

**MINUTES**  
**COLUMBIA CITY PLAN COMMISSION**  
**REGULAR MEETING**  
**APRIL 4, 2022**  
**7:00 P.M.**

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

**MEMBERS PRESENT**

Walt Crowder  
Doug Graft  
Jon Kissinger  
Don Langeloh  
Dennis Warnick  
Dan Weigold  
Larry Weiss  
Patrick Zickgraf

**MEMBERS ABSENT**

Chip Hill

**STAFF**

Nathan Bilger  
Amanda Thompson

**ATTORNEY**

Dawn Boyd  
(E)lectronic participant

**AUDIENCE MEMBERS**

The Guest List, attached, was signed by seven visitors. There was one attendee on the webcast.

**CALL TO ORDER/ROLL CALL**

President Weiss called the meeting to order at 7:00 P.M. Ms. Thompson read the roll call with members present and absent listed above.

**CONSIDERATION OF PREVIOUS MEETING MINUTES**

The February 7, 2022, regular meeting minutes were presented for review. Mr. Warnick made a motion to approve the minutes as distributed. Mr. Langeloh gave the second. Motion passed 8-0-1, with Mr. Graft in abstention due to having been absent from the February meeting.

**ADMINISTRATION OF THE OATH TO WITNESSES**

Four visitors were sworn in by Ms. Boyd.

**OLD BUSINESS**

There was no old business.

**NEW BUSINESS**

**1. 22-C-REZ-1**

Custom Home Designs, LLC, requested an amendment to the Columbia City Zoning Map to reclassify property at 1126 S. 50 East from the R-3, Multi-Family Residential District, to the LB, Local Business District. Mr. Bilger summarized the Staff Report. He explained that the structure at the site was formerly a UAW meeting hall, a grandfathered use, and the new owner plans to remodel the building into office space for their architectural business. Mr. Bilger described the nature of the surrounding properties and referred to the Future Land Use

Map and the Comprehensive Plan. He stated LB zoning could potentially be suitable for this property because the district permits both residential uses and lower intensity commercial uses. Responding to a question posed by Mr. Weiss, Mr. Bilger explained that the LB District is intended to protect the neighborhood from more intense commercial uses that may not be appropriate for the site. Regarding annexation, Mr. Bilger said it was not recommended currently because the property does not boarder the City Limit, but the mayor and Council would recommend annexation if the property owner were to seek sewer connection. He concluded by stating that no written public comments had been received for this petition, but he had spoken with a neighbor who expressed support for the office use because the traffic and late hours associated with the event hall had been bothersome.

There being no further questions for Mr. Bilger, Mr. Weiss invited the petitioner to speak. Jake Elkins introduced himself to the Commission and read a letter of intent from Brad Graber, owner of Custom Home Designs, who was unable to attend the meeting. (The Commission members had received a copy of the letter in their meeting packets.) There were no questions for Mr. Elkins. Mr. Weiss opened the public hearing, but there was no one who wished to speak, so the public hearing was closed.

Mr. Zickgraf considered the size of the property and asked Mr. Bilger if it could be redesigned. Mr. Bilger replied that it was large enough to be created into two lots but would be limited by the amount of frontage and the amount of space needed for a septic area on each lot. He clarified that a subdivision proposal would come before the Plan Commission. The members and Mr. Elkins briefly discussed the nature of the business. Mr. Langeloh asked if the parking lot were required to be paved. Mr. Bilger stated he had discussed with the petitioner that the Code says new parking lots are to be paved, and a change in use causes the need to abide by the appropriate number of parking spaces; but the Code does not reference altering the surface material with the use. The members discussed whether or not they felt paving the lot should be a condition of approval. When there were no further questions for Mr. Elkins, Mr. Weiss called for a motion. Mr. Warnick made a motion to forward a favorable recommendation on 22-C-REZ-1, as presented (without any conditions). Mr. Zickgraf gave the second; motion passed 8-0. Mr. Bilger indicated he would prepare paperwork for the Council to consider at one of their April meetings.

