

APPROVAL OF MINUTES

Ms. Giesting: The next item of business on our agenda is to approve the April 7, 2022 minutes. If we have reviewed that, do I have a motion to approve those minutes?

Mr. Kirchoff: So moved

Ms. Andres: I'll second

Ms. Giesting: Moved and second; all those in favor say aye.

(All ayes)

Ms. Giesting: Very good, so the minutes are approved.

Mr. Philip: And I abstain Andrew, as I wasn't in attendance last meeting.

Ms. Giesting: Okay, very good.

GUIDELINES FOR PUBLIC HEARINGS

Ms. Giesting: Guidelines governing the conduct of public hearings.

1. The proceedings are recorded for public record purposes; please come to the podium, located in the front of the Meeting Room, give your name and address and make your presentation.
2. Please make presentations as concise as possible; try to limit your comments to no more than five (5) minutes and avoid repetition of points made by previous speakers. Each speaker will be allowed to speak only once.
3. If possible, please designate a spokesperson for groups supporting or opposing same positions.
4. Following your presentation, please print your name and address on the speakers' sheet provided by the Plan Commission Secretary to ensure the official record reflects your appropriate name and address

OATH OF TESTIMONY

Ms. Giesting: At this time, Mr. Daniel, would you please administer the Oath of Testimony?

Mr. Daniel: Anyone expecting to testify before this board tonight, please stand and raise your right hand.

(Mr. Daniel administers the Oath of Testimony)

Mr. Daniel: Thank you

PUBLIC HEARINGS

Ms. Giesting: The first item on our agenda is, we have three considerations for petitions RZ-22-018, PP-22-018, and DP-22-018. At this time, Mr. Berg, would you like to come talk to us about what's going on here?

Mr. Berg: Certainly, thank you. This is for a proposed Verizon Equipment Switching Facility. This is at the end of Gateway Drive, basically between Gateway Drive and I-70. Access would be through one of the – you can kind of see it there on the aerial. There does appear to be kind of a road that goes through there but that would be improved, should this be approved. Trying to think about what else exciting I could say about this. It would get rid of part of the Tri-L PUD through a rezone to GC. The parcel is not currently platted, so that's part of the plat requirement there. And again, they are looking to put a telecommunication switching facility on this site. It's about 17.6 acres. Since we've been told to be brief, I'm going to be brief unless there are any questions for me. The applicant and their team are here.

Ms. Giesting: Okay. At this time, would the petitioner please approach?

Mr. Thorpe: Good evening, my name is Mark Thorpe, I'm with Weihe Engineers. For the record, our office is located at 10505 North College Avenue, Indianapolis 46280. Tonight, I'm here on behalf of Verizon, and Mr. Ken Brockle has flown in from New Jersey to be here on behalf of Verizon to help answer any questions you might have. And also, Mr. Pat Madden who is the Project Lead, he's our architect from Madden McMillan Architects in the Chicago area, has driven down to help answer any questions that you might have. As Eric has mentioned, the site is about 17.5 acres on the north side of I-70 and west of S.R. 267. Gateway Drive comes down off of Hadley Road and ends in a cul-de-sac. There is an existing access easement off the end of that cul-de-sac that serves this lot. There are a couple of hotels right there just near the end of the straight portion of Gateway Drive, before it goes into the cul-de-sac; around the cul-de-sac are empty parcels, and then there's a very heavily wooded area to the north and to the west before it gets to the Hunter's Ridge subdivision. And then I-70 is the Gateway Corridor to the south. So, we're here for three petitions tonight. The first one is a rezone, and it basically is to kind of clear up some of the area there. As Eric mentioned, there's a little bit of a Tri-L PUD that goes across there. The area is zoned GC to the north of I-70 and on both sides of S.R. 267, pretty much in the whole area so essentially, we're just trying to make that whole parcel General Commercial for this development. The second item is – it hasn't been platted so there's a plat line that goes through,

or a parcel line that goes through this parcel, according to the Hendricks County GIS. It's interesting; both have the same parcel number, but we're just trying to create a one lot subdivision and that's essentially what the plat is doing here; it's a non-residential subdivision. And then the third petition is for architectural and site design review. I don't know if the mouse works here or not – but here's our drive coming in off of Gateway cul-de-sac. It comes into the site; we have a slight gate across the entrance of the property, right at the property line. It's a gated facility; has a fence all the way around the project for security reasons. Once you come into the site, if you turn left here, you'll go down on the east side of the building where the entrance and parking will be located, going into the facility. And then coming on around the south/southeast side is a delivery drive that goes back for like UPS/FedEx type trucks. And then around on the west side is actually a loading dock for semi access to the facility. And then up at the northwest corner is a dry detention basin for all the stormwater management at that location. The building really has two sections to it. The green partial is an administrative core; it has open office space, conference room, breakroom; it has a control room, restrooms, those kinds of things, that's where the staff will be. And then the orange section down below is really the equipment core for the switching station. The building will be located – I've kind of highlighted those two areas – that's where it will be located on the site. It will be a total brick wrap around veneer on all four sides of the building, two different colors of brick. We have some samples here if you'd like to see those. Those are the four sides of the building. I don't know if you've looked at the site plan, but to the southeast and to the northwest there's those kind of light gray areas – so these switching pods for mechanical units have a potential for expanding as the needs grow. And so, it could potentially grow into eight of these equipment pods ultimately, in the future, if ever needed. And so, we're kind of looking at overall master planning this site for that. The detention has been sized for that as well. This is just to kind of show you what it could potentially look like in the future. There were two areas of concern for the Design Review Committee on each side of the building. On the east side are two rather large generators and some mechanical equipment. And on the west side are some air handling units. Those are on all of those pods when they're put it. So that would be on the south of all eight of those if that ever takes place. And so, one of the things that the Design Review Committee asked is if we could pull in the security fence closer to the drive and add a few rows of evergreen trees on the outside, near the I-70 side on that southeast corner. And so, this is the landscape plan that is showing the area that we have heavily landscaped a double row of evergreen trees. We've kind of done a meandering pattern so that it's not just two straight lines. And then we've left the deciduous trees in on both sides to add color as well. One of the things that was discussed at the Design Review Committee was a line-of-sight drawing. I know it's probably way too small and hard to see but over on the right-hand side of the four lanes of I-70, and then this would be if you were west and looking east, and then how the lay of the land looks over to the building, and how that line-of-sight would flow. And so, DRC, when they asked for us to pull the landscaping closer to I-70, you can see it raises up that line-of-sight to help block that view.

Ms. Giesting: Could you let the committee know how tall those generators are?

Mr. Thorpe: The two on the east side – I think they're between 20-25 feet tall, so they are...

Ms. Giesting: Pretty tall

Mr. Thorpe: Yeah, they're like a semi sitting there, really. And so, what we did is – and I'm sorry, the lighting in here is probably not real good to show this – but this is kind of a perspective view. This is actually with the trees, where they're planted on the landscape plan, and showing the double row of trees around the southeast side; this would be kind of looking up if you were near the I-70, looking back toward the building. Yeah, it's really tough to see here but it is heavily screened you can see the two generators there on the right side of the building, pretty large equipment. It also shows the heavily wooded area back to the north and west as well. And then that heavy screen up towards I-70 continues around the south side to help screen that side of the building as well. So, that is what we're here for, those three petitions. If you have any questions, we'd be happy to help answer them.

Mr. McPhail: Mr. Thorpe, I do have one question.

Mr. Thorpe: Okay

Mr. McPhail: (microphone not on) Those (inaudible), we had an experience with those, it's been several years, when we built the rec center, those (inaudible) generated a lot of (inaudible) noises. I don't know if that been improved but you've got residential to the (inaudible)west and if those things are noisy, you're going to have to figure out some way to quiet them.

Mr. Thorpe: Well, I'll let the experts speak on that.

Mr. Madden: My name is Patrick Madden and I'm with Madden McMillan Architects, we're 1900 South Highland, Lombard, Illinois. Yeah, the air handling units are pretty quiet actually. They're high efficiency; they have a capability for free cooling so they're – you know, one of things we talked a little bit about was that we're looking for a lead certified building here. We have these units installed at a number of different locations around the country and generally they perform very well, and so do the generators from that standpoint; they're actually pretty – they're very quiet. They're built for sound attenuation.

Mr. McPhail: (microphone not on) I hope you have (inaudible) generators (inaudible).

Mr. Madden: Yeah, exactly.

Mr. Philip: (inaudible) the generators.

Mr. Madden: Right, yeah. Hopefully not, yeah.

Ms. Giesting: Any other questions from the Commission?

Mr. Philip: Gentlemen, both of you, there should be a place there for you to sign in.

Mr. Thorpe: Okay

Ms. Giesting: All right, and as these gentlemen are signing in, I'm going to open the opportunity for public meeting, for folks to come and talk about or ask questions about this particular project.

