

ROLL CALL

Harry Baumgartner, Jr.	Jerome Markley
Tyson Brooks	Paul Miller
Chandler Gerber	Tim Rohr
Jarrold Hahn	John Schuhmacher
Bill Horan	Melissa Woodworth
Geoff Lance	

Michael Lautzenheiser, Jr., Director
 Colin Andrews, Area Plan Commission Attorney

The August 1, 2024, meeting of the Area Plan Commission was called to order at 7:00 p.m. by Board President Jerome Markley. Mr. Markley welcomed Colin Andrews and Paul Miller. Eleven members were present for roll call as Paul Miller was filling in as an alternate for John Potter.

APPROVAL OF MINUTES:

Tim Rohr made a motion to approve the minutes with changes from the July 11, 2024, meeting. Jarrod Hahn seconded the motion; the motion carried 11-0.

NEW ITEMS:

A 24-08-11 LANCASTER TWP. NE/4 28-27N-12E ProFed Federal Credit Union requests approval for a rezoning to R-3. The property is 2.097 acres located just north of 1644 N Main St., Bluffton, IN 46714 and is currently zoned B-3.

Jonathan Ehlke with Gratus Development presented the rezoning request to the board. He talked about the senior living apartment design proposed for the ground that would be purchased if zoning is approved. There was discussion on this location vs other locations. Mr. Ehlke said that he felt with it being close to many amenities such as shopping, trail, and grocery it made sense to be located there. There was talk about access to the property. Chandler Gerber said that there are lots of moving pieces and discussed those items with the board. He also talked about other various developments that have been proposed and how those were a better fit for the area compared to this project. There were additional board questions of which Mr. Ehlke provided answers. Jerome Markley asked for any public comments. Jeff Miller said that he was there to represent the single-family homeowners of Stoney Creek Estates. He voiced their concerns and said that he felt there is a better location than the one proposed. He felt that traffic would be an issue for this location along State Road 1. There were no further public comments. Mr. Markley asked the board if they had any additional comments. Tyson Brooks asked if Chandler Gerber was correct in his earlier comment about this not being a good fit, would this call for a no recommendation. Mr. Gerber said that he would rather see a do not pass recommendation sent. There was discussion on the comprehensive plan and the ideal zoning for this area.

Motion to send a Do Not Pass Recommendation to Bluffton: Chandler Gerber
 Second: Geoff Lance
 Vote: 8-3 (Tyson Brooks, Tim Rohr, Bill Horan)

A 24-08-12 LANCASTER TWP. SW/4 22-27N-12E Mmatt Partnership & Felger Investments request approval for a parking lot expansion. The property is located at 2095 Commerce Drive, Bluffton, IN 46714 and is zoned B-3

Matt Bertsch from Bertsch-Frank Associates presented the development plan for Felger Investments. He explained that it would just be a parking lot expansion and talked about the updated stormwater layout for the property. Jerome Markley asked Michael Lautzenheiser if there were any concerns. Michael Lautzenheiser said that the city of Bluffton had given their sign-off and that the one item of concern was addressed. There was additional discussion on the swale that would be removed and how the stormwater pipe would allow for the property to be better maintained. Mr. Markley asked for any public comment. There were no comments given from the public. The board had no additional comments or questions when asked.

Motion to Approve: Jarrod Hahn
 Second: Tyson Brooks
 Vote: 11-0

OLD ITEMS:

A 24-07-10 JEFFERSON TWP. SE/4 9-28N-12E Jason & Casandra Meyer request approval for 7890 sq ft building and parking area. The property is located at 10350 N SR 1, Ossian, IN 46777 and is currently zoned B-3.

Jason Meyer was there for the development plan petition. He talked about the items that had been completed since the last meeting. There was a discussion on lighting in which Tyson Brooks said that it needed to be downward facing. The board reviewed the fence location and how there were specific instructions given regarding the placement of the fence. The variance request with the state was discussed and the items of concern still in play regarding this project. They discussed with Jason Meyer how the Board of Zoning Appeals would determine if 1 or 2 apartments would be allowed, or no apartments might be the outcome. There was additional discussion on how this project was still in violation of the current ordinance for multiple reasons. The board reviewed and compiled a list of items still needing to be addressed. Jerome Markley asked if there was anyone at the meeting that wished to speak about this petition. There were no comments given from the public in attendance. Jarrod Hahn asked how we can be sure that things are done and done right, stating it's the board's job to enforce covenants. Melissa Woodworth said to Jason Meyer while the lighting issue might be temporarily resolved, how did it happen in the first place as this is your line of work and your job to know these rules. Mr. Meyer agreed that it didn't make it look good. There was additional discussion on items needing to be finalized and the route to make those finalizations happen.

