

November 12, 2019

A meeting of the Hendricks County Area Plan Commission was held on Tuesday, November 12, 2019 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; Mr. Tim Whicker; Mr. Bob Gentry; Mr. Ron Kneeland; Mr. Jeff Pell and Mr. Damon Palmer. Members absent were Mr. Walt O'Riley. Staff members present were Mr. Tim Dombrosky, Secretary and Director of Planning; Mr. Graham Young, County Attorney Representative; Mrs. Suzanne Baker, Senior Planner; and Mrs. Brandy Swinford, Recording Secretary.

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

Mr. Brad Whicker stated the first order of business was approval of the minutes from the October 8, 2019 meeting.

Mr. Gentry motioned for approval for minutes from the October 8, 2019 meeting.

Mr. Kneeland seconded the motion.

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

ZA 466/19: RTS REALTY, LLC; a zoning amendment change from AGR/Agriculture Residential District to GB/General Business District; 2.57 acres; Liberty Township; S6-T14N-R1E; located on the south side of US Hwy 40, east of CR 400 East. (Comer Law Office)

Mr. Ben Comer, Comer Law Office, 71 W. Marion Street, Danville appeared on behalf of RTS Realty, LLC which is the land-owning entity to Ray's Trash Service. Mr. Calvin Davidson and Ms. Nevada Matthews were in the audience to answer any additional questions if needed. He pointed out on the map the area in orange which was their main facility on the south side of US Highway 40. The land in question for rezoning was shown in blue on the map and is directly west of the current location. There are two (2) separate tracks of land, and total approximately 2.5 acres. They are currently zoned AGR/Agriculture Business District. The main facility that Ray's Trash operates on is zoned GB/General Business District. In order to accommodate the use of those two (2) parcels for their main facility operations, they are asking that it be rezoned to GB/General Business District. He was unsure of the exact use they were going to use it for, but it would be used as part of their operations such as possibly more parking or corporate offices. They believe it's a natural extension of the zoning GB/General Business District.

Mr. Brad Whicker asks for questions from the commission members. There being no questions, he opened the public hearing. As there was no one signed up to speak, he closed the public hearing and asked for a motion.

Mr. Gentry motioned for a favorable recommendation.

Mr. Kneeland seconded the motion and the vote was unanimous.

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

TZA 04/19: AMENDMENT TO THE HENDRICKS COUNTY ZONING ORDINANCE; by amending Chapter 10 Floodplain Management.

TZA 04/19 was labeled in error. It should have a case number of TZA 05/19.

Mr. Dombrosky stated that they had previously discussed and adopted an update to the floodplain ordinance that was recommended to us by the state. They have since come back and said that they made some mistakes while drafting it. This is an amendment to correct those mistakes. They are more than missed commas that we could add without an issue, but less than any substantive change that has a regulatory affect for change. The ordinance remains the same, but there were some words that needed fixed so that it read correctly.

Mr. Tim Whicker motioned for a favorable recommendation.

Mr. Pell seconded the motion.

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

AMENDMENT TO THE HENDRICKS COUNTY COMPREHENSIVE PLAN TO ADOPT THE THOROUGHFARE PLAN.

Mr. Dombrosky stated that the commission members were previously provided the 180-page document. They had it available digitally tonight as well as a couple of copies. He stated that they have had it for some time. Some of the members have had it through its draft and working phases. HWC Engineering is here to give a presentation tonight.

Mr. Brad Whicker noted that Mr. Tim Whicker and Mr. Palmer served on this committee.

Mr. Dombrosky stated that Commissioner Phyllis Palmer was also on the committee as well.

Mr. Cory Daly with HWC Engineering appeared along with Ms. Mallory Thatch. They were the primary authors with Mr. Dombrosky and Mrs. Baker on the plan. He stated they also had assistance on the project from Jill Palmer from Shrewsbury & Associates on some of the technical information. He stated that it was important to do this plan now to build on previous planning efforts including the comprehensive plan. This will be incorporated into the county's comprehensive plan. Three other significant entities within Hendricks County have also done recent thoroughfare plan updates. With the growth that has been happening in the county, along with some of the planning efforts in the neighborhood communities like Avon, Brownsburg and Plainfield, it was an important time to be able to understand how those impacts related to the county thoroughfare planning and how the county can cooperate at the interface between town and county. This plan sets up priorities for your thoroughfare network. What they try to do is identify actions you could take for the future needs of the county. One of the key goals for any thoroughfare plan is the overall economic vitality and increasing quality of life. You will see some discussion about trails and sidewalks where its appropriate. Those are transportation related items that we need to be aware of from a right of way perspective.

