

March 5, 2020

The Ellettsville, Indiana Plan Commission met in regular session on Thursday, March 5, 2020, at Town Hall located at 1150 W. Guy McCown Drive. Sandra Hash called the meeting to order at 6:00 p.m. Pamela Samples led the Pledge of Allegiance.

Roll Call: Members present were: Sandy Hash, President; Terry Baker, Vice President, Don Calvert; David Drake; Pamela Samples; Dan Swafford and Pat Wesolowski. Kevin Tolloty, Planning Director, Denise Line, Secretary, Darla Brown, Town Attorney; Rick Coppock, Bynum Fanyo & Associates, Town Engineer; were also present.

Approval of the Minutes

Sandra Hash entertained a motion for approval of the minutes for the regular meeting on February 6, 2020. David Drake so moved for approval and Dan Swafford seconded the motion. Motion carried.

Monthly Conflict of Interest Statement

Old Business

New Business

Development Plan Approval for a Multi-Family Senior Housing Project (90,000 square feet), 5665 W. State Road 46; Petitioner: Hayden Lockhart, on behalf of Allied Real Estate Partners LLC; Case No. PC20-04

Kevin Tolloty, Planning Director, explained this development plan request for Governor Park is for low-income senior housing. Governor Park will be located on the Lenzy Hayes Trailer Park. The project will be a three story, 90-unit, senior housing apartment building. Height of the building will be 45' which meets code. There will be 70 one-bedroom and 20 two-bedroom units. A variance has been granted to reduce the required number of parking spaces from two to one per unit. Property is zoned Commercial 3. Staff recommended approval of the development plan. Trailers not habitable will be removed and those that are habitable will be relocated to the eastern part of the property. Plan Commission criteria was reviewed. Mr. Drake asked the definition of low-income senior housing.

Yvonne Delgadillo, Allied Real Estate Partners ("Allied"), explained the definition of low-income housing is 60% of the area median income. Approximately 25% of the units will be allocated toward those who would qualify for Section 8 vouchers. A majority of the seniors in the area would qualify because they rely primarily on social security and other minimal income. Mr. Drake asked what age is considered senior. Ms. Delgadillo answered for this project it is 55 and older. Mr. Wesolowski asked if there will be children living there. Ms. Delgadillo replied there can be if grandchildren live with the seniors. There are units set aside for individuals with intellectual and developmental disabilities. The primary residents will be 55+ and because the units are one or two-bedroom they don't anticipate any children. Fair Housing mandates if they have children they will not qualify for an apartment. Mr. Drake asked how long does the low-income status stay with the project. Mr. Delgadillo answered the state's compliance for the rental apartments tax credits is 15 years but sometimes the state requires 40 years. Ms. Hash asked if it will be managed by the senior citizen's housing board. Ms. Delgadillo explained the property management company will be Hayes-Gibson Property Services of which Allied is a part of. Area 10 Agency on Aging is a partner and will be providing services and referrals. Mr. Wesolowski asked if the front of the building will face State Road 46 and can it be seen from the building. Mr. Tolloty answered the back of the building will face State Road 46 and most of the building won't be seen.

Hayden Lockhart, Allied Affordable Homes, explained the height of the building is 43' which is the peak of the roof. Mobile homes that will remain will be located on the southeast corner of the parcel. Much of the building will not be seen from behind the pawn shop. Mr. Wesolowski asked if Lenzy Hayes expanded the mobile home park. Ms. Delgadillo answered no, as Allied is purchasing the parcel. The parcel the mobile homes will be on will be owned by Lenzy Hayes and Allied will not have control of that parcel. The mobile homes will not be seen from Governor Park. The goal is that in the near future it will completely change. Eight of the existing mobile homes will be relocated to the southeast corner. Mr. Lockhart thinks the total capacity of the southeast parcel is 12 to 14 mobile home sites. Restrictions of mobile homes in the floodplain and with FEMA were explained. Ms. Hash asked if there were plans for expanding parking. Ms.

Delgadillo explained while they don't anticipate a demand for additional parking, there is room to the south for more parking. Mr. Swafford asked how many elevators are in the building. Mr. Lockhart answered one gurney sized elevator. Steps are located at each end of the building. Mr. Wesolowski asked if the building will have metal siding. Mr. Lockhart replied it will be fiber cement and some portions will have ceramic tile. Mr. Wesolowski asked if the size of the waterlines will be increased. Mr. Lockhart answered the waterlines will be 8". Ms. Hash asked if the project will add to the sewer problems on that parcel. Mr. Lockhart explained the existing sewer will be abandoned and will remain for the mobile home park along with their 2" waterline. Governor Park will have new connections to the sewer.

Sandra Hash entertained a motion. David Drake made a motion for approval for the development plan for the multi-family senior housing project, low income, Case No. PC20-04 at 5665 W. State Road 46. Terry Baker seconded. Roll call vote: Sandra Hash – yes; Terry Baker – yes; Don Calvert – yes; David Drake – yes; Pamela Samples – yes; Dan Swafford – yes; and Pat Wesolowski - yes. Motion carried.

