



Planning & Building Department
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ADVISORY PLAN COMMISSION
Minutes

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

Monday, August 22, 2011

The Brownsburg Advisory Plan Commission convened at 7:00 PM with the Pledge of Allegiance. A roll call was taken, whereupon determination of quorum was found, 6 of 7 members.

Members Present: Don Spencer, Jim Hill, Brett Scowden, Summit Ghosh, Jack Swalley, and Eric Willman

Members Absent: Tom Lacey

Also Present: Todd A. Barker, AICP – Director of Planning; Jonathan Blake – Planning Technician; Tricia Leminger – Attorney

C. Consideration of Minutes of Previous Meeting(s)

1. July 25, 2011 – Regular Meeting

MOTION: Jack Swalley made a motion to **APPROVE** the minutes, seconded by Eric Willman, motion carried 6-0.

D. Approval of Finding of Fact and Reports of Determination

1. NONE

E. Projects Requesting Continuances

1. NONE

F. Old Business

1. NONE

G. New Business

1. PSDO-7-11-1080 IHOP FAMILY RESTAURANT 395 W. Northfield Drive
As a result of an issue with the publication of notice on the newspaper's behalf; IHOP is asking for a continuance.

Don Spencer excuses himself from PSDO-7-44-1080 case do to the involvement his firm has with the project.

Jack Swalley opened and recessed the Advertised Public Hearing until the next scheduled meeting on Monday, September 26th at 7:00pm in the Town Council Room.

MOTION: Jack Swalley made a motion to **CONTINUE** PSDO-7-11-1080 to the next schedule Plan Commission Meeting on Monday, September 26th at 7:00pm in the Town Council Room, second by Brett Scowden, motion was carried 5-0.

H. Reports from Officers, Committee & Staff

1. There will be a follow-up Training Special Meeting on August 24th in the Tech Room at 6:00pm.

2. Comprehensive Plan Downtown Vision Workshop at September 7th @ 6:30pm. This is a workshop where we are asking for the public's input. Invitations will be sent out this week.

Tricia Leminger stated in regards to the notices that are required to be mailed out for the Brownsburg East project informing the property owners that it will be required to re-zone this property and give it new zoning classifications. Ms. Leminger is asking the Plan Commission if they would like to waive the rules of procedure that require certified mailing of the notices due to the high cost. Ms. Leminger stated if the commission waives the certified mailing the letters could be sent through the regular mail. Certified mail would cost \$5.95 per envelope and \$5.95 X 1000 comes out to be around \$6000. Ms. Leminger stated that if sent by regular mail it would be less than \$1000. Ms. Leminger suggested the Plan Commission could require the notice to be advertised in the newspaper as well as using regular mail. Or the other option is to send out the mailing using the certified mailing as required and incur the costs. Ms. Leminger is asking for direction from the Plan Commission. When direction is given she will inform the Town Council at the Town Council Meeting on Thursday night.

Jack Swalley stated he would suggest sending notifications through the regular mail due to the cost.

Don Spencer stated he does not want the perception to be that the Plan Commission changes the rules to help the Town's pocket book. He said we should incur the cost and mail out as required.

Tricia Leminger indicated that all the property owners that will need to be notified have already been notified due to the annexation project.

Eric Willman stated if we do make the exception we are protecting the pocket book of the residents of the Town of Brownsburg because initially that is where the money comes from. He is not sure how he will vote.

Brett Scowden stated he is in favor of using regular mail.

Jim Hill stated he is in favor of mailing the notices through regular mail.

Summit Gosh was in favor of using regular mail.

MOTION: Jim Hill made a motion to **WAIVE and SUSPEND** the rule 4.5 as it requires certified mailing for the Rezoning Notification of the Brownsburg East project only and that regular mail can be used do to the high cost of the certified mailing for this project and there will be a additional notice posted in the newspaper and posted on our web-site, seconded by Jack Swalley, motion carried 5-1. Jack Swalley, Jim Hill, Summit Gosh, Eric Willman, and Brett Scowden are all in favor of the waiver and suspension of the certified mailing. Don Spencer voted against the waiver of certified mailing.

Tricia Leminger asked the question if the Plan Commission would like to specify this waiver is for this re-zoning only and if they would like to recommend the ordinance to read under special circumstances and is limited to annexations that deal with rezoning. The commission decided to limit this to annexations that deal with rezoning only.

Don Spencer stated he feels we need to be careful, make sure we communicate with the public properly.

I. Communications & Bills

1. Rick Bolt resides at PO Box 196 Brownsburg, IN 46112

Rick Bolt gave an update on North Green Redevelopment. Please see attached presentation dated August 22, 2011.

Don Spencer asked what is the average distance people are willing to walk in downtown areas. Mr. Bolt stated the distance people are willing to walk to a destination is approximately 1200 ft.

Don Spencer stated the presentation was good and thanked Mr. Bolts for his presentation and all the effort he put into it.

Rick Bolt stated he is looking for input.

J. Administrative Fillings

1. CPSP-7-11-1078 Eaglepoint Business Park-Lot 21 1211 E. Northfield Drive
Secondary Plat for Vance and Hines site plan.

2. ASDP-7-11-1079 Vance & Hines Building No. 7 1211 E. Northfield Drive
Site Development Plan The six (6) foot vs. twelve (12) Multi-Use Path

Todd Barker is asking for direction from the Plan Commission in regards to six (6) foot vs. twelve (12) foot Multi-Use Path. The Greenway Path proposes a twelve (12) foot Multi-Use Path as part of Northfield Drive existing today; there is a six (6) foot Multi-Use Path in the area north and a couple properties south of this piece of property to be developed. The town is in the process of utilizing Federal Funds to use in expansion east of Northfield Drive from 56th Street to 136. The town will be expanding that road way and including a path expansion project. Vance and Hines is requesting to include a six (6) foot path included in their project with written commitments to participate in the cost of the twelve (12) foot path that would be brought to their doorstep, either north or south.

Don Spencer asked if that commitment was included in the sale of the land.

Todd Barker stated the commitment would go on our Standard Written Commitment form and would get recorded at the recorder's office which would tie that to the property.

Eric Willman asked if the path would get redone when the Town's project takes place.

Todd Barker stated Vance & Hines is willing to adhere to the commitment.

Todd Barker stated another options is to not include any trail at this time. Vance and Hines does feel there is value of having the trail there and would be willing to include the six (6) foot as part of their project.

Eric Willman asked if there is a R-O-W involved.

Todd Barker stated there is a R-O-W included that will be donated as a condition of the secondary plat.

Larry Longman with Lauth stated they are donating an additional seven and half (7½) feet west of the existing R-O-W line. Additional six (6) foot will go back toward the east to the curb line. Mr. Longman stated the landscaping will be held back as well so we do not have to manipulate that in the future.

MOTION: Eric Willman made a motion to **ACCEPT** the commitment letter, seconded by Jim Hill, motion was carried 6-0.

K. New Business

1. NONE

L. Task List

1. **Capital Projects See notes**

M. Adjournment

MOTION: Eric Willman made a motion for ADJOURNMENT, seconded by Don Spencer, motion was carried 6-0. 8:15pm

Don Spencer, President

ATTEST:

Todd A. Barker, AICP, Administrator