

WHITLEY COUNTY PLAN COMMISSION
REGULAR MEETING MINUTES
WEDNESDAY, JUNE 17, 2020, 7:00 P.M.

MEMBERS PRESENT

Thor Hodges
John Johnson
Mark Mynhier
Tom Western
Joe Wolf
Brad Wolfe
John Woodmansee
Doug Wright

MEMBERS ABSENT

LEGAL COUNSEL

Sam Ladowski

STAFF

Nathan Bilger
Mark Cullnane

VISITORS

Thirty-one visitors signed the guest list at the June 17, 2020 Whitley County Plan Commission meeting. The original guest list is kept on record in the Columbia City/Whitley County Planning & Building Department. Sixty individuals registered for the online webcast, with fewer actually “attending” the webcast. The list of online registrants is kept on record the Columbia City/Whitley County Planning & Building Department.

CALL TO ORDER/ROLL CALL

Mr. Wright called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance. Mr. Bilger read the roll call with all members present and absent listed above.

Mr. Wright stated that petition 20-W-REZ-4 has been administratively continued to the next regular meeting due to lack of proper notice. Several audience members left at this time.

**PUBLIC HEALTH PRECAUTIONS RELATED TO COVID-19 PANDEMIC AND
WEBCAST DIRECTIONS**

Mr. Bilger stated that public health precautions have been implemented to stop the spread of COVID-19. These precautions include prohibiting attendance of individuals who have recently been sick or exposed to COVID-19 (per EO 20-32), limiting the number of people who can attend the meeting to 250, encouraging the use of masks and other personal protective equipment, maintaining social distancing, and broadcasting the meeting electronically and providing electronic attendees an opportunity to submit questions or comments. He stated that questions or comments submitted by electronic attendees would be read into the record, and added that online broadcast of Commission meetings will likely continue throughout the remainder of the year due to ongoing concerns related to COVID-19. He said that the Commissioners Room was open for overflow seating in the event that the meeting room was at capacity, that the online broadcast would be playing there as well, and that staff would provide extra time between cases for people to move between rooms.

CONSIDERATION AND ADOPTION OF THE MAY 20, 2020 MEETING MINUTES

Mr. Wright stated that the minutes of the May 20, 2020 regular meeting were not ready for review at this time.

ADMINISTRATION OF THE OATH TO WITNESSES

Approximately 7 members of the public who were attending in person were sworn in by Mr. Ladowski. Mr. Ladowski stated that registration for the online broadcast includes an affirmation by the participant that any information he or she provides is truthful.

OLD BUSINESS

There was no old business.

NEW BUSINESS

1. 20-W-SUBD-8

Rick and Laura Rohr requested primary plat approval of a 2-lot subdivision proposed to be called Royal Oak Reserve. The subject property, more commonly known as 9783 S. Raber Road, Columbia City, is located on the west side of Raber Road, approximately 1,115' north of 1000 South, in Section 29 of Jefferson Township. The property is zoned AG, Agricultural District, and contains approximately 15.161 acres.

Prior to proceeding with 20-W-SUBD-8, Mr. Bilger read a question into the record from an online attendee, Kim Kurtz-Seslar, 5138 E. 700 South, Columbia City: "Cannot read the last bullet point. So we are not permitted to speak from a remote location?" Mr. Bilger stated that online attendees should type questions or comments into the question box and then submit.

Mr. Bilger reviewed the staff report and suggested conditions and presented the preliminary plat and aerial images of the subject property and surrounding area. He stated that right-of-way along Raber Road would be dedicated, that there is a potential wetland area in the northwest quarter of Lot #2, that the subject property is crossed by two tile drains, and that Drainage Board approval will be required for any structure located within the associated drain easements.

Mr. Wright asked the Commission if it had any questions for Mr. Bilger.

Mr. Wolfe asked Mr. Bilger why the petitioner had requested two lots and not three. Mr. Bilger stated that the remainder parcel is to be combined with an adjoining property, 9913 S. Raber Road.

Mr. Wright asked the Commission if it had additional questions for Mr. Bilger. Hearing none, Mr. Wright asked the petitioner or their representative to address the Commission.

Rick Rohr, 2454 E. 800 South, Columbia City, stated that they are interested in splitting the property to create building sites for potential buyers.

Mr. Wright asked the Commission if it had questions or comments for the petitioner. Hearing none, he asked the public if it had any questions or comments. Mr. Bilger stated that no online attendees had submitted questions or comments via electronic means. Hearing no questions or comments from the public in attendance or those attending electronically, he closed the public hearing.

Mr. Woodmansee made a motion to approve 20-W-SUBD-8 with the following conditions:

1. The requirements of the County Health Department must be met prior to issuance of a building permit.
2. Secondary plat approval delegated to Plan Commission Staff.

