

May 10, 2011

A regular meeting of the Hendricks County Area Plan Commission was held on Tuesday, May 10, 2011 at 6:30 p.m. in Meeting Rooms 4 & 5 of the Hendricks County Government Center, 355 South Washington Street, Danville, Indiana 46122. Members present were: Mr. C. Richard Whicker, President; Mrs. Jo Ann Groves, Vice-President; Mrs. Sonnie Johnston; Mr. Jon Cain; Mr. Eric Wathen; and Dr. Russell Hodgkin. Member absent was: Mr. Brad Whicker. Staff members present were: Mr. Don F. Reitz, AICP, Secretary and Director of Planning; Mr. Greg Steuerwald, County Attorney; Mr. John Ayers, County Engineer; Mr. Brett Pickett, Deputy Surveyor; Mrs. Lesa Ternet, Planner; Mr. Eric Fazzini, Plan Technician; and Mrs. Joanne Garcia, Recording Secretary.

Mr. Whicker then opened the meeting with the Pledge of Allegiance.

Mr. Whicker stated that the first order of business was approval of the minutes for the February 8, 2011 meeting.

There being no corrections or additions, Mr. Wathen made a motion to grant approval for the February 8, 2011 minutes.

Mr. Jon Cain seconded the motion.

FOR – 6 –                      AGAINST – 0 –                      ABSTAINED – 0 –

Mr. Whicker called for the first items on the agenda as follows:

**MIP 1049/11: HENDRICKS COUNTY REMC DBA HENDRICKS POWER COOPERATIVE;** a one lot minor subdivision on 1.94 acres, Liberty Township, S26-T14N-R1W, located on the south side of County Road 900 South, approximately 0.30 mile west of State Road 39. (Banning Engineering, P.C.)

**EX 237/11: MIP 1049 HENDRICKS COUNTY REMC DBA HENDRICKS POWER COOPERATIVE;** an exception of the Subdivision Control Ordinance, Chapter 3, Section 3.15 Provisions for Completion of Improvements. (Banning Engineering, P.C.)

**DPR 426/11 (PRIMARY): HENDRICKS COUNTY REMC DBA HENDRICKS POWER COOPERATIVE;** a development plan review to develop an electric power substation on 1.94 acres, Liberty Township, S26-T14N-R1W, located on the south side of County Road 900 South, approximately 0.30 mile west of State Road 39. (Banning Engineering, P.C.)

**DPR 426/11 (SECONDARY): HENDRICKS COUNTY REMC DBA HENDRICKS POWER COOPERATIVE;** a development plan review to develop an electric power substation on 1.94 acres, Liberty Township, S26-T14N-R1W, located on the south side of County Road 900 South, approximately 0.30 mile west of State Road 39. (Banning Engineering, P.C.)

Mr. Robert Staton of Banning Engineering, P.C. appeared on behalf of the applicant. Mr. Ron Monts, Chief Operating Officer, and Amy Watson, both from Hendricks Power Cooperative, appeared. Mr. Staton reviewed the location of the proposed power substation. He also reviewed the site drainage plan. He then reviewed comments from the staff in regard to Minor Plat 1029. He stated they were asking for an exception to the Subdivision Control Ordinance in order to delay the completion of the improvements prior to recording. He stated a roadside ditch was proposed along the front of the property and landscaping and they wished to record the plat prior to that work being done. He stated that in regard to the comments for the development plan review, they were proposing a mound and trees along the mound to provide screening on the north side. He stated there was a drainage easement along the west side of the property that prohibited them from any plantings. He stated that Hendricks Power had contacted the adjoining property owners along the west side, Robert and Nancy Condit. He stated that they were in attendance at this meeting and they had agreed to allow Hendricks Power to plant some trees on their property to provide some screening. He also discussed the staff comment in regard to the fifteen (15) inch pipe being used instead of the proposed twelve (12) inch pipe. He then discussed the

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hard surface entrance recommended by the planning staff. He stated they wished to use a stone entrance surface typical of substations. He stated they had sent the planning staff a modification request for the surface entrance.

Mr. Whicker called for questions or comments.

Mr. Ayers then commented that the hard surface entrance requirement had been recommended by him and he was aware of the modification request. He stated that a hard surface was typically required in such cases although the entire site would not fall under that requirement. He stated that he believed it was a good idea to have some hard surface at least on the part of the drive that contacted the county road and he felt it was reasonable to request that it be paved back to the right-of-way line.

