

PLAINFIELD PLAN COMMISSION

June 6, 2022

6:30 p.m.

Mr. Bahr: Good evening. I'd like to call to order the June 6th Plainfield Plan Commission meeting.

ROLL CALL/DETERMINATION OF QUORUM

Mr. Bahr: Andrew, if you would please, take roll.

Mr. Klinger: It's a little bit out of the normal order here, sorry.

Ms. Andres – here

Mr. Bahr – here

Mr. Philip – here

Ms. Giesting –

Mr. McPhail – here

Mr. Kirchoff – here

Mr. Brandgard – here

(inaudible) (All present except Ms. Giesting)

Mr. Bahr: Thank you very much.

PLEDGE OF ALLEGIANCE

Mr. Bahr: If you would all please stand with me and join me in the Pledge.

APPROVAL OF MINUTES

Mr. Bahr: Next item is approval of minutes from the May 2, 2022. Any discussion?

Mr. Philip: I move the minutes be approved as submitted.

Mr. Kirchoff: Second

Mr. Bahr: And I forget, is this voice?

Mr. Kirchoff: Yes

Mr. Bahr: Voice, thank you. All those in favor say aye.

(All ayes)

Mr. Bahr: Opposed?

(Brief pause)

Mr. Bahr: Minutes approved.

GUIDELINES FOR PUBLIC HEARINGS

Mr. Bahr: Public hearings. Public Hearings are designed to allow public input regarding the subject matter. Guidelines:

1. The proceedings are recorded for public record; please come to the podium, give your name and address and make your presentation.
2. Please make presentations as concise as possible; try to limit your comments to five minutes or less. Each speaker will be allowed to speak only once.
3. Following your presentation, please print your name and address on the sheet provided at the podium.

OATH OF TESTIMONY

Mr. Bahr: Mr. Daniel, if you would, please administer the Oath.

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

(Mr. Daniel administers the Oath of Testimony)

Mr. Daniel: Thank you

Mr. Bahr: Thank you Mel.

RESOLUTIONS

Mr. Bahr: I see we have no resolutions.

PUBLIC HEARINGS

Mr. Bahr: The first item for public hearing is DP-22-031. Eric?

Mr. Berg: Thank you Mr. President. This is the expansion proposed for the Gateway 6 building. Just to kind of give you an idea of where it is, it's southwest of the corner of Reagan and Stafford. You can see my cursor there, that building in that location. They're looking to add additional passenger and trailer parking spaces on a 25-acre lot. It looks like you approved that back in 20'. The big red circles there shows the areas where they're adding the parking, or proposing to add the parking. Passenger parking in an area that was initially not slated for development. And then you can see on the lower right there how the detention pond has shifted and is smaller, as well as become a dry detention pond. I'm going to stop talking now because the applicant's engineer is here to tell you all the excitement of this project.

Mr. Winslow: Good evening members. Nathan Winslow with American Structurepoint, offices at 9025 River Road, Indianapolis. Thank you, Eric, for the brief introduction, I'll keep it short and simple myself. As you can see, between these two exhibits, the primary changes are the trailer parking that we are proposing to add to the south, approximately 59 trailer stalls. The detention pond has already been constructed and was shifted a little bit to the south initially, as part of our final construction document approval process. It changed from wet detention to dry detention based on proximity to the airport, geese mitigation, birds, what have you. So, that was the driving force behind making that a dry pond. I won't go into detail but there's significant measures required to keep a wet pond, so that is the case there. As far as that parking for the north that we're showing, that would just be standard vehicular parking. There would have to be an access aisle or drive cut in from the current constructed parking that you see. That is designed as future parking; we have no intent of constructing it at this time, but we figured since we're coming through Plan Commission to get trailer parking, we might as well present this now, that way we don't have to come back in the future. Beyond that, I'm happy to answer any questions.

Mr. Bahr: Thank you. With this being a public hearing, at this time I would like to open it and allow anyone that would like to speak on behalf of the project to come forward.

(Brief pause)

Mr. Bahr: Seeing none, I'll close the public hearing and open it up for discussion amongst the Commission.

(Brief pause)

Ms. Andres: Nathan, did I hear you say that the dry detention pond is already in the location shown on the map? It's already been moved, is that...?

Mr. Winslow: That's correct. When we built this, as we were going through the final engineering review, we went ahead and (inaudible), kind of in preparation for this. At the time, the trailer parking had not gone through Plan Commission formal approval, so obviously we're not allowed to build that. That's why we're coming to you guys tonight. It was set up, pondered, but not formally approved. (inaudible).

Mr. McPhail: I think a dry retention is a plus.

