

June 14, 2022

A meeting of the Hendricks County Area Plan Commission was held on Tuesday, June 14, 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. Damon Palmer; Mr. Bob Gentry; Mr. Ron Kneeland; Mrs. Margaret Gladden; Mr. Walt O'Riley, and Mr. Tom Whitaker. Staff members present were Mr. Tim Dombrosky, Secretary and Director of Planning; Mr. Ryan Robling, Senior Planner; Mrs. Tonya Cottrell, Building & Floodplain Manager; 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. Palmer stated that the first order of business was to approve the minutes from the May 10, 2022 meeting.

Mr. Gentry motioned for approval of the minutes from the May 10, 2022 meeting.

Mr. Whitaker seconded the motion.

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

**DPR 504/22: JP EXPRESS (PRIMARY);** a development plan review for an over the road truck maintenance facility; 5.43 acres; Liberty Township; S25-T14N-R1W; located at 9084 S. State Road 39, Mooresville (Moench Engineering)

Mr. Dombrosky presents. He reviews the current and surrounding zoning, the location, the comprehensive plan, and shows the site plan. He noted that it has always been a non-conforming use. To formalize that use, they are proposing this DPR for a truck freight terminal. The project has been on the books for some time. The design has been mostly completed for a while, but they have continued to wait for approval from INDOT and IDEM for the access onto State Road 30 and connection to public wastewater. Staff was recommending denial of the project.

Mr. Brian Moench, Moench Engineering was present. He stated that the client had made numerous changes along the way, and he felt they finally had an approved site plan. He was shocked, as it was his understanding that they did have both INDOT and IDEM approval, as well as their sewer allocation letter. He thought his office had forwarded that to staff. He apologized for the miscommunication. He was hoping to come and finally get this off the books. He stated that he could get those documents to them first thing in the morning.

Mr. Dombrosky stated they had not received those documents and the letters were sent out last Wednesday. If they did have those state approvals, then staff would be in favor of the project.

Mr. O'Riley asked if they could grant approval with a subject to receiving those documents.

Mr. Dombrosky stated that would be appropriate so they could review the documents and make sure that it was the right allocation letter and the INDOT permit includes the discharge from the pond.

There was discussion about the driveway relocation.

Mr. Gentry asked about the screening along the cemetery side to the north and asked if that could be enforced.

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Mr. Dombrosky replied that they have presented a plan that complies with the ordinances. That is as much as they could ask them to do. If they are willing to do more, that would be a show of good faith. The landscaping proposed on that side is a type 3 out of 4. It will be a substantial buffer when grown.

Mr. Gentry asked if there was a berm proposed there.

Mr. Moench stated there was not a berm but noted that they have some topsoil to lose on property. He would commit to a 2-to-3-foot mound to help with the screening.

Mr. Dombrosky noted that the mound would help and would not interfere with surface drainage.

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

Mr. Kneeland motioned for approval of **DPR 504/22** subject to receipt of documents for the state approvals and acceptance of the self-imposed commitment of a 2-3 foot high mound as an additional buffer on the north property line.

Mr. O'Riley seconded the motion.

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

**DPR 308/22: HEARTLAND SOLUTIONS – PARKING LOT EXPANSION (PRIMARY);** a development plan review for parking lot expansion; 3.44 acres; Guilford Township; S20-T14N-R2E; located at the northeast quadrant of S. County Road 1025 E., east of Hendricks County Rd. (First Group Engineering)

Mr. Dombrosky presents. He stated that this was a minor parking lot expansion. It would need two (2) modifications which is why it is coming before the Plan Commission. The petitioner needs more time to address comments from the Tri-County Conservancy District for drainage.

Mr. Gentry motioned to continue **DPR 308/22** to the July 12, 2022 meeting.

Mr. Whitaker seconded the motion.

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

**DPR 506/22: AFTER ACTION MEDICAL & DENTAL SUPPLY (PRIMARY);** a development plan review for a new commercial building; 2.92 acres; Guilford Township; S20-T14N-R2E; located at 10535 Prosperity Circle – east of Union Mills Dr. (Total Engineering Solutions)

Mr. Dombrosky presents. He reviews the current and surrounding zoning, the location, the comprehensive plan, and shows the site and landscaping plan. They were requesting a modification for exterior materials. The PB zoning district does not allow buildings constructed of metal. They wish to use 50% metal siding. He noted it was typical of a warehouse building such as this, this was just a smaller one. Staff was recommending approval.

Mr. O'Riley asked if the buildings surrounding it had metal siding.

Mr. Dombrosky believed that the self-storage facility to the west was stucco.

Mr. Palmer asked how close it was to the Royal Spa location.

Mr. Dombrosky replied it was around the corner.