Mr. Whicker then asked for Mr. Reitz's comments on procedure.

Mr. Reitz then stated that typically minor subdivision approvals and exceptions were reviewed by the Administrative & Plat Committee and in this case since the Plan Commission was hearing the development plan review, they included the companion minor plat and exception.

Mr. Whicker then asked about the exception requested.

Mr. Reitz stated approval of the exception would allow them to record the plat prior to completion of all improvements.

Mr. Whicker then asked if the hard surface concern was part of the development plan approval.

Mr. Reitz stated that was correct.

There being no further questions or comments, Mr. Whicker opened the public hearing. There being no one signed up to be heard, Mr. Whicker closed the public hearing and asked for further comments from Mr. Staton.

Mr. Staton asked Mr. Ron Monts of Hendricks Power Cooperative to speak on the matter.

Mr. Ron Monts, Director of Operations of Hendricks Power Cooperative, appeared. He explained the reason they were requesting the exception to record the plat prior to completion of improvements was that the substation was considered a growth substation for them and the surrounding area comprised over a thousand acres of planned industrial park. He stated there would be multiple circuits coming out of the front and back of the substation. He stated, however, all of those circuits would not be in operation on the day the substation was constructed. He stated that there would be one major circuit down the rear of the existing Johnson & Johnson/Excel warehouse. He stated that eventually there would be circuits coming out of the front and side of the substation. He stated that there would be no traffic at the substation to justify the hard surface.

Mr. Ayers commented that he was not asking them to hard surface the whole site. He stated that where the circuits were being pulled would not be affected if just paving back to the right-of-way line or basically back just to beyond where the pipe was for the entrance drive.

Mr. Monts asked if that would be approximately fifteen (15) feet back.

Mr. Ayers stated yes or just some distance off the road so that the part closest to the county road was paved. He stated this would provide some protection for the county road during the construction process.

Mr. Monts asked if just back from the ditch would be okay.

Mr. Ayers asked Mr. Staton how far back was the ditch.

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Mr. Staton responded approximately thirty (30) feet.

Mr. Monts stated he could agree to that.

Mr. Whicker asked for further questions or comments. There being none, Mr. Whicker asked for a separate motion for each approval.

Mr. Cain then made a motion to grant approval for **MIP 1049/11: Hendricks County REMC dba Hendricks Power Cooperative** subject to the following:

1. Staff recommendations and conditions in letter dated May 3, 2011.

Mr. Wathen seconded the motion.

Mrs. Groves then made a suggestion that because Mr. Ayers had requested for the entrance to be hard surfaced back thirty (30) feet, the motion should reflect that.

Mr. Whicker stated that agreed upon condition was already part of the staff letter so the motion could stand as made.

FOR – 6 –                      AGAINST – 0 –                      ABSTAINED – 0 –

Mrs. Groves then made a motion to grant approval for **EX 237/11**, an exception for recording the plat prior to completion of improvements.

Dr. Hodgkin seconded the motion.

FOR – 6 –                      AGAINST – 0 –                      ABSTAINED – 0 –

Mr. Cain then made a motion to grant primary approval for **DPR 426/11: Hendricks County REMC dba Hendricks Power Cooperative (Primary)** subject to the following:

1. Staff recommendations and conditions in letter dated May 3, 2011; and
2. Entrance to be paved from road back to edge of ditch approximately thirty (30) feet.

Mrs. Johnston seconded the motion.

FOR – 6 –                      AGAINST – 0 –                      ABSTAINED – 0 –

Mr. Wathen then made a motion to grant secondary approval for **DPR 426/11: Hendricks County REMC dba Hendricks Power Cooperative (Secondary)** subject to the following:

1. Staff recommendations and conditions in letter dated May 3, 2011; and
2. Entrance to be paved from road back to edge of ditch approximately thirty (30) feet.

Dr. Hodgkin seconded the motion.

