

## **HENDRICKS COUNTY AREA PLAN COMMISSION**

### **Meeting Minutes**

**Tuesday, February 11, 2025**

**6:30 PM**

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

**Members Present:** Mr. Ron Kneeland; Mr. Walt O’Riley; Mr. David Wyeth and Mrs. Margaret Gladden.

**Members Absent:** Mr. Thomas Whitaker, Mr. Damon Palmer, Mr. Brad Whicker

**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. Kneeland asked for a motion to table the minutes from the January 14th, 2025 meeting due to not having enough board members. Mr. O’Riley made a motion to table January minutes. Mrs. Gladden seconded the motion. Motion to table the minutes passed 4-0.

### **ELECTION OF PRESIDENT AND VICE-CHAIR FOR 2025 PLAN COMMISSION**

Mr. Kneeland asked for a motion to elect the President and Vice President for 2025 Plan Commission.

Mr. O’Riley made a motion to elect Damon Palmer as President.

Mrs. Gladden seconded the motion.

**VOTE: For – 4**

**Against – 0**

**Abstained – 0**

Mrs. Gladden made a motion and nominated Mr. Kneeland as Vice President.

Mr. Wyeth seconded the motion.

**VOTE: For – 4**

**Against – 0**

**Abstained – 0**

**ZA 520/24: BRIAN MOTTER;** a zoning map amendment from AGR to GB; 14.63 acres; Marion Township; 07-15N-2W; located at 8081 W US Hwy 35, Coatesville, IN 46121 (Brian Motter)

### **Mr. Greg Irby – Irby Law - 47 W. Meridian Street, Danville, IN**

Representing Mr. Motter, Mr. Irby addressed the concerns from neighbors and presented the changes showing the property at the time Mr. Motter purchased it and the way it looks now with many improvements that were made. Several concerns such as setbacks, security, lighting and environmental issues were all taken into consideration and have since been addressed. Furthermore, Mr. Motter has agreed to keep the storage units for as long as he owns them with no other commercial business. Also, there is a church next door, they are not against the rezoning as far as he knows. Their land is being harvested, and the proceeds are being donated to the church. Mr. Motter has agreed not to build anything in that field for the next five years so proceeds can continue to go to the church. Mr. Irby shared aerials.

**Mr. Jake Motter** – 1111 N State Road 39

Approached the podium to answer questions about the environmental issues. He has done some research with his engineer and with the reduced parking and boats being inside, there will not be a lot of outdoor spills. The impact system will be installed to suck up 65 gallons within seconds.

Mr. O'Riley: You mentioned that it will remain a storage facility as long as you own it, what happens when you sell it?

Discussion about the possibility of a new owner running a different business. It would have to come before the board again to rezone. Questions about a commitment that could be placed to only allow storage facilities. General business includes a lot more than just storage facilities so if new owners want a different business they will have to amend the zoning again. Zoning will follow the parcel.

Mr. Irby: My clients have assured me that they are not planning to sell anytime soon and if they sell, it will most likely be to someone who would like to own a public storage facility.

**Mr. Kneeland opened the public portion of the meeting.**

**Mr. Brian Ramirez** – 8255 W US Hwy 36, Coatesville, IN

Showing his property and points out the huge development we will be looking at within a quarter of a mile. All the areas around are surrounded by residential areas and if zoning is approved to general business 10 years from now when they decide to sell new owners can build a warehouse, gas station and they would have a right to do so since it would be general business use. Zoning is in place to protect the surrounding neighbors especially when adding something new. This would adversely affect us in many ways; property values, additional traffic and potential crime. This request has been denied twice before and nothing has really changed. They make concessions which are appreciated but again this is a zoning issue and not a design issue.

Mrs. Gladden questioned Mr. Ramirez regarding break-ins at the location, possible sale of the business and surrounding property, and a different board that may look at things differently. Mrs. Gladden stated those are assumptions and accusations, and things change over time.

Mr. Ramirez stated, once the zoning is changed to General Business it gives the person who purchases that property the opportunity and reason why the board can't deny it.

**Mr. Kris Harmless** – 8123 W US Hwy 36, Coatesville, IN

Showed his property directly in front and to the west of the proposed zoning. It is very important to us as you can see all the people that are here today and the letters that you have received. We all bought our homes with the existing business but not with the proposed zoning change. He explained it would change the view from our home and our property. Mr. Motter can't do anything to fix that. If the zoning is approved, it will change our lives forever. Brought up issues with having more traffic, lighting and vehicles that are parked are not in very good shape and that is what they would have to look at. The people that would like the zoning approved don't live in the area and it doesn't affect them in any way, but it does affect my property the neighbors that live in the area.

