

MINUTES
BARTHOLOMEW COUNTY PLAN COMMISSION MEETING
DECEMBER 9, 2015 AT 8:30 A.M.
COUNCIL CHAMBERS, CITY HALL
COLUMBUS, INDIANA

MEMBERS PRESENT: Zack Ellison, Rick Flohr, Tom Finke (Secretary), Jorge R. Morales, Lisa Moore, Phyllis Apple, Don Meier, Jason Newton, Kris Medic and Dennis Baute (City Plan Commission Liaison).

MEMBERS ABSENT: None.

STAFF PRESENT: Jeff Bergman, Sondra Bohn, Allie Keen, Charles Russell, and Cindy Boll (Deputy County Attorney), and Danny Hollander, County Engineer.

CONSENT AGENDA

Minutes of the November 12, 2015 (Approval and Signing).

Motion: Mr. Morales made a motion to approve the minutes. Ms. Apple seconded the motion and it carried unanimously by voice vote.

B/RZ-15-03: Gehring Property – A request by the City of Columbus - Bartholomew County Planning Department to correct a zoning map error. The request effectively rezones the 12.9 acre subject property from AP (Agriculture: Preferred) to CC (Commercial: Community). The property is located at 3355 S US 31, in Columbus Township.

Mr. Bergman presented the background information on this request. He stated that staff has initialed this rezoning.

Mr. Bergman stated that this property is owned by Jerry Gehring and is the location of his business. At his request it was rezoned to a commercial zoning district in 1998. However, the official zoning maps on file at the Planning Department were never amended to reflect this change. The error was perpetuated in 2006 and 2008 with the adoption of replacement zonings maps.

Mr. Bergman stated that because of the zoning maps were officially replaced after Mr. Gehring's 1998 rezoning it is necessary to pass a new ordinance to restore commercial zoning to the property.

Mr. Ellison opened the meeting to the public.

There was no one to speak for or against this request.

Mr. Ellison closed the meeting to the public.

Mr. Morales made a motion to send a favorable recommendation to the Bartholomew County Commissioner for this rezoning. Mr. Finke seconded the motion and it carried unanimously by voice vote of 8-0.

Mr. Newton arrived at the meeting at this time.

OLD BUSINESS REQUIRING COMMISSION ACTION

B/RZ-15-02: Bruce Nolting Commercial – A request by Bruce Nolting to rezone 41.68 acres from AP (Agriculture: Preferred) to CR (Commercial: Regional). The property is located at the southwest corner of the intersection of US 31 and State Road 46, in Columbus Township.

Mr. Meier and Mr. Newton recused themselves from voting on this request as they have a conflict of interest.

Mr. Russell gave a brief presentation of the request.

Mr. Tim Allen with Independent Land Surveying and Bruce Nolting owner of the property represented the petitioner.

Discussion was held regarding the required buffer for the home that the subject property touches on 3 sides. Mr. Bergman stated that the Type A buffer would require more screening and landscaping materials than the Type C that the Zoning Ordinance requires.

Mr. Finke stated there is no conflict with the regulated drain that runs through the property. He stated they deal with similar structures all the time.

Mr. Ellison opened the meeting to the public.

Mr. Ellison stated they had received a letter from Allen Eiler opposing the request expressing concerns regarding flooding and safety.

Mr. Paul Younger expressed concerns regarding the buffer that would surround his home. He also expressed concern about traffic and the access points that would be allowed off State Road 46 East. He also expressed concerns about not knowing what business was going in next to his home.

Mr. Bergman stated staff had contacted INDOT after the last Plan Commission meeting regarding access and they indicated there were not any restrictions other the normal access and limitations at this site.

Mr. Bergman stated that any permitted uses in the proposed zoning district would be allowed following the rezoning without it coming back to the Plan Commission for review. He stated there would be an Administrative process to make sure what they are proposing met the requirements of the Zoning Ordinance. They would need to obtain a building permit, but none of those actions would require coming back to the Commission.

