

**MINUTES**  
**COLUMBIA CITY PLAN COMMISSION**  
**SPECIAL MEETING**

**May 18, 2020**

**7:00 p.m.**

**Whitley County Government Center**  
**Meeting Room A/B**

**MEMBERS PRESENT**

Larry Weiss, President  
Patrick Zickgraf, Vice Pres.  
Walt Crowder  
Doug Graft (electronic)  
Chip Hill  
Jon Kissinger (electronic)  
Don Langeloh  
Dennis Warnick  
Dan Weigold

**MEMBERS ABSENT**

**STAFF**

Nathan Bilger  
Amanda Thompson

**ATTORNEY**

Dawn Boyd

**AUDIENCE MEMBERS**

Ms. Thompson counted ten visitors at the May 18, 2020, Columbia City Plan Commission meeting, upon her arrival at 8:32 p.m. The signed Guest List was lost during the meeting, but a list of visitors who spoke at the meeting or who were otherwise known is included with the minutes of this meeting. There were three registered members of the public attending the webcast.

**CALL TO ORDER/ROLL CALL**

Mr. Weiss called the meeting to order at 7:00 p.m. Mr. Bilger read the roll call with members present, present by electronic participation, and absent listed above. There was a reminder that with members participating electronically, as allowed by the Governor's Executive Order, all actions taken would need to be by roll call vote.

**CONSIDERATION OF PREVIOUS MEETING MINUTES**

Mr. Weiss asked if there were any corrections or additions to the March 2, 2020, meeting minutes. Mr. Langeloh made a motion to accept the minutes as distributed. He also asked Mr. Bilger if covenants had been received for Deer River Estates. Mr. Bilger stated that he had received a rough draft. With no further discussion, Mr. Warnick seconded the motion. Motion carried by roll call vote, 9-0.

**ADMINISTRATION OF OATH**

Ms. Boyd administered the oath to the audience members.

**OLD BUSINESS**

There was no old business.

## **NEW BUSINESS**

### **20-C-REZ-1, Zone map amendment, Real Estate Equities, approx. 870 Denzil Dr.**

Real Estate Equities, Inc, requested an amendment to the Columbia City Zoning Map to reclassifying property, located at approximately 870 Denzil Drive, from the R-1, Single-Family Residential District, to the GB, General Business District.

Mr. Bilger summarized the Staff Report. The area proposed to be rezoned was between Denzil Drive and US 30, with Countryside Manufactured Home Park to the north. The site was undeveloped, but a public walking trail was on the site parallel to US 30. The proposed use would be for a mini-warehouse use. He referred to aerial views and zoning map. Mr. Bilger discussed the Comprehensive Plan, noting that the Future Land Use Map indicated this site would be for medium density residential, although the Plan did recommend encouraging appropriate infill development. He continued discussion of the other criteria for rezonings, stating that since the location of the proposed use was quite visible to the highway and was adjacent to the existing residential area, some sort of buffering and enhanced aesthetic treatment may be appropriate to address several of the criteria. He added that the Mayor had entered a comment letter regarding the proposal. He concluded by stating that a low-intensity non-residential use might be appropriate due to the proximity to US 30.

Mr. Weiss called for the petitioner or their representative to speak. Kevin Michel, engineer for the petitioner, presented copies of a conceptual design of the area for the Commission's reference. He explained that the proposed entrance to the area to be rezoned is located between existing homes because of slope of the site making access from the east end of Denzil infeasible. Stormwater detention would be located to the east side of the site. He further described the proposed design, answering the Commission's questions. The existing trail would remain in place, with a fence separation.

Mr. Weigold stated that he would prefer something nicer along the trail for aesthetics. The Commission discussed the visibility and aesthetic impacts from US 30 and the trail. R.D. Schrader, petitioner, also discussed this with the Commission.

Mr. Weiss opened the public hearing. There was no one present to speak, and Mr. Bilger stated that there were no comments posted on the webcast. Mr. Weiss closed the public hearing and asked for a motion. Mr. Warnick made a motion to forward a favorable recommendation to the Council; Mr. Weigold seconded. Mr. Langeloh asked about any conditions. After a brief discussion, Mr. Warnick modified his motion to include review of the aesthetics and lighting at the Development Plan stage, and the modification was accepted. Motion carried by roll call vote, 9-0.

Mr. Bilger asked for a minute break to permit anyone waiting in the upstairs meeting room time to come downstairs.

