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**MONROE COUNTY PLAN COMMISSION
Virtual Meeting via ZOOM - Minutes
October 19, 2021 5:30 P.M.**

CALL TO ORDER

ROLL CALL

INTRODUCTION OF EVIDENCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES – None.

CALL TO ORDER: Margaret Clements called the meeting to order at 5:30 PM.

ROLL CALL: Margaret Clements, Dee Owens, Julie Thomas, Trohn Enright-Randolph, Amy Thompson, Bernie Guerrettaz, Julie Thomas, Bernie Guerrettaz, Trohn Enright-Randolph, Jim Stainbrook, Jerry Pittsford, Geoff McKim

ABSENT: *None*

STAFF PRESENT: Larry Wilson, Director, Jackie Nester Jelen, Assistant Director, Rebecca Payne, Planner/GIS Specialist, Anne Crecelius, Planner/GIS

OTHERS PRESENT: Michele Dayton, Tech Services, David Schilling, Legal, Kelsey Thetonia MS4 Coordinator, Lisa Ridge, Highway Department Director, Paul Satterly, Highway Engineer

INTRODUCTION OF EVIDENCE:

Jackie Nester Jelen introduced the following items into evidence:

The Monroe County Zoning Ordinance (as adopted and amended)

The Monroe County Comprehensive Plan (as adopted and amended)

The Monroe County Subdivision Control Ordinance (as adopted and amended)

The Monroe County Plan Commission Rules of Procedure (as adopted and amended)

The case(s) that were legally advertised and scheduled for hearing on tonight's agenda

The motion to approve the introduction of evidence carried unanimously.

APPROVAL OF AGENDA

Motion to approve the agenda, carried unanimously.

APPROVAL OF MINUTES

No minutes to approve at this time.

ADMINISTRATIVE BUSINESS:

Refund Request for VAR-21-51 “R&H Petroleum Changeable Copy Variance to Chapter 807”. Contact: acrecelius@co.monroe.in.us

UNFINISHED BUSINESS:

1. PUO-21-1 P & G Planned Unit Outline Plan to rezone property from PB to PUD Final Hearing.

One (1) 4.93 +/- parcel located in Section 29, Perry Township at 5100 W Victor Pike. Parcel number: 53-08-29-200-023.000-008.

Zoned PB. Contact: acrecelius@co.monroe.in.us

***** CONTINUED BY PETITIONER *****

2. PUO-21-3 Heritage Creek Outline Plan Amendment 2 Final Hearing.

Two (2) 6.60 +/- acre parcel in Section 29 of Clear Creek Township at 9200 block +/- S Harrodsburg Rd.

Zoned PUD. Planner: jnester@co.monroe.in.us

***** CONTINUED BY STAFF *****

3. SSS-21-7 Addison Sliding Scale Subdivision Preliminary Plat Partial Plat Vacation Final Hearing.

Three (3) parcels on 29.99 +/- acres located in Section 18 of Salt Creek Township at 3863 S Swartz Ridge RD.

Owner: Rinker, Teri Addison; Deckard, Cletis M

Zoned Forest Reserve/ECO 3. Contact rpayne@co.monroe.in.us

NEW BUSINESS:

1. REZ-21-5 Washington Township Rezone from PB & AG/RR to IP Preliminary Hearing. Waiver of Final Hearing Requested.

One (1) 5.5 +/- acre parcel in Section 16 of Washington Township at 478 E Chambers Pike, parcel # 53-02-16-400-034.002-017.

Owner: Washington Township

Zoned PB & AG/RR. Planner: acrecelius@co.monroe.in.us

2. ZOA-21-8 Amendment to the Monroe County Zoning Ordinance: Chapter 815- Site Plans (Certified Site Plans)

Amendment to require certified site plans for development.

Contact: lwilson@co.monroe.in.us

3. ZOA-21-10 Amendment to the Monroe County Zoning Ordinance: Chapter 815- Site Plans (Phasing)

Amendment to allow for commercial development phasing.

Contact: lwilson@co.monroe.in.us

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ADMINISTRATIVE BUSINESS

Refund Request for VAR-21-51 “R&H Petroleum Changeable Copy Variance to Chapter 807”. Contact: acrecelius@co.monroe.in.us

STAFF ACTION:

Creceilius: Good evening everybody. Rebecca, do you happen to have those slides open?

Payne: I need the host to enable me to share screens.

Creceilius: Ok, well, while that is happening it is fairly simple. This was a refund request for a variance petition. It was a gas station currently owned by R & H Petroleum Inc. They were being represented by C & B Sign Services. The gas station is located at 9817 West State Road 43. They had filed to do a changeable copy sign. They actually have a current approved changeable copy, permission to do a changeable copy sign but they were hoping to do it on a pole sign. It was originally approved for changeable copy on the gas station canopy. Because of some legal matters within Planning, we are, Planning is unable to take variances from the Sign Chapter, Chapter 807 currently. So the petitioner’s representative has gone ahead and requested to withdraw the variance request and also requested a refund for the amount. Does anybody have any questions?

QUESTIONS FOR STAFF – Refund Request for VAR-21-51

Clements: Do any members of the Plan Commission have any questions for Miss Creceilius? If not is the petitioner here and would the petitioner like to speak in favor of this petition.

ADDITIONAL QUESTIONS FOR STAFF – Refund Request for VAR-21-51

Enright-Randolph: Sorry, Madam President, instead of hitting the raise hand I turned off my video. But I do have a question.

Clements: Yes.

Enright-Randolph: I guess we have been presented a number of these refund requests recently and this necessarily isn’t for you but more for Planning, is this something we typically do approve? I hate, I know that we should address these one at a time but it would be nice to kind of get a sense of where Planning is of how we should treat these a little bit more fairly one from the other I guess. Not saying we are not treating it fairly. I am just seeing an influx of these refund requests recently and I just want to make sure we are kind of handling it like we have in the past moving forward or setting new standards of how we should be handling these.

Clements: Ok, Commissioner Thomas you have your hand raised.

Thomas: Yes, thank you. So, to answer Mr. Enright-Randolph’s question I think just because I have been on Plan Commission for a long time, so typically these refund requests come because of a number of reasons but in this case it is clear that our inability to actually have the case heard is a factor here to consider. I think one of the things we do when there is a refund request and we really don’t understand why is to ask staff how much time they spent on something. But in this

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case I don't even want to ask that question because we can't even help them at this point and maybe at some point they will refile but since we have told them we can't even consider it I don't think it is fair to keep the dollars.

Enright-Randolph: Right. To be honest, I would pretty much grant most of the refund request. I just want kind of make sure I get a sense of where Planning is. Thank you Commissioner Thomas. I absolutely agree. If we can figure out how much time spent and this one is probably not worth the question, so thanks for addressing my question.

Clements: Mr. Stainbrook.

FURTHER QUESTIONS FOR STAFF - Refund Request for VAR-21-51

Stainbrook: Margaret, if there isn't any other discussion, **I would move that we grant the refund request for \$408.50.**

Owens: I **second.**

Clements: Ok, we have a motion and a second. But I do want to and I that you do not object to see if there is any member of the public who is opposed to this approval of this fee and if so, please indicate be either raising your hand or pressing *9 if you are calling in on a telephone. If there is none and the motion has been made and seconded, then Ms. Nester if you would please call the roll.

