

**MINUTES
COLUMBUS PLAN COMMISSION MEETING
WEDNESDAY, OCTOBER 11, 2023 AT 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
123 WASHINGTON STREET
COLUMBUS, INDIANA**

Members in Person: Amber Porter, Andrew Beckort, Barry Kastner, Dennis Baute, Evan Kleinhenz, Julie Abedian, Keerthi Alapati, Michael Kinder, Zack Ellison, and Tom Finke (Bartholomew County Plan Commission liaison)

Members via WebEx: None

Members Absent: Laura Garrett and Dave Bush

Staff in Person: Melissa Begley, Andres Nieto, Noah Pappas, Kyra Behrman

Staff via WebEx: Alex Whitted (Deputy City Attorney) and Janie Meek

Mr. Kinder opened the meeting with a brief explanation of the commission and its responsibilities as well as participation directions for the public in person and on WebEx.

CONSENT AGENDA

Minutes of the September 13, 2023 meeting. (Approval and Signing).

Motion: Mr. Baute made a motion to approve the consent agenda. Ms. Abedian seconded the motion. The motion passed with a voice vote of 8 in favor and 0 opposed.

OLD BUSINESS REQUIRING COMMISSION ACTION

None

NEW BUSINESS REQUIRING COMMISSION ACTION

CRZ-2023-003: Ronald McIntyre – A request by Ronald McIntyre to rezone 1.86 acres from AP (Agriculture: Preferred) to CC (Commercial: Community). The property is located at 1411 South 525 West, in Harrison Township.

Mr. Kinder indicated the applicant requested a continuance to the November Plan Commission meeting.

Motion: Mr. Ellison made a motion to approve a continuance of the request to the November 8, 2023 meeting. Ms. Alapati seconded the motion. The motion passed with a voice vote of 8 in favor and 0 opposed.

DP-2023-019: Columbus Free Methodist Church – A request by the Columbus Free Methodist Church for site development plan approval of a playground. The property is located at 2126 Elm Street, in the City of Columbus.

Mr. Nieto presented for the Planning Department.

Ms. Abedian asked where the fence setback line would be located along Elm Street. Mr. Nieto stated the applicant is requesting to put the fence on the property line. Mr. Kinder stated that technically the applicant could have the fence on the property line but staff is asking for a condition to set it back to match the residential properties along Elm Street. Mr. Nieto stated that was correct.

Ms. Porter stated that the 3.5-foot maximum height requirement was because that section of the fence would be in what is considered the front yard, but outside of the front yard the fence could be 8 feet. Mr. Nieto stated that was correct.

Mr. Kastner inquired if a gate in the fence would be located along Elm Street. Mr. Nieto stated that the applicant has proposed a 10 foot wide gate in the section of the fence near the vacated alley along Elm Street for access to the easement on the property.

Ms. Abedian inquired if the landscape requirements were represented in the applicant's plan. Mr. Nieto stated that the landscaping requirements applicable to the previous site development plan approval for this property would still apply, as the applicant did not request relief of those with this application.

Luke Langellier represented the applicant. Mr. Langellier stated the fence is needed for useable green space and a safe place for the Liberty Academy and church member children to play. He added that they would prefer to put an 8 feet wood fence around that entire site rather than use the shorter chain link fence that was indicated in their application. Mr. Langellier stated that the taller wood fence would provide better safety and privacy for the children and the neighbors.

Mr. Kinder stated that the material would not be the issue, it is that the fence would be over 3.5 feet in a front yard. Mr. Kinder asked if the applicant have to go to the Board of Zoning Appeals seeking a variance to have a taller fence. Ms. Begley stated that because this property is zoned P (Public / Semi-Public Facilities) the applicant would need to request a waiver for that fence height to be reviewed by the Plan Commission.

Mr. Langellier asked where the wood fence could be located. Mr. Nieto stated the fence could be on the property line but would have to be no more than 3.5 feet tall in the Elm Street front yard. Ms. Begley added that, if the fence were set back 10 feet from the property line along Elm Street, it could be 8 feet tall, but if the fence is on the property line it would have to be no more than the 3.5 feet in height.

Mr. Kinder and Ms. Abedian wanted to know what the height and material requirements were for each scenario. Ms. Begley explained that if the applicant wanted the fence on the property line without a waiver, it would have to be wood and no more than 3.5 feet in height; if he used the 10-foot setback, he could have an 8-foot high fence.

Mr. Baute was concerned with additional lighting for the playground. Mr. Langellier stated they were not proposing any new lighting. Mr. Baute stated he would like to have that as a commitment because he is concerned, with such close proximity to homes, that lighting on this site would cause an issue for the neighbors. Ms. Begley stated that, if the applicant were to put up lights, they would have to comply with the zoning ordinance regulations; but if the Plan Commission thinks there should not ever be lights on this site, it is within their jurisdiction to make that a commitment of approval.

