

January 12, 2021

A meeting of the Hendricks County Area Plan Commission was held on Tuesday, January 12, 2021 at 6:30 p.m. in the Expo Hall of the Hendricks County Fairgrounds, 1900 E. Main Street, Danville, Indiana 46122. Members present were Mr. Brad Whicker; Mr. Ron Kneeland; Mr. Tom Whitaker; Mr. Bob Gentry; Mr. Damon Palmer; Mr. Walt O'Riley and Mrs. Margaret Gladden. Staff members present were Mr. Tim Dombrosky, Secretary and Director of Planning; Mr. Greg Steuerwald, County Attorney; Mrs. Suzanne Baker, Senior Planner; Mr. John Ayres, County Engineer and Mrs. Brandy Swinford, Recording Secretary. Also present was Mr. Jeff Pell.

The meeting was opened with the Pledge of Allegiance. There was a quorum with seven (7) members present.

Mr. Whicker stated that the first order of business was to approve the minutes from the November 10, 2020 meeting.

Mr. Gentry motioned for approval of the November 10, 2020 meeting minutes.

Mr. O'Riley seconded the motion.

FOR – 7 – AGAINST – 0 – ABSTAINED – 0 –

Mr. Whicker stated that they needed to vote for the 2021 Plan Commission President and Vice President.

Mr. Gentry motioned for Mr. Brad Whicker for President.

Mr. Palmer seconded the motion. Mr. Whicker abstained.

FOR – 6 – AGAINST – 0 – ABSTAINED – 1 –

Mr. Gentry motioned for Mr. Palmer for Vice President.

Mr. O'Riley seconded the motion. Mr. Palmer abstained.

FOR – 6 – AGAINST – 0 – ABSTAINED – 1 –

ZA 478/21: JC WILSON & COMPANY INC; a zoning amendment change from AGR to NB for a proposed funeral home; 0.94 acres; Washington Township; S5-T15N-R2E; located on the east side of County Road 1050 E., approximately one quarter mile south of County Road 100 N. (Comer Law Office)

Mr. Andy Kult, Comer Law Office appeared. He noted that also present was Mr. Paul St. Pierre, owner of St. Pierre Funeral Services. The petitioner is the proposed purchaser of the former Grace Bible Church. They wish to change the zoning from AGR/Agricultural Residential to NB/Neighborhood Business for the purpose of operating a funeral home. He stated that they have been a family-owned business since 1897, and that Mr. St. Pierre is a sixth-generation funeral director. They operate eleven (11) facilities in the state with locations in North Salem and Jamestown. He stated that he wanted to address the specifics of the use as there had been some confusion and concern from remonstrators. He stated that there would be no crematory or embalming done at this location. The verbiage was taken from the zoning ordinance which lists both. He stated that all the cremations are done offsite. He noted that they had filed with the Board of Zoning Appeals (BZA) for a special exception to allow a funeral home. The only two options of zoning classifications that allow funeral home services with a special exception are NB/Neighborhood Business and GB/General Business. He noted that it does comply with the comprehensive plan. The building would align with house of worship use in many respects. Their use

would allow continued use and maintenance/upkeep of older building within the county. The existence of that structure is of utmost importance as they consider a rezone. It is different than if they were coming into a neighborhood and building on a vacant residential lot. Outside of tearing that building down, it needs a user that has the wherewithal to maintain it and keep it in good shape. He believed that was an important element to keep in mind when considering the rezoning. In terms of the letters that they had received, he noted that there were three (3) primary issues that he saw in reviewing them. They were issues of the cremation, which he had addressed already, property values and traffic concerns. He discussed that the two (2) funeral homes in Danville both of which are in residential areas. Through the title company and his 20-year experience in the real estate industry, he has seen no reduction in property values in relation to this. He then talked about the cemetery next door to the property in question. It is currently maintained by a cemetery association. He was not aware of the ultimate plans for that group, but they had had some preliminary discussions about assisting with the maintenance and operation of the cemetery. If it were not in the hands of the current cemetery association, it would be the township trustee that it would default to. He noted they are expensive to maintain, and they have a lot of experience in that work. From a value perspective, both with the cemetery and the building, having an entity owning it that has 100 years behind their name would see property values the best they can be with this property being well-maintained. He stated that in reference to traffic concerns, generally this would not be a high traffic generator. It will be included in their simplicity brand. He then introduced Mr. St. Pierre to speak further on that product and what you would expect to see as far as traffic.

Mr. Paul St. Pierre appeared. He explained that four (4) years ago he decided they needed a brand of funeral service that would be affordable to everyone. He opened Simplicity Funeral and Cremation Care on the south side of Indianapolis and in Zionsville. It has by far exceeded their expectations. The key is, and this addresses traffic, that they keep cost down by arranging with families a Monday through Friday basis. That does reduce traffic count. He gave an example at the Zionsville location where they serve 125 families a year. 70% of those are cremation families without any final disposition or celebration of life. The balance of those (55-60 families) go to a church of their choosing for that service, so they do not have traffic on a regular basis other than a couple of cars coming in to do the arrangements. Currently that is being further reduced due to the times with more people doing things via zoom meetings and over the phone. He stated that they have no intention of putting a crematory at that location. He cited one concern about trying to identify ten (10) funeral homes in the area that have crematories. One funeral home was mentioned with three (3) locations, none of which have a crematory onsite. He does not believe there is one within Hendricks County. He stated that he has two (2) human and one pet crematory in the Greenwood area. There is a member of his family onsite at every one and one lives next door. He has no intention of transferring that responsibility there. He discussed the property value concern. The church now only has a gravel parking lot. He intends on paving it as he wants something that looks nice for the area. If the church cannot find a buyer, it is possible that the area will become overgrown with weeds. If the cemetery association cannot continue with the maintenance, it would default to the trustee who may not be able to maintain it as often or as regular. He believed those things would hurt property values. It is his goal to keep those up and the maintenance of the facility in the same spirit as he has done with the eleven (11) existing facilities he has now. He stated that they wanted to be good neighbors to everyone they serve and provide something that they feel is not being met here in the county. He feels that they can handle property values, traffic, and provide a nice service to the community.

Mr. Whicker asked if they would be willing to self-impose that there will not be a crematorium onsite now or in the future.

Mr. St. Pierre agreed they would.

Mr. Palmer asked what the anticipated monthly traffic would be.