### **20-C-REZ-2, Zone map amendment, Orizon Real Estate, north end of Valley River Dr.**

Orizon Real Estate, Inc., requested an amendment to the Columbia City Zoning Map to reclassifying property located on the north end of Valley River Drive, 715 feet north of Hanna Street, from the R-2, Two-Family Residential District, to the R-3, Multi-Family Residential District. Don Langeloh recused himself from this case and did not participate in any discussion.

Mr. Bilger summarized the Staff Report. The property is currently undeveloped and zoned R-2, as is the surrounding area. He stated that the main purpose for the requested rezoning was to permit a smaller development standard, not for the multi-family use, and the petitioner had submitted a commitment to prohibit any multi-family use. Two-family dwellings would still be permitted. He discussed the criteria for rezoning, noting that the Comprehensive Plan future land use map designated the site for low-density residential, which does not directly align with any one zoning district. The remaining rezoning criteria were summarized.

Mr. Weigold asked if the dwellings would be income-restricted like some in recent subdivisions; Mr. Bilger stated that he believed it to be market-rate, but deferred to the petitioner for confirmation. Mr. Weiss asked if duplexes would be restricted by the zoning commitment. Mr. Bilger stated that it would not be prohibited, and the petitioner would need to confirm if there would be any two-family dwellings constructed. Mr. Weigold expressed concern about the amount of parking, which had been problematic in some smaller-lot subdivisions. Mr. Bilger referenced the petitioner's submitted commitments that require garages and driveways.

Mr. Weiss called for the petitioner or their representative to speak. Kevin Michel, engineer for the petitioner, stated that the rezoning was requested to permit a slightly smaller lot size and smaller side setbacks, but otherwise would be similar to surrounding subdivisions. He deferred discussion on the driveways to the upcoming plat item.

Brooks Langeloh, petitioner, stated that the rezoning permitted the addition of about four lots to the subdivision, but it also permitted smaller lots to address that market trend. Mr. Weigold said that he knew of some people who were looking for smaller houses, but who had to go to Fort Wayne instead since recent smaller houses were income-restricted. Mr. Langeloh confirmed the houses would be market rate. Additionally, the first two lots might be designated for single-family attached dwellings.

Mr. Weiss opened the public hearing. Ray Smith, 683 Redstone Court, stated his backyard was two feet lower than the proposed subdivision, and he was concerned about the drainage on the site. Mr. Michel stated that there would be drainage detention to the north of the proposed plat that should intercept the water from Mr. Smith's property. Mr. Weigold stated that it was important not to add to the problem.

Becky Smith, 683 Redstone Court, asked about utility and drainage easements on her property and on the proposed lots. She also asked if any of the trees would be saved. Mr. Weiss stated that the maintenance of any trees would be up to the developer. Mr. Bilger added that even if the developer saved some trees, the builder could still clear them for house construction.

There was no one else present to speak, and Mr. Bilger stated that there were no comments posted on the webcast. Mr. Weiss closed the public hearing and asked for a motion. Mr. Warnick made a motion to forward a favorable recommendation to the Council, with a condition that a zoning commitment prohibiting multi-family use be recorded; Mr. Zickgraf seconded. There was a discussion clarifying two-family uses versus multi-family uses. Motion carried by roll call vote, 8-0, with Don Langeloh having recused himself from the case.

## **20-C-SUBD-2, Primary plat, Orizon Real Estate, "Timbers Edge"**

Orizon Real Estate, Inc. requests primary plat approval for a 30-lot subdivision proposed to be called Timbers Edge (also referred to as Valley River Estates, Section III). The property is located on the north end of Valley River Drive, 715 feet north of Hanna Street, Columbia City,

and contains 7.95 acres. Don Langeloh also recused himself from this case and again did not participate in any discussion.

Mr. Bilger summarized the Staff Report, noting that the previous subdivision name was Valley River Estates, Section II, before being changed to the proposed Timbers Edge. Thirty lots would be developed, with about 820' of new street being proposed in an L-configuration, stubbing to the undeveloped property to the east. He stated that the zoning code development standards would be met with the proposed R-3 zoning. Drainage would largely go to the north. He stated that street trees were required by the City tree ordinance, but no list of tree species was known. Covenants were submitted, and included requirements for 18' wide driveways and garages. He stated that the maintenance of stormwater facilities was a concern of Jon Gotz, Soil & Water; such facilities are often maintained by a homeowners association, which is not explicitly provided for in the covenants.

