

October 11, 2016

A regular meeting of the Hendricks County Area Plan Commission was held on Tuesday, October 11, 2016 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. Bob Gentry, Acting President; Mrs. Sonnie Johnston; Mr. Walt O'Riley; Ms. Angela Tilton; and Mr. Damon Palmer. Members absent were: Mr. Brad Whicker and Mr. Doug Sisk. Staff members present were: Mr. Don F. Reitz, AICP, Secretary and Director of Planning; Mr. Greg Steuerwald, County Attorney; Mr. John Ayers, County Engineer; Mr. David Gaston, County Surveyor; Mrs. Julie Haan, Environmental Health Director; Mr. Tim Dombrosky, Senior Planner; Mr. Nicholas Hufford, Planner; and Mrs. Joanne Garcia, Recording Secretary.

The meeting was opened with the Pledge of Allegiance. There were five (5) members present. Mr. Gentry was appointed the acting chairman for this meeting as the President and Vice-President were absent.

Mr. Gentry called for approval of the September 13, 2016 Plan Commission meeting minutes.

Ms. Tilton made a motion to grant approval for the September 13, 2016 meeting minutes.

Mrs. Johnston seconded the motion.

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

Mr. Gentry then called for a motion to grant the continuance requested for thirty (30) days for the following matters:

**MAP 634/16 (AMENDMENT): JDH PLAT, LOTS 3 & 6**  
**WA 276/16: MAP 634 JDH PLAT, LOTS 3 & 6**  
**DPR 453/16 (PRIMARY & SECONDARY): CAL-CAIT, LLC (JDH PLAT, PHASE 2)**

Mrs. Johnston made a motion to grant the foregoing continuances for thirty (30) days to the November meeting.

Mr. Palmer seconded the motion.

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

Mr. Gentry then called for a hearing on the public hearing portion of the agenda:

**ZA 443/16: NATIONAL TRANSPORTATION CENTER;** a zoning amendment change from AGR/Agriculture Residential District to PUD/Planned Unit Development District, 196.48 acres, Liberty Township, S11,14-T14N-R1W, located on the west side of State Road 39 and south of U.S. Highway 40. (Comer Law Office)

Mr. Reitz gave some information on the application. He stated that the rezoning request was for PUD or Planned Unit Development District. He explained it was a particular zoning classification that most of the members of the commission were not familiar with as the last time a PUD was considered occurred eight (8) years ago. He stated, therefore, that Mrs. Johnston was the only member who was familiar with that zoning district. He stated that the staff was prepared to give a short presentation before the applicant presented to familiarize the members with the proposed PUD amendment.

Mr. Timothy Dombrosky, Senior Planner, then gave a short presentation on the PUD District as follows:

- What it is
- PUD is zoning change
  - Creates custom zoning district for special development

- a zoning tool
- Ordinance is written to allow a single specific development and is proposed and written by applicant

Why We Have it and what it should and should not do

Fictitious Example of Medical Campus PUD

How We Use It

- Greater Flexibility
- Efficient approvals
- PUD's are intended to promote development that meets the Comp Plan's goals and exceeds development standards but is not permitted

Summary

- What – Custom Zoning District
- Why – Allow desirable & beneficial but unpermitted development
- Ultimately a zoning change
- Approval Process
  - Plan Commission – Specific development standards & provide fiscal & traffic studies
  - Board of Commissioners – Zoning map amendment
  - Plan Commission – Primary & Secondary Development Plan Reviews