(Brief pause)

Ms. Giesting: At this time, do we have anyone here who would like to speak to this project?

(Brief pause)

Ms. Giesting: All right, I don't see anyone so at this time I will close the public hearing. And do we have a Commission discussion about this project?

Ms. Andres: (microphone not on) I just maybe had one question. I don't know if (inaudible) or Eric or Kevin, but I know under the Motion 1 we did have one condition that we listed about the use requested being the only use permitted on the site – do we need to do anything by – how do you manage that in terms of making sure that it's carried out in the future. Is there anything that needs to be recorded or is it just something for your office, since you're kind of going through these (inaudible)?

Mr. Daniel: For restricting the use on that, Jennifer? Yeah, the condition 1 would put restricted use on that.

Ms. Andres: Okay. I was just curious though, how (inaudible) something that you guys do then with a future development?

Mr. Berg: I mean, it is something that we could record as a commitment, should the Commission and/or the Council choose to do that. It's also something that we do keep – I mean we do have the minutes for this; we keep this all electronically so that's something we can look at and review in the future. We could go multiple different directions to effectuate that. We kind try to leave that up to the Commission and the Council.

Mr. Klinger: So, you're asking about enforcement?

Ms. Andres: Or just tracking – and yes, enforcement if it changes hands in the future of whatever the case may be in the future. I'm just kind of curious as to what the overall process to track that.

Mr. Klinger: I don't know if there's a formal process but obviously, we do have individuals who kind of focus on kind of code enforcement pieces and so, they're always out in the community looking at different things to see where there are enforcement issues. A site like this, a lot of those issues are complaint based on neighbors, right. In this case, I don't know that we would probably get a lot of complaints from neighbors unless something's happening that's starting to impact the residential to the west. But we pretty much have a good eye on what's going on around town and if something substantially changes, I think we're usually pretty aware of that.

Mr. Berg: Also, this is a pretty specific use – I mean, it's not a retail use – someone who was looking to do something different would most likely have to come before this board, or make a fairly substantial adjustment to the building that would be obvious to all, and we would be able to bring them back here to change that use or remove the restriction, should the Council and Commission decide that's appropriate.

Mr. Kirchoff: So, as we go forward, if they go from one to eight, they won't have to come back. Is that correct?

Mr. Berg: I don't know that we're approving eight, I think we're just approving one at this time. They're showing us what the future could hold but we don't have a site plan that shows access – I mean, if you looked at those structures, some of those were over the access roads and things like that. So, to effectuate that, multiple pods, they would have to change the site to accomplish that.

Mr. Klinger: (microphone not on) The zoning and planning piece would be done through these actions tonight but the development plan (inaudible) footprint, I think they would have to come back, at least at a staff level, to make those changes.

Mr. Thorpe: You know, it's all based on need that comes about, so if it did come about that we would need one – we're not going to go to eight very quickly, for sure – but if we could come back to the staff for one or two to be added on that would be great if that was the ability. If not, we would come before you. Right now, we're just planning on one of the mechanical pods.

Mr. Klinger: I mean, all that – yeah, what Eric said, right – I think all that's being approved tonight is that one pod that they're showing. They're showing the potential for expansion but all that's being approved is that first pod, as I understand it.

Mr. Brandgard: I think it'd be no different than the distribution centers wanting to add on square footage, so they have to come through here to get it done.

Mr. Kirchoff: That's what I'm asking.

Mr. Klinger: Yeah, they often show you know, potential expansion for their building in the future, but when they actually do that, they have to come back to staff. Now, sometimes that can be done through staff; sometimes you know, we have to make a determination of whether it's something substantial enough that is has to come back to the Commission, or whether it's something that can be done through staff.

Mr. Kirchoff: I just thought we should ask that question tonight.

Mr. Thorpe: I'm sorry?

Mr. Kirchoff: I said, I just felt like I should ask that question since you're showing where it may end up.

Mr. Thorpe: Sure

Mr. Kirchoff: Thanks Mark.

Mr. Thorpe: Thank you

Ms. Giesting: All right, any other discussion from the Commission?

(Brief pause)

Ms. Giesting: Okay, so this particular project is three petitions, which requires three motions. So, do I have a motion?

Mr. Philip: So, Mr. President, I move that the Plan Commission certify the zone map amendment request RZ-22-018 a petition requesting a Zone Map Amendment of 17.58 acres +/- from General Commercial and Tri-L PUD to GC: General Commercial with a favorable recommendation subject to the following condition:

1. The use requested in the Development Plan is the only use permitted on this site. No other General Commercial uses are permitted by right.

Ms. Giesting: Do I have a second?

Mr. Brandgard: Second

Ms. Giesting: Okay. Mr. Klinger, would you like to take a vote here?

Mr. Klinger:

Mr. Philip – yes

Ms. Andres – yes

Mr. McPhail – yes

Mr. Kirchoff – yes

Mr. Brandgard – yes

Ms. Giesting – yes

Mr. Bahr – yes

RZ-22-018 is approved.

Mr. Philip: All right, so Madam President, next motion. I move that the Plan Commission approve PP-22-018 to create a 1-lot commercial subdivision on approximately 17.58 acres finding that:

1. Adequate provisions have been made for regulation of minimum lot width, minimum lot depth and minimum lot area;
2. Adequate provisions have been made for the widths, grades, curves and coordination of subdivisions public ways with current and planned public ways; and
3. Adequate provisions have been made for the extension of water, sewer, and other municipal services.

And that such approval shall be subject to the following condition(s):

1. Compliance with the Town Standards, including but not limited to the following Chapters of the Plainfield Town Code;
 - Chapter 51: General Sewer Use and Wastewater Pretreatment
 - Chapter 52: Water Regulations;
 - Chapter 55: Drainage;
 - Chapter 56: Storm Water;
 - Chapter 93.15: Access to Public Streets and Thoroughfares;
 - Chapter 152: Flood Hazard Reduction; and,
 - Chapter 153: Subdivision Control Ordinance
2. Substantial compliance with the primary plat provided to the Commission on May 2, 2022.

Ms. Giesting: Do I have a second?

Ms. Andres: Second

Ms. Giesting: All right. Mr. Klinger?

Mr. Klinger:

Mr. Philip – yes

Ms. Andres – yes

Mr. McPhail – yes

Mr. Kirchoff – yes

Mr. Brandgard – yes

Ms. Giesting – yes

Mr. Bahr – yes

PP-22-018 is approved.

Ms. Giesting: And now we'll need a third motion.

Mr. Philip: For the third motion, I move that the Plan Commission approve DP-22-018 requesting Architectural and Site Design Approval of a telecommunications switching facility on a parcel to be rezoned GC: General Commercial within a Gateway Corridor, finding that:

1. The Development Plan complies with all applicable Development Standards of the District in which the site is located.
2. The Development Plan complies with all applicable provisions of the Subdivision Control Ordinance for which a waiver has not been granted.
3. The Development Plan complies with all applicable provisions for Architectural and Site Design Review for which a waiver has not been granted.
4. The proposed development is appropriate to the site and its surroundings.
5. The proposed development is consistent with the intent and purpose of the Plainfield Zoning Ordinance.

And that such approval shall be subject to the following condition(s):

1. Substantial compliance with the plans and documents provided to the Commission on May 2, 2022.
2. If the elements for the pole lights are visible from Hunters Ridge, shielding will be added by the applicant, or the fixtures will be lowered to eliminate the lighting element visibility.

Ms. Giesting: Do I have a second?

Mr. McPhail: Second

Ms. Giesting: Okay. Mr. Klinger?

Mr. Klinger:

Mr. Philip – yes

Ms. Andres – yes

Mr. McPhail – yes

Mr. Kirchoff – yes

Mr. Brandgard – yes

Ms. Giesting – yes

Mr. Bahr – yes

DP-22-018 is approved.

Ms. Giesting: Thank you

Mr. Thorpe: Thank you very much.

Ms. Giesting: Okay, the second project on our docket is PP-22-028. Mr. Whaley, would you like to approach?

Mr. Whaley: Good evening. As you mentioned, this is PP-22-028, this is for a Primary Plat application for a subdivision, to be called Grey Hawk Place. The proposed subdivision is located to the west of Shady, north of Main Street, east of Park Road. It's approximately 23.1 acres and is proposed to be subdivided into a 73-lot subdivision. The property is currently zoned R-4: Medium Density Residential. The proposed layout is shown on the left side of the screen. You can see that it derives access from Shady Lane, with a single access point. The applicant has requested three waivers to the Subdivision Control Ordinance. The first is with respect to the right-of-way width and street width. They're asking to reduce from 50 feet to 42 feet for right-of-way width. Back of curb to back of curb, they're looking to reduce to 24 feet, and pavement width they would reduce to 20 feet, to have narrower streets within the subdivision. They also are requesting a waiver to the access requirements. Because they have more than 30 lots, the subdivision is required to have two points of access to a public street, and they're proposing one. The other waiver is to the design standards for the remote secondary access. So, when you have more than 60 lots, you are required to have an additional, a secondary access separated from the primary access by a certain distance, per the code, and is required to provide access directly to a public street. In this case it would provide access to an existing easement across private property next to the mobile home community to the south and then extends to Clark Road which

is public right-of-way. At this point, Bob Staton from Banning Engineering is here to represent the petition.

