

May 14, 2019

A meeting of the Hendricks County Area Plan Commission was held on Tuesday, May 14, 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. Jeff Pell; Mr. Tim Whicker; Mr. Damon Palmer; and Mr. Bob Gentry. Members absent were Mr. Walt O'Riley, Mrs. Sonnie Johnston. Staff members present were Mr. Tim Dombrosky, Secretary and Director of Planning; Mr. Greg Steuerwald, County Attorney; Mr. David Gaston, County Surveyor; Mr. John Ayers, County Engineer; 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 approval of the April 9, 2019 meeting minutes.

Mr. Gentry made a motion to approve the minutes for April 9, 2019 meeting.

Mr. Palmer seconded the motion.

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

Mr. Brad Whicker then moved on to the public hearing items on the agenda.

Mr. Brad Whicker notes that the first item on the agenda was withdrawn and proceeds with the next item.

**ZA 462/19: THE 1188 N RACEWAY ROAD LAND TRUST**; a zoning amendment change from AGR/Agriculture Residential District to NB/Neighborhood Business District; 0.55 acres, Washington Township, S32-T16N-R2E, located on the west side of Raceway Road, approximately 0.20 mile north of East County Road 100 North, more commonly known as 1188 North Raceway Road. (Comer Law Office)

Mr. Ben Comer of Comer Law Office appeared on behalf of the petitioner and landowner, Dennis Nottingham, who was present in the audience. He explained that the property has been used as a residential rental for several years and now the petitioner would like to convert this home into an office use. Therefore, they are currently seeking a rezoning. He stated that there were no planned changes to the exterior of the residence. There is privacy fencing in place to the north, west and part of the south side of the home as well as a large driveway to accommodate parking. He noted that this area of the county has a variety of uses ranging from commercial, single and multi-family residences.

Mr. Brad Whicker asked if there were any questions from the Plan Commission members for the petitioners before he opened the public hearing.

Mr. Tim Whicker asked if they had stated what the type of business would be.

Mr. Comer replied that initially it would be the administrative offices for a couple of businesses Mr. Nottingham operates.

Mr. Brad Whicker opened the public hearing. There being no one signed up to be heard, Mr. Brad Whicker closed the public hearing and called for further questions or comments.

Mr. Gentry motioned for a favorable recommendation for **ZA 462/19: The 1188 N Raceway Road Land Trust**.

Mr. Palmer asked if the façade would change if it were to be rezoned.

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Mr. Dombrosky replied that the architectural requirements would apply if they were to do a substantial remodel of the property. He noted that it could be remodeled into a square, flat roofed building.

Mr. Pell seconded the motion with Mr. Palmer voting against.

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

**EP 04/19: ROBERT WILLIAMS JR. (MWXC);** a special event permit for a motocross race; 185 acres; Eel River Township; S9-T16N-R2W; located at 5655 N. State Road 75. (Robert Williams Jr.)

Mr. Robert Williams Jr., 5655 N. State Road 75, North Salem, appeared. He stated they were planning on having the race May 18-19, 2019 and that the letters have been sent out.

Mr. Brad Whicker asked if there were any questions from the Plan Commission members for the petitioners before he opened the public hearing.

Mr. Tim Whicker asked if the DNR approval had come through.

Mr. Dombrosky noted that DNR and INDOT approval had been received.

Mr. Brad Whicker opened the public hearing. There being no one signed up to be heard, Mr. Brad Whicker closed the public hearing and called for further questions or comments.

Mr. Gentry noted that they needed to keep the mud off the road.

Mr. Williams replied that he had a sweeper on a bobtail that they are going to clear the roads with.

Mr. Tim Whicker motioned for approval of **EP 04/19: Robert Williams Jr. (MWXC)**.

Mr. Gentry seconded the motion.

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

**MAP 743/19 (PRIMARY): GENTRY WOODS (ESTATE SUBDIVISION);** an 11-lot major estate subdivision on 82.32 acres; Center Township; S31-T16N-R1W located on the southwest quadrant of the intersection of County Roads 200 North and 200 West. (Kruse Consulting, Inc.)

Mr. Dale Kruse of Kruse Consulting, Inc. appeared and states that he got word that it was continued and was not prepared to speak.

Mr. Dombrosky noted that we had advertised as a public hearing and asked Mr. Brad Whicker if he would like to open the public hearing.