Mr. St. Pierre responded that in the Zionsville location; they serve 125 families a year. He budgeted for about 35 families that first year and about 70 in the second year. They have hit all their expectations on that pace. That is all he would expect, with still expecting to see about a 70% cremation rate which means a lot less services.

Mr. Palmer asked if the cemetery was a separate property and if so, what was the connection to them.

Mr. St. Pierre responded that the cemetery is connected right up to the church. It was an old church cemetery. It would make a lot of sense for a business like theirs to help maintain it. It is run by a separate cemetery association and has been for years. He stated that a couple of the people have self-acknowledged that due to their age it is getting harder to care for. When they serve 2 to 3 burials per year it is a big project. For his family, they serve 1500 families per year at all their locations combined. Finding caretakers to help open and close a grave is commonplace in many of the rural areas. The association has some established people that they call on now, but he wanted them to know that they could call on them and that they will be around awhile. He has two (2) sons that will be coming into the business and be one of the only seventh generation funeral directors in the country. He felt good about their longevity in helping with the cemetery next door.

Mr. Gentry asked if they would be willing to record a self-imposed commitment stating that they would not have a crematory onsite. He also asked if the building would be made ADA compliant.

Mr. St. Pierre stated that they would. He also noted that the building was ADA compliant. The church had an addition added on the south side back in 2016.

Mr. Whicker then opened the public hearing.

Ms. Charlotte Martin, 650 Davis Ct. Indianapolis 46234, president of the Ashton homeowner's association appeared. She stated that the church sits in the middle of their addition. She voiced her concerns about County Road 1050 being a small county road. There are three (3) subdivisions along that road; Shiloh Creek on the right, Ashton on the left and Reserve at Shiloh Creek which is past the church. They worked closely with the developers of the new development off 10th Street across from the hospital to make sure there was not an access road onto County Road 1050 in order to make sure there would not be more traffic. She noted that it was a historic church and cemetery. She does not feel this is the best choice due to it being in the middle of the subdivisions. She felt that with the rezoning that there would be a possibility of a crematory being there in the future.

Mr. Whicker replied that they could restrict that use from now until forever.

Ms. Martin replied that was still a concern for them. She stated that she knew it was a big issue should the county have to maintain the cemetery. She felt that it was still agricultural due to surrounding corn fields and that it was not a road that needed a business on it.

Mr. Denny Darrow, 640 N. County Road 1050 E., Indianapolis 46234 appeared. He stated that he lives directly across from the property in question and has for the past twenty (20) years. He thanked them for clearing up the crematorium concerns and questions. There are forty-three (43) residential homes which have frontage facing capacity to County Road 1050 E. between County Road 100 N. and US 36. He noted that he as well as neighbors have helped to keep the cemetery in good shape over the years, so he is not concerned about that being an issue. They do not lack for conveniences that the NB zoning district provides to a neighborhood. They already have many funeral homes within ten (10) miles of the location. He felt they did not need another daily business on this road when they have those services available to them in the community already. He voiced his concerns about the narrow road as well as the age of the bridge. He has witnessed three (3) accidents of pedestrians struck because there is no pedestrian access or sidewalks across the bridge. The only natural point of egress for any funeral services held there would be through 10th Street over that bridge onto Ronald Reagan Parkway.

Mr. Whicker closed the public hearing.

Mr. Kult responded to the concerns. He understood there were 43 homes that have frontage along County Road 1050 E. in that one mile stretch but wanted them to keep in mind that they are talking

about a quarter mile when you come out of the roundabout that he pointed out on the slide. There were only eight (8) homes that pass the most logical route for this facility. The historical nature of the building that was mentioned, and he stated that was a big driver for them was their ability to maintain the church. A funeral home was a perfect use for that building. There are very limited uses you can make of a facility like that; it will either be a church or something like this. It is a natural fit that you see with this type of building. They are wanting to offer their affordable product to the community. It is easy to say they were not lacking for services, but he believed it did provide a service that you might not find in many funeral homes. Along with that comes the traffic issue. He stated they were not talking about their standard large-scale funeral home. Depending on what type of church you get in the building, they might very well see more traffic than what the funeral home would generate. He did not feel the traffic generated would be any kind of burden on the road or the neighborhood.

Mr. Whicker asked if there were any questions from the members.

Mr. Palmer stated that he would be interested to hear Mr. John Ayres, County Engineer's thought on traffic.

Mr. Ayres stated that the traffic count on that road is around 1300 for the year 2020 with the understanding that 2020 was not a typical year. He noted that the width on the bridge and the lack of pedestrian walkways was correct. He did not feel that the traffic count and the amount of traffic this use would produce would be an issue. He felt it would not make the current issues any worse than they are presently.

Mr. Gentry asked if it were in the Town of Avon's jurisdiction.

Mr. Kult replied that Avon comes right up to the corner of the property and showed on the slide. There would not be an opportunity to annex because they do not have enough adjoining parcels. He had looked into it.

Mr. Palmer asked if they had previously rezoned to NB/Neighborhood Business on Raceway Road.

Mr. Dombrosky replied that they had, but it was closer to US 36.

Mr. Whicker stated than any motion should include self-imposed restriction of no onsite crematorium.

Mr. Palmer motioned for a favorable recommendation to **ZA 478/21: JC Wilson & Company, LLC** subject to them recording a self-imposed restriction to not have an onsite crematorium.

Mr. Kneeland seconded the motion. Mr. O'Riley opposed.

FOR – 6 –

AGAINST – 1 –

ABSTAINED – 0 –

ZA 479/21: DEREK McGREW/SBA and BRIAN & CATHERINE STEGEMOLLER; a zoning amendment change from GB to MI for a proposed wireless communications facility; 1.76 acres; Lincoln Township; S20-T16N-R2E; located at 10647 E. US Highway 136, Indianapolis 46234 (Derek McGraw)

Mr. Derek McGrew appeared on behalf of SBA and the Stegemollers. He stated that it would be a new tower that is replacing an old one down the street. He pointed out on the slide the area he was talking about. There is an existing tower at the raceway. Their lease has lapsed, and they are not interested in renewing the lease. He is looking to rezone the Stegemoller's property for that purpose. When he looks for a relocation, he looks for a place to put up a new tower within a quarter mile radius. There was nothing within the quarter mile zone that could be rezoned or had any landlord interest, so he

January 12, 2021

had to go further out to find something. He stated staff felt that some of the other properties would not fit the MI/Major Industrial zoning. He had eliminated over fifty (50) properties for other reasons. The Stegemoller's property is used as a plumbing company now and that is why they looked it. They do not plan on doing anything different with their plumbing business, the rezone would just be for the cell tower. He stated that they would meet setback requirements. It would not affect traffic in the surrounding areas.