Mr. Kirchoff: Ready for a motion?

Mr. Bahr: Ready for a motion.

Mr. Kirchoff: Mr. Chairman, I move that the Plan Commission approve DP-22-031 requesting Architectural and Site Design Approval for an amendment to an approved Architectural and Site Design Plan to add additional passenger and trailer parking spaces on a parcel zoned I2-Office/Warehouse Distribution.

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 June 6, 2022.

Mr. Brandgard: Second

Mr. Bahr: I have a motion and a second. Andrew, if you would please?

Mr. Klinger:

Ms. Andres – yes

Mr. Bahr – yes

Mr. Philip – yes

Mr. McPhail – yes

Mr. Kirchoff – yes

Mr. Brandgard – yes

DP-22-031 is approved.

Mr. Bahr: Very good, thank you.

Mr. Winslow: Thank you

OLD BUSINESS/NEW BUSINESS

Mr. Bahr: Old business/new business? Kevin?

Mr. Whaley: Good evening. The first item we have for discussion is a potential rezone that we wanted to bring to your attention and get your feedback on. This is in reference to the southwest quadrant of Carr Road and Main Street. As you can see, looking at the map on the left hand side which shows the current zoning of the property – the current zoning is GC: General Commercial – and if you look at the street view images you can see that the buildings that are on that site are really serving as a transitional area between that commercial on Main Street and the residential that's to the west and to the south. The General Commercial district – excuse me, I'm getting ahead of myself. From what I can tell, it looks like this property was actually zoned for residential use back in the 1970's and before that, and at some point, that zoning changed. I don't know if it

went through the official rezone process or if it was a map error, or if it was potentially part of a...

Mr. Brandgard: (inaudible) ...when the state redid the road, they chopped that up and made it smaller so the business couldn't exist anymore, and the house to the west of that was still residential. Somewhere where we approved the zoning map, that lot and that house got made what it is.

Mr. Kirchoff: I thought (inaudible).

Mr. Philip: So, we had – when that agency opened on that corner, we had a discussion about that, and when we found the history of how we got here.

Mr. Kirchoff: (inaudible)

Mr. Philip: What they're here to talk about today is that it's now GC and they're going to propose that we make it Office District instead, so that when the next tenant wants to come in there, there's more limitations about what they can put in there. Am I in the neighborhood?

Mr. Whaley: You're in the neighborhood; you beat me to it. Yeah, that was actually going to be the next slide. This is all of the...

Mr. Philip: (inaudible)

Mr. McPhail: Bill, I believe that the mistake, whenever it was made, the gas station across the street, it's zoned Single-Family Residential, and I just know they got those two flipped and we didn't catch it on the zoning map.

Mr. Brandgard: Yeah

Mr. Klinger: (inaudible) on the map (inaudible). I don't know if we ever pinpointed the (inaudible) but I would say it was a map error and I think what Kent just said, I think somehow that got flipflopped, so the gas station is zoned Residential, but this corner is zoned Commercial.

Mr. Kirchoff: Someone doesn't know the difference between northwest and southwest, is that what it is?

Mr. Philip: (inaudible) there's a lot of stuff out there.

Mr. Klinger: I think we traced it back into the 90's or something like that. I mean, it's been a long time that it's been like that.

Mr. Whaley: It may have been changed when the ordinance was recodified in 1989. The map was adopted with that ordinance; it could have changed at that time, lawfully, but I could not find the history on it. What I do know is that the current map shows that it is GC. The General Commercial

District permits several different uses within that classification. As I noted in the Planning and Zoning report, the Office District would allow those existing uses to continue as they are on that property, but it would limit future uses of the property to these office uses which are intended to be more of a transition between Commercial and Residential areas. I think that's the situation that we have here in front of us, so we wanted to get your feedback and guidance on that. The Plan Commission can initiate a rezone, so that's something we can pursue if that something you want staff to do.

Mr. Brandgard: I agree, we need to do that, that's the better of what we've got.

Mr. McPhail: I will tell you, we might get a little kickback. Kevin asked me a month ago, six weeks ago to go talk to the owner. I talked to her; she didn't have any problem with rezoning it. She called me a week later and said that she talked to her dad, and he didn't want to rezone, but I think we have to do it.

Mr. Kirchoff: So, (inaudible) what's left of the (inaudible) and the insurance office is what we're doing?

Mr. McPhail: Yeah

Mr. Kirchoff: And one more (inaudible)...

(inaudible)

Mr. McPhail: The old switch station, yeah.

Mr. Kirchoff: Okay, makes sense.