Mr. Brad Whicker explained he would wait until Mr. Kruse would present before opening the public hearing.

Mr. Gentry motioned to continue **MAP 743/19 (Primary): Gentry Woods (Estate Subdivision)** until the June 11, 2019 meeting.

Mr. Tim Whicker seconded the motion.

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

**DPR 473/19 (PRIMARY): HENDRICKS COUNTY GATEWAY PARK/ LOT 2;** a development plan review to establish an industrial warehousing facility; 76.76 acres; Liberty

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Township; S35,36-T14N-R1W; located southwest of the State Road 39 and Interstate 70 interchange. (American Structurepoint)

Mr. Nick Everhart with American Structurepoint appeared on behalf of Hendricks County Gateway Park. He stated this property is just shy of 77 acres and it would be a 1,071,000 square foot building. The access would be from State Road 39. They are in the process of replatting to extend 400 feet to accommodate for lot 2. He reviewed the site plan. Parking would be split around 75/25 percent with 25 percent being on the frontage of State Road 39. There would be a few different access points for trucks. The goal was to keep it separated so that truck and pedestrian vehicle parking would be limited and not intermix. He showed the pond on south side of the facility which received drainage board approval today. He reviewed the landscape plans briefly. He noted that the staff letter had asked about the exterior. He stated that the exterior is all precast concrete. He stated that they are requesting modifications to the interior tree spacing on the islands. The ordinance states that they need to be every 10 spaces or approximately every 100 feet. To meet the anticipated parking demands, they have it stretched out further than the 100 feet. They have taken the number of trees they should have had and put them on the perimeter to screen better. The second modification had to do with exterior parking planting. The ordinance states that there must be trees and shrubs to be adjacent to the parking areas. They are proposing evergreen trees instead of shrubs for better screening. They want to push them back about 12 feet from the parking stall to allow for the adjustable wheels on the trailers that can hang off the curb 8 to 10 feet. They want to do the same on the south side of the pond as they think it would provide a better buffer. He also noted that they were wanting a modification to screening for the dumpsters. Typically, they would have a compactor in place of traditional dumpsters. They wish to hold off until tenant approval as they would not know where it is going to be located. They proposed to use color variations and texture instead of offsets, projections, masonry and exterior materials due to the nature of the precast building. It is not feasible to have those offsets with the dock doors as it takes up too much space. They provided a line of sight study and are proposing a parapet for screening so that you would not see the rooftop mounted equipment from Gateway Drive or State Road 39.

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

Mr. Tim Whicker asked if the road between lot 1 and 2 was a common road as well as the one around the back.

Mr. Everhart replied that they were common roads.

There being no other questions from the Plan Commission members, Mr. Brad Whicker opened the public hearing.

With no one signed up to speak, Mr. Brad Whicker closed the public hearing.

Mr. Brad Whicker stated the chair would entertain a motion for primary approval of **DPR 473/19: Hendricks County Gateway Park / Lot 2.**

Mr. Gentry motioned for approval with all the modifications requested.

Mr. Pell seconded the motion.

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

**DPR 474/19 (PRIMARY): FSM PROPERTIES LLC;** a development plan review to add more storage units to existing facilities; 9.85 acres; Liberty Township; S10-T14N-R1W, located on the northeast corner of South County Road 0 and US Highway 40 (Kruse Consulting, Inc.)

Mr. Dale Kruse of Kruse Consulting, Inc. appeared on behalf of FSM Properties LLC. He stated that FSM Properties owns two parcels of property located at the corner of US Highway 40 and South County Road 0. They are in the process of doing a replat and combining the two into one parcel. They

want to add on to the existing self-storage buildings by adding three on either side, six in total. They are planning on tearing down the existing residence on the smaller parcel. There are currently three access points and they have planned to eliminate two of them. One of the requirements is a masonry requirement to the building. They proposed a 4-foot tall masonry band on the south face of the buildings that would face US Highway 40. The buildings that face east and west would also have the same masonry band in between the storage doors. The interior buildings would not have that masonry, except for the south side

Mr. Tim Whicker asked if the north side of the buildings would just be metal.

Mr. Kruse replied that they would be metal as they have a good buffer of trees. Mr. Kruse then addressed some of the staff comments regarding landscaping. They have asked for a modification for no parking as they don't anticipate a need due to the nature of the business. With the replat, the requirement would be to plant trees along US Highway 40 as well as South County Road 0. They have proposed to bring those trees up closer to the buildings since that is what they are trying to screen. They received drainage board approval today. The detention pond on the east end will serve as their drainage outlet.

