

**MINUTES**  
**COLUMBIA CITY PLAN COMMISSION**  
**REGULAR MEETING**  
**MAY 6, 2024**  
**7:00 P.M.**

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

**MEMBERS PRESENT**

Chip Hill  
Jon Kissinger  
Donald Langeloh  
Jennifer Romano  
Nicki Venable  
Dennis Warnick  
Larry Weiss, Vice President  
Patrick Zickgraf, President

**MEMBERS ABSENT**

Dan Weigold

**STAFF**

Nathan Bilger  
Amanda Thompson

**ATTORNEY**

Dawn Boyd  
  
(E)lectronic participant

**AUDIENCE MEMBERS**

Ten of the eleven visitors signed the Guest List at the meeting. There were no attendees on the webcast. A Guest List is included with the minutes of this meeting.

**CALL TO ORDER/ROLL CALL**

Prior to the start of the meeting, Mr. Langeloh stated that he would sit in the audience until after 24-C-SUBD-2 had been heard; he intended to abstain from the case due to being a relative of the petitioner.

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

**CONSIDERATION OF PREVIOUS MEETING MINUTES**

Mr. Warnick made a motion to approve the April meeting minutes, as distributed. Ms. Romano gave the second. The motion passed 8-0.

**ADMINISTRATION OF THE OATH TO WITNESSES**

Ms. Boyd administered the Oath to eight visitors interested in speaking at the meeting.

**OLD BUSINESS**

There was no old business.

**NEW BUSINESS**

**1. 24-C-SUBD-2**

Timbers Edge Development, LLC, requested primary plat approval for a 47-lot subdivision proposed to be known as Timbers Edge, Section 2, and located on the north end of Cottonwood Court, 900 feet north of Hanna Street. Mr. Bilger summarized the Staff Report.

He described the location of the subject property and stated that the previously discussed Zoning Commitments were likely to be recorded within the week. He noted that the 47 lots in this, Section 2, of the subdivision were numbered consecutively with Section 1. Mr. Bilger pointed out that several lots had been drawn smaller than the minimum allowable lot size, but he did not feel this was intentional and stated that lot lines could be shifted prior to recordation of the secondary plat, resolving the concern. With the previously approved rezoning case, Mr. Bilger stated that all other standards had been met. The petitioner had requested a waiver, to permit 50' of right-of-way, versus 60', and Mr. Bilger explained that this adjustment would allow for homes to be built closer to the sidewalks, resulting in slightly larger rear yards. He stated that the street and sidewalk specifications would still be met. Mr. Bilger suggested 8 conditions of approval in the Staff Report. The members considered the conditions and discussed with Mr. Bilger. Ms. Romano asked if the right-of-way in Section 1 was also 50'. Mr. Bilger clarified that was not the case, but reducing the right-of-way would not reduce the pavement or sidewalk widths. Ms. Romano stressed that police and fire departments had communicated that some existing neighborhoods were difficult to navigate, and she would not support narrowing streets in this area. She stated that shorter driveways cause residents to park on the streets, which contributes to the problem. Mr. Bilger confirmed for Mr. Zickgraf that for Section 2, the rezoning approval required parking areas to be 20' wide. He additionally described the differences between R-2 and R-3 zoning and the commitments of the rezoning for the subject property. There were no further questions for Mr. Bilger, and Mr. Zickgraf requested to hear from the petitioner.

Ryan Peppler, surveyor, distributed full-sized copies of the plat to the members and explained revisions that had been made, which corrected the lot sizes for the deficient lots (Lots 45, 50, and 64). He also described having added an easement across Lot 69, at the request of the electric utility. Mr. Peppler explained for Mr. Zickgraf that Block A was created as an access to the property to the north. Mr. Weiss asked for Mr. Peppler's thoughts on creating Block B from Lots 72 and 73. Mr. Peppler did not have an opinion but did state that drainage for the southern portion of the plat goes through that area. He added that having the detention area there decreases the amount of drainage going south. There were no further questions for Mr. Peppler.

