

February 14, 2023

A meeting of the Hendricks County Area Plan Commission was held on Tuesday, February 14, 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. Damon Palmer; Mr. Bob Gentry; Mr. Walt O'Riley; Mrs. Margaret Gladden; 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 six (6) members present.

Mr. Whicker stated that the first order of business was to approve the minutes from the January 10, 2023 meeting.

Mr. Gentry motioned for approval of the minutes for the January 10, 2023 meeting.

Mr. O'Riley seconded the motion.

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

DPR 513/22: IRIVING MATERIALS (PRIMARY); a development plan review for a concrete batch plant; 33.59 acres; Liberty Township; S34-T14N-R1W; located on the north side of E. Hendricks County Rd., approx. 1.25 miles west of the intersection with State Road 39 (Crossroad Engineers)

Mr. Michael Kalberg, Crossroad Engineers, was present. He reviewed the location, zoning and site plan. He went over the modifications they were requesting. Those were as follows: to allow 100% of the parking be in the front, to waive the 8- foot mound along I-70 and accept the existing landscaping as adequate, and architectural elevations of the office trailer. He stated that the parking request was for safety of the trucks and the plant to operate safely. To install the landscaping mound, the existing trees would have to be removed. In an effort to maintain those trees, they were requesting the landscaping modification. In addition to that, the existing vegetation does not meet the Type 4 buffer yard. He explained in more detail what was required with a Type 4 and showed it on the slide. He also noted that a separate development plan review would be required for the second parcel and at that time they would reanalyze the buffer. He then showed examples of the typical office trailers which are commercial and industrial in nature and are used widely around at different facilities.

Mr. Whicker asked if there were any questions or comments from staff.

Mr. Dombrosky stated that the trailer does not meet the ordinance and they have had it come up with the previous Sagamore site in a different context. Staff did not provide a recommendation on that modification. He felt the petitioner made a good case for that as well as the landscaping buffer. It would be up the plan commission.

Mr. Whicker asked if there had been any other precedents made by the board for these specific modifications.

Mr. Dombrosky replied that with the Sagamore location they had suggested a different option of a concrete block permanent structure. He was not here when the other Irving Materials location was done.

Mr. O'Riley asked if this would be a long-term facility.

Mr. Kalberg stated it would be.

Mr. Whicker opened the public hearing.

Mr. and Mrs. Howard and Sarah Knight, 4541 W. North County Line Road, Clayton, were present. They live close to the development. She stated that she had spoken with Mr. Jim Mardis about their concerns with water quality. Mr. Mardis had told them there should be no effect on well water unless the well was shallow, which he defined as 50-feet. She had determined that their pump was set at 65 feet. She felt that was close to the 50-foot mark and was concerned. She stated that she had spoken to DNR about the quantity of water. She was unsure whether this facility would qualify under their information they sent her. Mr. Knight was concerned with the air quality as he suffers from asthma, as well as the noise.

It was noted that the board could not regulate the water and air quality issues, as it was done by the state.

Mr. Gentry asked if their concern was lowering of the aquifer or contamination.

Mrs. Knight replied it was both.

Mr. Whicker closed the public hearing.

Mr. Kalberg responded to the concerns. He stated that there would be a maintenance traffic plan to the east and it would be coordinated and approved with the county for emergency vehicles. The site is already zoned for the use. He noted that there would be sampling requirements for the water that IDEM goes by. He stated the office trailer would face to the east towards the industrial park and he thought the other location at Sagamore was facing State Road 39, so it would not be seen from a major road.

Mr. O'Riley asked if it was an expense issue as to why they decided on a trailer.

Mr. Mike LaGrange, Irving Materials, was present and responded that it was typical that most of their facilities have a modular unit in them. It was because they already have the equipment and it is more of a plug and play setup to save time having to get the facility up and operational. It also allows some flexibility in the site development for future growth.

Mr. Whicker asked why it was listed under old business.

Mr. Dombrosky replied that it was continued last month for septic concerns and utility hookups they were working through.

Mr. Whicker asked if there were any closing remarks. He had no concerns with the landscaping and parking modifications. He sensed some apprehension on the trailer modification.

Mr. O'Riley asked if there was anything to buffer the view of the trailer.

Mr. Kalberg replied that part of the silo might be a possibility, but no dedicated fencing or anything like that.

Mr. Dombrosky showed an example showing silos and other buildings that would be around it noting it would look like part of the site.

Mr. Palmer stated that he felt they needed to maintain the standard and require a masonry building.

