**\*\* NOTE – THERE WAS NO PLAN COMMISSION HELD IN JULY \*\***

A meeting of the Hendricks County Area Plan Commission was held on Tuesday, August 8, 2023, 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. Brad Whicker; Mr. Bob Gentry; Mr. Walt O’Riley; Mr. Tom Whitaker; and Mr. Ron Kneeland. Staff members present were Mr. Tim Dombrosky, Secretary and Director of Planning; Mr. Brian Hurskainen, Senior Planner; Mr. Greg Steuerwald, County Attorney; and Mrs. Brandy Swinford, Recording Secretary.

The meeting was opened with the Pledge of Allegiance. There was a quorum with five (5) members present.

Mr. Whicker stated that they had minutes to approve from the May and June meetings. It was determined that they had a quorum of the people who were in attendance to vote.

Mr. Gentry motioned for approval of the meeting minutes from May 9, 2023 and June 13, 2023

**DPR 514/23: THE CHURCH BY THE SIDE OF THE ROAD (PRIMARY**); a development plan review for a parking lot expansion; 1.7 acres; Washington Township; S17-T15N-R2E; located at 10323 E. CR 100 S. – Avon (Moench Engineering)

Mr. Dombrosky noted that this had been continued at the drainage board.

Mr. Gentry noted that it was continued because, according to the representative, they were working with the Town of Avon on a discharge permit.

Mr. Gentry motioned for a continuance of **DPR 514/23: The Church by the Side of the Road (Primary)** to the September 12, 2023 meeting.

Mr. O’Riley seconded the motion.

FOR – 5 – AGAINST – 0 – ABSTAINED – 0 –

**ZA 508/23: DEBORAH ELLIS;** a zoning amendment change from NB to NB without a restriction on uses; 1.00 acre; Washington Township; S8-T15N-R1E; located at 4905 E. Main Street – Avon (Deborah Ellis)

Ms. Deborah Ellis, 2751 Sandstone Way, Plainfield, was present. Her property at 4905 E. Main Street, Avon had a previous zoning restriction as a single use for her salon.

Mr. Dombrosky explained that she was asking to remove the restriction to allow any other commercial business to be used there. It has been used successfully as a business for 20 plus years. It has access to a main road. He stated that staff was asking her to commit to widening the drive to a 2-car width and she has agreed to do so within 12 months. Staff was recommending approval.

Mr. Whicker opened the public hearing.

Mr. Dale Bunch, 32 E. CR 500 N., Pittsboro was present. He owns the neighboring property at 4993 E. Main Street, Avon. He does not want the change. He stated that the customers of the salon have no room to park, and they drive onto his property. He had to put a gate up to stop them from coming into his drive. He stated this has been a problem since she has been there. He stated that there was a sewer ran across his property and no one can locate it. He believes it was put in incorrectly and there is no tracer wire. He has someone interested in purchasing his property, but they do not want to have issues with Ms. Ellis as he stated she has threatened to sue him if they hit her main.

Mr. Whicker asked if the sewer was installed for Ms. Ellis’ use only.

Mr. Bunch replied that it was to get back to the house on his property. It was not for her use at all.

Mr. Nick Quintana, 5751 Sandstone Way, Plainfield, was present. He stated that he used to be Ms. Ellis’ business partner. He stated he met Mr. Bunch over the summer when there was a sink hole in the right of way. They did not know what caused the sink hole, but he stated Mr. Bunch demanded that they fix it. He stated that there was a force main that pushes the wastewater up and away from her property to the northeast. He stated the Engineering office had someone come out and they were not told there was any hole in the force main. He disputed the claim that the clients go through Mr. Bunch’s property. He has no idea where he came up with these ideas. He stated they honor the no trespassing signs on Mr. Bunch’s property. There are 20 parking spaces at the salon for customers. He claimed that Mr. Bunch was being untruthful.

Mr. Whicker closed the public hearing.

Ms. Ellis stated that there was more than adequate amount of parking. She did acknowledge that when they first opened in 2004, they may have had a customer mistake his drive for the entrance of the salon. She noted that he put up the gate shortly after that and that was the end of it. She stated that she has never threatened to sue Mr. Bunch.

Mr. Whicker asked if she had signage up locating her business.

Ms. Ellis replied that she does have a street sign. It was brought up on the slide to show the size.

Mr. Whicker asked what the accepted uses for Neighborhood Business were.