Mr. Langellier asked if there were any height restrictions on the fence for the north and south property lines as well as the west property line. Ms. Begley replied that 8 feet would be the maximum fence height for all three of those property lines.

Mr. Langellier asked if he was required to install a 10-foot wide gate for the utility easement. Ms. Begley stated the zoning ordinance does not require one. Ms. Abedian stated would it be recommended to put a gate on both ends of the utility easement to avoid the fence being torn down for access. Mr. Langellier stated they had planned to put an access gate on the west side of the property as well.

Mr. Langellier asked if the previous commitment for a 5-foot landscaping buffer along the north and south property lines would still apply for this site now that it will be a playground rather than a parking lot. Mr. Nieto and Ms. Begley stated that the buffer requirement would still apply.

Mr. Langellier asked if the buffer landscaping could be inside the fence. Ms. Begley stated the landscaping buffer would have to be outside the fence on the church property. Mr. Langellier asked who would be responsible for maintaining the buffer. Ms. Begley stated it would be the church's responsibility.

Ms. Abedian wanted to clarify that the fence would have to be at least 5 feet off the property line with the landscaping at the property line. Ms. Begley stated that was correct, and added that the landscaping would be for the benefit of the neighbor.

Ms. Porter asked if a privacy fence would be a sufficient buffer since the purpose of a buffer is to shield the neighbor from what is going on at the site. Ms. Begley stated that the way a Type B buffer requirement is worded in the ordinance; a privacy fence alone is not listed as an option.

Mr. Kinder asked if the Plan Commission had an option to amend this request without a formal waiver request. Ms. Begley stated that an amendment on the buffer is not an option without a waiver request by the applicant.

Ms. Porter asked if the buffer was required because this property is zoned public and not residential, as are the adjacent properties. Ms. Begley indicated that was correct.

Mr. Ellison asked if the Plan Commission could approve the privacy fence to be on the property line and waive the buffer requirement. Ms. Begley stated that the buffer could not be eliminated without a formal waiver request. There was much more discussion amongst the applicant, staff, and Plan Commission members regarding buffering options and using the landscaping as a barrier instead of an actual fence, as well as the option of continuance for the applicant to apply for any desired waivers.

Mr. Kinder opened the meeting to public comment.

No one from the public attending in person requested to speak.

Ms. Meek indicated that no additional members of the public attending via WebEx wished to speak.

Mr. Kinder closed the meeting to public comment.

Motion: Mr. Baute made a motion to continue the request to the November 8, 2023 Plan Commission meeting. Mr. Ellison seconded the motion. The motion passed with a voice vote of 8 in favor and 0 opposed.

Mr. Kleinhenz joined the meeting.

ANX-2023-001: CRH / City View District – A request by Columbus Regional Health to annex 687.68 acres into the City of Columbus Corporate Limits. The property is located south of State Road 46, east of I-65 and west of Jonesville Road/State Road 11, in Columbus Township.

Mr. Ellison and Ms. Abedian stated that, due to their roles with the applicant, Columbus Regional Health, they would recuse themselves from consideration of this request. Mr. Ellison and Ms. Abedian left the meeting room.

Ms. Begley presented for the Planning Department.

Mr. Baute asked if the property's drainage flows along Garden Street.

Ms. Porter stated that there were several comments from multiple City departments stating the need for additional staff to support this future growth and asked if it was the Plan Commission's responsibility to address the funding for this staffing or would that be for City Council to decide. Ms. Begley indicated that would be for City Council to decide.

Dave Lenart, CRH Vice-President, Strategic Facility Planning & Operations, represented the applicant. Mr. Lenart stated that at this time they are just pursuing the next step of the long-term future development of the property by annexing it into the city limits.

Mr. Baute wanted to make some observations regarding the City's Comprehensive Plan as reported in the staff report. The first being the policy for the annexation of farmland only when necessary. He stated he wanted to observe that this request is to annex approximately 690 acres of farmland and over half of it is in some sort of floodplain. He also referenced the wise use of infrastructure dollars and observed that there is a lot of needed infrastructure on this site, especially with the floodplain, Mr. Baute was curious as to who would be covering all of these costs associated with the infrastructure. He added that he questioned if the annexation of this property encouraged a wise use of infrastructure dollars. Lastly, he wanted to observe that the proposed mixed-use design for the future development of the property is very segregated and he would like to see a better mingling of the different types of housing. Mr. Baute also wanted to note that the City already has a research and development area around the Walesboro airfield and asked if another is needed. Mr. Baute also asked about flood proofing costs on the site and about the plans for the existing hospital campus when that facility is potentially re-located to this property.

