

**MINUTES  
COLUMBUS PLAN COMMISSION MEETING  
WEDNESDAY, FEBRUARY 14, 2024 AT 4:00 P.M.  
COUNCIL CHAMBERS, CITY HALL  
123 WASHINGTON STREET  
COLUMBUS, INDIANA**

**Members in Person:** Dennis Baute, Barry Kastner, Evan Kleinhenz, Dave Bush, Chris Bartels, Andrew Beckort, Laura Garrett, Keerthi Alapati, Amber Porter, Michael Kinder, and Tom Finke (Bartholomew County Plan Commission Liaison)

**Members via WebEx:** None

**Members Absent:** Zack Ellison

**Staff in Person:** Jeff Bergman, Noah Pappas, Andres Nieto, Kyra Behrman, and Austin Whitted (Deputy City Attorney)

**Staff via WebEx:** Melissa Begley

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.

**Election of 2024 Officers**

Mr. Baute stated the nominating committee recommends Michael Kinder as President, Dennis Baute as Vice-President, and Laura Garrett as Secretary.

**Motion:** Mr. Kastner made a motion to accept the nominating committee recommendations for the 2024 Plan Commission Officers. Mr. Kleinhenz seconded the motion. The motion passed with a voice vote of 9 in favor and 0 opposed.

**CONSENT AGENDA**

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

**ANX-2024-001: Columbus Right-of-Way Annexation** – A resolution forwarding the proposed annexation of right-of-way at multiple locations into the Columbus Corporate Limits with a favorable recommendation to the Columbus City Council.

**Motion:** Mr. Baute made a motion to approve the consent agenda. Mr. Kleinhenz seconded the motion. The motion passed with a voice vote of 9 in favor and 0 opposed.

**OLD BUSINESS REQUIRING COMMISSION ACTION**

None

**NEW BUSINESS REQUIRING COMMISSION ACTION**

Mr. Bush joined the meeting.

**MP-2023-005: BB Jones Addition Replat** – A request by Blackburn Properties, LLC to create 1 new lot, for a total of 2 lots over +/- 0.17 acres. The property is located at 62 South Beatty Street, in the City of Columbus.

Mr. Pappas presented for the Planning Department.

Mr. Bush asked if the reason the application has come before the Plan Commission is due to the lot size.

Mr. Pappas stated that the Board of Zoning Appeals previously approved the lot size. The request before the Plan Commission is to waive the requirement for written consent from 75% of property owners in the subdivision to add the additional lot and for the modification regarding the timing of the sidewalk installation along New York Avenue.

Ted Darnall with Milestone Design Group and Cody Blackburn represented the applicant.

Mr. Kinder opened the meeting to public comment.

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

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

Mr. Kinder closed the meeting to public comment.

Mr. Bergman stated that the applicant did send letters to all of the property owners in the subdivision. Mr. Darnall stated that they only heard back from 13 of the 76 owners contacted. None of those who responded were opposed to the replat.

Mr. Bergman indicated that, in addition to the applicant's letters, the Planning Department sent out public notice, regarding this application, to all of the original subdivision property owners

Mr. Bergman stated that procedurally there would need to be two votes. The first would be for modification to allow the delayed sidewalk installation. Mr. Bergman stated there are sidewalk commitments on the development of the property from the applicant's previous Board of Zoning Appeals applications as well as the Subdivision Control Ordinance requirement to have a sidewalk along the frontage of the new lot. The applicant's modification request is to only delay the sidewalk installation until the home is built but before an occupancy approval. Mr. Bergman stated it is the understanding by staff that this delay request is to ensure the sidewalks are not damaged by heavy equipment during home construction. He added that staff supports approval of this modification request.

**Motion:** Mr. Bush made a motion to approve the sidewalk installation delay modification request, stating that all criteria are met and accepting the findings indicated in the staff report. Ms. Garrett seconded the motion. The motion passed with a voice vote of 10 in favor and 0 opposed.

Mr. Bergman stated the second step is to approve the request as a whole, acknowledging the modification that was just granted, and including the requested 75% property owner consent waiver.

**Motion:** Mr. Baute made a motion to approve the request including the waiver of the required 75% other subdivision property owner consent. Ms. Garrett seconded the motion. The motion passed with a voice vote of 10 in favor and 0 opposed.

