

## HENDRICKS COUNTY AREA PLAN COMMISSION

### Meeting Minutes

Tuesday, November 12, 2024

6:30 PM

Hendricks County Government Center • Meeting Rooms 4 & 5  
355 S Washington St #G80  
Danville, IN 46122

**Members Present:** Mr. Brad Whicker; Mr. Damon Palmer; Mr. Bob Gentry; Mr. Ron Kneeland; Mr. Walt O'Riley; and Mrs. Margaret Gladden.

**Members Absent:** Mr. Thomas Whitaker

**Staff Present:** Mr. Tim Dombrosky, Director; Mr. Greg Steuerwald, County Attorney; Mr. Brian Hurskainen, Senior Planner; and Mrs. Anna Wozniak, Recording Secretary.

A quorum was established, the Pledge of Allegiance was recited, and Mr. Whicker asked for a motion to approve the minutes from October 8th, 2024 meeting. Mr. Gentry made a motion to approve the October minutes. Mrs. Gladden seconded the motion. Motion of approval passed 5-0-1. Mr. Whicker abstained.

**ZA 519/24: ANGELS TOUCH;** a zoning map amendment change from AGR (Agriculture Residential to RE Multi Family; 5.33 acres; Washington Township; 8-15-1E; located at 4055 E Main Street, Avon, IN 46123 (Stella Modirim/Teresa Harwood)

Mr. Dombrosky gave an overview of the petition to board members:

- It is an existing multi-family property zoned AGR
- Proposed owners want to rectify zoning to match the land use to RE multi-family residential
- It will allow them to continue the use, update and expand
- They eventually plan to convert it into an assisted living multi-family
- It is currently on private utilities, but goal would be to connect to a public utility provider
- Any change after rezoning would require a development plan review
- All criteria have been met and recommends a positive recommendation to the Commissioners

Mr. Whicker asked if there were any comments or questions from the board. He opened and closed the public portion of the meeting as no one signed up to speak. He asked for a motion of favorable or unfavorable recommendation of ZA 519/24: Angels Touch.

Mr. O'Riley motioned for a favorable recommendation of ZA 519/24 to the Commissioners.

Mr. Gentry seconded the motion.

**VOTE: For – 6**

**Against – 0**

**Abstained – 0**

### COMPREHENSIVE PLAN UPDATE

Mr. Whicker invited Adam Peaper, the consultant to step up to the podium.

**Adam Peaper – Senior Project Manager – HWC Engineering, 135 N. Pennsylvania Street, Suite 2800, Indianapolis, IN 46204**

Mr. Peaper gave an overview of the Comprehensive Plan.

- Summarized the 18-month process, started back in June of last year that lead us to this point
- We have been sharing initial recommendations and getting feedback before the plan was drafted
- The plan consists of 14 chapters, and topics include housing, transportation and utilities
- Project website has been maintained throughout the process
- Explained the chapters of the comprehensive plan.
- The plan has key points that reflect the engagement process and the steering committee.
- Key points of development interest and potential growth, improving transportation, and increasing communication between the towns, surrounding municipalities, and also how the county can better communicate with the residents.

More recent changes that were made to the plan are:

- Changes to the future land use on the map for Brown and Liberty Townships. Mixed residential classification has been moved up North to provide a transition from employment classification along the future Ronald Regan corridor
- Flood plain has been changed to conservation and new areas have been classified as conservation
- Included additional narrative with respect to the Ronald Reagan Extension
- Infrastructure and making sure that future development on private or on site well and septic systems will not become a barrier to expansions of municipal or regional extensions
- Development being appropriate with respect to rural character in all the county

Mr. Dombrosky: Would you please give a quick distinction between the employment center and the community commercial center.

Mr. Peaper: The employment center would include a lot of the existing warehouses and business parks but also provide an opportunity for future employment sites such as light manufacturing and offices to create diversity and more job opportunities. The community commercial center is more auto and interstate-oriented businesses which would be along the Ronald Regan Parkway. Local commercial centers for local convenience needs to serve workers or residents in that area.