Mr. Dombrosky stated they didn't get to look architectural plans, but they did talk to the property owner about the plan for the masonry on the buildings. The masonry is similar to what they have approved for other self-storage facilities. He noted that there wasn't any talk of offsets and projections, which would be a requirement because of the length of the buildings. That would need to be a modification request on this petition.

Mr. Kruse stated that he would like to request that modification.

Mr. Dombrosky stated that filling in the gap in landscaping on the south side of the buildings was not in the plans, he wanted to confirm that is what they have planned to do.

Mr. Kruse replied that was their plan.

Mr. Dombrosky noted that they were requesting a waiver on the street trees on US Highway 40 and asked about South County Road 0.

Mr. Kruse stated that he would like to request it for South County Road 0 as well since they plan to put them closer to buildings on the west side. He felt they would get lost putting them next to the road.

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

There being no further questions, Mr. Brad Whicker opened the public hearing.

Mrs. Jennifer Phillips, 6275 South County Road 0, Clayton appeared. She owns the property directly the north. She asked if the trees going in on the north side would have clearance to the ground. She stated that several of the trees there currently are dead, and the others are trimmed up so that she has a clear site of the existing buildings.

Mr. Dombrosky asked what types of trees are there now.

Mrs. Phillips stated they were evergreens. She also noted that there were several that needed to be replaced. She also mentioned that when the drainage pond was created, it created drainage problems on their property. She wanted to know if there were going to be any adjustments to correct that issue with the drainage.

Mr. Brad Whicker then closed the public hearing.

Mr. Kruse replied to Mrs. Phillips concerns. He stated that they will abide by the requirements of the county's landscaping ordinance with the buffer yard requirements. They will plant the plantings that the zoning ordinance requires. There would be a mixture of deciduous and evergreens.

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Mr. Dombrosky added that the landscape requirement does have a mound or fence requirement that the petitioner usually requests not to do. Normally they would grant that waiver. Its intended purpose is to provide a visual barrier, but it also has created problems with the sheet flow drainage that Mrs. Phillips was talking about.

Mr. Kruse stated that he was not aware of any drainage issue. He did state that they could look at it and see if it could be graded on the backside of the mound.

Mr. Tim Whicker motioned for approval of **DPR 474/19 (Primary): FSM Properties, LLC** with the modifications discussed in the staff letter.

Mr. Gentry seconded the motion.

Mr. Gentry asked how we were going to address Mrs. Phillips drainage issues.

Mr. Brad Whicker stated that he was confident that Mr. Kruse would take a look at it and if there were an issue, he would work to correct the issue.

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

**TZA 02/19: AMENDMENT TO THE HENDRICKS COUNTY ZONING ORDINANCE, BY AMENDING CHAPTER 11.3: ESTATE SUBDIVISIONS;** and referring to all of Hendricks County under the jurisdiction of the Hendricks County Area Plan Commission.

Mr. Dombrosky stated he had nothing new to add. It was left on the agenda so if there was anyone who had additional thoughts to discuss. He anticipates there will be more discussion on this amendment next month.

**TZA 03/19: AMENDMENT TO THE HENDRICKS COUNTY ZONING ORDINANCE, BY AMENDING CHAPTER 10: FLOODPLAIN MANAGEMENT;** and referring to all of Hendricks County under the jurisdiction of the Hendricks County Area Plan Commission.

Mrs. Tonya Cottrell appeared from the Planning and Building Department. She stated that every few years the state makes changes to their floodplain ordinance. We must adapt these changes in order to stay in compliance. The changes have been made to our ordinances including the changes that we had adopted a few years ago. DNR has already reviewed it. The deadline is the end of June for us to have it adopted into our ordinances.

Mr. Dombrosky added that by staying in compliance the county is able to participate in the NFIP and get discounts for flood insurance for the residents of Hendricks County.

Mr. Brad Whicker called for any further questions. There being no further questions, he closed the public hearing.

Mr. Gentry motioned for a favorable recommendation.

Mr. Pell seconded the motion.

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

There being no further business, the meeting was adjourned at 7:33 p.m.

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Tim Dombrosky, Chairman