Motion to Approve with Conditions, Commitments, and Modifications: Jarrod Hahn
 Modifications: Fence/Buffer only to be located in easement along south as shown on drawing.
 Allow building in front yard setback
 Conditions: Commitments include replacing lighting to be all downward facing.
 INDOT approval for driveway location.
 60 days for special exception to be heard for duplex located in the building

Second: Tim Rohr
 Vote: 11-0

A 24-06-09 LANCASTER TWP. SW/4 33-27N-12E Almco Steel Products Corporation requests approval for a rezoning to I-2. The property is located off Lancaster St, Bluffton, IN 46714 and is zoned A-R.

*** Jarrod Hahn mentioned a potential conflict of interest that had presented itself since the last meeting regarding this petition and excused himself for the remainder of the meeting.

Jim Almdale, Gary Aschliman, and Greg Rekeweg were at the meeting to present this rezoning request. Mr. Almdale said that they listened to the concerns and are now requesting a partial rezoning based on the survey provided to the board. Jerome Markley asked that the public speak outside the meeting room if they wished to speak before the public comment portion of the meeting. Mr. Rekeweg talked about the buffer areas. Mr. Markley asked if the board had any comments or questions. Michael Lautzenheiser said that according to the Vision 2035 Plan and the previous plan before, it fits this request. Mr. Markley asked about the intent of the remaining A-R area. Mr. Almdale said that it would be a mix of trees, shrubs, and a natural nature area. Mr. Lautzenheiser mentioned the tile area that will need to remain open due to the tile regulations. Tyson Brooks said that as a commissioner appointee and after speaking with the commissioners, they agree in seeing a minimum of a 100 feet buffer area.

Jerome Markley asked the public if there was anyone wishing to speak regarding this petition. Bruce Golder asked about a buffer to the north since there was now a buffer to the south shown. Jim Almdale said that there weren't any plans for a buffer to the north. There was a discussion on what was considered a buffer. Susan Grove reviewed the 5 lawful requirements and how she felt they were not being met. She said that there was no development plan in place and that was wrong. There was discussion on setbacks from her property. She mentioned the additional signatures that had been handed in to the office in regard to being opposed to this rezoning request. It was requested that the difference between light industrial and heavy industrial be explained and examples given. Mrs. Grove mentioned her daughter's letter to the editor and asked if the board had been provided a copy, of which it was explained that it was included in the board packet for all members to review. Mrs. Grove asked the board why not rezone to light industrial and then change to heavy if needed. Geoff Lance and Melissa Woodworth explained that the board was being requested to look at the heavy industrial zoning per the petition request. Mrs. Grove mentioned the complaint filed with the IN Public Council for not updating the sign or having a notice in the paper for this petition at tonight's meeting. Michael Lautzenheiser explained the process of how a continuation works at a meeting and that the required agenda was sent to the News-Banner before the 48-hour requirement in place. Mrs. Grove asked why the board was trying to hide information which Mr. Lautzenheiser and Mr. Markley said nothing was being hidden, and all rules of procedure had been followed. Mr. Lautzenheiser also mentioned that in his June APC opinion letter to the board suggested that a large buffer would be helpful, and now that recommendation has been considered and shown on the updated legal description. Kent Thompson said that the bypass was to avoid traffic but asked why so much of the ground needed to be rezoned. He was worried about property values going down if this is approved. Ron Nelson asked why they would put the driveway in his front yard. There was some discussion on the location of the possibility of a new road, which wasn't up for approval this evening. He also mentioned that he counted 87 trucks going down Lancaster within a 6-hour period. Arlene Wedler asked why someone buys the property without a plan and now wants to rezone without a plan; it just didn't make sense. She said that there is already too much traffic in the area, and this will ruin the surrounding ground. Carolyn Ritchey said that everyone was there and at the board's mercy, she noted her concern regarding the petition and asked about the requirements for a no truck sign and why it's not enforced. Chandler Gerber mentioned talking to the police department and how GPS makes it almost impossible for the city to direct traffic to take certain routes. Ms. Ritchey talked about a semi-truck pulling the internet line from her house due to what is supposed to be a no truck road and the clearance needed for trucks isn't met in her opinion. Ron Wedler started to ask the representatives from Almco a question and was told to please address the board rather than the petitioner. Mr. Wedler asked about the barrier and if there would be a better sound barrier option. Mrs. Wedler asked about all the construction

