



Mr. Brandgard: I would move we keep the same President, and Vice President, as things are working well.

Mr. McPhail: I would second that.

Mr. Slavens: We have a motion and a second to keep the elected appointments the same as 2020. Refresh my memory, is this a roll call or verbal?

Mr. Klinger: I would say verbal

Mr. Slavens: Everyone in favor say aye.

(All ayes)

Mr. Slavens: Opposed?

(brief pause)

Mr. Slavens: Thank you. Appreciate the endorsement.

## **APPROVAL OF MINUTES**

Mr. Slavens: Next item on the agenda is the approval of the minutes from December 7, 2020. I need a motion to approve or any amendments proposed.

Mr. Smith: Mr. President, I would move that we approve the minutes of December 7, 2020.

Mr. Slavens: Thank you, Bruce. We have a motion; do we have a second?

Mr. Bahr: Second

Mr. Slavens: We have a motion and a second; all in favor of the approval of the meeting minutes, please say aye.

(All ayes)

Mr. Slavens: Any opposed?

(brief pause)

Mr. Slavens: None – motion moves forward, approval of meeting minutes.

## **GUIDELINES OF PUBLIC HEARING VIA TELECONFERENCE**

Mr. Slavens: Tonight, there is one item listed as a public hearing – Harper’s Crossing Primary Plat. Anybody who is online who would like to speak for or against the public hearing, Kim will be monitoring the chat. And then if you had an opportunity to – and we’ll verify with staff if anybody had an opportunity to speak for or against this to staff, prior to tonight’s meeting, given that it’s a public hearing.

## **OATH OF TESTIMONY**

Mr. Slavens: Given that it’s a public hearing – Mel, Oath of Testimony?

Mr. Daniel: It’s my understanding that they are going to ask that that be continued. So, you might want to take that up first because we may not need to swear anybody.

Mr. Slavens: Yep, okay. The first item up for public hearing is Harper Crossing Primary Plat – PP-20-099, requesting a continuance. This was continued from the November 2<sup>nd</sup> meeting as well. We need a motion or discussion to continue to a future meeting. I guess before we go forward with that, we’ll go to maybe Terry – are we looking for a continuance to February or after, given that it was continued in November as well?

Mr. Jones: My understanding is that they’re interested in continuing to February. They’ve had some issues with the lot split – they’re actually dividing Lot 4 of Hendricks County Plaza 2, and they did not include the remnant piece, or the leftover piece, so they need to get the two caught up together so they can bring in the proper lot split.

Mr. Slavens: Okay

Mr. Jones: This finally settled in and they finally understood what they needed to do, last month, so that’s why this continuance is necessary.

Mr. Slavens: Okay – so, turning back to the Commission members for any further discussion or approval to continue.

Mr. McPhail: Yeah, I’d just ask Mel – this would be the third continuance, would they have to re-notice?

Mr. Daniel: Yes, they would, yeah.

Mr. McPhail: Okay, thank you. I would move that we allow the continuance.

Mr. Slavens: Thank you, Kent. We have a motion; do we have a second?

Mr. Phillip: Second

Mr. Slavens: We have a motion and a second. Andrew, if you could take roll call on the motion to continue to docket?

Mr. Klinger: Yeah, who made the motion? I'm sorry, I missed that.

Mr. Slavens: Kent made the motion and then Rich was the second.

Mr. Klinger: Yeah, I got Rich. All right, so we'll do a roll call.

Mr. Phillip – yes

Mr. McPhail – yes

Mr. Brandgard – yes

Mr. Smith – yes

Mr. Kirchoff – yes

Mr. Bahr – yes

Mr. Slavens – yes

PP-20-099 is continued.

Mr. Slavens: Thank you – and they're expected to have a re-notice of a public hearing for the February meeting. So, let's close the docket for any sort of public hearings and turn it over to old business/new business.

## **OLD BUSINESS/NEW BUSINESS**

Mr. Slavens: Kevin, I'm assuming we'll go over to you. The first one is Amendment to the Plan Commission Rules of Procedure.

