

MINUTES
COLUMBIA CITY PLAN COMMISSION
REGULAR MEETING
NOVEMBER 6, 2023
7:00 P.M.

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

MEMBERS PRESENT

Walt Crowder
Jon Kissinger
Donald Langeloh
Nicki Venable
Dennis Warnick
Dan Weigold
Larry Weiss, President
Patrick Zickgraf, Vice President

MEMBERS ABSENT

Chip Hill

STAFF

Nathan Bilger

ATTORNEY

Dawn Boyd

(E)lectronic participant

AUDIENCE MEMBERS

The Guest List, attached, was signed by one visitor who attended the meeting. There were no attendees on the webcast.

CALL TO ORDER/ROLL CALL

Mr. Weiss called the meeting to order at 7:01 P.M. Mr. Bilger read the roll call with members present and absent listed above.

CONSIDERATION OF PREVIOUS MEETING MINUTES

The April 2023 minutes were presented for review. The May 2023 minutes were distributed at the start of the meeting, but Mr. Bilger requested action only on the April minutes so the Commission would have adequate time to review. Mr. Kissinger made a motion to approve the April 2023 minutes as presented; Mr. Weigold seconded. Motion passed, 8-0.

ADMINISTRATION OF THE OATH TO WITNESSES

Ms. Boyd administered the Oath to those present who intended to speak during the meeting.

OLD BUSINESS

There was no old business.

NEW BUSINESS

1. 23-C-SUBD-5

MKW, LLC, requested primary plat approval of a 1-lot subdivision proposed to be known as More Subdivision. The 2.98 acre property was zoned I-1, Light Industrial District and was located on the northeast end of Opportunity Drive, ¼ mile north of Connexion Way, and more commonly known as 814 N. Opportunity Drive.

Mr. Bilger summarized the staff report. He stated that the purpose of this plat was to combine Lot 26 of Armstrong Corporate Park Section 11 with the petitioner's unplatted acreage to the east of the lot, as was a condition of the Development Plan approval earlier in the year. He summarized the zoning standards, noting that the table in the written staff report had an error in the minimum lot area. He also pointed out that no new right-of-way was proposed to be dedicated because the right-of-way was already dedicated with the Section 11 plat. He said that the Commission may wish to discuss the need for a turn-around since Opportunity Drive was now a long dead-end street. He then displayed aerials and the proposed plat. He concluded with the following suggested conditions:

1. Add cross-reference to existing Armstrong Corporate Park covenants in the Deed of Dedication.
2. Secondary plat approval be delegated to staff.

Having no questions for staff, Mr. Weiss asked the petitioner to speak.

Andy More, petitioner, stated that he was constructing a storage building on the property currently and there may be a commercial building constructed on the southwest corner of the property sometime in the future. He said he was not really sure what the plat was for, other than it was required. Mr. Bilger clarified that the subdivision plat would combine his properties as one lot rather than two.

Mr. Langeloh asked about the need for construction equipment or other vehicles to turn around at the end of Opportunity. Mr. More said that during the construction of the jail there would be some trucks that went to the end and had difficulty getting turned around, but it was infrequent and did not seem to have many problems. He reminded the Commission that he had committed to paving the driveway within five years, and he was not planning to gate the entrance, so if an occasional person had to turn around on the property, it could be done.

Having no further questions for the petitioner, Mr. Weiss asked for any public comment. Having none, he closed the public hearing and asked for a motion or further discussion.

Mr. Warnick made a motion to approve 23-C-SUBD-5 with the conditions suggested by staff; Mr. Langeloh seconded. Motion passed, 8-0.

OTHER BUSINESS

2. 2024 meeting schedule

Mr. Bilger presented the proposed 2024 meeting schedule. He stated that the meetings fell on the regular schedule of first Mondays, except in January and September, when the meetings would be moved back a week due to holidays. He also noted the four scheduled "Fifth Monday" training sessions dates in January, April, July, and September. December also had a fifth Monday, but it was excluded because it would be between Christmas and New Years. Mr. Zickgraf made a motion to accept the 2024 meeting calendar as presented; Mr. Langeloh seconded. Motion passed, 8-0.