FOR – 6 –                      AGAINST – 0 –                      ABSTAINED – 0 –

The staff recommendations and conditions in staff letter for **MIP 1049/11** were as follows:

**DRAINAGE CONDITIONS:**

1. Subject to Drainage Board approval and the conditions of the County Surveyor.

**STAFF RECOMMENDATIONS:**

1. EX 237 - The applicant has requested an exception to delay the installation of all site improvements proposed as part of DPR 426 in order to immediately record the plat. The applicant has stated that Hendricks Power wishes to begin work on the substation as soon as possible. If granted, the exception will be valid for one year from the date of approval. Staff has no objection to the request so long as surety for all site improvements is received prior to recording; (HCSCO Chapter 3.15).

**CONDITIONS OF APPROVAL:**

1. A properly executed County/Owner Inspection Agreement must be provided prior to approval with all appropriate fees paid prior to the start of any construction.
2. This project is subject to the National Pollutant Discharge Elimination System (NPDES) General Permit covering storm water quality. Procedures there under are governed locally by the Hendricks County Stormwater Management Ordinance and corresponding Technical Standards Manual. An application, fees, construction plans, specifications and Stormwater Pollution Prevention Plan must be presented for approval to the Hendricks County Drainage Board separately from the application to the Hendricks County Area Plan Commission. Secondary Stormwater Approval for a plat, PUD or development plan must be obtained from the Drainage Board prior to Secondary Approval (or Approval in the case of minor plats) by the Plan Commission or its Administrative and Plat Committee. In addition, an Erosion Control Permit issued by the Hendricks County Surveyor is required for individual building lots prior to obtaining a Building Permit from the Planning and Building Department.
3. The Hendricks County Planning and Building Department must be notified at least seventy-two (72) hours prior to any site improvements being installed.
4. Addresses must be added to the final plat prior to recording. The Director of the Plan Commission will not sign the final plat without addresses included. To obtain addresses, the applicant must submit a request to the Planning and Building Department well in advance of the recording package being forwarded to the Hendricks County Engineer's Office. The Plat Address Information Sheet submitted with the plat application does not constitute a request for addresses.

The staff recommendations and conditions for **DPR 426/11** were as follows:

**DRAINAGE CONDITIONS:**

1. Subject to Drainage Board approval and the conditions of the County Surveyor.

**STAFF RECOMMENDATIONS:**

1. The project engineer must provide an estimate of construction cost and post a performance guarantee prior to the issuance of an Improvement Location Permit.
2. A Type 3 bufferyard is required along the north and west property lines. In lieu of the Type 3 bufferyard along the west property line, the applicant has stated they are working with the adjacent property owner on the screening and have proposed a row of evergreens off-site. The applicant has not proposed landscaping along the west property line as there is a 30 foot Drainage Easement and they have proposed gravel up to the easement. Acceptance of this is a modification the Plan Commission has the authority to make (HCZO 7.5(M)).
3. The applicant has proposed compacted stone for driveway. The Zoning Ordinance requires a hard, dust-free surface (excluding gravel) for driveways. Staff recommends the driveway be hard surfaced, as opposed to compacted stone, from the road to the back of the proposed right-of-way at a minimum. The typical section shall be sufficient to accommodate anticipated loading.

4. The applicant has proposed a 25 foot wide driveway. The Zoning Ordinance requires 28 foot wide driveways for non-residential uses. Staff has no objection to the slightly reduced width given the use of the site. Acceptance of this is a modification the Plan Commission has the authority to make (HCZO 7.3(C)).
5. The driveway pipe for the side ditch should be a minimum 15" diameter instead of the 12" diameter proposed.
6. The applicant has proposed barbed wire fencing around the substation. The Zoning Ordinance prohibits barbed wire and razor wire in the GB zoning district. Staff recommends barbed wire fencing be allowed as it is a public safety recommendation of the U.S. Department of Agriculture Rural Utilities Service. Acceptance of this is a modification the Plan Commission has the authority to make (HCZO 2.2(A)(17)(a)).

**CONDITIONS OF APPROVAL:**

1. A properly executed County/Owner Inspection Agreement must be provided prior to secondary approval with all appropriate fees paid prior to the start of any construction.
2. This project is subject to the National Pollutant Discharge Elimination System (NPDES) General Permit covering storm water quality. Procedures there under are governed locally by the Hendricks County Stormwater Management Ordinance and corresponding Technical Standards Manual. An application, fees, construction plans, specifications and Stormwater Pollution Prevention Plan must be presented for approval to the Hendricks County Drainage Board separately from the application to the Hendricks County Area Plan Commission. Secondary Stormwater Approval for a plat, PUD or development plan must be obtained from the Drainage Board prior to Secondary Approval (or Approval in the case of minor plats) by the Plan Commission or its Administrative and Plat Committee. In addition, an Erosion Control Permit issued by the Hendricks County Surveyor is required for individual building lots prior to obtaining a Building Permit from the Planning and Building Department.
3. A State Plan Release is also required for multifamily, residential and non-residential (commercial and industrial) projects. In no way will a Development Plan Review be construed as a substitute or a waiver for these other required permits.

