threat to public health or safety
- All zoning districts that were approved in April 2022 will still be utilized and the commitments of that approval

Tim Pritchard requested a motion to approve PC07052023-01: Request to amend current parcel zoning, with commitment for right turn in/out only onto Brian Dr. Motion made by Carol Hanna;

seconded by Tim Pritchard. Roll call vote taken and all members present voted in favor of the motion. Motion carried.

B. PC07052023-02: Commercial Primary Plat. 0 N Heritage Way Parcel ID: 48-14-17-300-005.000-013. JDK Kids LLC via Aaron Carl/ T-E Incorporated

Hannahrose Urbanski presented on the parcel and request:

- Zoned: General Business (GB), Multi-Family Medium Density (MF-2) and Light Industrial (LI) with a Recreation and Open Space (R/OS) common area
- Property is 74 acres
- Currently used as a farming field
- Petitioner is requesting an approval of the following Commercial Primary Plat:
 - Five outlots for General Business (GB)
 - Two parcels for Multi-Family Medium Density (MF-2)
 - Two parcels for Light Industrial (LI)
 - ROW platting for Heritage Way North as well as three access local streets (two E/W one N/S)

Hannahrose Urbanski presented the Staff Analysis:

- All proposed parcels fit minimum/maximum requirements for size and lot frontage facility
- ROW dedication for roads is adequate.
- The primary plat does not pose a threat to public health or safety
- All developments proposed for these lots will go through Site Plan Review process for individual site analysis.
- Primary Plat, if approved, will be contingent upon Town Council approving previously recommended amended Rezone

Discussion / Questions

- Tim Pritchard raised concern about Wolfies as they have been issued a site stop work order for an inadequate drainage plan; he advised that Aaron Carl should be in contact with Wolf Property Management regarding this
- Hannahrose Urbanski stated she can connect Carl with Wolf Property Mgmt
- Scott Reske inquired of Jeff Graham regarding a condition of cooperation with Wolfies regarding drainage. Graham said reasonable cooperation with that development in compliance with all Town and County Ordinances; can be stated, as a condition for the recommendation that the petitioner shall cooperate with neighboring parcel with regard to their drainage issue and be in compliance with County and Town

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:

- All proposed parcels fit minimum/maximum requirements for size and lot frontage
- ROW dedication for roads is adequate

- The primary plat does not pose a threat to public health or safety
- All developments proposed for these lots will go through Site Plan Review process for individual site analysis
- Primary Plat, if approved, will be contingent upon Town Council approving previously recommended amended Rezone

Hannahrose Urbanski provided the following criteria for PC consideration :

- General acceptability of the layout submitted
- Assurances have been made by the water utility provider for a water supply system that is sufficient in terms of quantity, dependability, and quality to provide an appropriate supply of water for the type of subdivision proposed
- Assurances have been made by the sewage utility provider for a sewage system and, if other methods of sewage disposal are proposed, that such systems will comply with federal, state, and local laws and regulations
- The subdivider has taken all reasonable efforts to mitigate the impact of the proposed subdivision on public health, safety, and welfare

Tim Pritchard requested motion to approve PC07052023-02: Commercial Primary Plat., with condition the petitioner shall cooperate with neighboring parcel with regard to the drainage issue as discussed. Motion made by Cheryl Ramey-Hunt; seconded by Andrew Holloway. 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:

- Child Care Center in GB; page 45 and land use matrix: Recommendation to allow child care center as a permitted use in GB zoning
- Owner Occupied ADU; page 121: UDO currently states: Recommendation to remove the need for owner occupied primary units for an ADU to be utilized
- Definitions – dwelling, page 217: Add definition for dwelling single-family attached – add as written

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

VI. ADJOURNMENT

Meeting adjourned by Tim Pritchard at 8:07 pm.

Next meeting August 2, 2023 at 7:00 pm.