

February 8, 2022

A meeting of the Hendricks County Area Plan Commission was held on Tuesday, February 8, 2022, 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. Ron Kneeland; Mrs. Margaret Gladden; and Mr. Tom Whitaker. 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.

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 11, 2022 meeting.

Mr. Gentry motioned for approval of the minutes from the January 11, 2022 meeting.

Mr. Kneeland seconded the motion.

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

ZA 491/22: CITY PROPERTIES LLC; a zoning amendment change from GB to PB; 1.96 acres; Lincoln Township; S17-T16N-R2E; located at 10095 E. US Highway 136, just east of N. CR 1000 E. (Moench Engineering)

Mr. Dombrosky presents and reviews the location, current and surrounding zoning, the comprehensive plan as well as the finding of facts summary. They wish to rezone to PB to allow a heavy truck maintenance repair shop and exterior truck and trailer storage. The conceptual site plan was shown. The area has historically been a mix of residences and semi-industrial uses. The site is currently undeveloped with a single-family residence that would be demolished. The Town of Brownsburg's comprehensive plan would call this area flex/light industrial. To the south the town has a mixture of light industrial type zoned properties. Staff is recommending a positive recommendation for the petition.

Mr. Brian Moench, Moench Engineering, 4000 Clarks Creek Rd., Plainfield was present. He noted that the property owners were there as well to answer any questions. He reviewed the nearby uses; to the north was a self-storage, to the south they have a proposed truck/trailer parking going through the town for approval, and further south was the NHRA raceway park. He noted that they were right on the line between the county jurisdiction and the towns. He noted that the intended use was truck/trailer parking and an indoor truck maintenance facility. He reviewed both the county and town's comprehensive plans. He felt that what they were proposing was a good transition from the commercial and mixed uses for the area than the more industrial uses that are allowable on the Brownsburg's zoning.

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

Mr. Bruce Litton, 10184 E. US 136, Indianapolis was present. He noted that he owned the storage facility to the north from the property. He stated that his concern was with the drainage as it all drains to the east. It has been a problem for years and feels this would only make it worse.

Mr. Whicker noted that tonight was only dedicated to the merits of changing the zoning. The drainage would be heard at the development plan review stage where they would have go before the drainage board as well and get approval from them.

Mr. Tom Miller, 10135 E. US 136, Indianapolis was present. His concern was what was under the ground. The trees and brush were buried when that property was cleared. He felt that is part of the

reason they have drainage issues now. He then asked about the asphalt grindings that were dumped on the southeast corner. He felt as though someone building on the site would have problems.

Mr. Rob Hart, 10213 E. US 136, Indianapolis was present. He stated that it was a busy area and is only getting worse. He has well water now and has a concern because this development would be uphill from his property and well. He was also concerned with the traffic it would create.

Mr. Tony Burkhart, 4155 N. CR 1000 E., Brownsburg was present. He was there representing the property owner Mr. Mike Allgaier. He is very concerned with the traffic. He noted that at one time, Mr. Allgaier was going to purchase the proposed rezoned property and the state was going to make him put a turn lane on US 136 and he opted out of the purchase.

Mr. Whicker again stated that it was more of a concern that would be addressed at the next stage in the process if they received the zoning change. There being no one else signed up to speak, he closed the public hearing.

Mr. Moench stated that he appreciated these meeting to allow him to hear the concerns of the neighbors. A lot of the concerns are not applicable at this time and will be addressed in more detail during the development plan review. They plan to work with staff diligently to address those concerns. He felt the location being close to a major thoroughfare corridor of US 136 and its proximity to Ronald Reagan Parkway which allows them to get to the interstate system. He reviewed the mixed uses around the property.

Mr. Dombrosky noted that the change is requesting to go from GB to PB. The PB zoning district allows for this light industrial /flex type uses. GB allows anything from gas stations, convenience stores to retail. He stated that the county engineer does review everything submitted for plan commission and he had no concerns at this time. He noted that a more detailed traffic analysis would also be done at the development plan review.

