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A meeting of the Hendricks County Area Plan Commission was held on Tuesday, February 11, 2020 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. Bob Gentry; Mr. Ron Kneeland; and Mr. Jeff Pell and Mr. Walt O'Riley. Members absent were Mr. Tim Whicker and Mr. Damon Palmer. Staff members present were Mr. Tim Dombrosky, Secretary and Director of Planning; Mr. Greg Steuerwald, County Attorney; Mrs. Suzanne Baker, Senior Planner; and Mrs. Brandy Swinford, Recording Secretary.

The meeting was opened with the Pledge of Allegiance. There were five (5) members present.

Mr. Brad Whicker stated the first order of business was the approval of the minutes from the January 14, 2020 meeting.

Mr. Gentry motioned for approval for minutes from the January 14, 2020 meeting.

Mr. Kneeland seconded the motion with Mr. O'Riley abstaining.

FOR – 4 –                      AGAINST – 0 –                      ABSTAINED – 1 –

**ZA 471/20: I-70 WEST, LLC;** a zoning amendment change from AGR/Agriculture Residential District to PB/Planned Business District; 7.75 acres; Liberty Township; S26-T14N-R1W; located at 1330 and 1396 E. County Road 1000 S., Clayton. (Studio A of Indianapolis)

Mr. Max Mouser, Studio A of Indianapolis 9511 E. 96<sup>th</sup> St., Indianapolis appeared. They are seeking approval for rezoning on two (2) parcels that total 7.75 acres. He pointed out the sites on the slide, as well as the multiple areas that I-70 West, LLC currently owns. He stated that they are trying to clean up some areas that they didn't own to help with traffic or anything else that wouldn't mix well with the residential properties. They currently have a purchase agreement, and everything is set to move forward with those after the rezone. There is one other owner that is not interested in selling as of Mr. Mouser's last conversation with them. He then showed what the current zoning is around the area and went over the land use plan. The area is designated for high intensity/industrial use. He felt that they meet what is out there and what is expected to be built there based on the comprehensive plan.

Mr. Brad Whicker opened the public hearing.

Ms. Rachele Baker, 9675 S. County Road 100 E., appeared. She wanted to renew her overall displeasure with warehousing that is going in. She believed that the warehouses are creating jobs that don't pay a living wage. She discussed an article that ran a few years ago in reference to the development going on in Plainfield. She stated that a Plainfield government official spoke to the fact that workers that work in the Plainfield warehouse district, not only come from the surrounding counties but some commute from as far away as Illinois due to the lack of affordable housing within the county. She stated she sat in on a talk with the director of Family Promise of Hendricks County, which helps homeless families and tries to keep people from being homeless, and she noted that Plainfield buses people in from Marion County to work in the warehouses because there is not enough low-income housing in Hendricks County. If you work at the warehouses, you can't afford to live in Hendricks County, you can only afford to live in low-income housing in Marion County. She stated that is further supported by the fact that the county created a new busing system to bring people from the Marion County line into Plainfield. IndyGo stops at the county line, the city of Indianapolis wasn't bringing people all the way to the warehouses to work. Hendricks County had to come up with a solution to get the workers to the warehouses. She stated she doesn't know what the solution will be to get the workers out to the warehouses in Hazelwood. Transportation and affordable housing are going to stand in the way of Hendricks County residents filling

the jobs that will be created in these warehouses. In the meantime, Hendricks County taxpayers are bearing the burden of two (2) times a day fire and rescue calls to the existing warehouses, maintaining the roads within the park that serve only the warehouses. The county will handle snow removal, fixing the potholes, storm sewer repair but the only people driving on the roads will be the employees/vendors of the warehouses. She stated that the truck traffic they have experienced on surrounding county roads has already torn up the roads and the warehouses aren't even all in yet. She stated she understood there were plans to update the county roads, but they are already getting pretty torn up and noted that those upgrades come out of taxpayer's money. She stated that the nature of the township is changing against the will of the residents. She felt the warehouses would not benefit Hendricks County residents. The jobs weren't going to be filled by Hendricks County residents, and if they were, they wouldn't be able to make a living. She referenced an article in the Indianapolis Star that interviewed a woman who worked in a Plainfield warehouse that took three (3) buses for 2.5 hours each way to arrive at her job. She felt the same would happen with what was going on in Liberty Township. She stated that the residents are getting reduced services due to the fire department responding to the warehouses two (2) or more times a day. She felt the same would happen with the highway department. In the meantime, it's reducing their property values and their quality of life with the increased noise and traffic. They no longer have a rural setting to live in. Their safety is affected. She must ask why this is happening when it doesn't benefit the constituents. She then asked if the Plan Commission was using the 2006 Rules and Procedures as the current procedures.

Mr. Dombrosky replied that they were.

Ms. Baker stated that she felt that based on her interpretation of the rules and procedures there should have been approximately eighty (80) people notified of the rezone instead of nine (9). It should have been the adjacent landowners to all parcels, up to 2 landowners deep. She stated that she felt this had been going on for a while with this development. She wanted to be on record that she felt this rezoning was not properly publicly noticed in addition to the prior rezoning and the last building behind the Chewy warehouse.

