

APC MINUTES

OCTOBER 20, 2021

Members present: Adrian Moulton, Andy Fahl, Tom Chalfant, John Reece, Jim Hufford, Bob Lahey, Steve Hernly

Members absent: Terry Alfrey, Tom Kerns, Amy Alka, Don Calhoun, Will Greer, Bryn Albertson

Legal Representation: Jason Welch

Staff Present: Randy Abel, Executive Director

Staff Absent: Debra Johnting, Recording Secretary

Others present:

V. President Fahl: It's now 7:30, we will call this Randolph County Area Planning Commission meeting to order. A little late, but we're here. Minutes from last month, September 22nd, 2021. Comments or concerns?

J. Hufford: I'll make a motion that we accept the minutes as presented.

[Unknown] Second.

V. President Fahl: It has been moved and seconded to accept the minutes, all those in favor. Opposed the same? Motion carries. We will now move directly to APC2021-17-T. Is there anyone in the crowd that would like to come forward and explain this? Come forward and state your name and your address, please.

M. Poling: Monte Poling, City manager of the City of Union City, 344 North Union Street, Union City, Indiana. Well, we've had the Industrial park TIF for some years and it has to date generated zero dollars. In talking with our financial consultants Baker Tilly, they tell us that the open parcels there in the industrial park are reducing the incremental value to it by having a devaluation of those particular parcels, even though there's been some development in that area. The fact that the non-productive parcels are dragging down the incremental value of that, it causes us to have a net loss actually in tax value there. So, what we're proposing to do is remove those open parcels from the TIF area and reset that with just the parcels that are occupied and productive, so that's pretty much what we to have to do is the same as if we're doing another TIF District. So, in order to amend this one to remove those parcels.

V. President Fahl: Any questions, concerns?

T. Chalfant: Does it state the total acres that you are talking about Monte?

M. Poling: I don't think so. Not on here.

T. Chalfant: It's the inside of the red?

M. Poling: Yes. There's a lot of that there. Some ground back there that basically they're growing crops on there now, so that's not adding anything to the district.

V. President Fahl: Anybody else have anything? I will entertain a motion?

T. Chalfant: I would so move that we accept the resolution as stated by the City of Union City.

J. Hufford: I'll second.

V. President Fahl: It's been moved and seconded that we accept this TIF District Amendment. All those in favor say aye. Opposed the same. Motion carries. Roll call vote?

D. Jhonting: Adrien Moulton, yes, Steve Hernly, yes, John Reece, yes, Andy Fahl, yes, Tom Chalfant, yes, Jim Hufford, yes, Bob Lahey, yes, and Amy Alka, Will Greer, Tom Kerns, Don Calhoun, Terry Alfrey, and Bryn Albertson are absent. Actually Bryn Albertson has resigned. Motion passes.

V. President Fahl: Thank you, Monte.

M. Poling: Thank you very much.

B. Lahey: Thanks, Monte.

V. President Fahl: The Area Planning Commission will now entertain discussion on APC2021-20-SD. Please state your name and your address.

B. Cook: My name is Bob Cook. I am an attorney with an office in Winchester, 116 East Washington Street here in Winchester. I represent the applicant KKFC, Distinctive Homes, LLC.

V. President Fahl: Continue. What's your plans?

B. Cook: So, we have submitted a subdivision plan to be for primary approval this evening. KKFC Distinctive Homes, LLC consists of the following members Errol Klem, Kevin Cook, Mark Todd, Eric Michaels, Paul Faddis and Bill Keller. Errol Klem was the developer on Willow Ridge Section 1 and Willow Ridge Section 2 and has been involved in land development for several years. Kevin Cook is a partial owner of Cobalt Holdings, Inc., and a wholly owned subsidiary of that is Cobalt Civil LLC. Kevin has developed a subdivision of his own in Lakeview Subdivision. He's had several years of experience of constructing infrastructure within subdivisions and for cities and towns. Mark Todd and Eric Michaels are the owners of M&E Golf Inc., which is the owner of the golf course. Paul Faddis is a realtor associated with Tartar Realty, with offices here in Winchester. Bill Keller has been associated with TK Homes and he was also a member of BMMT Management LLC, which was the developer for Summers Point.