Mr. Whaley: Yes, thank you Mr. Chairman. As noted in the Director's report, we provided a set of amended Rules of Procedure, which includes the amendments that we've discussed at prior meetings, I think back in October and November, which addresses the notice requirements and also provides a little bit of cleanup in terms of updating the information, including changing the Department of Planning and Zoning over to the Department of Development Services – Division of Planning and Zoning, as well as some additional updated information regarding meeting information. I did send out, probably about half an hour ago, to the Plan Commission members, an updated copy of the amended Rules of Procedure, which incorporates some additional comments that were provided to staff by legal counsel. I will quickly go through some of those additions here really quick. The first was on the Notice of Mailing, section 2, page 6 – just adding

the statement “return receipt requested”. As noted in the email, this is referenced on the next page of the Rules of Procedure, but we thought that adding it here as well, would just reaffirm that requirement, since that was pretty heavily discussed at prior meetings. Also, on page 7 I believe it was – Defective Notice – the last sentence seemed to contradict the statement that was made before it, and we decided that removing that sentence would clean up that language a little bit and make it a little clearer. And these changes are highlighted in yellow. And then the final one was, we added an additional statement – the meeting conduct, the item “g”, which is “Allotted times provided for may be extended at the discretion of the President”. So, those are the most recent additions. We have provided a Resolution to adopt the Rules of Procedure, if you so choose to do at tonight’s meeting, but we’re also open for further discussion on the amendments, if that’s what you decide.

Mr. Slavens: Open up to the Commission members for any further discussion and/or for further modifications, or adoption to proposal to resolve. I did not have any other feedback, I think it all makes sense, great update, cleaning it up. Nothing was glaring for me, myself – as well as the amendment from Mel. I have no further discussions, so we’ll go to the Commission members, or for a motion.

(brief pause)

Mr. McPhail: Mr. President, I would move that we approve the changes to the Rules of Procedure of the Plan Commission.

Mr. Smith: Second

Mr. Slavens: We have a motion and a second. Roll call, Andrew, please.

Mr. Klinger:

Mr. Phillip – yes

Mr. McPhail – yes

Mr. Brandgard – yes

Mr. Smith – yes

Mr. Kirchoff – yes

Mr. Bahr – yes

Mr. Slavens – yes

The Resolution is approved (Resolution 01-2021)

Mr. Slavens: So, then Kevin, would we expect to get a DocuSign? Because I notice that all Commission members have to sign the document.

Mr. Whaley: Yeah, we'll circulate the document for signatures, both the Resolution and the amended Rules of Procedure.

Mr. Slavens: Should we expect the DocuSign work or...?

Mr. Whaley: Yeah, yep.

Mr. Slavens: Perfect. Next item, the introduction of 2021 Omnibus.

Mr. Whaley: Yeah, so included in your packets, staff has provided a draft copy of some amendments to the Zoning Ordinance, title 2021 Omnibus. In years past we have tried to group some of these amendments together to give consideration to the amendments all at once to try to cut down on the number of Ordinances that come through the Plan Commission, and to consider a variety of items that are similarly grouped together at the same time. The 2021 Omnibus that we've been working on includes some additional definitions and modifications to definitions, as well as addressing the Development Standards Variance – Findings, to change that over to Practical Difficulties, rather than Unnecessary Hardship. Practical Difficulties language is included in the State Statute, and that's really what should be in the Zoning Ordinance, so we are recommending to change that over to Practical Difficulties. Also, as we look at the definitions, we included a definition of Patio Cover and this is a type of structure that is not currently defined in the Ordinance – I'm going to talk a little bit more about this after we go over the Accessory Uses, because I think it will make more sense at that point, but I included it here since we're talking about definitions. What this will allow us to do is be differentiated from a porch, which isn't defined in the Ordinance, but this is a different type of structure, so we wanted to create a definition for that. In terms of Lot Coverage, we've discussed this in the past and we have sought to try to take the existing classification of our Lot Coverage Guidelines and pare that down, make it a little bit simpler to understand and also give some additional allowances for people who are looking to expand and provide additional Accessory Structures on their property. The current definition includes Primary and Accessory Structures such as decks, patios, pools, garages, and those types of structures. But it excludes some of your Grade Level improvements such as sidewalks and driveways, and also fences and walls which are not attached to any particular roof. What we've done is take this and classify it as Primary and Accessory Buildings, rather than Structures, because Structure is a much broader definition, a much broader term, so it includes a lot more structures. We've refined that down to buildings, but then put in a caveat that would exclude attached, open porches, canopies, patio covers, things of that nature. These types of structures are excluded from the calculation of main floor areas, so we thought it appropriate to exclude that here as well, to provide some consistency. Also, these structures tend to be additions that are robust in terms of their massing because they're not enclosed. So, it's providing a cover over the area, but it doesn't necessarily expand upon the building in the same way a room addition would. In terms of the Accessory Uses and Structures section of the Zoning Ordinance, here is a description of some of the changes that we've proposed within our draft. In terms of General Setbacks, there's been some confusion in the past about whether or not an Accessory Building Setback applies to a specific structure, or if it's actually the Primary Building Setbacks. And so, what we've tried to do is include some language in the Ordinance that would establish

