



## TOWN OF BEAUX ARTS VILLAGE

### PLANNING COMMISSION

#### MINUTES

July 21, 2016  
Kendall

**Present:** Chairperson Bennet Yen, Commissioners Paula Dix, Hans Juhle and Jeff Kendall

**Absent:** Commissioner Jan Johnston

**Staff:** Planner Mona Green, Deputy Clerk Angela Kulp

**Guests:** Linda Mui

Commissioner Kendall called the meeting to order at 7:15pm.

**GUEST FEEDBACK:** Guest resident Linda Mui reported experiencing an arduous plan review process to obtain a permit for replacing an existing impervious driveway by re-grading for improved stormwater drainage. Ms. Mui explained how she hoped that anyone installing pavers might need to go through an equally comparable process for a zoning and stormwater review as she feels the pavers contribute similarly to a lot's coverage and stormwater runoff. Planner Green agreed, and noted the Town requires residents to meet the State's DOE current stormwater code and use their own engineer for submittal assistance, as necessary. Planner Green also noted pavers are classified as pervious for the Town's zoning calculations, but as impervious for the State's stormwater code, which can lead to some confusion. Staff assured Ms. Mui when a question or complaint comes into the building department, the Building Official determines which permits and reviewers are needed, if a plan review or code compliance is required and Planner Green noted that includes paver installation inspections for stormwater. Deputy Clerk Kulp added that the Town's focus on meeting stormwater codes has become heightened with a recent addition of our own Stormwater Engineer. She noted previous code confusion being discussed now should lead to more consistency with permitting and code compliance of paver use. The Commission thanked Ms. Mui for her time and feedback, and agreed to consider her concerns with future discussions.

**MINUTES:** Commissioner Kendall moved to amend the June 16, 2016 minutes as simplified in discussion. Commissioner Yen seconded. Vote: 4 For, 0 Against. Motion carried.

**OLD BUSINESS: Historic Preservation- Certified Local Governments (CLG's)**

Deputy Clerk Kulp distributed the State's DAHP suggested revisions, as offered on the edited CLG draft sent to the State for feedback. After a short discussion, Planner Green offered to write a cover letter of introduction to accompany the current draft. The

Commission agreed, and Chairperson Yen moved to forward the CLG draft to the Council for review with DAHP's suggestions included. Commissioner Dix seconded. Vote: 3 For, 1 Against. Motion carried.

Commissioner Juhle suggested revisiting the Voluntary Simple Deed Restriction concept just as an additional approach to the CLG for the Council to consider as another resource for historic preservation options. He noted property owners of historic structures are stewards of their homes, and inquired about any harm in making it easier for those interested property owners to voluntarily mandate their home's preservation just by the Town's creation of a document template for their use of this purpose. He noted perhaps no one will use the document template, but he gave a personal example that if even one person wanted to do a Simple Deed Restriction, it would be available, just like the CLG. Commissioner Juhle explained that just the document's availability also speaks to the Town's value of historic properties. As the discussion continued, Planner Green noted what Commissioner Juhle is explaining as a Simple Deed Restriction is called a Private Covenant and would be attached to the property title and run with the land. She further explained that the Council would need to approve the concept, and have the town attorney review and potentially draft the document. The Commission was in consensus that as long as the CLG is being forwarded to the Council for further review, it can't hurt to also recommend this additional Private Covenant tool, as both meet the Council's criteria for being voluntary and not financially detrimental to the Town for encouraging historic preservation. Planner Green agreed to include this additional idea in the CLG letter of introduction. Commissioner Dix and Chairperson Yen agreed to take these ideas forward to the next Council meeting in September, prior to the next Planning Commission meeting. Deputy Clerk Kulp reminds the Commission that there are many other historic preservation tools that can be pursued, if the Council wishes any further investigation of other ideas and references the Commission's master list of historic preservation suggestions.

### **OLD BUSINESS: Zoning Code**

Commissioner Juhle reminded the Commission that beginning the Zoning concerns with a summary of the Town's residential preferences in a mission statement would be easy to create; maybe it might even help many buyers during this hot real estate market. He also noted whatever the Town does probably won't matter to developers, most architects or contractors. Chairperson Yen noted a mission statement could help influence and attract like-minded buyers. Commissioner Dix reiterated the City of Carmel's statement about value and worth. The Commission agreed it seems worth borrowing as it encompasses many village ideals. She also shared Bellevue's Viewcrest strict regulations for a reference in document concept, but the Commission noted Viewcrest is an HOA, not a municipality and their values contrast to ours. Commissioner Kendall suggested a mission statement be added in the Zoning code; Chairperson Yen suggested it just be posted to the Town's website, which was preferable to the Commission. Commissioner Juhle cautioned against getting lost in the details of the code itself and volunteered to draft the mission statement of what matters most to Beaux Arts for housing and landscaping. Discussion continued, and all

contributed and shared to the drafted list of village values and preferences for Commissioner Juhle to complete when the discussion is continued.

The Commissioners agreed to postpone discussions of zoning code details until Commissioner Johnston was available for their further discussions.

Commissioner Kendall inquired about the Zoning by Lot document shared January 2015 that Deputy Clerk Kulp created and wondered if a column could be added to automatically calculate the 35% lot and GFAR limits. He further suggested the current lot and GFAR calculations be added as well for each property. Staff explained that while some of the current calculations are known for recent construction, most property calculations are not known until the property owner applies for permits to develop the property and must submit current calculations for the zoning review. Planner Green noted during the discussion that the 35% limits would be helpful for the Town to know in calculating stormwater runoff for Council discussions and future plans. Deputy Clerk Kulp agreed to add the 35% limits in another column for this document and bring to the next meeting.

**NEW BUSINESS:** There was no new business at this time.

**Adjourn:** Chairperson Yen moved to adjourn the meeting. Commissioner Kendall seconded. Meeting adjourned at 9:00pm. Vote: 4 For, 0 Against. Motion carried.

**Next Meeting:** The next meeting will be at Commissioner Juhle's home on Thursday, September 15, 2016, 7:00pm.

Respectfully submitted,  
Angela Kulp, Deputy Town Clerk