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A meeting of the Hendricks County Area Plan Commission was held on Tuesday, July 13, 2021, 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. Damon Palmer; Mr. Bob Gentry; Mr. Walt O'Riley; Mrs. Margaret Gladden and Mr. Tom Whitaker. Members absent were Mr. Brad Whicker and Mr. Ron Kneeland. Staff members present were Mr. Tim Dombrosky, Secretary and Director of Planning; Mr. Ryan Robling, Senior Planner; Mr. Greg Steuerwald, County Attorney; and Mrs. Brandy Swinford, Recording Secretary. Also present was Mr. Jeff Pell.

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

Mr. Palmer stated that the first order of business was to approve the minutes from the May 11, 2021 meeting.

Mr. Gentry motioned for approval of the May 11, 2021 meeting minutes.

Mr. O'Riley and Mrs. Gladden seconded the motion.

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

RESOLUTION 2021-33; TIF amendment for Economic Development Area No. 4/Heartland Crossing

RESOLUTION 2021-34; TIF amendment for Economic Development Area No. 2/Pittsboro

Mr. Adam Steuerwald, Barnes and Thornburg appeared and explained the two resolutions before them that evening. He stated that they were TIF district plan amendments which allow existing TIF to be spent for particular projects. This does not expand nor create any new TIF districts, it just changes the allowed use of TIF that is already being collected. He stated the first resolution before them, Resolution 2021-33, was previously amended to allow up to one million dollars to be spent mainly towards technology and infrastructure improvements for the Plainfield community schools. It also allows for a broad range of additional projects for the county. Both of these TIF districts are nearing their expiration and so the idea is to, in addition to the school corporation projects, to make these as broad as possible to spend the final TIF dollars. The second resolution, Resolution 2021-34, is for the Pittsboro TIF district which would be the Northwest Hendricks school corporation receiving those benefits. He stated that it was also for public infrastructure improvements mainly relating to technology.

Mr. Gentry stated that he believed the Redevelopment Commission for Pittsboro had already set the money aside for the schools, county highway department, and transportation. He asked if this resolution was something in addition to that.

Mr. Steuerwald replied that this would not be in addition to that. It is only amending the plans to allow those expenditures to happen. It is much more preliminary to those actually occurring. The school portions were not included before in either Economic Development Plan and they are broadening to include other bridges and other projects for the county. He reviewed the process for the plan commission members.

Mr. Gentry confirmed that those people then, have not received any money yet.

Mr. Steuerwald stated that was correct.

Mr. Palmer asked if there were any further questions from the plan commission. There being none, he asked for a motion for the resolutions before them.

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Mr. Gentry motioned for approval of **Resolution 2021-33**.

Mr. O'Riley seconded the motion.

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

Mr. Gentry motioned for approval of **Resolution 2021-34**.

Mr. Whitaker seconded the motion.

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

ZA 483/21: CEDAR RUN LIMITED; a zoning amendment change from GB to RE for multi-family use; 22.912 acres; Guilford Township; S20-T14N-R2E; located on the east and west sides of S. Raceway Road between Enterprise Dr. on the north and Heartland Blvd. on the south – Camby (Comer Law Office)

Mr. Andy Kult, Comer Law Office, 71 W. Marion Street, Danville appeared with Mr. Nick Shrou, Cedar Run Limited, 170 N. Perry Road, Plainfield. He reviewed the location of the petition. He noted that it was a part of the Heartland Crossing development. He stated that it was originally established as a TIF district and had generated. He distributed the concept plan as he goes over it on the slide. It would be similar in scope to Aberdeen Apartments nearby, and The Residences in Avon. Those two locations are both almost 100% full. There would be single-family villas that abut the single-family residential on the east side. There is a demand for multi-family, and he thought it would bring both employees and customers to the retail sites. He believed it was a good transitional use that he believed the comprehensive plan supported. He reviewed the staff letter regarding a proposed condition to have a continued mixed use with a commercial component. He noted they have had it marketed commercially since the beginning and have had no acceptable offer. What they would like to propose is that they use the parcel across the street as well as the 4-acre parcel next to Menards as the commercial component. He pointed it out on the slide.

Mr. Palmer asked if there were any questions. He then opened the public hearing. There being no one signed up to speak, he closed the public hearing.

Mr. Gentry asked how the project was financed and if federal dollars were being used.

Mr. Shrou replied that most of their developments were done with private equity. They occasionally get bridge loans.

Mr. Gentry stated that he asked because he has people come him all the time about Section 8 apartments and their concerns with those.

Mr. Shrou replied that they used to do those types of projects but that this one would be at market rate.