the Base Standard as being the Accessory Building Setback for a property for Accessory Structures and Uses. Within the Ordinance previously, or I guess currently rather, under the Swimming Pool section it does say that Swimming Pools have to meet the Standards of Accessory Buildings, whereas other structures meet Primary Buildings. So, again, there's that discrepancy or that differentiation. It also references, or includes, the specific safety requirements for fence enclosures or for pool covers, automatic safety covers, and we thought it would be more appropriate to reference the Indiana Residential Code and the Indiana Electrical Code, because those documents are updated from time to time and if we reference those, then that language would be adopted by reference, and as it changes it would get included in the Ordinance, rather than us having to amend the Ordinance if things change. Also, Patios and Decks, the current Ordinance requires that these meet the setback of the existing residence, which is causing a bit of grief for some individuals in the community because their structures are built to that Primary Residential Rear Yard Setback, and when that happens there's no room to add on a deck or a patio unless it's an at Grade Level improvement. So, we have tried to clean this up a little bit to make it so that Patios and Decks have to meet the setback of the Accessory Building, rather than the Primary Building. And again, if you look at the Ordinance, you know, initially when you're reading through it, it talks about Patios and Decks having to meet that setback of the Primary Structure, but then as you get further into the Ordinance it does talk about the Grade Level improvements, so that does cause a little bit of confusion on which setback is administered. So, again, we're setting that default as the Accessory Building Setback, which is typically less than the Primary Structure. Then in terms of porches – you know, as I said, porches have to meet the setback of the Primary Building, and what we have proposed within the draft would be to allow porches and patio covers to extend into the rear yard setbacks, so long as they remain unenclosed, so not enclosed with any walls, screens or other types of barriers, things of that nature, to basically allow for patio covers and other types of improvements such as pergolas, to extend into that setback and cover patios which are pretty prevalent throughout town. We're starting to see an increase in you know, people filing for permits for these types of structures on the property, and so this would allow for some additional improvements to take place within that rear yard. These structures would have to meet the setback of the Accessory Building, so say for example, the rear yard setback is 5 feet, you would be allowed to go up to 5 feet the way that we've currently proposed, but we're certainly open to additional restrictions if the Commission finds that that setback too low or too little for that type of improvement. We have seen in other communities where they will place a specific caveat that it can encroach into the rear yard up to the setback so long as it's not reduced to a certain number. So, say for example and encroachment of 10 feet would be allowed as long as it meets that Accessory Building requirement as well. So, there are some different ways of approaching that issue. Does the Commission have any comments on any of these issues that we are proposing to address? Do you think that we are headed in the right direction? What we would do is we would take any comments that you do have tonight, and then continue to work with legal counsel to refine some of these proposed amendments and bring those to you at a future meeting; but we would entertain any comments that you have.

Mr. McPhail: Kevin, could you, can you email this information to us so that so we can have a little time to “kanoodle” on it?