Mr. Ben Comer of the Comer Law Office appeared on behalf of the National Transportation Center. He stated that Mr. Preston Harrison with the NTC was present along with Ms. Cinda Kelley-Hutchings, Director of Economic Development for NTC, and Mr. Jeff Banning, the project civil engineer. Mr. Comer explained that essentially the National Transportation Center was a "trade school." He stated that the facility was proposed to educate, train and be an employment center for the transportation industry. He stated that throughout the county, the state and nationwide, the entire industry was in need of trained, qualified workers. He stated that the National Transportation Center would be able to train and educate workers for the transportation industry and including warehousing. He stated that the county was in need of trained help in the area of warehouses and was not able to meet their needs. He stated again that this was not just a problem in Hendricks County but statewide and nationally also. He stated the Center would promote the benefits of careers, provide workforce education, classrooms and virtual learning opportunities as well as hands on real world apprenticeships. He stated it was also an entry for military veterans to provide them with an avenue into the working world. He stated the students would come from two different main sources from all walks of life with an emphasis on military veterans as well as local students graduating from high school. He discussed meeting needs and creating long term sustainability. He stated there would be partnerships with different trade schools, with different organizations and on the board of directors and faculty to create a network for students coming in and the placement of students going out and between the training of those students. He stated that the vision for the transportation industry included a long list of different types of areas the students would learn and with different focuses offered through the school. He then displayed an aerial view of the proposed site location of approximately 200 acres showing the work center, Patriot's Village and Campus Center. He stated that what made Hendricks County a unique location was because it was approximately twelve miles from the airport, just a few miles from Interstate 70 and within a day's drive of more than half of the nation's population. He stated that the county infrastructure made it a desirable location and was the reason for so much of the growth occurring. He stated that all of the growth also generated the need for trained employees. He stated it was in their opinion a logical place to locate such a training facility. He then displayed a rendering of the developed site showing the core of the campus, with residential facilities for students and faculty, the work center located on 70 acres at the north end with industrial buildings, parking lots, classrooms, offices and student housing. He described some of the features planned for the Patriots Village such as hotel, chapel, art gallery, amphitheater, restaurants and other retail. He stated at the south end of the project containing approximately twenty acres would be located a rehabilitation center and it would provide physical therapy services and recreational facilities. He then stated that the allowable uses for the PUD were identified as those that could be associated with the campus. He stated

those uses would be listed in the PUD ordinance and any that were not listed that wanted to be added would need to go through approval by the Plan Commission. He stated that one of the main reasons for the PUD was that there was no ordinance section that allowed for mixed uses. He pointed out that only dormitories for student and faculty housing were allowed as residential uses and there would be no other living units allowed. He stated that the only commercial allowed would be to support the campus and the industrial portion would be related to the hands-on trade school. He stated that all uses would be tied under the National Transportation Center. He then displayed a "bubble plan" that broke down the different sections of the project and identified what uses could go in each of the project sections. He stated if the zoning was approved there would then be the development plan process to go before the members to analyze and review all of the development standards, drainage, lighting, access, parking, etc. He then went on to state that their goal at this meeting was to make the presentation, get feedback and then come back at next month's meeting for a vote on the project. He stated they were currently waiting on the fiscal and traffic studies to present at next month's meeting.

Mrs. Johnston asked how many students were projected to attend the facility.

Mr. Preston Harrison responded that they projected approximately 1,200 students.

Mr. Comer stated there would be a gradual buildup of students.

Mr. Palmer then asked how long the curriculum was.

Mr. Harrison responded from one week to fifteen months.

Mr. Gentry asked if students would be able to also reside at the facility and also asked about families.

Mr. Comer stated yes and explained that the dormitories would be one bedroom units with kitchen and bath facilities of approximately 500 square feet. He stated they could see potentially a husband and wife but as far as families the units were not built to accommodate them.

Mr. Gentry then stated he assumed there would be no children at the facility.

Mr. Harrison stated not at that facility.

Mr. Comer stated that it was possible a family of a student could move near the location, such as in the Town of Clayton.

Mrs. Johnston asked about a cost for the students.

Mr. Harrison stated that military veterans would have their programs and that there were industrial companies who would be sponsoring students in the form of grants, internships and that the industry was so short on people, they had funding for students to attend the school.

Mr. Gentry asked if there were similar schools in the nation.

Mr. Harrison stated no. He stated that one of the goals was to bring other schools in who would participate in the transportation industry and to help them get into a training cycle and knowledge of what the industry needed. He stated their goal was to consolidate the training process under one roof and have the transportation industry oversee that training and take it out into other communities.

Mr. Palmer asked how the school was funded.

Mr. Harrison explained it was funded through investors and industry people. He stated there were a number of resources. He stated that now there were industry memberships, internships and scholarships. He stated there were at least a half dozen viable means for funding.

October 11, 2016

Mr. Palmer then asked if there was a business plan available. He stated that he was concerned with the viability and sustainability of the proposed project.

Mr. Harrison stated he understood and could provide that for the commission.

There being no other comments or questions, Mr. Gentry opened the public hearing.