Ms. Mallory Thatch appeared to discuss the plan further. She stated that the thoroughfare plan is a long-term vision for the road network for Hendricks county. None of the changes that are proposed in the plan are going to happen overnight, it is a ten (10) to twenty (20) year look out at the transportation network. The plan helps to provide strategies to improve efficiency and capacity throughout the network. It also provides goals for the transportation network, that were worked on with the steering committee and the client. She stated that a thoroughfare plan is not a checklist, or project specific, or a capital improvements plan. They have identified projects on the plan, but that doesn't necessarily mean that they will happen anytime soon. These are things that still need to be studied. They worked with the steering committee on the goals, objectives and helping them prioritize the different needs throughout the county. The funding assistance with this plan was provided through the Indianapolis Metropolitan Planning Organization. She stated they had conversations with seven (7) different communities within the county – Avon, Brownsburg, Plainfield, Clayton, Danville, North Salem and Pittsboro. Some of those communities

are working on their own thoroughfare plans. The purpose was to see what their future capacity needs were, where they intended to grow, and major plans they had within those municipalities. There was also a public survey online with almost 400 responses, as well as a booth at the Hendricks County fair. The guiding principals they came up with after all of that were connectivity, commerce, coordination, safety and plan relevance. She noted that information goes into more detail and could be found in chapter two of the plan. She pointed out on the map there was an east-west divide within the county. The east side with more urban and suburban areas and the west side being more rural and agriculture in nature. That was something they tried to maintain within the planning process.

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

Mrs. Luann Heald, 6357 S. County Road 521 E., Plainfield appeared. She stated that her and her husband own a farm that has been in the family many years. She felt that they have not be able to receive enough information as things are happening around the county. She ran across the thoroughfare plan as she was looking for other things. She doesn't believe the people that are surrounding the towns but still in the county's jurisdiction are being tapped into enough. They have 159 acres and based on the plan, there would three (3) roads that would dissect their property. She believes that we do need better roads and more of them, but she hopes that the county does it well and takes the time to go out and visually see the layout of the land and how it will affect the property owners. She noted that while reading through the different plans – Indianapolis, Plainfield and the county, that there is different terminology being used within the plans that is confusing. She stated she wanted them to keep in mind that its not just and map and not just a road. There is a lot of history involved that she believes often gets forgotten.

Mrs. Marsha Jay, 5483 E. County Road 750 S., Mooresville appeared. She stated that they have their family farm as well as personal property, along with that of their family own quite a bit of acreage that is adjacent to the projected thoroughfare exit off I-70. It is concerning to her that the so much of the plan seems to be moving faster than what is being represented. Being a major landowner and not having any conversation with either the town of Plainfield or Hendricks County about these plans is concerning to her. She asked how the rural stakeholders needs are being represented.

Mr. Nicholas Welte, 5901 E. County Road 875 S., Mooresville appeared. He resides in southwest Guilford township. He has provided the Town of Plainfield with comments at their thoroughfare plan meeting as well. He stated that the town is trying to promote the plan through economic development. They should consider that much of the land in the area are family farms. There is a lot of smaller rural residential properties in the area. Looking at an aerial it may look undeveloped, but those people enjoy small agricultural farming, hunting, recreational activities. He stated that the traffic study that was done shows that 1000 cars per day cross in front of his house, and with the thoroughfare plan it was projected to be 40,000 cars per day. In the area he lives in there has been no new construction in the five (5) years he has lived there. He noted that additional consideration should be made to environmental concerns. The houses are on wells and rely on good clean ground water. His property has many natural springs on it as well. He believes making the area more industrial would decrease the water quality.

Mr. Edward Conder, 5620 E. County Road 875 S., Mooresville appeared. He stated that he was not pleased with how Plainfield handled it. He did participate with the group that was initially hired to see what residents would like to see as far as a comprehensive plan, but they switched companies. His input from that is now gone. He did not engage with HWC, who also did Plainfield's planning, but he did come in to oppose their plan at their meeting. He would like to see more thought and planning put into keeping similar areas contained to a specific area. Not having warehouses on either side of a subdivision, like what has happened in Plainfield. He stated that they met with the Plainfield town engineer and he has admitted that they have no need for an interchange from I-70 and the north thoroughfare for traffic. Their evaluation of it was that too many that commute would rather head west than to head southwest then

back north. They said it did have a financial benefit to their town. He believes that the only financial benefit is to take that farmland and start building warehouses. He proposed a different route from State Road 39 through Cartersburg to Danville where it would affect less people because there are fewer homes in that area.

Mr. Brad Whicker closed the public hearing.

Mr. Dombrosky replied that when they looked at this with HWC, they looked at it with the county's goals that are set out in the comprehensive plan in mind. Some of those being preservation of ag and quality of life. Those types of issues are different than what the towns deal with. The transportation plan more than anything crosses jurisdictional boundaries, so we must look at transportation plan in the light of what the towns are doing. When we are looking at a 20-year horizon, what the towns are doing is not just going to be happening within the town boundaries. In terms of this connector and some other projects we are anticipating via this plan, are the direct result of what the towns are telling us that they are going to do. We are looking at being prepared for those eventualities. It will always be a balance of economic development vs preservation of land especially at the boundary of urban and rural issues.