Mr. Dombrosky reviewed the uses allowed.

Mr. Gentry motioned for a favorable recommendation for **ZA 508/23: Deborah Ellis**.

Mr. Whitaker seconded the motion.

FOR – 5 – AGAINST – 0 – ABSTAINED – 0 –

**ZA 509/23: HENDRICKS COUNTY COMMISSIONERS;** a zoning amendment change from GB to AGR with restrictions; 1.993 acres; Liberty Township; S25-T14N-R1W; located 1375 feet west of State Road 39 and E. CR 900 S. (Greg Steuerwald)

Mr. Dombrosky reviewed the location. The property is owned by the Hendricks County Board of Commissioners and the adjoining property is owned by the Center Valley Cemetery. He stated that it was rezoned General Business as part of a large rezoning back when the industrial park was being developed. It was an offset to the amount of industrial space that was being rezoned included in that is acreage for commercial development. The thought at the time was that County Road 900 could be a commercial frontage. It has not developed as such and likely will not, due to intersection restrictions and Innovation Blvd. becoming the main corridor. Staff recommends the change.

Mr. Steuerwald noted to be clear, it was a self-imposed restriction that it only be used for cemetery use.

Mr. Whicker opened the public hearing. There being no one signed up to speak, he closed the public hearing.

Mr. Gentry motioned for a favorable recommendation for **ZA 509/23: Hendricks County Commissioners**.

Mr. O’Riley seconded the motion.

FOR – 5 – AGAINST – 0 – ABSTAINED – 0 –

**DPR 509/23: GREENSGROOMER;** amendment to modify the landscaping plan; 2.0 acres; Lincoln Township; S20-T16N-R2E; located on the west side of Raceway Road and north of SR 136/Crawfordsville Road

Mr. Dombrosky reviewed the location and site plan. He stated that they are close to completion. The developer has asked to reduce the plantings in the landscaping plan and has presented a new plan. They had copies of both the new and proposed plans in their packets and he passed out photos of the site as of today for them to review.

Mr. Shawn Heinen, 4545 McCurdy Road, owner of the property, was present. When they developed the property, their civil engineer used an old graphic and the trees have grown up significantly to the west and north. They are still planning to plant in the front along Raceway Road and some along the west. The neighbor to the west does not want any trees planted but he has told them the county did want him to do so. They only have four (4) feet of driveway to their property line and the neighbors want to put a fence up.

Mr. Dombrosky explained the difference between the site plans and changes requested, noting that it was mainly to the east and south. It was noted that they were going from 40 trees to 17 trees.

There was further discussion amongst the plan commission members.

Mr. Gentry motioned for approval of **DPR 509/23: Greensgroomer**.

Mr. Kneeland seconded the motion.

FOR – 5 – AGAINST – 0 – ABSTAINED – 0 –

WISHES TO BE HEARD

Mr. Dombrosky noted that there were people present to discuss a banquet or assembly hall within the Airport District. He had given them a memo with the request.

Mr. Rajavelu Kandasamy was present. He was a representative of Banham Realty Group. They had recently purchased a 32-acre parcel east of the Hendricks County Airport. They would like to convert the property to build a new event center or repurpose the barns to event space. The property does have a home that they have repurposed into an Airbnb. He stated that the total project cost is estimated at $1.7 million. The banquet center would house approximately 350 people. It would be used for weddings, corporate events and smaller events as well. They plan to have table and chair rental and eventually apply for a liquor license. He asked if that would be something that could be done within the zoning district.

There was discussion among the plan commission members and staff. There was concern if the road could handle the traffic. The members advised that it would be in their best interest to speak to the neighbors beforehand to prevent possible remonstrators.

Mr. Whicker stated that he sees no problem with it.

Mr. O’Riley stated that he does not think it’s a bad location for it and the county would benefit from it.

Mr. Whitaker noted that an event center is difficult to come by and he had been looking for one.

Mr. Steuerwald wanted to note for the record that this was not a commitment of any kind.

Mr. Kandasamy asked what the next step would be.

Mr. Whicker advised them to work with staff.

Mr. Dombrosky stated that the plan commission would need to make a formal determination if that use is acceptable in the zoning district.

Mr. Whicker replied that he would rather not make a decision without all members being in attendance. He would like to table it until the September meeting.

There being no further business, the meeting was adjourned at 7:24 p.m.

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Tim Dombrosky, Secretary