**Mr. Wyeth** asked for a history of property that was split and Mr. Harmless explained that it was sold by his grandfather. Also, asking about who originally built the existing units, Mr. Harmless said it was his father and due to aging he sold them.

**Ms. Elle Harmless** – 8123 W US Hwy 36, Coatesville, IN

Ms. Harmless explained they moved to the home in 2009 and it's her childhood home ever since. While growing up she was learning how to fish, riding a four-wheeler and playing with her siblings, learning about her father's childhood growing up here as well. This property has been in the family for years. With the rezoning behind the house, it will never be the peaceful land as it once was. This is not about the fact that we don't want change, however it will be an invasion of our privacy. This property is rich in so many memories which no amount of money can amount to. The love and commitment to this home is unmatched. Please take all these factors into consideration before you make your decision.

**Ms. Tammy Sarkine** – 252 S. CR 775 West, Coatesville, IN

My husband and I build a custom home in the country, we have some more land and would like to build homes for our daughters in the future. Our neighbors have also built custom homes and bringing the value in tax dollars to the area. The project has been denied two times so please deny this zoning for the third time.

**Mr. Ray Sarkine** – 252 S. CR 775 West, Coatesville, IN

We own 2 additional lots, and I built our home because we wanted to be in the county. We understand there was a small development on the front, no one bought a custom home to have a general business designation put in their back yard. The elevation of my home is where I can see the bright lights straight ahead. I understand it is a hard decision to make and is very appreciative of the time they spend listening to the community. Spoke about the value of homes going down and community does not want this zoning since they are the ones that live there, have animals and crop the land.

**Ms. Tyanna Miller** – 7973 US Hwy 36, Coatesville, IN

My husband and I live on the property right next to the church. We have sent letters and hope you were able to read them. We bought our property in hopes of building it up and raising our show horses and having our kids here one day. We would hate to see our property values depreciate and look at the storage unit across the field instead of seeing the beautiful farm land that we are used to. I am hoping that you will take into consideration everything that we all have said tonight. It's a tough decision to make and thank you for your time.

**Mr. Kneeland closed the public portion of the meeting.**

**Mr. Irby** wanted to mention that a lot of people keep mentioning property values going down, so he looked into it and wasn't able to find any storage properties that have recently been built where the value depreciated. Most of them have gone up and we could not find anything that storage units make properties lose value.

Mr. O'Riley: When you put commercial right up against residential, I'm a real estate agent for 30 years, I can tell you it does affect value.

**Mr. Irby** summarized all the changes that have been made and would like to ask the board for a favorable recommendation.

Discussion about the area and challenges expanding Commercial to the south. Currently it's residential all around the area. More discussion about property being land locked and Mr. Motter allowing access to the farmer who will harvest the land.

Mr. Dombrosky: There is no rule, you can sell any property you want.

Mrs. Gladden: When it's agriculture you need to give them access to farming. You can't keep somebody from preventing the right to farm their ground.

Discussion about purchasing a land lock property and the easement by necessity.

Mr. Wyeth: Does this fall under the old or new comprehensive plan?

Mr. Dombrosky: Our opinion is based on the facts which are relevant to both comprehensive plans.

Mr. Wyeth motioned for a Positive Recommendation for ZA 520/24: Brian Motter.

Mrs. Gladden seconded the motion.

**VOTE: For – 2**

**Against – 2**

**Abstained – 0**

Motion Fails

Mr. O'Riley: We're split. So we have to table it to the next meeting.

Mr. Steuerwald: You can send it to the Commissioners with No Recommendation.

Mr. Wyeth motioned for No Recommendation for ZA 520/24: Brian Motter.

Mr. O'Riley seconded the motion.

**VOTE: For – 4**

**Against – 0**

**Abstained – 0**

Motion passed. Tentatively scheduled for the Couty Commissioners Meeting February 25<sup>th</sup>.

**ZA 522/25: D.R. HORTON;** a zoning map amendment from RB with Commitments to RB with an amendment to Commitment No. 12; 113.59 +/- acres; Liberty Township; 06-14N-1E; located West side of CR 400 East between US Hwy 40 and CR 600 South (John J. Moore – Tuohy Bailey & Moore LLP)

**Mr. John Moore – 50 S. Meridian Street, Ste. 700, Indianapolis, IN**

Mr. Moore is present on behalf of D.R. Horton along with Matt Dunn a Division President for D.R. Horton requesting to modify a commitment for Fox Creek Residential Subdivision just west of Plainfield, IN to allow D.R. Horton to build homes with a three-car garage in the existing subdivision.

