

ROLL CALL

Dan Baumgardner	Jerome Markley
Harry Baumgartner, Jr	Keith Masterson
Jarrold Hahn	Mike Morrissey
Bill Horan	Tim Rohr
Richard Kolkman	John Schuhmacher
Finley Lane	

Michael Lautzenheiser, Jr., Director

The April 3, 2014 meeting of the Area Plan Commission was called to order at 7:30 p.m. by President Jerome Markley. Eleven members were present for roll call.

APPROVAL OF MINUTES:

Mike Morrissey made a motion to approve the minutes from the March 6, 2014 meeting. Jarrod Hahn seconded the motion; the motion carried 11-0.

OTHER BUSINESS:**Phil Gagle - 906 River Road drainage issue**

Mr. Gagle stated that his house was built in 1951 and showed the board photo images of the house and surrounding area. He proceeded to provide the board with his employment history and background information. He explained the current drainage/flooding issues and commented that the city came out with sand bags to help. Mr. Gagle provided photos for the board to show where the water is and explained where the drain is in his driveway. He explained where the water used to flow and advised that with the new property to the south of his more run off was coming from that direction, which caused a change in the flow from his driveway to his garage rather than the drain. He advised that he realized the new house is not the sole reason for his flooding issues. He was aware that the other neighboring properties run off also flows to his driveway and to the drain. He explained an altercation that occurred when he tried to talk with the builder about the drainage from the sump-pump and requesting that it be turned off. Then Mr. Gagle discussed the construction of the house and the ground it is on being raised higher than before construction. He stated that there is no erosion control being used on the site where the new house is. He advised the board that with the new house and drainage issue it has caused that he believes his property value has decreased. He questioned why a builder is not required to do a water run off evaluation before they can get a permit for the construction of a dwelling and requested that it should be done especially in cases where one property is at an elevation much higher than an existing neighboring house.

Jarrold Hahn questioned if the lot that the new house was constructed on is an acre or more because if it were then erosion control would be required under Indiana Rule 5. He advised that the APC could not enforce it, but that the local Soil and Water Conservation District and IDEM could. Then he explained to the board how the water drains underground off of Mr. Gagle's property through a private tile that runs northeast. He stated that he and Michael Lautzenheiser, Jr. went out to the property and they found where the outlet for that tile is along the river. He explained that there is rip-rap covering the outlet pipe but water is still flowing out of it even though the rip-rap has slowed it down. He advised Mr. Gagle to contact the city about doing something with the rip-rap, but Mr. Hahn also believes that there could be two or three places where the tile is broken down.

Mr. Gagle then explained to the board a couple of suggestions that Doug Sundling, with the city, stated that could be done for emergency purposes. One of those suggestions was a catch basin and Mr. Gagle

advised that he would be in contact with Mr. Sundling to follow up with it. He commented on the board's responsibilities to the community, property owners, and public health.

Mr. Lautzenheiser explained that currently single family residences do not required to a site drainage assessment only development plans do. He advised that major subdivision petitions now have to explain where the drainage of lots are going to flow to be in compliance with the ordinance. However that subdivision was developed in the 1960s and those rules were not in place.

Mr. Hahn explained that ordinance revisions could be made, but that it would not be retroactive and that the APC does not have the ultimate decision on any changes. Any revision to the ordinance would have to be approved by the legislative bodies of the county.

NEW ITEMS:

A14-04-07 LANCASTER TWP. SW/4 32-27N-12E Westland Park LLC requests approval for a development plan for a 200,000sq.ft. warehouse building. The property is located at 1805 W. Lancaster St, Bluffton, IN 46714 and is zoned I-1.

Brett Miller, MLS Engineering, stated that the petition is for a spec warehouse facility, which will be constructed east of the existing Westland industrial building. The proposed building is 200,000sqft with a single access off of Lancaster Street. The loading docks will be on the west side of the structure. Since it is a spec building, Mr. Miller stated that they are currently showing an 18 spot employee parking lot, but there is room on the west side of the drive for addition parking spots if needed depending on the user of the facility. There will be a storm water detention pond on the north side of the property and the building and parking lot run off will drain to that. Then the water would be released to a legal drain to the east. The site has space for a future 200,000sqft addition, which would be directly to the north and the detention pond would be expanded to the west if the addition is added. Mr. Miller stated that as part of the petition, they have requested a waiver for the sign to be no closer than 5ft from the road right-of-way and no greater than 100sqft. He explained that there would be acceleration and deceleration lanes put in on Lancaster Street per the request of the City of Bluffton.

Mr. Hahn commented on the fact that there would need to be a storm drainage easement due to the fact that the drainage would cross property lines to get to the Johnson Ditch.

Mr. Miller advised that the utilities would be public and an easement would be created, which is basically just for the water line. He stated that the exterior light of the property would consist of wall packs with down facing light and that at this time there would not be any lighting in the parking lot. However, with the potential parking lot expansion they would recommend lights on the perimeter of the parking lot shining into the lot and not shining off of the property.