Mr. Brad Whicker closed the public hearing.

Mr. Mouser responded to the concerns brought up by Ms. Baker. He stated that they have no control over the wages that tenants pay their workers. He was not aware of fire protection 2 to 3 times a day. The only time he knows of them coming is when they use the fire hydrant on the back side of the cul-de-sac to flush out their fire trucks and refill. He stated he would look into that more. He noted that regarding the county paying for road upgrades, the developer is paying for the roads to be put in. They post the bonds and build all the infrastructure that goes along with it. The benefit that comes from that is the taxes generated from the buildings. Some of the buildings sitting there are worth 60 million dollars, plus the personal property. The taxes generated off the buildings is probably close to \$500,000 a year in just property tax. He stated that the people that live in the county get the benefit of those tax dollars to repair the roads, better the schools, to make it a better place to live, etc. He noted that in response to the noise, traffic and safety concerns, they have met all the guidelines required by the county, state and federal for development. He stated that he disagreed with the statement regarding improper public notice. They are looking to rezone those 2 parcels, which are not owned by I-70 West. They gave notice to the surrounding owners to those parcels, even sending themselves one.

Mr. Gentry commented that there are some issues with Liberty Township Fire Department. They are not brought on by the petitioner, it is more an issue with traffic. He believed that they have worked out an agreement with Plainfield Fire to compensate them for the runs that they do that Liberty Fire cannot make. They have two (2) paid people that are currently at the Clayton station for eight (8) hours a day. They are currently looking at using TIF dollars to purchase an ambulance for Liberty Fire. He understands that there are issues there, but he stated that they are trying to address those issues.

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Mr. Brad Whicker asked if there were any other questions or comments from the plan commission members. There being none, he asked for a motion.

Mr. Pell motioned for a favorable recommendation of ZA 471/20: I-70 West, LLC.

Mr. Kneeland seconded the motion.

FOR – 5 –

AGAINST – 0 –

ABSTAINED – 0 –

Mr. Brad Whicker stated that they would now move on to wishes to be heard. He stated Mr. Tom Davis would like to address the board regarding the thoroughfare plan. It was noted that Mr. Whicker built Mr. Davis' home many years ago and Mr. Gentry had met with Mr. Davis regarding this as well.

Mr. Tom Davis, 9001 N. County Road 275 E., Pittsboro appeared. He stated that he is here, along with many others to object to the County Road 900 N. expansion in the thoroughfare plan. He has a petition with 137 signatures in opposition of the extension. He handed out a diagram of the proposed extension as well as an aerial photo of his property for reference. The proposed extension would go through his house taking out all the utilities, etc. He stated while building his home, he had to do a lot of drainage work as it is a very wet area. He dug a pond in order to make a road to go back there. The proposed road extension would have to be elevated in that area. He stated that there were a lot of problems with building a road on that lot. He went on to state he saw other problems with the plan as well other than destroying his house along with some others. County Road 900 dead ends at both State Road 75 and County Road 275, then picks back up and dead ends at County Road 500 and again at State Road 267. He believed that an objective of this plan was to have an east/west thoroughfare and he doesn't see how that happens. He also stated he believed that the idea was to create a bypass around Pittsboro, by way of US Highway 136 north to County Road 900 then build another bridge across the interstate. There are two (2) bridges within a half mile to the east and mile and half to the west. He met with the one of the developers of the plan, with HWC Engineering, and asked her how they came up this need for CR 900 when there is no projected growth in congestion, traffic or crashes in that area. She replied that she simply connected two (2) lines. He stated that he felt that is not a very scientific way to build a road, which is why he didn't think this was a well-conceived plan. He then read aloud the petition. He felt there were other areas in the county that needed improvement more than in that area. He stated that he was aware the thoroughfare plan had already passed through the plan commission but felt this was a small and justified amendment. He asked that they take it into consideration.

Mr. Brad Whicker reviewed the process for clarification. He stated that this doesn't imminently mean that the proposed roads in the plan are ever going to be constructed. The thoroughfare plan is part of the county's exercise in being proactive in hiring firms to do studies in order to receive funding through the Metropolitan Planning Organization (MPO), the state and federal dollars. It is merely a conceptual plan.

Mr. Charles Childress, 9008 N. County Road 500 E., Pittsboro appeared. He stated that his property is long and narrow. If the road would go through, it would completely destroy all the privacy he has on his property. He stated that even though it is just a proposed plan for the future, it is on the books and he would have to disclose that if he were to ever sell his property. He felt that by this expansion being in the thoroughfare plan, it decreased his property value to nothing because no one would want to buy it. He stated that he has spent a lot of time and money on this property. He has done a lot of the work by hand. He wished he would have been told when he was pulling permits for the work that this plan was in place. He stated that with his health and age, he could not do it again to start over.