PETITIONER/PETITIONER'S REPRESENTATIVE – Refund Request for VAR-21-51

SUPPORTERS – Refund Request for VAR-21-51: None

REMONSTRATORS – Refund Request for VAR-21-51: None

Nester Jelen: Amy Thompson?

Thompson: Yes.

Nester Jelen: Bernie Guerrettaz?

Guerrettaz: Yes.

Nester Jelen: Jim Stainbrook?

Stainbrook: Jackie, I would like to say that Margaret you really handled this well and I was ahead of myself and ahead of others perhaps. So, I apologize for the motion for which I vote yes.

Clements: I appreciate it. I think you sent a signal and it helps our meeting become more efficient, so thank you for making the motion and if we could just continue with the roll.

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Nester Jelen: Margaret Clements?

Clements: Yes.

Nester Jelen: Trohn Enright Randolph?

Enright-Randolph: Yes.

Nester Jelen: Dee Owens?

Owens: Yes.

Nester Jelen: Julie Thomas?

Thomas: Yes.

Nester Jelen: Ok, it passes 7 to 0 and I note the arrival of Larry Wilson as well.

The motion to approve Refund Request for VAR-21-51, “R&H Petroleum Changeable Copy Variance to Chapter 807”, carried unanimously (7-0).

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UNFINISHED BUSINESS:

**1. PUO-21-1 P & G Planned Unit Outline Plan to rezone property from PB to PUD
Final Hearing.**

One (1) 4.93 +/- parcel located in Section 29, Perry Township at 5100 W
Victor Pike. Parcel number: 53-08-29-200-023.000-008.

Zoned PB. Contact: acrecelius@co.monroe.in.us

BOARD ACTION: Clements introduced the petition.

STAFF ACTION: Petition has been continued by the petitioner.

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UNFINISHED BUSINESS

**2. PUO-21-3 Heritage Creek Outline Plan Amendment 2
Final Hearing.**

Two (2) 6.60 +/- acre parcel in Section 29 of Clear Creek Township at
9200 block +/- S Harrodsburg Rd.

Zoned PUD. Planner: jnester@co.monroe.in.us

BOARD ACTION: Clements introduced the petition.

STAFF ACTION: Petition has been continued by the staff.

UNFINISHED BUSINESS

3. SSS-21-7 Addison Sliding Scale Subdivision Preliminary Plat Partial Plat Vacation Final Hearing.

Three (3) parcels on 29.99 +/- acres located in Section 18 of Salt Creek Township at 3863 S Swartz Ridge RD.
 Owner: Rinker, Teri Addison; Deckard, Cletis M
Zoned Forest Reserve/ECO 3. Contact rpayne@co.monroe.in.us

BOARD ACTION: Clements introduced the petition.

STAFF ACTION:

Payne: Yes, hi Margaret. Thank you for the introduction. This petition has been heard before previously and it is back tonight primarily because we were given some more time to sort out the plat vacation piece of this petition request. I will just quickly move through the facts. The petitioner is requesting a Preliminary Plat to subdivide one parcel into 3 lots and a Plat Vacation is part of the request. The new lots created will contain, the first lot, Lot 1 will contain 3.76 acres of which 1.03 acres will be buildable. Lot 2 will have 6.12 acres with 1.46 acres of those acres that are buildable and Lot 3 will have 12.36 acres with 3.03 acres of buildable area. Here we have a couple of maps. On the left slope map. So, you can see there is quite a bit of slope on this parcel but the division of the acres and creation of the new lots took that into consideration so we were able to support their request in terms of the slope. Current zoning I think as mentioned is Forest Reserve. Here is a picture of the proposed Preliminary Plat. This petition was heard at the Plat Committee back in August where they voted to send along a positive recommendation and then it was heard in September at the Plan Commission and like I said at the meeting the vote was to continue it to allow the petitioner’s representative to provide us findings on the Plat Vacation, which is necessary, at least, for us to consider approving the Plat Vacation portion of the request. Previously there were no findings submitted. So, consequently we were unable to recommend approval. Alternative to the findings if all owners in the plat agree to the Plat Vacation, then that is another way that we can support the request for a vacation and in this case after the September 21st meeting, the petitioner’s representative, which is Eric Deckard was able to get all parties to agree to the vacation. That led to us changing our recommendation for the Plat Vacation request. From the beginning we had always made a recommendation to approve the Sliding Scale Subdivision and since the owners agreed to the Plat Vacation we are now able to recommend or make a recommendation of approval for the Plat Vacation request as well. That is really the gist of this petition. So, I will take any questions now.

PLAN COMMISSION	RECOMMENDED MOTION	
<p><i>Recommended Motion Conditions or Reasoning:</i> Staff recommends approval of the Sliding Scale Subdivision based on findings that the proposed preliminary plat meets the Subdivision Control Ordinance and subject to the MS4 Coordinator and Highway Engineer reports.</p> <p>Staff recommends approval of the partial plat vacation request from the Rinker Subdivision; all land owners in the plat consent to the plat vacation.</p>		

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PLAT VACATION FINDINGS

The petitioner has proposed to vacate Lot 1 of the Rinker Minor Subdivision Plat. All owners of the land in the Rinker Minor Subdivision are in agreement regarding the proposed vacation.

QUESTIONS FOR STAFF – SSS-21-7 - Addison

Clements: Do any members of the Plan Commission have questions for Ms. Payne? I don't see any. If the petitioner or the petitioner's representative is present. Oh, Commission Thomas, sorry. You have a question.

Thomas: I am so sorry. I also had trouble with my raised hand button today. It is going around. So, really kind of when I was rereading this packet I had kind of a silly question and maybe it's not a silly but I just want to make sure that the information in terms of the buildable area is accurate for an ECO zone.

Payne: Yes.

Thomas: Does everything fit with the ECO? Ok.

Payne: Yes it does fit with the ECO.

Thomas: Perfect. Thank you. That was it.

Clements: Ok, if there are no other questions from members of the Plan Commission, we will go to the petitioner or the petitioner's representative and you have a total of 15 minutes to speak about this case.

PETITIONER/PETITIONER'S REPRESENTATIVE – SSS-21-7 – Addison

Deckard: Great. Can everybody hear me?

Clements: Yes, Mr. Deckard. It is good to hear you.

Deckard: Thank you. So, I agree with staff's recommendation. However, there is one small modification to the Preliminary Plat that everyone needs to be aware of. If I could kindly get Rebecca to go back to diagram of the plat. If we could zoom in at the southwest corner of Lot 1, which lies next to Strain Ridge Road.

Payne: Lot 1.

Deckard: You have got your cursor right over that area.

Payne: Alright, hold on.

Deckard: That's ok. The agreement was between Mr. Rinker and Mr. Deckard that Mr. Rinker would like to have a little bit of a buffer area here between himself and the Lot 1. Essentially, he didn't want a fence to be constructed along the property line between Lot 1 and the Rinker

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property. So, in order to provide them with this buffer we placed a small easement along and parallel to this south line of Lot 1 that went from Strain Ridge Road to the east to where it intersects the 15 percent slope line, so it is a tiny little easement. I have got a blown up diagram of that easement and that was the agreement between the 2 parties and I just wanted to make the Plan Commission aware that there is that small modification and yes, you are showing the curser in the right spot Rebecca. Thank you. If the Plan Commission has any questions, I would be glad to answer.