Mr. Whaley: Sure, are you referring to the slides?

Mr. McPhail: Yeah

Mr. Whaley: Okay, I was going to say, the proposed amendments were sent with the agenda so you should have received those, but I can send the slides, which gives a summary, as well, absolutely.

Mr. Smith: And Kevin, can I ask a question here? Back about the swimming pools, back about one slide – do you know what the Indiana Code is at this time, concerning swimming pool safety? Did it require – what does it require, do you know?

Mr. Whaley: The Indiana Residential Code requires either you have a 4 foot tall fence surrounding the pool – and this is for an inground pool – or that it be protected by an impenetrable barrier of 4 feet. So, above ground pools that are 4 feet tall don’t need to have the fence. An inground pool, if you do not provide the fencing, you have to provide an automatic safety cover.

Mr. Smith: Okay, all righty. Well, just my personal thought is – and the Residential Code may be the way to go, but personally, and we’ve experienced this in our own subdivision with a couple of homes that put pools in the backyard, I’m kind of a belt and suspenders kind of guy on this particular issue; I’d like to see both. The pool cover protects from the threat from inside, if you will, so you don’t have kids come out and fall into the pool. The fence protects dangers from the outside coming in. And so, in other words, personally I’d like to see both. If I build a pool...

Mr. Whaley: I agree with you, but I would just say that in the past, the previous community I worked for, they required both and we ran into some issues with the State since this is one of those areas, since the Indiana Building Commission regulates this particular building improvement...

Mr. Smith: Right

Mr. Whaley: It basically supersedes local Ordinance unless you go through the Building Commission and get their approval.

Mr. Smith: I hear you. I wonder if maybe an HOA, because we get those frequently, I wonder if an HOA could raise the standard to include both.

Mr. Whaley: I would look to Mel’s feedback on that question.

Mr. Daniel: Thanks a lot.

Mr. Whaley: Sure

Mr. Daniel: And off the top of my head, I don't know the answer to that, whether they can adopt a stricter rules and regulations.

Mr. Smith: Yeah

Mr. Daniel: I hate to guess on these things, and I'm not going to; I'm going to speculate and say that I think there's a possibility that they can, but we can check on that.

Mr. Smith: Oh, it's not worth any trouble, I guess it's my personal preference, and if I built a pool, I would certainly spend the extra money, but I know cost is a factor here also, so I understand.

Mr. Kirchoff: Bruce, I have trouble supporting your thought process. I understand it but I think that's overstretching our bounds here.

Mr. Smith: Right, well it may overstretch for us; I think a homeowner should consider this situation though, to be just as safe as possible.

Mr. Kirchoff: I understand, but that's their decision; I have trouble requiring that.

Mr. Smith: Yeah, I hear you.

Mr. McPhail: Well, I'm going to jump in here and support Bruce. You know, and it's a personal thing with me; I have a personal family friend that had a grandchild drown on a pool cover. And I had a pool with a cover, and those things will hold 2-3 feet of water if you don't keep them pumped off. And they are dangerous for young children to be around; they can just walk up to that pool and walk out on that thing. It's a safety issue for me.

Mr. Smith: I don't know the answer; I wish there was a better answer.

Mr. Slavens: It sounds like, probably from a legal perspective and clarity perspective, where we all may agree with the safety concerns, is that from a Code perspective, referencing the Indiana Residential Code, in this case, is probably going to be our safest bet given that it supersedes any local recommendations.

Mr. Smith: Right

Mr. Slavens: Is that correct?

Mr. Smith: Yeah, that's fine. I think we probably need to go with the State Code to stay on the right side of that situation.

Mr. Slavens: Okay – I have no other feedback besides great work. I mean, I like the idea of generalizing it more and making it more of a high level, more succinct and in groups, rather than calling out things specifically. So, you know, like Kent said, if we need to digest it more, great, we can, and then come back in February for more consideration, but I definitely like the direction.

Mr. Phillip: I don't know Kevin, the BZA only meets a few times out of the year as it is; you're going to get us down to semi-annual meetings if you make this any smoother.

