

PLYMOUTH PLAN COMMISSION

November 1, 2022

The Plymouth Plan Commission met in regular session in the Council Chambers of the City Building, 124 North Michigan Street, Plymouth, Indiana on November 1, 2022, at 7:00 p.m.

Commission President Doug Feece called the meeting to order for Commissioners Alex Eads, Mark Gidley, Beth Pinkerton, Linda Secor, Bill Walters, Fred Webster, and Paul Wendel answering roll call whom were physically present. Randy Longanecker and Angela Rupchock-Schafer were absent. Others present were Plan Consultant Booker, Building Commissioner Hammonds, and City Attorney Surrisi. The public was able to see and hear the meeting through Microsoft Teams.

Commissioners Webster and Wendel moved and seconded to approve the minutes of last regular meeting of October 4, 2022. The motion carried.

The following legal notice was advertised in the Pilot News on October 20, 2022:

<p>NOTICE OF PUBLIC HEARING</p> <p>The Plan Commission of the City of Plymouth, Indiana will hold a hearing on November 1, 2022 at 7:00 p.m. in the Council Chambers of the City Building, 124 N. Michigan St. (Garro St. entrance), Plymouth, Indiana on the following matters:</p> <p>PC 2022-16: PIDCO, 2864 Miller Dr., Plymouth, IN 46563: A Minor Subdivision of two (2) lots on parcel 50-41-25-000-002.000-020, Commerce St., Plymouth, IN 46563, zoned I, Industrial District.</p>	<p>Information on these matters may be obtained at the office of the Clerk-Treasurer, 124 N. Michigan St., Plymouth, IN and telephone #574-936-2124. Written objections to the proposal filed at the Clerk-Treasurer's office will be considered and oral comments will be heard. The hearing may be continued from time to time as may be found necessary.</p> <p>If you are disabled and need special accommodations, please call the ADA Coordinator at 574-936-2948.</p> <p>Kyle Williams, Recording Secretary, Plan Commission, October 20, 2022</p>
---	---

PC 2022-16: PIDCO, 2864 Miller Dr., Plymouth, IN 46563: A Minor Subdivision of two (2) lots on parcel 50-41-25-000-002.000-020, Commerce St., Plymouth, IN 46563, zoned I, Industrial District.

Plan Consultant Booker reviewed the findings of fact and presented his report.

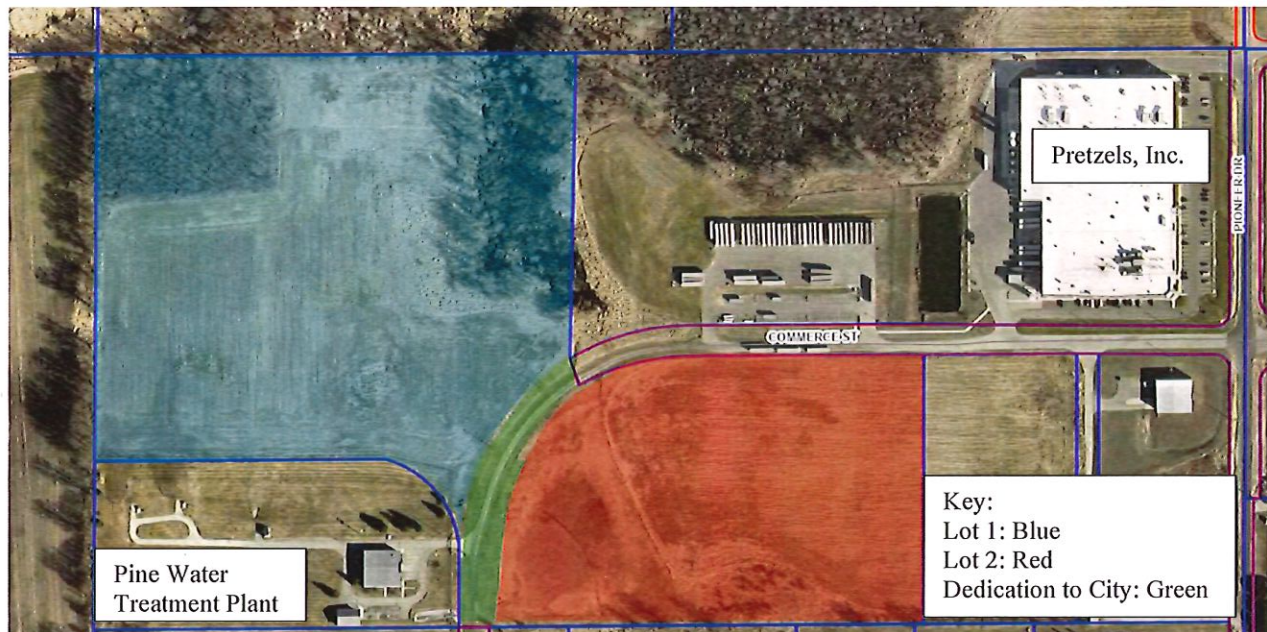
Walters states that he believes there is a mistake in the size of the acreage. He explains that the two totals of the acreage total more than what they started with.