Mr. Staton: Good evening. Bob Staton with Banning Engineering, 853 Columbia Road, Suite 101. As Kevin said, we are seeking primary plat approval for 73 lots on 23 acres. 67 of the lots are your typical R-4 sized lots, 60-foot minimum lot width and 6,000 square foot minimum. The lots are generally a little bit larger than that at 67, but we will have six lots on the west side that are approximately between 30,000 and 35,000 square feet, and those are suitable for walk-out basements. So, that's what the developer is thinking about on those lots. Access from Shady Lane, across the town's property in this area. Our emergency access will be from Clark Road; it goes down here by Popeye's to Main Street. That will have bollards in that area, to keep traffic from using that on a regular basis. We are asking for a waiver for the street width. We feel that the 24 foot back of curb to back of curb, it promotes traffic calming; it will also lessen maintenance for the town in the future. And I know that that 24 feet back to back was approved recently for a couple of projects. As Kevin said, we'll need a waiver for the access point too. With that, I'll be happy to answer any questions you have.

Ms. Andres: I'm a little new to the commission, can you explain to me the traffic calming effect, what that means for the narrower streets?

Mr. Staton: Well...

Ms. Andres: Would they go slower, or...

Mr. Staton: Yes, generally. I mean, the narrower the street, that's going to...

Ms. Andres: It leads people to drive slower.

Mr. Staton: Yes, that's the general thought.

Ms. Andres: Okay. And then the use of the emergency access...

Mr. Staton: Yes

Ms. Andres: Can you explain that to me a little bit too, just in terms of how that works and the purpose for that? Is that strictly for fire emergency type vehicles...?

Mr. Staton: Yes, in the event that there was an accident here at this intersection the fire department or police, whoever, would have access to this along Clark Road from U.S. 40. That's something that may never have to be used. There would have to be an accident here that would block that access, or an accident here at this first intersection. Anyplace else, the traffic pattern would be such that they could get to it from either direction.

Ms. Giesting: So, Bob, do you feel – as I look at this, there's just one major entry into this subdivision, right?

Mr. Staton: Right

Ms. Giesting: For 73 different lots...

Mr. Staton: Yes

Ms. Giesting: And I'm like Jennifer, I'm new on the Commission, but to me that sounds like it's not enough. Talk to me about that. I mean, having one major entrance at that intersection, knowing that you're going to have a lot of growth on the other side of Township Line Road there, is it concerning, or is that a normal thing?

Mr. Staton: Um, well, 73 lots is above the town's requirement for two accesses; that's why we have the emergency access, but we've been working with the staff on this project for a few months and we've talked about that. We believe that that entrance would be adequate for the 73 lots; it wouldn't cause a hardship.

Ms. Andres: Was it a planning/design reason that you didn't have a second entrance? What was the challenge with creating a second access somewhere else?

Mr. Staton: Well, just the – you know, this property really has frontage on a public road. That's why we're working with the town to access the site through their property. So really, we're limited on our access. But we do – luckily there is this private drive here, which there is an easement there that can be converted – that road could be converted or dedicated to the town of Plainfield if there was ever a need for that. I mean, that's in the easement, that language.

Mr. Brandgard: I might add, we've had other subdivisions where we have a single point of access, but we have an emergency provision built into it.

Ms. Giesting: And it works?

Mr. Brandgard: And it works.

Mr. Klinger: My neighborhood's like that. That emergency access has never been opened since I've lived there.

Mr. Brandgard: Yeah

Ms. Giesting: Okay, okay. Any other questions for Bob?

Ms. Andres: Did I see too, that there was a proposal for the HOA to do snow removal? Is that correct?

Mr. Staton: Yes

Ms. Andres: And just as a practical matter, is that something that typically works well? I'm just thinking of in terms of relying on them to maintain it, and the town getting calls with complaints in the wintertime because the street doesn't get plowed, but it's not our jurisdiction, and those kinds of things.

Mr. Staton: I don't have any experience with that, but...

Ms. Andres: Maybe Kevin or Eric can answer it later.

(inaudible)

Ms. Andres: And it works well?

Mr. McPhail: It works better because sometimes they clean their driveways out and we go through and fill them up again (inaudible). We've been working hard with these new developments, particularly with narrowing the streets and those types of things, to reduce the maintenance costs of the town. Snow removal is a big cost for us. From the Council's standpoint, we prefer the HOA plows it.

Ms. Andres: Okay, good to know. Thanks Kent.

Ms. Giesting: So, by decreasing the width size of the sidewalks and the access to the roads, that's happened before as well?

Mr. Brandgard: We...yeah...

Mr. Philip: These new subdivisions we've been approving on the other side of Township Line Road have had these narrower streets, correct?

Mr. Brandgard: Yeah

Ms. Giesting: Okay

Mr. Brandgard: That doesn't mean we're narrowing the sidewalk, it's just the street.

Ms. Giesting: Okay

Mr. McPhail: (microphone not on) (inaudible) parking.

Mr. Kirchoff: Yeah, you just got to park on the one side.

Ms. Giesting: They'll have to, right. I mean, you'll have to.

Mr. Philip: Yeah

Ms. Giesting: Okay

Mr. Philip: Yeah, allow parking only on one side, as Bill said.

Ms. Giesting: Okay

Mr. Staton: Yes, we'll have an 8-foot side path that will connect to the Vandalia Trail on the north here. And then we've also stubbed an 8-foot path to the east property line in the event that that's extended in the future.

Ms. Giesting: Okay

Ms. Andres: I know that there was a mention too, of this being a special flood hazard area, but I don't remember seeing where that is on the plat. Can you just show it to me? I looked for it and I couldn't find it

Mr. Philip: It's why those lots are so big.

Mr. Staton: The area right here.

Ms. Andres: So, it's the area then...

Mr. Staton: This is Clarks Creek right here...

Ms. Andres: Right

Mr. Philip: That's why those six lots...

Ms. Andres: So, it impacts those six lots then?

Mr. Staton: Yes, that's why those lots are so deep. There's plenty of buildable area there outside of the floodplain.

Ms. Andres: Okay.

Ms. Giesting: Okay, thank you Bob. Once you've signed your name I'll open the meeting up to a public hearing on PP-22-028. Do I have anyone who would like to speak? Okay, come forward, thank you. Could you please state your name and your address?

Ms. Pea: My name is Anna Pea, and my address is 98 Yorkshire Boulevard West, Cumberland, Indiana. I own the mobile home park just south of this. It will abut right up to it, Village at Deerfield. I met with Bob; I think we pretty much have everything worked out. I don't really have any real major issues. There were just a few things I did want to bring up. I don't know if it's something, if you would vote to make a recommendation for approval to put this in your motion – I guess as part of the commitments or whatever – but I talked with him about the drainage and

I feel confident that it's actually going to improve the drainage. I did want to mention to you guys, I don't think this is going to affect this development however, Clarks Creek, the farmer on the west side of Clarks Creek has been filling in the creek all the way to the trail with loads and loads of concrete, all kinds of stuff. A long time ago I contacted the County Surveyor, they said it was not a legal drain. I contacted IDEM; they both said that it should not be happening. I did also contact your stormwater board. There's so much stuff there. My point to this is, it's going to change the creek to where on this development side and the property I own, it's going to wash away the east bank eventually. It's already starting to happen. So, I did want to make you guys aware of that. I don't think it's anything serious now but... anyway.

Ms. Giesting: Okay

Ms. Pea: And then, let's see... trail access, I would like – my tenants just walk a path right now that's not an official trail, through the property to get onto the trails. So, it would be nice if they could have trail access. Like Mr. Staton said, you probably can't stop them from getting onto the trail. Probably one of my biggest concerns is the road coming from U.S. 40, Clark Road, which is in between Popeye's and Ziebart. Once you get just a little ways past Ziebart then it becomes a private road, which is my road, and that's where, at the end of the road, where it abuts up to this development, where they're going to have basically the gate, the breakthrough gate. And so, I mean, that's perfectly fine with me. That actually kills two birds with one stone. It could work both ways, where if someone needed to come into the mobile home park if there was a bad wreck on U.S. 40 or whatever. He is going to be putting up a nice privacy fence – and this is something that I would probably want to work out with them but on my side of the fence, I just would like it to be maintenance free, to where grass and things don't grow up. I don't want my tenants taking a weed eater to it and messing it up. So, that's something that I mentioned to them. I'd like to save as many trees as possible right along that edge. My number one main concern is no construction traffic coming from U.S. 40 on to Clark Road, into the building of the subdivision. That's a private road; it's going to mess up my sewer line, which is what's going to be serving this also. I think the town wanted to take over that easement. So, that's really important; I can't have big heavy trucks going back and forth like that. Plus, with school buses and kids, it probably wouldn't be the safest thing. So, I'd like to have a sign put like right as you would come onto my property off of U.S. 40, that says "no construction traffic". And then another one up there by the corner where the breakaway gate would be. And then the breakaway gate to be done as soon as possible, that way that would prevent construction traffic. I know from experience that even though there are signs, that sometimes they still come through.