**DPR 425/11 (PRIMARY): INDIANA TRAILS SECTION ONE;** a development plan review to construct multi-family buildings and common area, 7.23 acres, Washington Township, S1,6-T15N-R1E,2E, located on the east side of County Road 900 East, approximately 0.25 mile south of County Road 100 North. (Kruse Consulting, Inc.)

**DPR 425/11 (SECONDARY): INDIANA TRAILS SECTION ONE;** a development plan review to construct multi-family buildings and common area, 7.23 acres, Washington Township, S1,6-T15N-R1E,2E, located on the east side of County Road 900 East, approximately 0.25 mile south of County Road 100 North. (Kruse Consulting, Inc.)

**MAP 731/11 (PUD 35) (SECONDARY): INDIANA TRAILS, SECTION 1;** a 2-lot major subdivision/planned unit development; 7.23 acres, Washington Township, S1,6-T15N-R1E,2E, located on the east side of County Road 900 East, approximately 0.25 mile south of County Road 100 North. (Kruse Consulting, Inc.)

**MAP 731/11 (PUD 35) (SECONDARY): INDIANA TRAILS, SECTION 2;** a 35-lot major subdivision/planned unit development, 10.25 acres, Washington Township, S1,6-T15N-R1E,2E, located on the east side of County Road 900 East, approximately 0.25 mile south of County Road 100 North. (Kruse Consulting, Inc.)

Mr. Dale Kruse of Kruse Consulting, Inc. appeared along with Mr. Tim Paino of P.R.I.M.E. Ministries. Mr. Kruse reviewed the history and location of the subject property and their requests for approval for the development plan and major plats. He reviewed the plans for the retention and

demolition of the existing structures on the property and the uses for the remaining structures. He then reviewed the overall development site plan. He stated there would be two eight (8) unit apartment buildings and thirty-five (35) single family homes situated on the site. He stated there would be one entrance off of County Road 900 East. He again explained that the existing home on the property would be used as a sales office.

Mr. Wathen asked what would happen to the office after the property was built out.

Mr. Kruse stated that Mr. Paino's company would retain the office to manage the property after all construction was finished.

Mr. Tim Paino explained that the structure would also be used as a community center.

Mr. Kruse stated that the garage attached to the house would be remodeled as a community center for the residents.

Mr. Kruse explained that the proposed landscaping would be what had been committed to as part of the approved PUD ordinance. He then reviewed their compliance with the staff recommendations in staff's letter dated May 3, 2011. He then reviewed their compliance with the staff's recommendations for the major plat secondary approvals for Sections 1 and 2 and one of the commitments was to connect to the sidewalk system to the Town of Avon's walking trail master plan that would be implemented along the Feeney Drain. He indicated where they would be showing a connection from their proposed development to the future walking trail. He explained their reasoning for dividing the development into two sections.

Mr. Whicker asked for questions or comments. There being none, Mr. Whicker opened the public hearing. There being no one signed up to be heard, Mr. Whicker closed the public hearing.

Mr. Whicker then called for motions on the major plats first.

Mr. Wathen then made a motion to grant secondary approval for **MAP 731/11 (PUD 35) (Secondary): Indiana Trails, Section One** subject to the conditions and recommendations in staff's letter dated May 3, 2011.

Mrs. Johnston seconded the motion.