Mr. Whicker asked if plan commission members had any questions.

Mr. Dombrosky gave the rational for the update:

- Hasn't been updated since 2006
- Refreshing the goals per modern times for development
- Can move forward with more confidence in our rezoning decisions from the commissioners
- Process was dragged out as we tried to get public comments due to the plan being so general
- Changes and amendments can be made here tonight to pass on to the commissioners, they are the ones that adapt the plan so please take public comments with heavy weight and high consideration.

Mr. Whicker explained the process of Public Hearing and appreciated the public input since it is the County's Comprehensive Plan. It is a very important document we will look to and utilize for the next 10 to 15 years as we go through the planning process in the unincorporated areas within the county.

Mr. Whicker opened the Public Hearing.

**Mr. John Patten – 10812 E. CR 750 N., Brownsburg, IN 46112**

Mr. Patten thanked everyone and recognized the work and that went into developing the comprehensive plan.

- Efforts to balance growth with the preservation of our county's character are greatly appreciated. Mr. Dombrosky deserves special recognition for the openness to our suggestions
- Presenting a petition signed by over 600 residents from Hendricks County, 11 different HOA's and numerous private residences from Brown Township. Reflects support for inclusion of language that emphasizes the preservation of our agricultural and conservation areas, our rural homes and property. Our goal is to ensure these remain protected, preserving their value for future generations
- The plan would benefit from more specific typologies, and a new Rural or Estate Neighborhood that is outlined in the petition.
- Provided examples of the benefits of preservation, highlighting cost of services studies indicating net benefit to taxpayers for agriculture and open space and a net cost to taxpayers for residential areas. Conservation areas boost property values and community health while reducing infrastructure costs
- Specific typologies send the message on how we expect the land to be used and developed rather than the developers telling us.
- We want Hendricks County to continue attracting people for its rural charm, natural beauty and strong agricultural roots. By incorporating more detailed typologies we believe the plan can safe guard these attributes while accommodating thoughtful, sustainable growth. We are here to ensure that the growth is balanced. Let's continue to work together to create a future that honors our land, serves our community's economic and social needs, and reflects the voices of Hendrick's Country residents.

**Mr. Jeff Hubley – 10198 Terri Lane, Brownsburg, IN 46112**

- Important to have more control over how growth moves. Preserve the natural beauty of rural Hendricks County, in particular Brown Township.
- Let's have a plan that includes higher density residential closer to our city centers, towns and commercial areas. As development moves outward to the more rural areas density decreases and allows more estate type development.
- Need a better definition of what is allowed and the type of density in the plan rather than just a large area labeled single family. There needs to be guidance to the developers so that the building in the area is not just to invite extension of sewer and water but to complement the existing long-established neighborhoods and preserve the rural landscape of Hendrick's County.
- Much consideration and future planning must be taken for the higher density housing development and the stress that they create on the already stressed roads. Those roads will be heavily impacted with any high-density development.

**Mr. Dan Lah – 10803 Cedar Ridge Ln., 46278 President of Cedar Ridge of Traders Point HOA**

- Surrounding counties have specific typography in their Comprehensive Plan. Their land map points out the rural landscape and also indicates it should be low density residential. Both Boone and Marion County have recognized the uniqueness of this general area, and we feel that Hendricks County should as well.
- Areas of special scenic character with a unique history as well as environmentally sensitive areas do not stop at any county line.
- Development should be buffered between 465 and Traders Point area to the East and also to the West and the Ronald Regan. Take another look at the draft Plan and consider the petition language and make the adjustments necessary to ensure cohesive land use in the area that is very unique and crosses multiple county boundaries.

**Mr. Jeff Wells – 10335 Pineway Dr., Brownsburg, IN 46112 President of the Pine Way Lake HOA**

- Primarily concerned about the conservation and natural resources of the Brown Township area
- Retired Conservation Officer with the Department of Natural Resources. The area provides refuge for wildlife. Wildlife habitat is not only the food and shelter but the arrangement of that and when you

fragment that arrangement it has a significant impact. Conservation areas are designated, and it would be nice to see that extended.

