

November 9, 2021

A meeting of the Hendricks County Area Plan Commission was held on Tuesday, November 9, 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. Brad Whicker; Mr. Damon Palmer; Mr. Bob Gentry; Mr. Walt O'Riley; Mr. Tom Whitaker; Mr. Ron Kneeland and Mrs. Margaret Gladden. Staff members present were Mr. Tim Dombrosky, Secretary and Director of Planning; Mr. Ryan Robling, Senior Planner; Mr. John Ayres, County Engineer; 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 seven (7) members present.

Mr. Whicker stated that the first order of business was to approve the minutes from the October 12, 2021 meeting.

Mr. Gentry motioned for approval of the minutes from the October 12, 2021 meeting.

Mrs. Gladden seconded the motion. Mr. Whicker abstained.

FOR – 6 – AGAINST – 0 – ABSTAINED – 1 –

DPR 495/21: SCOTT MATTINGLY SELF-STORAGE (PRIMARY); a development plan review for a new self-storage facility; 17.922 acres; Guilford Township; S26-T15N-R1E; located at State Road 267 and E. County Road 300 S. (Kruse Consulting)

Mr. Michael McBride appeared representing the petitioner. He stated they had received a letter from the town eight (8) days prior with their concerns and position on the proposed development. In the letter there are two new issues that have been raised. The Town of Plainfield (TOP) is refusing to provide fire protection and rescue services if approved. They are also refusing to provide access to County Road 300 S. Given the new issues and the period of only eight (8) days to address the TOP's concerns, they are requesting a continuance until the January 2022 meeting. With the unique circumstances and the upcoming holidays that is why they are requesting a 2-month continuance. They would like to use that time to work with the town and the county to find a resolution to these concerns.

Mr. Whicker asked if staff had any concerns with the continuance.

Mr. Dombrosky stated he did not have any.

Mr. Palmer asked if it was typical to continue things for a fourth time.

Mr. Steuerwald replied that the rules talk about three (3) continuances, but as its stated in the letter, the unique nature of the issues raised right before the third hearing make this one different. He stated that the plan commission has the total discretion to grant the continuance.

Mr. O'Riley motioned for a continuance of **DPR 495/21: Scott Mattingly Self-Storage (Primary)** to the January 11, 2022 meeting.

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

FOR – 6 – AGAINST – 1 – ABSTAINED – 0 –

Mr. Palmer noted his displeasure with the public having to come out three (3) different times for this case and stated that the case needed to be heard in January.

Mr. Whicker agreed with Mr. Palmer.

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DPR 498/21: JP EXPRESS, INC. (PRIMARY); a development plan review for a truck storage facility; 5.39 acres; Liberty Township; S25-T14N-R1W; located at 9084 S. State Road 39 – Mooresville (Moench Engineering)

Mr. Robling stated that the petitioner indicated that they would not be present and would be asking for a continuance, but it came too late for an administrative continuance.

Mr. Gentry motioned for a continuance of **DPR 498/21: JP Express (Primary)** to the December 14, 2021 meeting.

Mr. Whitaker seconded the motion.

FOR – 7 – AGAINST – 0 – ABSTAINED – 0 –

ZA 489/21: AFTER ACTION MEDICAL & DENTAL SUPPLY; a zoning amendment change from GB to PB; 2.92 acres; Guilford Township; S20-T14N-R2E; located at 10535 Prosperity Circle, Plainfield – between Union Mill Dr. and Walnut Grove Bend (Comer Law)

Mr. Dombrosky presented a brief overview and reviewed the location, nearby zoning, and comprehensive plan for the area. The intent of the petition is to rezone to PB/Planned Business to allow a flex warehouse/distribution facility. He noted that there are similar uses in the area. He reviewed the finding of facts summary and stated that staff was recommending approval.

Mr. Ben Comer, Comer Law, 71 W. Marion Street, Danville appeared. He noted that the owners, Mr. and Mrs. Jerry Yates were present as well. He stated that he believed it was zoned PB previously and they are seeking to rezone it back to that again. The use would be a medical and dental supply company which would consist of an office up front and warehouse in the back.

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

Mr. Gentry motioned for a favorable recommendation of **ZA 489/21: After Action Medical & Dental Supply**.

Mr. Kneeland seconded the motion.

FOR – 7 – AGAINST – 0 – ABSTAINED – 0 –

It was noted that it would be heard at the Board of County Commissioners on November 23, 2021.

