

# Plan Commission

## Meeting Minutes

July 16, 2019

### Call to Order and Roll Call

**MEMBERS PRESENT:** Steve Duhamell, John Price, Devin Stetler, Tom Strayer, Barry Wood, Brianne Schneckenberger

**MEMBERS ABSENT:** Jon Horton

**OTHERS PRESENT:** Director of Planning Ryan Crum, Attorney Greg Morelock, Town Engineer Mark Witsman, Town Manager Tonya Galbraith and Planning Administrative Assistant Jennifer Pack.

### Approval of Minutes

**Motion made by Mr. Duhamell to approve the minutes from the June 18, 2019 meeting as presented. Second by Mr. Price. Motion passed 6/0**

### Old Business

None

### New Business

#### ***PC 19-009 Underwood PUD – Request to Re-zone property from R1 to PUD***

Mr. Stettler recused himself from this portion of the meeting citing a potential conflict of interest. He passed the gavel to Mr. Duhamell to run the discussion.

Mr. Crum gave a brief overview of the proposal - Petitioner is requesting re-zoning a property from R-1 to PUD. This is a 10-acre lot located on W 750 N. The property is bisected by a drainage ditch. To the East of the ditch will be light commercial, while the portion West of the ditch would be residential and agricultural.

Kasie and Tracy Underwood provided the following information:

DeTails Pet grooming boutique started and grew in McCordsville. They participate in town events. We want to stay in the area where we grew their business. To do this, they need to move to a larger location to take care of the pets they have and to also expand. Their plans include expanding their grooming space, having a small retail area to sell shampoos and other associated grooming supplies. They'd also like to add a doggie day care and a very small boutique dog treat bakery to their business plan. They plan to add an additional seven employees to the seven they currently have. Petitioners currently groom a maximum of 30 dogs per day. They foresee serving a maximum of 100 dogs per day between grooming and the doggie day care. They will not have overnight boarding.

Pet owners will drop off and pick up pets the hours of 7 am and 7 pm, and they can control the flow of traffic with how pets are scheduled. Plans show 12 customer parking spots and 10-12 employee parking spots. Some customers will have multiple dogs, so high number of dog customers does not necessarily equal a high volume of traffic. Dogs will not be left unattended while they area outside. Dog poop will be picked up and disposed of in trash cans. Trash will be picked up once a week initially. They will watch to see if it needs picked up more often. Dog poop will not go in the septic system. The bakery is online sales, and they hope to employ people with special needs who would have trouble finding jobs elsewhere. Training classes will be in the evenings and done by 8 at the absolute latest.

#### Floor Opened Ten minutes for Public Comment

Jay Perez –

- 1) Who picks up waste?
- 2) If our economy drops, would you be able to maintain this site at the current 30 dogs per day
- 3) If this is rezoned -what happens if you no longer need this property, what happens with the zoning
- 4) Concerned about increased noise level and traffic.

Pam Tutrow –

- 1) Her back door is 20 feet from the fence of property, previous owners had hunting dogs and any time she and her dog were outside, the hunting dogs would bark and agitate her and other dogs in the area.
- 2) How many times will the dogs be taken out for potty breaks?
- 6) How big will each training class be; how many per night and per week?
- 7) Is all of the activity happening within the confines of the barn?
- 8) Concerned about deliveries for the bakery, the noise, traffic on 750.
- 9) Is there a guarantee that the section to the west of ditch they will never expand to commercial use?
- 10) What is going to happen to abandoned house that's East of the proposed property.
- 11) Concerned about her property value.
- 12) Emphasized that the area is a residential area and believes that it should stay residential.

Judy Bryant –

- 1) Asked for clarification on the zoning and what would be on each side of the ditch.
- 2) Asked why petitioners wanted such a large parcel of land.

The Plan Commission motioned for and granted an additional five (5) minutes to allow for additional comments from the public.

Sharon Adams –

- 1) Will the amount of urine contaminate the septic or wells?
- 2) Is municipal water being run out and will Cindy Dr. residents be forced to tap into municipal water.
- 3) Concerned that the railroads and coyotes will agitate the dogs and increase barking.
- 5) Concerned that the increase in traffic will cause long back-ups when the train goes through.
- 6) Concerned about safety of kids out playing with the increase of traffic that business would bring.

Phil Mueller

- 1) Traffic on 750 is fast and it's a narrow two-lane road and is concerned about increase in traffic.
- 2) What do they do with dogs that don't get picked up at the end of the day?

Jerry Beightol

- 1) Remembers when the barn on the property was used to work on machinery and states that it barely has a septic system.
- 3) Reiterated previous concerns about traffic increase on 750.