**Mr. Tim Litz – 8793 Traders Landing, Brownsburg, IN 46112** President of Traders Station HOA

- Highlighted the transportation issue and the challenges it may produce in the area. Traffic, congestion, road impact and safety are very big concerns since the roads are not prepared for heavy weight vehicles and cannot handle heavy traffic as they were not constructed that way. Brown township is unique on how the roads can handle the traffic.
- Gave an overview of different roads and pointed out significant traffic areas in the Brown Township where the traffic is backed up and there are no other ways to get around it.
- Will become a potential nightmare for East and West County travelers. Please consider the petition.

**Mr. Larry Ratcliffe – 10818 Forest Lake Ct.**

- Discussed the need to protect the rural nature in Hendricks County and Brown County in particular.
- The plan highlights the need to retain rural agricultural character. Two-thirds of the county is rural and need to be protected in the plan. The natural, rural, agriculture setting is going away.
- Less than 8% of Brown Township is left agriculture on the map. The area is agricultural, it's zoned agricultural and is being proposed as single family. Single family is a vaguely defined typology.
- Proposed that the plan provides the guidance for less development, certainly less dense development and more protection of the rural and agricultural character of the county. Petition asks for language to be included so it supports that concept of rural character.
- Elaborated what negative effect a large dense development would have on the rural and wildlife in the area and summarized the importance of the rural nature and agricultural basis of Brown Township.
- Higher density undermines the rural character of Brown Township as it applies also to all of Hendricks County. Request that the plan through the language and the future land use map protect and preserve the rural agriculture nature of Hendricks County.

**Mr. Jim Murphy – 10726 North State Road 267, Brownsburg, IN 46112** Member of Township Board

I am a supporter of the farmers in the area, they have farmed this land for years and they have an opportunity to sell if they want to sell. There are many concerns with the roads and infrastructure. Let's take a hard look at that and if there is anything I can do to help the people as the Township Trustee Board Member I will.

**Mr. Wayne Walters – 10468 Breezeway Ct., Brownsburg, IN 46112**

- Long-term resident, moved to Brown Township because of the rural nature and hoped that's how the area would develop.
- Consider the language that has been recommended to help with the density in that area.
- The Brown Township area that is not incorporated is impacted the most in Hendricks County
- Supportive of the farmers and people having an opportunity to sell their land to be developed but not at the sake of the existing residents and not at the sake of the impact that it will have on Hendricks County as a whole. There is a need for industrial growth in that area, but I am asking that you consider the petition that has been signed by the residents to be incorporated into your recommendations.

**Mr. David Weyant – 20 Raccoon Ct., Brownsburg, IN 46112**

- There is support for the agricultural and rural nature in the plan. It may fall short in some of the supporting zoning and codifying some of those needs in the plan. Please take their recommendations
- It would be useful to have an old plan and the new plan to see what changes have been made.

**Mr. Mike Starkey – 9225 E 700 N., Brownsburg, IN 46112**

- Farmer and land owner, would like to continue farming. Farmers produce income and bring in property taxes. The developers are the only people making money.
- Praised the wildlife and need for conservation
- Glad we are reviewing the comprehensive plan because the developers are very annoying.
- Met with a sewer line representative, and he was told I wanted a sewer line running across my property. He was surprised because he thought we wanted the sewer line. I would like to see an amendment where we won't have eminent domain running infrastructure through my farmland.

**Ms. Cari Bowersock – 10630 E CR 750 N., Brownsburg, IN 46112**

- Hendricks County is booming, and development is inevitable, however, Brown Township is a very unique area and in a unique position to be set apart from the other areas.
- Marion and Boone County comprehensive plans are detailed. They work to preserve the Eagle Creek and Trader Points Areas which also apply to Brown Township. Please keep in mind as we consider a conservation designation if there is no room for it, we do ask that you put strong stipulations on any proposed development. I hope that you strongly consider the language and terminology in the plan for these protective areas. Brownsburg Township residents are very active, involved and have a great deal of love for this county and the township and everything it offers.

