

MINUTES
SOUTH WHITLEY PLAN COMMISSION
REGULAR MEETING
MONDAY, MAY 18, 2020
6:30 P.M.

SOUTH WHITLEY TOWN HALL
118 E. Front Street, South Whitley

MEMBERS PRESENT

Wendy Bills
Randy Cokl
Les Hoffman
Anna Simmons
Brock Waterson

STAFF

Amanda Thompson

MEMBERS ABSENT

None

VISITORS

There were seven visitors who signed the Guest List at the May 18, 2020, South Whitley Plan Commission meeting. The Guest List is included with the minutes of this meeting.

CALL TO ORDER

Ms. Bills called the meeting to order at 6:31 p.m.

ROLL CALL

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

ELECTION OF OFFICERS FOR 2020

Ms. Thompson requested nominations for the 2020 officers. She explained that a representative to the Board of Zoning Appeals could not be selected because both eligible seats were vacant. Mr. Cokl nominated Ms. Bills as president. Mr. Hoffman gave the second. Ms. Bills nominated Mr. Waterson as vice chairman. Mr. Cokl gave the second. The members voted unanimously to approve both motions. Ms. Bills requested that Ms. Thompson continue to lead the meeting.

CONSIDERATION AND ADOPTION OF THE AUGUST 19, 2019, REGULAR MEETING MINUTES

Ms. Thompson asked if anyone had any additions or corrections to report for the August minutes. There were none. Mr. Hoffman made a motion to accept the minutes as presented. Mr. Cokl gave the second, and the members voted unanimously to carry the motion.

ADMINISTRATION OF THE OATH TO WITNESSEES

Ms. Thompson administered the Oath to six potential witnesses.

OLD BUSINESS

There was no old business.

NEW BUSINESS

1. 20-SW-ZOA-1

Ms. Thompson introduced the proposed amendments to Chapter 4, 6, and 13 of the South Whitley Zoning Ordinance. After a brief explanation, she asked if anyone was present who wished to speak with regard to the petition. Hearing none, she closed the public portion of the meeting. The Commission members discussed briefly. Mr. Hoffman made a motion to forward a favorable recommendation to Council. Mr. Cokl gave the second, and the Commission members voted unanimously in favor of the motion.

2. 20-SW-REZ-1

Millennium Development Holdings, LLC, requested an amendment to the South Whitley Zoning Map to reclassify two parcels from the R-1, Single-family Residential District to the GB, General Business District. Ms. Thompson described the parcels as totaling 5.496 acres and being located at 6866 W. River Road, South Whitley. She explained that the petitioner owned a total of four adjoining parcels at the River Road/SR 5 intersection, and they were seeking to unify the zoning in order to increase the number of allowable uses and make the location more attractive to potential developers. Ms. Thompson referenced the review criteria listed in the Staff Report, to which the Commission members must pay reasonable regard. There were no questions from the members, so Ms. Thompson invited the petitioner to speak.

Drew Welborn was present on behalf of Millennium Development Holdings. He explained that development was needed in South Whitley and that rezoning the property would be beneficial towards that goal. Mark Rickerd introduced himself as a neighbor to the west, in Whispering Hills subdivision. He asked how the petitioner intended to use the property. Mr. Welborn said the petitioner had not declared a specific use. He said Simon Dragan manages Millennium Development

Holdings has a good reputation for creating beneficial and popular developments. Mr. Cokl stated that he was in favor of progression but not without knowing the property's use. Ms. Thompson explained that the Zoning Code specifies permitted uses for each zoning district. She added that it is beneficial to review a rezoning request without knowing an intended use; all permitted uses for the district should be considered, as uses can change.

Riley Hollenbaugh, of the Economic Development Corporation, spoke in support of the petition. He stated that commercial development would increase the tax base and benefit the town. Mr. Waterson voiced that he had heard concerns about the property being used for trailers. Mr. Welborn replied that he was not aware of any plan involving trailers. He stated that the intention was for an undetermined commercial development.

Mr. Rickerd expressed concern about there not being a planned use. He requested that the Commission put restrictions in place, such as a buffer between the residential properties and any development or parking area. Ms. Thompson explained that buffering and other important details regarding development would be considered by the Plan Commission at a Development Plan Review. She stressed that this review was required for ANY primary commercial or industrial building and including some residential buildings.

Scott Darley, member of Whispering Hills, LLC, expressed that he was not in favor of the rezoning. He felt that if the property were rezoned to General Business, it would not likely return to residential zoning. He stated that he did not feel a commercial development would be an appropriate neighbor to Whispering Hills subdivision. Jessica Mane, a resident in Whispering Hills, expressed concern about how a commercial development would negatively impact property values. Mr. Rickerd and Mr. Darley agreed that the area along State Road 5 seemed appropriate for commercial use, but they said area close to the subdivision should stay residential.