Mr. Whaley: Well, with Terry focusing more on compliance issues, I think we can probably drum up some more business for the BZA. Well, thank you for the feedback on the Accessory Uses and the proposed amendments. That kind of provides a nice segue into a more higher level discussion about Zoning and Subdivision Control Ordinances. As we were working on the Accessory Uses, initially we had intended to include several different amendments that would have cleaned up other parts of the Zoning Ordinance by consolidating different areas where we have Accessory Uses that appear throughout the Ordinance, dumpster enclosures being one of them. It appears in several different parts of the Code and we wanted to consolidate those into Accessory Uses. And we thought if we did that, we would have to go through several different sections and provide amendments to those as well to clean that up, and that sort of lead to a larger discussion about the Ordinances in general. You know, when we met back in, I think it was August or September of last year, we brought to you the idea of taking the Permitted Uses and consolidating those into a Permitted Use Table so that it would be easier for people who were referring to the code to find Permitted Uses and see which districts those were allowed in, rather than searching through you know, several hundreds of pages of code. As we talked about that more we thought this idea of taking that basic concept and expanding it to the Zoning and Subdivision Control Ordinances, as a whole, so that we could take a collection of documents that is well over 700 pages, and try to go through and do some basic cleanup – you know, eliminate sections that are duplicated, consolidate some into other areas so that it's easier to find and easier to get through, because we realize that if there are difficulties for staff and some of the other people who use these documents, that difficulty is going to extend to anyone who tries to use the Ordinance to find out what they are allowed to do on their property. We want to make that information as accessible as possible and make it as easy for people to get through it as possible. Eric has been working for quite some time on a potential recodification of the code, and that recodification would include all of the elements that I just mentioned, this idea of going through and cleaning up the Ordinance and making it simpler for people to use. I'm going to turn it over to him at this point, just so he can talk about some of the different sections that he's seen where we can make some potential improvements.

Mr. Berg: As Kevin said, a couple of sections are – in that section where we had two sets of regulations on dumpsters, we've got five total. And if you look through the Ordinance, we have seven sets of Standards for how you approve a Master Plan. And you know, full disclosure, I put one of them in there; so, you know, I can't claim innocence. If you want to do a development plan, you have to go through three different sections to figure out which one to use; four different sets of regulations for signs; five for landscaping; three for lighting; three for parking. As Kevin said, you know, we're looking at how we can consolidate those but we really – I felt, and I think Kevin felt that we really needed to get this in front of you so that you didn't think that we were just creating busy work or something like that. But these are the types of things that happen as codes grow over the years, and this code dates back to, I think, 1996. And you know, if the time isn't available to do a good pruning as you're changing Ordinances; some things get a little overfed, and that's kind of what we're looking at. We've talk to you and we've talked to our

leadership about consolidating some of these rules so that there's one place to go, for instance, to get the sign regulation, or you know, to organize in a way that you're, as we said in the leadership academy a couple of times, that you can follow the Ordinance from "dirt to turnkey". A while back, as Kevin said, we showed you the Permitted Use Table concept; now I'd like to show you something a little bit further down the road here from that. Robin is probably familiar with this term from his time in the auto industry, we're going to show you what they call a "mule", kind of a mechanical proof of concept, and this will be for the Single Family Zoning Districts, R1-R5. In the Ordinance book that's 22 pages. – Is it up there? It looks like it's up there. Are you seeing it?

Mr. Slavens: It is

Mr. Berg: Okay, good; this is really small on my screen. – Page one probably looks familiar to you, we showed that to you back in August/September. The good thing about this is you can look at this and you can link to the actual definitions; that's a way to make this a lot easier and more usable. All of these links here, just to let you know, they link back to right here, right now in the "mule", so I'm not going to click on them, otherwise you'll see the same things over and over again. But you know, again, this is saving all sorts of space and making it a lot easier for people to understand what it is that they have to do. Again, same type of thing here, you can link to the individual sections; and you only put it in there once, you don't put it in there six times, once for every district.

Mr. Whaley: Are you able to zoom in on that a little bit?