FOR – 6 –                      AGAINST – 0 –                      ABSTAINED – 0 –

The conditions and recommendations were as follows:

**DRAINAGE CONDITIONS:**

1. Subject to Drainage Board approval and the conditions of the County Surveyor.

**STAFF RECOMMENDATIONS:**

1. This development is subject to the Multi-Family Residential Architectural Requirements and all other requirements in the PUD Ordinance and ZA 405 Findings of Fact; (ZA 405/10 (PUD 35)).
2. The applicant has committed to connecting to the planned Avon Drain multi-use path in lieu of a pedestrian way connecting to the adjacent church in order to meet the Subdivision Control Ordinance requirement of pedestrian ways- see enclosed exhibit. The 2010 Avon Bicycle and Pedestrian Plan calls for a multi-use path known as the Avon Drain to be constructed in the area of the existing legal drain at two instances along the southern end of this development. The Town has given the project a long term timeline (9+ years) for development and has rated it with a high level of difficulty as a result of three significant challenges/constraints. The applicant has submitted a draft Development Commitment Recording Form with the commitment to connect to the Avon Drain multi-use path at such time it is constructed. Staff approves of the commitment

and this connection in lieu of a connection to the adjacent church property; (HCSCO Chapter 6.03 (32)).

- a. The Development Commitment Recording Form shall be recorded within 30 days of this approval and the instrument number noted on the recorded plat.

**CONDITIONS OF APPROVAL:**

1. A properly executed County/Owner Inspection Agreement must be provided prior to secondary approval with all appropriate fees paid prior to the start of any construction.
2. This project is subject to the National Pollutant Discharge Elimination System (NPDES) General Permit covering storm water quality. Procedures there under are governed locally by the Hendricks County Stormwater Management Ordinance and corresponding Technical Standards Manual. An application, fees, construction plans, specifications and Stormwater Pollution Prevention Plan must be presented for approval to the Hendricks County Drainage Board separately from the application to the Hendricks County Area Plan Commission. Secondary Stormwater Approval for a plat, PUD or development plan must be obtained from the Drainage Board prior to Secondary Approval (or Approval in the case of minor plats) by the Plan Commission or its Administrative and Plat Committee. In addition, an Erosion Control Permit Issued by the Hendricks County Surveyor is required for individual building lots prior to obtaining a Building Permit from the Planning and Building Department.
3. The Hendricks County Planning and Building Department must be notified at least seventy-two (72) hours prior to any site improvements being installed.
4. Development plan approval does not constitute approval of signage unless such approval is expressly granted by the Plan Commission as part of this development plan. Signage review and approval is typically carried out as a permitting process separate from development plan approval.
5. Addresses must be added to the final plat prior to recording. The Director of the Plan Commission will not sign the final plat without addresses included. To obtain addresses, the applicant must submit a request to the Planning and Building Department well in advance of the recording package being forwarded to the Hendricks County Engineer's Office. The Plat Address Information Sheet submitted with the plat application does not constitute a request for addresses.
6. A State Plan Release is required for multifamily, residential and non-residential (commercial and industrial) projects. In no way will a Development Plan Review be construed as a substitute or a waiver for these other required permits.

Mr. Wathen then made a motion to grant secondary approval for **MAP 731/11 (PUD 35) (Secondary): Indiana Trails, Section Two** subject to the conditions and recommendations in staff's letter dated May 3, 2011.

Mrs. Johnston seconded the motion.

FOR – 6 –                      AGAINST – 0 –                      ABSTAINED – 0 –

The staff recommendations were as follows:

**DRAINAGE CONDITIONS:**

1. Subject to Drainage Board approval and the conditions of the County Surveyor.

**STAFF RECOMMENDATIONS:**

1. This development is subject to the Single-Family Residential Architectural Requirements and all other requirements in the PUD Ordinance and ZA 405 Findings of Fact; (ZA 405/10 (PUD 35)).

2. The applicant has requested to construct model homes on lots 9, 10 and 11 prior to recording of the plat. Adequate site improvements shall be required prior to any Improvement Location Permits being issued. No certificates of occupancy shall be issued until the plat is recorded.
3. The instrument number for the off-site Sanitary Sewer Easement shall be noted on the recorded plat.
4. The underdrain details are confusing and must be clarified; specifically, in the incorrectly labeled "Storm Sewer Lateral" detail, the mainline of the pavement subdrain is shown in a different location than on the street underdrain detail.