Mr. Welborn stated that the possibility of investment would be decreased if the proper zoning was not in place. Mr. Waterson asked if the petitioner would be able to choose a use for the property before completing the rezoning process. Mr. Welborn stressed that rezoning is the first step towards development. He added that he did not have much time left to complete this step as there had already been delays caused by COVID-19 prevention policies. Mr. Waterson said that as a Town Council member, he was in favor of development, but he wanted to know the property's use before making a decision. Mr. Welborn said that he had only received positive comments about the rezoning and possibility of development. Mr. Hollenbaugh commented that although the idea was broad, it clearly would support the Town's goals. He stated that changing zoning is a way to move forward and grow.

Those who had spoken reiterated and expanded on their concerns. Ms. Thompson read the list of permitted and special exception uses for General Business. She described the overlap in uses between the residential and commercial zoning. She explained that adjoining owners receive notice of Special Exception petitions, which are also heard as public hearings and reviewed by a board. No one else from the public wished to speak, so Ms. Thompson closed the public portion of the meeting.

Mr. Hoffman stated that South Whitley was known for stopping development. He pointed out that every property has a “back half” abutting a neighbor. Mr. Hoffman supported the petition and spoke highly of Mr. Dragan and the opportunities a development could bring to the Town. Mr. Cokl said he trusted the reputation of the developer but said he needed to respect the neighbors’ concerns. Mr. Welborn voiced that he had spoken with some neighbors and worked with them to clean up the property. He asked the Commission members to trust the developer’s history and to know that he wants to be a good neighbor. Mr. Welborn said Mr. Dragan had not made a decision on what the use of the property would be, but Mr. Welborn’s suggestion was for a mixed-use concept, similar to others he had been involved in. Mr. Waterson asked if Mr. Dragan might be able to determine a specific use and present it to the Commission. Mr. Welborn said they could not secure a developer without first having the property rezoned. The Commission members considered how to proceed. Mr. Hoffman made a motion to forward a favorable recommendation to the Council. Ms. Simmons gave the second. Three members voted in favor of the motion, Mr. Cokl voted against, and Mr. Waterson abstained stating he did not feel comfortable supporting the motion without knowing the property’s use. Ms. Thompson announced the 3-1-1 vote as passing the motion. *After the meeting, Staff realized that although the Commission currently only has 5 members, the majority needed to pass a motion is still 5/9. As of the writing of these minutes, the petitioner had not yet decided whether or not to withdraw the petition. If it is not withdrawn, it will be reheard by the Plan Commission. Notice of the meeting in the newspaper and to adjoining property owners will be issued at that time, as required by state statute.*

OTHER BUSINESS

3. Discussion of Comprehensive Plan amendment regarding trails

Ms. Thompson explained that Mr. Hoffman had identified a need for more discussion of the trails in the Comprehensive Plan. Mr. Hoffman said he intended to apply for a grant and that if the Plan addressed the trails and use of the river, the application would be more favorable. Ms. Thompson asked if Mr. Hoffman was interested in gaining public input or if he preferred for Staff to draft examples. Mr. Hoffman was not opposed to public input but felt that suggestions from Mr. Bilger would be sufficient and more appropriate due to potential time constraints. Mr. Hoffman confirmed for Ms. Thompson that the grant application indicated the Plan needed more details versus a renewal. Mr. Hoffman made a motion to direct Staff to draft potential amendments. Mr. Cokl gave the second,

and the members voted unanimously to carry the motion. *After the meeting, Mr. Hoffman and Mr. Bilger discussed the Comprehensive Plan and the grant's recommendations. They agreed that the current verbiage for the river and trails should be sufficient for the grant application. Therefore, no amendment will be pursued at this time.*

4. Discussion of possible housing TIF

Ms. Thompson announced that the Redevelopment Commission was preparing paperwork for a potential housing TIF. She explained that the area had not yet been defined, and it would not be area that was already in another TIF. The members briefly discussed TIFs and their benefits.

5. Miscellaneous

The members permitted a comment from Mr. Darley. He suggested that the Commission should review the minimum allowable lot size for residential lots because he felt the size was too small. Ms. Bills commented that she had written down his request.

The members discussed complications of the overlap of goals/duties between the Main Street group, the Comprehensive Plan, and the Town Council. It was the consensus of the members that coordination of the projects would be beneficial.

ADJOURNMENT

There being no additional business to come before the Plan Commission, Mr. Hoffman motioned to adjourn, Mr. Cokl gave the second, and the members voted unanimously to adjourn the meeting at 8:04 P.M.

GUEST LIST

1. Jessica Mane ----- 332 W. Deer Trail, South Whitley
2. Jerry Milner ----- 6051 S. State Road 5, South Whitley
3. Wayne Roberts ----- 5985 S. 900 West, South Whitley
4. Scott Darley ----- 7500 W. River Road, South Whitley
5. Riley Hollenbaugh (EDC) ----- 177 W. 5th Street, Roanoke
6. Drew Welborn ----- 201 W. First Street, South Whitley
7. Mark Rickerd ----- 316 W. Deer Trail, South Whitley