Clements: Mr. Enright-Randolph.

Enright-Randolph: What we are looking at right now is a past survey that you plan to have revised, updated one?

Deckard: Yes. This has been modified and was submitted through the portal but this is a prior version that you are all looking at now.

Enright-Randolph: Ok, so Planning will have it within their records and the Recorder will have it as well.

Deckard: That is correct.

Enright-Randolph: Perfect. Thank you.

Clements: Are there any other questions from members of the Plan Commission for Mr. Deckard?

Enright-Randolph: I guess I just want to clarify my statement. If this goes through the whole process, the Recorder will get a copy of it.

Clements: Ok, thank you. Well, if there are no further questions for Mr. Deckard, if that the extent of your petitioner's statement to the Plan Commission this evening?

Deckard: Yes it is.

Clements: Ok, thank you. Do any members of the public would you like to make a statement or speak in favor of this petition? If so, please raise your hand or press *9 on your telephone to indicate that you would like to speak for 3 minutes. I can't really see that so, Tech Services...

Nester Jelen: I don't see anyone.

Clements: Ok. Are there any members of the public that would like to speak in opposition to this petition? Please raise your hand or press*9 on the telephone to indicate a wish to speak in opposition to this petition.

Nester Jelen: I don't see anyone Margaret.

Clements: Ok, I bring it back to the Commission for further discussion and/or a motion. Does any

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member of the Plan Commission wish to make a motion?

SUPPORTERS – SSS-21-7 – Addison: None

REMONSTRATORS – SSS-21-7 – Addison: None

ADDITIONAL QUESTIONS FOR STAFF - SSS-21-7 – Addison: None.

FURTHER QUESTIONS FOR STAFF - SSS-21-7 - Addison

Enright-Randolph: If you bring the case number back up, I exited out of my pdf.

Clements: Yes. The Case number is **SSS-21-7, Addison Sliding Scale Subdivision Preliminary Plat, and Partial Plat Vacation. This is the final hearing.**

Enright-Randolph: With that case being mentioned, I will move that we make a positive recommendation, wait, I guess I am a little confused. Sorry, I should have my packet up. I would like to **approve the Plat Vacation.** That is a Plan Commission decision, right?

Stainbrook: **Second.**

Nester Jelen: **Yes. Plat Vacation and the Subdivision.**

Wilson: So, it would be **approving both the Plat Vacation and Preliminary** or Primary Plat.

Clements: So, it has been moved and seconded. Mr. Wilson, will you please call the roll?

Wilson: I will. Margaret Clements?

Clements: Yes.

Wilson: Trohn Enright-Randolph?

Nester Jelen: You are mute, Trohn.

Enright-Randolph: Yes.

Wilson: I did not see Bernie here and I missed the roll. Is he absent?

Guerrettaz: I am here.

Wilson: Ok, Bernie Guerrettaz?

Guerrettaz: Yes, sir.

Wilson: Geoff McKim? Dee Owens?

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Owens: Yes.

Wilson: Jerry Pittsford?

Pittsford: Yes.

Wilson: Jim Stainbrook?

Stainbrook: Yes.

Wilson: Julie Thomas?

Thomas: Yes.

Wilson: Amy Thompson?

Thompson: Yes.

Wilson: The Plat Vacation and the Primary Plat for the Addison Sliding Scale Subdivision, SSS-21-7 is approved by an 8 to 0 vote.

The motion in case SSS-21-7, Addison Sliding Scale Subdivision Preliminary Plat, Partial Plat Vacation, Final Hearing, in favor of approving all requests, carried unanimously (8-0).

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NEW BUSINESS

1. REZ-21-5

Washington Township Rezone from PB & AG/RR to IP Preliminary Hearing. Waiver of Final Hearing Requested.

One (1) 5.5 +/- acre parcel in Section 16 of Washington Township at 478 E Chambers Pike, parcel # 53-02-16-400-034.002-017.

Owner: Washington Township

Zoned PB & AG/RR. Planner: acrecelius@co.monroe.in.us

BOARD ACTION: Clements introduced the petition.

STAFF ACTION:

Creceilius: Rebecca, are you still able to do my slides for me?

Nester Jelen: I can do it Anne.

Creceilius: Thank you.

Nester Jelen: No problem.

Creceilius: The petitioner is the Washington Township Trustee. The property is 5.5 acres. This is a rezone request with a waiver of final hearing, which would be going on tonight. This is the preliminary hearing. The property is currently unplatted and it is mostly zoned Pre-Existing Business and a little bit of AG/RR. It has been Washington Township. This property was effected by I-69 construction so it has become smaller over the years. It was a fill site for that construction, which you can see on the aerial imagery. You can see it on the slope map. That fill area that you see that has been graded during the construction that is pretty much the main buildable area of the property. Here is a pictometry view. The petitioners are working with a design professional. They are aware that the site is somewhat limited slopes and only has one smaller buildable area over the 5 acres. There is one karst feature present that they are aware and will plan on will plan on buffering. This rezone petition is a precursor to Washington Township Trustee's Office wanting to build a rural fire station that would be on the pretty small side. These are just a couple of site photos showing the main buildable area. We have had a few comments by the Highway Engineer that have been updated. This site is long and narrow. Because of the configuration the petitioners are really aware of what they can and can't do. From East Chambers Road and also from the right of way of I-69 and right now their conceptual plan for the future commercial plan is fitting within their boundary. On the left side is kind of an overall view. The Highway Engineer did note that the property lines on the left are a little off by they do have Bynum Fanyo working on the engineered site plans. So, on the right is a close-up but they have adapted the property boundaries to be correct and showing that they are working within their means, working within the means of the site. Kind of a working project. The Highway Project Engineer, Ben Ayers, he has reviewed right of way activity permits for both driveways. One of them is going to be denied. So, we do have kind of the understanding that most likely their commercial site plan will change that is actually filed but overall most people have already had eyes on this. The MS4 Coordinator, Kelsey Thetonia, she has looked at the site. She has no comments for the rezone and recognizes that she will be working on this when the site plan comes through. Staff is recommending a positive recommendation to

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the County Commissioners, based on the findings of fact and subject to the Monroe County Highway Department and MS4 Coordinator reports. Does anybody have any questions?

RECOMMENDATION

Staff recommends **Positive Recommendation** based on the findings of fact and subject to the Monroe County Highway Department & MS4 Coordinator reports.

QUESTIONS FOR STAFF – REZ-21-5 – Washington Township

Clements: Members of the Plan Commission if you have questions for Ms. Crecelius please raise your hand and please note also that Mr. Pittsford has arrived and he is calling in from a cell phone. So, Ms. Owens and then Mr. Pittsford.

Owens: Thank you. I would like to ask, I thought I heard you say that the station is going to be fairly small. I absolutely for a fire station at this location. How many bays or, how, what do you mean by small? I am interested in the size of it and how many vehicles it can hold.

Crecelius: I think it is 2 or 3 bays so the dimensions of the building are, let's see, it is 45 by 80, so about 3,600 square feet and from the conceptual site plan I see about 6 parking spaces and 1 handicapped.

Owens: Ok, very good and can you tell me as I looked at the pictures I could see that there is a bridge over the highway to the north. What about to the south? How is the ingress/egress to the south as far as fire department coverage goes? How do they get over I-69, I guess? They have to go north. Is that the only way that they can go?