Brooks Langeloh, developer, described that the size of the homes planned for Section 2 would be a variety, as in Section 1. He added that villas were planned for the cul-de-sac lots. In support of the request for lesser right-of-way, Mr. Langeloh stated that there would not be any further development around this property, so there would not be any future need for the streets to be widened. He said that in Section 1, they did not seek to reduce the right-of-way because utilities accessed the properties from the street, but in Section 2, utilities would be provided through easements on the back of the lots; a front setback Variance allowed homes in Section 1 to be built 5' closer to the street, similar to the effect a reduced right-of-way would create for Section 2. Ms. Venable asked what negative impact a reduced right-of-way might have. Mr. Langeloh replied that it would provide less area if the streets ever needed to be widened, and he did not foresee that need arising for this area where, he said, there was not potential for future development. Mr. Warnick asked if the proposed Blue Stone Trail would be developed to the east. Mr. Langeloh replied that it could be extended someday, but the east property owner had stated they have no interest in developing their property. Additionally, Mr. Langeloh stated that any development to the north would require a lift

station, so, combined with the topography, it would not be cost effective to develop north of the subject property.

Mr. Langeloh expressed that he preferred for Lots 72 and 73 to remain as proposed and planned that the Covenants would describe mowing be the responsibility of the property owners, but any structural maintenance would be managed by the Homeowners' Association. The Commission and Mr. Langeloh discussed the retention area and the pros and cons of the area being part of the lots, as proposed, versus common area, as suggested by Staff and the Soil & Water Conservation District. Mr. Langeloh referenced Deer River Estates and stated that his proposal on this matter was not unlike what the Commission had approved for that subdivision. He added that a Homeowners' Association has to pay insurance on common area, and he described that in another Columbia City subdivision, owners are upset that they have to pay to maintain common area that they are unable to access. Mr. Langeloh said the owners of Lots 72 and 73 would be able to use the area as it would be dry 99% of the time.

Mr. Bilger offered an additional concept used in other communities, where the covenants describe that the owners of the lots with detention/common area would pay slightly higher dues towards the Homeowners' Association's maintenance of the area. The members discussed additional ideas. Mr. Langeloh considered their suggestions but expressed that he preferred the proposed plan. Mr. Bilger asked Mr. Hill what his opinion was, considering infrastructure and maintenance. Mr. Hill replied that he had not yet formed an opinion. He stated that sometimes property owners purposely block drainage or are neglectful in maintenance, and these events cause the need for repairs. He also mentioned that such areas are not checked regularly. Mr. Langeloh restated that his plan was similar to another that was recently approved. He added that the area in question was not intended to hold water and was not currently in a wetland, so invasive water species would not likely be present; also, if someone wanted to damage the integrity of the drainage, it would require large equipment. Mr. Peppler confirmed that the proposed plan is to slow down the southbound drainage, not to hold water, and much of the current southbound drainage would be redirected to the north. Mr. Langeloh confirmed for Mr. Kissinger that he would maintain the lots until they were sold.

There were no further questions for Mr. Langeloh, and Mr. Zickgraf requested comments from the public. Hearing none, he closed the public hearing. Mr. Weiss made a motion to approve the waiver, as presented, and delegate the Findings of Fact to Staff. Mr. Kissinger gave the second. Motion carried, 7-0 (with Mr. Don Langeloh not present, as he had previously recused himself). Mr. Weiss made a motion to approve 24-C-SUBD-2 as presented, with the conditions suggested by Staff, and with the condition that the Covenants include guidelines for maintenance of the drainage easement on Lots 72-73. Ms. Venable gave the second. Mr. Weiss clarified for Mr. Warnick that his motion was to approve the case as presented, regarding Lots 72-73. Motion passed 7-0 (with Mr. Don Langeloh not present). *(Staff note: Suggested condition #6: "Revise the drainage easement on Lots 72/73 to be a common area," conflicted with the motion and was subsequently removed.)*

## **2. 24-C-SUBD-3**

McClurg Builders, LLC, requested primary plat approval for a 3-lot subdivision proposed to be known as McClurg Woods and located on the east side of 150 West, 750 feet north of 150 North. Mr. Don Langeloh reclaimed his seat with the Commission members. Mr. Bilger described the location of the subject property. He stated that the proposed lots met the

minimum development standards in the Zoning Code and were planned to have septic systems. Mr. Bilger referenced a presumed wetland on the site and stated that, in their packets, the members had received several comment letters from neighbors expressing wetland-related concerns. He displayed an aerial and contours and stated that water drains slowly through the site, northbound. Mr. Bilger suggested six conditions of approval in the Staff Report, and he added a 7<sup>th</sup> condition during the meeting which stated, "Obtain easement for septic drainage." There were no questions for Mr. Bilger, and Mr. Zickgraf requested to hear from the petitioner.