Mr. Gentry recused himself as he has a cell tower agreement with SBA.

Mr. Whicker opened the public hearing. There being no one signed up, he closed the public hearing.

Mr. Palmer motioned for a favorable recommendation of **ZA 479/21: Derek McGrew/SBA and Brian & Catherine Stegemoller.**

Mr. O'Riley seconded the motion.

FOR – 6 –

AGAINST – 0 –

ABSTAINED – 1 –

ZA 480/21: CLERMONT VILLAGE PUD; a zoning amendment change from AGR to PUD for a proposed PUD residential, school, dormitory, community center, etc.; 80.3 acres; Lincoln Township; S17-T16N-R2E; located at 4705 N. County Road 1000 E., Brownsburg 46112 (Elizabeth Link)

Ms. Elizabeth Link appeared on behalf of the petitioners and read a prepared statement. "We are very excited to be here tonight to present the proposed Clermont Village project to you in 15 minutes or less, and to answer any questions you might have about the project. We certainly appreciate your time, and all of the special efforts that have been made by the County staff to ensure public safety relative to the pandemic during this hearing.

In addition to the 149-moderate density, single-family residential homes, the proposed project includes civic, church and educational uses, occupying approximately 9.5 acres of the projects 80.3 acres. Our planned Community Center will be a multipurpose building, including prayer rooms, classrooms, a gymnasium and a swimming pool along with ancillary support rooms. Our 85 multi-family units consist of 49 townhomes and 36 single story flats designed to be ADA accessible. No apartment buildings are planned. Lastly the plan includes a K through 12 private school, a dormitory and significant open space.

I understand that there was some confusion regarding whether Hendricks County or the Town of Brownsburg was the appropriate governing body to deal with this rezoning. I spoke with Debbie Cook, Brownsburg Director of Economic Development regarding possible annexation. After Ms. Cook conferred with Mr. Eder, Town Manager, she advised us that the Town of Brownsburg was not interested in annexing the property at this time. We did agree to annexation at any time in the future at the Town's request. In addition, when we had our Technical Review (TAC) meeting with county staff and other affected utilities, local fire departments, the school district and affected neighboring towns, Jodi Dickey, Brownsburg Development Services Director attended. Her comments included that the plan is a "cool concept" and asked that we coordinate our access from Hunter Road with the town's planning efforts between Hunter and Ronald Reagan Parkway. We agreed to coordinate and have started that process.

I would also like to clarify that our Community Center will include prayer rooms, and there will not be a separate mosque building. Nor will there be a "call to prayer" on a loudspeaker.

The dormitory that is proposed will provide housing for up to 200 college age seminary students and supervising teachers. The students will be studying to obtain a college degree while also studying the Koran and the Arabic language. Currently the Alhussnain Seminary operates in Marion County, and has

done so quite successfully since its founding in 2013. Its vision is producing scholars and leaders prepared to spread the true message of Islam: Love and Peace. Students come from across the nation and are able to live in existing boarding facilities. The school has outgrown its existing location and wishes to relocate to this site. In addition to the ability to grow available at Clermont Village, the relocation of the school to the proposed project will allow students to enjoy leisure activities at the Community Center and in the project's open space. I'd also like to note that since the opening of the Alhussnain Seminary and student housing, no issues have occurred that involved local law enforcement. And while the proposed Dormitory is not a use frequently found in Hendricks County, the use was approved by the Hendricks County Commissioners in 2016 as part of a project called National Transportation Center, a project that has a residential density of 6.3 Du/acre. (our project has less than 3 DU/acre)

We have been asked many questions about how we will handle rain, stormwater and flooding at our proposed project. Relative to drainage matters, our civil engineers evaluated the Hendricks County Stormwater Technical Standards Manual (October 2016 Version, with minor changes approved and adopted in 2017) and they are confident we can comply with the County's stringent design requirements. We recognize that some properties in the area have experienced drainage issues and we have spent a considerable amount of time addressing how to handle drainage on our property and how not to impact drainage issues on adjoining properties. A part of our property currently drains naturally to the south and may be part of historical drainage issues adjacent homeowners have experienced. It is our intent to capture the water from the site and drain it to the north to discharge along Interstate 74, all in strict compliance with the County's manual. The property is not in a flood zone or a floodway. In fact, FEMA maps identify the land as having no significant flood risk, and FIRM maps (maps that identify flooding risks for homeowner's insurance policies), do not suggest an extra risk of flooding that would impact insurance rates. The stormwater/drainage design will be submitted with the Primary Development Plan.

A concern was raised about traffic from the Lucas Raceway. I will ask our traffic engineer to respond if needed from a technical side, but the fact is our peak traffic is Friday midday when both the school and the prayer rooms are active. We do not have significant traffic on weekends when the Raceway will be active, our project generates a maximum of just 230 cars per hour on weekends combining both vehicles leaving and entering the project." Saturday Raceway traffic will not be an issue. The proposed site's proximity to I-74 and Ronald Reagan Pkwy provides two alternative routes to/from those major corridors, so residents and visitors have options and are not all forced through one route. Also, of note, one issue was identified at the intersection of CR1000 and CR600. We will coordinate with the County to improve the planned fire station signal at this intersection to a full signal at our expense.

I would also bring up that a Connector Road is ultimately planned to connect Ronald Reagan Parkway with Hunter Road adjacent to the site and will line up with our site access point. And while we did not account for it in the traffic study as we looked at the worst/interim case, that connection would drastically reduce site traffic going up and down Hunter Road as residents would have direct access to I-74 and Ronald Reagan Parkway.

Planning staff has expressed concern about the architecture of the site. We have thoroughly reviewed the County ordinance regarding architectural design, and we believe the requirements to be well thought out, creative and of high standards. We do not intend to deviate from them and believe the existing ordinance will enable the creation of attractive diverse housing and civic buildings that will compliment Hendricks County. We will submit architectural elevations as the County requires in our submission for the Primary and Secondary plat approval, and the Development Plan Review for the non-residential buildings and the multi-family buildings.