**CONDITIONS OF APPROVAL:**

1. A properly executed County/Owner Inspection Agreement must be provided prior to secondary approval with all appropriate fees paid prior to the start of any construction.
2. This project is subject to the National Pollutant Discharge Elimination System (NPDES) General Permit covering storm water quality. Procedures there under are governed locally by the Hendricks County Stormwater Management Ordinance and corresponding Technical Standards Manual. An application, fees, construction plans, specifications and Stormwater Pollution Prevention Plan must be presented for approval to the Hendricks County Drainage Board separately from the application to the Hendricks County Area Plan Commission. Secondary Stormwater Approval for a plat, PUD or development plan must be obtained from the Drainage Board prior to Secondary Approval (or Approval in the case of minor plats) by the Plan Commission or its Administrative and Plat Committee. In addition, an Erosion Control Permit issued by the Hendricks County Surveyor is required for individual building lots prior to obtaining a Building Permit from the Planning and Building Department.
3. The Hendricks County Planning and Building Department must be notified at least seventy-two (72) hours prior to any site improvements being installed.
4. Development plan approval does not constitute approval of signage unless such approval is expressly granted by the Plan Commission as part of this development plan. Signage review and approval is typically carried out as a permitting process separate from development plan approval.
5. Addresses must be added to the final plat prior to recording. The Director of the Plan Commission will not sign the final plat without addresses included. To obtain addresses, the applicant must submit a request to the Planning and Building Department well in advance of the recording package being forwarded to the Hendricks County Engineer's Office. The Plat Address Information Sheet submitted with the plat application does not constitute a request for addresses.
6. A State Plan Release is required for multifamily, residential and non-residential (commercial and industrial) projects. In no way will a Development Plan Review be construed as a substitute or a waiver for these other required permits.

Mr. Wathen made a motion to grant primary approval for **DPR 425/11 (Primary): Indiana Trails, Section One** subject to the conditions and recommendations in staff's letter dated May 3, 2011.

Mrs. Johnston seconded the motion.

FOR – 6 –                      AGAINST – 0 –                      ABSTAINED – 0 –

Mr. Wathen then made a motion to grant secondary approval for **DPR 425/11 (Secondary): Indiana Trails, Section One** subject to the conditions and recommendations in staff's letter dated May 3, 2011.

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Mrs. Johnston seconded the motion.

FOR – 6 –                      AGAINST – 0 –                      ABSTAINED – 0 –

The recommendations and conditions were as follows:

**DRAINAGE CONDITIONS:**

1. Subject to Drainage Board approval and the conditions of the County Surveyor.

**STAFF RECOMMENDATIONS:**

1. The project engineer must provide an estimate of construction cost and post a performance guarantee prior to the issuance of an Improvement Location Permit.
2. This development is subject to the Multi-Family Residential Architectural Requirements and all other requirements in the PUD Ordinance and ZA 405 Findings of Fact; (ZA 405/10 (PUD 35)).
3. The applicant has proposed 100% of the parking spaces for the office/salesroom/showroom between the front façade and the primary street which exceeds the Zoning Ordinance maximum of 50%. Staff has no objection to this request given the low number of spaces and the required road alignment for Feeney Way. Acceptance of this is a modification the committee has the authority to make (HCZO 8.4(P)).
4. The underdrain details are confusing and must be clarified; specifically, in the incorrectly labeled “Storm Sewer Lateral” detail, the mainline of the pavement subdrain is shown in a different location than on the street underdrain detail.

**CONDITIONS OF APPROVAL:**

1. A properly executed County/Owner Inspection Agreement must be provided prior to secondary approval with all appropriate fees paid prior to the start of any construction.
2. This project is subject to the National Pollutant Discharge Elimination System (NPDES) General Permit covering storm water quality. Procedures there under are governed locally by the Hendricks County Stormwater Management Ordinance and corresponding Technical Standards Manual. An application, fees, construction plans, specifications and Stormwater Pollution Prevention Plan must be presented for approval to the Hendricks County Drainage Board separately from the application to the Hendricks County Area Plan Commission. Secondary Stormwater Approval for a plat, PUD or development plan must be obtained from the Drainage Board prior to Secondary Approval (or Approval in the case of minor plats) by the Plan Commission or its Administrative and Plat Committee. In addition, an Erosion Control Permit issued by the Hendricks County Surveyor is required for individual building lots prior to obtaining a Building Permit from the Planning and Building Department.
3. Development plan approval does not constitute approval of signage unless such approval is expressly granted by the Plan Commission as part of this development plan. Signage review and approval is typically carried out as a permitting process separate from development plan approval.
4. No Improvement Location Permit/Building Permit shall be issued until any plat associated with Secondary Development Plan Review has been recorded.
5. A State Plan Release is also required for multifamily, residential and non-residential (commercial and industrial) projects. In no way will a Development Plan Review be construed as a substitute or a waiver for these other required permits.