Mr. Berg: It looks really big on my screen.

Mr. Whaley: That looks good.

Mr. Berg: Okay – when you look here, again, this is repeated six times throughout the document, and by putting it here you're doing a couple of different things. One, you're saving space; two, you're putting it in a place that's easy to find; and three, you're making it easy to compare across different districts. You know, you can look there and say, holy cow, if I'm putting a Single Family in R5 I've got to have a setback of 50 feet, but if I put a duplex in, it's 70 feet. You know, maybe that's a decision that's a key part of your decision on how you're going to develop that R5 section. You know, we've got, in some of the districts we've got, you know, the R2 and R3 we've got special requirements if you are platted before a certain date, and this is something that you can link to. I mean, all of these Standards are a paragraph or two paragraphs or three paragraphs that someone has to read through, and I'm sure the two attorneys in the audience could say, "yes, we like people reading things instead of using tables because then we can say exactly what we mean and how we mean it", but you know, our document does not really – it's not as friendly as it could be. And again, you know, more of the same here with the information about the stuff that was platted before a certain date – definitions, height standards, main floor area – again, all of this stuff takes paragraphs, and instead you can put it in a table, again, linking back to where there are more Standards involved. Page 3, and you probably recognize this; this is at the top of every

Zoning District, an intent. And this links you back to “A” on page 1; that’ll link you back to page 2. You know, again, you don’t have to keep repeating everything like that – which I think is what it sounds like I’m doing right now, repeating everything.

Mr. Slavens: That was good.

Mr. Berg: But what you’ve got is 22 pages of Code but because you’ve shown it a different way, because you’ve put in things like tables and charts and graphs, you’ve cut that down to 4 pages. So, I guess, you know, maybe I’m just an efficiency nerd, or just a nerd in general, but it seems like this is a way, in my opinion, to make this more of a Code that can be easier to use, more accessible to people. And that’s kind of the direction that we’ve been trying to go and we’re looking to make sure that this direction is the direction that the Commission, the Council, and obviously our legal team, would be supportive of us to continue exploring. And I’m going to turn it back over because I didn’t talk at all last month, and now I’m talking – I’m trying not to make up for December when I didn’t say anything.

Mr. Brandgard: (I like that format. You know, you made mention of the fact that we haven’t made much use of tables and charts, we relied on verbiage, but the problem is, no matter how hard you try to make it as what you think it is, somebody else is going to read it and think it’s something else. If you’ve got it down in a table type form, it’s a lot harder to argue with that than it is with words. But I like that; it will make it a lot easier to use.

Mr. Slavens: Yeah, I totally second that and back that. You know, especially – who know how long the pandemic is going to last us and as we continue to transform, all businesses are going to virtual, going electronic – you know, the more links we can have to keep it electronically synced, it’s going to be a lot easier to work with our Town; I totally agree.

Mr. Whaley: Just to provide a real work example of what Eric referenced, in terms of looking at the information across districts, we had that occur with 133 South Center Street last year. The property owner was looking to rezone from an R4 to an R5, and as we were flipping back and forth between the districts, we started to realize there were some Development Standards that were different between the two districts that required a Variance from the Board of Zoning Appeals. If we had had this type of format, I think it would have been a lot easier to discover on the front end.

Mr. Brandgard: Yeah

Mr. Daniel: From my point I think it’s very good and I think anything you can do, especially a document that’s used as much as our Zoning Ordinance, to make it more user friendly, is a huge benefit to the public. Plus, a fact that you’ve already mentioned, to the extent that the developer can look at that and compare the requirements of different districts without flipping over half a dozen pages back and forth, but be able to look at a table, I think makes a much, much friendlier document to work with. I think it looks really good.

Mr. Slavens: Yep – you got the attorney’s buy in.

Mr. McPhail: This thing was written in 96' you know, so technology has come a long way and we need to use it.