**Mr. Tim McCain – 10388 Breezeway Circle, Brownsburg, IN 46112** HOA board member of Austin Winds

- Focus on Ronald Reagan Parkway. Questioned why does the Parkway have to automatically assume high density development. Give more consideration to the precedent set in Brown Township of low density-controlled development. Asked that the language in the petition be heavily considered.

**Mr. Mike Starkey - 9225 E 700 N., Brownsburg, IN 46112**

- Part of Brown Township is probably the best farm ground area in the County. If you put the development around the good farm ground the drainage will be ruined. That farmland area produces a lot of money.

**Mr. Michael J. Robert – 7365 N 850 E., Brownsburg, IN 46112**

- I had the speed limit reduced from 40 to 30 miles per hour on 725 E and the commissioners stepped up to protect our families.
- The voluntary annexation is coming from towns and that's why I think the plan is good since it might protect us from the voluntary annexation. The annexation was just zoned, and we don't know what will go there, once voluntary annexation is in place you don't have a say, they make the decisions.

**Ms. Diane Stothard – 10277 Breezeway Circle, Brownsburg, IN 46112**

- Hogan Farms is in our neighborhood, and they have a wonderful fall festival with kids running around and the corn maze is awesome. People enjoy this area because of the nature and the quality of life that we can have. Hendricks County is a safe and quiet place to live. I hope that you hear the voices and the concerns of the residents of this area and please take them into consideration as you are thinking what to do with this area.

Mr. Whicker closed the Public Hearing.

Mr. Whicker: Thanked everyone for coming out, stated it was certainly helpful and clear that everyone present is very proud of Brown Township. It's heartwarming and challenges us in some of the decision making.

Mr. Palmer: What are pros and cons of the petition language as we consider this?

Mr. Dombrosky: One Pro would be to highlight that yes as John said, the cost benefit ratio of agricultural development is higher than single family. Single family residential is the lowest cost benefit ratio land use, but it's a desirable pattern and it supports other things through residents that can work, so you can't not have that tax negative land use. The lower density gets, the worse that return is, so that would be one of the cons to making that change. A Pro to making a drastic change to AGR or conservation would be that you are going from a tax negative single family to conserving it as AGR which is a very productive land use. I caution against doing the imperfect compromise of low density residential because it has more cons. It is a barrier to infrastructure improvements like public sewer and road improvements. The economic pressure is still going to be there. But the Pro of a more financially sustainable model is essential to sustainable growth with balanced tax negative uses and tax positive uses. This is why we show commercial growth along the Ronald Reagan and infrastructure that can support it.

Mr. Dombrosky pulled up the old and proposed comprehensive plan and also pointed out the key points that would change in the draft language and the petition. Discussed how land use is going to transition with higher density residential and commercial uses adjacent to Ronald Reagan. Then the petition language changes would include agriculture large lot single family and conservation rather than traditional subdivisions.

Mr. Dombrosky: That's a reasonable proposal, that goes along with us saying that maybe the typical model of subdivisions is not the most tax productive use. The less density, the less tax productive it is. There are negatives when you get into higher density as well if density is farther from services. That's what creates traffic.

Mr. Palmer: Dose staff have concerns with the proposed language?

Mr. Dombrosky read through the language. He expressed concerns with private utilities and the language discussing private utilities and onsite sewage treatment including community systems. Opened to questions.

Mr. Peaper: We don't want to include and/or wording as it may present an issue with zoning. We don't want to include language that will conflict with the map, so we will need to amend the map.

Mr. Palmer: Speaking to fellow commission members. I live in the area and there is nothing I can disagree with. This area is very different than other areas bordering Marion County, and the infrastructure is not prepared to handle high density. The petition seems very reasonable and if staff doesn't have a lot of concern with it, I am supportive. Reinforcing some of the comments such as Mr. Starkey, that should be strongly considered.