### Staff Response

Mr. Crum - The PUD is written very tightly, the only thing that can happen is what the Underwood's are proposing tonight: low-intensity use; west side of the property is residential and agricultural. The petitioners are proposing and expansion to the barn to max the facility out at about 6,000 sf. The petitioners are also installing a new septic field.

Mr. Witsman – The Town is not extending sewer infrastructure, so residents will continue to be on well and septic. Hancock County will handle the requirements of the sizing the septic. The project does not require a pond. The traffic load on 750 is currently less than 1000 cars per day, and the speed limit on the road is 30 mph. With the proposed number of clients, the Town does not foresee any traffic concerns.

The abandoned house referred to is on a separate parcel east of the parcel under consideration. It is not a part of this request.

### Petitioner Readdress

Petitioner plans to have CGS out once per week to pick up waste. If that is not sufficient, they will increase the number of pick-ups. The dogs will be taken out 3x per day for 10 to 15 minutes at a time and will never be unattended. They will have covered runs with concrete pads. Those pads will be washed daily.

Petitioners plan to offer 1 class an evening 3 times per week. Class attendance will max out at 12 participants. Even if the business does not grow as expected, they will be able to maintain the business at the proposed location.

The bakery will be very small. The petitioners will buy supplies from Sam's Club and bring them in themselves. The only deliveries will be from normal delivery services (e.g. UPS) during normal delivery hours.

If dogs are not picked up for whatever reason, petitioners will either take the dog to the owner's home, or they will take it to their own home. In the time that they've been in business, this has happened rarely.

Petitioners have discussed building their own homes on the west portion of the property. They plan to keep all the tree lines, cleaning the weeds and overgrown out. They want the land to look relaxing and pretty.

Petitioners stressed that the residents concerns about noise and odors are valid concerns, and they don't want to work in a noisy or smelly environment. They emphasized that unless dogs are trained to bark, like hunting dogs, they only bark in certain cases. The petitioners have experience calming dogs and minimizing the likelihood of excessive barking. Waste will be disposed of quickly and properly, so there should not be any odor issues.

#### Final Comments

Mr. Crum: We know this area will grow and eventually become mixed-use. This use is a good transition between the residential area and more commercial.

The Plan Commission has three options to send to the Town Council: a favorable recommendation, an unfavorable recommendation, or no recommendation.

**Mr. Price made a motion to forward a favorable recommendation to the Town Council. Ms. Schneckenberg seconded. The motion passed 5-0-1 (Mr. Stettler abstained)**

**Mr. Stettler took back leadership of the meeting.**

#### ***PC-19-010 Zoning Ordinance Amendment to allow telecommunication towers in Public/Semi-Public Zones as a Special Exception***

Mr. Crum: The Town is in communication with provider to allow tower on town hall property. This is in the very early stages of discussion, but to allow it to happen, we would need to change the Ordinance to allow it as a Special Exception. (Map to show which areas area currently zoned Public/Semi-Public). If we make the amendment, the developer will still need to apply to BZA for a special exception to build.

Tom Strayer: Some of these areas don't make sense, specifically the cemetery, to allow a telecommunications tower, which is why its proposed as a special exception, so it can be denied.

Mr. Stettler asked about a comparison to the facility on Olio Road. Mr. Crum said that our Ordinances only allow for a monopole design.

#### Public Comments

None

**Mr. Price made a motion to make a favorable recommendation to the Town Council. Mr. Wood seconded the motion. Motion passed 6-0.**

## **Announcements**

Director's report is posted – The Town Council heard two information presentations, one for Leo's Market, which will come before this Board in the next few months, and one for TC did hear informal presentations for Leo's eatery and Market, PJ's Waterworks, which is less likely to move forward.

Mr. Morelock asked if there were questions from the audience.

Phill Mueller asked for clarification on how the Board works and makes decisions. Mr. Morelock explained that they are an advisory board, so they hear petitions and make recommendations on the Town Council. The Town Council is an independent Board and will take the recommendation under advisement, but they are not bound by the Plan Commission's advisement. The Town Council will make the final decision. Mr. Mueller asked when the Town Council meeting is. August 13 at 7:00 pm.

Elizabeth Briggs – Has worked for the Underwood's for about 6 years. Tracy is focused on providing excellent care for the dogs and their owners; gives back to the community and wants the best for both. She emphasized that hunting dogs are trained to bark, and normal pets can easily be redirected so the barking does not become a nuisance.

## **Adjournment**

**Mr. Duhamell moved to adjourn. Mr. Price seconded. Motion passed 6-0. Adjourned at 8:19**