

## LOWELL PLAN COMMISSION MEETING

June 13th, 2019

President Eric Newell called the meeting to order at 7:01pm. The Pledge of Allegiance was recited and a moment of silence was held. Recording Secretary Dianna Cade called the roll. Members answering the roll call were, Will Farrellbegg, Ryan Thiele, Greg White, Jim Konradi and Eric Newell. Chris Salatas arrived at 7:03pm. LeAnn Angerman was absent. Also, present was Jeff Sheridan, Town Manager.

### APPROVAL OF MINUTES:

Mr. Farrellbegg made a motion to approve the minutes from May 9th, 2019, seconded by Mr. Thiele and carried with a voice vote of all ayes.

### NEW BUSINESS:

#### **WITHDRAWAL OF PC #19-005**

**Tabled from 4/11/19 PC #19-005** - an application to request a zone change for a partial of a parcel from R2 single family to R3 two family. Petition has been filed by Lifehouse Homes, PO Box 352, Lowell, IN 46356. This is for property located at 18306 Clark St. Parcel # 45-19-25-276-001.000-008 and affects the western and northerly boundaries of this parcel only.

The application is requesting a partial zone change to R3 two family from the current zoning of R2 single family as they affect the area bounded by the westerns and northerly boundaries consisting of approx. 9.58 acres out of 38.78 acres.

Mr. Farrellbegg made a motion to accept the withdrawl of PC #19-005, partial rezone of 18306 Clark St., western and northerly boundaries, seconded by Mr. Salatas and carried with a voice vote of all ayes.

**PC #19-007** An application for a primary plat approval in accordance with §155.193 for a parcel within the Town boundaries of Lowell, IN has been filed by Ken Novak, 18007 Holtz Rd. Lowell, IN for property located at 448 N. Nichols (currently listed as 442 N. Nichols) Parcel #45-19-23-301-002.000-008 – Ken Novak, 18007 Holtz Rd., stated he would like to build a single family dwelling on the approximate six acres. Mr. Farrellbegg stated it's quite self-explanatory at the moment, but asked if the engineer had anything to say about it. Mr. Newell first opened the public hearing. With no one commenting for or against the application, Mr. Newell closed the public hearing. Craig Hendrix, SEH, stated every property has to be subdivided and this property never was. During the subdivision process they are dedicated a road right-of-way, 32' half width which is according to the Thorofare plan, drainage utility easement of 15' which is typical of what we use, a culvert dedication and they are installing some insfastrucutre to extend the pipe as well as a drainage easement in the front, and a 75' trail easement for the Freedom Trail. Water and sewer is available to the development and they will also be slopping part of the side property to make it more maintainable. He stated that the site plan meets all of our requirements at this time. He stated that the PC with this type of subdivision does not have to require curbs and sidewalks. There is none along this stretch, staff is recommending they are not put in. It does not require a waiver. The PC can allow them not to put in sidewlaks and curbs due to the circumstances of there not being any along Nichols. Mr. Hendrix stated that they are going to have to locate their

driveway 40' to the South ROW of Apache which will meet out requirement so that it is not so close to the stop sign. Mr. Salatas asked what the zoning of the property was. Building Administrator Assistant Dianna Cade stated it was R-1. Mr. Farrellbegg asked if there would be any restriction to the water in the ditch. Mr. Hendrix stated they are extending the pipe and providing a drainage easement as well. MS4 Coordinator Greg White stated they had reviewed the plans at the TRC meeting, and they are meeting the requirements and requests that we have asked of them. Mr. Konradi asked if the staff had any red flags. Mr. Hendrix stated he did not see any. Mr. Salatas made a motion to approve PC #19-007, seconded by Mr. Thiele and carried by voice vote with five ayes.

**OLD BUSINESS:**

**Tabled from 3/14/19, 4/11/19 - PC 19-004 – ZONING ORDINANCE UPDATES**

Amendments to Chapter 155: Land use and development code; subdivision code: To update, but not limited to, basic provisions, zoning districts, land use matrix, development standards, sign standards, site design standards, nonconforming structures, lots, and uses, subdivision control code, and site plan review – Mr. Sheridan recommended the business be tabled. Mr. Farrellbegg made a motion to table PC #19-004, seconded by Mr. Konradi and carried by voice vote with five ayes.

**DISCUSSION:** - PB (Planned Business) district– Alcohol non permitted use – Mr. Sheridan stated the Town Council sent this to the Plan Commission for their consideration. There has been a business that opened in an area zoned Planned Business and they wish to include alcohol sales as part of their business plan and the zoning does not allow it. There are businesses adjacent to them that use alcohol that were grandfathered in because they were there before the zoning was changed. The Town Council would like the Plan Commission to consider modify the restrictions for that district. Unfortunately the Town Attorney is not in attendance to assist on how to proceed, but certainly discussion can be had. Mr. Salatas stated since no moves can be made, for next meeting can we get an inventory of how many Planned Business lots we have. Mrs. Cade pointed out the open areas that are zoned Planned Business in the Town. Mr. Sheridan suggested that the Plan Commission members have an idea of how they would like the Ordinance modified in order for the attorney to review them before next month's meeting. Discussion followed regarding the lack of correct zoning in the area. Mr. Sheridan stated the nature of the business in the PB zone are consistent with the zone with the exception of the alcohol. Mr. Salatas made a motion to table the request until the July meeting, seconded by Mr. Farrellbegg and carried by voice vote with five ayes.

**ANNOUNCEMENTS:**

Mr. Newell stated that the next regularly scheduled meeting will be on July 11th, 2019 at 7pm.

**PUBLIC COMMENTS: NONE**

**ADJOURNMENT:**

With no further comments or questions, Mr. Thiele made a motion to adjourn the meeting at 7:15pm, seconded by Mr. Salatas and carried by a voice vote.

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Eric Newell, President

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LeAnn Angerman, Secretary