Ms. Giesting: Okay

Ms. Pea: So, that especially, I would like to have in your motion, about the no construction traffic.

Ms. Giesting: Okay

Ms. Pea: And I think that's it.

Ms. Giesting: Okay, thank you.

Ms. Pea: Thank you

Ms. Giesting: Do you need to sign in?

Ms. Pea: Yes, I do.

Ms. Giesting: Okay. All right, do we have anyone else for this public hearing? Come on up.

Ms. Carr: Hi, I'm Judy Carr and I'm a resident of the Village of Deerfield. I did go around the community and pass around a copy of the petition. We have a lot of elderly people in the park and a lot of handicapped people, so not a lot of people can come. I have their names if I need to present them; I don't know if I should. I'm hopefully speaking for them, and I'm not a big speaker. We have a lot of concerns. Mainly, it's a little hidden community; nobody knows we're there, it's just quiet, so we're very concerned about the traffic that's going to come through Clarks Creek Road there. We're very concerned also about the pedestrian traffic because we do at this time still get people cutting through from other areas, and they'll just walk through our yards to get to Main Street. We're concerned very much about the drainage. When you build this – when they added Popeye's, well not Popeye's but all this and that, we get a lot of water run-off. So, with the field behind us, that will be an issue. I think, a big question was, and I think you answered it – this area, that's the floodplain. Is that right? The lots, there's six lots, and that's the floodplain? That was an issue there, so we know what that is. These are all single-family units. Is that right? No apartments or duplexes or anything at all? Okay, let's see... this is probably something you don't know but it's because I read and pay attention and found this out last year – how much of that will be sold to the Wall Street investors? Do you put a cap on that? Because we all know what they're doing. Do you have any idea?

Mr. Brandgard: I think the difficult answer to that is, we have no way of controlling that.

Ms. Carr: So, you can't say, oh, this subdivision, you can limit it to maybe 15 houses being sold or anything?

Mr. Brandgard: No

Ms. Carr: Okay, that's just something...

Mr. Brandgard: There are a lot of laws in place that don't allow you to do that.

Ms. Carr: Yeah, okay. Well, I guess that is... that was, I covered everything. Oh, with the emergency too, is that right-of-way, you're going to have that blocked off? Or is that just open, on Clarks Creek?

Mr. Philip: It's intended to be blocked off.

Ms. Carr: Pardon?

Mr. Philip: It's intended to be blocked off.

Ms. Carr: It is? How does emergency get in there? Is it a gate that just lifts?

Mr. McPhail: They'll have a key to the gate.

Ms. Carr: They'll have a key to the gate?

Mr. Klinger: Yeah

Ms. Carr: Do you guys know about what happened on the south side over on S.R. 267 with the key to the gate when the house caught on fire?

(Brief pause)

Ms. Carr: No? They had a key to the gate, and they couldn't get through. They didn't have a key to the gate, and they couldn't get through. I heard that from someone who lives over there. So, the house burned. So, that's a concern. That's my concern because of the gate. Do you think that I should give you the names of...? The whole park practically is concerned about all this. I'll be their spokesperson; do I need to give you what they signed?

Ms. Giesting: You're the spokesperson, you'll need to sign in...

Ms. Carr: And I represent the park, right?

Ms. Giesting: Correct, yes.

Ms. Carr: Thank you for listening, I appreciate it.

Ms. Giesting: And you do want to sign in.

Ms. Carr: Thank you so much.

Ms. Giesting: Thank you Judy. Do we have anyone else who would like to speak? Come on up.

Ms. Carr: Can I say one more thing?

Ms. Giesting: Sure, now's the time.

Ms. Carr: it's a personal thing. On the bike path, that little stand of trees behind the big building that municipally owned is so gorgeous. I hate to see you taking out those trees for that road, that's just me.

Ms. Giesting: Okay, thank you.

Ms. Carr: Maybe you could run it in front of the building since it's municipality.

Ms. Connard: Hi, my name's Toni Connard, I live at 2332 2nd Street, Plainfield. I am concerned with the traffic but more so – and a personal note is, I've lived there for 14 ½ years, so I have some things on the property that are preexisting the division of the property line and they fall right in the middle of the property line. I've got time stamped photos of them being built in 2007, actually preexisting the splitting of the property. Because it was all one property at one point, and we were told we could build up to (inaudible) point. So, I have things that are built on the property that like I said, fall on the line, and I'm curious to who is financially responsible for the labor and things of moving these things with them being on the property line because they preexist the property line even being split, and we were told we could build on that, if that makes sense. I don't know if that's a question for Anna, or if that's a question for the builder, because I haven't heard a confirmed whether or not, you know, what's going on, given a heads up about any of this until we got the motion to appear.

Ms. Pea: I can address that. There are just a few things that are encroaching over, that I will be helping the tenants move. When I first started to buy the park the property line was actually right down the middle of several mobile homes, and I forced them into selling me extra land. And so, there's just a few, I think a mini barn, a swing set, and maybe a little bit of a garden – it's just a few things that...

Ms. Connard: I lose my shed.

Ms. Pea: Oh, you lose your little shed?

Ms. Connard: It's a big shed.

Ms. Pea: Okay

Ms. Connard: I lose the shed.

Ms. Pea: Okay

(Inaudible conversation)

Ms. Pea: Okay, I'm going to work with them on that.

Ms. Connard: Okay, (inaudible) I've been told that it did have to move, and then that it didn't have to move. Like I said, I just wanted to know who was going to be responsible for that when we hadn't been given a heads up.

Ms. Pea: (inaudible) the developer and Mr. Staton on that. He's going to have a team come and (inaudible).

Ms. Giesting: Thank you Toni.

Ms. Connard: Thank you

Ms. Giesting: Do we have anyone else who would like to speak at this public hearing? Come on up.

Mr. Kirchoff: I don't think he was sworn in. Sir, were you sworn in?

Mr. Sanders: I'm James Sanders. I live at Village of Deerfield also; been there three years and love it there. My concern is that with the children and stuff there, all this traffic that's going to come in – just all these people who come out of Popeye's Chicken now and goes down towards Mr. Pea's house, then they have to turn around, and they don't pay attention to the children; they don't pay attention to the school buses, things like that. Our trailer park is a nice one – thank you Ms. Pea – she gets on me all the time, but that's okay. But my concern is that our trailer park is in between the fire houses and the emergency centers, like right here and on S.R. 267/Quaker Boulevard, whatever you want to call it, so they're going to want to go the quickest way. If you've got this gate and somebody's having a party or something – not in our trailer park – but somebody's gone in and left a vehicle parked there by the gate – it's going to be an emergency that's going to you know, something's going to happen. So, what needs to be done as far as I'm concerned, is that somebody, you know they build a little shack there or something and they hire somebody, in case of an emergency – contact somebody to meet somebody at that gate. So, like Ms. Judy said, that gate didn't open. So, that's my concern. Maybe they could have somebody there close that could open that gate.

Ms. Giesting: Okay

Mr. Sanders: I would like to see it be safe. You know, like I say, there's lots of traffic that goes through there. A lot of it doesn't need to be, but if you want to have 73 homes back there, you need to have a quick way to get from the fire department and emergency personnel. That all I have.

Ms. Giesting: Okay, thank you Mr. Sanders.

(Brief pause)

Ms. Giesting: Do we have any other public comment during this public hearing? If not...

Ms. Carr: Can I make one more?

Ms. Giesting: Now's the time.

Ms. Carr: I don't want to break the rules.

Ms. Giesting: No, that's okay. Right now, come on up to the microphone.

Ms. Carr: You want me to come up, or...

Mr. Philip: Yes, we have to hear you.

Mr. Klinger: It won't record it from back there.

Ms. Carr: This is my deal again too. Regarding the purchase of the homes – when these outside buyers come in, they turn them into rental properties. That is what they're doing, and I know that firsthand from a real estate agent and another person I know, and that's pretty much in the news. So, that is a concern. That's why I wondered if you restricted that because that's what they're doing, and they're outpricing it so I can't afford to buy them anymore; you know, they're doing that too. So, that was why I was wondering.

Ms. Giesting: Okay. All right, at this time I'm going to close public hearing, and Bob, if you would like to come up and maybe address some of these issues for us?