Crecelius: They would either go north or they would have to take East Chambers Pike and do a bit of a zigzag down to the Sample Road exit.

Owens: Ok, because that could be difficult for fire vehicles. They have to have plenty of turning space and all of that. Ok. Thank you.

Clements: Ok, thank you Ms. Owens. Mr. Pittsford.

Pittsford: Dee, thank you. You asked one of my questions so that saves me. Is staff recommending waiver of final hearing as well? Is this something that needs expedited response or is this something that doesn't have to have a waiver?

Crecelius: I haven't encountered any issue with needing a second hearing. So far things are pretty clear cut and most Monroe County staff don't have any overall concerns that might require more research on their part.

Clements: Is that all Mr. Pittsford? Ok, any other questions from members of the Plan Commission? If there are none, is the petitioner here and would the petitioner like to make the case to the Plan Commission for this project?

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PETITIONER/PETITIONER'S REPRESENTATIVE – REZ-21-5 – Washington Township

Ooley: Yes I am here. Barb Ooley, Washington Township Trustee and just to clarify two points it is our understanding when Sample Road is completed to Bottom Road that will take care of one of the issues with fire trucks. Also the reasoning behind the size of our station is currently 89 percent of our fire runs are EMS related and so we are preparing a station that is more EMS oriented. However, it will have firefighting capability to also speak to the ISO rating for the township. So, we are trying to cover both but we are leaning more toward EMS and yes I am making the petition to rezone this parcel so that we can get a station in Washington Township.

Clements: Thank you Ms. Ooley. Are there any members of the public who would like to speak in favor of this petition? If so, please raise your hand or press *9 in order to be recognized. Jackie if there is anyone just let me know.

Nester Jelen: I don't see anyone with their hand raised.

Clements: Ok, is there any member of the public that would like to speak in opposition to this petition? If so, please raise your hand or press *9.

Nester Jelen: I don't see anyone Margaret.

Clement: Ok, well, then we bring it back to the Plan Commission for further discussion and/or a motion. Ms. Owens.

SUPPORTERS – REZ-21-5 – Washington Township: None

REMONSTRATORS – REZ-21-5 – Washington Township: None

ADDITIONAL QUESTIONS FOR STAFF – REZ-21-5 – Washington Township: None

FURTHER QUESTIONS FOR STAFF – REZ-21-5 – Washington Township

Owens: Hearing nothing **I would like to go ahead and make a motion regarding REZ-21-5, Washington Township Rezone to IP and Waiver of Final Hearing requested, I would like to make that a positive motion.**

Enright-Randolph: I **second**.

Clements: Could you please call the roll?

Wilson: I will call the roll. The motion is to approve the rezone from PB and AG/RR to Institutional Public for the parcel located at 478 East Chambers Pike. In addition to waive the final hearing. Again, the motion is to approve the rezone Institutional Public. A vote in favor is a vote to approve the rezone and the waiver of final hearing. Trohn Enright-Randolph?

Enright-Randolph: Yes.

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Wilson: Bernie Guerrettaz?

Guerrettaz: Yes.

Wilson: Dee Owens?

Owens: Yes.

Wilson: Jerry Pittsford?

Pittsford: Yes.

Wilson: Jim Stainbrook?

Stainbrook: Yes.

Wilson: Julie Thomas?

Thomas: Yes.

Wilson: Amy Thompson?

Thompson: Yes.

Wilson: Margaret Clements?

Clements: Yes.

Wilson: The motion to send a favorable recommendation to the Commissioners has been approved by an 8 to 0 vote.

The motion in case REZ-21-5, Washington Township Rezone from PB & AG/RR to IP, Preliminary Hearing, Waiver of Final Hearing Requested, in favor of sending a favorable recommendation to the Board of Commissioners carried unanimously (8-0).

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NEW BUSINESS

2. ZOA-21-8

**Amendment to the Monroe County Zoning Ordinance:
Chapter 815- Site Plans (Certified Site Plans)**

Amendment to require certified site plans for development.

Contact: lwilson@co.monroe.in.us

BOARD ACTION: Clements introduced the petition.

STAFF ACTION:

Nester Jelen: Sure, I can assist with this one as well, Margaret. Can you confirm that you can see 815-2 on the screen?

Clements: Yes.

Nester Jelen: Ok, good. I am working with one screen today. I will go ahead and present this since this is the first hearing of this. What we are proposing is for the site plan review requirement to be a bit more streamlined to differentiate between when a commercial site plan is required, when a certified plot plan is required, and when it is just a scaled drawing. So, we have broken it out into 3 categories. Commercial is including multi-family and all nonresidential structures. Residential is considering just new residential principle use structures, so consider a vacant lot that is going to be developed with either a single or two family residential principle use and then an accessory category which would be all of the residential structures and for now we are including this into additions to single family and two family residential detached accessory structures, agricultural structures, so those are kind of the 3 categories that we have put together to differentiate the different types of permits that we receive in our office. As you go down in the 815 Chapter and look at the highlighter review or edits I should say in blue, we have added a table and corresponding to this table those little icons showing which requirement is required for which type of structure. So, as I mentioned in the beginning accessory structures would be a site plan to scale. Commercial structures have always been and will continue to be certified site plans and then the residential new construction structures will be certified plot plans. As you go further into the ordinance you find the different types of requirements that are for different type of request for a permit. So, for instance, name and address of owner and developer, engineer, surveyor and architect that would be required for all of the permits as applicable. As you can tell for a lot of these not too much has changed. The black text is existing. They may have been reordered but the black text is already what is in Chapter 815. We did make some clarifying requirements, some things that we have been noticing on our site plans and as you go down some of the more important things we have added like parking plans, making sure we have finished floor elevations, some of these are storm water requests and also things that we have noticed that would be helpful at the building stage to make sure that it is included, erosion control methods, we have been asking people and they have been compliant with adding things like silt fence, tree protection areas, things like that. But we think it would be helpful to actually have it in the ordinance instead of it just being voluntary action. I wanted to also note in the packet you will see that our Zoning Inspector reviews our building applications for planning conformance with the ordinance. She did point out that there were several statistics from new single family residences applied for between February 24th and September 16th. The reason we start with February 24th is that is the date we went live on our new permitting software, so it is a little bit easier to track but I think this gives us a good lay

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of the groundwork for what has been happening this year. According to her research of those 95 new single family residences that were applied for, 51 or 54 percent already included a certified site plan in their original application. 7 or 14 percent of those applications were asked for additional information after they submitted a certified site plan. 44 or 46 percent of the applications did not include a certified site plan. 29 or 66 percent were then asked for more information. Eventually 6 or 21 percent were then asked to submit a certified site plan after original submission. 58 or 61 percent of applications ended up with a certified site plan overall. The point of this is just to let you know that if we do implement a requirement for a certified site plan we are talking to go from 0 to 100, we are looking at that 39 percent of people that are currently not submitting a certified plot plan to make that a requirement. Just a note as well, we think it would help as well with the overall review time by staff and hopefully down the line the purpose of this requirement is to hopefully prevent issues of drainage, building in karst features, over lot lines, in easements, all of those things can be fairly expensive later down the road and so we hope this is a better protection for potential home buyers and also just for staff review just to be able to state that it is able to be in conformance with the ordinance and one day if we are able to go out and certify and get as-built of where things are built to follow and close that loop to both they said it was going to go in this place, it went in this place and they are showing us an as-built or what have you that it ended up in that place. So, that is kind of this ordinance that we are presenting tonight and this is the first hearing of it so I wanted to get any feedback or questions that you might have.