Mr. Daly responded to the public concerns. He stated that they took what the municipalities were doing and cooperate and coordinate to the best of their ability. What this plan represents is this is saying where they would like to connect dots where the roads need to be for future capacity. The future thoroughfare plan is really just considering right of way. It is where the thoroughfare right of way and width of right of way needs to take place, and where some of those connections needs to take place to make traffic flow more efficient within the county. They tried to be careful with this plan and setting up the different tiers of right of way widths and needs for the county. Urban is really related to town and town growth. Rural is related to the county and their growth and needs long-term. Then you're left with this middle ground which is tricky because its likely to be county jurisdiction for quite some time, but there is a recognition over time it most likely will become under the jurisdiction of some town. When you look at the plan and see a dotted line, you are looking at proposals for where the thoroughfare plan network can be improved for efficiency. They can change the route, but there is going to have to be significant research and studies done to determine the exact route a new road like that would take. At this level in the plan, they are not saying that is exactly where the road is going to go.

Mr. Brad Whicker asked if there were any further questions from the plan commission.

Mr. Gentry stated that the commissioners will always listen to what you have to say. They are very sensitive to each issue. He encouraged the remonstrators to not panic over this. If they have issues when the time comes with your farm, you need to fight for those issues. Bring them to the meetings, either the plan commission or the county commissioners. That is how it is supposed to work. They work on these issues on almost a weekly basis. He started reading the plan with great skepticism, but after reading it, he thinks it's a good place to start. He understands the concerns, as he himself is a farmer as well.

Mr. Palmer stated he wanted to say he appreciated the public input. We need more of that. He looked at the future land use that it was supposedly mapped to and that doesn't align with future land use in the plan. That needed to be looked at again or something changed since they are not matching up, at least in this area. His concern from a conservation standpoint are the wetlands and the natural ecosystem. He believed that area is not conducive to warehouses. He believed there was a valid concern in this area. He understood that the steering team could not look at every micro-area but was unsure how to move forward.

Mr. Dombrosky replied that to this point we have operated with the assumption that we need to react to what Plainfield is proposing to do. If that is not what they want to do, that is for the plan

commission to discuss. If we need to make a strong recommendation in the opposite direction, that is what you are here to do with the caveat that Plainfield is going to do what they are going to do.

Mr. Tim Whicker stated most of the what they are doing is just connecting roads that for some reason, many years ago stopped and didn't connect. Their idea is to figure out how to best move traffic through Hendricks County at a safer more responsible rate. He stated that economic development was not discussed or wasn't even a comment. It would be irresponsible for us to not be aware of what is going on in Plainfield and other areas around us.

Mr. Ayres stated that the federal highway or INDOT doesn't take lightly to putting in a new interchange location. They require a lot of study before they allow one and they have certain spacing and location requirements. Ultimately it is there decision whether or not an interchange goes in there.

Mr. Dombrosky asked Mr. Daly if there was anything he might recommend that could be reexamined.

Mr. Daly replied that there were a couple recommendations at looking at redrawing some of the proposed new routes and putting the line on the map in a different location. It does provide direction when there is a deeper, more detailed study on something like that.

Mr. Brad Whicker asked for a motion for a recommendation to the county commissioners.

Mr. Tim Whicker motioned for a favorable recommendation.

Mr. Kneeland seconded the motion.

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

PLANNING AND BUILDING DEPARTMENT FEE SCHEDULE: A PROPOSAL TO AMEND ORDINANCE 2004-23 (HENDRICKS COUNTY PLANNING AND BUILDING DEPARTMENT FEE SCHEDULE). THE PROPOSAL CONSISTS OF CHANGING CURRENT FEES FOR SUBDIVISION INSPECTIONS.

Mr. Dombrosky stated that this was talked about last month. We are raising the Subdivision Inspection fees from \$74 to \$90. The price has not been raised for seven (7) years. He found consensus among engineering consultants and developers that this made sense and was necessary.

Mr. Brad Whicker asked if this was specific to that fee only.

Mr. Dombrosky replied that it was. It is a fee that is passed directly between the developer and a consultant that we would hire to inspect the development. It is not a public cost. It is a mechanism to avoid public cost when a development occurs. If we didn't charge a fee, then we would have to pay it out of general taxes when a development occurs to inspect it.

Mr. Brad Whicker opened the public hearing.

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

Mr. Gentry motioned for a favorable recommendation.

Mr. Palmer seconded the motion.

November 12, 2019

FOR – 6 –

AGAINST – 0 –

ABSTAINED – 0 –

There being no further business, the meeting was adjourned at 7:56 p.m.

Tim Dombrosky, Chairman