Mr. Staton: Yes. As Ms. Pea said, we met. And after we met, I talked to Larry and he's going to, he's talked about moving that fence in a couple of feet on his property, so he'll maintain on the other side of that fence, so we don't have the issue with the people having to maintain on that side. And then he's very aware with your concern with the construction traffic and we're going to post "no construction traffic" signs to try to head that off. As far as the traffic on Clark Road, there won't be any traffic – I mean, when this is developed, the gate, or the bollards will be there to prohibit any traffic from using Clark Road to get to this addition. Emergency access will be off of Shady Lane, off into the main access. Unless for some reason there's a wreck at the same time the fire department needs to get there at that intersection, which I don't think that's probably likely. So, those are the main things I took from the comments. We're going to handle the drainage, and we'll do what we can to – well, we're not going to post a guard there for construction traffic, but we'll certainly put signs and we'll make it clear that that's not to happen.

(inaudible)

Ms. Giesting: Okay, thank you Bob. All right, at this time do we have Commission comments, questions, discussions?

Mr. Kirchoff: Well, I'm not sure...

(inaudible)

Mr. McPhail: I do appreciate the folks coming in and expressing their concerns. I've had the opportunity to work with this developer for a little bit on this project, and you know, these are going to be custom built homes, all brick, a really nice product, and I think it will add value to your properties. I think you're going to get the cooperation from the developer. He's local, he's developed in Plainfield before, been here a long time, so he's a known entity to us.

Mr. Kirchoff: Bob, I'm not sure I heard, is there an access easement already in place?

Mr. Staton: Yes

Mr. Kirchoff: Okay

Mr. Staton: Along Clark Road?

Mr. Kirchoff: Yeah

Mr. Staton: Yes, from where it stops being a public road, to the property.

Ms. Pea: Yeah, there is an easement.

Mr. Kirchoff: Thank you

Mr. Bahr: I have a question regarding the street width. We look at a lot of different projects, so I apologize, I don't know specifically, but in regard to the street width, have we approved this type of situation in non-PUD developments?

Ms. Giesting: Kevin?

Mr. Whaley: The two recent examples I can think of were both within Planned Unit Developments. I can't think of any recent examples outside of a PUD, no.

Ms. Giesting: Did you hear that, Steve?

Mr. Bahr: Yes, thank you.

Ms. Giesting: Okay

Mr. Philip: I don't think that impedes us in any way, Steve.

Mr. Kirchoff: No

Mr. Philip: We still have to grant a waiver relative to the normal rules, but I don't think that that changes anything. Mel, am I correct?

Mr. Daniel: Yes

Ms. Giesting: Okay, do we have any further discussion?

(Brief pause)

Ms. Giesting: Okay, so this particular project is going to require four motions, and we'll start with Motion 1, the Primary Plat waiver.

Ms. Andres: I will move that the Plan Commission approve Waiver PP-22-028-A as filed by Larry Good, requesting a waiver of Town Code of Ordinances Title XV Chapter 153: Article 3.3 C, Table 3.3 A, to reduce the minimum right-of-way width from 50 feet to 42 feet, to reduce back to back of curb from 30 feet to 24 feet, and to reduce pavement width from 26 feet to 20 feet for local residential use streets as required by the Town of Plainfield Subdivision Control Ordinance and Town Standards or post performance bonds for the same, finding that:

1. The granting of the waiver will not be detrimental to the public safety, health or welfare, or injurious to other property;
2. The conditions upon which the requests for the waivers are based are unique to the property for which a waiver is sought and are not applicable generally to other property;
3. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out; and
4. The waivers will not contravene the provisions of the Plainfield Zoning Ordinance or the Comprehensive Plan.

And that such approval shall be subject to the following condition:

1. Approval of an ordinance by the Plainfield Town Council restricting street parking on one side of the street as generally presented by the Petitioner.

Mr. Philip: Second

Ms. Giesting: All right. Mr. Klinger, have a vote?

Mr. Klinger:

Mr. Philip – yes

Ms. Andres – yes

Mr. McPhail – yes

Mr. Kirchoff – yes

Mr. Brandgard – yes

Ms. Giesting – yes

Mr. Bahr – yes

Waiver is approved.

Ms. Giesting: Okay, I need a second motion for the Primary Plat waiver.

Ms. Andres: I move that the Plan Commission approve Waiver PP-22-028-B as filed by Larry Good, requesting a waiver of Town Code of Ordinances Title XV Chapter 153: Article 3.3B, 4, a to waive installation of a secondary means of access to an improvement public street as required by the Town of Plainfield Subdivision Control Ordinance and Town Standards or post performance bonds for the same, finding that:

1. The granting of the waiver will not be detrimental to the public safety, health or welfare, or injurious to other property;
2. The conditions upon which the requests for the waivers are based are unique to the property for which a waiver is sought and are not applicable generally to other property;
3. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out; and
4. The waivers will not contravene the provisions of the Plainfield Zoning Ordinance or the Comprehensive Plan.

Ms. Giesting: Do I have a second?

Mr. Brandgard: Second

Ms. Giesting: Okay. Mr. Klinger?

Mr. Klinger:

Mr. Philip – yes

Ms. Andres – yes

Mr. McPhail – yes

Mr. Kirchoff – yes

Mr. Brandgard – yes

Ms. Giesting – yes

Mr. Bahr – yes

Waiver B is approved.

Ms. Giesting: Okay, I need a motion for the Primary Plat waiver.

Ms. Andres: I move that the Plan Commission approve Waiver PP-22-028-C as filed by Larry Good, requesting a waiver of Town Code of Ordinances Title XV Chapter 153: Article 3.3B, 4, e, to waive the design standards for remote secondary access as required by the Town of Plainfield Subdivision Control Ordinance and Town Standards or post performance bonds for the same, finding that:

1. The granting of the waiver will not be detrimental to the public safety, health or welfare, or injurious to other property;
2. The conditions upon which the requests for the waivers are based are unique to the property for which a waiver is sought and are not applicable generally to other property;
3. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out; and
4. The waivers will not contravene the provisions of the Plainfield Zoning Ordinance or the Comprehensive Plan.

Ms. Giesting: Do I have a second?

Mr. McPhail: Second

Ms. Giesting: Mr. Klinger?

Mr. Klinger:

Mr. Philip – yes

Ms. Andres – yes

Mr. McPhail – yes

Mr. Kirchoff – yes

Mr. Brandgard – yes

Ms. Giesting – yes

Mr. Bahr – yes

Waiver C is approved.

Ms. Giesting: Okay, and I need a motion for the Primary Plat.

Ms. Andres: And finally, I will move that the Plan Commission approve PP-22-028 as filed by Larry Good to create a 73 lot subdivision on approximately 23.1 acres finding that:

1. Adequate provisions have been made for regulation of minimum lot width, minimum lot depth and minimum lot area;
2. Adequate provisions have been made for the widths, grades, curves and coordination of subdivisions public ways with current and planned public ways; and
3. Adequate provisions have been made for the extension of water, sewer, and other municipal services.

And that such approval shall be subject to the following condition(s):

1. Compliance with the Town Standards, including but not limited to the following Chapters of the Plainfield Town Code;
 - Chapter 51: General Sewer Use and Wastewater Pretreatment
 - Chapter 52: Water Regulations;
 - Chapter 55: Drainage;
 - Chapter 56: Storm Water;
 - Chapter 93.15: Access to Public Streets and Thoroughfares;
 - Chapter 152: Flood Hazard Reduction; and,
 - Chapter 154: Subdivision Control Ordinance
2. Substantial compliance with the primary plat file dated May 2, 2022.
3. All homes within the subdivision shall comply with the Town's Single-Family Residential Design Guidelines.

4. Execution of a Project Agreement between the Petitioner and the Plainfield Town Council to address the construction of a public street across adjacent publicly owned land to provide access to a public right-of-way.

Mr. Staton: I just wanted to clarify something. On the Residential Design Guidelines, that's the architectural standards?

Ms. Andres: Yes

Mr. Staton: Thank you

Ms. Giesting: Do I have a second?

Mr. McPhail: Second

Ms. Giesting: Okay. Mr. Klinger?

Mr. Klinger:

Mr. Philip – yes

Ms. Andres – yes

Mr. McPhail – yes

Mr. Kirchoff – yes

Mr. Brandgard – yes

Ms. Giesting – yes

Mr. Bahr – yes

PP-22-028 is approved.

Mr. Staton: Thank you very much.

Ms. Giesting: Okay, thank you. I thank all the folks who came here this evening to talk about his particular project. Thank you.

Mr. Singleton: If I could, just before everyone leaves – sorry, I thought I'd get a chance to chime in. I did just want to dispel one comment that was made about the gate at S.R. 267 and Camby. I would like everyone to know that that has not been any real kind of issue. That has been under construction and our fire know to route around that until that gets to a point where it has been

kind of certified/checked and is ready for emergency access. So, we'll follow a similar procedure here. It's not some of the rumors that were out there where they couldn't get through the gate, it's just not accessible due to construction activity that was happening at the time.