Development Plan Approval for a Multi-Family Senior Housing Project (47,000 square feet), 6151 N. Matthews Drive; Petitioner: Hayden Lockhart, on behalf of Allied Real Estate Partners LLC; Case No. PC20-05

Kevin Tolloty, Planning Director, explained the Petitioner is requesting plan approval for a 50-unit senior housing complex consisting of four single story buildings as part of the Richland Senior Housing. Property is zoned R-3. Most of the technical review comments have been addressed. Petitioner is requesting the following waivers from subdivision regulations: sidewalks and street trees along North Matthews Drive and the curb along one of side of an interior drive. Staff is not in favor of the waivers for the sidewalks and street trees. If the drainage is not impacted by the curb there is no reason it couldn't be approved. Staff recommends approval of the development plan with the condition that sidewalks and street trees are built as required by code and all other comments addressed before any permits are issued. The waiver process was explained along with the four criteria required to grant approval: (1) Not detrimental to public safety, health, welfare and general welfare or injurious to other property; (2) Except for innovative design concept, the conditions upon which the request for a waiver is based on the uniqueness of the property for which waiver is sought; (3) A unique property that would suffer a hardship to the owner as distinguished from a mere inconvenience, and financial hardship does not constitute grounds for a waiver; and (4) It should comply substantially with provisions of the Comprehensive Plan. Waivers were requested for the following: Native shade trees are mandated to be planted an average of every 50' on the side facing Matthews Drive. Sidewalks are to be 5' wide. Curbs and gutters are to be installed on each side of the paved street surface. The curb waiver is for the interior drive which is a private road. Plan Commission criteria was reviewed. Plans will need to show drainage calculations, a minimum of 3' of cover of the sanitary sewer pipe and outside drop manhole detail. Approval could be granted with these conditions. The easement for a future multi-use path is included in the plans.

Pat Wesolowski asked if the apartments are one bedroom and for 55+. Ms. Delgadillo answered nothing will change for Richland Senior Housing and it will be the same board of directors. The apartments are for 62+ and primarily one bedroom with a couple of two-bedroom units. Mr. Drake doesn't see any sidewalks on Matthews Drive. Could the approval be conditional requiring sidewalks to go in as Matthews Drive develops? Mr. Tolloty answered yes. Mr. Wesolowski asked why they didn't want sidewalks. Ms. Delgadillo explained one reason is to provide access to the Town's proposed multi-use trail and there are safety issues with the steep slopes. Mr. Lockhart noted there are not any sidewalks on Matthews Drive. The buildings will have sidewalks. There was further discussion on sidewalks. Richland Senior Housing stipulated to adding the trees. Mr. Wesolowski asked Mr. Coppock if he is agreeable to the curb waiver and the drainage. Mr. Coppock answered the road slopes to the interior so the curb would not do anything. There is 12' from the sidewalk down to Matthews Drive. To put in a sidewalk would require a retaining wall and there would be drainage issues. Ms. Hash asked Mr. Tolloty why he did not want to grant a sidewalk waiver. Mr. Tolloty answered at the time the staff report was prepared it was uncertain if there would be a request for a waiver and he had not received the revised plans. He would, however, still like to see a sidewalk and street trees.

Sandra Hash entertained a motion. David Drake made a motion to approve the waiver for the curbs as requested on the internal drives and finds that it will not be detrimental to public safety, health and welfare or injurious to anyone else's property. The waiver is based on the slopes the drive will have and the fact the curb will retain water instead of allowing for the water to move throughout the property according to the drainage plan and those are caused by the physical surroundings of the property beyond just a financial hardship and it does comply with the provisions of the Comprehensive Plan. Pat Wesolowski seconded. Roll call vote: Sandra Hash

– yes; Terry Baker – yes; Don Calvert – yes; David Drake – yes; Pamela Samples – yes; Dan Swafford – yes; and Pat Wesolowski - yes. Motion carried.

Sandra Hash entertained a motion for the waiver of the sidewalks. David Drake made a motion to waive the sidewalks to a time in which the property to the south or north changes from its current status that requires sidewalks; that is based on the fact it will not be a detriment to public safety, health and welfare because there are no sidewalks in the area currently; the conditions are based on the uniqueness of the property due to the fact the topography is steep and it will be a 12’ drop from Building 1 down to the sidewalk; also, the fact there are currently sidewalks available by walking south through the complex to State Road 46 and there is also a future trail planned that will go through the property and allow access to downtown and this is due to the particular physical surroundings, the grade of the property and its location and it is not due to solely financial hardship; and it complies with provisions of the Comprehensive Plan. Pat Wesolowski seconded. Roll call vote: Sandra Hash – yes; Terry Baker – yes; Don Calvert – yes; David Drake – yes; Pamela Samples – yes; Dan Swafford – yes; and Pat Wesolowski - yes. Motion carried.

Sandra Hash entertained a motion for the development plan approval. David Drake made a motion to approve the development plan for the multi-family senior housing project at 6151 N. Matthews Drive, Case No. PC20-05, and on the condition that the comments by the technical review committee have been addressed before the permits are issued and the Petitioner agrees to install street trees along N. Matthews Drive. Terry Baker seconded. Roll call vote: Sandra Hash – yes; Terry Baker – yes; Don Calvert – yes; David Drake – yes; Pamela Samples – yes; Dan Swafford – yes; and Pat Wesolowski - yes. Motion carried.

Planning Department Updates

Kevin Tolloty advised the building code is still under review. The building/stormwater inspector has been hired.

Plan Commission Comments

Privilege of the Floor

Adjournment

Sandra Hash entertained a motion to adjourn. Terry Baker so moved. Dan Swafford seconded. Motion carried. Sandra Hash adjourned the meeting at 7:14 p.m.

Sandra Hash, President

Terry Baker, Vice President

Don Calvert

David Drake

Pamela Samples

Dan Swafford

Pat Wesolowski

Denise Line, Secretary