Planning staff also expressed concern with the maximum impervious area of 80% in the GB and RE districts, and desire to know the maximum structure coverage. We agree with staff, and will reduce our 80% coverage to 75% coverage, to comply with the existing county ordinance requirement for the RE and GB zones. We will provide the maximum structure coverage during the Development Plan Review submission as required.

Concern has also been expressed that the PUD ordinance as drafted is unclear. We believe that if we add this zone use map to the zoning ordinance that the ordinance will be clear and enforceable.

As the use of this site changes from agriculture, the assessed value of the land will increase. While some portions of the site will be tax exempt, the majority of the site will be taxable, and the value of the development will far outpace the current land value. You can see from the slide prepared from the FSG report, the net property tax impact to the county and school district is small, and the Direct Impact on businesses in the area is over \$68 million, and Indirect impact is over \$54 million. This impact will result in new jobs and increased spending in the area during the construction phase.

While the commercial uses suggested by one concerned citizen could bring higher tax revenue to Hendricks County, the uses would generate significantly more traffic and are not compatible with the Comprehensive Plan. A previously proposed office development for this land was turned down by Hendricks County.

In preparing our plan, we believe we have paid reasonable regard to the following 5 statutory criteria in Indiana:

1. The Comprehensive Plan

To quote the staff report: "The Hendricks County Comprehensive Plan (2006) designates most of this area as "Suburban Residential." The definition of Suburban Residential is as follows: Suburban Residential refers to neighborhoods of moderate density. These areas may also include institutional uses such as civic, church and education facilities, or may contain neighborhood serving mixed-use developments. Suburban Residential areas surround incorporated towns and radiate out to areas of anticipated growth without "leapfrogging" over agricultural land." With our proposed uses of the Community Center, School, Dormitory and housing we unquestionably comply with the Comprehensive Plan.

While planning staff agrees that "most of the Clermont Village PUD align with the Comprehensive Plan for Hendricks County" concerns are raised regarding the multifamily residential and the location of some of the residential homes near the Interstate. In addition to the Comprehensive Plan, The Hendricks County Quality Growth Strategy report also includes the Land Use Plan of Hendricks County. The Land Use plan designates the property as High Intensity, including Urban Residential uses. Multi-family is an approved use within Urban Residential and is an appropriate use adjacent to the commercial/industrial zone across Hunter Road in Brownsburg. And dormitory has been approved in the past.

Staff has suggested that residential is not ideal within 500 feet of the interstate due to health concerns according to the American Lung Association. Respectfully, we disagree. We have installed air quality monitoring devices at the site along the proposed property line for the single-family homes as well as the multi-family units. Professor Gabriel Filippelli, School of Science/Department of Earth Sciences IUPUI, whose work includes study of pollutant distribution and exposure to human populations has reviewed our preliminary results and advises that the air quality is quite similar to air on front porches in the Indy metro area, per an ongoing study of Professor Filippelli's. The proximity to the interstate does not impact air quality. We will provide planning staff with our findings as evaluated by Professor Filippelli.

Planning staff asserts that more useable open space, public/semi-public space, conservation, etc. should be required to better balance with the County's Ordinances. We significantly exceed Hendricks County ordinances, which per the staff report requires approximately 8 acres of approved open space. Our measurements of open space comply with the County's strict standards and include the limits of how much pond can be counted, and how green space less than 50 feet in width cannot be counted. With these strict standards we are providing 15 acres. Our plan demonstrates that the location of the open space is well placed to serve the community. Unlike most stormwater ponds, our existing pond is stocked with fish, will be enhanced with a dock, and be surrounded by an additional 2 acres of grass bank, park benches, picnic tables and grills to provide a wonderful outdoor opportunity for recreation. Our other planned open space for recreation near the dormitory includes over half the size of a football field for

kicking around a soccer ball or simply enjoying the outdoors on a blanket or flying a kite. Another half football field will include a playground and is located between the multi-family area and the school. We also have a tennis court planned near the multi-family.

The proposed project includes over 4 miles of walking trails and sidewalks that connect the homes to the ponds, the community center and all the recreational uses. And please don't forget the gym and swimming pool that will be provided in the community center.

2. Regarding meshing with the current conditions and the character of current structures and uses

From the staff report: "Development should occur near established urban centers where our new residents can also work and play and should always be required to hook on to utility services."

While once a commercial golf course, the bulk of the land has been farmed with corn since the golf course closed. Our uses mesh well with adjacent residences and a church to the south, the property zoned commercial/industrial to the west, Interstate 174 to the north, and a single-family home to the east. The proposed single family residential homes that front on Hunter Road are consistent with the existing single-family homes adjacent to them. The multifamily homes will be shielded from commercial uses across the street with the 50-foot required buffer and the existing topography. Utilities are available and have the necessary capacity for our needs (water and sewer mains are located along Hunter Road). Citizens Energy confirmed that a 24-inch main is readily available for water, and Hendricks Regional Sewer District confirmed capacity for the project.

3. Regarding The most desirable use for which the land in each district is adapted.

Per planning staff: The most desirable use for this property according to the Hendricks County Comprehensive Plan would be a Suburban Residential with appropriate institutional uses, civic uses and park, open space, etc. Staff supports the majority of our plan. We do not believe the proximity to the highway of a few of our proposed homes is a problem, and respectfully believe we are in compliance.

4. Regarding The conservation of property values throughout the jurisdiction.

Per planning staff: Property values in the County are responding to growth, and development of property is being directed to be in close proximity to the towns. We agree that our project conserves property values in the County.

5. Regarding Responsible development and growth.

Per planning staff: The PUD district regulations and uses the applicant is proposing are compatible with surrounding zoned and future land use plans. The proposed project would be responsible development as far as the uses. This area is in our High Intensity area which encourages development in the near term of commercial, industrial, and urban residential. It is also somewhat an "infill" development by utilizing undeveloped property. We agree and appreciate planning staff's acknowledgement that the land is in the County's High Intensity area which allows multi-family development.

We understand the future process including Primary and Secondary plat approval, Development Plan Review for the non-residential buildings and the multi-family buildings, and the related public hearings. We look forward to submitting our design to the Drainage Board for review.

