

PLYMOUTH PLAN COMMISSION

June 6, 2023

The Plymouth Plan Commission met in regular session in the Council Chambers of the City Building, 124 North Michigan Street, Plymouth, Indiana on June 6, 2023, at 7:00 p.m.

Commission President Doug Feece called the meeting to order for Commissioners Mark Gidley, Randy Longanecker, Beth Pinkerton, Linda Secor, Bill Walters, Fred Webster and Paul Wendel answering roll call whom were physically present. Commissioners Alex Eads and Angela Rupchock-Schafer were absent. Others present were Advisory Member David Hostetler, Building Commissioner Manuwal, City Attorney Surrisi and Plan Consultant Booker. 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 May 3, 2023. The motion carried.

The following legal notice was advertised in the Pilot Newspaper on May 25, 2023:

**NOTICE OF
PUBLIC HEARING**
The Plan Commission of the City of Plymouth, Indiana will hold a hearing on June 6, 2023 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:
PC 2023-07: : ADDD Equities LLC, 1906 N. Oak Drive, Plymouth, IN 46563: An exception to Article 6, Section 190, Paragraph B.2 and 3. requesting a six (6) foot setback to build a five (5) foot sidewalk and an agreement to install said sidewalk at a time when

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Legals**
the contiguous neighbors install sidewalks on 1619 N. Oak Drive, Plymouth, IN 46563, parcel 50-42-31-402-025.002-019, Zoned I, Industrial District. (tabled)
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.
If you are disabled and need special accommodations, please call the ADA Coordinator at 574-936-2948.
Kyle Williams, Recording Secretary, Plan Commission, May 25, 2023

PC 2023-07: ADDD Equities LLC, 1906 N. Oak Drive, Plymouth, IN 46563: An exception to Article 6, Section 190, Paragraph B.2 and 3. requesting a six (6) foot setback to build a five (5) foot sidewalk and an agreement to install said sidewalk at a time when the contiguous neighbors install sidewalks on 1619 N. Oak Drive, Plymouth, IN 46563, parcel 50-42-31-402-025.002-019, Zoned I, Industrial District. (tabled)

Plan Consultant Booker reviewed the findings of fact and the request from the applicant. He read the applicant's letter aloud. See attached letter below.

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ADDD Equities LLC
1906 N. Oak Dr.
Plymouth, Indiana 46563


Letter of Intent

Plymouth Board of Zoning Appeals,

ADDD Equities LLC respectfully requests a variance from setback and sidewalk requirements prescribed by the Plymouth Zoning Ordinance for sidewalks in all non-residential areas. The zoning ordinance requires a 10' setback with an 8' sidewalk.

ADDD Equities LLC is designing and is nearly ready to apply for a building permit on a new warehouse and office building to be located at the 1600 block of Oak drive in Plymouth. Given the size, shape, and characteristics of the parcel and the neighboring parcels, ADDD is requesting a reduction of the setback and sidewalk dimensions to a 6' setback and a 5' sidewalk. ADDD would further request a variance from the requirement to install this sidewalk during construction but to install the sidewalk at a time that is agreeable with the neighboring parcels and at a time when the local community has determined if, where, when, and how it wants a sidewalk to be constructed along Oak drive.

