



Culver Planning Commission Meeting Minutes

November 19, 2019

Summary of Council Actions:

Items	Motion Made By	Seconded	Vote (For – Against - Abstained)
Motion to the October 2019 minutes.	Ms. Gut	Mr. Peterson	8 – 0 – 0 Approved
Motion to Adjourn	Mr. Gut	Mr. Osborn	8 – 0 – 0 Approved

1. Call to Order

President Barry McManaway called to order a regularly scheduled meeting of the Culver Planning Commission at 6:30 PM on November 19, 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, Wayne Bean, Marty Oosterbaan, Don Fox, Dan Osborn, and Building Commissioner Chuck Dewitt.

3. Pledge of Allegiance

Led by Mr. McManaway

4. Approval of November Minutes

Approval of the minutes of the August 20, 2019, meeting had been deferred as the minutes were not received by the members in sufficient time before the September meeting. Mr. Gut moved to approve those minutes. Mr. Peterson seconded. The motion was approved 8-0-0.

5. Old and New Business

Replat 90 South Shore Drive

Mr. DeWitt said this is the combining of two existing lots owned by the Farabaughs into one. No motion was required.

Possible Re-zoning of property owned by Culver Community Schools and Culver Educational Foundation

Mr. Dewitt introduced Mr. Ty Adley, Marshall County Planning Director, to address re-zoning of property owned by Culver Community Schools and the Culver Educational Foundation.

Mr. Adley then made a presentation on what other jurisdictions are doing with similar institutions. The presentation attached to the minutes.

The purpose of zoning is health, safety, and general welfare. Currently, there are 12 zoning districts in the Culver zoning boundaries. Mr. Adley then talked about Kosciusko County, Bloomington, IN, which includes Indiana University and then communities in California and Villa Hills, KY, which has Thomas Moore University. Each of these jurisdictions has approached zoning slightly differently.

Culver Community is currently zoned R-1 and Culver Academies is zoned S-1. Each of these has different setbacks. Mr. Adley noted that both institutions also border state highways. Mr. Adley noted there are 23 different uses of property that can be approved without variance if setbacks and height restrictions are met.

The purpose of the presentation was to tee up the possibility of creating a new educational use district, through amendment to the Culver Zoning Ordinance.

Mr. Peterson ask if the purpose was to make it easier for the schools to develop their properties to meet their needs? Mr. Adley responded that one purpose was to standardize educational uses into a new zoning type that the institutions could develop by right within reasonable standards as approved in an amended ordinance.

Mr. DeWitt noted that Marshall County had an "overlay" district that includes Ancilla College. Ancilla is in an A-1 agricultural district, but the "overlay" allows Ancilla to develop with greater flexibility to meet its institutional needs.

Mr. Oosterbaan asked "what issues are we trying to solve?" Mr. Jeff Kutch, Culver Academies Facilities Director responded that among the issues are dealing with internal property lines, e.g. and avoiding the necessity, delay, and cost associated with routinely seeking variances.

Mr. Gut asked if this would expand uses? Mr. Adley said it depends on what an amended ordinance might say. Mr. Kutch added that there should be no uses that were not consistent with what structures already exist at the Academy.

Mr. McManaway asked such a district might permit more liberal standards that would not be allowed in a similar district, e.g. would a 50' tall single family residence that would not be permitted in an R-1 district be allowed in an educational district. Mr. Fox also asked how the process might work? Mr. Adley clarified that if a "Z-1" standard were to be approved, then the property owners would petition for which parcels to include in such a district.

Mr. DeWitt recommended that a task force be formed to map out what a possible "Z-1" district might or might not allow and invited members of the Commission who were interested in contacting him.

East Shore Conservancy

Mr. McManaway said that the Plan Commission should be included in the approval process for any conservancy before such a proposal went to the Town Council for approval. Mr. Peterson asked what the land use issues were? Mr. McManaway said there might be a possible change of use in some locations.

Motion to Cancel the December 2019 Meeting

Because there was no business to come before the Commission in December, Mr. Gut moved to cancel the meeting. Mr. Peterson seconded the motion. The motion passed 8 – 0 – 0.

Building Commissioner

Mr. DeWitt had nothing to report.

Citizen Input

Mr. Bill Harris asked if it was possible to vacate or undo a minor subdivision that had combined three smaller parcels on 19th road near the corner of Tamarack (parcel map attached.) The minor subdivision actually straddles Tamarack where it makes a jog. There is a possible buyer for one of the parcels. Mr. McManaway said the property to be re-divided. Mr. Harris noted the expense associated with this approach and asked whether the Commission could just undo the minor subdivision. Mr. DeWitt will look into this and report back.

Mr. Kevin Berger recommended that the Commission begin to re-look the Culver Comprehensive Plan. The current plan is from 2014, and best practices are that a comprehensive plan should not be more than five years old. An update or complete re-write could be done, but given all that has transpired a complete re-write may be best.

Mr. Berger also noted that a major land use issue with the proposed conservancy is that establishing the conservancy could preclude any possible future annexation. By approving the conservancy, the Town of Culver would give up the right to annex and

provide full services at some time in the future. Mr. Adley added that we should consider what might happen within the two mile zoning boundary over the next 25, 30, or 40 year timeframe.

Mr. Fox asked in the Town Council was aware that the Conservancy would preclude any future annexation. Mr. Oosterbaan said he had discussed the issue with Town Council President Monroe and Town Manager Leist, and was under the impression they were looking at perhaps a 10 year time horizon. Mr. Berger reminded the Commission of the amount of land that had been annexed in the past five years.

Commission Member Concerns and Input.

415 Lake Shore. Mr. Gut asked what happens now that the structure has been destroyed fire. Mr. Bean said the Town Council had discussed last week. Mr. DeWitt said the excavators and IDEM would be on site December 3.

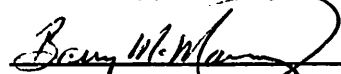
Cass Street Property. Mr. McManaway said this may come back to the Commission for possible de-annexation.

709 Obispo. Mrs. Stephanie Peric noted there was a full dumpster at the property, which she considered to be good news.

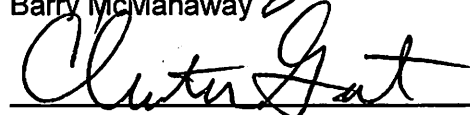
Motion to Adjourn. Mr. Peterson moved adjourn the meeting. Mr. Osborn seconded. The motion was approved 8 – 0 – 0. The meeting adjourned at 7:51.

The next regularly scheduled meeting will be Tuesday January 21, 2020 at 6:30 PM.

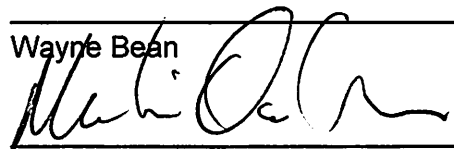
Minutes approved by:




Barry McManaway



Chester Gut

Wayne Bean


Marty Oosterbaan



Pete Peterson

Margaret Dehne

Don Fox


Dan Osborn