This concludes our presentation, and I, along with our zoning attorney Mr. Murray Clark, our civil/drainage engineer Mr. Glenn Gerschke and our traffic engineer William Zeid are available to answer technical questions. The president of the seminary, Mr. Shamaas Nyazee is here if you have questions about the school."

January 12, 2021

Mr. Whicker asked if there were any initial questions from the plan commission members. There being none, he then opened the public hearing. He went over the rules of the public forum for the audience.

Ms. Cindy Hohman, 15 Tyler Ct., Brownsburg appeared. She stated that the comments she had heard regarding this project were disgusting. She is familiar with the Comprehensive Plan. She believed it would do nothing but enhance the area after driving by the project site. The homes in the area were built in the 1940's -1960's and look run down. This project would be an upgrade to the area. She thought it was great that a group would want to come together and build a community of like-minded people. She understood the walkability of having things close by. She reviewed the staff comments about the issues they had with the project. She asked the petitioners if staff had come to them with those concerns and their answer was no. She felt that they should work together to come to a solution to some of those problems. She understood the recommendation was for denial, but she was unsure as to why. She mentioned Mr. Lacy and Mr. Hession's emailed comments about it being the Ronald Reagan Parkway area, but she noted that Ronald Reagan was to the west of County Road 1000E and this was on the opposite end.

Ms. Brenda Sutton, 368 W. Main St., Danville appeared. She found out about the project through the Republican newspaper. She felt it was a greatly designed neighborhood. She drove out to see the property today and, in her opinion, there could be no better use for this fallow land than the creation of vibrant active new neighborhood. The foundation for her support is that she wanted the same for her Islamic friends as she does for herself. A safe, clean, pleasant, beautiful environmentally sound neighborhood that encourages more walking and less driving. This project would provide a variety of economical backgrounds, encouraging diversity unlike other neighborhoods built around country clubs and golf courses. She stated that Hendricks County already has neighborhoods built around similar communities; The Quakers Annual Meeting site, the Kingsway compound which is bigger than many community colleges. She did not feel the roads would be threatened with congestion by this community. More importantly, she believed the project would draw good, responsible, hard-working people to the county that would do everything they could to improve their neighborhood. It will increase diversity, make great use of the land, improving the property values of surrounding community. She supports the rezoning.

Rev. Jennifer Evans, 1160 Hornaday Rd., Brownsburg appeared. She has been a resident of Hendricks County for 30 years. She had looked through the plans and she felt that it met all the requirements set forth. More importantly, she wanted to address the parochial nature of the school and a house of prayer. Hendricks County has lots of examples of community where there is a parochial school based around a house of worship. She immediately thinks of the two Roman Catholic parishes, St. Malachy and St. Suzanna both of which have schools and houses of worship. There is also the Lutheran church that has Our Shepherds School in Avon. She mentioned Kingsway Christian as well and noted Riverside Baptist which used to be Bethesda Baptist with its school located on the north side of Brownsburg. She felt that the community appreciates and supports parochial education. She was in support of the rezone. She believed it would be a wonderful way for more people in Brownsburg to become neighbors with those who are different.

Mr. Shakeel Ahmad, 706 Penny Lane, Plainfield appeared. He stated that he was a supporter of the community. He noted that Plainfield has a mosque and if you ask the community around it, they will tell you that how peaceful and nice the area was. There were concerns in the beginning, but they have come to know each other and get along. He has been involved in the Carmel Community Center building where they have similar types of issues and concerns about it being built. There were around 800 people that showed up. He stated that the property values around the area have increased significantly in the area where it was built. He felt it would bring great diversity and a model community to the county. He was fully in support of the project.

Mr. Charlie Wiles, 6135 N. Delaware St., Indianapolis appeared. He was the Executive Director for the Center of Interfaith Cooperation. On behalf of their 32-member board of directors that represents

nine (9) distinct faith traditions, they wanted to encourage the plan commission to look at the case on the merits and not to allow any religious bias or bigotry to be a part of the decision.

Ms. Charmaine Miller, 10516 E. CR 450 N., Indianapolis appeared. Her property is on the east end of the golf course. She does not have a problem with the PUD but has a problem with rezoning the property at all. If they were to allow this to happen and the development does not follow through, it will still be zoned PUD. Her fear was that anyone with a lesser value PUD can come in and build on it. As it is now, zoned AGR, you must have 1.5 acres without sewer/water or 20,000 sq ft. with sewer/water in order to build. That sounds like a small lot, but the PUD is proposing a 7500 sq ft. minimum. She discussed the plan commission being able to request a fiscal impact analysis upon their discretion and asked if they presented one. It was confirmed that they did submit one. She stated that it seems that they were trying to be deceptive in their numbers. She talked about the discrepancies in the buffer percentages in writing versus the picture shown. She noted that it was not an office complex that was denied previously for this location, it was another PUD. She felt it was too high density for that area. She stated that she has seen no architectural drawings, so it was hard for her to envision what they were wanting to do. She had also asked for ordinances on how the dormitory was going to be operated; what age groups; how many people per room which she had not received.

Mr. Brad Whicker stated all those things would come in the next step in the process with the development plan review.

Mr. Jarrett Meyer, 1469 Hideaway Circle, Brownsburg appeared. He stated he was there in support of the project. He was a Brownsburg resident and of Jewish faith. With the level of civic participation for this project it was impossible to separate religion from the discussion. He felt zoning regulations have been and are still used to disenfranchise minorities.

Mr. Romael Khan, 706 Penny Lane, Plainfield appeared. He was there in support of the project. He is a native from Hendricks County. He graduated in 2019. A member of the board is a member of his neighborhood and his wife was his Spanish teacher in school. He stated that is how close this issue is to the community; it affects your neighbors, teachers, friends, students and coworkers. He is no stranger to how important community is in Hendricks County. Growing up he did not have that amenity. The Muslim community is not as closely knit as it should be. A large part of that is the lack of essential community. The nearest mosque is a 20-minute drive away and the nearest substantial community is twice that distance and is outside the county. What they were asking for was the opportunity to build a community similar to the ones their neighbors, peers, and friends are privileged to enjoy within a close proximity.

Mr. Aaron Welcher, 6705 Hoover Road, Indianapolis appeared. He was there on behalf of the Jewish Community Relations Council. He read a letter stating that they are in support of the project and think it would be a wonderful addition.