Mr. Bergman stated if they were going to subdivide there would be notice for that process sent to the neighboring property owners.

Ms. Barbara Fawbush stated they had moved there many years ago and expressed concerns

about how the county feeling would not be the same if the rezoning was allowed. She expressed concern regarding the traffic and noise.

Mr. Brent Crider expressed concern about the commercial development already in the area that had not been properly maintained and flooding that might happen when the property is developed.

Mr. Bergman stated before there could be development on this property after an engineering study that would distinguish floodway from the flood fringe. There would be no development allowed in the floodway, but the flood fringe area can be developed as long as the structures are elevated or flood proofed to prevent them from receiving any damage.

Mr. Ellison stated that the Comprehensive Plan calls for commercial development in this area.

Mr. Jerry K. Schnur former owner of the property stated he would prefer the site to remain agriculture.

Mr. Leroy Henderson II expressed concerns about what would be built at this location. He stated he enjoyed living in the county and did not want the additional traffic and noise.

Mr. Ellison closed the meeting to the public.

Mr. Allen stated when the property is developed there would be an extensive analysis of the property done and proper steps would be taken to follow all rules that were in place when developing. There is a sixteen inch water main available at west end of the church property to the north of the site that would be adequate for fire protection.

Mr. Flohr stated that he would like to know what is planned for the property.

Mr. Bergman stated the Commission has the ability to attach commitments to the rezoning.

Motion: Mr. Morales made a motion to send an unfavorable recommendation to the Bartholomew County Commissioners. This motion died due to a lack of a second.

Motion: Ms. Apple made a motion to send a favorable recommendation to the Bartholomew County Commission with the following commitment: A Type A Buffer Yard as defined by the Zoning Ordinance in effect now, which includes a fence or wall shall be constructed along the east, west and south property lines of 6985 East State Road 46 subject to the time this property is developed. Mr. Finke seconded the motion and it carried with a vote of 5-2 with Mr. Flohr and Mr. Morales being the nay votes.

NEW BUSINESS REQUIRING COMMISSION ACTION

Mr. Morales left the meeting at this time.

MA/C-15-02: Driftwood Center – A request by Edin-Apple, LLC for approval of a revision to the concept plan for The Driftwood Center Major Subdivision. Driftwood Center is generally located on the north and south sides of Hartman Drive on the west side of US 31, in German Township.

Ms. Keen presented the staff information on this request.

Mr. Steve Reeves and Mr. Todd Wallace with Schneider Corporation represented the petitioners.

Mr. Reeves stated that they were in the process of repainting the an existing traffic direction arrow on site as construction people thought it was wrong in the beginning with both arrows pointing the same way. He also stated they are aware of the sidewalk requirements and are currently looking at asking for a variance. Mr. Reeves stated if the variance was not approved they would install the sidewalks.

Mr. Reeves stated that they were proposing to revise the original concept plan for the Driftwood Center Section 1 subdivision to allow the creation of an additional lot. The new lot would be the north half of Lot 7, which is currently occupied by Applebee's. He stated the new lot would be completely separate except they would share a parking area with the restaurant that is already located there.

Mr. Ellison opened the meeting to the public.

There was no one to speak for or against the request.

Mr. Ellison closed the meeting to the public.

Mr. Hollander stated that a sign might be helpful if posted stating that driveway was not an exit. He suggested something additional than just painting the arrow that would mark exit only.

Mr. Finke asked why the driveway was so wide when it was constructed that it would allow two way traffic at the site. Mr. Ellison stated that this has become a troublesome spot to get traffic in and out so the public actually understands what the intended traffic flow is. Mr. Finke stated if this driveway had been reduced to one lane that would have been a good indication to exit from the site onto Hartman Drive.