Booker states that there is a portion of it that is not going to be included in the part that is owned by Pretzel's Inc.

Walters states that on the plat it shows 23.18 acres while on the report it says 28.18 acres. He states that he believes the 23.18 acres would be correct.

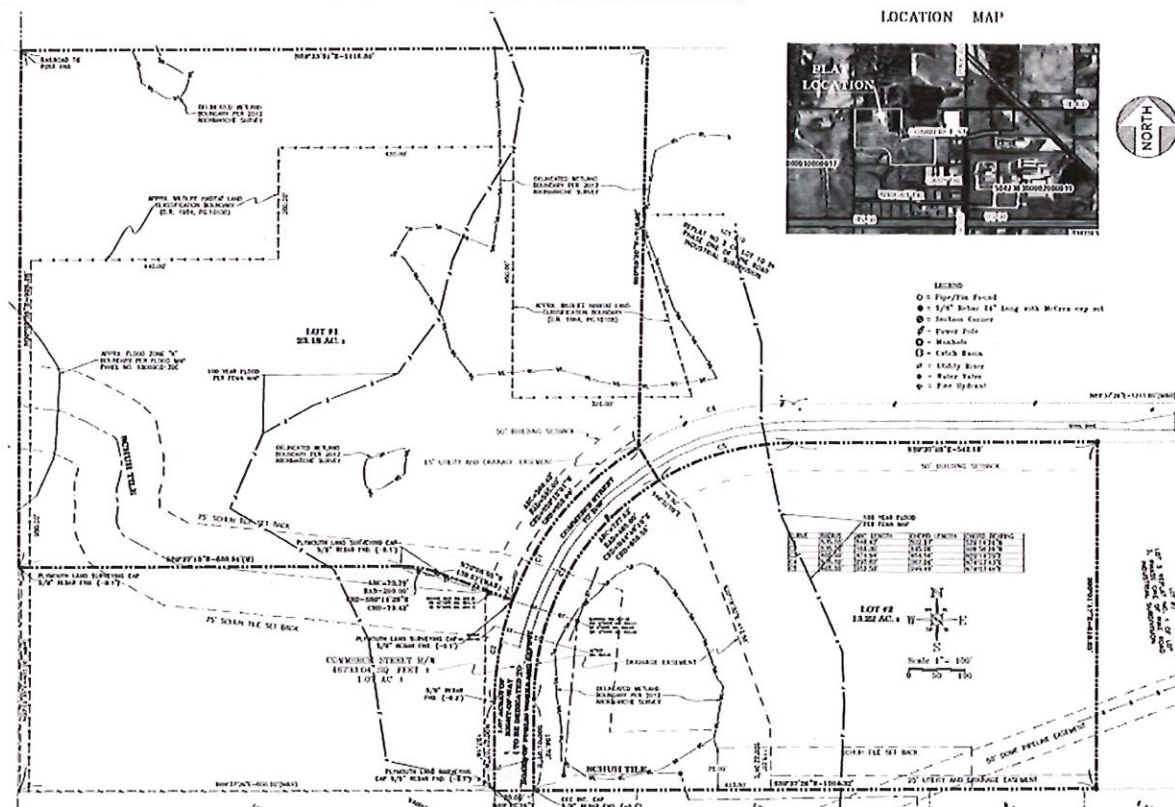
Booker references the plat and states that he must have misread the 3 so he appreciates the correction.

PLYMOUTH PLAN COMMISSION
November 1, 2022



Plat of Phase Two of Pine Road Industrial Subdivision

2000 Block COMMERC ST, CITY OF PLYMOUTH, MARSHALL, INDIANA



Don Wendel (2864 Miller Dr., Plymouth, IN 46563)

Wendel explains that they do have a deal to sell the northwest parcel but it is to a person who wants it for preservation. He states that it is not good for building on so that is one of the reasons they are doing

PLYMOUTH PLAN COMMISSION

November 1, 2022

this. He states that the other reason is to dedicate the road to the city so that they can work on the road back to the water plant. He states that the southeast lot is one that they can develop and sell.

Commissioners Eads and Gidley moved and seconded to open the public hearing. The motion carried.

There were no comments from the public at this time.

Commissioners Eads and Pinkerton moved and seconded to close the public hearing. The motion carried.