Mr. Philip: Yeah, it makes a lot of sense to me as far as you know, we do want to control what that is relative to the residential going next to that. You don't want anything to creep down the road or anything.

Mr. Kirchoff: So, Kevin, help me understand the process then. How do we – do we have to go through a public hearing to do this?

Mr. Whaley: It would require a public hearing through the Plan Commission and then that recommendation would get sent to the Town Council for final adoption.

Mr. Kirchoff: And the property owners would be apprised of what we're doing.

Mr. Philip: We will be in conversation.

Mr. Daniel: (microphone not on) (inaudible) comment on that. I'm not trying to create unnecessary issue. To the extent that (inaudible) rezone it Residential (inaudible). (inaudible) I'm only suggesting (inaudible) property owner (inaudible) exists either way, (inaudible) conversation

to occur but (inaudible) rezoning in that area (inaudible). That does not affect the current (inaudible). (inaudible) property and zoning district it should be (inaudible) Office District (inaudible). Just food for thought.

Mr. Brandgard: I like that approach better.

Mr. Kirchoff: So, what is the – the switching station there then, what is it zoned today?

Mr. Philip: GC

Ms. Andres: Was that a mistake as well, or is that ...?

Mr. Philip: No, I think it's probably always been GC; it's always been GC.

Mr. Kirchoff: That doesn't end up as spot zoning then, does it?

Mr. Daniel: I think even if you look at Office District (inaudible).

Mr. Brandgard: That small lot that belongs to the state, that was General Commercial.

Mr. Kirchoff: No, I'm talking about the stitching station.

Mr. Philip: Yeah

Mr. Brandgard: Yeah

Mr. Philip: To the south.

Mr. Kirchoff: It'll be just a spot; it's not connected to anything else.

Mr. Whaley: So, when we looked at this, rather than focusing strictly on the real estate office, which I know was a source of contention in the past, we would recommend pursuing the area shown in the teal, which would include that entire GC District to the southwest quadrant there, so as you said, it doesn't create a spot of General Commercial.

Mr. Philip: Which made sense when you're approaching it where we make all of that Office. When you chance the approach to let's change that corner back to Residential, all of a sudden now that switching station looks like an island. (inaudible)

Mr. Kirchoff: (inaudible) spot zoning...

Mr. McPhail: (inaudible) General Commercial when that other lot was there.

Mr. Brandgard: Yeah

Mr. Philip: Because it was (inaudible)

Mr. Brandgard: (inaudible) that corner (inaudible)

Mr. Philip: (inaudible) that corner, right.

(inaudible)

Mr. Kirchoff: There was a gas station there.

Mr. Brandgard: There was a gas station there and then the state bought the property.

Mr. Kirchoff: (inaudible)

Mr. McPhail: It would make sense (inaudible)

Mr. Philip: Just a little bit.

Mr. McPhail: (inaudible)

Mr. Philip: I remember when that service station was there on the corner.

Mr. Brandgard: Yeah

Mr. McPhail: Would it make sense to rezone the house Residential and the switching station Office?

Mr. Bahr: Well, Mel, that's what you're saying, correct the mistake that was made, with the current tenant or owner being grandfathered.

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

Mr. Bahr: Right

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

Mr. Whaley: Well, just a reminder, the switching station was Residential before as well.

(inaudible)

Mr. Whaley: The switching station was Residential before as well; it got R-3 and R-4 back in the 70's.

Mr. Brandgard: That's what I thought.

Mr. McPhail: (inaudible) get them both back to ...

Mr. Whaley: It probably was a Special Exception back then when it was permitted.

Mr. Philip: Yeah, utility property back in the day could be plotted wherever you wanted it to be, whether it was a substation or a switching station or whatever the case may be. (inaudible) contingencies in place (inaudible).

Mr. McPhail: So, it was Residential that changed at the same time then.

Mr. Whaley: Yeah, (inaudible) theory on the (inaudible).

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

Mr. Whaley: Correct

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

Mr. Kirchoff: And do a non-conforming, legal non-conforming. So, your saying (inaudible) is what it's supposed to be, or what it was.

Mr. Whaley: Yes

Mr. Klinger: Well, right now, the surrounding area is all (inaudible). Is that right?

Mr. Whaley: Yeah

Mr. McPhail: Do you need a motion?

Mr. Whaley: Sure

Mr. McPhail: Mel's saying I don't need one.

Mr. Philip: I don't think you need one, I think (inaudible) bring it back.

Mr. Kirchoff: (inaudible) motion.

Mr. Bahr: Just a direction.

Mr. McPhail: (inaudible) direction.