**ANX-2024-002: JOLI Development** – A request by JOLI Development to annex 289.44 acres into the Columbus Corporate Limits. The properties are located on the north and south sides of State Street / State Road 46, generally between Fairview Drive and 250 East, in Columbus Township.

Mr. Nieto presented for the Planning Department.

Mr. Baute asked for clarification regarding the strategic growth study area and its purpose. Mr. Bergman explained that, in 2017, the Planning Department completed a Columbus Strategic Growth Study that considered development potential outside the city limits. It overlaid the factors that are necessary for city growth, such as utilities and fire protection. It also considered barriers to development such as the flood plain and wellfield protection area. It then identified the areas that had the fewest constraints and therefore were likely development sites. He noted that one of the factors the study could not incorporate was the desire of the property owners to develop. Mr. Bergman added that the properties in this annexation area are were considered "Tier 2" due to some concern with water and sewer availability.

Ms. Porter expressed concern that not all of the property owners involved were petitioners in the annexation. Mr. Bergman explained that this annexation was following the Indiana law process for those requested by at least 51%, but not 100%, of the involved property owners.

Ms. Alapati asked if the property owners not interested in the annexation could prevent the request from proceeding. Mr. Bergman replied that the non-petitioner property owners involved would not be able to stop the annexation just by objecting to it. There is however, a formal remonstrance process after the City Council has adopted the annexation ordinance through which property owners could seek to have the annexation blocked by the courts.

Ms. Garrett noted that the petitioners' properties appear to be smaller than the non-petitioners' and questioned the petitioners' 51% representation. Mr. Bergman responded that the standard is 51% of the property owners not 51% of the acreage involved.

Mr. Bartels asked why additional properties on the north side of State Street were not included in the annexation. Mr. Bergman stated that these petitioners have been interested in annexation since 2016, and have been working with the Planning Department staff to explore their options. He stated that the two reasons to not include additional properties would be, one, if other non-petitioners were involved it would make the annexation process more difficult and, two, the intent was to include as few property owners against their wishes as possible.

Ms. Porter asked if there is a reason why the property would need to be annexed in order to be developed. Mr. Bergman noted that larger agriculture properties outside of the city limits, depending on the property, were limited to a maximum of two new lots per parcel. Developing more densely requires a rezoning and a connection to city sewer service; annexation is a pre-requisite for both.

Ms. Porter asked about annexations that result in the city limits surrounding other properties that remain outside of Columbus. Mr. Bergman stated that these "holes" in the city limits are common in Columbus and elsewhere throughout the state and are a product of Indiana annexation laws. He added that Indiana law favors voluntary annexation and restricts involuntary annexation. Mr. Bergman stated that Indiana's annexation process is largely limited to those locations where property owners are interested in development and therefore have a reason to request annexation. He added that limitation sometimes results in less than ideal city boundaries.

Mr. Bush stated that when you have a natural barrier, like Clifty Creek, you often have atypical property lines. He added that they, and corresponding irregularities in the city limits, are almost a necessity in order to cross that barrier for annexation. Mr. Baute stated he agreed with Mr. Bush but expressed concern that the occupants of properties that become surrounded by the city do not have the opportunity to vote for a city council person. Mr. Bush indicated that was true, but they could choose to be annexed if they would like to be able to have that opportunity.

Mr. Bartels asked if City Utilities would be bringing sewer service across Clifty Creek if the annexation were approved. Mr. Bergman replied that Columbus City Utilities has reported that city sewer service is already available on the east side of Clifty Creek. Mr. Bergman added that this area is within the Eastern Bartholomew Water Corporation water service area as opposed to Columbus City Utilities, and will remain that way after any annexation. He went on to say that Eastern Bartholomew Water Corporation reported adequate water pressure in this area to support development.

Mr. Kastner stated he was concerned, not specifically with this request, but with future annexation requests that would gain contiguity from this request creating sprawl on this side of the city. He asked if there would be any constraints on the build out of this land for low-density housing. Mr. Bergman stated that sprawl is not just any growth of the city but particularly low-density and single-family only residential use. He added that, over the long term, sprawl prevention becomes the responsibility of the Plan Commission and City Council when considering future rezoning requests.

Mr. Kastner stated that this reminds him of Abbey Place, where there have been multiple annexations and residential rezonings with no amenities in place to serve the new residents. Mr. Kleinhenz stated the amenities usually do not come until there is enough population to warrant them. In his opinion, commercial business will not want to build in that area until there is a more dense population.