Mr. Doug Miller, 10566 E. CR 450 N., Indianapolis appeared. He stated that his property borders the eastern boundaries of the project. He thought the Comprehensive Plan called for low-density housing in that area and because of that he believed that what was existing there. He saw no reason to change the zoning. Everything he had seen on PUD's was exactly what they were suggesting, very high density, and zero outline homes. That is not what the rest of the neighborhood is that it surrounds. He proposed that they consider less density. If the houses were similar to what is existing in the surrounding neighborhood, he could support it. Changing the density and flooding the area just does not seem right to him. He wanted to know if the proposed homes would be single or two-story, as it did not show in the plans.

Mr. Kevin Wightman, 8838 Ash Road, Clermont appeared. He was there to speak in favor of the development. He stated that one objection that he has heard that seemed relevant so far was housing density. The proposed neighborhood has no greater density than the neighborhood to the south or even the north. He felt those were hollow arguments against putting in this wonderfully designed neighborhood.

Rev. Calvin Brandenburg, 1206 Auburn Dr., Brownsburg appeared. He stated that the Good Samaritan Episcopal Church in Brownsburg fully supports the project. They are not competitors though their faiths are different. They believe in love, peace and practice service. He believed the county would have added esteem if they had two (2) Islamic communities.

Mrs. Yvonne Brandenburg, 1206 Auburn Dr., Brownsburg appeared. She wanted them to know she is fully supportive of the project. She stated that as this community grows and develops what that would do for the vibrancy of the greater community of Hendricks County. How it would change the way we encourage the lives of each other, and the way as a country we say we respect all people. Her and her husband have over 20 years of working with families in the Islamic community. They have found the common aim of peace, love and justice with whom they have been honored to work with. She then read some letters from the 5th and 6th grade students on their thoughts on the Islamic community coming to the neighborhood.

Mr. Steve Dison, 10270 E. CR 450 N., Indianapolis appeared. He stated that his family has owned that property since 1961. He has owned it the past 25 years. He did not appreciate other comments stating the surrounding homes were run down and the conditions of the surrounding neighborhood. His concern started when he did not receive a notice. He heard about it from his neighbor who received a letter. He talked the Rev. Stone about it at the church and he had only heard of it by word of mouth. He is concerned about property values. Everyone he has talked to in the area is not happy at all about it mainly because of the concerns that it would hurt their property values. He stated they have a high amount of traffic already from CR 1000 to Raceway Road, as it seems to be a popular cut through. He stated that the drainage goes his property and the church's property. He had to dig a ditch recently to help with the drainage. He would like it to remain zoned AGR. He does not believe they need any more density.

Ms. Sadia Maqsood, 5582 Newport Ave., Indianapolis appeared. She wanted to express her full support for the projected community. She explained how the community would be beneficial to the Islamic families in the county by having all the amenities in one location. The community center would allow others to learn about the different cultures and how they can come together as a community. The benefits to the county will be to bring diversity in terms of race, ethnicity, culture and businesses. There is less crime rate in diverse racial counties because neighbors help each other and have strong social support. It has been proven that diversity helps to reinforce positive social behavior. This project will enhance economic growth within the county with the expansion of different types of businesses and taxpayers.

Ms. Holly Aynes, 8844 Center St., Clermont appeared. She had some questions as to whether it was a private campus or a community. Was it zoned appropriately for a campus? Or a community? Do the same ordinances apply for both? She felt like it was a private campus. It is not open to the regular public. She wanted to know what the benefit of such a community was in that location, specifically the Town of Clermont and Town of Brownsburg. She also wanted to know the cost of fire/ambulance and how they were going to deal with the roadwork that would have to be done.

Mr. Irham Shaikh, 5572 James Blair Dr., Indianapolis appeared. He was 11 years old. It was difficult for him to receive his Islamic education along with his academic education at Reagan Elementary in Brownsburg. They must travel far to Marion County to visit mosque and meet community members and due to his vision impairment and their disability issue it is hard for them. He would be thankful for the opportunity to live, study and grow as a member of society near people who share his values. He thanked them for giving him the opportunity to speak.

Mr. Mark Kaiser, 10596 E. CR 450 N., Indianapolis appeared. He was very frustrated that everyone had talked about religion and drainage even though they were told those were not issues to be discussed. He stated that his property was the lowest spot on that street and the drainage affected him the most, as his house floods whenever there is a heavy rain. The property tried to sell 10 years ago, and they were told they could not drain towards I-74. He was frustrated about the neighborhoods being built and the increased traffic since he has lived there.

Mr. Hamas Najeeb, 8344 Welder Place, Indianapolis appeared. He stated he was a seminary student. Through what he has learned at the seminary he has been able to help the outside community immensely through the skills he has gained. He had worked on 17 counseling cases, 4 marital counseling cases. They visited various prison hospitals around the state. That is just a small portion of the community work they have been able to do. They work for the betterment of their city and their community. The seminary not only focuses on producing community leaders, but also instilling American values within the students. Through his time at the seminary, it has given him the ability and courage to work in his community.

Ms. Theresia Shearer, 7594 Brickmaker Ct., Plainfield appeared. She stated that she in support of anything that promotes community. However, she would ask that the plan commission give the voters a comparison of what it is going to do to the tax base, the fire/police and school support. She felt that was lacking in every PUD development she has seen.

Ms. Janet Planalp, 10176 Edgewood Road, Brownsburg appeared. She stated that the project would be in her backyard. She has been there 35 years. She wanted to know if the neighbors would have access to the amenities at the community. Her understanding was that it was a private community and felt that a private community does not benefit the neighborhood or promote diversity. She noted that traffic is already bad and felt that this would only make it worse. She stated she was against the project.

Mr. Tariq Kahn, 10692 Deerfield Dr., Brownsburg appeared. He stated he has lived there for 8 years. They were planning on moving to Carmel to be closer to other Islamic communities, but once they heard about this project it was a dream come true for them. He felt it was a great place for their children with a strong community to practice their faith as well. He thought it was a great project and would bring more jobs. As to the the people talking about it being a private community, anyone could buy a house there. It would heighten Hendricks County to a new level.

Mr. Fatai Raji, 1385 Danielle Dr., Indianapolis appeared. He was the Chairman of the Islamic Association of Indianapolis. He stated that they strongly support the project. They have over 200 members in their group and almost 25% of them live in Hendricks County. They were excited when they heard of this project. Some of the members on the north side are looking to move to this community.