**DPR 427/11 (PRIMARY):   CROSSLAND BAPTIST CHURCH;** a development plan review to construct a new church building on 1.245 acres, Franklin Township, S21&22-T14N-R2W, located in the Town of Stilesville at the southeast corner of Hendricks Street and South Street, also known as 3471 Hendricks Street. (Benchmark Consulting, Inc.)

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**DPR 427/11 (SECONDARY):** **CROSSLAND BAPTIST CHURCH, PHASE I;** a development plan review to construct a new church building on 1.245 acres, Franklin Township, S21&22-T14N-R2W, located in the Town of Stilesville at the southeast corner of Hendricks Street and South Street, also known as 3471 Hendricks Street. (Benchmark Consulting, Inc.)

Mr. Bill Ottinger of Benchmark Consulting, Inc. appeared on behalf of the applicant. He reviewed the history and location of the proposed project. He stated that there were representatives of the Crossland Baptist Church present in the audience. He stated they planned to expand the existing structure and he reviewed the development plan to be completed in two phases. He stated that Phase I would consist of the original building. He stated that the curb cuts and road improvements shown would be completed as part of Phase II. He stated there was a series of parking spaces to be provided for the Phase I project and he indicated where those spaces would be located and where future parking would be provided during Phase II. He then reviewed the staff conditions and recommendations and their compliance with the requirements for parking, landscaping, crosswalks on Hendricks Street, sidewalks, elevations, use of vinyl siding and masonry, and compliance with ADA requirements. He stated they planned to delay the masonry requirement in Phase I to allow for future expansion in Phase II. He asked for assistance in regard to staff recommendations #6 & #7 regarding the architectural standards.

Mr. Whicker asked for the staff to comment on Mr. Ottinger's presentation.

Mr. Fazzini explained the staff's recommendations regarding the required architectural standards for the proposed building in both phases of the construction.

Mrs. Groves then asked about the west side of the building facing the street. She asked about any foundation plantings proposed.

Mr. Ottinger said they could consider a variation of foundation plantings and street trees.

Mrs. Groves said she would agree with that.

Mr. Ayers then commented that he felt there was not enough room for street trees and he asked if the foundation plantings alone would be acceptable.

It was agreed that the staff should work with the applicant to place appropriate foundation plantings.

Mr. Whicker then asked for further questions or comments. There being none, Mr. Whicker opened the public hearing. There being no one signed up to be heard, Mr. Whicker closed the public hearing and asked for further questions or comments. There were none and Mr. Whicker called for motions.

Mr. Wathen then made a motion to grant primary approval for **DPR 427/11: Crossland Baptist Church (Primary)** subject to the following conditions:

1. Conditions and recommendations in staff's letter dated May 3, 2011; and
2. Installation of foundation plantings on west side of building.

Mrs. Groves seconded the motion.

FOR – 6 –                      AGAINST – 0 –                      ABSTAINED – 0 –

Mr. Wathen made a motion to grant secondary approval for **DPR 427/11: Crossland Baptist Church (Secondary)** subject to the following conditions:

1. Conditions and recommendations in staff's letter dated May 3, 2011; and
2. Installation of foundation plantings on west side of building.

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Dr. Hodgkin seconded the motion.

FOR – 6 –                      AGAINST – 0 –                      ABSTAINED – 0 –

The staff conditions and recommendations were as follows:

**DRAINAGE CONDITIONS:**

1. Subject to Drainage Board approval and the conditions of the County Surveyor.

**STAFF RECOMMENDATIONS:**

1. The project engineer must provide an estimate of construction cost and post a performance guarantee prior to the issuance of an Improvement Location Permit.
2. The applicant has proposed the project in two phases. The parameters of each phase needs to be more clearly defined as construction limits for each phase have not been proposed. Specifically, it unclear which sidewalks, right-of-way improvements, and landscaping are to be installed with Phase I, and that the area of Phase II will remain unimproved until time of expansion.
  - b. A new Secondary Development Plan Approval will be required for Phase II.
3. This development qualifies for the Zoning Ordinance's Infill Development Standards (HCZO 5.1). The following improvements have utilized the flexibility provided by the Infill Standards:
  - c. Parking- Though still undefined, it appears only on-street parking is being proposed with Phase I. Six on-street spaces are required based on the Phase I floor plan. Nine spaces have been proposed, which the Town of Stilesville has approved.
  - d. Landscaping- The applicant has proposed a reduced amount of landscaping along the north and south property lines where a Type 2 bufferyard would otherwise be required. The applicant has proposed perimeter landscaping for the off-street parking lot and interior parking lot plantings. Staff has no objection to the reduced amount of landscaping subject to the following issues being corrected: inclusion of a planting schedule with species and quantities, perimeter landscaping for the parking lot drawn as continuous, and indication of tree protection detail on site and landscaping plan.
4. The applicant has proposed a crosswalk on Hendricks Street in order to provide a safe connection to the existing church building. The crosswalk markings must be done in compliance with the requirements of the Indiana Manual for Uniform Traffic Control Devices.
5. The sidewalk to asphalt parking Typical Sidewalk Section detail on the site plan should be replaced with a detail similar to the Combined Walk and Curb detail shown on page C800 in order to reflect the integrated sidewalk and curb that will be installed along the on-street parking spaces to provide a safe buffer for pedestrians. Furthermore, the curb chamfer at the southwest corner of the site needs to be clarified.
6. The elevations need to be revised to show all sides of the Phase I building, other than the east side, as having a defined base per H.1. of the Non-Residential Design Standards. The north elevation also needs entry features proposed.
7. The applicant has proposed vinyl siding for the east side of the Phase I building. This is being done as this is the location of the Phase II addition. Staff has no objection to this request given that all sides of the building will eventually be masonry per the elevations stamped "Received" on 27 April 2011. Acceptance of this is a modification the Plan Commission has the authority to make (HCZO 8.4(P)).
8. Requirements for future Phase II Secondary DPR: parking lot improvements with wheel stops, ADA van accessible space for off-street parking facility, bicycle parking, entrance/exit improvements and signage, landscaping (see 3.b.), lighting, and non-residential design standards (pedestrian facilities and offsets).

**CONDITIONS OF APPROVAL:**

1. A properly executed County/Owner Inspection Agreement must be provided prior to secondary approval with all appropriate fees paid prior to the start of any construction.
2. This project is subject to the National Pollutant Discharge Elimination System (NPDES) General Permit covering storm water quality. Procedures there under are governed locally by the Hendricks County Stormwater Management Ordinance and corresponding Technical Standards Manual. An application, fees, construction plans, specifications and Stormwater Pollution Prevention Plan must be presented for approval to the Hendricks County Drainage Board separately from the application to the Hendricks County Area Plan Commission. Secondary Stormwater Approval for a plat, PUD or development plan must be obtained from the Drainage Board prior to Secondary Approval (or Approval in the case of minor plats) by the Plan Commission or its Administrative and Plat Committee. In addition, an Erosion Control Permit issued by the Hendricks County Surveyor is required for individual building lots prior to obtaining a Building Permit from the Planning and Building Department.
3. To obtain addresses, the applicant must submit a request to the Planning and Building Department. The Plat Address Information Sheet submitted with the plat application does not constitute a request for addresses.
4. Development plan approval does not constitute approval of signage unless such approval is expressly granted by the Plan Commission as part of this development plan. Signage review and approval is typically carried out as a permitting process separate from development plan approval.
5. A State Plan Release is also required for multifamily, residential and non-residential (commercial and industrial) projects. In no way will a Development Plan Review be construed as a substitute or a waiver for these other required permits.

That concluded the regular hearing portion of the agenda. Mr. Whicker called on Mr. Reitz for any discussion items.

Mr. Reitz stated that the **ACME Auto Salvage** project had been given until May 12, 2011 for installation of the septic system for the existing building. He stated that due to weather conditions, said system could not be installed before the expiration date. He stated that the staff could handle granting them a ninety (90) day extension to install said septic system if the Plan Commission had no objections.

Mr. Wathen said he would not be opposed to it and the other members concurred.

There being no further discussion, Mr. Whicker adjourned the meeting at 7:26 p.m.

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Don F. Reitz, AICP, Secretary