

MINUTES
COLUMBIA CITY PLAN COMMISSION
REGULAR MEETING
MONDAY, MARCH 2, 2020
7:00 P.M.

WHITLEY COUNTY GOVERNMENT CENTER
MEETING ROOM A/B, LOWER LEVEL

MEMBERS PRESENT

Larry Weiss, President
Patrick Zickgraf, Vice president
Walt Crowder
Doug Graft
Chip Hill
Jon Kissinger
Don Langeloh
Dennis Warnick
Dan Weigold

STAFF

Nathan Bilger
Amanda Thompson

ATTORNEY

Dawn Boyd

MEMBERS ABSENT

None

VISITORS

Five visitors were present at the March 2, 2020, Columbia City Plan Commission meeting. A guest list is included with the minutes of this meeting.

CALL TO ORDER

Mr. Weiss called the meeting to order at 7:00 P.M.

INTRODUCTION AND SWEARING IN OF ANY NEW MEMBERS

There were no new members.

ROLL CALL

Ms. Thompson read the roll call with those members present and absent listed above.

ELECTION OF 2020 PLAN COMMISSION OFFICERS

Mr. Weiss requested nominations for officers. Mr. Graft made a motion that the 2019 officers be reappointed for 2020. Mr. Warnick gave the second and made a motion that

the nominations be closed. The members voted, and the motion carried. The 2020 Plan Commission officers are Mr. Weiss as president, Mr. Zickgraf as vice president, Mr. Kissinger as the Plan Commission's representative on the Board of Zoning Appeals, and Mr. Langeloh as the Plan Commission's representative on the Joint Advisory Board.

CONSIDERATION AND ADOPTION OF THE NOVEMBER 4, 2019, COLUMBIA CITY PLAN COMMISSION MINUTES

Mr. Weiss asked if there were any corrections or additions to the November 4, 2019, meeting minutes. Mr. Warnick made a motion to accept the minutes as distributed. Mr. Zickgraf gave the second, and seven members voted in favor of the motion while Mr. Crowder and Mr. Langeloh abstained from the vote.

ADMINISTRATION OF THE OATH TO WITNESSES

Ms. Boyd administered the Oath to three potential witnesses.

OLD BUSINESS

There was no old business.

NEW BUSINESS

1. 20-C-SUBD-1

McClurg Builders, LLC, requested primary plat approval for an 18-lot subdivision, proposed to be called Deer River Estates, located on the southeast corner of Depoy Drive and Westchester Drive. Mr. Bilger summarized the Staff Report, describing the zoning, development standards, Drainage Board approval, and concerns regarding the Covenants, including the Soil and Water Conservation District's note that ongoing maintenance for storm water detention should be outlined. Mr. Bilger stated that a sidewalk along Depoy Drive was required, and he pointed out the potential for a "cow path" to develop on Lot 11. He suggested that the petitioner may want to consider adding an easement or plan to address the situation by some other means. Mr. Bilger listed four suggested conditions. Considering condition #2, Mr. Graft asked how members are chosen for a Technical Review Committee. Mr. Bilger listed the members as himself, the Community Development Director, the Soil and Water Conservation District, the City (or County, as applicable) Engineer, Plan Commission President, and others, such as the Fire Chief, as needed.

There being no further questions for Mr. Bilger, Mr. Weiss requested to hear from the petitioner. Kevin Michel of Walker & Associates was present on behalf of McClurg Builders, LLC. He distributed large copies of the plat to the Commission members. Mr. Michel discussed drainage and erosion control. He assured the Commission that he was aware of the requirements. Mr. Michel stated there

would be additions to the Covenants with the goal that they be the same as or more restrictive than Deer Chase's.

Mr. Langeloh referenced Jon Gotz's comment letter and images and asked if care of the ditch would be managed before the project went forward. Mr. Michel replied that the Phillips Ditch is under the County's control. He stated that erosion would be a problem after any large rain, but he planned to install riprap at the north pipe to slow the water flow. He also will install riprap on the south pipe which appears to have been overlooked when Deer Chase was developed.