Mr. Philip: So, this – just to make sure I'm clear – this takes (inaudible) we make both of those properties R-3 in there, legal non-conforming basically, pre-existing non-conforming, for as long as they need to be (inaudible).

Mr. Daniel: (microphone not on) (inaudible) more clarification that you're trying to correct...

Mr. Philip: An error

Mr. Daniel: (microphone not on) (inaudible) one was zoned R-4 and one was zoned...

Mr. Philip: R-3

Mr. Daniel: (microphone not on) R-3. If you're going to do that, I would (inaudible).

Mr. Philip: Okay

Mr. Daniel: (microphone not on) (inaudible) going back to what the original should have been (inaudible) rezoning both lots (inaudible).

Mr. McPhail: Makes sense to me.

Mr. Whaley: All right, do we have consent?

(Consent is given)

Mr. Whaley: All right.

Ms. Andres: I think it makes sense for the one on the corner. I struggle a little bit with making the switching yard back to residential because it's in no way going to be residential in the future unless that building is coming down, but it's a process and if they want to go through, I guess, requesting that to be made office later, they can do that. I think that's my only hesitation.

Mr. Brandgard: I think we've done this before, where we've found a mistake and gone back and corrected it, and that's what I see here.

Mr. Kirchoff: However, would it be a true statement to say that the gas station was at one time correctly zoned GC?

Mr. Brandgard: I believe it was.

Mr. Kirchoff: And at that time the switching station was probably correctly zoned GC. The only real error here was the insurance office.

Mr. Philip: The problem is the 73' map doesn't show it that way, right?

Mr. Kirchoff: No, but subsequently – was the gas station ever zoned correctly, that you could find?

Mr. Whaley: Not that I've seen.

Mr. Kirchoff: Okay

Mr. Bahr: Out of curiosity, what is the gas station to the north of it?

Mr. Whaley: It's still residential.

Mr. McPhail: (inaudible) residential. I just know they flipped (inaudible).

Mr. Brandgard: All that stuff (inaudible) is before we had zoning.

Mr. Whaley: Right

Mr. Philip: So, is there any reason to clean that up while we're here, or is that a problem?

Mr. Kirchoff: Yeah, why did you not address the (inaudible) corner?

Mr. Whaley: Yeah, so the concern with the corner is that's a fairly small lot. You know, I think leaving it as a non-conforming use is probably the best action from a future use standpoint because of the potential for reusing that as another fueling station, a fuel kiosk could potentially go there if that non-conforming use continues. But if we rezone that to GC, that opens up a whole wide gambit of different commercial uses that could go in there (inaudible).

Mr. Klinger: Really, for the same argument – the same argument is on this other piece of property, right, we leave it as a legal non-conforming and then if it ever redevelops there's a little bit more control over how that happens and what uses are available. Although, I will say also on the southern piece, if they're not going to be happy with an office zoning, they're really not going to be happy with a residential zoning.

Mr. Brandgard: It could be renegotiated.

Mr. Whaley: All right, anything else (inaudible)?

(Brief pause)

Mr. Whaley: We did provide you and updated workplan. If you remember, this workplan was discussed at the last Plan Commission meeting and you gave consent to move forward with the plan. We did have a few changes. The staff has continued to work on a use matrix with our ordinance committee. We did have a meeting with them a few weeks ago and got some good feedback from those who serve on the committee which includes Kent and Jennifer from this group. We are potentially going to be moving up signs to occur a little bit sooner in the process because we have taken a look at that, and we have some different things going on with our sign regulations right now that I think has increased the sense of importance on that particular amendment to the ordinance. So, that's probably going to get bumped up. As we've gone through this use matrix, we've been talking about development standards too, so you can see down at the bottom of that workplan, that the development standards have moved over into the internal column. So, that's currently being looked at as well. So, we have prepared a use matrix which has allowed us to take over 50 pages – I think 52 was the last number we tracked – out of the ordinance, if we were to replace the text within each individual zoning district with the matrix. So, you can see it's obviously going to hopefully make that a lot more user friendly for the people who utilize this ordinance because if you're looking for pharmacy for example, you'll be able to

look at specific use category that that falls within, and then you'll be able to see all the different districts that that is permitted in. At the same time, you'll also be able to take a look at a district and see all of the uses listed just down the column, without having to go through a lot of text to find those uses.

Mr. Kirchoff: My only comment on that was, I had trouble finding the key for what P, SE (inaudible) meant.

Mr. Whaley: Yeah, the – did you find it?

Mr. Kirchoff: I did, but it wasn't obvious.

Mr. Whaley: It was at the top of the matrix, so the one that's shown...