3. Sidewalks discussion

Mr. Weiss said that there had been some inquiries about how the Bowen Center sidewalk would be connected. Mr. Bilger said that the final design put the walk along their driveway out to SR 205, where it would turn southwest and continue to the west property line. He pointed out that would leave a gap of about 770' along the Community Foundation's

property to existing trail. There was discussion about why the Community Foundation was not required to have a sidewalk and the proposed trail that had been discussed by Bowen Center. Mr. Bilger said that he was told that the joint trail was not feasible but had not been given more details; he added that would still not necessarily address the gap along 205. Ms. Venable expressed concern about the lack of accessibility to the Bowen Center for their clients. Mr. Zickgraf asked if the Morsches Park trails could be extended through the Community Foundation site; it was felt that could need Parks Department involvement.

Mr. Bilger summarized the sidewalk issues as being proactive, requiring sidewalks; reactive, requiring the installation; and retroactive, prioritization of filling in gaps. He said that the code required sidewalks, but gave the Commission the ability to waive sidewalks. There was discussion about the McDonald's case as an example. The reactive part would be how to make sure sidewalks would go in, and he presented a part of Eagle Glen to illustrate where sidewalk installations had been neglected. He suggested that bonding, escrowing, or other mechanisms might be effective in getting the sidewalks constructed. Finally, he said that the retroactive component would be figuring out where sidewalks should be where they are not, and how to get them installed.

There was discussion about how and whether the Commission would be involved in each aspect. Mr. Warnick asked if the Council would need to be involved; Mr. Bilger said that they would be for things like bonding. Mr. Crowder discussed the need for engineering to determine how to build sidewalks. Ms. Venable asked Mr. Bilger which government body would be most consistent to make sure that sidewalks would go in. Mr. Bilger replied with the suggestion that the Plan Commission would need to take a proactive stance on always requiring sidewalks, despite the site conditions, though perhaps balancing out being unreasonable. The reactive part would be led by the Commission as well, to require bonding or other surety to install sidewalks, which would be held by the Council or Board of Works. For the retroactive part, the Commission could lead the planning to figure out where the needs were, but the Board of Works would need to contract to install them. Mr. Bilger said there were many things to figure out, but this was a frequent topic so they should start to be figured out.

Mr. Crowder discussed the need for the design for sidewalks. Mr. Bilger agreed that in some cases having engineering would be needed but in others, the installation could be far simpler. Mr. Zickgraf asked if most covenants required sidewalks; Mr. Bilger said that most did as an extension of the code requirement. Mr. Zickgraf and Ms. Venable said that the Commission should not do waivers of sidewalks for any developments. Ms. Venable said that the right thing should be made easier to do, and there was some discussion what that would look like in various locations. There was consensus that there should be something done going forward, with more specifics to come.

4. Parking code

Mr. Bilger said that this project was still in progress.

5. Extraterritorial jurisdiction status

Mr. Weiss explained the concept to regularly consider expansion of the ETJ following annexations. He said that making it a more regular occurrence would address some of the fears brought up during the recent ETJ request by making the requests more directly related to a specific action rather than being a change that few could understand the purpose of.

Mr. Bilger said that this could be implemented by policy, which could be determined that night; by rule, which would require amending the Rules of Procedure; or by ordinance, which would be a text change through the Council. He described the pros and cons of each and suggested that the rule change would be the most effective.

Mr. Weiss asked for the input of the Commission on the concept. He said that he was thinking maybe every other odd-numbered year to avoid political complications with elections. The goal being better education, better understanding, and better cooperation. Mr. Weigold described what would occur if the ETJ was not in place and the delays that could occur. Mr. Weiss concurred.

Ms. Venable relayed that there were several ETJ residents who contacted her during the recent proposal that expressed concern that they did not have representation in the rules that govern their property, despite the two Commissioner appointments. Mr. Crowder said that business owners who live outside the city shared a similar concern about rules being made about their businesses without representation. There was discussion about the state law about the makeup of the Commission and the ETJ members. Mr. Weiss asked if the Plan Commission could be expanded to add two more ETJ members; Mr. Bilger replied that the statute did not provide for that. He said that two members would be added if the City hired a full-time engineer, which would trigger the addition of a Parks Board member and the engineer to the Commission.

Mr. Weiss asked for the Commission to be ready to discuss this at the December meeting.

ADJOURNMENT

There being no further business, Mr. Weiss requested a motion to adjourn. Mr. Warnick made the motion, and Mr. Crowder gave the second. Mr. Weiss declared adjourned at 8:07 P.M.

GUEST LIST

1. Andy More 5715 N. Ashford Drive, Columbia City

GUEST LIST (WEBCAST)

2. No attendees