Commissioners Gidley and Walters moved and seconded to approve PC 2022-16 as presented. The motion passed by roll call vote.

Yes: Eads, Gidley, Pinkerton, Secor, Walters, Wendel and Feece

No: None

Abstain: Webster

Absent: Longanecker and Rupchock-Schafer

Discussion on Sidewalks in Regards to 777 N. Oak Drive:

B. Sidewalks

All developments shall be required to install public sidewalks along any public streets within and adjacent to the development unless an exception is granted by the Commission and approved according to the exception procedure of the City of Plymouth Complete Streets Policy.

1. All sidewalks shall be constructed in the right-of-way or in a sidewalk easement adjacent to the right-of-way.
2. Sidewalks shall be separated from the back of curb of the adjacent street by a planting strip which is a minimum of ten (10) feet in width along arterial and collector roads and six (6) feet in width along local streets.
3. Sidewalks shall be a minimum of five (5) feet in width in residential areas and eight (8) feet width in nonresidential and mixed use areas, and constructed of concrete consistent with all applicable City of Plymouth construction standards.
4. Refer to 96.061 for corporate limit sidewalk regulations

Booker states that the Langfeldt's have recently done a development on Oak Drive and if you read the ordinance the way it is that they would have to build sidewalks. He believes that they have come here to have them consider not having sidewalks but he will not speak for them.

Jim Langfeldt (1980 W. Jefferson Street, Plymouth, IN 46563)

Langfeldt states that the property that they are currently developing is 777 N. Oak Drive. He states that they are requesting an exception to the sidewalk ordinance until there is sufficient planning and communication that can be delivered to them. He asks the city to take a lead on a few things before it has been directed to them to have them put the sidewalk in. He states that the first thing would be to have someone take a critical look at which side of the street has more potential for pedestrian traffic.

PLYMOUTH PLAN COMMISSION

November 1, 2022

He states that with Family Express and those commercial businesses that pedestrians frequent on the east side that he believes a sidewalk would be most appropriate there. He asks if they can study and compare the logistics of a sidewalk on the east side versus the west side. He states that challenges on the west side would include topography and utility pole obstructions which will push the sidewalk outside the right-of-way into their property. He explains that the best place for a sidewalk in their mind would be starting with a safe crosswalk to bring pedestrians across Oak Drive from Centier Bank on the west side to Family Express on the east side. He states that from there pedestrians can frequent the most visited property on Oak Drive, which is Family Express. He states then they can move safely down the sidewalk to other commercial locations behind Family Express and then finally they would travel across some city owned property and five residential parcels to then connect to the Harrison Street Trail Sidewalk Project in a safe manor. He believes that plan is much more in line with a what a sidewalk should be and could be then what is currently proposed for them on the west side.

Feece states that as everyone knows, if they know him, that he is always a proponent to sidewalks. He explains that he does not believe that it is their job to consider which side the sidewalks are supposed to be on. He states that his view is that there is a topography problem for both sides and it is a real conundrum to put sidewalks on down Oak Drive but they are definitely needed. He states that he can testify to that as he has seen people walk all the way down through the center of Oak Drive and go all the way out to Walmart. He states that why anyone would want to cross that intersection is beyond him because he does not like even driving across that intersection. He states that what he is saying right now is that in all due respect this board should have some motion to make to give them the same consideration as to what they gave Beacon Credit Union when they went in there. He believes that the fairest thing for them to do is to say that if the city decides to put sidewalks in on the west side, then at that time it would be time for the Langfeldt's to step up and pay their portion for their property. He restates that is the due consideration that they gave the bank. He believes that fair one way is fair the other way. He asks if they can do that tonight or do they have to advertise that.

Booker states that as long as it is in the minutes then if someone wants to pursue this in 10-15 years that they can go back to this.

Pinkerton states that she agrees with Feece. She believes that it would be a nice to give that consideration until the time comes.

Feece adds that it would be a sidewalk to nowhere is what it would be now. He states that would be ridiculous. He states that if they decide to make the Langfeldts put a sidewalk in then it would be time to tell the bank that they would have to step up and put one in. He states that even then it is still going to go nowhere and they won't use the sidewalk as they are already going to be out in the street. He explains that he already sees it downtown with the person in the electric chair going down the street like a car.

Webster asks if the Board decides that they do not have to put them in until the city decides that they want to run sidewalks out there if that would run with the property. He states that they are developing now but could decide to liquidate down at some point in time. He asks if that is going to go with the parcel.

Booker responds by stating that he believes they could put that in the motion.

PLYMOUTH PLAN COMMISSION

November 1, 2022

Kathy Bottorff asks for clarification what the Beacon Credit Union decision was. City Attorney Surrisi read aloud the minutes of the Board of Zoning Appeals on June 1, 2010.