Mr. Kinder and Mr. Bergman reiterated that a future rezoning process would determine what type of development is suitable for the area. Mr. Bergman went on to say that this annexation would likely prompt an update to the Comprehensive Plan, which would guide those rezonings and any new development.

Mr. Bush asked if all city departments were given a chance to comment on annexation requests. Mr. Bergman confirmed that was correct.

Mr. Baute stated that there were no remarks from the Parks Department on this annexation. Mr. Bush replied that the Parks Department usually does not comment until the rezoning request, as not all annexed properties are to be residential. Mr. Bergman stated that the annexation of agricultural property is not typically a concern for the Parks Department, but the rezoning of an agricultural property for residential use would be.

Ms. Garrett wanted to clarify that the annexation request is for 289.44 acres and 225 of those acres are owned by non-petitioners. Mr. Bergman stated that was correct.

Joe Conner with JOLI Development, John Whittington with Lentell Properties, and Josh Aciukewicz owner of 4825 East State Street, represented the petitioners. Mr. Conner indicated that there has been interest in developing this area for quite some time but annexation was an issue. Mr. Conner stated that, from a developer's standpoint, this is an excellent area to develop. He noted that the majority of the city's growth has taken place on the west side because the land east of town has been difficult to annex because of intervening farm properties. Mr. Conner stated that State Street is a TIF (Tax Increment Financing) district and if you want to increase the business in the area then you have to have more people in that area. Mr. Conner stated this is the best place to start the city's growth on the east side.

Mr. Baute asked why Mr. Conner sold some of his nearby residential properties that could have been included in this annexation. Mr. Conner stated that, regarding the properties he sold, all of the new owners were made aware of the annexation for this property and signed waivers stating they would not oppose the annexation.

Mr. Baute stated he was concerned that the Clifty Creek Farm property proposed for annexation would not increase in value as a result of the annexation, while the other properties would increase in value. Mr. Conner stated Clifty Creek Farms would not increase in value because the entire property is in the floodway and cannot be developed. He stated the annexation would not change that circumstance.

Mr. Bush stated annexation is required in order to foster growth. He noted the growth that has taken place in Walesboro and Tipton Lakes that would not have happened if those areas were not annexed. Mr. Conner stated that is the question - does the city want to foster growth to the east? If it does, this annexation is how that begins. He added that there are already city services readily available and the school system would not be burdened.

Mr. Baute asked if the Amberley addition to the north of this annexation area would be annexed next. Mr. Bergman replied that would be up to those property owners. Mr. Baute stated he was worried about creating pockets of not annexed properties amongst the city limits.

Ms. Garrett expressed concern that two petitioners – Mr. Conner and Mr. Aciukewicz – being related may cause a legal issue. She added that she was also concerned with the size of the included properties owned by non-petitioners.

Mr. Kinder asked for clarification on the ordinance that was passed last year regarding agricultural properties in the city limits. Mr. Bergman explained that the first concern of owners of agricultural property considered for annexation is a possible increase in property taxes. He stated there is a provision in Indiana Law that allows the City Council, at the time of annexation, to exempt agricultural properties from the added city tax rate. He noted that the petitioners in this case have asked for that exemption for all included properties. Mr. Bergman went on to say that the second annexation concern is regarding property rights and lifestyle as county properties are often used for hunting, animal agriculture, and open burning. He stated that, last year, the City Council passed an ordinance allowing for continued hunting, burning, and keeping of farm animals on city properties that are at least 35 acres in size and zoned agriculture. He stated that the intent of that change was to remove barriers to future annexations, such as what is currently proposed.

Mr. Kinder opened the meeting to public comment.

Mark Rediker, 3244 Nugent Boulevard, participating in-person, stated he owns one of the included properties and is opposed to the annexation. He commented that the city's provisions allowing for hunting

and farm animals on agricultural properties are in place now, but a new City Council could change that in the future and then the owners of those agricultural properties would lose those rights.

Judy Pittman, 3735 East State Street, participating in-person, stated she is one of the owners of Clifty Creek Farms and is opposed to this annexation. She does not want to see more agriculture land developed. She added that she does not want State Street to look like State Road 46 West with all the commercial businesses and development. She would like State Street to maintain its green space. She was also concerned about increased traffic in the area if annexation and development occur.

Adam Rediker, 11975 East Legal Tender Road, participating in-person, stated he is the son of Mark Rediker and was opposed to the annexation. He stated he did not see that there would be a benefit to the city or the landowners by annexing these properties.