Ms. Giesting: Okay, thank you.

Mr. Singleton: Thank you

Ms. Giesting: All right, are we all good to continue on here? Okay, third project on our docket is DP-22-008 – E-Studio Hotel. Mr. Berg, would you like to approach?

Mr. Berg: Good evening. We are slowly moving down in the number of motions that are required tonight, which is a good thing. This is, as you mentioned, DP-22-008 for E-Studio Hotel. While we're moving down in motions, we are moving northward on Gateway from our previous project that I brought to you here. This is seeking Architectural and Site Design Review for a 33-unit hotel on a property zoned GC within a Gateway Corridor. The petitioner is Hetal Patel. It's 1.05 acres. I don't know if you noticed, but today we did get a letter of remonstrance against non-franchised hotels from Mr. Venkatta Nattam – I apologize if I have mispronounced that – who owns the Clarion Point, Winngate, Springhill, Stacks Restaurant, and the Fairfield by Marriott. He goes into quite a bunch of detail about how non-franchised properties cause problems, but he also doesn't mention – which I think is funny – that he owns the Ashley Motel as well. Just kind of something that I thought was interesting with that letter of remonstrance. I'm going to turn this over to the applicant if there are no further questions.

Ms. Giesting: Okay, could the petitioner come forward? Thank you.

Mr. Wasmoen: Good evening. I'm Tom Wasmoen from Ground Architects; address is 275 Market Street, Suite 368, Minneapolis, Minnesota. I'm here with the property owner Hetal Patel tonight, and we're here to present this project for your consideration. I appreciate your time. E-Studio Suites is a boutique extended stay hotel, limited to 29 nights or less. Its architectural interior elements derive from the Art Deco style, focusing on simple lines, geometry, and elegance. The hotel consists of 33 all suite units and a manager's apartment within a two-story shell; the manager will live on site. The project is located at 1619 Gateway Drive in Plainfield and is within the Gateway Corridor. The development takes place on a 1.05 acre parcel and the hotel will be approximately 22,000 square feet. The roof will consist of skylights, and the east exterior will be built out with numerous large windows in order to promote large amounts of daylight and offer views towards Quaker Boulevard and the airport. This is a view of the building at night. The front exterior will utilize a custom of LED diffused lighting, standard architectural lighting and a controlled lighting system that enhances the view of the front façade while emphasizing the Art Deco style, as seen here in the night rendering. Of the 22 units, 28 will be standard units, 5 will be premium units with the distinction being a larger room and furnishings for the premium units. All suite units will consist of a kitchenette, seating and desk area, king sized bed, bathroom with shower stall, large flat screened TV, and sufficiently sized VTAC units for each individual unit for

environmental control. Here's an interior view of one of the units. The kitchenettes will include small efficient appliances such as a stove, microwave and a small refrigerator. Cabinetry within the kitchen will house kitchen utensils and other useful kitchen items. Other amenities for guests will include laundry facility, guest vending, and a large open area with greenery and common seating areas with large view to the east towards the airport. This is the first rendering. This is looking towards the main entrance, from the rear of the atrium space looking towards the entry of the building. As seen here, every detail of the area consists of a geometry and lines that reinforce the Art Deco concept, from the second floor railings to the custom linework in the carpeted floors, the detailing of the doors and the linework in the tile that will act as a surround to the elevator shafts seen in the distance. This rendering shows that daylight will play a large part of how warm and inviting of a space the main open area of the hotel will be, as well as the consistency of the Art Deco theme and how well the outside influences inside and vice versa. This is the view then looking out towards Quaker and out towards the airport, bringing in a lot of daylight into that shared common space. This is a rendering of the guest amenity and check-in area. As you can see, we've repeated the detailing of the Art Deco elements that you see on the exterior of the building lit up at night, on the front check-in desk. This is a unique and extraordinary project, and the owner is excited to bring something like this to Plainfield. And we're here to answer any questions. Thank you.

Ms. Giesting: Okay. At this time, does the Commission have any questions for Tom?

(Brief pause)

Ms. Giesting: Okay. At this time, I'll open the public hearing. Do we have anyone here today to talk on or to comment on this project?

(Brief pause)

Ms. Giesting: Seeing none, I'll close the public hearing. And at this time the Commission has the opportunity to ask questions and voice concerns, make comments.

Ms. Andres: Again, my newness... could you maybe just help explain to me the depth of yard development incentive a little bit? Kind of very high level detail.

Ms. Giesting: (inaudible)

Mr. Berg: Depth of yard development incentive is typically used more in terms of more industrial projects. What it does is it allows structures and/or – basically it encroaches into that yard in exchange for higher landscape values or other things that the Commission may see fit. Like I say, it's typically more commonly used in industrial areas, but this may be the first time in a long time we've used it in a commercial area, but it is permitted to be requested.

Mr. Philip: And it's coming around because this is a 1-acre lot, right, it's fairly tight.

Mr. Berg: Yeah

Ms. Andres: Thank you Eric.

(Brief pause)

Ms. Giesting: I know that parking was an issue with the Design Review Committee, and I noticed here that the staff requested the petitioner to establish an agreement with adjacent properties, but that did not happen. Correct? Did I read that correctly? And so, as an alternative the petitioner is agreeable to recording an easement across its property where this intended connectivity could be created later. Can you explain that to me?

Mr. Berg: Adjacent commercial developments are required to establish a cross-access easement to the neighbors. Mr. Nattam who owns to the north is not agreeable to this, so we've requested that this development record an easement should there be a more agreeable owner in the future. They also would have to record such an easement with the property to the south, which is the Budget Inn. At this point that person is looking to sell that property so I'm sure they're not exactly thinking about trying to establish any type of cross-access easement at this point.

Mr. Kirchoff: Is this not the same owner?

Mr. Berg: Hmm?

Mr. Kirchoff: Is that not the same owner?

Mr. Berg: No. the owner of the Budget is a different person who owns the pancake house and (inaudible).

Mr. Kirchoff: Thank you

Ms. Giesting: Any other comments/concern?

(Brief pause)

Ms. Giesting: Okay. If not, at this time I'm ready to entertain a motion. On this particular project we're looking for two motions. The first motion is the Depth of Yard Development Incentive.

Mr. Philip: I move that the Plan Commission approve the requested Depth of Yard Development Incentive, finding that:

1. The Plant Unit Value to be provided in the required Yard or required Bufferyard exceeds the normal standard for such Yard by a multiple of 2.0 or more;
2. The proposed development is appropriate to the site and its surroundings; and,

5. The proposed development is consistent with the intent and purpose of the Plainfield Zoning Ordinance.

And that such approval shall be subject to the following condition(s):

1. Substantial compliance with the plans and documents provided to the Commission on May 2, 2022.
2. Cross access easements to the abutting properties to the north and south must be recorded prior to the approval of an Improvement Location Permit (ILP). These easements must be in a location that is appropriate for such movements.

Ms. Giesting: Do I have a second?

Mr. Kirchoff: Second

Ms. Giesting: All right. Mr. Klinger?

Mr. Klinger:

Mr. Philip – yes

Ms. Andres – yes

Mr. McPhail – yes

Mr. Kirchoff – yes

Mr. Brandgard – yes

Ms. Giesting – yes

Mr. Bahr – yes

Mr. Kirchoff: So, can we go back then Kevin, to item 2? It says that a cross access easement has to be approved.

Mr. Philip: Before ILP

Mr. Whaley: Right

(Brief pause)

Ms. Giesting: Okay (inaudible).

Mr. Kirchoff: He said he couldn't get it.

Mr. Berg: They will be recording the easement on their property in a location that would be...

Mr. Kirchoff: Oh, I misunderstood. Okay, thank you.

Ms. Giesting: All right. Okay, item 4 on our agenda, TA-22-032 – Commercial Indoor Lodging Zoning Ordinance Text Amendment.

Ms. Giesting: Kevin, can you walk us through this?

Mr. Whaley: So, this is the first of two text amendments on the agenda tonight. This one is dealing with commercial indoor lodging. This is TA-22-032. What I'm going to do is just walk you through some highlights and then answer any questions you might have about any specifics of the ordinance, as presented. What this will do is it will replace the "hotel" and "motel" that we currently have in the zoning ordinance definition for commercial indoor lodging. It also adds Article 4.20 to the zoning ordinance, which is going to deal with physical and design requirements of lodging facilities, it will differentiate between transient and extended stay within those facilities. It also describes some operational standards, as well as facility and room amenity standards. And then as a part of this what we would need to do is also amend the permitted uses within the zoning ordinance where we have those occurrences. As opposed to "hotel" and "motel", those would be struck from those zoning districts and replaced with "commercial indoor lodging". A couple of things I wanted to highlight in terms of just sort of some major changes or something that would be different from what we're accustomed to. Within the ordinance, first talking about the building and facility amenities – this ordinance amendment proposes to basically require that all commercial lodging facilities moving forward have interior access to individual units, as opposed to exterior access to units, which you typically think of as a typical motel setup where each unit has access to the outside directly. This is requiring more of a hotel setup moving forward. We also have some different building requirements, two stories for the transient and three for the extended stay. Also, the difference between this ordinance and the prior amendments that were passed, the definition of "hotel" and "motel" changes basically the threshold from 15 days to 30 days. We thought that this would align more with the building and fire code. Normally there's also a threshold for taxes associated with that 30-day requirement as well, so we put that in with the ordinance to basically make it a little more streamline.