Mr. Aamad Chaudhry, 5103 Flame Way, Indianapolis appeared. He stated he worked for a major student loan company as an IT professional. Should this project be approved, he and his fiancé have full intentions on moving to the community. It would be good for the community and the people itself. It is not only for those of Islamic faith, but for everyone. It will show everyone in surrounding counties that Hendricks County is open for inclusion and diversity. He hoped it would get approved to start a new chapter in his life there.

Mr. Bilal Siddiqui, 7671 Monte Carlo Way, Indianapolis appeared. He is a hematologist and oncologist at Community Hospital South. He is one of the leaders on this project. He stated that they have commitments from more than 70 people that wish to move into the proposed community from different counties. Some of those people are physicians. They are all professionals and want to build homes that would be in the \$500,000 to \$600,000 range. He brings that up because of the many people that have brought up concerns of this community negatively affecting their property values.

Mr. Ahmed Baig, 12595 Robinbrook Dr., Carmel appeared. He stated he was a kidney doctor working for Hendricks Regional Health for the past 5 years. His wife works at Methodist Hospital. This community would be great for them. They currently live in Carmel and have a strong motivation to move to this community for several reasons. The first is that their son is a student in the seminary, and they have other children that will join the seminary. The second is the convenience of being closer to their work. He also has elderly parents that live with him that they would purchase a single-story home for them to be nearby.

Ms. Zainab Baig, 5547 James Blair Dr., Indianapolis appeared. Currently she attends Brownsburg High School as a junior. She stated she supports the project because it would be beneficial to her future.

She was looking forward to being able to pray at a place that is close to her home and being able to socialize with others. The other amenities would be a great addition as well.

Mr. Kevin Buckheit, a planner with Kreig-Devalt, 12800 N. Meridian St., Carmel appeared. He was an urban planner by education and experience with over 35 years in the industry. He had analyzed the proposed plans against the Hendricks County Land Use Plan and Policy Plans and Zoning Regulations and certain criteria outlined in the state statutes. He reviewed the criteria that Ms. Link had described in her presentation.

Mr. Arif Kasim, 10267 Noble Ct., Indianapolis appeared. He graduated from Brownsburg last year and is currently attending Purdue University. He wanted to pledge his support for this project. He is excited to see what will come of this.

Ms. Lara Dreyer, 732 Bakeway Ct., Indianapolis appeared. She wanted to stand in support of the rezone for this project. She has lived in the community for over 20 years. The community has grown over that time as well as the traffic. It has been a challenge for the county and towns to keep up with the roads. Given that the area is undergoing growth and will continue to do so, this type of development where they can have everything right there together would be a great asset to the county.

Ms. Hibah Rangoonwala, 1560 Windswept, Brownsburg appeared. She was a 14-year-old that attended Brownsburg High School. She was excited when she heard of the project. She thinks it is important to spread diversity and culture throughout a town to help it grow. This type of project is not a new concept. Her family in Morton Grove, IL have been living in a similar community for years. There are numerous types of these communities in bigger cities as New York, Detroit, and Chicago.

Ms. Aysha Rangoonwala, 1560 Windswept, Brownsburg appeared. She was freshman at IUPUI studying psychology. She noted that many of her points she had prepared had been touched on already. She stated that there was an overwhelming amount of support for the project. There were several Christian schools alone in the Brownsburg area, and she felt it was important to have one Islamic school in the area so people would not have to travel so far to have a mosque and school available to them. She felt it was important to promote diversity as well.

Dr. Mohammed Majid, 2721 Granada Circle N., Indianapolis appeared. He stated he had been practicing internal medicine for the past 30 years. His specialty was addiction medicine for opiate addiction. He was planning on moving to the community and bringing his office to the Avon area should the project move forward. He felt it was a beautiful opportunity to understand the beauty of living together. He strongly supports the project. It would bring a lot of professionals and talents to the county.

Mr. Umer Awan, 7814 Beechwood Farm Dr., Avon appeared. He stated he had been a resident of the county for the past 10 years. He works and has a family business all in the county. His four daughters attend school in Hendricks County. He commutes his children to an Islamic school every morning and then his wife or sister picks them up. He fully supports this project and has plans to move there so that his kids can walk to school.

Mr. Shamaas Nyazee, 5047 Deer Creek Pl., Indianapolis appeared. He is the president of the organization and serves as the religious leader or pastor of the community. He wanted to thank everyone that came out in support. He understood the points of contention of those who were not in support of the project. They hope in the future, to show that they will be great neighbors and welcoming to all. He noted that the community was not private. It was inclusive not exclusive. He addressed the questions about the dormitory. It would house students of the seminary. It would educate those students to become community leaders. Those students come from different states, they are not from here. His point being, they would not impact the traffic because they would be living on campus. They would not have their own transportation and would use ride sharing as a means to get around.

Ms. Jamila Jalloh, 8739 Bushypark Dr., Brownsburg appeared. She is a registered nurse. She stated that she has lived in the area for 4 years. She loves the community and neighbors. They have

been very nice and welcoming. She had the opportunity to teach her neighbors that were not Muslim that they were good people. There was some fear initially, but they are like family now. She does not have the opportunity to take her children to Islamic study like others because it is an hour away. She is beyond excited about this project and is in support.

Mr. Whicker closed the public hearing.

Mr. Murray Clark, 300 N. Meridian St., Indianapolis appeared. He commended staff for their accommodations and their efforts. He stated many of the people he spoke tonight were of big surprise to them. There is a demand for this project in this county from the people of the county. He addressed the remonstrator (Mr. Dison) that had mentioned not being notified. The postal service has had a rough time during the pandemic, and he supposed anything could have happened. He was confident in Ms. Link's diligence and her record keeping. He had the certificate of mailing there dated December 22, 2020, as well as one to Rev. Stone dated the same date. Ms. Link met with Rev. Stone in October face to face. He felt it was safe to say that every effort was made to notify those according to the requirements. The idea of PUD's has evolved over the years. The comprehensive plan encourages the use of PUD's to achieve balance and sustainable neighborhoods. He wanted to make a comment about the buffering that was brought up. He believed the original ordinance submitted with the application did establish a 30-foot buffer on the north, south and east side. Through conversations with staff, Ms. Link tells him that it was recommended and agreed that there would be 20-foot on the east and south landscaped but on the north side it provides a 50-foot buffer. That amended site plan is the one he believed that was sent out along with the notices. He appreciated the time given tonight and would respectfully ask for a favorable recommendation.