QUESTIONS FOR STAFF - ZOA-21-8 – Amendments to MC Ordinance – Site plans

Clements: Ok, thank you Jackie. I see that Ms. Owens has her hand raised and then Mr. Stainbrook.

Owens: Thank you. What is the difference between a site plan and a plot plan?

Nester Jelen: Dee the terminology between those two in surveyor's language, I would say a plot plan is kind of a lower bar and we have kind of tried to implement that in the 815 standards to show that not all of the requirements for commercial sites are required for residential sites, so you will see as I scroll up more requirements in the commercial category than in the residential. It is just a little bit less requirements but is still certified it is just not held to meet all of the ordinance requirements. It is what is minimally needed.

Owens: Ok when I read this I wasn't quite clear but now I am. Thank you.

Clements: Thank you. Mr. Stainbrook.

Stainbrook: Margaret I see that Geoff is here is now and he probably has an important question. But mine is a reminder that I can't see all of the text Jackie on the next screens when we work with them. That is helping, well it did help. Pardon me, Margaret. That was the thing. I can't see it Jackie.

Thomas: Jim, you can drag the images over to the left side of the screen.

Stainbrook: Well, thank you. I tried. Oh, well, now, ok.

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Thomas: And then you will be able to see the text. Just move the gallery of speakers.

Stainbrook: Well, whoever is being so helpful, yeah, I see if I move the gallery of speakers, then I can see. Thanks everyone.

Clements: Mr. McKim.

McKim: Thank you very much and I apologize for being late but we just passed a county budget for 2022. My question is does the community have the capacity to deliver these certified site plans in a timely manner? I mean, I just I know this isn't the same thing but had to call around about possibly getting a septic field repair in August and everyone I talked to told me they weren't even able to do anything until 2022 at the earliest and I am just wondering if that is going to be the same situation here. If we really do have the capacity to be adding any kind of additional restrictions like this.

Nester Jelen: That is a good question Geoff. One of the things that staff did as well was reach out to 3 different main engineering firms in the county, there are more than that but we did that in order to get an idea cost as well as time line and as far as time line they all were able to say anywhere in between it was kind of a wide gap 2 and 6 weeks. But I think your comment about the Health Department's septic permit that would separate from any certification of plot plan or a site plan.

McKim: I know that was just an example. I am glad that you reached out and got that information. Thank you.

Nester Jelen: Yes. It could be up to 6 weeks during their busy times so it something we are considering but once people are able to get the message that we are requiring this we are hoping that sets in motion a little bit earlier planning on the part of application.

McKim: Thank you.

Clements: Thank you. Mr. Enright-Randolph.

Enright-Randolph: This is kind of in the same line of questioning there, I think that was a fair example that Mr. McKim made. Yes it might be a little different than the certified site plan but the fact is that the profession is being inundated with work so for them even to find to come and do that project is tough for the profession right now. I will go ahead and state that even internally I am having to space out my services for professional help 2 to 3 months out, so that is significant. Also, I don't think we will ever necessarily we in a position to predict what the profession can and can't offer. I know Jackie you are doing your due diligence and I really appreciate that and I appreciate you reaching out but I want to make sure that we are not saying anything that you are going to be able to have this work performed in that time line. We have no ability to control the profession or the time line or the prices being set for the work being conducted and that just needs to be very clear and articulated very time this discussion is being had. So, I am glad this isn't the final reading because I think Mr. McKim's point is very significant. What can the profession handle right now? I just pulled up a resource document that we created at the Surveyor's Office

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because we get a lot of calls for private surveying work so we have a local surveying company pdf document for a resource to the public and most of these are your local surveyors but anyone can be added to the list and we have continued to grow the list and just looking at it now, one, two, three, four, five, six, seven, nine surveying companies on our list. So, yes there are more than a few larger, major ones but even some of the smaller ones still can't perform work for 3 to 4 months. That is a big hurdle to put on our property owners here at the county to move forward with potential development. So, I just wanted to really add to that discussion because I think that is one of the most critical parts of that, that we get that part right.

Clements: Thank you Mr. Enright-Randolph. Mr. Pittsford and then Commissioner Thomas.

Pittsford: Thank you President Clements. My question is pretty straight forward I think. Is this something that the engineering or architectural firms would be doing somewhere further down the road any way or is this additional work and are we confident that it advances the county's objective in some way in terms of knowing what is going to be there when everything done? I know Jackie referenced as-built designs. So, is this meant to curtail the as-built that come out as the fact?

Nester Jelen: So, I will take your question Jerry as one of them being is this something that would be required down the line any way. Not always. Right now I think if we were to break down the email from Rachel Henry, the Zoning Inspector to say which sites are more likely to have certified site plans or certified plot plans, I would say it is primarily in the certified platted subdivisions. So, I think that we already are seeing those plot plans in those areas because the lines are already drawn and I think it is cheaper from what I have understood from surveyors typically to do a plot plan than a certified subdivision. It makes sense. They already know where the lines are. But is this going to be required down the line? I think that is something that we are considering. We need to be more clear from the planning perspective. We have been doing Land Use Certificates and going in to commercial sites and any multi-unit sites and making sure that those are built as planned but residential sites we get a lot of them and they are not always built to the site plans that we get certified or not. So, I think it is something to consider down the line. This is maybe a first step and is it furthering the public benefit, we get some site plans that are a lot to be desired, not to scale, pictures of drawings of small scale and we can't really tell where the lot lines are, things like that. So, one of the surveyors that we talked to said that they have been advocating for this for a long time and the prior MS4 was also an advocate for this because they see a more costly expense to home buyers later down the line when they realize that their house is built in a low spot or in the wrong location across a lot line. So, I can't give you an exact number of how many that has happened to because frankly we probably don't know about all of them but I think we are going to be preventing that from happening in the future if we do require certification.

Pittsford: Truthfully, if you prevent one person from getting rubbed the wrong way by a site plan drawn on a napkin over lunch than obviously that is a good thing. My concern is always are we adding a layer of bureaucracy just for the sake of adding a layer of bureaucracy? But if there is ultimately an end game either for the public benefit or for the architectural or engineering being able to say, look, you really can't do that and when you do the more detailed drawing you are able to legally assert or by ordinance however you want to phrase that, assert a little more control over you client in saying I can't turn this in. If that gives them a little more leverage to submit a little more complete plan, a more fair plan for the public benefit then I would be in favor of that. I would

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really like hear more from the engineering and architectural firms. I know did a first blush kind of straw poll it sounds like but I would like a little more concrete feedback if that is possible without it being burdensome. Thank you.

Clements: Thank you. Commissioner Thomas and then Mr. Wilson.