Mr. Whicker: Commented about the unique area of Hendricks County in Brown Township, and would be resistant to more specifically define residential, that is not something that we should be doing at a comprehensive plan update. If we change the color on the map from residential in Brown Township, then we should be considering that in other areas in the county. We shouldn't be giving you special designation of land use. I don't want to add language that is so restrictive that is no less than 1 lot per acre, it's just too restrictive. This plan is to serve the county theoretically for the next 20 years and a lot of things will change over that course of time. I would prefer to leave the map as it is, and the owner can control their future.

Mr. Gentry: I agree with Mr. Palmer. Discussed challenges with traffic in the area. On the Parkway, it would be good to consider moving traffic to 465. It was to be an outer loop and not making access every half a mile. When municipalities annex into those areas, the county doesn't have authority over them.

Mrs. Gladden: Thanked everyone for coming out in a positive way. There are so many times that people say, the planning commission did this or that. You came out and give us your voice in a respectful way and you have worked with the comprehensive plan update very positively. You have put a lot of time into it, your points were very valid, and you have something that you have all taken to heart and that you all are very, very passionate about as we all are in Hendricks County. As a person in the agricultural world, I appreciate you very much, I am also the

farmer, and I know where he comes from as well. Thank you to those of you who want to continue the agricultural world because you do see where our food, fiber and fuel comes from, and we want to keep it in Hendricks County and continue to produce them for America.

Mr. O'Riley: Are we planning on making changes tonight or is this something that needs to be looked at?

Mr. Dombrosky: We would like to have some specific direction from you all. The previous plan from 2006, it's showing Ronald Reagan, the business park and a mix of single family residential all around it. It was used as the basis for the draft. It reduced a lot of those boundaries of residential and business park development area. The draft does not have density numbers in the residential districts, it does not have architectural standards or uses for the commercial district. We have zoning ordinances to do that. This is a 20-year plan that has conceptual and intent goals and objectives. Getting the specifics of where the land use recommendations lie, and I think the petition is directed at refining those land use areas.

Mr. Whicker: We are in a good position and have taken into consideration valid comments from Brown Township residents, my preference would be to move this forward to the commissioners and put it behind us with some slight adjustments, and/or give a favorable recommendation with the caveat of Tim and Adam making some final tweaks that they are comfortable with so we can have closure. This serves as a guide, I know there is a developer interested in the area, and development was shown there before. Believes this is a good plan and would like to see it move forward to the commissioners. Very comfortable allowing some leeway for Tim to make some final tweaks for our benefit for Brown Township benefit but get it to the commissioners before the end of the year.

Mr. Palmer: Can we make a favorable recommendation pending the inclusion of the petition language?

Mr. Whicker: I think it's in there. I would not be agreeable to the language about 1 lot per acre. The plan will restrict us for the next 20 years

Discussion about the second paragraph in the petition language being too specific.

Mr. Palmer: The only push back is when request for variances or zoning cases come across, there is always the question, does this align with the comprehensive plan? How do we make sure that when it's 800 homes on 200 acres that the spirit of the petition guides the comprehensive plan. We may not want to be as specific as 1 dwelling per acre, but we do need to give it more teeth. We're trying to influence development.

Mr. Gentry: When we allowed the 5 acre tracts, that hasn't turned out well. The 2006 map that shows typical suburban development and more rural residential that the county didn't want to perpetuate.

Mr. Palmer: Is the petition language intended for the entire county or for this area in particular?

Mr. Dombrosky: It's for the entire county.

Discussion about other areas of the county that may be restricted by the 1 acre limit not just Brown Township.

Mr. Whicker: Brown Township may be ok with this and I'm perfectly ok with that.

Mr. Palmer: Are there options to implement these changes and not affect other areas.