Harry Whipker, 1131 South 250 East, participating in-person, stated he was against the annexation.

Jamie Reed, 4835 East State Street, participating in-person, stated that JOLI Development and Mr. Conner owned several area properties and, in order to have the 51% property owner participation in the annexation, he gave a lot to his son-in-law (Mr. Aciukewicz).

Thomas Green, 4895 East State Street, participating in-person, stated he was concerned with the safety of future residents of any development in this area who would be entering and exiting off State Street. He went on to say that there have been multiple fatal accidents along this stretch of road and adding additional traffic needing to enter or exit would just increase that number.

Bob Pittman, 3735 East State Street, participating in-person, stated that he could see benefits to being annexed into the city, but because of Mr. Conner's tactics in reaching 51% property owner participation he is no longer in favor of this request.

Melissa (Lisa) Pendleton Green, 4895 East State Street, participating in-person, stated she has had people die in her yard from accidents on State Street. She stated she was also concerned that the new homes resulting from the annexation would chase the wildlife away.

Jamie Reed, 4835 East State Street, participating in-person, stated that the site Mr. Conner wants to develop is not very good land and he suggested the Plan Commission go out and view the property before making any decisions. He added that if it were developed it would be a negative impact to the neighboring residents.

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

Mr. Kinder closed the meeting to public comment.

Mr. Conner stated that, from past experience, he realizes that no one wants any property near them to be developed. Mr. Conner stated that the comments regarding the development not being a benefit to the city are misplaced. He stated that this annexation is logical growth for the city and would be beneficial for future growth in this area. He said that there is currently a housing shortage so the future development would be beneficial for those looking for homes. He stated that, concerning traffic issues, that is something that would be evaluated by the state or city later with any proposed development.

Ms. Porter asked if the Indiana Department of Transportation (INDOT) is in charge of road improvements for State Street. Mr. Bergman confirmed that as correct.

Ms. Porter asked if there are areas that can be annexed for future city growth that are not on a state highway and are the Plan Commission and Planning Department able to prioritize growth in those areas. Mr. Bergman stated that annexation is driven by individual property owners and their desire to develop their property, with the city primarily responding to those requests.

Mr. Bergman stated there has been much discussion over the years as to the challenge of finding areas for new development and city growth. The focus on in-fill development has had a lot of success, but there are not enough in-fill opportunities to meet all development needs. He stated that city growth requires locations where sewer service is available, where water service is available, and where the fire department is able to reach the location in a timely manner; these are the three most critical factors. Mr.

Bergman stated that another critical point is whether or not the property is for sale. He added the last critical factor is if the property can be annexed. Mr. Bergman stated, if all of these factors are not addressed, there is not an opportunity for growth in that location. He went on to say that there are very few locations where all of those factors are present. Mr. Bergman stated that Mr. Conner's request is for a location where all of those critical factors are present. Mr. Bergman stated that, from a city growth perspective, this is a unique opportunity to establish the city limits on the east side of Clifty Creek, which is critical for the long-term growth of the city. He agreed with Mr. Kastner that how that growth progresses would be the next critical piece and development should be considered carefully.

Mr. Bergman stated that there was likely no scenario where Clifty Creek Farms asks to be annexed into the city because the property has no development potential. He added that, until Clifty Creek Farms is annexed, city growth is effectively blocked in that direction.

Ms. Porter asked if natural barriers are considered by the Comprehensive Plan. Mr. Bergman stated that the Plan's citywide future land use map was created around 2000; and when considering the Comprehensive Plan, it is important to layer its different components. He stated that map does not envision development on the east side of Clifty Creek. He added that the Comprehensive Plan's East Columbus Character area narrative, in perhaps a longer-term scenario, does encourage new housing development in the area of this proposed annexation and notes the land should be annexed into the city prior to any development. The Plan's State Street Corridor Plan component states that the residential population needs to grow in order to revitalize the State Street corridor. Mr. Bergman added that the Columbus Strategic Growth Study, which should be seen as a complement to the Comprehensive Plan, identifies this area as having growth potential.

Ms. Porter stated she recognizes the City's need for growth, but she also recognizes the value of a rural setting and property owners wanting to maintain that character.

