

January 9, 2018

A meeting of the Hendricks County Area Plan Commission was held on Tuesday, January 9, 2018 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, President; Mrs. Sonnie Johnston; Mr. Tim Whicker; Mr. Eric Wornhoff; Mr. Damon Palmer and Mr. Bob Gentry. Member absent was: Mr. Walt O'Riley. Staff members present were: Mr. Tim Dombrosky, Secretary and Director of Planning; Mr. Graham Youngs, County Attorney representative; Mr. Cory Gehring, County Surveyor representative; Mrs. Suzanne Baker, Senior Planner; and Mrs. Joanne Garcia, Recording Secretary.

The meeting was opened with the Pledge of Allegiance. There were six (6) members present.

Mr. Whicker then called for election of the 2018 Area Plan Commission Officers and Plat Committee Member.

Mr. Gentry made a motion to nominate Mr. Brad Whicker to serve as President of the Hendricks County Area Plan Commission for 2018.

Mrs. Johnston seconded the motion.

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

Mr. Gentry made a motion to nominate Mr. Damon Palmer to serve as Vice-President of the Hendricks County Area Plan Commission for 2018.

Mr. Tim Whicker seconded the motion.

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

Mr. Wornhoff made a motion to nominate Mrs. Sonnie Johnston to serve as the Administrative & Plat Committee member for 2018.

Mr. Gentry seconded the motion.

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

Mr. Brad Whicker then called for approval of the minutes for the October 10 and December 12, 2017 meeting minutes. There being no quorum of members who were present at those meetings to vote, the afore mentioned minutes were continued for thirty (30) days to the February meeting.

Mr. Brad Whicker then stated that it had been brought to his attention that the order of hearing the cases on this agenda needed to be changed to hear the secondary application for **MAP 712/17 (Secondary): Heartland Crossing North, Lot 305** first and that it would not be a public hearing but would be a Business Session item.

Mr. Dombrosky explained that the lot in question for the development plan matter on the agenda had not been created yet and needed to be approved prior to hearing the development plan.

MAP 712/17 (SECONDARY): HEARTLAND CROSSING NORTH, LOT 305; a 1-lot major commercial subdivision lot, 0.91 acres, Guilford Township, located off Upland Bend, southeast of State Road 67 and south of County Road 800 South. (Prism Engineering & Design Group, LLC)

The staff having requested approval of this lot, Mrs. Johnston then made a motion to grant secondary approval for **MAP 712/17 (Secondary): Heartland Crossing North, Lot 305** subject to the conditions and recommendations in staff's letter dated January 9, 2018.

Mr. Gentry seconded the motion.

FOR – 6 –

AGAINST – 0 –

ABSTAINED – 0 –

The staff conditions and recommendations were as follows:

DRAINAGE CONDITIONS:

Subject to Drainage Board approval and the conditions of the County Surveyor.

STAFF RECOMMENDATIONS:

1. Plans need to be stamped by an Indiana Surveyor/Engineer.

CONDITIONS OF APPROVAL:

1. A properly executed County/Owner Inspection Agreement must be provided prior to secondary approval with all appropriate fees paid prior to the start of any construction.
2. This project is subject to the National Pollutant Discharge Elimination System (NPDES) General Permit covering storm water quality. Procedures there under are governed locally by the Hendricks County Stormwater Management Ordinance and corresponding Technical Standards Manual. An application, fees, construction plans, specifications and Stormwater Pollution Prevention Plan must be presented for approval to the Hendricks County Drainage Board separately from the application to the Hendricks County Area Plan Commission. Secondary Stormwater Approval for a plat, PUD or development plan must be obtained from the Drainage Board prior to Secondary Approval (or Approval in the case of minor plats) by the Plan Commission or its Administrative and Plat Committee. In addition, an Erosion Control Permit issued by the Hendricks County Surveyor is required for individual building lots prior to obtaining a Building Permit from the Planning and Building Department.
3. The Hendricks County Planning and Building Department must be notified at least seventy-two (72) hours prior to any site improvements being installed.
4. Addresses must be added to the final plat prior to recording. To obtain addresses, the applicant must submit a request to the Planning and Building Department well in advance of the recording package being forwarded to the Hendricks County Engineer's Office.
5. Development plan approval does not constitute approval of signage unless such approval is expressly granted by the Plan Commission as part of this development plan. Signage review and approval is typically carried out as a permitting process separate from development plan approval.
6. A State Plan Release is also required for multifamily, residential and non-residential (commercial and industrial) projects. In no way will a Development Plan Review be construed as a substitute or a waiver for these other required permits.