Thomas: Yes, I appreciate the discussion that we are having especially regarding the few number of firms that we have in the community and also getting feedback. But this is really and effort not only to protect the new homeowner or the home builder but this is an effort to protect the people who are already living there in the neighborhood. We have seen too many instances where there have been instances with lot lines or runoff, drainage problems and if there is a shortage of professionals we will have to find a way around that. They may have to go out of town to hire somebody. I don't know what that answer is and it is not ideal obviously but I don't think that we should bend the system. I think we need to support the system and make sure that we are doing what is right for our residents who currently live here and those are building here. There is no reason to wait. I don't know what and will all due respect Jerry, I don't know what you are going to hear from architects that is going to change any minds at this point because the staff has already gone out I believe if I am not mistaken and asked for that first round of information. But this is really a way to protect Monroe County residents and I don't see a reason to him and haw over this but if folks want to wait that's fine. I think this is really well done and I applaud the staff for taking this measure on and I think Jackie's note is very important in that this is not every one of the 95 or so who have applied to build a single family residential structure, this about 30 out of the 90 or so who would then be asked to take this extra step so I don't think it is particularly own risk at that point either. Thanks everyone.

Clements: Thank you. Mr. Wilson.

Enright-Randolph: You are on mute, Larry.

Wilson: I just wanted to add that this really adds value for the homeowner. We have had situations for both the homeowners and neighbors where somebody built in a drainage way or we have had cases where they built over a septic tank. These are the kind of things that are very expense to remedy and it is really unfair for neighbors that somebody who drew a site plan on a napkin can build a home in a drainage swale that is impacting the rest of the neighborhood. I also think that having certified site plans make it easier to get financing, it will be easier to be remodeling, it is an asset that kind of runs with the home the eventually the homeowner will recoup the cost in savings and in the quality of the product. For us we do not really have the ability to go out and do the site plans for them which is kind of what you are asking us to do if we get a scrawled site plan on a napkin. We can't verify the setbacks. We can't verify that it matches the house. We don't know exactly where things are on the site. So, it is a great value both for us and I think for the homeowner and for the county to have these in place.

Clements: Ok, thank you Mr. Wilson. Mr. Enright-Randolph.

Enright-Randolph: Yes, hi. I just wanted to make one other comment quickly pretty much in line with my comment at the Administrative Meeting. My first task whenever I am reviewing these

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packets is to try to find out where my concerns lie and I like to then bring those up forward for discussion purposes or at least state them so they go on record. Then I always forget that there is a lot good baked into this as well and just like I did at the Admin. Meeting, yes I do think that we need to start thinking about certified site plans. We could even potentially start thinking about digital submittals but ultimately the system we have in place right now a lot of things do fall through the gaps and that creates even a larger onerous burden to our property owners. We need to mitigate as much as possible by putting any more bureaucracy on top of this if we can and that is where my biggest concern is. I do think that we need to kind of address this, make sure that people aren't encroaching on it, people aren't building on environmentally concerned areas and that we kind of understand how things are actually going to shape up on the ground. So, I do support staff on their intent here and I do think they have got it pretty ironed out and if we take final action today or if we bring it back next time, I will leave that to my colleagues to move forward. But we definitely need to monitor this and make sure that we are not creating any undue burden in line with actually getting the service. Yes, there is probably a slew of professionals across the state of Indiana but still I think they are encountering some of the same issues we are encountering here in Monroe County. So, there is a lot of promising things in this that could prevent a lot of issues that could become onerous burdens and think that by the end of the day I will support something but I think we need to keep a close eye on this so if we need to change it we can to correct it as needed. Thank you.

Clements: Thank you. Mr. Guerrettaz.

Guerrettaz: Hey Jackie, can you show me the section, first off staff has done a nice job communicating this and the reaching out to the local professionals in particular the land surveyors and the engineers, architects probably don't have as much play in this as much as the other two valuable professions but nonetheless, where are the as-built requirements listed at?

Nester Jelen: Bernie that is something that would be discussed as a potential follow up in the new ordinance.

Guerrettaz: Ok.

Nester Jelen: It is not proposed in this one.

Guerrettaz: Ok, I didn't think so but I thought maybe I missed it. I have just got a couple because I am still going through this, I have just got a couple of questions. Under the accessory definition, all under residential structures, includes additions to all new single family and two family residential detached accessory structures. So, is that just saying that all other residential structures and additions to existing structures, is that what I am reading?

Nester Jelen: Yes. One of the things we wanted to differentiate was between a vacant lot that is going to get a new home on it versus I have had a home here for 50 years and now I am going to add on, we don't want to require yet a certified plot plan for the add ons unless we need that discretion, which we built into the accessory one under A.

Guerrettaz: Ok, so that takes care of the as-built. That is all that I have got. This is going in a very

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good direction with the community being able to handle the work load. That's what weekends are for. They can make that up there and be compensated for it. The timeline is always important when you look at the decision making, putting a plan together and then if there are things like topographic surveys for instance or residential home sites where they have to have 1 foot contours, things like that, items like that seem burdensome when the administrative can always say that there is not enough information that they can grasp what is going on. I will leave my comments to that. Overall, it is a reasonable direction, I just think there are some specifics that are very cumbersome from a cost standpoint from a necessity standpoint and if I show a site plan where I show a 10' concrete drive on my 5 acre parcel and it's a 12' concrete drive, does that really matter as long as my access with the Highway Department is fine, for instance? That's all that I have got. It looks like Mr. Deckard hung on here so his comment about listening to some of the professionals in the community and maybe he will have some comment. That is all that I have got.

Clements: Thank you Mr. Guerrettaz. Mr. Wilson.

Wilson: I just wanted to note that we are not asking for a waiver of hearing of either of the 2 text amendments that are before you tonight. We wanted to give people 2 meetings to there will be time is somebody raises concerns later.

Clements: Thank you Mr. Wilson. Is there any member of the public that would like to weigh in on this?

PUBLIC COMMENT – ZOA-21-8 – Amendments to MC Ordinance – Site plans

Deckard: Good afternoon, this is Eric Deckard again. Can everyone hear me?

Clements: Yes.

Deckard: I was just reading through the packet this afternoon and there was just a couple of items that drew my attention to I, so if we can go to it would be 815-3, B and C. I can see in these 2 sentences that we have omitted the word "surveyor". So, we have engineer or architect in B and in C. This could prevent a land surveyor from being able to perform his/her duties as a professional in their capacity in which we are licensed to perform and I think maybe if we can just interject into these sentences here "surveyor". On item C maybe we can restructure that just a bit too where it would say surveyor, engineer or architect licensed by the state of Indiana certifying that the placement of the proposed structure meets all of the design standards. I don't know that in a plot plan that we are necessarily certifying to the structure itself so much it is the placement of the structure on the ground and you guys have all been concerned about the capacity in which the locals are taxed right now as far as being able to get these certified plot plans out in a timely fashion and I concur with what the consensus has been. I have talked with some of the fellow surveyors in the community and we are all 2-6 weeks out. If you are doing a boundary survey you could be as far out as you know 8 weeks at the current time and it is kind of the same across the board throughout the state right now. If there are any questions the Plan Commission may have I would be glad to try to answer any questions if you have if you have some concerns or anything like that I might be able to help answer.

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Clements: Well, this would be a departure from our normal procedures but I would like to ask any members of the Plan Commission if they have any questions for Mr. Deckard? If so, raise your hand. I don't know if I see everything. Mr. Enright-Randolph and then Mr. Stainbrook and then Mr. Guerrettaz.