Mr. Lautzenheiser advised the board that if they were to approve the petition that a written commitment would be needed stating that if employment goes over the existing parking area that they would increase the parking lot to meet the ordinance. There would also need to be a written commitment for the drainage easement agreement, which was signed and provided before the meeting. The last thing that the board would have to take into consideration for this petition would be the front yard setback waiver for the sign. He advised that due to the fact that the right-of-way is so wide there is not an issue with the sight triangle. Mr. Lautzenheiser explained that a new survey to split the property was provided with the petition; however, there was no paperwork for the minor subdivision with the survey. The minor subdivision has no bearing on the development plan, but he advised the petitioner what needed to occur to complete the minor subdivision process.

Todd Estill, 1850 W. Lancaster St., questioned if the buildings orientation could be changed. He lives across Lancaster Street from the existing Westland facility and this proposed structure, and he is concerned about the truck lights shining into his house, which would cause a nuisance. He also commented on how much quieter it would make the area if the building were repositioned to where the parking is.

Conditions: Written commitment for keeping the parking lot size appropriate for the number of employees per the ordinance, having perimeter lighting facing in and down on the parking lot, and waiving the front yard setback to 5ft for the sign.

Motion to Approve: Mike Morrissey

Second: Jarrod Hahn

Vote: 11-0

A14-04-08 HARRISON TWP. SE/4 09-26N-12E S & S Land LLC/Stan R. Keller Sr. requests approval for a development plan for an 11 Multi-family duplex buildings. The property is located on State Street between Plaza Street and Wayne Street, Bluffton, IN 46714 and is zoned R-2 & R-3.

Joel Hoehn, Stody Associates, explained that this would be Lilac Apartments II, which would be a different entity than what currently exists. The plan is for 11 buildings with 9 being two bedroom units and 2 being one bedroom units. The road will be an extension of the current north south road and tie into State Street. He stated that the road would remain private, but the water line would be taken over by the city once it is installed. The sanitary will also remain private. Mr. Hoehn advised that the detention basin on the west side was designed to take the water from the west of the buildings on the east side of the property along with the storm water from the building on the west side. The storm water on the east side of the east buildings will go into a swale and then into a storm sewer, which ties into the existing storm sewer on Lilac Apartments I. Then it will flow to the existing basin on that property. Mr. Hoehn explained that the basin on the proposed property is designed to catch any water that would back up from the existing basin. He stated that the petitioner is going to do a blanket easement across the property for utilities.

Mr. Hahn expressed a concern about the southern structures and their distance from the Panhandle Eastern gas pipeline. He stated that there are no setback restrictions from the pipeline in the ordinance.

Mr. Hoehn explained that the southeastern structure is built right at the edge of the 33 foot easement. He stated that currently the petitioner does not want a sign; however in the future they might place a 4ft X 8ft sign, which is shown on the plans.

Conditions: Recorded easement for off-site storm drainage, recorded ingress/egress easement, and a recorded blanket utility easement with the City of Bluffton.

Motion to Approve: Jarrod Hahn

Second: Bill Horan

Vote: 11-0

A14-04-06 LANCASTER TWP. SW/4 31-27N-12E Tri-Hard Farms/Verizon Wireless requests approval for a 295' communication tower with lightning rod. The property is located on the north side of State Road 124 between Meridian Road and Adams Street, Bluffton, IN 46714 and is zoned A-1.

Mr. Lautzenheiser explained that the petitioner requested to continue their filing to the May meeting

Conditions:

Motion to Continue: Mike Morrissey

Second: John Schuhmacher

Vote: 11-0

OTHER BUSINESS CONT.:

Redraft Committee update

Mr. Lautzenheiser discussed the meeting that occurred on March 31, 2014. He stated that they talked about some of the basic procedural options for the items that run through the current development plan process. He explained that the public hearing method is currently being used as the development plan option, which is set forth by Indiana Code. The committee reviewed this process as well as a few other options. He stated that the committee is compiled of six members and will meet every other Monday.

Update on Violations

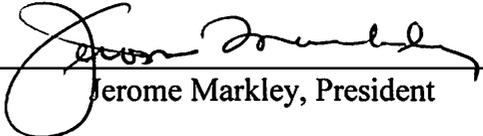
Mr. Lautzenheiser advised the board that the Hofstetter violation is moving through the court proceedings. He stated that Andy Antrim received more information on the Barkley property violation, which is land locked. Mr. Antrim was notified that the Barkley's tried to correct the issue, but in the process of doing so it was determined that there was a lean on the property. Mr. Antrim is trying to see if the lean can be removed due to the fact that at its current state, the property has very little value.

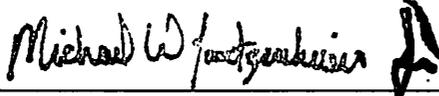
DISCUSSION:

ADVISORY:

ADJOURN:

John Schuhmacher made a motion to adjourn the meeting. Mike Morrissey seconded the motion. The April 3, 2014 Area Plan Commission meeting adjourned at 9:00 p.m.


Jerome Markley, President

ATTEST: 
Michael Lautzenheiser Jr., Secretary