Mr. Whicker then stated they would move on to the one public hearing item as follows:

DPR 462/17 (PRIMARY): AUTOZONE STORE #6859; a development plan review to establish a new store, 0.89 acres, Guilford Township, S20-T14N-R2E, located off Upland Bend, southeast of State Road 67 and south of County Road 800 South. (Prism Engineering & Design Group)

Mr. Michael C. Schoech of Prism Engineering & Design Group appeared on behalf of the applicant, Autozone. Mr. Schoech stated that he had not prepared a presentation and thanked the staff for their help.

January 9, 2018

Mr. Dombrosky stated that there were several staff recommendations in their letter of January 9, 2018. Mr. Dombrosky commented that the lot had two frontages with one in the front and one in the back and that it also did not have a back yard or rear setback. He stated that their dumpster was required to be placed behind the building and since there would be none, a modification was needed to place their dumpster on one of the frontages. He added that it would be screened per the ordinance with an opaque wall covering the entire height of the dumpster and that the doors to the enclosure were not facing the street. He stated that it would be on the south end of the lot facing the Walmart.

Mr. Wornhoff asked if there was a recommended location for that dumpster.

Mr. Dombrosky explained it would be in as good a position as it could be and that the alternative would be to place it between the building and the Sonic Restaurant. He stated he did not believe that would be a better alternative location. Mr. Dombrosky went on to state that the other modification needing approval and that did not meet the ordinance standards was placing a row of six parking spaces over an easement which currently contained a water main. He added that the only entity to use that easement would be Heartland Crossing itself and approval had been given to place the parking over that easement which was between Heartland Crossing and the lot owner. He added that if the easement needed to be accessed, the language was in place to deal with how that would be handled. He stated that Hendricks County would not have anything in that easement that they would be responsible for. He stated that the Hendricks County Drainage Board was not concerned, as it was not in their jurisdiction. He stated that everything else at the site met the ordinance standards. He also stated that there had been some discussion as to the architecture of the building and that because Autozone was a national chain with a standard style, they had changed some of their plans to meet the county standards. He also stated that the lot would access onto a private road with no county right-of-way involved.

Mr. Brad Whicker asked for further questions or comments and there being none, Mr. Whicker opened the public hearing.

Mr. Paul Miner of 113 Shockley, Lizton, appeared and suggested that the applicant might consider adding a second story to their structure which could be another business or apartments to avoid sprawl. He also asked if there were any green building elements used in construction. He then asked if the parking lot would be straight asphalt and what was planned to reduce runoff. He also asked if native landscaping plantings could be used rather than cultivars.

Mr. Whicker thanked Mr. Miner and stated that the applicant was following the county ordinances and that Mr. Miner's suggestions would be above and beyond what was required.

Mr. Whicker then closed the public hearing.

Mr. Palmer then asked what business was located on the other end of the site.

Mr. Dombrosky replied that there was a Sonic Restaurant with a Wendy's Restaurant to the south with a lot between.

Mr. Gentry then made a motion to grant primary approval for **DPR 462/17: Autozone Store #6859 (Primary)** subject to the conditions and recommendations in staff's letter dated January 9, 2018.

Mr. Wornhoff seconded the motion.

FOR – 6 –

AGAINST – 0 –

ABSTAINED – 0 –

Mr. Gentry then made a motion to grant secondary approval for **DPR 462/17: Autozone Store #6859 (Secondary)** subject to the conditions and recommendations in staff's letter dated January 9, 2018.

January 9, 2018

Mr. Wornhoff seconded the motion.

FOR – 6 –

AGAINST – 0 –

ABSTAINED – 0 –

The staff conditions and recommendations were as follows:

DRAINAGE CONDITIONS:

Subject to approval by Tri-County Conservancy District.