It's the condominium regime that's located on State Road 27. The reason I make this explanation of who the members are is to show you that they have experience and are knowledgeable about land development and particularly subdivisions. The City of Winchester by Ordinance 2021-13, annexed approximately 69 acres where this subdivision is involved as part of this 69 acre tract. This was done through a voluntary annexation process. The ordinance zoned the real estate that is subject to our subdivision plans as R-2, which should for single family residences and duplexes. KKFC owns the real estate. The subdivision plans were submitted to the zoning office on September 23rd, 2021. The zoning inspector found there was sufficient materials there that he set the hearing for this evening. And notice has been given to all land owners within 250 feet of the boundary line of the subdivision and also for the contact agencies as defined by the Subdivision Ordinance. The notice was given at least 10 days prior to the hearing. The notice was given on September 24th. Notice was also published in the News Gazette. So as part of our subdivision plans, we planned for utilities. The water is going to be installed on the west side of Huntsville Road and it will be in the 25..., it is designated on the plat as a 25 foot water line utility easement. We have received verbal commitments from the private land owners there that we will be getting those easements. The water line will cost approximately \$400,000. It will be at the expense of KKFC. Cobalt Civil LLC will install the water line. The water will be connected to each lot by going under Huntsville Road. And it will have to be constructed in accordance with the standards and specifications of Indiana American Water. And that's the utility that services the water supply system to the City of Winchester. The sanitary sewer system, those plans have been developed by the consulting engineering company for the City of Winchester and that would be HWC Engineering. That sewer system will be installed on the west side of the lots. It will be involved with a 25 foot easement that will run north to the north side of lot 1. It will then run east on the south side of Randolph County Road 40 South and connect to an existing sewer system for the City of Winchester. The installation of the sanitary sewer system will be at the expense of the City of Winchester. The other utilities, the electric, gas, and other utilities will be installed on the east side of each lot and that will be in the easement area designated as a 25 foot drainage and utility easement and it will go across the golf course and go clear across the side of all the lots. The drainage is going to be handled by a surface water drainage system. It will be installed by the use of construction swells and the 25 foot drainage and utility easement that I just pointed out to you. The swells will divert the water in the subdivision to the existing ponds located on the golf course. The Storm Water Site Plan for the subdivision has been approved by the Randolph County Drainage Board. The surface water drainage system will be constructed by KKFC at the approximate cost of \$20,000. The reason the golf course owners are important is because we need easements from the golf course to connect the separate tracts of the subdivision in regard to the sewer and the other utilities, and also to carry the surface water to their existing ponds. There will be no streets, alleys or sidewalks constructed within the subdivision. All lots will be continued contiguous to the existing Huntsville Road. All lots are zoned R-2 for the construction of single family residences or duplexes. If a duplex is constructed on the lot, the center lines of the common wall of each duplex will be the center line of each lot. If there are different owners of each side of the duplex, the lot will be divided and conveyed by metes and bounds description with reference to the lot number. Each lot meets the minimum requirement of at least 6,000 square feet with frontage on Huntsville Road of more than 35 feet, and lot width of more than 50 feet. This is all required by the Zoning Ordinance for an R-2 District. Huntsville Road is defined by the Zoning Ordinance as a collector street, and that requires a 30 foot setback from the right of way of Huntsville Road, as

required by the Zoning Ordinance. Each lot has a side set back of 6 feet and a rear set back of at least 20 feet, as required by the Zoning Ordinance. Each lot, whether used for a single family residence or duplex, will provide for off street parking. And such off street parking will be hard surfaced. We are requesting the Planning Commission to waive a couple requirements. One of the requirements we are asking that they waive would be to complete all public improvements prior to the secondary plat approval. And you're allowed to do that by the Subdivision Control Ordinance, provided that we agree to complete the water main and the surface drainage. The individual members of KKFC are willing to sign a performance bond that would run jointly and serve only to Randolph County, the Area Planning Commission and the City of Winchester in the amount of four hundred and twenty thousand, which is the approximate cost of the water main and the surface drainage. Those improvements will be completed prior to putting residences on 81% of the lots. So this evening, we're asking for your approval of the subdivision plans I have provided Findings of Fact that we would request that you would approve. That you give primary approval to the subdivision, waive the requirement to complete the improvements before obtaining secondary approval. The other thing that we would request for secondary plat approval it is required that certain monuments be placed on the subdivision. We would request the waiver of that requirement, because if you put in the monuments and then you go in and you put in the sewer line, and you put in the surface drainage, those monuments are just going to be torn up. And we would request that after the installation of the infrastructure we would then put in the monuments, if not we will put them in twice.

R. Abel: Yeah, that's usually done after the secondary plat, which is usually after the infrastructure is done.

B. Cook: Okay, alright thank you. So, we are ready to take any questions, I have the surveyor here, who also participated in the engineering. We have members of KKFC here. So we will then entertain any questions you might have.

V. President Fahl: Anybody have anything? What is appropriate for this on a vote?

B. Cook: We do have some folks here that would like to speak.

V. President Fahl: Okay, yes, anybody else that wants to speak come on up. Do we need a roll call vote?

J. Welch: Yes, you need a roll call vote.

V. President Fahl: Anybody else that wants to speak com on forward please. It looks like you're by yourself. I think you covered it very well, and as there's no questions from this side I think you did an excellent job.

B. Cook: Thank you very much.

J. Hufford: I think it's spelled out pretty good, plus all the paperwork we've got here, it is really spelled out real well, so. I will make a motion for a roll call vote.

A. Moulton: I second it.

V. President Fahl: It's been so moved and seconded for a roll call vote.

D. Johnting: Andy Fahl, yes, Tom Chalfant, yes, Jim Hufford, yes, Bob Lahey, yes, Adrian Moulton, yes, Steve Hernly, yes, John Reece, yes. And Amy Alka, Will Greer, Tom Kerns, Don Calhoun, and Terry Alfrey are absent and Bryn Albertson has resigned. Favorable recommendation.

B. Cook: Thank you very much for your time. I guess I will take my map and go home.

V. President Fahl: Thank you. Moving on to old business, should we discuss the Sign Code more, or did we cover that earlier?

R. Abel: I think we covered that earlier, we'll try to get some more numbers out to you and.

V. President Fahl: We discussed that in your absence, Tom, anything you'd like to add to the sign code discussion?

T. Chalfant: No, I don't think so.

V. President Fahl: Any new business then? Seeing none, I would entertain a motion to adjourn.

J. Hufford: So moved.

V. President Fahl: Thanks everyone for coming.

President, Don Calhoun

Vice President, Andy Fahl

Recording Secretary, Debra Johnting