Ms. Giesting: So, that would be for transient, so hotel/motel, that's going to – those words won't apply after this. Is that correct?

Mr. Whaley: Yeah, those definitions would be taken out of the ordinance.

Ms. Giesting: So, it will either be transient or extended stay facilities?

Mr. Whaley: Yeah, it's all within a broader umbrella of commercial indoor lodging. If you think about a hotel and a motel, they're providing the same types of service as far as lodging, they're

just designed differently. And so, what this does is focuses more on that use within those lodging facilities of transient and extended stay.

Ms. Giesting: Okay

Mr. Whaley: Did you have any specific questions about any of the individual standards or (inaudible)?

Mr. Kirchoff: Can we back up a couple slides?

Mr. Whaley: Sure

Mr. Kirchoff: One more

Mr. Whaley: Yep

Mr. Kirchoff: Can you help me understand the height? Why that helps with differentiation?

Mr. Whaley: Yeah, when we started to look at motels that had been constructed within the last say 10-15 years, there seems to be a trend toward a minimum of three stories and an average of three to four. We created the two-story limit on the transient, just with the thought that perhaps we might want to create more flexibility in the market. If you have someone who's catering specifically to the travelling public who wants to have (inaudible), that that two-story it might provide an opportunity to do that. This is something that we're certainly flexible on.

Mr. Kirchoff: So, the Embassy Suites couldn't be built today?

Mr. Whaley: This is a minimum requirement, not a maximum.

Mr. Kirchoff: Oh, it's minimum, not maximum. I misread it again.

Ms. Andres: At least you know your roman numerals, Bill.

Mr. Whaley: I will say that I did talk on the phone to Jamie Bohler Smith with Visit Hendricks County about this ordinance, and she said that in general she thought that we did a good job putting these regulations together. She had some questions about some of the specific items within the operational and room standards. She did send us out to her contacts and her list that she had for interested parties, and I didn't receive any specific feedback from any of them but again, Jamie said that she thought that this was a pretty good ordinance. I think there were just a couple of things that we needed to work though in terms of me helping her understand what we were trying to accomplish, because she had questions. And then there might be a couple of things in her, that she said we may just want to keep an eye on and see how the market changes and responds to. One thing that she was concerned about in particular was the requirement for the 24-hour staffing at the front desk at the extended stay motels; she thought that might be difficult, just given the market conditions, but I told her we would kind of leave that in for now

and see how things work out – unless you feel like that’s something that should be struck from there. That was one of those requirements in the facility standards.

Ms. Giesting: This will be for all facilities going forward.

Mr. Whaley: Yeah, and these are the zoning regulations, so if there is a facility out there that currently meets the building code and has the occupancy status for extended stay, and it doesn’t comply with these standards, it would be considered nonconforming for zoning, but it would be in compliance with building. So, there’s really two different layers here that we’re working with.

Ms. Giesting: Okay

Mr. Whaley: I also did talk with Julie Randall with Family Promise last week about this ordinance. She took a look at it, and she felt that this was a good workable solution.

Ms. Giesting: Okay. Thank you, Kevin. Any other questions?

(Brief pause)

Ms. Giesting: All right. So, at this time I’ll open this up for public hearing. Is there anyone here who would like to speak on this topic?

Mr. Patel: I am Shaun Patel and I own the White House Suites (inaudible) in 2015. (inaudible) What are the requirements if somebody want to (inaudible) hotel? Last night I was looking on your website. At least there were four (inaudible) must be maintained (inaudible) status. (inaudible) property want to convert into the extended hotel?

Mr. Whaley: (not at microphone) So, an existing hotel (inaudible) extended stay (inaudible) could continue to do so without having to (inaudible).

Mr. Patel: I see. All right, thank you.

Ms. Giesting: Okay, I need you to sign in please. Thank you.

(Brief pause)

Ms. Giesting: All right, if we have no one else to speak, I’m going to close the public hearing. All right, do we have any Commission comments, concerns, questions?

Mr. McPhail: (inaudible) question on procedure (inaudible). If we approve this tonight (inaudible) the only approval level (inaudible)?

Mr. Philip: It’s just a recommendation to Town Council.

Mr. Whaley: (inaudible)

Mr. Brandgard: Yeah

Mr. McPhail: (inaudible)

Ms. Giesting: Okay. With that, it looks like this has two motions.

Mr. Philip: Just one motion for this one, the second one is for parking which we haven't talked about yet. It's a separate item.

Ms. Giesting: Got it. Thank you. Okay, so I need a motion for Commercial Indoor Lodging.

Ms. Andres: I move that the Plan Commission certify the text amendment request TA-22-032 with a favorable recommendation to the Town Council.

Mr. Philip: Second

Ms. Giesting: Thank you. Mr. Klinger?

Mr. Klinger:	Mr. Philip – yes
	Ms. Andres – yes
	Mr. McPhail – yes
	Mr. Kirchoff – yes
	Mr. Brandgard – yes
	Ms. Giesting – yes
	Mr. Bahr – yes

TA-22-032 is approved.

Ms. Giesting: All right, and the fifth item on our docket is TA-22-033 – Off Street Parking Regulations Text Amendments.

Mr. Whaley: I should be giving this one to Eric so he can come back up again. Yeah, so this is the second text amendment for this evening, TA-22-033 – Off Street Parking Regulations. We've talked about this one quite a bit in the past. I won't focus on it too much but I just to give you an overview like I did with the previous amendments. This would repeal and replace Article 4.10 of the zoning ordinance which is the section that focuses on off street parking regulations. This would eliminate mandatory parking requirements based upon land use. This is going to focus more on market-based parking and also parking location and design is a major focus of this

amendment. And then it also adds a definition for “Parkingshed”. A couple things to point out with the proposed language: we do have a section here which talks about location, trying to emphasize placing parking lots either to the side or rear of buildings for new development or redevelopment. Again, I think we talked a little bit in the past about placing greater emphasis on the buildings rather than the parking lot, which the current ordinance basically encourages it to be in front of the building because it has a lesser setback for parking, as opposed to the buildings. So, moving forward that would be a bit of a change here. Also, we did include a new section on pedestrian access, and this is the focus on design, trying to improve pedestrian safety within the parking lots. In the past we have had the requirement to install landscape islands which helps breakup the asphalt/pavement, in terms of the overall parking lot configuration, but we feel that adding in some pedestrian facilities will help create a more enjoyable space within those parking areas. We do have a requirement here that no parking space could be greater than 100 feet from a pedestrian facility. When you look at parking lot configurations, such as this building for example, that only have the stall that’s adjacent to the parking lot and then the driveway and then another set of stalls, those would be in compliance with that requirement. So, it would encourage smaller parking lots and having them closer to the buildings, but in larger parking lots – if you think about the MADE@Plainfield site, they did install that walk that runs east to west coming off the entrance which covers that southern part of the parking lot. So, that’s the type of facility that we would be looking for in new parking lot construction moving forward. We do also have some provisions for bicycle parking. Obviously, Plainfield is a pretty strong bicycle and running community with our greenway and trails system and all of the pedestrian amenities that we do currently have. And so, encouraging or incentivizing – requiring in this case – bicycle parking to be included with new developments at a rate of one parking stall per building entrance. And then as I mentioned at the start of this presentation, this is going to be more of a shift towards Market-Based Parking. A lot of communities have eliminated off street parking minimums completely, really no backstop to still allow the Plan Commission to have some sort of control and effect in the overall design of parking areas. In terms of the number of parking, we wanted to make sure that this Commission sill had the ability to oversee parking for each individual project as it comes to you all for consideration, and so we do have some provisions in there which do help explain how that process would work. At this point I’m available for any questions you might have.

Ms. Giesting: Okay, does the Commission have any questions for Kevin? All right, thank you. At this time, I’ll open it up for a public hearing for TA-22-033. Seeing that we have no one here to speak, I’ll close the public hearing and open it up to the Commission for questions, review, or a motion.

Mr. Bahr: Kevin, I do have a question. I’m totally supportive of the concept and I’m no parking genius, but I believe today you have to have so many spots, and also so many handicapped spots. Does this ordinance talk about handicapped locations?

Mr. Whaley: So, the ADA requirements – there's mention of ADA in this ordinance but it would not override those requirements for ADA signage and the installation of those things. This is just

looking to eliminate the minimum number based upon land use, square footage and that type of thing.