Mrs. Annette Childress, 9008 N. County Road 500 E., Pittsboro appeared. She stated that the only time she has ever spoken in front of a planning commission was when they lived in Lebanon and

wanted to add on to their house. She had to notify all the neighbors within a 3-block radius about what they were planning on doing. She did all of that and followed the rules. She stated that she has found out that there was an opportunity for input at the Hendricks County Fair regarding the thoroughfare plan. They were busy building their dream house when that was going on. She noted that she had never heard of the thoroughfare plan before Mr. Davis made them aware. She is not aware of the notification procedures for something like this. She stated it was disconcerting to her that someone just connected two lines and that was the plan without even looking it up on google earth. She seconded what her husband stated. It is their lifelong dream to have this property. To lose it would be heartbreaking.

Mr. Brad Whicker replied that from a notification standpoint, they had a steering committee for the thoroughfare plan. He stated that in today's age without the newspapers it is very difficult to engage with the community. Most people don't care until it is in their backyard. He stated that we are desperate for people to participate in these plans for the county. He asked Mr. Dombrosky to explain further on the notification process.

Mr. Dombrosky stated that it has become increasingly hard to notify people because of the loss of newspapers and people not reading the newspapers. People are getting their information from the internet more. We cannot provide public notice on Facebook. It doesn't meet the state's rules. We would love more input during the process, but as Mr. Whicker stated, it usually doesn't come up until it affects someone personally. He noted that they were at the Hendricks County Fair, they published in the newspaper multiple times, it was posted on the county website as well as notices posted here at the government center. There were also twenty (20) community stakeholders on the steering committee. He stated that doesn't mean that its now over. We have a plan on paper, now let's look at it and see if that works. It is up to us to keep updating the plans and making sure they are serving the needs of the county.

Mr. Nick Casertano, 8652 N. County Road 150 E., Pittsboro appeared. He stated that his home is not affected by the expansion. He asked what the radius of notification was for a project this large. He felt that everyone should have been notified with everyone having information at their fingertips.

Mr. Brad Whicker replied that he understood his point, but they would completely tune people out if the county notified people for everything the county was doing that may or may not affect people. He again stated that this is merely a plan, that is county-wide, that potentially could affect 180,000 people.

Mr. Casertano asked why this thoroughfare plan was more apt to be used than County Road 1000. He implied that it was because there was a member on the plan commission that lives on County Road 1000.

Mrs. Sandra Coppadge, 8514 N. County Road 150 E., Pittsboro appeared. She stated that her property will not be affected with the expansion in the thoroughfare plan. She felt that people would like a little clarification as to why they are wanting to extend County Road 900, and that is what is causing the frustration. They just see the plan, but don't understand the thinking behind it. She stated the fact that they were not notified is also a problem. They don't hear about anything until it's a done deal.

Mr. Brad Whicker replied that it was not a done deal. He noted that this was not an item that requires legal notification. All they were doing is planning on the behalf of the county. While this affects them nearly and dearly, the plan encompasses the whole county. It is not a perfect plan. No matter how thorough the study, there are going to be errors and omissions that will work themselves out over time. It wasn't a study without competent time and effort involved.

Mrs. Coppadge asked that when they do decide to do something on these roads, will they be notified at that time.

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Mr. Brad Whicker stated that for example if they went forward with the expansion on County Road 900, they would have to begin to buy Mr. Davis' property. He would say no, there would be negotiations and suits. It would be a train wreck on the county's behalf to ever try and have it built. The likelihood of it happening is very unlikely. The county would be foolish to do so.

Mr. Gentry stated that the corridor study was a good example. The word study when he was on the school board meant nothing but that it was going to be studied by an architectural engineering firm. Study at this level means that there is a clock that starts for when the commissioners take a recommendation from the plan commission. During the corridor study, there was an individual that became really upset because of the setbacks, which he believes the problem is here with people as it puts it too close to their house. He stated he understands that. His family has been there since 1892. The thoroughfare plan puts the setbacks within about twenty (20) feet in front of the house that was built in 1867. What he told the other remonstrators from Plainfield who were upset, was to come up with options. This is just a line on piece of paper. Come up with other options that can be debated at the commissioner level. He stated that when something like that starts in engineering, you get notified legally probably more than once. You can then appear at this meeting, public meetings, as well as the commissioners. It doesn't happen like some fear, there is more that goes into it and it takes time. He stated that as far as putting another bridge over I-74, he could almost guarantee that will never happen. There are federal laws that prohibit that steel moving. There is no way that road can go all the way down to State Road 136, that is one of the reasons they closed that road. That steel cannot move over a public right of way. He noted that up until and even after they start digging dirt, you can adjust these things.

Mr. Steuerwald confirmed with Mr. Davis that he was requesting the plan commission to review the amendment. He stated that he was not prepared tonight to advise them on exactly what the process was. He asked if it was okay if he went and reviewed what the process was and get back with the board.

Mr. Brad Whicker stated that they needed to decide if they wanted to make the change and send it back to the county commissioners for approval knowing that it will set the precedent for everyone else who has a possible road drawn through their property as well to come and ask for the same. He recommended that we revisit it next month. There will not be a public meeting on it.

Mr. Gentry stated he would be happy to meet with anyone interested in discussing the matter.

There being no further business, the meeting was adjourned at 7:43 p.m.

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Tim Dombrosky, Chairman