## **2. 22-C-DEV-1**

DOT America, Inc., requested Development Plan Review for building additions and parking area for their business at 335 S. Towerview Drive, Columbia City. Mr. Bilger summarized the Staff Report, describing the proposed additions, parking/maneuvering area, and detention areas. He listed six suggested conditions of approval in the Report. Mr. Langeloh asked about drainage. Mr. Bilger described the flow and confirmed that the Community Development Director had indicated the existing tiles/drains would sufficiently handle any excess water flow caused by the new construction. There being no further questions for Mr. Bilger, Mr. Weiss invited the petitioner to speak.

Cody Ward, MLS Engineering, was present on behalf of the petitioner. He expressed that Mr. Bilger's description of the project was appropriate, and he added that they had recently received approval from the Drainage Board. Mr. Ward stated they would work with the Planning Department to resolve the deficiencies of the ADA-accessible parking spaces. He also said the petitioner plans to plant street trees along Towerview Drive.

Mr. Weiss complimented Mr. Ward on the layout of the retention areas. There were no other questions or comments from the Commission. Mr. Weiss asked if there was anyone else present who wished to speak; hearing none, Mr. Weiss requested a motion. Mr. Kissinger made a motion to approve 22-C-DEV-1 with the conditions listed in the Staff Report. Mr. Warnick gave the second; motion passed 8-0.

### **3. 22-C-DEV-2**

AGA Properties, LLC, requested Development Plan Review for a 4,030 square foot office building and parking area on property they own on the north side of Connexion Way, 450 feet west of Armstrong Drive. Mr. Bilger described the site and explained the proposal as being for a pediatric dental office. He discussed the site plan and parking, stating the width of the ADA-accessible parking space and accessible aisle were drawn too narrow but could likely be amended easily. Staff had recently received a landscape plan, and copies were distributed at the meeting. Mr. Bilger voiced appreciation of the landscape plan because it exceeded the Code's requirements. He listed five suggested conditions of approval outlined in the Staff Report. There were no questions for Mr. Bilger, and Mr. Weiss asked the petitioner to describe the proposal.

Mark Behrens of Terra Site Development was present on behalf of AGA Properties. He clarified that proposed circle drive and north entrance was designed to provide a private pick-up for post-operative patients. Mr. Weiss asked if the Soil & Water Conservation District's comments had been addressed. Mr. Behrens said he was unfamiliar with the statements, as he was filling in for a co-worker, but his associate likely was aware of the letter. Mr. Weiss asked Mr. Bilger if the Commission should be concerned about the comments. Mr. Bilger suggested compliance with the SWCD's comments could be a condition of approval. Mr. Weigold expressed concern that many aspects of this plan were not addressed, and other members agreed. Mr. Warnick said placing conditions on the approval could provide assurance that the appropriate standards would be met. Mr. Bilger stated that the submittal met the requirements for a Development Plan Review, and any deficiencies would be reviewed as a Variance request before the Board of Zoning Appeals. Mr. Behrens said lighting was not required for this type of development, so none was planned. He stated the signage would be on-building. Mr. Graft questioned the number of staff and patients and was concerned about parking area and emergency access. Mr. Crowder expressed the same concerns. Mr. Behrens was unable to answer the questions but said he could check with the architect. He was confident that the number of parking spaces met the Code requirement. Mr. Bilger addressed concerns about the driveway, stating that the Code permits no more than one access point per street, and he would not advise the Commission to require a second access point, as that would cause the need for a Variance approval. There were no further questions, and the members began to discuss whether they wanted to continue the item or to grant an approval with a list of conditions. In addition to the conditions in the Staff Report, Mr. Bilger suggested the Commission may want to add a condition that any signage conform with the requirements of the Code. Mr. Langeloh referenced the SWCD's comment #12 and stated a condition should be added to include a utility and drainage easement on the north side of Lot 7. The Commission continued to discuss whether to table the discussion or what other conditions might apply to an approval. Mr. Bilger confirmed for Mr. Kissinger that any items submitted beyond what the Plan Commission had seen would be reviewed by Staff for compliance with the Code and any conditions of approval. When the members completed their discussion, Mr. Weiss called for a motion. Mr. Weigold made a motion to approve 22-

C-DEV-2 with the five conditions suggested in the Staff Report, a sixth condition that signage be in compliance with the Zoning Code, a seventh condition that a utility and drainage easement be added to Lot 7 as referenced in the SWCD's comment letter, and an eighth condition that the engineer submit a lighting plan or confirm that there will be no exterior lighting. Mr. Warnick seconded the motion. The motion passed, 8-0.