Mr. Palmer asked if the county engineer looked at it for the use now or for future use. His thought was that the traffic pattern would look a lot different in five (5) years from now.

Mr. Dombrosky replied that he looked at it with the idea of changing it with the added truck use. There was no analysis done.

Mr. Gentry noted that he was concerned with drainage and the asphalt millings.

Mr. Whicker replied that it would be heard and dealt with at the development plan review.

Mr. Gentry motioned for no recommendation.

There being no second, the motion died on the floor.

Mr. Whicker motioned for a favorable recommendation for **ZA 491/22: City Properties, LLC**.

Mr. Palmer seconded the motion.

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

ZA 492/22: MISSION HOUSE HOLDINGS LLC; a zoning amendment change from NB to GB; 4.86 acres; Marion Township; S4-T15N-R2W; located on the north side of US Highway 36, approx. 0.2 mile east of its intersection with State Road 75 (Comer Law Office)

Mr. Dombrosky presents and reviews the location, current and surrounding zoning, the comprehensive plan as well as the finding of facts summary. The property is located in New Winchester

February 8, 2022

and is the old Baptist church. It is currently zoned NB as well as a lot of surrounding parcels which are undeveloped. It was done to promote business growth in rural parts of the county. There have been some recent zoning changes and he reviews those. The church is surrounded by AGR currently. They have not identified a future use. They wish to rezone from NB to GB and that would allow some more commercial uses. Staff is recommending a positive recommendation for this petition.

Mr. Ben Comer, Comer Law, 71 W. Marion St., Danville was present. He noted that the owner was present in the audience as well. He reviewed the location and surrounding zonings. The church is vacant at this time.

Mr. Whicker asked for any initial questions from the plan commission members. There being none, he then opened the public hearing.

There being no one signed up to speak, he closed the public hearing.

Mr. Gentry asked what they were wanting to do with the property.

Mr. Comer replied they see it as two different potentials. The existing building could be another church, a gathering or community center. Any tenant could use that building but it is suited for a church. There are another few acres that could be used for a different commercial user.

Mr. Palmer asked for the examples of uses for NB and GB.

Mr. Dombrosky replied and explained the uses for each.

Mr. Kneeland motioned for a favorable recommendation for **ZA 492/22: Mission House Holdings, LLC**.

Mr. Gentry seconded the motion.

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

DPR 500/22: LIZTON RECYCLING CENTER (PRIMARY); a development plan review for a new recycling center; 0.47 acres; Union Township; S28-T17N-R1W; located at the southwest corner of State Road 39 and W. CR 900 N. (DLZ Indiana)

Mr. Dombrosky presents and reviews the location, surrounding zoning, comprehensive plan as well as finding of facts summary. It is noted that it used to be a gas station. He shows the site plan on the slide. There would be two (2) entrances, one to the north with the exit to south onto State Road 39. The site would be fenced all the way around with slats. He reviewed the modifications and noted that they were due to the size of the site and the setback requirements. They were also requesting modifications for perimeter landscaping for off-street parking area, non-residential design standards for the attendant building, and the screening of the recycling containers. Staff is recommending approval.

Mr. Len Detwiler, 49 N. Wayne St., Danville was present. The goal was to upgrade the existing recycling center they have in Lizton currently. This will put a lot that has had some environmental challenges back into good use. He has had a chance to meet with the nearest neighbors a few times about the project. The landscape buffering shown is a direct result of those conversations. They will be eliminating the interstate sign that has been abandoned there. They held an informational meeting for the residents and there seemed to be no concerns. There were more questions about what recycling they would accept and how it would work.

Mr. Whitaker asked if it would have business hours attached to it with the attendant building.

February 8, 2022

Mr. Detwiler replied that it would be opened limited hours on limited days. When it is open, there will be an attendant there. The gate would be closed when the facility was closed.

Mr. Kneeland asked if there would be cameras on the gate for after hours.

Mr. Detwiler stated that was in the plan as well.

Mr. Whicker opened the public hearing. There being no one signed up to speak, he then closed the public hearing. He asked if there were any questions from members of the plan commission.