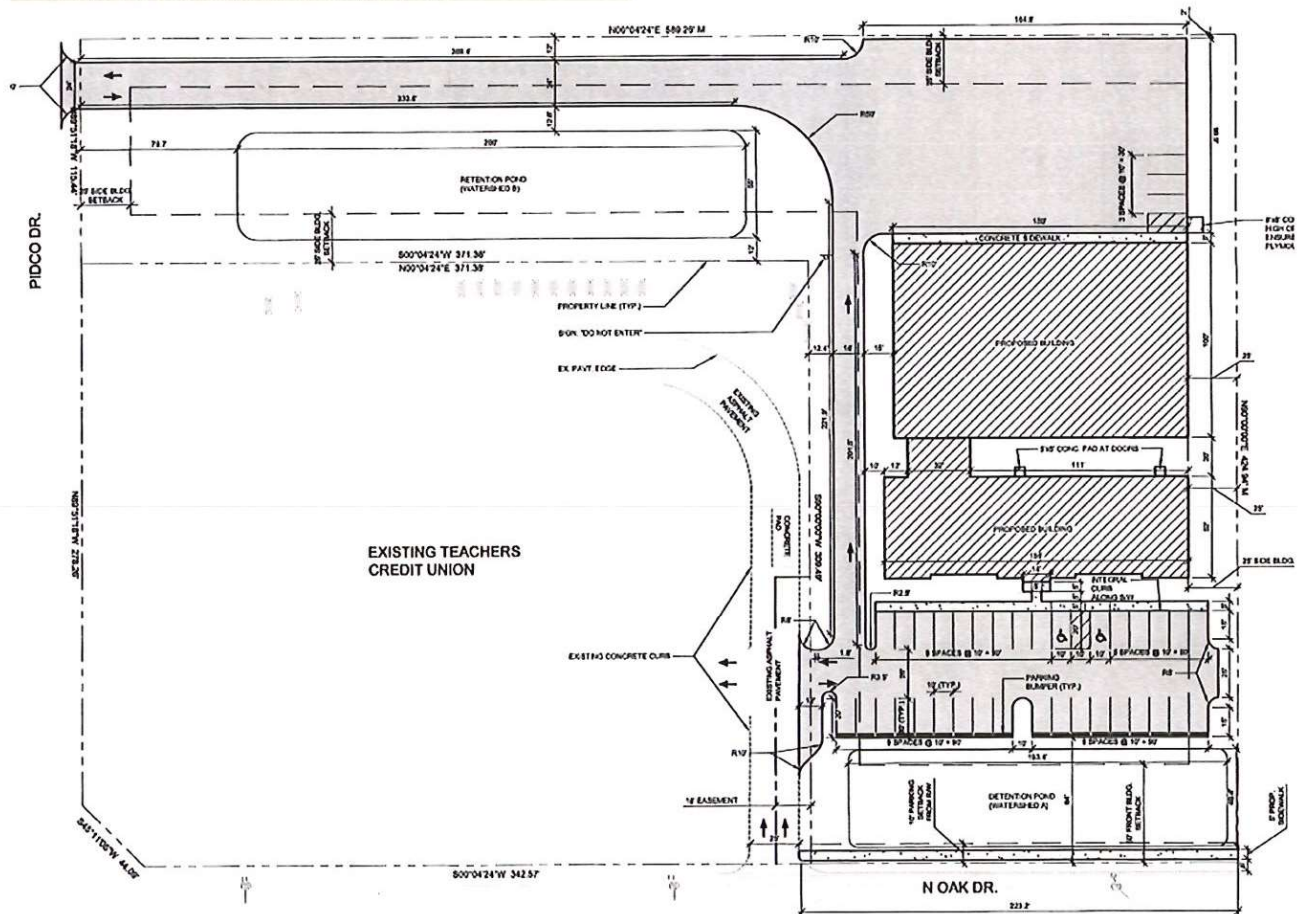
Very truly,


Alan R. Collins
Managing Member
ADDD Equities LLC

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



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City Attorney Surrisi explains his recommendation would be they leave this tabled for this month. He states they have reached an agreement with ADDD Equities and they will be presenting a Memorandum of Understanding to the Board of Public Works and Safety at their meeting on June 12, 2023. He states this would address them dedicating that 10-foot right-of-way for future sidewalk development for the city. He states assuming the board accepts that then they would bring that back to you next month once they have their final plat approved with a signature block from the mayor on behalf of the Board of Public Works and Safety to accept the dedication of the sidewalk. He believes it will be a good result and hopefully this might be a model for engagement with other property owners along the corridor to facilitate a sidewalk or trail in that area.

Webster asks if they have the final decision on that or if the Board of Public Works has that.

