

**LOWELL PLAN COMMISSION MEETING
AUGUST 14, 2014**

President Kelley called the meeting to order at 7:15 P.M. The Pledge of Allegiance was recited. Recording Secretary Dianna Cade called the roll. Members answering the roll call were Richard Kelley, James Konradi, Craig Early, Robert Philpot and Matt Felder. Elias Carras and Donald Parker were not in attendance. Also present were Planning Consultant Jim Mandon, and Building Official Tom Trulley.

APPROVAL OF MINUTES

Mr. Konradi made a motion to approve the July 10, 2014 regular meeting minutes, seconded by Mr. Early and carried with five ayes.

NEW BUSINESS

Mr. Kelley stated that the new business to be discussed was the revision of site plan provisions. Mr. Kelley deferred to Mr. Mandon to start the discussion. Mr. Mandon stated that he would like to give the Board some background on impact fees and the site plan review process. Discussion followed.

Mr. Mandon stated that the State of Indiana legislatures enacted the Site Plan Review or the Developmental Plan Review which allows the staff to set up a committee to review proposals that are submitted by either a different owner or the same owner with significant changes to the property, or if they are demolishing the structure and rebuilding. Mr. Mandon stated there are many different levels of applicability for review. He stated that it is up to the municipality to decide, there is no guidance in the state statute; however, there are some limitations on what would require a site plan and which projects would require only a building permit. Mr. Mandon stated that the Town is open to decide on how strict or lenient we want to be.

Mr. Mandon referred to a directive that he prepared on suggestions for site plan review. Mr. Mandon discussed each aspect of this communication for the Board to consider. Mr. Mandon stated that our current code requires a site plan review if you are expanding a building by ten percent. That is seen in the code as being a significant enough change. Mr. Mandon stated in his directive that any new development in certain districts, regardless of its intent or size, would require a site plan review. That is because those areas are sensitive enough that a closer watch has to be kept on that particular zoning classification. Mr. Mandon stated that you can also do it by zone. (The amount of impact or change, or any new developmental change in an industrial zoned area, or in the downtown district, because these areas are sensitive enough to trigger a site plan review). Mr. Mandon stated we could leave these out and just go with a change in ownership. Mr. Mandon stated that all of the components that the Board sees listed in the applicability of review process could be considered and they could pick and choose from and decide how lenient or strict they would like to be on site review. Mr. Mandon stated that there is an appeal process to site plan review, if the applicant feels that the site plan review

committee is being too strict on their requests, they have the option of appealing to the Plan Commission. Mr. Konradi asked if these site plan review changes had been in place when the Family Dollar was built or when the Old Red Line building started being remodeled, would it have affected the outcome. Mr. Mandon stated that the Family Dollar would be but not the Red Line building. Discussion followed.

Mr. Early stated that under current code, if they knock the building down and rebuild it, we have no requirement for site plan review. Mr. Mandon stated he thinks that this is a problem, if we have the opportunity to improve a site, define curb cuts and have more of our code imposed on properties that were built before the code was in place then it should go through site plan review. If you want to have the ability to eventually make changes and take properties that were built years ago and change the way they look you want to find some compromise and you want to indicate that if you are changing things significantly they need a site plan review. Mr. Mandon stated that it is up to the Plan Commission to decide what is significant and how strict or lenient we are going to be on site plan review. Mr. Mandon stated that he would like the Board to look at his suggestions and he could answer any questions they may have between now and the next meeting. Discussion followed on what authority the Town has regarding curb cuts on Route 2 and site plan review for curb cuts.

Mr. Felder asked for clarification on what the criteria is for the Site Plan Review Committee and how often they would meet. Discussion followed.

Mr. Mandon stated that when the Board looks at the applicability review, they should settle somewhere in the middle on the criteria. Discussion followed.

Mr. Philpot asked if sidewalks are in the Town's jurisdiction on State Route 2. Mr. Mandon stated that if and/or when the site plan review is passed, the staff would discuss with the state what their standards are and at what point would like to review the site plan. Mr. Mandon stated if we could eliminate open curb cuts and have them defined, add sidewalks, and put in curbing in some areas where drainage is a major issue, the state would be very encouraging with site plan review, because they would not have to pay for these improvements.

Mr. Philpot asked if we amend our site plan review process, would it have elevated some of the issues we had/have with the Family Dollar store that was built on Route 2. Mr. Philpot asked specifically about regulating the traffic open curb cuts. Mr. Mandon stated yes it would, and it would also help us tie properties together, so the impact of one on the other would be mitigated as well. Discussion followed.

Mr. Mandon stated that he would like the Board to look over his suggestions for site plan review and let him know of any changes they would like to see. Mr. Mandon stated that he would bring suggestions in subsequent future meetings on who should be on the Site Plan Review Committee and would also be discussing minor subdivisions which is a

code in the subdivision code which deals with farms and does not deal with an urban lot layout like the Town has. Discussion followed.

ADJOURNMENT

With no further questions or comments, Mr. Konradi made a motion to adjourn the meeting at 7:45PM, seconded by Mr. Early and carried with a voice vote.

Richard Kelley, President

Elias Carras, Secretary