Mr. Palmer was concerned with the lack of screening for him. When they reach capacity would they then shut the gate.

Mr. Detwiler replied that they hope they would not get to a place where they reach capacity. The systems are compactors, and those systems have a gauge on them. There hope is that when those get close to capacity they would then notify their provider and have them come switch them out. The intention is that they will be open the entire time they advertise to be open.

It was noted that they could not plant outside the fence to the state right of way comes right up to the fence area.

Mr. Whitaker asked if the facility would be lit at night.

Mr. Detwiler replied that they did have some exterior lighting planned.

There was more discussion about the possibility of dumping at the site. There was a concern about that continuing because it was being done now at that location.

Mr. Whitaker motioned for approval of **DPR 500/22: Lizton Recycling Center.**

Mr. Kneeland seconded the motion.

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

DPR 501/22: THE FLATS AT HC (PRIMARY); a development plan review for a proposed 238 apartment community; 17.152 acres; Guilford Township; S20-T14N-R2E; located at Raceway Road and Enterprise Drive – Camby (Banning Engineering)

Mr. Dombrosky presents and reviews the current and surrounding zoning, the location, and comprehensive plan. They had previously seen the rezone a few months ago to change it to multi-family residential. The comprehensive plan shows this area is a mixed use. He reviewed the site plan, showing the 10 apartment buildings and amenities. Entrances would be off Raceway Road and Enterprise Drive. He reviewed the elevations, building materials, and landscaping plans. He went over the modifications they were requesting which included: maximum lot coverage, minimum required open space, building orientation, and automobile storage. Staff was recommending approval with revisions to some of the modifications they felt did not meet the intent of the ordinance.

Mr. Ryan Lindley, Banning Engineering, 853 Columbia Road, Plainfield was present along with Mr. Tim Shrout, the applicant. He reviewed the modifications and explained why they felt they were needed. The site and all of Heartland Crossing is under Tri-County Conservancy District. They provide a unique benefit for developments because drainage is already provided, even in the undeveloped portions. You would normally see drainage ponds on sites, but there is not a need for one. He pointed out the offsets on the buildings. He talked about the open space calculations and was confused by the staff calculations.

February 8, 2022

There was some more discussion about the how to change the layout for the open space requirements. It was noted that if they made small changes to add benches and other amenities it would increase the amount to the required amount needed.

Mr. Lindley stated that they meet the building orientation requirements except one building in the middle. It is unique in that it is surrounded by three (3) roads so those determine the locations of the buildings by default. He felt that could be accomplished by making some small changes.

Mr. Whicker asked for any questions from plan commission members. There being none, he opened the public hearing.

Mr. Francisco Espaza, 10847 Delphi Drive, Camby was present. He stated he lived across the corner from the proposed development location. He stated that he and several other neighbors are opposed to the development. He has lived there for 2.5 years and in that time, there have been numerous accidents at Heartland Blvd. and Raceway Rd. and the traffic is terrible. He has asked the Heartland Crossing committee to remove the turn lane markings because drivers are going straight, and it goes from two lanes down to one. The median cannot be seen at night. He feels that people already speed in the area and the increased traffic will only make it worse. He was also concerned with the price of the sewer bill and felt that in his mind, they were paying for this new development to have no issues with the sewer.

Mr. Whicker then closed the public hearing.

Mr. Lindley stated that the traffic concerns are existing, and they would be happy to pass Mr. Espaza's concerns onto the county engineer. He cannot speak on behalf of the district for the sewer fees but noted that the tenants are and will be paying sewer fees also.

There was further discussion about the traffic and possible accidents. It was noted that it was something that maybe needed to be looked at by the county engineer. There was some concern that maybe the responding agencies were different and there was not a complete picture of how many accidents have occurred.

Mr. Kneeland motioned for approval of **DPR 501/22: The Flats at HC (Primary)** with requested modifications.

Mr. Gentry seconded the motion.

FOR – 6 –

AGAINST – 0 –

ABSTAINED – 0 –

There being no further business, the meeting was adjourned at 8:13 p.m.

Tim Dombrosky, Secretary