The following persons appeared and were heard:

Mr. Jerry Bowman of 4456 North County Road 525 West appeared. He stated that he owned property directly west of the proposed project and that he was also representing his brother. He stated the ground that they owned since the 1930's was farm ground. He stated he had examined the proposed Phase I plans. He stated he did not see very much wrong with those plans. He stated he would rather have the proposed plan than plans for new houses. He stated, however, that the plans he looked at in the Planning Department were different than the ones being shown tonight. He stated there was supposed to be an easement from State Road 39 back to his property. He stated the easement went between the 70 acres and the 100 acres being discussed for the proposed project. He stated he wanted to know if the easement would still be in place on the plan for the proposed project. He asked about the zoning for Phase I and Phase II and that he had not been able to view any plans for Phase II. He stated he wanted to see detailed plans for Phase II before any zoning change was considered. He stated he understood that development along State Road 39 would happen. He stated he had received notice of this meeting only one week before it occurred and he would appreciate in the future receiving more notice of these types of meetings. He also added that he wanted them to be aware that a 42 inch high pressure natural gas pipeline existed on the proposed property site. He added that those were his only concerns.

2. Mr. Isaac E. Lewis of 1827 Church Street in Belleville appeared and stated that he had lived in Hendricks County his whole life. He stated that the project did not address Mr. Bowman's concerns about the easement or his right-of-way. He stated he had previously asked that question and was assured there would be a right-of-way but not necessarily where it presently existed to his knowledge. He related how he felt Mr. Bowman would need to navigate through the site to get thru to his property. He stated he was not sure how the relocation of easements was handled legally. He then discussed the location of the pipeline and that nothing could be built within twenty-five feet of it on either side. He stated his neighbors that lived across from that location were present and he was sure they had environmental concerns about building near the pipeline. He commented that the idea of having maybe 200 more new students in the area was not a bad one. He stated that the area had lost a lot of people. He then went on to discuss the available uses put forth by the applicants. He stated that the uses to be allowed in the PUD might not be understood by the average person. He stated that he felt the trade school campus was a good selling point and that it would, however, bring other problems. He stated that the farmland present was taxed but maybe not as high as the proposed development. He stated that the condition of the PUD for the whole proposed area without adequate plans specific to Phase II was not fair. He stated he was not in favor of approving the whole project without the whole plan and then just hoping that it developed as proposed. He stated he had respect for all of the people working on the project but that respect was a two way street. He stated that the concerns and comments of the people directly affected by the project should be taken into consideration. He stated that he was also an adjoining landowner of the project. He stated he felt a central problem was how the project would be financed and primarily for sewage and water. He stated he did not know how it would be financed other than what he had heard at a meeting in Hazelwood that it would not be financed through a TIFF program and that he was not sure about that. He stated he felt that the people living in the area wanted growth but not the growth that this project might contain. He asked that the members consider his points.

There being no one else signed up to be heard, Mr. Gentry closed the public hearing.

There was then discussion among the members on waiting for the traffic and fiscal studies before voting on the matter.

Mr. Palmer then asked where the split between Phase I and Phase II was.

Mr. Comer stated that the north 70 acres was considered Phase I and the southern remaining portion was considered Phase II.

Mr. Gentry then asked where the easement discussed by Mr. Bowman was located.

Mr. Jeff Banning with Banning Engineering appeared and indicated on the plan the general location of the easement allowing for access to Mr. Bowman's property. He stated they would be allowing for access to that property. He stated that the proposed drawing had changed multiple times but they would make sure there was an easement from State Road 39 to the Bowman property.

Mr. Gentry asked if that easement was how the farm equipment accessed the Bowman property.

Mr. Bowman stated yes.

Mr. Gentry asked Mr. Banning if there would be a problem with farm equipment accessing that easement through the proposed project.

Mr. Banning stated no. He stated that there had been a previous drawing showing a roadway and they were working through where their access points would be located. He stated the County Engineer, John Ayers, had a meeting with them and INDOT discussing that matter and they were trying to finalize their access points to make sure that there would still be access back to that property. Mr. Banning then discussed the existing pipeline and where it was located along the south side of a proposed roadway on the plan in the southern portion of the project. He stated they were very much aware of that pipeline and it would be brought into coordination of the property. He then discussed the utilities for the project and stated that they had had multiple meetings with the Town of Plainfield. He stated that they had also had a joint meeting with the County Commissioners and the town council. He stated they were looking at options on how to extend sewer and water to the project site. He stated it was dependent upon the phasing of the project. He stated they were now looking at the phasing for the entire project and adjoining area. He stated that they had put together some preliminary cost numbers and routing for those utilities.

Mr. Palmer asked if there was a rendering or elevation for Phase I.

Mr. Comer stated that they did not have one available today and would definitely have one and in particular for the development plan review stage. He stated it would meet the ordinance as to development standards.

There being no further questions, Mr. Gentry asked the committee if they wished to vote to continue the matter to the next meeting.