Mr. Bartels asked if there was a potential site plan available for Mr. Conner's anticipated development. Mr. Conner stated there was not but he was anticipating approximately 100 lots. Mr. Bartels stated that he was anticipating more than 100 homes in the area and was not sure that it would be cost effective for the city to annex an area for that small amount of tax benefit versus the cost of city services. Mr. Kinder stated that annexing these properties would create contiguity for future developments in the area. He added that any decision is not just about this request but also envisioning what could be in the future long term.

Mr. Bartels stated he was concerned with a patch-work annexation. Mr. Bergman indicated that is largely a function of Indiana annexation law and has become characteristic of every city.

Mr. Kastner stated he believes, if this annexation is approved, there will be pressure to develop all the way to US 31. He believes any development in this area should be done thoughtfully and planned out to allow for residential, commercial, parks, and green space to gently combine with what is currently in the area. Mr. Kastner stated he did not see the need to annex an area that could lead to unregulated growth. He went on to say that nothing he has experienced in the past 5 years, on the Plan Commission, has led him to believe the City will get ahead of the future rezoning requests with proper planning in place for the area beforehand.

Mr. Bush questioned how the city would master plan an area where it is unknown if the property owners would ever want to sell their land for development. He added that the city would likely not spend money to master plan an area where development may never come to fruition. He added that the Plan Commission has to evaluate the things that are brought before them, they cannot pick where a developer must develop.

Ms. Garrett asked if, during annexations, the Plan Commission should be looking at proximity to existing schools, amenities, parks, and services. Mr. Bergman responded that schools are a separate entity from the city; they are not a city service and go through their own decision-making process. Mr. Bergman went on to say that schools are not a consideration when determining annexation, nor have they ever been.

Mr. Bush stated it would be irresponsible to delay this annexation request. He explained that Plan Commission is not the official annexing body, the City Council is, and no matter what recommendation Plan Commission would give, it is ultimately a City Council decision for the annexation of this property. He added that the applicant has been patient and is within the requirements of the law.

Mr. Bergman stated that the City has limited resources of time and money and therefore master planning the entire 2-mile jurisdiction in great detail in anticipation of a future annexation request at all possible locations was unrealistic. He added that the annexation would prompt a planning effort once it was known that city growth in a given area was likely.

**Motion:** Mr. Kastner made a motion to send an unfavorable recommendation to City Council for ANX-2024-002 because this is a critical development area, and there has not been sufficient consideration of the developmental impacts. Mr. Baute seconded the motion. The motion failed with a roll call vote of 5 in favor and 5 opposed. Mr. Bush, Mr. Kleinhenz, Mr. Kinder, Ms. Alapati, and Mr. Beckort voted no.

**Motion:** Mr. Bush made a motion to send a favorable recommendation to City Council. Mr. Beckort seconded the motion. The motion failed with a roll call vote of 5 in favor and 5 opposed. Mr. Kastner, Mr. Baute, Ms. Porter, Ms. Garrett, and Mr. Bartels voted no.

**Motion:** Mr. Bush made a motion to send the request to City Council without a recommendation. Ms. Porter seconded the motion. The motion passed with a roll call vote of 8 in favor and 2 opposed. Mr. Kastner and Mr. Baute voted no.

**ANX-2024-003: Toyota Material Handling** – A request by Toyota Material Handling to annex 70.53 acres into the Columbus Corporate Limits. The properties are located on the east side of I-65/225 West between Deaver Road and 300 South, in Wayne Township.

**RZ-2024-001: Toyota Material Handling** – A request by Toyota Material Handling to rezone 65.03 acres from AP (Agriculture: Preferred) to I-2 (Industrial: General). The properties are located on the east side of I-65/225 West, between Deaver Road and 300 South, in Wayne Township.

Mr. Pappas presented for the Planning Department.

Tony Miller, Brian Egloff, and Symon MacTavish, all with Toyota Material Handling, represented the applicant.

Mr. Miller displayed a site plan for a new manufacturing facility on the subject property. He stated the initial 15-acres of the subject property was purchased by Toyota in 2015 without a specific plan, other than for it to be used for potential future growth. He stated that there is now the opportunity for expansion and Toyota has built out its current site. He stated there would not be any truck traffic on 225 West and their planned truck entrance will be from Deaver Road. Mr. Miller pointed out on the site plan that the proposed building would be on the southern part of the property and the northern portion will contain a retention pond. He added that, although the zoning ordinance does not require a berm between this property and the adjoining neighbors, Toyota does intend to have an 8-foot berm with trees where adjacent to homes and match along Deaver Road the buffering on the existing Toyota site.