**4. 22-C-DEV-3**

Luredale Enterprises, LLC, requested Development Plan Review for a restaurant with drive-through and parking area proposed to be located on the southeast corner of W. Lincolnway and Connexion Way. Mr. Bilger described the property and the proposal, being for a Culver's restaurant. He pointed out an area on the northeast corner of the lot and stated that any future development there would require a separate Development Plan Review. Mr. Bilger said the parking plan exceeded the Code requirement and met ADA standards; landscaping, lighting, signage location, and drainage plans were all appropriate. He did note that the parking lot landscaping was slightly deficient, and only one freestanding sign is allowed per lot, so one of the two proposed would require Variance approval. In conclusion, he suggested four conditions of approval, listed in the Staff Report. There were no questions for Mr. Bilger, and Mr. Weiss requested to hear from the applicant.

Mikel Currier of Jones Petrie Rafinski was present on behalf of Luredale Enterprises. Mr. Currier summarized the proposal and stressed their intention of developing the site in a way that planned for future development in the area. He stated they were working closely with the SWCD in order to meet that goal. Mr. Currier confirmed that landscaping around the signs is planned, and they do intend to file a request for a Variance for the second freestanding sign. He answered some drainage questions, describing existing and future conditions. Mr. Weiss asked if they anticipated widening the drive if/when future development occurred. Mr. Currier confirmed that was the current plan. He added that Culver's usually receives deliveries from a semi with a 53' trailer, so the site is designed to allow maneuvering of such a large vehicle. When all the Commission's questions had been satisfied, Mr. Zickgraf made a motion to approve 22-C-DEV-3 with the conditions listed in the Staff Report. Mr. Warnick gave the second. Motion passed, 8-0.

**OTHER BUSINESS**

**5. Review draft Rules of Procedure**

Mr. Weiss explained that the Plan Commission's Rules of Procedure needed to be updated. Mr. Bilger referred to the draft document, noted the major changes, and pointed out several areas that were highlighted for discussion. He requested that the members consider the draft and plan for further discussion at next month's meeting.

**6. Discussion of extraterritorial jurisdiction**

Mr. Bilger stated that the Mayor and Commissioners had discussed expanding the City's extraterritorial jurisdictional area (ETJ), but the discussion had been brief. Mr. Bilger added that he had found that municipalities with an ETJ could have a municipal Board of Zoning Appeals along with a second division of a Board of Zoning Appeals with all members representing the ETJ. He encouraged the Commission members to consider if having two Boards of Zoning Appeals seemed appropriate for Columbia City.

## **ADJOURNMENT**

There being no further business, Mr. Weiss declared the meeting adjourned at 8:56 P.M.

## **GUEST LIST**

1. Mark Behrens, Terra Site Development ..... 1307 W. 161<sup>st</sup> Street, Westfield
2. Cody Ward, MLS Engineering ..... 10060 Bent Creek Blvd., Fort Wayne
3. Jake Elkins, Custom Home Designs ..... 8534 S. 600 East, Columbia City
4. Jarryd Myers ..... 4640 S. 275 West, Columbia City
5. Mikel Currier, Jones Petrie Rafinski ..... 325 S. Lafayette Blvd., South Bend
6. Angela McCoy ..... 1090 S. 50 East, Columbia City
7. Dominic Perreira ..... 1090 S. 50 East, Columbia City

## **GUEST LIST (WEBCAST)**

8. Troy Sutterfield, Briner Building ..... 8326 State Road 205, Churubusco