Mr. Bahr: I see. Very good, thank you.

Mr. Whaley: Yep

Ms. Giesting: That was a good question. All right, do I have a motion?

Mr. Philip: I'm ready.

Ms. Giesting: All right.

Mr. Philip: I move that the Plan Commission certify the text amendment request TA-22-033 with a favorable recommendation to the Town Council.

Mr. Brandgard: Second

Ms. Giesting: Mr. Klinger?

Mr. Klinger:

Mr. Philip – yes

Ms. Andres – yes

Mr. McPhail – yes

Mr. Kirchoff – yes

Mr. Brandgard – yes

Ms. Giesting – yes

Mr. Bahr – yes

TA-22-033 is approved.

Ms. Giesting: Okay, thank you.

OLD BUSINESS/NEW BUSINESS

Ms. Giesting: Next on our agenda is old business, a proposed work plan. Or is that new business, I don't know what that is.

Mr. Whaley: I think this is new business.

Ms. Giesting: That's new business.

Mr. Whaley: Yeah, so as I mentioned in the planning and zoning report – I think it was last year, might have been even longer now, it's hard to say with COVID time – but the ordinance committee started to work on an entirely new zoning and subdivision control ordinance known as the Unified Development Ordinance, and as we started to get into some more substantive discussions relate to proposed amendments and changes to our land use regulations, we really decided we need to focus on our Comprehensive Plan because the Comprehensive Plan is the foundation that that ordinance would be built upon. And so, we want to make sure we had that process taken care of and get that right. Now with that all being said, we do recognize that a Comprehensive Plan is typically an 18-24 month process – that's a long time to let our ordinance kind of sit untouched. We have been working in the background on quite a few amendments to basically clean up the ordinances as they stand today. One of those was with respect to a land use matrix, which we presented to you guys, at least in terms of discussion, I think a couple of years ago now. It's where Eric used his infamous line about using arm floaties – I don't know if you all remember that or not. It's something that was a little comical, but anyway, I can't say it as well as him, so I'm to going to even try it. So, what we have done is put together this work plan where we would focus on amending the existing zoning ordinance to do that clean up process. And this is really going to serve as the groundwork for an eventual full code rewrite. Once we get through the Comp Plan, we'll be able to see what types of recommendations come out of that process in terms of ordinance amendments and updates. By that point we should have a pretty good framework, taking all of these amendments and sort of shuffling the language around in terms of a new format to do a new Unified Zoning Ordinance. It's difficult to do a recodification of an ordinance in terms of coming to you all and having those discussions about the changes that are being made. If we kind of do it a little bit at a time as we're working through this work plan, we think that again, we can lay quite a bit of groundwork for that future (inaudible).

Ms. Andres: (microphone not on) (inaudible) Kevin, (inaudible) so this is like your guideline in terms of (inaudible). Are you going down the list or are you going to kind of go back and forth? And the ones that you have blacked out already, are those ones that are in progress (inaudible)?

Mr. Whaley: Yeah, so this is the list we put together of what we think (inaudible) the amendments. Obviously, this could change as we start to work through things. But the black boxes highlight the status, so the ones that you see that are internal, those are ordinances where we've written a draft and it has been circulated around to staff within the town for feedback, and we're continuing to refine that to a point where we can take it to the committee and then get your feedback to the ordinance. And then from there we come to the Commission, and then on to the Town Council; legal review would factor in there as well.

Ms. Giesting: So, 1-A and 1-B, we did tonight?

Mr. Whaley: Yeah

Ms. Giesting: That will go to the Town Council, and then over time these other things will then come to us.

Mr. Klinger: So, you're working on all of these on some level, right. So, when one moves to the next phase likely depends on any issues that you encounter, in terms of review?

Mr. Whaley: It could. If something rises to a higher level of priority, it could get bumped within this plan. But what we wanted to do was present to you a list of all the different items that we're working on so that you could see it in this format and understand the things that we are focusing on. And if we get your consent, what we would do is work through this and then bring each individual section through the process. We could potentially bundle some of these together. I think bundling them would probably be a good idea – its not just good for insurance companies, it also works well for us because that allows us to have fewer ordinances on the agenda and fewer items to talk about.

Ms. Giesting: Okay

Mr. Whaley: Obviously, those are going to happen in areas where changes are not as significant or sensitive.

Ms. Giesting: And Jennifer, you are on the committee as a representative of the Plan Commission, right?

Ms. Andres: Yes

Ms. Giesting: Wonderful news.

Ms. Andres: Okay, good.

Mr. Whaley: And again, part of sharing this is, if we get your consent this would help us bring these to the Commission and advertise in advance of the meeting. Typically, in the past the practice has been that we would come to the Plan Commission and ask for permission to advertise one month, and then the next month we would have the public hearing. So, our intent is to hopefully cut down a little bit on that process, if you're comfortable with that. If not, we can certainly continue that process.

Mr. McPhail: (microphone not on) (inaudible)

Mr. Klinger: In terms of signs there was a really good ruling that just came out of the Supreme Court – our attorneys at Taft have been all over that. You know, we've been watching very closely, a case out of Westfield – and maybe I should let you talk about it instead of me.

Mr. Daniel: It's mostly up in the air right now but it may change some signage issues.

Mr. Klinger: Yeah

Mr. Daniel: There's been a lot of unhappiness over that Gilbert decision several years ago, so we'll see if they can straighten that out or not.

Mr. Klinger: There's been a more recent Supreme Court decision that I think will impact all of that in a positive way for towns and communities.

Mr. McPhail: (microphone not on) (inaudible)

Mr. Brandgard: (microphone not on) (inaudible)

Mr. Klinger: Yes, that's what we're requesting this evening.

Ms. Giesting: Do you need a motion for that?

Mr. Kirchoff: No

Ms. Giesting: (inaudible) All right, any other business?

Mr. Whaley: With that, the only other thing I have – I think you probably saw on the last set of minutes that there were quite a few “inaudible’s”, so just a reminder to keep your microphones turned on. I know that's probably odd coming from me since I'm one of the lowest speakers here in term of volume.

Mr. Kirchoff: I have difficulty hearing you, I really do. And I know people in the back of the room do.

Mr. Whaley: Well, Kim did say she could hear me today, so I must be speaking closer to the microphone.

Ms. Giesting: All right, okay.

Mr. Whaley: That's all I have.

Ms. Giesting: Okay. Thank you, Kevin.

Mr. Philip: I move we adjourn

Mr. Daniel: Before you adjourn...

Mr. Philip: I was trying to beat Mel.

Ms. Giesting: You were trying to beat Mel.

Mr. Daniel: If I might – we've dealt with a hotel issue here for a while, as you know. And when the staff was working on this revision, one thing that came as a surprise to me was the recommendation of doing away basically with motels that have direct access to rooms. If you notice, the new ordinance doesn't – there is no such hotel, transient or otherwise. All new hotels/motels will be through the lobby which I thought was pretty interesting. And if you think about it, it sounds overdramatic, and I don't mean it that way, but if you look at the news and you see problems at these facilities, you'll notice that it's mostly with motels that have direct access to rooms. I mean, if people have to go through the lobby to get in and out of their room, I think it could make a dramatic difference in the way these are operated. So, I thought it was a great idea. Traditionally, as we talked about here, the traditional definition of motel was direct access to rooms, and hotel was access through the lobby. Just because it's been defined that was for 50 years, that doesn't mean that's the only right way to define it. So, when the staff came up with that, I thought it was a good idea and the longer I thought about it the more I thought it was a better idea. So, very interesting. Of course, that also means that in the event that any of those facilities in Plainfield are closed or anything happens to them, anything that's rebuilt will have to comply with the new ordinance. I think it's a major improvement in that area, and congratulations to the staff for thinking that through because I think it's a good idea.

Ms. Giesting: So, I have a question. So, something happens to a facility that has direct outside access – but if it changes hands, then can we require that it follow our current ordinance? Or does it...?

Mr. Daniel: No

Ms. Giesting: So, it would have to... yeah.

Mr. Kirchoff: You can't do retroactive rule making.

Ms. Giesting: Say that again.

Mr. Kirchoff: You can't do retroactive rule making.

Mr. Daniel: Right

Ms. Giesting: Yeah, okay.

Mr. Daniel: That will be a preexisting nonconforming use if this new ordinance is passed.

Ms. Giesting: Okay

Mr. Klinger: If new ownership maintains the same use, it's fine.

Ms. Giesting: I gotcha, okay. Okay, thank you. All right.

ADJOURNMENT

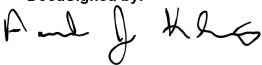
Mr. Philip: I move we adjourn.

Ms. Giesting: Do I have a second?

Mr. Kirchoff: Second

Ms. Giesting: All right, let's adjourn. Thank you.

Mr. Steve Bahr, President

DocuSigned by:

985ABE261770450...
Mr. Andrew Klinger, Secretary