

**LOWELL PLAN COMMISSION MEETING
SEPTEMBER 18, 2014**

President Kelley called the meeting to order at 6:30 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, Don Parker and Matt Felder. Elias Carras and Bob Philpot were not in attendance. Also present were Planning Consultant Jim Mandon, Building Official Tom Trulley, Director of Public Works Greg Shook, Engineering Consultant Craig Hendrix, two citizens and one reporter.

APPROVAL OF MINUTES

Mr. Parker made a motion to approve the August 14, 2014 regular meeting minutes, seconded by Mr. Konradi and carried with five ayes.

NEW BUSINESS

Mr. Kelly stated the first item of business was the Route 2 Brews- Determination of primary and secondary land use in the zoning classification.

Mr. Mandon stated this is the first of two situations tonight where the code is not very clear. Mr. Mandon stated that in these cases the zoning ordinance calls for the Plan Commission to interrupt the Towns code.

Mr. Mandon stated that the building at 141 Harding Dr., is zoned light industrial, Suite 1 is going to be used to brew beer which is an industrial use. Mr. Mandon stated the business is also going to contain a relatively small area where people can come and taste the product. Mr. Mandon stated that the question is; does that require a special use or is that so insignificant to the overall use of the building that it is ancillary. Mr. Mandon stated the Board needs to decide if it is a situation where a majority of the building would be used industrially, and the small seating area is insignificant and does not have to go through a special use variance. Mr. Mandon stated that the staff feels that this is such a minor use from a percentage of the building that we do not think it will be a parking issue or overcrowding of the room itself. Mr. Mandon stated that the staff also does not think that based on the relatively small space it constitutes a business use as opposed to the overall industrial use which is the predominate use of the building. Mr. Mandon stated that the Plan Commission needs to confirm the staff's recommendation or to indicate that they do not agree.

The Petitioner, Mr. Christopher Fast, 141 Harding St., approached the podium. Mr. Early asked if the business would be selling the product on site. Mr. Fast stated that yes, with a small tasting room and majority of the traffic would be curved towards to-go sales and distribution after we get up and running. Mr. Early asked if somebody can come in and sit down and have a beer. Mr. Fast stated yes they can but our main focus is to-go sales and distribution, the tasting room is a minor facet of the entire operation. Mr. Mandon asked what the occupancy load is. Mr. Fast stated maximum would be ten seats. Mr.

Fast stated eventually he would like to expand into bottling and was currently working with the state on that aspect of the business. Mr. Fast stated that he has been brewing beer for fifteen years and this has been a dream of his. Mr. Felder inquired on the size of the storage area and expansion. Mr. Felder asked if he would decide to expand would he have to present himself to the Board for approval. Mr. Mandon stated that if the area where people could actually purchase product grew beyond what was indicated on these plans, then it would trigger a requirement to have a special use before the BZA. Mr. Mandon stated the way it is laid out now the majority of the area would be used for producing product as opposed to selling it.

Mr. Kelly asked if this required a motion. Mr. Mandon stated yes. Mr. Felder asked for clarification on what the motion was for. Mr. Mandon stated that any expansion would require the owner to file a special use petition. Discussion followed.

Mr. Early asked by making a motion on this building are we setting precedence, or is this just an exception in this one particular case. Mr. Mandon stated these issues come up one at a time and we would ask you to look at them individually.

Mr. Early asked what was the occupancy allowed. Mr. Trulley stated that the petitioner will have to watch his occupant flow because of the size of the area and state codes.

Mr. Parker made a motion to allow the occupancy, seconded by Mr. Konradi and carried with a voice vote. Mr. Fast stated that his tentative opening date was the second week of October.

Mr. Parker asked if our ordinance needs to be revised to make it more defined. Discussion followed.

Mr. Kelly stated the next item on the agenda was discussion for: the determination of use in an LI district for a baseball/softball training facility to be located at 141 Harding Dr. Suite #3. The facility is proposed by Mr. Jim Langen.

Mr. Mandon stated the code is silent on permitting recreation facilities. The zoning for the parcel is LI. The Planning Commission needs to make an interpretation on whether or not recreational facilities like the one being described tonight can fit into a LI zoning without having a special use through the BZA. Mr. Mandon stated that the biggest issues with sports complexes are normally parking and traffic congestion, but in his opinion based on what the petitioner has told him, that would not be an issue here.

Mr. Jim Langen, 141 Harding Dr., Suite 2, approached the podium and stated his name and address for the record. Mr. Langen stated that the name of the facility will be the Thunder Zone. Mr. Langen stated that the facility would be a baseball and softball training facility, with pitching lessons, hitting lessons, fielding lessons, occasional field rental, and there will be four batting cages which can be rented by the half hour. Mr. Langen stated they have four travel baseball teams that will be training there during the winter, spring and occasionally during the summer. Mr. Mandon asked how many

occupants will be there at one time. Mr. Langen stated that most of the kids will be dropped off, not a lot of parents staying. Mr. Langen stated four to six, occasionally there may be a clinic with some former college players from Town which could draw a bigger crowd. Mr. Langen stated that they are in negotiations with the school corporation about leasing the Oakland Park baseball field from them, which would give them overflow parking and also Jeff Austgen stated that if they need overflow parking they may be able to use the lot across the street for parking. Mr. Parker asked what the current parking capacity was. Discussion followed.

Mr. Early asked about the State building codes. Discussion followed. Discussion followed on zoning codes.