Ms. Andres: It's a different document, so that's the (inaudible).

(inaudible)

Mr. Whaley: It was at the top of the simplified matrix, which is the one that doesn't include all the different definitions for the terms that we have in there. The (P) is Permitted, the (SE) is Special Exception, and (M) is Master Plan. Just a couple of quick comments on this matrix – I don't want to get too far into the details on it – but I did want to let you know that we have been working on this and wanted to give you sort of a first glance on it so you can provide us any initial feedback or comments that you have. This started, I think probably a couple of years ago during COVID, when we met and talked about ways that we wanted to try to improve the usability of the zoning ordinance, and this was one of the big-ticket items that we wanted to tackle, and we're hopefully making some progress in that direction. Because it is a substantial change to the ordinance, as opposed to just going through and doing some cleanup, we do want to make sure we take our time to get it right. So, this will probably be coming back to you next month for more comments to review, but I did want to ask if you had any initial feedback, or any comments that Jennifer and Kent wanted to offer.

Mr. Philip: I think it's going in the right direction Kevin. I mean you're taking complexity in hunting and finding and comparing, you know, out of the process. It's got to be much more user friendly.

Mr. Whaley: Thank you, appreciate that. And one of the elements to this that's different than what we've done in the past is that, if you noticed, looking at these different districts that list out each specific use, the reason that (inaudible) have to go this direction is because when you call out uses specifically like this, there's always that question of well, is this use permitted, or what about this use, what about that use. So, you end up listing every use that's covered, that whole potential area of uses, and I think that by creating broadly defined terms that these uses will follow, then that's going to help me as Zoning Administrator and staff take a look at uses in the future and say, okay, how does this relate to this categories that we have and what category would it fall in based upon how that category is described, and it's intent. And it will allow us to

take out uses like (inaudible) or video rental store, things like that fall out (inaudible) that we don't necessarily need.

(inaudible)

Mr. Whaley: All right, then lastly, we will be having a special meeting this Monday night – the town is in the process of updating our park impact fee ordinance, and due to the timing, we needed to schedule a special meeting for the Plan Commission to hold a public hearing on the ordinance. That's going to be at 6:00 p.m. in this room, so if you're unable to attend (inaudible), but please let me know as soon as you can.

Mr. Klinger: (microphone not on) (inaudible) we have a council work session before this and a council meeting after this (inaudible).

Mr. Bahr: Kevin, going back to the zoning issue here – refresh my memory, how did this come about? I mean, right now. (inaudible)?

Mr. Whaley: No, Kent and I had talked about this property in the past, when I first assumed the position of Planning Director, and he told me about what had happened with this property and some of the issues that have occurred there. This is one of those things where I think we want to be preemptive about future uses. This is not a situation where we have a developer who is interested in the site, but as you know, anything can change at a moment's notice and there's always that uncertainty of what could happen with this location. I mean, this is an important entrance into the downtown area, and I think that it's important to address the use now, as opposed to have to fight against a CVS pharmacy, or some other use that we might not necessarily want there in the future.

Mr. Bahr: Thank you

Mr. McPhail: Well, I can tell you, when I was Chamber Director, I probably told 25-30 potential developers that was zoned residential. It was never a question in my mind.

Mr. Brandgard: That mistake happened recent.

Mr. McPhail: Yeah

Mr. Brandgard: It's either when we approved the current Comp Plan or the one before.

Mr. Klinger: Like I said when this came up, we looked back and we saw it as GC, I think going back into the like 90's. So, it's been on the maps for a long time.

Mr. Brandgard: The corner was made GC, but I don't think the house was. This is where – I think with one of our zone map comp changes, that corner, the house got included with that corner somehow.

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

Mr. Brandgard: Because that corner, like I say, was a gas station. It was much bigger until the state came in a chopped it up. And that's why there's nothing on it, it's owned by the state.

Mr. Belcher (?): (inaudible)

Mr. Brandgard: Yeah

Mr. Belcher (?): (inaudible)

Mr. Klinger: Yeah, so the thought that, oh, that GC District is so many feet from the road – well, the road changed, so yeah, that might be what happened.

(inaudible)

Mr. Klinger: Yeah

Mr. Bahr: Thank you

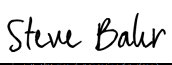
Mr. Whaley: All right, that's all I have.

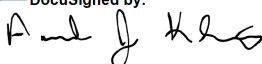
ADJOURNMENT

Mr. Brandgard: Move to adjourn

Mr. McPhail: Second

Mr. Bahr: So moved.

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Mr. Steve Bahr, President

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Mr. Andrew Klinger, Secretary