Mr. Dombrosky: The conservation designation goes a long way towards that already, it allows limited residential development, it allows clustered development around natural resources. I would argue against the comments about the natural area around School Branch and say natural areas should be for everyone, not just one

type of development. The conservation district could be extended to all the existing residential and along the entire eastern border to acknowledge and honor the Traders Point area. We can make more of a transition from the conservation area towards the Parkway

Mr. Palmer: How do we bridge the gap, so this unique part of the county is not creating unintended consequences in other parts?

Mr. Dombrosky: The conservation district can do that and is intended to do that.

Mr. Peaper: Yes, the language is in the plan now. The conservation classification certainly applies.

More discussion about residential development north of CR 1000, there will not be any utility access for a long time, it can be scaled back.

Mr. Gentry: There was not a lot of opposition to businesses, light industrial, or PUD's. Adam, how do we accomplish this so we meet this compromise?

Mr. Peaper: It comes down to a balance of predictability and flexibility. If it's completely predictable then the decision has been made and there is no need for anyone to be here. If it's too flexible, no one has any expectations. What the balance should be is something you are comfortable with. On the Conservation, we could change the map but there is not an intuitive line that says conservation stops here.

Mr. Dombrosky: Recommendations that would be the easiest; change the areas that are past the horizon of this plan, in the northeast, to Ag. Some border of conservation on the county line. Also, pulling back the residential in the farmland areas.

Discussion about incorporating the changes from the petition. Adding the new typology without changing the map would not do anything. Specific areas would need to be changed and must show on the map. The Conservation designation already meets the same intent and could be expanded.

Mr. Whicker: The restrictions recommended in the wording would negatively impact those farmers' property values. When a development comes before the Plan Commission, they will listen to the public.

Mr. Palmer: We have been told before that we have to approve certain things if they meet the plan. So we need to fit the map to our vision.

Mr. O'Riley: If the Conservation area is expanded would that resolve the issues?

Mr. Whicker: I would not be in favor of that.

Discussion on resolving the conflicts between public interest and comments presented.

Mr. Peaper: The Comprehensive Plan is more than the Land Use Map. There is more to base decisions on.

Mr. Dombrosky: This is not a rezoning, it is aspirational. You have discretion.

Recommendation to the commissioners should be made and let them decide on its merits whether it's an acceptable plan for adoption.

Mr. Palmer: I'm not in favor of the plan as written. Tim do you have an option that bridges the gap?



Mr. Whicker: We can make some changes to the map, but we need to give specifics. We shouldn't be looking Brown Township as significantly different from other areas of the County.

#### Discussion on Boone and Marion County Plans

Mr. Dombrosky: I don't think productive Ag land should be classified as conservation. You could call it Ag.

Mr. Whicker: The Commissioners can amend it. Send the plan we have

Mr. Palmer: I'm not in favor of the plan as it is. Public opinion is clear

Mr. Whicker: We hold the public hearing and let the Commissioners choose what to do. I'm not here to appease everyone. The acreage reference in the petition is too restrictive. We are being too specific.

#### Discussion about reaching an agreement and being specific enough.

Mr. Palmer: It would be bad to send it with an unfavorable recommendation, so lets find a compromise.

Mr. Whicker: The plan has been adjusted to meet some of the feedback. This is a good plan. And the public has influence when a development plan comes forward. We have tools to adjust proposed developments.

Mr. Palmer: The first part of the petition is in, sounds like it is down to 1 unit per acre.

Mr. Patten: I don't think we care about the 1 acre either. If that moves us forward, let's move forward.

Discussion about the petition and public comment. Mr. Dombrosky explained the process to the board and elaborated on what he understood the consensus to be.

Mr. Palmer made a motion to continue the Comprehensive Plan with staff to strike the last sentence and see how that influences the entire county.

Mr. Gentry seconded the motion.

**VOTE: For – 6**

**Against – 0**

**Abstained – 0**

Being no further business before the board, the meeting was adjourned at 9:12 PM.

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Tim Dombrosky, Secretary