Mr. Langeloh inquired as to whether or not any improvements would be added to help solve drainage and erosion problems at Brookwood Estates. Mr. Michel discussed briefly, but he and Mr. Weiss both replied that Drainage Board is the entity that would need to discuss these issues. Mr. Weigold stated the ditch does need cleaned again. He described how the City's storm water fund covers the cost in order to prevent reassessment of the owners within the watershed. Mr. Weiss asked who introduces a proposal for cleaning. Mr. Weigold and Mr. Crowder replied that the Drainage Board brings estimates to the Council. Mr. Michel pointed out that the problems being discussed were not part of the subject property.

Mr. Weigold noted that the existing retention pond is currently not well maintained. Mr. Michel agreed and described that trees and brush will be removed, settlement will be removed at the inlet pipes, and an agreement will be established through the Home Owner's Association for the residents to maintain the grass.

Mr. Weiss referenced Mr. Bilger's suggestion of an easement on Lot 11, and he felt that if he were the Lot owner, he would not want people passing through. He felt that if an easement were granted, it would encourage traffic where it might not otherwise occur. Mr. Michel agreed. The Commission members discussed other options. Mr. Michel mentioned there is a fairly steep grade on the north side of the property line, so the required sidewalk would be 3-5' lower than the street. Several members suggested improving the area to bring the sidewalk up to the street grade. Mr. Michel stated the quantity of dirt needed would be sizeable. Other options were discussed. Mr. Michel offered the idea of a combined sidewalk and curb along Depoy Drive. Mr. Bilger felt this could be discussed at Tech. Review. Mr. Crowder asked if the plat would still require approval from the Board of Works and Tech. Review if the Plan Commission approved it. Mr. Weiss confirmed that it would. The members discussed whether or not details regarding the sidewalk needed to be part of their motion. Mr. Bilger offered assistance on the decision and noted that as sidewalks are already required, the only cause to add a specific condition of approval would be if the Commission was concerned about the location of the sidewalk.

Mr. Graft was concerned that Jon Gotz's comments had not been addressed and that Covenants had not been submitted to the Commission as part of their review. Mr. Michel stated that the deed requires using the Covenants from Section I & II of Deer Chase. Mr. Graft had no issues with that concept but wanted to see what the Covenants stated. Mr. Bilger said it seemed appropriate for the Commission to conduct secondary review, see the final Covenants and be assured that all areas of concern had been addressed.

Mr. Weigold voiced that he had been approached by a resident of the area who was concerned that this subdivision will contribute to the existing problem of having a large number of lots with only one access point. Mr. Weigold and Mr. Weiss agreed that the developer of the subject property should not be penalized for the problems caused by the developer of the adjacent area.

There being no further questions for the petitioner, Mr. Weiss closed the public portion of the meeting. There was a small discussion of the plat process, and several members felt that the Commission should review the secondary plat, especially since Covenants were not specifically provided with the primary plat.

Mr. Warnick made a motion to approve 20-C-SUBD-1 as presented and with the conditions listed in the Staff Report, with the exception that the fourth condition be modified to state that secondary plat approval would not be delegated to Staff so that the Plan Commission could review the Covenants. As part of a new process, Ms. Thompson read back the motion and recorded it on a Record of Decision form. Mr. Langeloh gave the second, and the members voted unanimously to carry the motion.

2. 20-C-SOA-1

A public hearing was held to propose that the Columbia City Subdivision Control Ordinance be amended to address the number of access points and/or connectivity for subdivisions. Mr. Bilger reminded the Commission of their last discussion on this topic and introduced amendments to §4.13 and §4.15, also explaining that he expected the text would need some revisions. He presented aerials of existing subdivisions and demonstrated how the amended text may have altered their design. Upon noting that Brookwood Estates had two platted emergency access points, presumably as a way to justify having just one connection to an exterior road, Mr. Bilger saw that Chris LaRue, Fire Marshall, was present and asked him if the fire department was aware of the emergency access points. Mr. LaRue replied that not only was the department not aware of them, they are not usable. He explained that the Fire Code defines Fire Access Roads, and they are to be wide enough that two fire trucks can pass, side by side. They also need to be engineered in order to handle the weight of the 42,000 pound trucks. Mr. LaRue stated that a gravel road would not suffice. Mr. Bilger pointed out that one of Brookwood Estates' emergency access points had never been improved and does not connect to any street, and the other was graded out but only to approximately 16' wide. He added that the area was completely disregarded when the adjacent

subdivision was developed, so any potential connectivity it might have had has been lost. Mr. Bilger stated this example is evidence that emergency access points should not be a substitute for a stub street.