Mr. Parker stated that the parking is an issue. Mr. Kelly asked if there was any way to expand the parking. Discussion followed on parking.

Discussion followed on the determination that the Plan Commission would need to make on the parcel.

Mr. Early made a motion to allow this facility to go into a LI zone. Seconded by Mr. Parker and carried by a voice vote.

Mr. Kelly stated that the next item on the agenda was the Site Plan Review. Mr. Mandon referred to the Site Plan Review document that he presented at a previous meeting. Mr. Mandon stated he had made two changes, one being the Technical Review Committee. Mr. Mandon stated who would be on the committee. Mr. Mandon stated that the second change was to the appeals section. Discussion followed on the changes.

Mr. Mandon stated that the most important part for the Plan Commission's review was the Applicability of Review. Mr. Mandon stated he listed the most strenuous list and if the Plan Commission thinks it is too rigorous, then they need to discuss it so they can remove some of the items and permit those to go directly to building permit without site plan review. Discussion followed.

Mr. Felder commented on the appeal process and wanted to make sure that it was not cumbersome for the applicant. Discussion followed.

Mr. Parker asked for clarification on the pedestrian/bicycle paths under the traffic impact section. Discussion followed.

Mr. Early stated that the Site Plan Review was going to be used as a guideline. Mr. Mandon stated that it would be part of our ordinance. Mr. Mandon stated that it is going to be a guide to us when we go through reviews. We intend to work with the potential businesses. Discussion followed.

Mr. Parker made a motion to schedule a public hearing at next month's meeting. Seconded by Mr. Felder and carried by a voice vote.

Mr. Kelly stated that the next item on the agenda would be the review of the Water Utility Plan. Mr. Hendricks of SEH of Indiana stated that they have done a water study for the Town. Mr. Hendrix stated that it was a distribution study, trying to look at the Town's needs currently, and in the future. Mr. Hendrix stated he would be referring to several maps and tables that he had provided to the Board. Mr. Hendrix stated that the study was to look at the town proper and go all the way out to the intersection of Route 2 and Route 41. Mr. Hendrix used the maps and tables as a visualization to start the discussion. Mr. Hendrix stated that he would not be going over chapter two. Mr. Hendrix stated that in chapter three he would go over some of the information quickly. Discussion followed.

Mr. Hendrix stated that he wanted to discuss Table 4.4. Mr. Hendrix stated this table referred to historical per capita usage. Mr. Hendrix stated that the data used was from 2013 and that the Town has good accurate usage data from that year. Mr. Hendrix stated that based on this data, and the "known" factors, (ie: how many customers the Town has, how much water they are using and by using 2.9 per person per household) they are estimating forty six gallons per person, per household and six gallons per business per day. Growth of business and residential are projected at the same growth rate. Mr. Hendrix stated that industrial is rated differently. Discussion followed.

Mr. Hendrix stated our max day was in 2005 and we hit 1.7 million gallons that day. Mr. Hendrix stated our plant is rated at 1.44, therefore we used our storage that day. Discussion followed.

Mr. Hendrix stated Table 4.9, looks at water projections within the Town limits only it does not include service areas. Mr. Kelly stated that the non revenue water usage was one out of five gallons. Mr. Hendrix stated they believe there is possibly an issue with the meter at the water plant. Discussion followed.

Mr. Hendrix discussed the twenty year horizon and referred to table 4.10 which summarizes and future water usage projections. Discussion followed on future average day, max day, and storage. Mr. Hendrix stated that table 4.11 uses a 100% build out for its calculations. Discussion followed.

Mr. Kelly asked if we have enough storage. Mr. Hendrix stated you do, just not where you want it. Mr. Hendrix discussed the next tables which also include areas that we are not obligated to serve at this time. Discussion followed.

Mr. Kelly stated if SEH was going to provide recommendations to the Board on how to proceed with this information. Mr. Hendrix stated yes. Mr. Hendrix stated that in their report, they will need to quantify water; what is going to be the Town's water needs, how do we serve those needs, and what future improvements are going to need to be made. Mr. Hendrix stated that there will be a capital plan. Mr. Hendrix stated there are a couple of options. Discussion followed.

Mr. Hendrix stated that the Plan Commission would be the Board to recommend the study to the Town Council. Mr. Mandon discussed the relevance of the water study and future building, and explained the Plan Commission's role in the forwarding the study to the Town Council. Mr. Parker stated that Lowell has been talking about water for a long time, and commissioning the water study was a step in the right direction. Mr. Parker stated that a lot of work has gone into preparing this study from the staff and the consulting firm. Mr. Parker stated the ideal time table would be to move forward with some recommendations by the end of the year. Discussion followed.

Mr. Hendrix stated that they will be doing a sanitary study. Mr. Early asked for clarification on how the Board should proceed with this study. Mr. Early stated that this study becomes a base line for water usage. Mr Hendrix stated that the study should be visited every five years or when necessary. Discussion followed on the non revenue water usage.

Mr. Hendrix stated he was looking for the Plan Commission to give him input on the study. Mr. Parker stated that he thought SEH had done a great job on the study. Mr. Hendrix stated that he will bring to the council the final report when it is finished.

ADJOURNMENT

With no further questions or comments, Mr. Konradi made a motion to adjourn the meeting at 8:00PM, seconded by Mr. Felder and carried with a voice vote.

Richard Kelley, President

Elias Carras, Secretary