Surrisi responds by stating the Plan Commission would have the final decision to the extent that it is in the ordinance that a sidewalk needs to be built by the property owner but this would be the first needed step to show that the deal that was proposed at the last meeting is even feasible that the city is willing to accept that right-of-way they would grant. He states all of that is contingent on the final approval of the plat document that actually makes a transfer of the right-of-way.

Booker adds if the Board of Public Works does not approve it then it comes back to the Plan Commission to see whether they would like to approve what is currently suggested or make any adjustments to that.

Gidley states the request is requesting a 6-foot setback to build a 5-foot sidewalk. He states he thought they were talking about an 11-foot-wide dedication of property to them for a future sidewalk. He states it sounds like the 5 feet is coming out of the 6 feet.

Surrisi believes their application was filed before the city even presented this option to them. He states last month Councilman Houin who is on the Complete Streets Committee gave some detail about that and all of the prior proposal was made by the property owner prior to their knowledge the city would entertain the granting of the 10-foot right-of-way.

Gidley states the findings of fact were distributed tonight and they were dated for today.

Booker responds by stating he just changed the date.

Gidley states this doesn't match what the proposal was at the end of last meeting.

Booker responds by stating it still has the original request on the top.

Surrisi adds that is how it was filed by the applicant.

Booker states he understands where he is coming from on this.

Gidley asks if the dedication is 10 or 11 feet and if they get to put their sidewalk in there.

Booker responds by stating it was 10 feet that was prescribed by the Complete Streets Committee.

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Gidley asks for clarification that the proposal is still 10 feet. Booker agrees. Gidley states in the future when the city puts its sidewalk in those ten feet and in exchange, they get a variance on what their setback is for their retention pond.

Surrisi responds by stating whatever this does that it won't affect their setbacks because they already have the design for the building.

Commissioners Webster and Pinkerton moved and seconded to leave PC 2023-07 on the table. The motion carried by roll call vote.

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

No: None

Absent: Eads and Rupchock-Schafer

Other Business:

Feece states out at the Holiday Inn north of the city they have been using storage units outside and he has been asked to move them before. He states they are not in compliance and they are just backs of semi-trailers they have been storing stuff in. He states they have been over there for three years now. He states there are now some in behind the old Oliver Building and that looks terrible.

Gidley would prefer if it wasn't referred to ask the old Oliver building. They are referring to where Handy Spot Liquor will be moving in next to Hoffman Bros Auto Parts at 500 W. Jefferson Street.

Wendel asks if those are being used for construction purposes right now.

Manuwal responds by stating right now they are being used for storage because Bailey's Home Furnishing was using that back part as storage. He states from his understanding they are using those to get everything out because that is where that Handy Spot Liquor is going.

Gidley asks if they understand that is short-term. Manuwal responds by stating they do.

Webster asks if there is a date on that short-term.

Manuwal responds by stating not that he knows of.

Gidley asks if they have gotten a building permit request for the Handy Spot Liquor store and if he anticipates that starting soon.

Manuwal responds by stating he has and it has already started.

Gidley states in fairness to Manuwal he has been asked to do Code Enforcement on top of his current job. He adds he is also the Zoning Administrator and oversee the Flood Plain Maps. He states if they were to get a major construction project in the city again like Centennial Crossings then he would be overwhelmed.

Webster thought the Police Department was handling Code Enforcement.

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Gidley states he was told they have to be an officer of the law to enforce Code. He asks if Manuwal is.

Manuwal responds by stating he is not.

Webster remembers getting reports from a Police Officer.

Gidley states Mark Owen did it last. He states he believes the City Council and the City Administration need to look at what they are asking one individual to accomplish.

Pinkerton asks if his job description says anything about Code Enforcement. She asks if he has a job description.

Manuwal responds by stating it does reference Code Enforcement in his job description. He states the only thing he wishes to state on that matter is that he is doing what he can.

Amendment to R-1 Rural Residential Zone:

Booker states he presented an amendment to the R-1 Zone last month. He references Rural Residential from last month.

R-1

Rural Residential District

Rural Residential represents the lowest density of residential development in the Plymouth planning jurisdiction. The designation exists largely in the outlying areas of the jurisdiction that remain primarily agricultural in nature with scattered rural home sites. The Rural Residential category is intended to help preserve the rural nature of the land while allowing limited residential growth.