Mr. Gentry asked if they could ask for a commitment to build a permanent structure later. He understood the need for the trailer to get operational. He also asked that they work with the neighbors on any issues.

Mr. LaGrange stated that he believed that IMI was a good corporate neighbor. He felt it was well buffered. The trailers allowed them to grow with the site as they get going.

Mr. Whicker stated he saw both sides.

Mr. Palmer stated he did not feel a permanent structure was going to make or break the project.

Mr. Whicker replied that it was also not going to add to the aesthetic.

There was discussion about the two different locations, IMI and Sagamore and their differences.

Mr. Gentry motioned for approval of **DPR 513/22: Irving Materials (Primary)** with the requested modifications.

Mr. Whicker seconded the motion. Mr. Palmer, Mrs. Gladden and Mr. Kneeland voted against.

FOR – 3 – AGAINST – 3 – ABSTAINED – 0 –

Motion dies.

Mr. O'Riley asked if they were allowed to set a timeframe for a permanent structure.

Mr. Steuerwald replied that they could.

There was further discussion about the timeframe and the enforcement issue.

Mr. Kneeland motioned for approval of **DPR 513/22: Irving Materials (Primary)** subject to amending the modification request for a portable building to allow a maximum use of 3 years. After such time, a permanent structure would be constructed. All other modifications to be granted.

Mr. Gentry seconded the motion. Mr. Palmer and Mrs. Gladden voted against.

FOR – 4 – AGAINST – 2 – ABSTAINED – 0 –

Mr. Dombrosky clarified that it would need to be a structure that meets the ordinance requirements, which does not necessarily mean it would be permanent.

ZA 504/23: AMANDEEP SINGH; a zoning amendment change from RB to GB; 3.63 acres; Franklin Township; S21-T14N-R2W; located on the south side of US Hwy 40 between Coble Rd and CR 625 W – Stilesville (David Gilman)

Mr. David Gilman, Land Development Services, 211 S. Ritter Ave. #H, Indianapolis, was present. He reviewed the location and surrounding zoning. He stated that the proposed uses were for a convenience store, to expand the gas pumps and to add diesel pumps. He stated there would be no repairs done at the location as what was there previously. The anticipated hours of operation would be 5 am to 11 pm. It was on septic and well, but they were wanting to hook up to the town's sewer. As recommended by staff since there was no water service in that area, they would work with IDEM and the health department to get a new commercial well. They do not anticipate a large use of water, but likely would have a small kitchen area as well as restrooms. They would have to have a detailed site plan to be reviewed by INDOT. He stated that the neighbor to the east, Mr. Deacon Hadley, had expressed some concerns about the hours of operation. He stated they have spoken, and he would like to put up a privacy fence. There is a 30-foot buffer yard required and they have more than that as well as some mature trees in the area. He assured Mr. Hadley that they would not be expanding any further to the east, only to the west.

Mr. Whicker asked if there were any questions.

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Mr. O'Riley asked if they were planning on remodeling it or building a new facility.

Mr. Gilman replied that their intent is to remodel it, but they have not had a structural engineer look at it.

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

Mr. Palmer motioned for a favorable recommendation of **ZA 504/23: Amandeep Singh**.

Mr. Gentry seconded the motion.

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

DPR 512/23: HEARTLAND CROSSING NORTH-LOT 308 (STAYAPT SUITES) (PRIMARY); a development plan review for a long term stay hotel; 3.09 acres; Guilford Township; S20-T14N-R2E; located on the southwest corner of E. CR 800 S. and S. Raceway Rd. – Camby (Stoeppelwerth & Associates)

Mr. Ryan Rediger, Stoeppelwerth & Associates, was present along with Ms. Danette Kennedy with Heartland Lodging Association. He reviewed the plans noting that it was a planned 4 story building with 133 units. They have removed the previous requests for modifications.

Mr. Whicker noted they had received many letters against it, but it meets the requirements from the county.

Mr. Palmer asked about the limit on the height.

Mr. Dombrosky replied that for the zoning the height limit is 60 feet.

Mr. Rediger stated that this building is only 45 feet.

Mr. Rediger noted they are working with Tri-County to get approval. He believed they had addressed all their concerns and should have their approval by the next morning.

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

Mr. O'Riley motioned for approval of **DPR 512/23: Heartland Crossing North-Lot 308 (StayApt Suites) (Primary)** subject to receiving Tri-County approval.

Mr. Kneeland seconded the motion. Mr. Gentry voted against.

FOR – 5 – AGAINST – 1 – ABSTAINED – 0 –

There being no further business, the meeting was adjourned at 7:41 p.m.

Tim Dombrosky, Secretary