Mr. Lenart replied that currently the future development plan for this property is broad with nothing set in stone at this time. Columbus Regional Health (CRH) has just identifying needs and a concept in a broad manner. He went on to say that as individual developments happen on the property they will come before the Plan Commission and that is when the details can be examined.

Mr. Kinder opened the meeting to public comment.

Dennis Tibbetts, 11430 South Jonesville Road, participating in-person, stated he was concerned with the elimination of farmland. He was also concerned with the amount of flooding that takes place on the property in question.

Rebecca Lorenz, 1637 Franklin Street, participating in-person, asked if the development of this property will have a people trail connection along the railroad tracks and would there be bus services extended to the area.

Tom Dell, 1063 Hummingbird Lane, participating via WebEx, stated the matter at hand is if annexing this property would benefit the growth of Columbus and he believes it would. He stated that this is a prime property to annex for the growth of the city and fully supports its approval.

Ms. Meek indicated that no additional members of the public attending via WebEx wished to speak.

Mr. Kinder closed the meeting to public comment.

Ms. Begley stated that there were a lot of good questions and comments and there are many unknowns at this time. The Comprehensive Plan provides a good guide to help us move forward in growth and the development of the city. Ms. Begley stated that over the next 20 years or longer the Plan Commission will be involved in the new subdivisions and rezonings on this property and at that time, the details can be determined. At this point in the process, Plan Commission needs to determine if this is a logical, natural extension of the city limits. Staff believes that it is a logical, natural extension of the city limits and supports a favorable recommendation to City Council.

Ms. Alapati asked if this would change the zoning of the property. Ms. Begley stated it would not.

Motion: Mr. Kleinhenz made a motion to send a favorable recommendation to City Council for ANX-2023-001. Mr. Beckort seconded the motion. The motion passed with a voice vote of 7 in favor and 0 opposed.

Mr. Ellison and Ms. Abedian returned to the meeting.

CRZ-2023-002: AAA Striping Company – A request by AAA Striping Company to rezone 2.03 acres from I-2c (Industrial: General with commitments) to I-2 (Industrial: General). The property is located at 3906 North Indianapolis Road, in the City of Columbus.

Mr. Pappas presented for the Planning Department.

Ms. Porter asked if the reason there is no screening currently between the commercial property to the south and this property is because the commercial site was not required to screen from an industrial property. Mr. Pappas stated that was correct and added that development of an industrial property does require the installation of a buffer to residential and commercial properties.

Ms. Abedian asked for clarity on what commitments are being removed with this request. Mr. Pappas stated the following commitments were included with the 2015 rezoning and were proposed to be removed:

1. There shall be no outdoor storage of materials on the property that exceeds the height of the required screening for that storage (as specified by the zoning ordinance of current adoption).
2. The required buffering along the west property line of the subject property (as specified by the zoning ordinance of current adoption) shall include a 100% opaque fence or wall that is a minimum of 6 feet in height.
3. As part of the redevelopment or initiation of a new use on the subject property, the vehicle access from Paula Drive shall be brought into compliance with the applicable requirements of the zoning

ordinance of current adoption, with all drives to no longer be used being physically removed in their entirety.

Ms. Porter inquired if a contractor's office would be allowed in a commercial zoning district. Ms. Begley stated that it was not.

Tim Thomas with Milestone Design Group and Bryce Sheehan, owner of AAA Striping Company, represented the applicant. Mr. Thomas stated that they were just looking for a clean slate for the property and will comply with the current zoning ordinance. He mentioned that they have asked for a development standards variance thorough the Board of Zoning Appeals related to future driveways on the property, contingent upon the commitments being removed.

Mr. Kinder opened the meeting to public comment.

No one from the public attending in person requested to speak.

Ms. Meek indicated that no additional members of the public attending via WebEx wished to speak.

Mr. Kinder closed the meeting to public comment.

Motion: Mr. Kleinhenz made a motion to send a favorable recommendation to City Council for CRZ-2023-002. Ms. Alapati seconded the motion. The motion passed with a voice vote of 9 favor and 0 opposed.

DISCUSSION ITEMS

None

DIRECTOR'S REPORT

None

ADJOURNMENT: 5:26 p.m.

Motion: Mr. Ellison made a motion to adjourn. Ms. Alapati seconded the motion. The motion passed with a voice vote of 9 in favor and 0 opposed.

These minutes approved at the Plan Commission meeting on November 8, 2023.

Michael Kinder, President

Amber Porter, Secretary