Mr. Hollander stated that US 31 frontage road is a private road and the hotel was responsible for the signage at the intersection of this frontage road and Heflin Park Road. Much discussion was held regarding this area and intersection. Mr. Hollander stated that all the businesses along the frontage road are responsible, not just this lot.

Mr. Finke stated it was his opinion that it was time for Hartman Drive to be extended so it would benefit all the businesses that are there now and the ones that would be locating there when the Harman Drive was extended.

Mr. Ellison asked if there was anything that could be done to encourage business on Hartman Drive to use this as an exit.

Mr. Bergman stated it was his opinion that the public was going to take the shortest distance available. He stated the Northern Gateway Plan pointed out that the problem at Heflin Park Road will not be solved until the medium on US 31 is closed making that intersection and right in and right out. This cannot be done until Hartman Drive is extended as far south as Willoughby Drive

to provide the trucking companies a way to get in and out of their businesses. He stated if there is a commitment on the property in the path of Hartman Drive that the road would be constructed if future development occurred there, or the County could chose to build Hartman Drive then they could close the median.

Mr. Ellison stated it would be important to install signage to inform the public which direction to go back out onto US 31, especially north.

Mr. Flohr stated he would like to see the sidewalks installed as proposed.

Motion: Mr. Flohr made a motion to approve **MA/C-15-02** contingent on the outstanding technical comments being addressed. This includes only 1 additional commercial lot and the approval should be subject to the following conditions: (1) all traffic shall exit lots 5, 7A, 8A, 9, and 11 onto Hartman Drive. The frontage road shall only provide entry to these lots. (2) Sidewalks shall be installed along the frontages of Lot 7, consistent with the approved Applebee's site plan along the Hartman Drive and the frontage road prior to approval of the next final plat (including that for this additional lot) within the Driftwood Center major subdivision. (3) The pavement markings on Lot 7 shall be corrected to only point to the west (indicating entrance only) at the frontage road access prior to approval of the next final plat (including that for this additional lot) within the Driftwood Center Subdivision. And (4) Provide signage that the frontage road only provides entry. Mr. Newton seconded the motion and it carried with a vote of 7-1 with Mr. Finke being the nay vote.

DISCUSSION ITEMS

Mr. Bergman stated that Laura Thayer will be joining the Planning Department staff as the MPO/Director-Transportation Planner. She has previously worked in the Planning Department. He stated she would be introduced at the December 14, 2015 CAMPO Meeting.

Mr. Bergman stated that CAMPO has the responsibility to update their long range transportation plan by October 2016 in order to make sure we are eligible to receive federal monies. He stated they had contracted Lockmueller Group to perform that task. He stated they also will be making a presentation to the December 14 CAMPO meeting.

Ms. Apple and Mr. Flohr were appointed to the nominating committee for selection of officers for 2016. The recommendations will be heard at the January 2016 meeting for President, Vice President and Secretary.

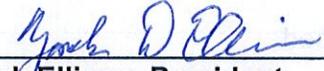
Discussion was held regarding the construction of the Hartman Drive extension. Mr. Hollander stated he would contact the current owner to see if something could be resolved.

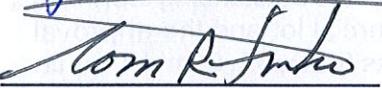
DIRECTOR'S REPORT

Mr. Bergman stated the CFO/CAFO-Study Committee has produced draft Zoning Ordinance texts that would be suitable for adopting the recommendations of the majority of that committee. The next step would be to formally propose those changes and have a public hearing before the Plan Commission. The Commission's role would be to make a recommendation to the Bartholomew County Commissioners. The Commission requested that materials could be provided at the

January 2016 meeting for review in preparation for the public hearing at the February 2016 meeting. There were suggestions that the February 2016 meeting be held in the Cal Brand Meeting to accommodate the expected large crowd.

ADJOURNMENT 10:15 A.M.


Zack Ellison, President


Tom Finke, Secretary