Enright-Randolph: Hey Eric, do you think this would be very potential light discussion at your next Hoosier Hills Chapter of what their thoughts would be? Would that we something that you think would be appropriate to discuss? The Hoosier Hills Chapter by the way is kind of a subcommittee of the ISPLS, Indiana Society of Professionals Land Surveyors and they are just now doing a chapter meeting this month and Eric is the local Chair of the Hoosier Hills, so I was curious if it might be appropriate to kind of have that discussion and then provide some feedback. I also sit on the Hoosier Hills Chapter.

Deckard: Yes, I think that would be an appropriate conversation Trohn. That meeting will be held next Wednesday at 6 o'clock at my office if you are interested.

Clements: Thank you. That would be a service to the county. Thank you Mr. Deckard. Mr. Stainbrook.

Stainbrook: If it's in the best interest of the county and its citizenry I don't understand why we can't go outside the county. Maybe that isn't what is being said but if someone needs a professional, I think individually if we have to we go outside of the county. That is a question Margaret.

Enright-Randolph: Can I provide a little clarification? I think, Jim, what we are discussing is the fact that it may take a while if you are local or outside of the county to even get a professional to come and provide this service for a certified plan, not just local here to Monroe County, across the state and that is why I was curious if that would be appropriate conversation to take because we will be working with more surveyors than just local ones.

Stainbrook: Well, Trohn that is good and thank you for adding that for not only my benefit but everyone. But actually I was following up on what I thought was a point in Julie's comments that if the people aren't available or if they are overworked now within the county, allowing again Trohn for what you are saying, I wouldn't image that the professionals in every part of the sate were equally busy. I am not suggesting that we go way up north or whatever and I am not suggesting we go anyplace but I am just saying I don't know why we would limit ourselves to Monroe County. I think the professionals here should be considered along with all of the citizenry if that is becoming a problem for the professionals and therefore problem for the county therefore for the citizens of the county. Ok, I think have over talked my point to a place to where maybe have lost the point, so anyway, so just a consideration and a question. Thanks Margaret.

Clements: Thank you Mr. Stainbrook. Commissioner Thomas.

Thomas: Yes, I am not sure if this is a long-term issue or a short-term issue and I don't think it is wise to make a decision based on a short-term waiver issue either because the goal is loftier than that issue itself. Clearly we have to be cognizant of the wait times and if we can do anything to

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incorporate that here or find a way to put the wait time specifically on staff in terms of once the information provided staff has x number of days respond or to complete the process that might be a better way to go and then we don't have to keep revisiting this. So, just some thoughts. Thank you.

Clements: Thank you. Mr. Enright-Randolph.

Enright-Randolph: I just wanted to make the same point that Julie did that we need to factor this into our decision making that as far as much time it may take to kind of retain that type of professional services. Also, I think that would should somewhat try to understand what kind of financial burden this is going to put on our property owners as well and again, I think that the way that the staff is going is great. This is something that just needs to get right or we just need to amend it as soon as we see some practical difficulties that we weren't clearly addressing. That is kind of my rationale of this discussion and why I think it is very important to have this.

Clements: Thank you. Mr. Wilson.

Wilson: I just wanted to comment that one of the things that we can do once this passes is attempt to do an outreach to the builders in the county and suppliers and so on to get the word out that this is now a requirement so that this gets built into the timeline. From my experience people are having a rather long timeline anyway because of how busy the builders are, delays in supplies and materials, delays in getting a Septic Permit, so I think we can build that in as long as we alert them that this is going to be a requirement then they will not be delayed in their project. Then it will just be built in. Oh, before we get started we need to get a certified site plan.

Clements: Thank you Mr. Wilson. Mr. Bell, Mr. Jason Bell.

Bell: Hi, my name is Jason Bell. I am the Executive Director for the Builders Association here in Monroe County. Some of the things that you guys are talking about we have presented to some of the builders. We presented to some of the members that we have and they have kind of brought up some of the same concerns. They brought up what the time frame is going to be and the delays of waiting for that site plan, the cost to the homeowner. We submitted a letter to the Planning Department from one of our builder's kind of laying out quite a bit so hopefully that will be brought up. But I definitely recommend that you guys have a conversation with our members. We have a lot of members, a lot of associates. Larry we are planning on having a monthly meeting, with Larry and I hope we can discuss this before anything gets pushed through. So, it is an invitation to all of you, if you want to sit down and meet with us that would be fantastic. I will tell you that probably half of our members for it and half are probably against it. But it also kind of the language I think we are all kind of for something like this because I think it is a positive thing for the community but I think there are somethings that we need to talk about and figure out like, I apologize, I forgive the one guy's name but some of the language like on the accessory and stuff like that just need to be fine-tuned and just make sure obviously of the time frame and cost isn't a major factor for the homeowner.

Clements: Thank you Mr. Bell and thank you for participating tonight. Mr. Guerrettaz.

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Guerrettaz: I have just maybe a quick comment to Jason Bell. One thing to the Builders Association meetings and just so you know I am a licensed Land Surveyor and Civil Engineer so I kind of got a little understanding of what the builders are up against but being able to go through and for staff to utilize a scaled drawing that takes into account public right of way, accurate property lines, setbacks, easements and things that could affect the building location on a small platted lot say anywhere from a quarter of an acre to a third of an acre or less, that kind of effort and education maybe goes a long way to the builders and most of your builders know that. That has been a learning curve that a lot of people in the community have been working through for a lot of years so in that regard I think that what staff is doing here could be real positive and I think that what the Builders Association can do would be a positive also, just a slight point maybe to bring some of the minds together that are trying to solve an issue that will also help with the timeline on building permit review because the information will be out there for staff for them to be able to make discernable decisions that can make sense without a lot of back and forth and conversation. Secondly, I think and this is probably tip-toeing around the hoopla hoop here but when we develop these site plans and plot plans and Dee that was a great question that you asked at the beginning of this, I compliment you on that because there is a difference. The one thing that we have to realize and this isn't because I am plugging for land surveyors but accurate locators of buildings to property lines, easements, dimensions relative to metes and bounds description falls or, I mean it requires a land surveyor to know that every time. An architect doesn't have the, necessarily have the tools nor does an engineer have the tools to be able to determine the placement on the ground or on a map of where these two things come together which is really what is important. We can show things on a drawing 33' off of the property line but if there is not a big enough lot there to be able to fit it in there you need someone that can measure it accurately on the ground too. So, just a few observations. I am not suggesting that is a reason to change it but that might be something Eric could discuss at the next Hoosier Hills meeting and get the input from the professional community. Thanks for indulging me. The Building Association has always done a great job and they have an association to educate their membership and I compliment you. That's all I got.

Clements: Thank you Mr. Guerrettaz. Ms. Nester Jelen.

Nester Jelen: Thanks Margaret. I just wanted to have Kelsey Thetonia speak to some of the storm water benefits of having a certified plot plan as well for residential.

Sure, this is Kelsey. I know that this was first brought up with Terry and I am in absolute agreement that this will absolutely help for some many homes that will be built whether it is a very small lot or a very large lot, they all have very different issues and different things that we need to look at. It is hard because I receive a lot of drainage complaints and they are not all for homes built before we had good regulations in place and I think it's our responsibility to get the information we need in order to keep our residents safe and to protect our natural resources and drainage ways. This will tie in nicely with our new storm water management ordinance. I am going to have some guidance in a technical standards manual requiring certain requiring the land homes be graded in a certain way and gets into a bit more detail than it has in the past. The main point is that we are not going to be allowing homes to be built that are going to flood or cause flooding. I think if someone is going to be building a home you kind of want to make sure that we again have the information that we need to review them as responsibly. Thank you.