Booker lists the permitted agricultural uses of an R-1 Zone as well as the Special Uses if you are wanting to do anything extra.

Permitted Uses

Agricultural Uses

- Crop Production
- Forestry and Logging
- Horses and Other Equine Production
- Nursery and Greenhouse
- Sawmill (Portable)

Special Uses

Agricultural Uses

- Animal Production
- Confined Livestock Feeding
- Dangerous and Exotic Animals
- Farm Implement Sales and Service
- Livestock Auction
- Livestock Composting (accessory use to livestock production or confined feeding)
- Livestock Distribution
- Livestock Incineration (accessory use to livestock production or confined feeding)

Booker explains he tries to keep definitions simple so this may be simpler than what they want. He reads aloud what was sent to the Plan Commission in their packet.

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"The use of land for animal production limited to 4-H projects and home consumption with no retail or outside sales. The limits for large livestock (cattle, sheep and hogs) are at least one (1) acre per animal for home consumption. The maximum number of livestock should not exceed two (2) per each 4H-er in the household. Poultry is limited to no more than 10 hens or ducks."

Booker states this can be reviewed again but this is his suggestion right now. He explains if you want to go with this definition then they would have to go through the process of having a public hearing next month and after that it would go to the City Council for their final approval.

Gidley asks for clarification that this cannot happen in a subdivision.

Booker responds by stating if the subdivision happens to be in a R-1 District then it could. He states you have already given approval for one poultry operation in a subdivision. He states most subdivisions would not be able to meet this for cattle, sheep and hogs because the lots are not larger than one (1) acre.

Wendel asks where the poultry farm is now.

Manuwal responds by stating Nutmeg Meadows.

Booker adds they have chickens. He states the only thing he thought about adding to this amendment is no roosters.

Feece states they have them in the city on Harrison Street as he hears them every morning.

Booker states for 4-H that you could have two hogs, two sheep, two steers and two dairies. He states he might change that to not exceed two species per each 4-H individual. He asks if they want to move this forward or to think about it some more.

Pinkerton asks if he is going to put no roosters in there.

Booker adds he is going to put the no roosters and the 4-H thing he mentioned recently.

Gidley asks if he is saying if they are ready to propose something and it can still be modified and amended.

Booker responds by stating it could still be modified and amended at the public hearing and the city council could still send it back to the Plan Commission for amendments.

Webster asks if this is the two-mile limit.

Booker responds by stating this is the R-1 Residential Zone. He states there are some in the two-mile zone that are not R-1. He states majority of it is what it was before they redid their ordinance, the Agricultural District. He states these things were allowed at that time. He reminds them there are some remnants of that in that people are grandfathered in. He explains there is a cattle farm in the west side of the city that is in the R-1 District and it has been there for many years. He states he agrees with Feece that there is a lot of this stuff out there.

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Feece states they wouldn't want the Building Inspector running around like a chicken with his head cut off.

Booker reminds Feece that a chicken with its head cut off is permitted.

Webster states the last time he looked Manuwal is a rooster so he is not permitted.

Gidley states he does not object to having a public hearing.

Feece agrees and believes they should as well.

Booker states the other item he will be bringing forth next month is that Manuwal met with the Flood Plain Administrator of this area and they suggested we make changes to a portion of our ordinance to bring it up to date in reference to the flood ordinance. He states there isn't much choice or they would lose flood insurance. He states he will make those changes and they will have a public hearing on it next month.

Walters wished to announce this was his last meeting. He states he is retiring after this meeting and he and his wife are moving out of the county. He explains it has been a pleasure serving on the Plan Commission and he has mixed emotions but the decision has already been made and his house is sold.

The Commission thanks Walters for his service and Feece states Walters has been a valuable member.

With there being no other business to come before the Commission, Commissioners Webster and Walters moved and seconded to adjourn the meeting. The motion carried and the meeting adjourned at 7:18 p.m.



Kyle Williams, Recording Secretary