STAFF RECOMMENDATIONS:

1. The project engineer must provide an estimate of construction cost and post a performance guarantee prior to the issuance of an Improvement Location Permit.
2. This development is subject to the Non-residential Design Standards in the Zoning Ordinance.
3. Details must be provided for the curb modifications, and curb must be protected during construction.
4. Filter baskets rather than coir logs should be used at the beehive inlets for erosion control.
5. Care must be taken not to allow ponding in the low area of the adjacent property.
6. Modifications are required for the dumpster location and the parking spaces in the easement. Staff recommends approval for the dumpster as there is no other place to locate it. Staff also recommends approval for the parking spaces in the easement if the easement owner has approved it, which Tri County Conservancy has.
7. Plans need to be stamped by a licensed Surveyor/Engineer from Indiana.

CONDITIONS OF APPROVAL:

1. A properly executed County/Owner Inspection Agreement must be provided prior to secondary approval with all appropriate fees paid prior to the start of any construction.
2. This project is subject to the National Pollutant Discharge Elimination System (NPDES) General Permit covering storm water quality. Procedures there under are governed locally by the Hendricks County Stormwater Management Ordinance and corresponding Technical Standards Manual. An application, fees, construction plans, specifications and Stormwater Pollution Prevention Plan must be presented for approval to the Hendricks County Drainage Board separately from the application to the Hendricks County Area Plan Commission. Secondary Stormwater Approval must be obtained from the Drainage Board prior to Secondary Approval by the Plan Commission or its Administrative and Plat Committee. In addition, an Erosion Control Permit issued by the Hendricks County Surveyor is required for individual building lots prior to obtaining a Building Permit from the Planning and Building Department.
3. The Hendricks County Planning and Building Department must be notified at least seventy-two (72) hours prior to any site improvements being installed.
4. The applicant will have two (2) years from the date of approval to obtain an Improvement Location Permit/Building Permit. Should this two (2) year period elapse without the applicant having obtained the appropriate permit, the development plan approval will become null and void.
5. To obtain addresses, the applicant must submit a request to the Planning and Building Department. The Plat Address Information Sheet submitted with the plat application does not constitute a request for addresses.
6. Development plan approval does not constitute approval of signage unless such approval is expressly granted by the Plan Commission as part of this development plan. Signage review and

approval is typically carried out as a permitting process separate from development plan approval.

7. No Improvement Location Permit/Building Permit shall be issued until any plat associated with Secondary Development Plan Review has been recorded.
8. A State Plan Release is also required for multifamily, residential and non-residential (commercial and industrial) projects. In no way will a Development Plan Review be construed as a substitute or a waiver for these other required permits.

Mr. Brad Whicker then stated they would be moving on to the Wishes to be Heard item from **Ben Comer**.

Mr. Dombrosky stated that Mr. Comer had withdrawn that request to be heard. Mr. Dombrosky stated that it had been related to the uses discussion at the December meeting.

Mr. Whicker asked if Mr. Comer had received a clarification.

Mr. Dombrosky stated no and that the client Mr. Comer was representing had not been ready for that discussion.

Mr. Dombrosky then commented on another matter regarding the staff memo the members had received regarding the procedure for preparing the **Findings of Fact**. He stated that the findings had been done in different ways in the past and that he wanted to clarify the way he was going to do them going forward. He went on to say that he would provide the members on items that he thought might be controversial and others they might want to see, with draft positive and negative findings of fact. He explained that findings were a rationale for their motions and they were adopted with the minutes. He stated that the discussion on them was part of the record and that the findings were supposed to be their final determinations. He explained that when he provided the members with these draft findings, those would not be their decisions but that they would be based upon what the staff was recommending. He added that the members should feel free to amend those findings when they wanted to make a different determination. He stated after that the findings would be changed and would be part of the minutes for approval at the next meeting where they would be adopted.

Mr. Whicker then called on Mr. Jeff Banning for a discussion on the zoning amendment change by **MI Homes of Indiana LP**.