Mrs. Gladden asked what was happening with the ground now.

Mr. Shrou stated that it has been vacant since 1998. They have had no offers in 23 years. It was not being farmed, just mowed.

Mr. Whitaker stated that on the plans they passed out, it showed an office and maintenance building on the 4-acre parcel that they were offering up as the commercial part.

Mr. Dombrosky asked if the maintenance building was part of the development.

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Mr. Shroul replied that it would not be located there. It would likely be moved to the middle of the project where the community building was located to be centralized to the community.

Mr. Dombrosky noted that the highlighted parcel in red on the slide would not be included in the petition.

Mr. Kult agreed and stated that it was included in a prior survey.

Mr. Palmer asked if they had satisfied the staff concerns.

Mr. Dombrosky replied that they just wanted them to explore trying to incorporate some onsite service uses that would serve those residents specifically. Something like a fitness center or daycare center. The sites across the street are set up for the office type use. It is not a game stopper, but they did want the petitioner to think about that possibility. It would be nice to have some street facing retail along Heartland Boulevard.

Mr. Gentry motioned for a favorable recommendation of **ZA 483/21: Cedar Run Limited** excluding the staff condition.

Mr. O'Riley seconded the motion.

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

DPR 492/21: BISZANTZ FLOWER FARM (PRIMARY); a development plan review for a flower farm; 28.52 acres; S23-T14N-R1E; located on E. County Road 825 S. and S. County Road 701 E. (Moench Engineering)

Mr. Palmer stated that he believed this was continued at drainage board this morning.

Mr. Dombrosky replied that it had been continued. They had not addressed outstanding health department comments as well as some architectural requests. He stated that staff was recommending continuance as well and noted there was not a representative there to present.

Mr. Gentry motioned to continue **DPR 492/21: Biszantz Flower Farm (Primary)** until the August 10, 2021 meeting.

Mr. Palmer stated it was his understanding that there was no representative present for the next two cases as well, **MAP 322/21: Matthews Meadows Revision** and **WA 321/21: MAP 322**. He asked if they could make a motion to continue all three cases at once.

Mr. Gentry stated that he would let his motion stand to include all three cases in the continuance.

Mr. Whitaker seconded the motion.

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

DPR 493/21: SOLENTIAL ENERGY (PRIMARY); a development plan review for a solar field; 57 acres; Middle Township; S17-T16N-R1E; located at 4289 and 4265 E. County Road 400 N. – Danville (Design-Aire Engineering)

Mr. Corey Miller, Solential Energy, 13277 N. Illinois St., Carmel IN appeared with Mr. Jim Shaw. He reviewed the location and the plans for the solar field on the slides. He noted that the solar overlay was approved in May. He showed site pictures as examples of what would be seen at this location.

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Mr. Gentry asked about the spray they use to control the vegetation.

Mr. Shaw replied that they had a slide at the end that would cover that.

Mr. Miller then went on to review the different zones and the plantings and screening and what they plan to use for each. He stated that the main concerns at the TAC meeting was vegetation and screening, so they wanted to address those concerns.

Mr. Shaw stated that all the pollinators and plantings they would do, they would work within the approved list of plantings. They would be things that are native to the area.

Mr. Whitaker asked what side the existing vegetation was on.

Mr. Shaw stated that most of the vegetation is on their side, the farm side. He showed on the slide where he was referring to.

Mr. Miller then went on to discuss the access road. He showed on the slide the location. It would have a flare out to allow the semitrailers to pull in for dropping off and unloading. Their third-party engineer did some drainage calculations and suggested a 24-inch reinforced concrete pipe due to the heavy traffic going over it. He reviewed the SWPP plan. He noted that they were going to come straight across, but they have changed it to come south and then have an 18-inch culvert further back.

Mr. Shaw addressed the spraying concern. Most of the plantings they are doing will be pollinators. He showed some example pictures of what they could expect it to look like. He noted that it handles erosion once it grows up and it only grows high enough that it does not interfere with their equipment. They do spray more in the first few years.

Mr. Palmer asked if there were any further questions from plan commission members. There being none, he opened the public hearing.

Mr. Jeff Sherwood, 10351 River Park Way, Indianapolis appeared. He asked what the plan was for the used solar panels after 25 years and asked if there were any hazardous materials in the panels that would be difficult to dispose of.

Mr. Palmer closed the public hearing.

Mr. Shaw replied that in the decommissioning language built into the land lease it states that they will return the land to the prior look and feel of farmland. They would recycle as much as they could when they removed the panels. He noted there were no hazardous materials in the panels.

Mr. Gentry asked if they had communicated with the landowner from the last meeting that had concerns about screening.