Mr. Baute inquired as to the square footage of the proposed building. Mr. Miller indicated it would be 260,000 square feet and added that the goal is to start production in this building in June of 2026.

Ms. Garrett asked if Toyota would save the existing trees around the property's perimeter to provide a natural buffer. Mr. Miller and Mr. MacTavish indicated that the cluster of trees on the south end of the property would be removed, but the fence-line trees to the north and east are not on Toyota property and would remain.

Mr. Bergman stated the requests being considered are for annexation and rezoning. He added that, although the applicant has provided a site plan, it is not specifically relevant to the annexation or rezoning decision criteria. He stated that, if rezoned, the property could be developed for any permitted use and would only be required to meet the standards of the zoning ordinance. He added that, if there are specific requirements that the Plan Commission wants to see attached to the rezoning, those should be included in any motion as rezoning commitments to ensure, regardless of the eventual developer, that those requirements would also apply.

Ms. Alapati asked why the acreage for the annexation is more than the acreage for the rezoning. Mr. Bergman stated that state law requires, when annexing a property, that the city must also annex the right-

of-way adjacent to that property; the adjacent right-of-way is the difference in land area between the annexation and rezoning.

Mr. Kinder opened the meeting to public comment.

Mark & Renee Brennan, 2815 West 300 South, participating in-person, stated they sent an email to Toyota requesting an environmental study to show impacts from an industrial facility on the ground water, surrounding wells, and light & noise pollution; a 20-foot tall buffer for all adjoining residential properties; and determination of water run-off effect on surrounding properties. Mr. Brennan stated that, due to receiving no response from Toyota, they ask the Plan Commission to table the requests until the next meeting so that Toyota has more time to supply the requested information.

Nancy & Larry Chandler, 3100 West 300 South, participating in-person, stated they are against having an industrial facility visible from their front yard. They expressed concern about pesticides in the ground that will be disturbed during construction and flooding.

Jason Hester, 526 Washington Street, President of Greater Columbus Economic Development Corporation, participating in-person, stated a Toyota expansion is a tremendous opportunity for the community. He stated the site is adjacent to the Woodside industrial area and Interstate 65 and Toyota's project will create new jobs for the area as well as add additional tax revenue to the city. He encourages favorable recommendations to be sent to City Council for the annexation and the rezoning.

Ken Fields, 2630 West Deaver Road, participating in-person, stated he is concerned that the company will force him out of his home. He is against the rezoning.

Brent Londeree, 2921 West 300 South, participating in-person, asked for more information on what Toyota is planning to manufacture on the site.

Tom Dell, 1063 Hummingbird Lane, participating via WebEx, stated that Toyota has been a good steward of Columbus and has provided many jobs for the residents of Bartholomew County; he encourages the Plan Commission to send favorable recommendations to City Council on these requests.

Nancy & Larry Chandler, 3100 West 300 South, participating in-person, stated that currently there are semi-trucks that use all of the county roads in the area to get to the industrial business and to add even more would be dangerous for the safety of the surrounding residents.

Michelle Martin, 2630 West Deaver Road, participating in-person, stated she would like to know what Toyota's 10-year plan shows for the area. She is concerned that additional farmland will be consumed by the industrial businesses.

Larry Chandler, 3100 West 300 South, participating in-person, asked where Toyota plans to expand next.

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

Mr. Kinder read a letter sent by Brent Londeree, 2921 West 300 South. The letter stated he was concerned with contamination of his well, noise and light pollution, traffic, and loss of privacy.

Mr. Kinder closed the meeting to public comment.

Mr. Miller stated that the proposed factory would be producing electric forklifts. Mr. Miller stated that this expansion is the 10-year plan and fulfills their anticipated needs through 2033.

Mr. Bergman asked Mr. Miller to comment on other properties that may have been considered for this expansion. He noted the availability of industrially-zoned ground both west of I-65 and east of the current Toyota facility. Mr. Miller stated that the property immediately west of the current Toyota facility, across I-65, is primarily wetlands and would require remediation. He stated that proximity to the current Toyota facility is important, as they anticipate pedestrian travel between the two facilities.

Mr. Beckort discussed the needed 225 West improvements associated with the proposed rezoning. He suggested pavement widening, realignment at Deaver Road, and an asphalt path, rather than the curb, gutter, and sidewalk recommended by the Thoroughfare Plan. Mr. Kinder asked if there was another



instance in this area where curb and gutter were not required. Mr. Bergman stated that curb and gutter are the standard recommended by the Thoroughfare Plan and required by the Subdivision Control Ordinance for industrial streets. He noted that curb and gutter were installed in the Woodside North West Industrial Park and on the east side of 300 West.