Mr. Jeff Banning of Banning Engineering, PC appeared on behalf of MI Homes of Indiana, LP regarding their project to be called "Sonora." He stated that Mr. Jonathan Issacs, the Land Acquisition Manager, and Mr. Keith Blais, Vice-President of Land Acquisition, of MI Homes of Indiana, L.P. were also present. He stated that the project was formerly known as "Windchase." He then reviewed the location of the property on the west side of Raceway Road between County Road 700 N and County Road 650 North. He stated they were proposing a revised edition of the Sonora project as well as adding additional acreage.

Mr. Brad Whicker informed Mr. Banning for the record that the Commission had not known exactly what was to be discussed with this discussion item on the agenda. He asked Mr. Banning to qualify that he was here just to introduce it with a general discussion of what would be presented in the future.

Mr. Banning then stated that they were here just to get input on a new layout, the potential product type and with no action being taken on it. He stated that a proposed project of this size in a major subdivision had not been presented in approximately ten years and it would be new to the members. He stated they just hoped for some feedback from the members to move forward. He stated in addition to the two representatives from MI Homes that he had first mentioned, there was also present in the audience a local property owner, Craig Goad, and they had previous discussions with him also on the

January 9, 2018

proposal. He stated he felt the county had changed and new projects affected many areas due to annexations by Towns in the County. He stated they planned to also present this project to the Drainage Board before it went before the Plan Commission next month. Mr. Banning then turned the discussion over to Mr. Jonathan Isaacs.

Mr. Jonathan Isaacs, Land Acquisition Manager for MI Homes of Indiana L.P. appeared and stated that Mr. Keith Blais, Vice President of Land Development, was also present. He stated they hoped to receive comments from the members to consider before they made their formal application. He stated that originally, they had been looking at the property north of Raceway Road between County Road 650 North and County Road 700 North and along Raceway Road, formerly known as the "Windchase" development which had been submitted in 2003. He stated that development had not been realized. He stated that to bring sewer to the area, they would need to bring what would be considered a regional lift station that would serve not just that site but would serve areas further to the north as well. He stated that they had been working with the sewer district. He stated that they had also added sixty-two (62) acres to the plan located to the west of the property which would cover the entire area between County Road 650 North and County Road 700 North between Raceway Road and the existing Branches Subdivision. He stated that based on the Hendricks County Comprehensive Plan, this called for an area of sewer development and north of County Road 750 it called for rural residential development. He stated the property was sandwiched between Eagle Creek Reservoir and the Eagle Creek Park and to the Branches Subdivision and continued west along both County Road 700 North and 650 North to get to the Ronald Reagan Corridor and Parkway. He added that when they had come before the Plan Commission in July of 2017 with 62 acres and 130 units, they had received a positive recommendation from the Plan Commission. He stated that after a few meetings with the County Commissioners, the project was turned down with a vote of 2 to 1. He stated after that they had reviewed their plans and along with willing sellers per the Windchase property and Starkey Farms property, had decided to revise and resubmit for the project. He then reviewed for the Commission the new plans with lots, lot sizes, common areas, density figures and a total lot count of 286 on 128 acres. He reviewed the layout, lot sizes and square footages of the proposed homes. He explained how they had worked out the details for their new plan which he displayed and discussed the access points, lot layouts, common areas, buffering area, large center open space with potential for a pool and bathhouse. He discussed the densities in the overall proposed plan. He discussed the home series that would be offered and the square footages. He discussed the proposal for a PUD/Planned Unit Development and that there would be more details when the project was formally presented. He stated they were making this presentation to fine tune their plans and that they were also going to meet with the adjoining neighbors.

Mr. Brad Whicker asked if neighbors were aware of the extra property that had been obtained for the project.

Mr. Isaacs stated he had contacted a couple of the adjoining property owners in December and would meet with other neighbors soon.

Mr. Whicker asked if Mr. Isaacs anticipated the same or different concerns from the remonstrators that were heard during the last meeting on this project.

Mr. Isaacs stated he had received comments from some that they felt the project was still too dense.

Mr. Whicker then expressed his opinion that he thought the project presented was a good one. He stated they had done a nice job of providing the buffering of the green space, differentiating on the density and that he would find the project a favorable one.

Mrs. Johnston commented that she thought it was a better designed project.