Andy McClurg of McClurg Builders distributed to the members an aerial image with the plat overlaid and the wetland area indicated. Mr. McClurg described that it was not his intention to disturb the wetland or remove all the trees. He anticipated that the front two lots may only have 1/3 of an acre cleared for the homesite. Mr. McClurg stated there would be Covenants and Restrictions, and an easement would be added in front of the wetland. He described that the east neighbor, Tami Plew, had agreed to an easement on her property so that a perimeter drain could connect to the County tile. Mr. McClurg referenced that this plan was as advised by the Health Department. He added that drainage from the homes could also move through this route, so there would be no runoff water added to the sites.

Mr. Langeloh asked if the soil had been found to be suitable for building. Mr. McClurg replied that he did not test the area yet, but he would do so prior to construction. Ms. Venable added that drainage along County Road 150 North was a problem, with property owners discovering that their drainage was not where they thought it was. Mr. McClurg commented that the drainage trouble was the reason the perimeter drain was required to be 4 feet deep.

Mr. McClurg confirmed for Mr. Zickgraf that each property would have its own driveway. There were no further questions for Mr. McClurg. Mr. Zickgraf asked if anyone else wished to speak with regard to the petition.

Brian Conroy, neighbor to the south of the subject property, described wildlife in the area and stated that he was originally concerned that the wetland might be drained. He also voiced concern regarding drainage from the developed lots. He described that the pond on his property is fed by runoff from his home, and it elevates significantly during rainfall. Mr. Conroy also asked how additional wells and septic systems in the area would affect those of the neighbors. He also considered the existing properties and described that the density proposed was uncharacteristic of the neighborhood. Mr. McClurg confirmed for Mr. Conroy that the lots would be developed with stick-built, single-family homes. Mr. Bilger clarified for Mr. Conroy that the property was not being rezoned. He stated that residential uses were permitted in the Agricultural District, and the subdivision case was only considering dividing the one parcel into three lots. Mr. Conroy had no further comments.

Mary Herron, neighbor to the north, described that water drains onto her property, and she was concerned that with development, the drainage to her property would increase. She stated that water from the proposed lots would need to be pumped up hill. Ms. Herron attested to the amount of wildlife in the area. She also was concerned about what effect the additional wells and septic systems would have on existing wells and septic systems.

Mr. McClurg clarified details of the drainage easement for Mr. Weiss and stated that all three lots would drain through the easement and to the ditch, so no additional water would be draining to the neighbors. Regarding the easement and tile, Ms. Venable asked if

Mr. McClurg had received permission for the location on Plew, Inc.'s property. He replied that he had spoken with Tami Plew, and she had confirmed their consent. He then described how drainage would flow through the easement and also stated that an easement would be created around the wetland to protect it from development. Mr. Kissinger commented that with runoff being directed to the tile, the amount of water onsite will be reduced by development.

Mr. Zickgraf asked if there were any additional comments from the public. Hearing none, he closed the public hearing. Mr. Kissinger made a motion to approve 24-C-SUBD-3, with Staff's suggested conditions. Mr. Warnick gave the second. Mr. Kissinger confirmed that his motion included the 7<sup>th</sup> condition that Mr. Bilger had discussed during the meeting. Mr. Warnick requested that the easement be shown on the plat. Mr. Peppler described the easements that would be added to the plat. There was no further discussion, and the members voted 8-0 in favor of the motion.

### **3. 24-C-DEV-1**

Midwest America Federal Credit Union requested Development Plan approval for a ±2,745 square foot financial institution proposed to be located at 393 W. Plaza Drive. Mr. Bilger described the subject site and explained the property owner's plan to demolish the structure and rebuild a 2,700± square foot credit union and parking area. He stated the existing pole sign would remain, but a monument sign also seemed to be proposed. Mr. Bilger displayed a current aerial image and then the site plan and pointed out differences in the designs. He stated for Ms. Romano that the maintenance of the connecting, private drive was the responsibility of the property owners, as described in the Covenants. Mr. Weiss asked if the sidewalk design, being curb and sidewalk together, was acceptable. Mr. Bilger replied that if adjacent to a street, he would be concerned, but the slower speed of traffic on the driveway and the pedestrian's awareness of the traffic caused him to feel the plan was admissible.