Mr. Bilger gave examples of internal street connectivity. Mr. Langeloh felt that the Commission should hear input from an engineer. Mr. Zickgraf asked how other communities were addressing these issues. Mr. Bilger had some info and said he could gather more if the Commission needed additional comparisons. Mr. Zickgraf said he would like to see how many lots were allowed for Auburn, Kendallville, and/or Huntington.

Mr. Weiss opened the public portion of the meeting, and Fire Marshall Chris LaRue addressed the Commission. He explained that it wouldn't be a fire that would cause problems for areas like Eagle Glen and Deer Chase; it would be a water main break. Mr. LaRue said the Fire Code does not address access points and leaves such decisions to the Plan Commission. Mr. Bilger clarified that the Code does mention lots and recommends only 30 per access point. Mr. LaRue confirmed this was the case, but he did not feel it was necessary to request a limit of 30 lots. He stated he agreed with Mr. Bilger's proposal, and he was eager to see the Ordinance amended. Mr. Graft asked if there were any recently installed streets that are not improved to the standards needed for fire truck access. Mr. LaRue mentioned that due to parking on both sides of Camden Drive, a fire truck would have a difficult time making its way through. The Commission discussed how on-street parking is managed. Mr. LaRue also expressed concern regarding the expanding subdivisions north of Hanna Street.

There was no one else present who wished to speak, and the public portion of the meeting was closed. Mr. Bilger gave examples and posed the question of whether or not a proposed subdivision should be restricted based on the design of an adjacent subdivision. The Commission considered how the proposed amendment would affect Cambridge Crossing and Chesapeake Landing. Mr. Langeloh suggested inviting developers to subsequent meetings on this topic. Mr. Bilger agreed that their input could be valuable. He offered that grandfathering could be allowed for previously approved primary plats; it would allow the current problems to continue for some developments, but it would be easier to manage due to there being a specific date from which to go forward. Mr. Bilger stated he would make an invitation to the next meeting for developers, builders, and engineers so the group can have a thorough discussion. Mr. Warnick made a motion to continue 20-C-SOA-1 as discussed. Mr. Zickgraf gave the second, and the members voted unanimously to carry the motion.

OTHER BUSINESS

There was no other business. Mr. Bilger further described the Record of Decision form. He also mentioned the need to amend the Commission's Rules of Procedure so that notifications to adjacent property owners may be changed from certified mail to

certificate of mailing which is a more economical option for the customer and a more effective form of notification since no signature is required from the recipient.

Mr. Weiss stated that several Commission members had expressed concerns to him about the timeliness of receiving their meeting packets. He requested that meeting packets be mailed out sooner so the members would have time to review the information. Mr. Bilger said the department attempts to mail the packets 5-7 days in advance of the meeting. Mr. Weiss asked if the meeting deadlines for 2021 should be adjusted to give the department more time to prepare the packets. Mr. Bilger was open to that idea but cautioned that extending the deadlines would also lengthen the process time for petitioners. Mr. Graft voiced that he appreciated the emailed version of the packets. Mr. Warnick encouraged members to pick up their packets from the department instead of having them mailed.

ADJOURNMENT

There being no further business, Mr. Graft made a motion to adjourn. Mr. Crowder gave the second, and the meeting was adjourned at 9:22 PM.

GUEST LIST

1. Kevin Michel ----- 4242 S. 700 East, Columbia City
2. Andy McClurg ----- 285 S. Eagle Glen Trail, Columbia City
3. Larry Elliott ----- 875 N. Emancipation Court, Columbia City
4. Kathi Elliott ----- 875 N. Emancipation Court, Columbia City
5. Chris LaRue ----- 6841 W. 200 North, Larwill