Mr. Hodges seconded the motion. Having no further discussion, the motion passed unanimously by a vote of 8-0.

2. 20-W-SUBD-9

Whitley RC Investments II, LLC requested primary plat approval of a 2-lot subdivision proposed to be called Rail Connect Business Park, First Subdivision of Lot Number 5. The subject property is located on the west side of Rail Connect Drive, approximately 1,700' west of 600 East, in Section 22 of Union Township. The property is zoned IPM, Industrial Park/Manufacturing, and contains approximately 47.42 acres.

Mr. Bilger reviewed the staff report and suggested conditions and presented the preliminary plat and aerial images of the subject property and surrounding area. He stated that right-of-way for the cul-de-sac would be dedicated and that if a future westward extension of the road would occur, right-of-way could be dedicated out of the proposed Lot # 7. He said that staff recommends making the proposed southern lot a block or outlot for ease of replatting in the future. He stated that the current landowner has moved forward with a metes and bounds split because it wanted to transfer the property to the buyer prior to recordation of the plat, thus making the proposed southern lot unbuildable until the plat is recorded. He added that the secondary plat will need to be revised to reflect the new landowners. He stated that comment letters from other departments and utilities were generally favorable, and noted that the County Highway Department was apprehensive about possible future westward extension of the right-of-way because of uncertainty concerning its eventual placement.

Mr. Wright asked the Commission if it had any questions for Mr. Bilger. Hearing none, Mr. Wright asked the petitioner or their representative to address the Commission.

Kevin Michel, 4242 S. 700 East, Columbia City, presented copies of the plat to the Commission. He reviewed characteristics of the plat and stated that staff's suggested conditions would be incorporated into the secondary plat.

Mr. Woodmansee stated that the building depicted in the proposed northern lot gives the impression that the proposed lot is the area of the existing metal building. Mr. Michel clarified

that the proposed lot is not the area of the building, but is the entirety of the northern half of the former Lot 5.

Mr. Bilger, Mr. Michel, and the Commission discussed possible ways to represent on the plat the existing building on the proposed northern lot.

Mr. Wright asked the Commission if it had questions or comments for the petitioner. Hearing none, he asked the public if it had any questions or comments.

Mike Hinen, 3823 E. 900 South, Columbia City, stated that he owns the parcel directly west of the subject property and that he is concerned with potential drainage impacts of large areas of impervious surface on the subject property. He stated that drainage on his property was negatively impacted by construction of an existing structure at 5627 E. Rail Connect Drive and that he had to place a new drainage tile to deal with standing water in his field.

Mr. Wright asked the Commission if it had questions or comments for the petitioner. Hearing none, he asked the public if it had any questions or comments. Mr. Bilger stated that no online attendees had submitted questions or comments via electronic means. Hearing no questions or comments from the public in attendance or those attending electronically, he closed the public hearing.

Mr. Woodmansee asked about options for addressing the drainage concerns raised by Mr. Hinen. Mr. Bilger stated that he would talk with the County Engineer to determine what can be done address drainage in the area. He added that it is expected that the Whitley County Redevelopment Commission will assume ownership of the Lot # 7 eventually and that this will allow the County to keep track of and take action to improve drainage in the area. Mr. Western stated that Mr. Hinen is welcome to attend future Redevelopment Commission meetings to voice his concerns. Mr. Michel and Mr. Hinen discussed drainage issues on and around the subject property.

Mr. Wright asked the Commission if it had additional questions or comments for the petitioner. Hearing none, he called for a motion.

Mr. Wolfe made a motion to approve 20-W-SUBD-9 with the following conditions:

1. Apply 40' front setback along the southern line of the northern Lot.
2. Revise plat name to suit Recorder's requirements.
3. Adjust the lot numbering to be Lot 5 and possibly Outlot 1, or similar.
4. Secondary plat approval delegated to the Plan Commission Staff.

Mr. Woodmansee seconded the motion. Having no further discussion, the motion passed unanimously by a vote of 8-0.

OTHER BUSINESS

Mr. Bilger reviewed the Planning Department's public notice protocol in light of the lack of proper notice that forced continuation of 20-W-REZ-4.

He said that the Comprehensive Plan update process has restarted as public health restrictions related to COVID-19 are beginning to be lifted. He stated that the Steering Committee is Mr. Wright, Mr. Western, Danny Wilkinson, Todd Nichols, and Scott Werstler. He added that subcommittees will be formed to address issues such as agriculture, residential development, etc.

He stated that the Planning Department is currently inundated with building permit applications. He said that smaller projects are up, but single-family homes are running average.

Mr. Woodmansee reviewed PL 53 and provided an analysis of its impacts on the Commission.

ADJOURNMENT

Mr. Wright declared the meeting adjourned at approximately 8:09 P.M.