Mr. Bilger stated that the angled parking on the west side was slightly shorter than required, and he asked the Commission to consider whether the Parking Code for ATMs or Teller Windows was more appropriate for the Interactive Teller Machines' stacking spaces. Mr. Weiss wondered if traffic from customers traveling to and from parking spaces would interfere with vehicles trying to utilize the ITMs. The members considered the traffic flow through the site. Mr. Bilger displayed the landscape plan and suggested that landscaping be added around the sign(s). He noted that Variance approvals would be required for the monument sign, being a second freestanding sign, and also for exceeding the allowable height of a ground sign. He added that the need for other Variance approvals may be identified upon closer inspection of the monument sign's design, once a permit was requested. In conclusion, Mr. Bilger displayed the review criteria and listed ten suggested conditions of approval. The Commission considered the size of the angled parking spaces and the flow of traffic at the entrance. There were no further questions for Mr. Bilger.

Diane Reynolds, with Engineering Resources, was present on behalf of Midwest America. She explained the traffic flow at the entrance and through the site, detailing reasons for the proposed design and pointing out less efficient effects of other design options. Ms. Reynolds stated that adjusting the size of the angled parking spaces would not be a problem and that if a sidewalk were required, she would communicate that to the client. She added that the sidewalk might cause the landscape plan to be slightly modified, if the trees planned would impact the sidewalk. Ms. Reynolds said, regarding the number of stacking spaces for the

ITMs, that the amount of on-site traffic at financial institutions has significantly decreased over the years; most customers have direct deposit and many transfer funds from accounts online, so fewer people are physically visiting the bank. She commented that they may be able to add another stacking space by shifting the ITMs east. Mr. Bilger asked if a decision had been made on whether or not the property owner wanted to request to add the monument sign. Ms. Reynolds stated they would discuss with the client and make them aware of the need for a Variance. There were no further questions for Ms. Reynolds and no one else who wished to speak. The members briefly discussed landscaping and sidewalk details while considering Staff's suggested conditions.

Mr. Kissinger made a motion to approve 24-C-DEV-1, as presented, with the conditions suggested in the Staff Report, and modifying #10 to state: "Add a pedestrian route from the sidewalk to the customer entrance." Mr. Warnick gave the second. Motion passed, 8-0.

### **OTHER BUSINESS**

Mr. Weiss stated there was a significant number of new trees growing along Lincolnway near the new development at 1010 W. Connexion Way, and the trees were beginning to interfere with visibility at the intersection. Mr. Hill stated he would look into the problem. Mr. Zickgraf noted there was a radar device in the vicinity documenting the speed of traffic. Mr. Bilger described that the County Highway Department had placed several devices throughout the County. He added that a portion of Lincolnway, near W. US 30, was determined to be under the City's jurisdiction, and the City was considering lowering the speed limit, a subject discussed at previous Commission meetings.

### **ADJOURNMENT**

There being no further business, Ms. Romano made a motion to adjourn, seconded by Ms. Venable; the meeting was adjourned at 9:03 P.M.

### **GUEST LIST**

1. Diane Reynolds, Engineering Resources .... 4175 New Vision Drive, Fort Wayne
2. Andy McClurg, McClurg Builders ..... 3276 N. State Road 109, Columbia City
3. Ryan Peppler, Walker & Associates ..... 3490 N. Etna Road, Columbia City
4. Gina Conroy ..... 1570 N. 150 West, Columbia City
5. Brian Conroy ..... 1570 N. 150 West, Columbia City
6. Mary Herron ..... 1680 N. 150 West, Columbia City
7. Matt Lancia ..... 10331 Dawsons Creek Blvd, Ste. A, Fort Wayne
8. Chad Goon ..... 645 S. Cottonwood Court, Columbia City
9. Ashley Goon ..... 645 S. Cottonwood Court, Columbia City
10. Brooks Langeloh ..... 818 N. Newport Run, Columbia City

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

11. None.