Mr. Miller stated that they had talked to him and reviewed their plans with him over the phone. He believed after speaking with him that his concerns had been satisfied.

Mr. Gentry asked if the access road would meet the new county highway regulations of being 100 feet north of the junction.

Mr. Shaw replied that they were 100 feet off center right now but had the ability to move the road if they needed to.

Mrs. Gladden noted that it was overgrown and that the sooner they could get in there and get this project started would be better.

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Mr. Palmer asked if their plan had addressed all the staff recommendations.

Mr. Dombrosky replied that the new plan they received last week looks good. He believed it was a good plan and he further explained the screening and things they would need to check. Staff had already been discussing with them extensively about those things. He believed they were moving in the right direction.

Mr. Gentry motioned for approval of **DPR 493/21: Solential Energy** with the requested modifications and conditions.

Mrs. Gladden seconded the motion.

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

MAP 748/21: EAGLE LAKES CONDOMINIUMS (PRIMARY); a 35-lot major plat; 13.828 acres; Lincoln Township; S5-T16N-R2E; located at Eagle Crossing Blvd. and Gateway Dr. – north of 56th St. (Banning Engineering)

Mr. Jamie Wilcox, Wilcox Communities, 250 W. Old Wilson Bridge Rd., Wilmington OH appeared. He stated Amanda Deerdorf with Fischer Homes, 6602 E. 75th Street, Indianapolis, was there as well to go over the proposal. He stated that it was originally part of the Eagle Crossing planned development. They took ownership in 2013 and at that time there were 16 units and four buildings. They have built two additional quadplex buildings, bringing it to 24 units. It was not overly successful, so they decided to look for a new builder with a new product to finish out the community. He was familiar with Fischer Homes and their work in Ohio. The new construction will be condominium ownership which is similar to the ownership of the quad buildings. There will be a maintenance service package with these homes. There is a cost sharing agreement that they are close to getting finalized with the homeowner's association. He noted that there were representatives from the homeowner's associations there tonight as well. They are also looking for approval to move from quadplex buildings to duplex buildings. He then turned it over to Ms. Amanda Deerdorf to explain further.

Ms. Amanda Deerdorf, Fischer Homes, 6602 E. 75th St., Indianapolis appeared. She gave a quick overview of Fischer Homes. They are a privately held builder that had been in business for over 40 years within 7 different markets throughout the Midwest. They are headquartered in Cincinnati. She stated that they had built in the Heathermore, North Ridge and The Settlement communities within Hendricks County. She then reviewed the Wembley design that they propose for the Eagle Lakes community. It is their paired patio collection that is new to the Indianapolis market. The design tailors itself to an active adult. There is no maintenance needed from the homeowner. The design would offer four different elevations and she showed those on the slide. The condominiums would be 1250 square feet open concept floorplan with the living on the main floor.

Mr. O'Riley asked if it was to be a 55-year-old and over community.

Ms. Deerdorf replied that they do not age restrict, but that style of home lends itself to that demographic.

Mr. O'Riley asked if they were all on slab.

Ms. Deerdorf stated that was correct. They are trying to keep consistency with what has already been built in Eagle Lakes.

Mr. Palmer asked what the estimated price would be.

Ms. Deerdorf replied that they would be in the mid \$200 price range.

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Mr. Gentry asked if they had a design plan for the plumbing or would the contractor design.

Ms. Deerdorf stated that there would be a design plan with blueprints.

Mr. Palmer then opened the public hearing.

Mr. Jeff Sherwood, 10351 River Park Way, Indianapolis appeared. He stated that he was the president of the Eagle Lakes Owners Association. He wanted to ask the board to note that they were in negotiations with the developer and with Fischer Homes on two agreements. One being for the common area maintenance agreement and the other being a common area repairs agreement. They anticipate those agreements being finalized within the next day or so. He stated that they would be in agreement as long as they are signed by all three parties. He wanted the board to note that the developer must repair the street and/or curb from any damage once construction is complete.

Mr. Steuerwald asked if the agreements were between the developer and the homeowners association.

Mr. Sherwood replied that one was, and the other was between all three parties.

Mr. Steuerwald stated that those are separate from anything that the plan commission would do. It would not interfere, restrict or change any covenants or private agreements they would have. He noted that if they would like to make those recordable, they could do that, but those agreements had nothing to do with what was before them tonight.