Mr. Whicker asked if Mr. Ayres, County Engineer or Mr. Dombrosky, Planning Director had any comments.

Mr. Ayres replied that they had received the traffic study in December and asked for revisions because of some of the concerns about internal versus external flows in traffic. He received those revisions last Tuesday. He mentioned Ms. Link stating they would cooperate with the new signal being installed in April at CR 600 N. and 1000. The peak traffic volume is Friday afternoon according to the information they sent to them. It is significant and would be a significant increase based on the numbers. He is still concerned with traffic distribution; traffic goes to I-74 but there is no way to predict which way it will go to get there. He believes if the signal were improved at CR 600 N. it would alleviate a lot of the issue. He is not convinced it will not require an additional lane there as well as signal modifications. He was unsure how race traffic affects the count. He stated drainage is a problem and will be tricky to solve. It has been an issue in the past.

Mr. Dombrosky stated that he does not have much to add to the comments in the staff letter. He noted that the PUD rezoning is specific to the development, unique to the development and cannot be developed as anything else. The open space and impervious areas are not representative of what the Plan Commission normally wants to see or what our ordinance requires. There is a lot of pond area. Architecture was not provided, they want to ensure what is being built is meeting ordinance. The Plan Commission wants to encourage developments that are adjacent to incorporated towns to be developed in cooperation with their guidelines and plans, and the Town of Brownsburg Comp Plan shows the property as open space/conservation. Ms. Jodi Dickey, Development Services Director for Brownsburg, indicated the property to the west was targeted for light industrial development and that may not be compatible with this development, but that was not in writing and that opinion may have changed. These things are able to be resolved, if the developer is able to add more open space, and we have more time to review and work with them as they have been eager to move forward quickly.

Mr. Whicker asked if the plan commission members had any questions or comments.

Mr. Tom Whitaker discussed the letter from the Brownsburg Schools referencing the December 18, 2020 TAC meeting. He felt there was discomfort from the schools and stated he was not on the board at that time. He did not have enough information to offer a favorable recommendation at this time.

Mr. O'Riley asked Mr. Dombrosky asked if a continuance of 30-days would allow the staff to work out some of the concerns.

Mr. Dombrosky replied that he would like to know a more specific direction from the plan commission.

Mr. O'Riley stated he did not have a problem with staff working these issues out.

Mr. Whicker stated that in the event there was a favorable recommendation, staff may be able to work the issues before it goes to the Commissioners.

Mr. Dombrosky noted that he still needed to know how they felt about the development pattern, density and open space, architecture, etc.

Mr. O'Riley asked what the density of the single family is.

Ms. Link replied that it was 2.91 which was comparable.

Mr. Palmer stated that he applauded the mixed use. He would like to see staff concerns addressed. He likes the concept. He asked how the density compared to the Clermont Heights subdivision.

Mr. Dombrosky replied that he had done a comparison and he believed it was 3.4. It is comparable. He wanted to make sure how they calculate the area is being done correctly so they can compare.

Mr. Palmer asked how it compared to a recent development like Sonora.

Mr. Dombrosky replied that the single-family portion is comparable.

Mr. Palmer stated that he would like to see the drainage issues resolved or at least be able to make an informed decision on it.

Mr. Whicker stated that drainage is not addressed at this phase because of the investment they would have make before knowing the zoning approval. It is a valid concern that will be addressed later.

Mr. Palmer stated that would like to see something in writing from Brownsburg since there is confusion on their position.

Mr. Whicker replied that they had an opportunity to provide input.

Mr. Palmer asked at what point they decide the square footage and architectural standards on the houses.

Mr. Whicker stated it was based in our ordinances.

Mr. Palmer asked for clarification on the PUD process. The zoning goes with the land not the petitioner.

Mr. Dombrosky replied that was correct. Anyone can develop this PUD with this ordinance, but just in the specific way it is shown. They do not have to build all of it.

Mr. Gentry stated that the presentation and discussion has taken away most of his concern. He liked the idea of the project but was not in favor of the rezone. He discussed the drainage board and the design of the project.

January 12, 2021

Mr. Whicker stated that it was a well thought out plan. He would ask that they come to a resolution tonight and pass on a recommendation. He would be in support of a favorable recommendation.

Mr. Palmer again stated he would like to see the staff concerns addressed. That is his struggle with it at this point.

Mr. Whicker stated that he respected that, and if it were a Development Plan Review, he would agree. The decision does not rest with them. It is the ultimately the decision of the commissioners.

Mr. O'Riley asked if Mr. Dombrosky was comfortable with it.

Mr. Dombrosky stated that they have more time now after the holidays. To clarify, he talked to Mr. Palmer and gave him the density of Clermont Heights, which is 3.27 units per acre. He also talked to Mr. Whitaker and answered his question that the letter referenced a staff meeting with the petitioner.

Mr. O'Riley asked if the petitioner was willing to work with staff.

Ms. Link stated they absolutely would.

Mr. Whicker asked for a recommendation.

Mr. Tom Whitaker stated that as a representative for the schools, based on the letter from Brownsburg schools, he is not able to offer a yes or no at this time.

Mr. Whicker stated that he respected that position. Chair still asked for a motion.

Mrs. Gladden stated that being she represented the Agriculture community; she was not in favor of it.

Mr. Palmer stated that he was appointed by the commissioners. He had a level of discomfort based on staff concerns. It was interesting to hear the density comparison. With staff's comfort level of being able to work through this and the petitioner's commitment to do that. He agreed with Mr. Whicker, on the commercial alternative, actually it would be a bigger drainage issue if there were more concrete. He made a motion for a favorable recommendation for **ZA 480/21: Clermont Village PUD**.

Mr. Whicker thanked Mr. Palmer for his favorable recommendation, subject to petitioner working with staff to address comments.

Mr. O'Riley seconded the motion. Mr. Tom Whitaker, Mrs. Gladden, and Mr. Gentry opposed.

FOR – 4 –

AGAINST – 3 –

ABSTAINED – 0 –

There being no further business, the meeting was adjourned at 10:30 p.m.

Tim Dombrosky, Chairman