Mr. Belcher: Yeah, I might add one thing here to the comments because I was here back when this thing was developed. I think one of the reasons we did it the way we did it, just as a matter of history every section could be easily pulled out and changed and put back, because we hadn't anticipated anything like electronic capability. Now, we're basically using the same information, but man, it's way easier to use because we don't have to make it all paper. I think that's a great effort these guys are going through to make it easier for everybody to utilize.

Mr. Slavens: Absolutely

Mr. Brandgard: Yeah

Mr. Slavens: Absolutely, I agree. I guess, Kevin and Eric, you guys just looking for directionally, yes, that's where you need to go? To me, I'm not hearing otherwise, I think the Commission is supportive of where we're going.

Mr. Whaley: That's correct, we were looking for some direction. And I think also, as we go through this process and we begin to reorganize the Code, we may come across different sections that we think need to be revised or updated, and we would include those in the recodification; highlight those and present those to you. But I think we would want to create a committee that we could take some of these changes to, to get some input and buy in, and so, if there are members of the Plan Commission that would be willing to sit on an Ordinance review committee over the next several months, we would appreciate your volunteer.

Mr. Slavens: If you need someone, I'd be more than happy – Kent raised his hand – I'd be more than happy to help where needed as well.

Mr. Whaley: And obviously this process will take some time, so that's why we wanted to bring this 2021 Omnibus to you to get some of these changes approved, to sort of tide us over while we focus on this reformatting. Rather than do it piecemeal, an Ordinance at a time, we thought it would just be better to do it all at once.

Mr. Slavens: I like it; all at once. Okay, anything else on the topic?

Mr. Whaley: I have nothing further.

Mr. Slavens: Commission members, any other feedback?

Mr. Smith: I think it's a great start and it's clearly needed. We get a little verbose, I understand that, and it's time for a little prune.

Mr. Slavens: Okay, good. The last item on the agenda from old business, or new business in this case, is the appointment of members to the Design Review Committee. It looks like – go ahead, sorry.

Mr. Whaley: Mr. Chairman, I have some updates on the information that we submitted out in the Director's report. The first being that the Plan Commission does need to make an appointment to the Board of Zoning Appeals. The current appointment is Rich Phillip, and you need to make an appointment for another four year term.

Mr. Slavens: Okay, as well as the DRC?

Mr. Whaley: The Design Review Committee, we have two members whose term expired as of the end of last year, Mike Isaac's and John Lee; we are recommending that they be reappointed to the Committee. Also, in the report, I did recommend that the alternate member Luke Waltz be appointed to the Committee. However, I have learned that his living situation has changed; he has recently moved out of the Town of Plainfield but intends to move back at some point. His family size has increased, and he had an opportunity to sell his house, so he decided to take his family and move in with his parents during COVID, but he intends to come back to Plainfield. But given that he is no longer a citizen of the Town, it's probably not appropriate to appoint him to the Board as a full member. So, we would ask that you either have some consideration to either holding the spot open until said time when he can return to the Town, or if desired, we can go ahead and look for another member to fill that role. Although he is not currently living in the Town of Plainfield, if he does return, I would recommend that he be appointed. He has been an excellent addition to the Design Review Committee; he has provided some outstanding recommendations and feedback to applicants. He has a background in Landscape Architecture and Urban Design, and he has provided good input on that Committee.

Mr. Slavens: Okay, good. All right, so then we'll take it one at a time then. The first one is the easier one; that would be the request for appointment from the Plan Commission to the BZA of Rich Phillips to reup for another four year term on BZA.

Mr. Brandgard: I would so move.

Mr. Kirchoff: Second

Mr. Slavens: We have a first and a second. All in favor or Rich continuing on the BZA, say aye.

(All ayes)

Mr. Slavens: Any opposed?

(brief pause)

Mr. Slavens: Okay – we'll check that one off.

Mr. Phillip: Thank you

Mr. Slavens: I would guess – going back to that question – I’m not up, or I’m getting kicked off of the BZA?

Mr. Phillip: I think I was finishing a partial term when I came in Scott, I’m up ahead of you.

Mr. Slavens: Yeah, yep.

Mr. Klinger: Yeah Scott, you still have like three years left on your term, I’m afraid.