Mr. Moore went over slides. Property was rezoned in 2022 and shared the concept plan that allowed for 122 single family homes. Pointed out the current zoning commitments and presented the requested modifications. Amending Commitment No. 12 will allow D.R. Horton to build homes with 3-car garage that is a larger percent of the facade. All of the other commitments, including architectural will remain in place. The proposed homes are attractive and will enhance the community. Mr. Moore is asking for a favorable recommendation to the County Commissioners.

Mr. O'Riley: Do you currently have a 3-car garage with side load?

Mr. Moore: We do not have any side loads. We have some smaller homes with 3-car garage but would like the larger homes to be built with 3-car garage.

Mr. Wyeth: By adding the 3-car garage how much does that increase the value of the house?

**Mr. Matt Dunn – D.R. Horton – 3665 Priority Way South Drive – Indianapolis, IN**

The 3rd car garage option generally adds somewhere between 20 to 25 thousand dollars value to the home. Some plans have a standard 3 car garage, but that plan would be more expensive.

**Mr. Kneeland opened and closed the public portion of the meeting as no one had signed up to speak.**

Mr. O’Riley motioned for approval of ZA 522/25: D.R. Horton

Mr. Wyeth seconded the motion.

**VOTE: For – 4**

**Against – 0**

**Abstained – 0**

**ZA 523/25: HENDRICKS COMMUNITY SOCCER;** a zoning map amendment from AGR to PP; 45.75 acres; Brown Township; 31 & 36-17N-1 & 2E; located at the Northwest corner of CR 700 N & CR 1000 E (Tim Howard – HCS President)

**Mr. Ryan Lindley – Banning Engineering – 853 Columbia Road, Ste.101, Plainfield, IN**

Mr. Lindley representing Tim Howard and Hendricks Community Soccer.

**Mr. Howard – 6367 Red Delicious Lane, Avon, IN**

Mr. Howard introduced the project. This is the only recreational soccer club in the Hendricks County area on the north side of Brownsburg. The club started in 2007 with 150 kids and currently has about 1400 kids over the last three seasons. We have outgrown our location Parkside Bible which we rent.

Mr. Lindley stated they request a favorable recommendation to rezone from AGR/Agricultural to PP/Preservation Park, which is suitable for sport fields. We have 22 fields with different sizes for various age groups. There is some discussion about sewer and water, currently the organization does not plan to have any kind of building on the site. To service the restroom facilities there will be temporary port-a-pots, and any concessions would be packaged foods, cans, bottles ect. There will be possible future connections available. Presented 3D views of what the facility would look like.

Mr. O’Riley: Who is paying for the project?

Mr. Howard: The Soccer club is raising money. We’re a non-profit organization so sometimes it takes a while. We have a lease at Parkside Bible till 2028, so we are looking to start as soon as possible.

Mr. Wyeth: So, this was a property that Brownsburg school purchased from St. Malachy and then something happened and then it’s been converted over to you, as a gift?

Mr. Howard: No, we purchased it for a 30-year lease, we have 1 payment a year and if we miss a payment, it goes back to them.

**Mr. Kneeland opened and closed the public portion of the meeting as no one had signed up to speak.**

Mr. O’Riley motioned for a favorable recommendation of ZA 523/25: Hendricks Community Soccer.

Mr. Wyeth seconded the motion.

**VOTE: For – 4**

**Against – 0**

**Abstained – 0**

**ZA 521/24: THOMAS RICH;** a zoning map amendment from AGR to PB; 13.60 acres; Middle Township; 18-17-1E; located on North side of CR 1000 N., approx. 700 feet west of CR 425 E (Andy Kult – Comer Law Office LLC)

Mr. Kult was not present. Mr. Steuerwald contacted Mr. Kult and did not hear back.

Discussion about whether or not to continue to March meeting or send a recommendation to the County Commissioners.

Mr. Wyeth motioned for the continuance of ZA 521/24 to March 11<sup>th</sup>, 2025 meeting.

Mr. Kneeland seconded the motion.

**VOTE: For – 4**

**Against – 0**

**Abstained – 0**

Being no further business before the board, the meeting was adjourned at 7:44 PM.

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Tim Dombrosky, Secretary