



Culver Planning Commission Meeting Minutes

June 20, 2019

Summary of Council Actions:

Items	Motion Made By	Seconded	Vote (For – Against - Abstained)
Motion to approve May 2019 minutes.	Mr. Oosterbaan	Mr. Peterson	7 – 0 – 0 Approved
Motion to open Public Hearing 2019-008P, proposed re-plat	Mr. Peterson	Ms. Dehne	7 – 0 – 0 Approved
Motion to close Public Hearing 2019-008P	Mr. Peterson	Ms. Dehne	8 – 0 – 0 Approved
Motion to approve proposed re-plat.	Mr. Oosterbaan	Mr. Peterson	8 – 0 – 0 Approved
Motion to open Public Hearing 2019-009P, to re-zone from S-1 to PUD	Mr. Peterson	Mr. Bean	8 – 0 – 0 Approved
Motion to close Public Hearing 2019-009P, to re-zone from S-1 to PUD	Mr. Peterson	Mr. Bean	8 – 0 – 0 Approved
Motion to approve re-zoning from S-1 to PUD subject to the Plan Commission reserving the right to approve the secondary plan	Mr. Oosterbaan	Mr. Fox	8 – 0 – 0 Approved

1. Call to Order

President Barry McManaway called to order a regularly scheduled meeting of the Culver Planning Commission at 6:30PM on June 20, 2019 at the Culver Town Hall.

2. Roll Call

Mr. Fox conducted roll call. The following members were present: Barry McManaway, Pete Peterson, Margaret Dehne, Chester Gut, Marty Oosterbaan, Don Fox, Dan Osborn, and Building Commissioner Chuck Dewitt. Wayne Bean joined the meeting in progress

3. Pledge of Allegiance

Led by Mr. McManaway

4. Approval of May 21, 2019 Minutes

Mr. Oostrebaan moved to approve the April 16, 2019 minutes. Mr. Peterson seconded. The motion was approved 7-0-0.

5. Public Hearing 20019 – 008P, Proposed re-plat.

Mr. Peterson moved to open the hearing. Ms. Dehne seconded. The motion was approved 7-0-0. The hearing was opened at 6:32 PM.

Mr. Berger presented a proposed re-platting of land bisected by Cavalier drive into three lots. These proposed three lots include Sandhill Apartments and what will become the Paddocks. This area is currently zoned S1 with special use for apartments and townhomes.

There were no public comments.

Mr. Peterson moved to close the hearing. Ms. Dehne seconded. The motion was approved 8-0-0. (Mr. Bean had joined the meeting during the public hearing.) The hearing was closed at 6:36 PM.

Mr. Oosterbaan moved to approve the proposed re-plat. Mr. Peterson seconded. The motion was approved 8-0-0.

6. Public Hearing 20019 – 009P, Proposed re-zoning from S1 to PUD (Paddocks project)

Mr. Peterson moved to open the hearing. Mr. Bean seconded. The motion was approved 8-0-0. The hearing was opened at 6:38 PM.

Brent Martin from SMKR Architecture presented the site plan for the Paddocks project. He explained the project, which contains 24 apartments as well as 24 townhomes with garages behind them. The townhomes are on a rent to own program.

Mr. McManaway asked about connectivity between the Paddocks and Town. Mr. Leist explained that connectivity would be addressed for the secondary approval by the Commission at time in the future to be determined. Mr. Leist stressed that part of this plan would include a right of way connecting the Paddocks/Sandhills projects with Cass Street.

Mr. Osborn asked about "rent to own." Mr. Berger explained that the townhomes were rentals for 15 years. At the 15-year point, they will be available for purchase by the then current tenant(s) as condominiums (the land will not convey) at a depreciated price. This is a new State program, and there is no formula yet in place to know what the value of these units might be in 15 years.

Mr. Oosterbaan asked about the landscaping plan and whether sidewalks were adjacent to Cavalier Drive or separated from the drive by a strip of grass and trees. Mr. Martin explained that there was six feet of separation between the street and the sidewalk, but was unsure about whether that might be enough for trees. Mr. McManaway said this was probably a good topic for the secondary review when that comes before the Commission.

In response to a question from Mr. Bean, Mr. Berger said his target construction budget was \$160,000 per unit of the townhouse.

Mr. Oosterbaan said we should reserve the right to approve the secondary plan to make sure there would be trail and sidewalk connectivity to Cass street.

Mr. Peterson moved to close the hearing. Mr. Bean seconded. The motion was approved 8-0-0. The hearing was closed at 6:56 PM.

Mr. Berger said he did not want to be held up on this project with a right of way for a trail contingent upon a third party property owner. Mr. Leist said he was optimistic that this could be addressed by the time of a secondary review.

Mr. DeWitt said he estimated it would be at least a month before any secondary plans would be available for review.

Mr. Oosterbaan moved to approve the proposed re-plat and re-zoning, provided that the Commission reserved the right to review and approve the secondary plan. Mr. Fox seconded. The motion was approved 8-0-0.

7. Unsafe Buildings

Mr. DeWitt said that there is a court Hearing on the 8th August on 709 Obispo. No hearing date yet for the former City Tavern before the Marshall County Court.

Mr. Oosterbaan said that at a Regional Stellar meeting a professor from Ball State University noted that there was a direct relationship between unsafe and dilapidated buildings in a community and the values of other properties. He states that we need to find a better/more expeditious way to deal with these structures and that should include sufficient budget authority to deal with these buildings.

8. Old and New Business

Mr. DeWitt raised a concern about some erosion on the Sandhill Farms property. The erosion is located on the south west side of the building. Mr. DeWitt also noted that the site plan called swale on the east side.

9. Citizen Input

Ms. Stephanie Peric noted that had been a recent lag in Commission minutes being uploaded to the Town website. Mr. Leist said that the Town Clerk uploaded them as she could and that he would try to make sure any minutes that are not yet posted get uploaded.

Kevin and Amy Bonine of 19217 Tamarack Road asked about subdividing part of their 11 acres to give to parcels to their children so that they could build houses for themselves. Mr. McManaway said that the Bonines would need to get the property surveyed and bring back a proposal to the Commission. So long as the lot sizes are large enough, this is doable.

Mr. DeWitt noted that the Bonine property was zoned S1, so there would need to be septic and that the Bonines should consult with the Health Department to make sure two more septic systems could work on the subdivided properties.

Ms. Bonine also asked where the threshold was for a major versus minor subdivision. Mr. DeWitt explained it would depend on whether/how the current property had been split at some point in the past from a larger parcel.

10. Commission Members Concerns

There were none.

11. Building Commissioner's Report

Mr. DeWitt reported on the court cases pertaining to the Obispo Street and at 415 Lake Shore Drive properties. Re: Obispo, it appears there may now be a certified owner (the property was part of an estate), who wants to sell the property. Re: Lake

Shore, the property owner has questioned whether Mr. DeWitt can sit on the Unsafe Building Committee and also declare a building unsafe in his role as the Building Commissioner. This case is now on appeal to the Court.

10. Motion to Adjourn

Mr. Peterson moved to adjourn the meeting. Mr. Gut seconded. The motion was approved 8-0-0 and the Commission adjourned at 7:18 PM.

The next regularly scheduled meeting will be Tuesday July 16, 2019 at 6:30 PM.

Minutes approved by:

Barry McManaway

Pete Peterson

Chester Gut

Margaret Dehne

Wayne Bean

Don Fox

Marty Oosterbaan

Dan Osborn