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Clements: Thank you Ms. Thetonia. Mr. Stainbrook.

Stainbrook: Well, following up Kelsey's comment, of course in a more general way I would like to acknowledge Mr. Wilson's input through particularly Jackie and just as a caveat this may not be something new but I believe Julie and maybe some others have mentioned due, no I don't want to mentioned due speed, that might suggest something else but do caution to be careful with this. I have seen things drawn out that looked like a kindergartener drew it and it went through in a different process but it was approved. I think it has been one of the biggest travesties that I could ever observe of having happen in any governmental entity. So, I just say let's be careful. I think we are in good hands. I commend Mr. Wilson for this leadership and Jackie's hard work. Thank you Margaret.

Clements: Thank you very much. Are there any other members of the public that would like to speak? If there are none, this is just the first hearing on this and we will be hearing at our next months. Is that right Jackie meeting of the Plan Commission?

Nester Jelen: Yes.

Clements: At our regular meeting.

The motion is needed as this is the preliminary hearing. ZOA-21-8 will be heard at the next Plan Commission meeting.

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NEW BUSINESS

3. ZOA-21-10

**Amendment to the Monroe County Zoning Ordinance:
Chapter 815- Site Plans (Phasing)**

Amendment to allow for commercial development phasing.

Contact: lwilson@co.monroe.in.us

BOARD ACTION: Clements introduced the petition.

STAFF ACTION:

Nester Jelen: I will go ahead and introduce it Margaret and then Larry and I can kind of tag team. Just a little bit of context, this is also an Amendment to Chapter 815. The reason that we have these separated is just so that the public can see that they are both additions and text amendments that are dissimilar from each other. One has to do with certified site plans and certified plot plans and this is really getting into a subsection of a certified commercial site plan. This is discussion the introduction of phasing. Phasing is currently permitted under Planned Unit Development and Subdivisions but it's not currently permitted under site plans. So, the purpose of phasing is simply to split up a commercial project into smaller chunks that individually meet the ordinance standards but it ultimately results in small development sections and hopefully better compliance as you go about the project. We are having this include not only a phasing plan, which shows the different phasing sections for staff review but also a narrative and one of the benefits of having both an illustrative map and a narrative is so that we can discuss a construction schedule within each phase and also things like bioretention and other storm water management features may be located in the first phase and graded in a temporary sediment basins or other beginning stages of construction and then in the final phase we can have it in the narrative and illustrated that we have to come back to if for final approval. Some of these get to the end and then we need to go back and we what is the exact timeline for this to get approved, so this provides a lot of clarity for both staff and the developer of what we are expecting when before we will issue occupancy for structures. Larry, did you have something that you wanted to add onto this?

Wilson: I just want to say that again, we have had this before in PUD's and with subdivisions where we allow phasing. We really have not had too many projects on single lots where a subdivision was not required or PUD was no required. We are adding this just to cover that new situation where people are buying large tracts land and not subdividing or needing to use a PUD. We have run into problems in regard to issuing Land Use Certificates at the end of a project because things aren't done and this will allow us to basically have these in segments and say ok here is a line everything has to be done within this phase before we issue a Land Use Certificate and hopefully that will reduce fights, hopefully that will reduce litigation in regard to people who go ahead and move in before they have an LUC. Finally, what I will note is we designed this so each of these phases will be stand alone. So if the developer fails, goes under (inaudible) move to a different phase. So I think all of those are good reasons for having this and we will end of with a more affordable process for the developer but actually a better process the public. We will ensure that everything that is required to be done is done.

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QUESTIONS FOR STAFF – ZOA-21-10 – Amendments to MC Ordinance - Site Plan

Clements: Ok, are there any questions from the Plan Commission for Mr. Wilson or Ms. Nester on this item? I am not seeing any. Is there any member of the public who would like to speak with relation to this suggested change? Seeing none. I bring it back to the Plan Commission and this is just the preliminary hearing so we will hear this again roughly a month from now. I see Mr. McKim raised his hand, so Mr. McKim.

PUBLIC COMMENT – ZOA-21-10 – Amendments to MC Ordinance - Site Plan: None

**ADDITIONAL QUESTIONS FOR STAFF –
ZOA-21-10 – Amendments to MC Ordinance - Site Plan**

McKim: Just that I would actually like to hear from development community on some feedback on this and what impact it might have. Some of the comments we just received on the previous proposal that were quite useful and it would be really nice if we could receive similar feedback on this one.

Clements: If Mr. Bell and Mr. Deckard are still here please note the request that we would like to hear from your community as well on this item and please vet with your community so we can understand better the ramifications of this change from your perspective. I think that we have finished discussion of this item and we are moving onto reports.

The motion is needed as this is the preliminary hearing. ZOA-21-10 will be heard at the next Plan Commission meeting.

DRAFT

REPORTS:

Planning/Wilson: No reports.

Legal/Schilling: No reports.

Clements: I would like to just, you know a the Plan Commission's envoy to the MPO, the Transportation Coordinating Committee so I to begin a little bit of a tradition of reports from people who are Plan Commission delegates to other committees and I just want to raise with the Plan Commission kind of an overriding concern that I have about lack of coordination between the City and the County with regard to coordinating and updating and a cohesive transportation plan given all of the development that is going on. I think that we need to have an updated area wide combined traffic study and that the MPO Chair should have a centralized government body to de-conflict area wide traffic and safety infrastructure requirements. Right now especially with the hospital project going on some issues have arisen that seem to indicate a need for an updated and revised traffic study and I would like whatever support members of the County Plan Commission can give in this regard to Lisa Ridge and to Patrick Martin and to Penny Githens, who is a Commissioner for transportation because we really need it for the safety and health depends on this level of coordination. So, that is my report to you and if anybody else has anything to say any of the other committees that you serve on we can hear from you now or we can have a motion for adjournment.

Nester Jelen: Commissioner Thomas has her hand raised.

Clements: Commissioner Thomas.

Thomas: Thank you so much. I am actually wondering if the folks who are on the Executive Committee will be willing to meet. We had some discussions about Historic Preservation issues and things like that and I think it would be really useful for us to have a meeting. So, I am wondering if the members of the Plan Commission who are on the Executive Committee would be willing to have a meeting in the near future.

Clements: Yes.

Pittsford: Yes.

Thomas: Ok. Ms. Nester Jelen, can you arrange that?

Nester Jelen: Are you thinking next week?

Thomas: Next week or the week after, next couple of weeks would be great.

Nester Jelen: Ok.

Clements: Mr. McKim.

DRAFT

McKim: Just in the interest of reporting on other committees and commissions, I mentioned earlier the County Council did adopt the 2022 budget and we adopted in particular the Planning Department's budget as presented.

Clements: Ok, thank you. Are there any other items anyone would like to discuss? If not we could have a motion and we could go on with our merry lives.

McKim: Move we adjourn.

Pittsford: **Motion for adjournment.**

McKim: **Second.**

Clements: Any objections raise your hand, otherwise have a good night.

Wilson: Thanks everybody.

Clements: Thank you. Bye.

The meeting adjourned at 6:57 pm.

Sign:

Attest:

Margaret Clements, President

Larry J. Wilson, Secretary

DRAFT