Ms. Phyllis Reynolds, 10523 Medina Dr., Indianapolis appeared. She noted that she was there representing the Links at Eagle Creek which is the condominium community that shares a property line on the northeast side. She noted that she had spoken to staff and Mr. Coyle from Banning Engineering, and they had addressed some of her questions. Her concern was that they already have poor contour on their side of the property line and they want to make sure that any drainage does not flow towards them. She was told that there was going to be a swale and an underground drainage system that should direct the overflow away from their property. She noted that because they do share a property line, there may be some trees that are directly on the property line. She stated that Mr. Coyle told her they would work to save as many trees as possible. They have marked trees and she just asked that the Board of Directors for the Links be kept informed of what is being done in regard to drainage and any removal of trees and vegetation. She stated that she would like to see the construction trash from years ago perhaps from when it was first built cleaned up. She appreciated the time staff took with her to answer concerns.

Mr. Palmer closed the public hearing.

Mr. Jason Coyle, Banning Engineering appeared. He reviewed the plans and discussed the drainage swale and storm sewer plans. He talked about the existing trees and how they had been identified.

Mr. Dombrosky stated that the ordinance did require that developers pay attention to existing trees and protect them when all possible. They could ask them to identify some of those on their landscaping plan with a protected tree plan with that.

Mr. Coyle replied that he would suggest that at the secondary with the construction plans.

Mr. Dombrosky stated that he would also address the road condition comment. Staff had discussed that and brought it up. They had also asked them to address the current condition of the streets and explore repairing the entire road system when they are done. He believes there will be some damage and believes the County Engineer should review the condition post construction.

Mr. Coyle replied that he had talked to Mr. Ayres after the TAC meeting concerning a temporary construction entrance off of 56th Street. He noted on the slide that there was curb inlet with a depressed

area in the curb. He believed it was left there when they constructed 56th Street. His question to Mr. Ayres was could they use that as a construction entrance. They would put some commitments to how long they would leave that open, and they would make repairs to the curb and sidewalk upon completion of construction.

Mr. Dombrosky stated that they could handle that at the secondary if they were agreeable to that.

Mr. Palmer asked if there needed to be anything formal in the motion regarding the street repair.

Mr. Dombrosky replied that it would not hurt to do so.

Mr. Whitaker talked about the letter received from Brownsburg School Corporation. He asked about how the roads were going to be constructed; if they planning to construct them as they go, or would they be finished all at once.

Mr. Wilcox stated that all the roadways would be in up front then the homes would be constructed as they were sold.

Mr. Whitaker explained the school corporation's concerns with the potential bus traffic during and through construction.

Mr. O'Riley asked what the average bedrooms were for these homes.

Ms. Deerdorf replied that there would be no less than two, but with the loft option they could be up to four.

Mr. Palmer asked if they had satisfied staffs concerns and recommendations.

Mr. Dombrosky replied that they had.

Mr. Gentry motioned for approval of **MAP 748/21: Eagle Lakes Condominiums (Primary)** subject to protected trees being noted on the landscaping plan, secondary being handled administratively and emphasis being placed on staff comment number five regarding review of road conditions.

Mr. O'Riley seconded the motion.

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

Mr. Palmer noted that Mr. Dombrosky had something to discuss about boundary surveys.

Mr. Dombrosky stated that currently they do not require a staked survey for anything other than a new primary building for building permits. He has some concerns with that especially when people are building on the property line or over the property line and request a variance. He would like to ask them to consider giving staff the ability to request a staked survey in certain conditions.

Mr. Palmer asked if they had that ability to request that now.

Mr. Dombrosky stated they did not. It would need to be in the ordinance because it is a significant expenditure for people.

Mr. Whitaker stated that the other consideration is that survey crews are tough to get. The homeowner would be burdened if they wanted to improve on their land. It is a lengthy process. He felt that if they were up against a property line, maybe 10-15 feet to give staff some leeway to have the ability to request one but not make it mandatory.

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Mr. Dombrosky stated that this would be for accessory structures where the setbacks are 5 or 10 feet. If it is 15 feet and the setback is 10-feet, he would not request one. If they are saying its 10-feet, then he would like to be able to request one. If they are on the property line, he thinks it would be a good idea. He asked whether it should be a set amount off of the property line or on the property line before asking for a survey.

Mr. Palmer asked why they could not leave it up to staff's discretion.

Mr. Whitaker replied that may be putting them in a bind. He felt that if they had something nailed down it would be easier to staff to decide. For example, if it were within the 15 feet, it would be up to their discretion.

Mr. Dombrosky stated that he would like to say within 1 foot of the setback line. Usually, the property line is not going to be off by more than a couple of feet. Another thing to think about is that it may discourage unnecessary variances if they are required to have a survey.

It was determined that staff would draft something for them to look at a later meeting.

There being no further business, the meeting was adjourned at 8:20 p.m.

Tim Dombrosky, Chairman