Mr. Whicker commented that he had felt the last project was a good one too and that density was a vastly misinterpreted item in today's building practices because large lots did not work and that buyers

January 9, 2018

would not want large lots. He added that small lots did not mean inexpensive houses. Mr. Whicker then asked if Mr. Isaacs had a sense of what the average home price would be.

Mr. Isaacs then gave examples of what the average home prices would be in the north and south sections of the proposed project.

Mr. Palmer asked if part of their submission would be to have a traffic study done.

Mr. Isaacs stated that they had updated their traffic study and ordered a fiscal analysis. He discussed the impact of construction and of bringing sewers to the area.

Mr. Whicker agreed and added the factor of all the jobs being created during construction of a development.

Mr. Palmer asked what percentage of the workers/contractors for the project would live in the area and pay taxes here.

Mr. Isaacs responded that they had contractors that lived in all four corners of the Indianapolis area. He stated he felt that would be a difficult factor to determine. He stated he thought that BAGI had some good information on those statistics. Mr. Isaacs added that there was a shortage of skilled trade workers.

Mr. Palmer stated that he appreciated the presentation. He commented that with more houses, it would appear to be a higher density in the north and traffic in that area would be a concern. He stated that he felt there would be a significant impact on Raceway Road. He added that if they could not pull a community meeting together, he felt that the Plan Commission needed a good consensus between the developer and the community. He stated he felt that the area in question was a special one and the project needed to be done right.

Mr. Gentry asked about the Regional Sewer District and would it be the Hendricks Regional Sewer Board. He also asked about a tap-on fee for other owners there.

Mr. Banning estimated about \$4,500.00 plus the cost to connect. He also discussed other lines that might need to be installed for the sewer along County Road 650 North. He stated that they would need to meet the master plan of the Regional Sewer Board and they had been in close contact with their consultants. He stated that they had to set this up for future development to the north of County Road 700 also. Mr. Banning commented that for septic systems, this area had the worst soils in the county. He stated those septic systems were designed to be temporary. Mr. Banning stated he also wanted to point out that this had been the first time he had worked with MI Homes and he had visited some of their other products out of state and was impressed with the company. He stated that MI Homes wanted to try and design the development to have lots on a cul-de-sac or a common area or around a water feature. He stated by not going straight zoning, they were able to get a much nicer layout with a better flow. He stated he felt they were presenting the best plan possible and could be proud of it.

Mr. Brad Whicker stated again that he felt it was a good design and that Mr. Banning and Mr. Isaacs should do all they could to build a good consensus with the neighbors for their project.

Mr. Dombrosky commented that he felt there was a general understanding that density was not the issue but other issues that came along with the project such as the traffic study were, which he felt should be explained and talked through with the Commission.

Mr. Brad Whicker commented that he had not seen road improvements built prior to subdivisions.

January 9, 2018

Mr. Banning responded that he had not seen the final traffic study which was an expansion of the previous study. He stated that they had worked closely with John Ayers, the County Engineer, and Chet Skwarcan with the Traffic Engineering Group. He stated they looked at key intersections and locations of impact and that 56th Street and Raceway Road was a critical point that would be looked at and that they were looking at the area more regionally.

Mr. Palmer responded that it might be good to also work with Marion County and the City of Indianapolis as to safety issues with that stretch of road and he hoped that would be part of the study.

Mr. Banning stated that they would work with Marion County also.

Mr. Dombrosky commented that it was also good to think about the macro level traffic impact as the reason our Comprehensive Plan recommended development on the eastern portions of the county was because if it did not happen there, it would happen farther west, and that traffic impact would be moved and increased because there would be farther travel times from people coming from the west. He stated that might not be as important to the neighbors, but the overall traffic impact would be greater.

Mr. Banning commented that development also brought needed road improvements.

Mr. Palmer stated that they should think about the impact in a broader sense.

Mr. Whicker asked for future questions or comments.

Mr. Cory Gehring with the Surveyor Department asked if the emergency flood routing had been completed.

Mr. Banning responded that they would do that before they brought the project before the Drainage Board.

Mr. Gehring and Mr. Banning discussed some of the drainage plans for the project.

There being no further questions or comments, Mr. Whicker thanked Mr. Banning and Mr. Isaacs and adjourned the meeting at 7:31 p.m.

Tim Dombrosky, Chairman