There was discussion about changes in the ordinance and what they have done on other projects.

Mr. Don Humphrey, Total Engineering Solutions, Fishers was present. He stated that it was not a large building, so the metal would only be going up 8 or 9 feet. He explained the layout of the building. He noted that they have not gotten comments back from Tri-County Conservancy District. He understood he would need their approval. There is no onsite detention shown because it would drain to a nearby creek that goes to Heartland Crossing's overall detention system.

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

Mr. Gentry motioned for approval **DPR 506/22** with the modification requested.

Mr. Whitaker seconded the motion.

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

**TZA 01/22: PROPOSED AMENDMENT TO THE HENDRICKS COUNTY ZONING ORDINANCE**  
regarding Accessory Dwelling Units

Mr. Dombrosky presents. He stated that in the last month or two they adopted a change the ordinance to allow accessory apartments as a special exception in all residential districts. Since that time, they have approved 20 accessory dwellings without remonstrance, except for one. They were remonstrating the fact it was a mobile home, not that it was an accessory dwelling. To save time, improve the convenience of the county population, and promote efficient land use, he would like to permit accessory apartments in the AGR district by right as long as they meet the standards. The standards are copied from the special exception language and were reviewed on a slide.

There was more discussion amongst the members and staff. Mr. Palmer noted his concern about allowing it on 1.5-acre plot.

Mr. Dombrosky noted that the BZA was favorable to the change.

Mr. Palmer 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 for **TZA 01/22**.

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

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

**TZA 02/22: PROPOSED AMENDMENT TO THE HENDRICKS COUNTY ZONING ORDINANCE**  
regarding Floodplain Management

Mr. Dombrosky stated that the Floodplain Management is dictated by the state. The county participates in the community rating system floodplain management program the states if we enact certain standards then the residents of the county are entitled to a discount on homeowner's flood insurance. The county has participated in the program since 2009. In order to maintain compliance for the program, we have to adopt the changes from the state. The changes are detailed and tedious. It makes minor updates to the language.

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Mr. Palmer opened the public hearing. He then closed the public hearing being there was no one present to speak.

Mr. Gentry motioned for a favorable recommendation for **TZA 02/22**.

Mr. O'Riley seconded the motion.

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

**ORDINANCE 1987-13 (HENDRICKS COUNTY BUILDING CODE) proposed amendment**

Mr. Dombrosky stated that the Hendricks County Building Code adopts the (IRC) Indiana Residential Code. They are asking to add an additional standard to have carbon monoxide detectors on every floor instead of just outside the bedrooms of new construction. The building inspectors feel that it is a major life safety improvement at a minimal cost. Most builders are doing it anyway.

Mr. Palmer opened the public hearing. He then closed the public hearing being there was no one present to speak.

Mr. Gentry motioned for a favorable recommendation for **Ordinance 1987-13**.

Mr. Whitaker seconded the motion.

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

**ORDINANCE 2004-23 (HENDRICKS COUNTY PLANNING & BUILDING DEPT FEE SCHEDULE) proposed amendment**

Mr. Dombrosky stated that they had last updated the fee schedule in 2009. There has been a change from then with the style and construction of the large logistics buildings. The ordinance did not account for that style of construction. They are requiring more inspections than anyone thought. The buildings are being built as a shell then being customized for the tenant afterwards. This requires multiple inspections. This fee update tries to account for that and charge reasonable fees. He noted that Mrs. Tonya Cottrell was there to explain further as she is the one that calculates the fees. She has been seeing the discrepancy in our fees versus other municipalities in the county. These will bring us inline with other communities.

Mr. Palmer asked what the average percentage of increase was.

Mrs. Cottrell replied that she did not have the percentage, but they did do a minimal square footage increase. There were also some increases in the application review fees. The main thing was adding fees that they did not have before and trying to fit them into other categories, such as the racking and conveyors. They also broke out some of the fees that were previously bundled because the inspectors were going out 3 to 5 times. They also added some solar field fees as well as pre-inspection fees for people that want a consult before they even apply for a permit.

Mr. Dombrosky explains the breakdown of the fees.

Mr. Palmer asked if the fee schedule covers the cost for today or does it account for the future.

Mr. Dombrosky stated he felt it would cover it for the next 5 years.

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There was discussion about having a percentage increase every few years in pricing and how that would look.

Mr. Palmer opened the public hearing. There being no one present to speak; he closed the public hearing.

There was further discussion about the energy report and how that process works.

Mr. Gentry motioned for a favorable recommendation for **Ordinance 2004-23**.

Mr. Kneeland seconded the motion.

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

There being no further business, the meeting was adjourned at 7:47 p.m.

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Tim Dombrosky, Secretary