

TOWN OF Brownsburg

ADVISORY PLAN COMMISSION Minutes

**Brownsburg Town Hall
61 North Green Street
Brownsburg, Indiana 46112**

Monday, August 26, 2019

The Brownsburg Advisory Plan Commission was convened at 6:00 PM by Ben Lacey with a moment of silence and the Pledge of Allegiance. A roll call was taken; where upon determination of quorum was found.

Members Present: Ben Lacey, Richard Miller, Brett Scowden and Jack Swalley

Members Absent: Barry Francis and Chris Worley

Also Present: Todd A. Barker, AICP- Director, Joe James, AICP- Senior Planner, Lauren Gillingham- Planner I and Heather Wetzels- Administrative Assistant

C. APPROVAL OF PREVIOUS MEETING MINUTES

1. *July 22, 2019- Regular Meeting
2. *August 14, 2019- Special Meeting

***Motion:** Brett Scowden made a motion to **APPROVE** the July 22, 2019 regular meeting minutes and August 14, 2019 special meeting minutes, seconded by Richard Miller, motion carried 4 In Favor/0 Opposed/0 Abstained.

D. APPROVAL OF FINDINGS OF FACT AND REPORTS OF DETERMINATION

1. **PSDP-10-18-1684 Belle Tire DPR
2. **PCCZ-04-19-1721 Phillips Point Conditional Rezone to PD
3. **PSDP-06-19-1734 TJX/HomeGoods Maintenance Shop Addt. DPR
4. **PCMA-06-19-1735 Bill Estes Ford Expansion Rezone to C2
5. **PSDP-06-19-1736 Bill Estes Ford Parking Lot Expansion DPR
6. **PCPP-06-19-1738 Sunbelt Rentals Primary Plat
7. **PSDP-06-19-1739 Sunbelt Rentals DPR
8. **PSDP-06-19-1740 Public Storage Brownsburg DPR

****Motion:** Jack Swalley made a motion to **APPROVE** the Findings of Fact for PSDP-10-18-1684, PCCZ-04-19-1721, PSDP-06-19-1734, PCMA-06-19-1735, PSDP-06-19-1736, PCPP-06-19-1738, PSDP-06-19-1739, PSDP-06-19-1740, seconded by Richard Miller, motion carried 4 In Favor/0 Opposed/0 Abstained.

E. HEARING OF REQUESTS FOR CONTINUANCES

1. None

F. OLD BUSINESS

1. None

G. CONTINUED PUBLIC HEARINGS

1. None

H. NEW PUBLIC HEARINGS

1. PCZT-07-19-1749 Unified Development Ordinance PD District, Processes & ILP Updates

A recommendation for zoning text changes to the Unified Development Ordinance (UDO) to Amend Article 4.01 Planned Development District, Article 9.01 Introduction to Processes and Article 9.02 Improvement Location Permit.

ADVERTISED PUBLIC HEARING

Represented by: Joe. Y. James, AICP, Senior Planner

Joe James reviewed the case for the Commission explaining that with the Department of Development Services new planning and permitting program Citizenserve they would like to start using the Improvement Location Permit ("ILP") process more and would function as a zoning permit; in order to do that they had to amend Sections 9.01 and 9.02. After the ILP was issued they could do inspections to make sure the project was done in compliance with the approved ILP.

The second proposed amendment was to Article 4.01, the Planned Development section, to allow for alternative cul-de-sac designs. There had been issue with developers wanting to comply with the traditional cul-de-sac design standards required in the in the Town's standards. This change would provide an option and still get compliance with the Town's standards.

Mr. James said those were the two amendments before the Commission that night. The case had been advertised for a public hearing. Staff was seeking a favorable recommendation to send on to Town Council.

Brett Scowden suggested clarifying the cul-de-sac language to read "any alternate cul-de-sac design that exceeds six-hundred feet (600') in maximum length, has a radius less than forty-five feet (45') to the back of the curb, or radius less than fifty-five feet (55')."

He then referred to Section 9.2 F(6) of the Improvement Location Permit where it stated "The applicant may submit revisions up to two times within thirty (30) days from the decision to deny, after said limitation, a full reapplication." and suggested adding "is required" at the end.

Mr. Scowden said on the same page was language regarding Modification After Issuance of an Improvement Location Permit and thought it was confusing when #1 said modification was warranted due to discoveries during construction or other significant finding but then it stated with #3 that it must be requested prior to construction. He asked how something could be discovered *during* construction but it must be requested *prior* to construction.

Mr. Scowden and the Commission members discussed that language and the placement of the sentences in section H with each other and with Staff. A suggestion was made that there be distinction between modifications warranted for discoveries made before construction and modifications warranted for discoveries made during construction. The Commission felt a legal review would clarify the issue.

Mr. Scowden then noted there were letters out of sequence following that section. There was no "J" section; it jumped from I. Modifications to K. J. Record of Improvement Location Permit. There was no "L" section. Certificate of Zoning Compliance should be a new section. "No, Building" should not have a common there. Violations should be section L not M.

ADVERTISED PUBLIC HEARING OPENED

Motion: Brett Scowden made a motion to send a **FAVORABLE RECOMMENDATION** to Town Council for PCZT-07-19-1749 as amended above, seconded by Jack Swalley, motion carried 4 In Favor/0 Opposed/0 Abstained.

ADVERTISED PUBLIC HEARING CLOSED

I. COMMUNICATIONS AND COMMITTEE REPORTS

1. 2020 Meeting Dates

Motion: Brett Scowden made a motion to **APPROVE** the 2020 Plan Commission Meeting Dates as presented, seconded by Jack Swalley, motion carried 4 In Favor/0 Opposed/0 Abstained.

J. MISCELLANEOUS BUSINESS

1. None

L. ADMINISTRATIVE FILINGS

1. None

M. CASES FILED FOR FUTURE MEETINGS


1. PCMA-08-19-1753 Main Street Lofts Rezone To M3

M. ADJOURNMENT

Motion: Brett Scowden made a motion to **ADJOURN**, motion carried 4 In Favor/0 Opposed/0 Abstained. 6:22 p.m.

ATTEST: Todd A. Barker

Todd A. Barker, AICP, Administrator



Benjamin Lacey, President