Mr. Bush asked the road classification for 225 West. Mr. Bergman stated it is classified as a collector road. Mr. Bush asked if Toyota would be widening 225 West. Mr. Miller stated, as recommended by the City Engineer's Office, they would be widening 225 West and adjusting it to align with the current Toyota entrance on Deaver Road.

Ms. Garrett stated there were many concerns expressed regarding well water protection for the neighbors and asked what measures would be in place to protect against industrial materials reaching the ground water in the area. Mr. Beckort stated that, from the stormwater ordinance standpoint, any development will have a water run-off quality and water quantity requirement. Mr. Bush stated that the Indiana Department of Environmental Management (IDEM) requires any developed property to adhere to state and federal regulations.

Ms. Porter asked if the applicant would have a well on the property. Mr. Miller stated they would not and would be connecting to City Utilities water and sewer service. Ms. Porter stated she was aware that when a new large well is being added to a property it can affect the water levels and conditions of the surrounding wells, but that does not seem to be the case for this location.

Ms. Garrett stated that Toyota's planned buffer did not appear to include the property's 300 South frontage and asked if there was an option for a buffer there as well. Mr. Bergman replied that there is typically not a zoning ordinance buffer requirement for properties across a street but the Plan Commission may add that buffer as a rezoning commitment.

Mr. Bartels asked if there should be a commitment for a formal pedestrian crossing of Deaver Road between this site and the current Toyota facility. Mr. Beckort recommended that be considered at the site plan stage to evaluate how much pedestrian traffic would actually be crossing Deaver Road. Mr. Bergman noted that the City Engineer and Board of Works would have the ability to specify those pedestrian-related improvements to Deaver Road and a rezoning commitment was therefore not necessary.

Mr. Bergman stated, with regard to the annexation, that the property is adequately contiguous and city departments have responded that they can provide adequate services to the property. He stated the staff supports a favorable recommendation to City Council on the annexation request.

**Motion:** Ms. Garrett made a motion to send a favorable recommendation to City Council for ANX-2024-003. Mr. Beckort seconded the motion. The motion passed with a voice vote of 10 in favor and 0 opposed.

Mr. Bergman stated staff supports a favorable recommendation to City Council on the rezoning with the following commitments:

1. The subject property's 225 West frontage shall be improved to include a minimum pavement width of 24 feet. These improvements shall include a re-alignment of 225 West north of its intersection with Deaver Road meeting the specifications of the City Engineer, including the dedication of all necessary right-of-way to the City of Columbus to accommodate the re-aligned road.
2. The intersection of Deaver Road and 175 West shall be improved within existing right-of-way to facilitate semi-truck turning movements consistent with the specifications of the City Engineer.
3. A 30-foot half right-of way shall be dedicated along the subject property's 300 South frontage.
4. A buffer shall be provided along the property lines of the adjacent residential lots (at 2770 West Deaver Road and 2815 - 2921 West 300 South) and along the property's 300 South frontage. The buffer shall include the minimum required setback and shall be a minimum of 60 feet in width. It shall include a berm that is a minimum of 8 feet in height with a 3 to 1 slope; a staggered row of evergreen trees that are a minimum 5 feet in height at planting and are spaced 10 feet on center shall be planted on top of the berm. No lighting, fencing, or other aspects of development shall encroach into the required buffer area.
5. The development of the property, in lieu of the sidewalks required by Columbus Zoning Ordinance Chapter 7.3(Part 2), shall include a 10-foot wide asphalt shared-use path along its 300

South, 225 West, and Deaver Road frontages. The design and placement of the shared-use path shall be consistent with the provisions of Zoning Ordinance Chapter 7.3(Part 2) and the provisions of the Columbus Bicycle & Pedestrian Plan, as determined by the City Engineer and Planning Director. Both referenced documents shall be considered with their content as of February 14, 2024.

**Motion:** Mr. Bush made a motion to send a favorable recommendation to City Council for RZ-2024-001 including the commitments recommended by Mr. Bergman. Ms. Garrett seconded the motion. The motion passed with a voice vote of 10 in favor and 0 opposed.