DPR 499/21: CALIBER COLLISION (PRIMARY); a development plan review for a collision repair shop; 2.45 acres; Guilford Township; S20-T14N-R2E; located on the southwest side of S. County Road 1025 E. and State Road 67 (Kimley-Horn & Associates)

Mr. Dombrosky presented an overview and reviewed the location, nearby zoning, and comprehensive plan for the area. He showed the site plan and noted that the entrance would come off County Road 1025 with parking on all sides of the building. He then reviewed the modifications the petitioner is requesting. Those modifications are for: Maximum parking spaces; they are requesting 70 when the maximum is 43, Design standards for the parking space size; they want to use the 9x18 size space instead of the 10x20, Setbacks; they do not meet minimum setbacks for the southern and eastern property lines, Perimeter landscaping; they are requesting to allow parking areas in the required perimeter landscaping area, and Non-residential lot standards; they are asking to allow for a 30-foot encroachment into the combined rear setback. He stated that staff does not agree with the modifications and are recommending denial.

Mr. Kaleb Sondgerath, Kimley-Horn & Associates, 250 E. 96th Street, Indianapolis appeared. He stated that this was a unique site and with the required setbacks it makes the envelope of area they can build in very small which is why they have requested so many modifications. He went through the modifications. He stated that most of the parking spaces, 58 of them, would be behind the privacy fence and used for car staging and employee parking. He then talked about the landscaping buffer yards and setbacks. He noted that while they did not meet the distances, they did meet it in terms of volume. They would have a privacy fence around the property and are set back from the road as well with quite a bit of a natural buffer. Because they are in a compact site, they asked for the 9x18 size for the parking spaces. He noted that they are common in municipalities, and they do still meet ADA requirements.

Mr. Whicker asked if there were any questions from plan commission members.

Mr. Palmer asked to see the elevations again. He asked about the location of the privacy fence location. He asked if it was just located in the back part of the property.

Mr. Sondgerath replied and showed where it was located on the slide along with customer parking.

Mr. Palmer asked if they were requesting the modification to all the parking spaces or just the ones behind the privacy fence.

Mr. Sondgerath stated that it was for all parking spaces.

Mr. Tim Dearman, Oldacre McDonald, 3841 Green Hills Village Dr., Nashville TN appeared. He stated that they developed the location in Brownsburg and gave some history on Caliber Collision. He noted that some sites have many more parking spaces and they have been before many boards like this asking for these modifications. He stated they moved the curb cut 200 feet which was one of the first comments they had addressed. He felt that they had done the best they could with the location and provided a lot of natural buffers.

Mr. Whicker asked if there were any questions from members at this time. There being none, he opened the public hearing.

Mr. Mark Robinson, 2087 E. State Road 42, Mooresville appeared. He had purchased the property and worked with the fire department and demolished the building. It has sat empty for ten (10) years. He stated that it would be nice to clean it up and see something go in there. It is an opportunity that may not come again for another ten (10) years. He believed it would be a huge improvement.

Mr. Whicker stated he would echo some of the same thoughts. He noted that it was a challenging site to deal with. He felt they had done a reasonably good job with trying to meet the ordinance requirements so he would probably lean in favor of approval of the modifications. He asked if there were further comments from members.

Mr. O'Riley stated he had been by the Brownsburg location and said it was a nice-looking facility.

Mr. Palmer stated he was not as concerned with the parking spaces behind the fence as he was the customer parking. He was not in favor of modifying the customer parking spaces. He believed they were already too small.

Mr. Kneeland agreed with Mr. Palmer.

Mr. Whicker suggested that they propose something other than all the parking spots being reduced to the 9x18 size.

Mr. Dearman stated that they could modify the customer parking.

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Mr. Whicker stated he needed to know quantities for the record.

Mr. Sondgerath replied that they could make all twelve (12) of the customer parking spaces be the 10x20 size.

Mr. Whitaker mentioned his concerns about the house to the south of the property. He asked how tall the fence was going to be.

Mr. Sondgerath replied that it was an 8-foot fence and that they met the buffer yard on that side.

Mr. Palmer asked what concerns that staff had to recommend denying it.

Mr. Dombrosky replied that he believed the modifications came about because of the excess parking spots. If they reduced the amount of parking spaces, they would come closer to meeting some of the standards. The concern would be that there could possibly be vehicles being worked on outside.

Mr. Dearman stated that that would not happen. They have third party EPA at their locations and meet those standards.

Mr. Gentry motioned for approval of **DPR 499/21: Caliber Collison (Primary)** with the modifications requested with the adjustment to state that the twelve (12) customer parking spots will be to county ordinance standards.

Mr. Whitaker seconded the motion.

FOR – 7 – AGAINST – 0 – ABSTAINED – 0 –

APPROVAL OF THE 2022 PLAN COMMISSION MEETING SCHEDULE

Mr. Gentry motioned for approval of the 2022 Plan Commission meeting schedule.

Mrs. Gladden seconded the motion.

FOR – 7 – AGAINST – 0 – ABSTAINED – 0 –

There being no further business, the meeting was adjourned at 7:10 p.m.

Tim Dombrosky, Secretary