Mr. Palmer then asked for a discussion on evaluation of a PUD as this was his first. He stated he looked at all of the allowable uses and asked if the PUD was approved without the development plan, would the applicant be free to develop any of those uses which were listed in any of the areas.

Mr. Dombrosky responded that it would be specifically written in that ordinance what uses could be placed in those areas and that you were seeing at least the initial draft of what that proposal was. He stated he thought he was correct in saying that commercial uses were allowed across the entire site and that industrial uses were only permitted in the north and northwest corner of the site. He stated also that the applicant would have to apply and present a development plan review application where they could propose any of those uses in any of those areas and that the footprint being reviewed today was just conceptual.

Mr. Palmer then asked if the PUD was specific to the developer/petitioner project and could not be sold.

October 11, 2016

Mr. Reitz stated it would be a custom zoning district for this land at this time.

Mr. Palmer asked what would change that.

Mr. Reitz responded that the uses proposed there at the location were tied to that particular piece of land.

Mr. Palmer then stated that he was jumping to a worst case scenario. He asked if the land was zoned AGR currently.

Mr. Reitz stated yes.

Mr. Palmer then went on to say that what they were doing there was changing the zoning to commercial and if the property was sold as is, would the zoning go with it.

Mr. Reitz stated that zoning would stay with the property. He gave the example of the Brown Township PUD project, Foxhaven. He stated it was never developed as approved and remained that zoning for years. He stated no one wanted to develop the project as approved so because of requests from property owners, the county filed to abandon the PUD zoning and return it to the original AGR zoning.

Mr. Palmer stated he understood and that it was a good clarification. He then asked if the Commissioners had decided on including the State Road 39 Corridor Plan in the Hendricks County Comprehensive Plan.

Mr. Gentry stated that matter had been continued by the Commissioners. He stated that matter would be heard next on Tuesday, October 25, 2016.

Mr. Palmer asked how this project was proposed from a land use perspective in the Comprehensive Plan.

Mr. Dombrosky responded that in his recommendation letter, he indicated that if the State Road 39 Corridor Plan was adopted by the time the final decision was being made on the present PUD adoption, then he would write it toward that Comprehensive Plan. He stated at this point, however, it was not really a guiding document. He stated if the Corridor Plan was adopted, it did show Planned Business in this region.

Mr. O'Riley then asked if the Corridor Plan was adopted, then this proposal would be an acceptable use.

Mr. Reitz stated that the un-adopted Corridor Plan envisioned precisely this type of project.

Mr. Dombrosky added that the comments he had made for this proposal did address how this project fits with the current Comprehensive Plan which he did believe would fit within the intent of that plan.

Mr. Gentry added that the Commissioners had not voted on adoption of the State Road 39 Corridor Plan because of the timelines becoming rigid and they felt they needed more time to examine the plan as presented.

Mr. Reitz stated that looking at the current Comprehensive Plan and the unapproved State Road 39 Corridor Plan you would see that this project would be consistent with both of those plans.

Mr. Gentry then added that he had full faith in the Plan Commission as individuals and collectively and that they would do the right thing whichever decision was made. He then asked for more questions or comments. There being none, Mr. Gentry asked for a motion on the matter.

October 11, 2016

Mrs. Johnston then made a motion to continue **ZA 443/16: National Transportation Center** for thirty (30) days to the November Plan Commission meeting scheduled for Wednesday, November 9, 2016 at 6:30 p.m.

Mr. O'Riley seconded the motion.

FOR – 5 –

AGAINST – 0 –

ABSTAINED – 0 –

Mr. Gentry stated that portion of the matter was concluded but if anyone in the audience had any comments that they wanted to make that had not been discussed, the members would hear them.

Vickie Justice, 562 South Center Street in Plainfield, appeared and asked what the timeline was for the development of Phase I and Phase II.

Mr. Dombrosky responded that they did not have that information yet.

Mr. Steuerwald stated that question could be discussed after the meeting was adjourned.

Mr. Isaac Lewis again appeared and stated that access had been mentioned by Mr. Banning but not the same access as previously existed. He stated a problem he had would not be solved with the access discussed but would be solved with the previously existing access so he was not sure of what plan was being proposed.

Mr. Gentry then stated that these items could be discussed after the meeting and he asked for a motion to adjourn.

Mrs. Johnston made a motion to adjourn the meeting at 7:26 p.m.

Mr. Palmer seconded the motion.

The motion was unanimously adjourned by the members 5-0.

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Don F. Reitz, AICP, Secretary