**RZ-2024-002: HMGO Real Estate** – A request by HMGO Real Estate to rezone 15,795 square feet from RS2 (Residential: Single Family 2) to RT (Residential: Two-Family). The property is located at 3983 North 150 West, in Columbus Township.

Mr. Nieto presented for the Planning Department.

Mr. Bush asked if it was known on which side of Paula Drive the Bicycle & Pedestrian Plan's recommended shared use path would be located. Mr. Bergman replied that the Plan has provisions for the city engineer to determine which side of the street would best accommodate the path. Mr. Bush asked, if path construction along this property's Paula Drive frontage is included as a rezoning commitment, would that path segment then be on the correct side of the street? Mr. Bergman stated that the homes along Paula Drive are on the south side (the same side as the subject property) and their access to the path would be prioritized. Mr. Beckort added that there are less industrial drives on the south side of Paula Drive, making it more suitable for the path. Mr. Bergman stated the Plan's recommended path with is 10-12 feet, with a possible reduction to 8 feet where limitations are present. Mr. Bergman noted that the staff's preliminary recommendation does not specify a path width to allow Mr. Beckort to determine the best path fit for the entire length of the south side of Paula Drive and for the redevelopment of this subject property to incorporate that to-be-determined path design.

Clayton Miller represented the applicant. Mr. Miller asked if it would be possible to delay his installation of the path until the city also adds it to the other properties on the south side of Paula Drive. He stated that if they were to install it with the redevelopment of their site it would dead end at their property line.

Mr. Kleinhenz asked if there is a way to provide both the path and onsite parking without taking up a significant portion of the property. Mr. Bergman noted that the intent is for the path to be located on existing Paula Drive right-of-way and not take up any space on the lot itself.

Ms. Garrett asked if there were any plans to improve Paula Drive. Mr. Beckort stated there are currently no city plans to improve that street.

Mr. Kinder opened the meeting to public comment.

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

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

Mr. Kinder closed the meeting to public comment.

Mr. Bergman stated staff supports a favorable recommendation to City Council with the following commitment: At the time any portion of the property is developed, a shared-use path meeting the recommendations of the Bicycle & Pedestrian Plan, as determined by the City Engineer and Planning Director, shall be installed along its Paula Drive frontage. The path shall be complete prior to occupancy of that development.

**Motion:** Ms. Garrett made a motion to send a favorable recommendation to City Council for RZ-2024-002 including the commitment stated by Mr. Bergman. Ms. Alapati seconded the motion. The motion passed with a voice vote of 10 in favor and 0 opposed.

### **Appointment of a Liaison to the Bartholomew County Plan Commission**

**Motion:** Mr. Bush made a motion to appoint Mr. Baute as the liaison to the Bartholomew County Plan Commission. Ms. Garrett seconded the motion. The motion passed with a voice vote of 10 in favor and 0 opposed.

### **Appointment of Columbus Plat Committee Members and Alternates**

**Motion:** Ms. Garrett made a motion to appoint Mr. Beckort, Mr. Baute, and Mr. Bergman, with Ms. Begley as Mr. Bergman's alternate, as the Columbus Plat Committee members. Ms. Porter seconded the motion. The motion passed with a voice vote of 10 in favor and 0 opposed.

### **Appointment of a Plan Commission Hearing Examiner**

**Motion:** Ms. Porter made a motion to appoint Ms. Garret as the Plan Commission Hearing Examiner. Ms. Alapati seconded the motion. The motion passed with a voice vote of 10 in favor and 0 opposed.

### **President's Appointment of Columbus Utility Review Committee Member**

Mr. Kinder appointed Mr. Ellison as the Columbus Utility Review Committee member.

### **DISCUSSION ITEMS**

The following discussion items were forwarded to the March 13, 2024 Plan Commission meeting.

#### **Discussion regarding the Columbus Front Door Overlay Zoning District.**

#### **Discussion of the Planning Department 2024 Work Plan.**

### **DIRECTOR'S REPORT**

Mr. Bergman recognized Chris Bartels as the new Plan Commission member appointed by City Council and Austin Whitted the new Deputy City Attorney.

**ADJOURNMENT:** 8:00 p.m.

**Motion:** Mr. Bush made a motion to adjourn. Mr. Kleinhenz seconded the motion. The motion passed with a voice vote of 10 in favor and 0 opposed.

These minutes approved at the Plan Commission meeting on April 10, 2024.

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Michael Kinder, President

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Laura Garrett, Secretary