Mr. Slavens: Okay, yeah. So, then the other part of the DRC is to appoint an Ex Officio, right now it’s Bruce Smith – I’m just checking the easy ones at a time here – so, we need a motion or a recommendation to continue to fulfil that role as the Plan Commission member on the DRC.

Mr. Brandgard: I would again, so move

Mr. Slavens: We have a motion; do we have a second?

Mr. Bahr: Second

Mr. Slavens: We have a motion and a second; all those in favor of Bruce continuing to represent the Plan Commission on the DRC, please say aye.

(All ayes)

Mr. Slavens: Any Opposed?

(brief pause)

Mr. Slavens: Thank you

Mr. Smith: Thank you

Mr. Slavens: As far as appointing the DRC members and the alternate situation – if we hold the position, do we have enough members to meet the criteria?

Mr. Whaley: So, we would have four members, and then Luke is currently the alternate.

Mr. Slavens: So, would that meet the statute requirements for – or is there any kind of statute requirements for DRC membership?

Mr. Klinger: No

Mr. Whaley: No

Mr. Slavens: Okay – So, I guess turn it over to the Commission members – if willing to one, reappoint John Lee and Mike Isaacs to the DRC as citizen representation, and then hold an open position.

Mr. Kirchoff: I would so move but ask for some period of time to come back if he hasn't moved back into Town. I don't know if that's three months or six months, whatever you think is appropriate.

Mr. Slavens: Andrew or Eric, or Kevin?

Mr. Klinger: Yeah, I would agree with Bill; I would just throw out there six months, that we would come back and review it in six months. Given how difficult the housing market is in Plainfield right now, it gives him time to find something.

Mr. Slavens: And the motion then is to reappoint John Lee and Mike Isaacs to the Design Review Committee as citizens, and then hold open a position for the Design Review Committee for six months.

Mr. Phillip: So moved

Mr. Slavens: We have a motion; do we have...

Mr. Smith: Second

Mr. Slavens: We've got a motion and a second; all in favor say aye.

(All ayes)

Mr. Slavens: Any opposed?

(brief pause)

Mr. Slavens: No opposed, thank you guys. I think that's the last item, any other walk-ins from staff?

Mr. Whaley: The only other thing I would add is that in the report we did include a copy of the new public hearing signs, which should be arriving on Wednesday. And so, I'll go over to Town Hall once those arrive and check them to make sure that they are printed correctly, and hopefully we'll be able to use those with our next round of public hearings. So, you should be seeing those out in the community here in the near future.

Mr. Slavens: Great

Mr. Brandgard: They look like they can be easily read, so that's good.

Mr. Slavens: Yeah

Mr. Smith: Excellent, I appreciate that.

Mr. Slavens: Again, continuous improvement, good work, great work.

## **ADJOURNMENT**

Mr. Slavens: Any other walk-in topics from the Commission members for discussion? Otherwise, motion to adjourn.

Mr. McPhail: I'd just like to thank staff for all the hard work they put in last year, and it looks like it's going to be a task ahead of us for 2021.

Mr. Slavens: Yep, I second that, and it's going to be very busy. You can tell that the demand for Plainfield is still strong despite the economic and pandemic conditions. So, I know – you can tell the staff is going to be very busy and by streamlining it makes it easier for us all, business and staff; great work.

Mr. Whaley: Thank you

Mr. Slavens: Motion to adjourn? Go ahead Bruce.

Mr. Smith: I might just mention that the Design Review Committee meets tomorrow, and we're off to a pretty good start with two Ambrose buildings at the I-70 and Ronald Reagan interchange. And then I also noticed, around that interchange, Duke has helped us create a designation for a data center there – which I think is kind of a new feature for Plainfield. So, some good and interesting things around that interchange.

Mr. Slavens: Yep; yep, good. If there's no other discussions, motion to adjourn?

Mr. Brandgard: So moved

Mr. Smith: Second

Mr. Slavens: A motion and a second, wonderful. Thank you, Kim, for monitoring, and thank you everybody for a great meeting, appreciate it. Happy new year to you all.