BZA 2010-10: Beacon Credit Union, PO Box 627, Wabash, IN – Application for a Variance of Development Standard to waive the required public sidewalk standard per Section 190B of the zoning ordinance for property located 855 N. Oak Dr., Plymouth, IN in a C-3 Corridor Commercial zoning district.

Plan Consultant Neal explained that as part of the application, the president of the credit union, Bruce Ingraham, provided a letter stating that "In the event adjoining property owners participated in establishing a complete and useful sidewalk for pedestrians along Oak Dr., Beacon Credit Union would be interested and willing to install sidewalks that conform with the design and size of the adjacent installations."

Bruce Ingraham stated that they are willing to put sidewalks in if there is a reason and a purpose, but he feels it is more dangerous to put sidewalks in the middle of nowhere. Ingraham said that he is committed to putting in the sidewalk and guaranteed the credit union would install the sidewalk when adjacent property owner(s) do so.

Leo Sparks, site superintendent, asked what the setbacks are for the sidewalks.

Bill Neal noted that typically sidewalks are one foot inside the right-of-way line; but that would not work in this instance because there isn't enough room. Neal said that the credit union would have to give the city land to create room for the sidewalk.

Board Members Selge and Sherwood moved and seconded to approve the variance and to include the letter submitted with the application by Bruce Ingraham to install the sidewalk at a later date and with the stipulation that Beacon Credit Union must dedicate enough ground to have a five foot sidewalk at that time.

Mr. Ingraham stated that he understood that any improvements, signs, etc. would have to be behind the right-of-way to be dedicated. He said that there are no subsidiaries and that Beacon Credit Union owns all of the branches that they have built. He said that if they merge with someone, the odds of Beacon not being the survivor credit union are slim. Ingraham said, "If somebody else needs to put a sidewalk in, to make it more than the width of our property, you can come to the credit union and we will put a sidewalk in where it belongs."

The variance passed by roll call vote.

AYES: Ecker, Selge and Sherwood
NAYS: Gidley and Scott

Webster asks if the Harrison Street sidewalk was going all the way out to Oak Drive. Surrisi agrees. Webster asks if it will be on the south or north side. Surrisi responds by stating that it will be on the south side.

Walters wished to state that he agrees that there needs to be sidewalks somewhere along Oak Drive. He states that he gets up and down that road every day and he has seen way too many people walking up and down the street. He agrees that a sidewalk that goes nowhere is nothing and that it would be wasted money and effort. He believes that the stipulation that if the city ever decides to put sidewalks along Oak Drive that those property owners should have to do their part. He states that until then it is a wasted effort.

Webster asks Surrisi if anyone has looked into a sidewalk on Oak Drive and would even have a ballpark figure of how much that would cost.

PLYMOUTH PLAN COMMISSION

November 1, 2022

Surrisi responds by stating that they have had some discussions at the Complete Streets Committee about how the road could be reorganized. He explains instead of making it four lanes and a turn lane in spots that they could get rid of one of those lanes to add a spot for pedestrian traffic on the existing roadway. He adds that could be a relatively cheaper fix but none of that has been looked into yet by engineers.

Webster states that he was uncertain if it had been looked into any more than that as he was aware the idea has been kicked around for years now.

Feece states that he would still feel like a target walking down Oak Drive.

Secor adds especially in the winter.

Booker states that sometimes they restripe it but also put a barrier up.

Surrisi adds that a concrete barricade of some kind may be necessary.

Gidley states that until the city makes the decision on what side of the road a future sidewalk goes that the Langfeldts have a legitimate concern on the location of the sidewalk.

Booker asks if they would require the property owner to dedicate some land as they did with the decision for Beacon Credit Union. He states that he is uncertain if there is enough room there or not.

Langfeldt states that there is not enough room in the right-of-way for one and asks for clarification that they would have to dedicate some land to the city.

Surrisi responds by stating that they would want to so that they would not have a private sidewalk.

Langfeldt agrees and states that they have no interest in a private sidewalk.

Commissioners Gidley and Walters moved and seconded to grant the exception to the sidewalk requirement and that they require this decision be memorialized on the property record so that in the future if the sidewalk is determined to be on that side of the street that the stipulation is whoever the property owner is at the time must dedicate enough ground to the city to have a five-foot sidewalk put in. The motion passed by roll call vote.

Yes: Eads, Gidley, Pinkerton, Secor, Walters, Webster, Wendel and Feece

No: None

Absent: Longanecker and Rupchock-Schafer

With there being no other business to come before the Commission, Commissioners Webster and Pinkerton moved and seconded to adjourn the meeting. The motion carried and the meeting adjourned at 7:27 p.m.



Kyle Williams, Recording Secretary