traffic that would occur. Mr. Lautzenheiser said that the heavy traffic route would be addressed during the development planning process. There was discussion on the bus traffic in the mornings and afternoons for school students. Mrs. Grove was making comments to Chandler Gerber in which he asked to please stop personally attacking him. Mrs. Grove then asked about the development plan that was requested at the last meeting of which Mr. Markley said for the 3rd time no development plan is needed to rezone in Wells County. Mrs. Grove said she understood but was disgusted by this petition. The public comment portion was closed.

Jerome Markley gave a recap of the public concerns to the representatives for Almco. Jim Almdale said that he took offense regarding the sound comments and how the comment regarding pollutants are not valid points. He went on to talk about the requirements and restrictions in place that they must follow. Michael Lautzenheiser mentioned that there was only one IDEM violation on record and that it was just for a mislabeled container. Mr. Almdale said that a concrete wall as a sound barrier would be an eye sore compared to the natural barrier of trees, shrubs, and wooded areas. There was discussion on the surrounding businesses. Mr. Markley reviewed the recommendations available for a motion. Mr. Lautzenheiser said that there would be a potential to lower the uses as a recorded commitment. Chandler Gerber said that on behalf of other council members from Bluffton he felt comfortable stating that he felt the council was supportive, and there was no justifiable reason to vote against. Geoff Lance noted that that without jobs everyone's property value will go down. Tyson Brooks asked why the buffer was so small and asked why uses should be limited if we are unsure of what will be proposed. He stated that he was not in favor of the rezoning at this time with what was presented. Melissa Woodworth said that there is a difficult and fine line with this rezoning and that ultimately, she had to agree with Tyson. There was a discussion on zoning versus development plans.

Motion to send a Do Not Pass to Bluffton Council: Tyson Brooks
Second: Melissa Woodworth
Vote: 3-7 (Tyson Brooks, Melissa Woodworth, Tim Rohr)

The motion failed and was open for another motion.

Motion to send a Do Pass to Bluffton Council: Chandler Gerber
Second: Bill Horan
Vote: 7-3 (Tyson Brooks, Melissa Woodworth, Tim Rohr)

Michael Lautzenheiser confirmed that this would be going before the Bluffton Common Council on August 20, 2024. The meeting will take place at City Hall starting at 5:30 p.m.

OTHER BUSINESS:

V2023-021: Rodger Watson, 7666 S 200 E, Bluffton (Junk Accumulation)

Michael Lautzenheiser gave an update on the violation. He said they have been in constant contact with the office with many email updates including photos. He mentioned that they requested a 90-day extension, which he would support.

Motion to continue to the meeting on November 7, 2024: Tyson Brooks
Second: John Schuhmacher
Vote: 10-0

2025 APC/GIS Budget

Michael Lautzenheiser shared the proposed 2025 Budgets for GIS and APC. He mentioned the 5% pay increase he's requesting for the office. He also spoke about the Rural Town Clean Up fund and while it won't be in our budget, the office would still be planning and running the events. He finished up with the additional funds needed for software maintenance and support for GIS. He asked the board for a motion of support to present the proposed budget to County Council.

Motion to send proposed budget to County Council: Tim Rohr

Second: Bill Horan

Vote: 10-0

WELLS COUNTY VISION 2035 COMPREHENSIVE PLAN PROGRESS

No update given due to the length of the meeting.

REVITALIZATION/TRAILS UPDATES

No update given due to the length of the meeting.

HOUSING STUDY UPDATE

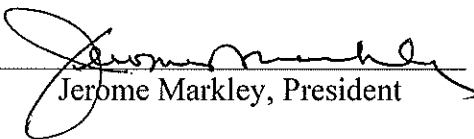
No update given due to the length of the meeting.


ADVISORY:

Jerome Markley confirmed the meeting on September 5, 2024. Michael Lautzenheiser mentioned Lisa Dan with the Center of Energy Education wants to present the board with information.

ADJOURN:

John Schuhmacher made a motion to adjourn the meeting. Tyson Brooks seconded the motion. The motion was carried with a vote of 10-0. The August 1, 2024, Area Plan Commission meeting adjourned at 10:44 p.m.


Jerome Markley, President

ATTEST: 
Michael Lautzenheiser, Jr., Secretary