He further described the use of an eyebrow at the intersection of the two streets and the use of the stub street. A cul-de-sac would have been over-length, as well as contrary to the Commission's intention to promote connectivity. Finally, he summarized the staff's recommended conditions:

1. A technical review meeting must be scheduled to review and approve final development and site construction plans prior to the commencement of site development activity.
2. The comments of the SWCD need to be addressed adequately as part of the development plans. Restrictive covenants may need to include provision for the on-going maintenance of the stormwater facilities. The covenants must provide the association with a mechanism to levy and collect dues and fines to perpetuate the maintenance and upkeep.
3. Secondary plat approval be delegated to staff, unless performance sureties are proposed, or there are issues that require Commission approval.

Mr. Weigold asked about requiring the condition for the maintenance of the stormwater detention area. Mr. Bilger stated that it would be reasonable to include that condition, but the stormwater maintenance agreement already required by the stormwater ordinance may be sufficient.

Mr. Weiss called for the petitioner or their representative to speak. Kevin Michel, engineer for the petitioner, distributed larger drawings of the proposed plat for reference. He described the proposed stormwater drainage flow as going to an off-site detention pond to the north of the site. That pond would be sized for this and future development. He stated that the petitioner did plan to set up an owners association to maintain the stormwater detention area.

Mr. Weigold asked if the detention area was a wetland. Mr. Michel described the stormwater design. Mr. Zickgraf asked if the design would address the Smiths' concerns. Mr. Michel said that it likely would help, but not knowing the exact issue, he could not be certain. There was some discussion about the design of the eyebrow compared to a standard cul-de-sac.

Brooks Langeloh, petitioner, asked about the street tree requirement. Mr. Bilger described the tree ordinance specification. There was discussion about the use of street trees versus yard trees. Mr. Langeloh stated that the wider driveways should permit two cars to be parked side-by-side, reducing the amount of encroachment over the sidewalk. He stated that the existing trees would be retained as much as possible, and the lots were deep which may help, but it would be up to the

lot buyer. Whether to set up a homeowners association and maintenance had not yet been decided, but the developer would make the determination by the time of the technical review.

Mr. Weiss opened the public hearing. There was no public comment, and Mr. Bilger stated that there were no comments posted on the webcast. Mr. Weiss closed the public hearing and asked for a motion. Mr. Crowder made a motion to approve the plat as proposed, with the staff's recommended conditions; Mr. Warnick seconded. Motion carried by roll call vote, 8-0, with Don Langeloh having recused himself from the case.

### **20-C-REZ-3, Zone map amendment, Pine Valley Munitions, 555 N. Line Street**

Mr. Bilger stated that this item was requested to be tabled by the petitioner to the July meeting due to financing delays related to the pandemic. Mr. Warnick made a motion to continue the item; Mr. Zickgraf seconded. Motion carried by roll call vote, 9-0.

### **OTHER BUSINESS**

Mr. Bilger stated that the two subdivision code amendments, 20-C-SOA-1 and 20-C-SOA-2, would be continued to the July meeting. New notice would be provided.

Mr. Bilger suggested that in the future the Commission consider rules for electronic participation in meetings. The consensus was to plan to adopt rules once the Governor's Executive Orders expire, whenever that may be.

There was no other business.

### **ADJOURNMENT**

Being no further business, Mr. Weiss called for a motion to adjourn. Mr. Zickgraf so moved; seconded by Mr. Crowder. Motion carried by roll call vote, 9-0. Mr. Weiss declared the meeting adjourned at 8:45 p.m.

### **GUEST LIST**

1. Greg Fahl, Orizon Real Estate .....518 Garland Ave, Columbia City
2. Kevin Michel, Walker & Associates .....4242 S. 700 East, Columbia City
3. R.D. Schrader.....1370 S. Raber Road, Columbia City
4. Becky Smith.....683 Redstone Court, Columbia City
5. Ray Smith.....683 Redstone Court, Columbia City
6. Brooks Langeloh, Orizon Real Estate.....818 N. Newport Run, Columbia City
7. Unknown woman 1
8. Unknown woman 2
9. Unknown woman 3
10. Unknown woman 4

### **GUEST LIST (WEBCAST)**

1. Doug Walker .....3686 E. 300 South, Columbia City
2. Junior Geiger.....627 S. Redstone Ct., Columbia City
3. Jerilyn Geiger.....627 S. Redstone Ct., Columbia City