

August 8, 2022

A special meeting of the Hendricks County Area Plan Commission was held on Monday, August 8, 2022, at 6:30 p.m., at Danville High School Auditorium, 100 Warrior Way, Danville, Indiana 46122. Members present were Mr. Brad Whicker; Mr. Damon Palmer; Mr. Bob Gentry; Mr. Ron Kneeland and Mr. Walt O'Riley. Staff members present were Mr. Tim Dombrosky, Secretary and Director of Planning; Mr. John Ayres, County Engineer; Mr. Greg Steuerwald, County Attorney and Mrs. Brandy Swinford, Recording Secretary.

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

**ZA 499/22: JAMES PHILLIPS VILLAGE;** a zoning change from AGR to PUD (5 parcels total); 178.51 acres; Brown Township; S22-T17N-R1E; located due south of E. CR 1000 N. and west of SR 267 and CSX railroad (Elizabeth Link)

Ms. Elizabeth Link, representative for the petitioner, Mr. Grady Vaughn, Wells & Associates, and Mr. Glen Gershke, Kapur Inc., were present.

Mr. Dombrosky presents and reviews location, current and surrounding zoning, the comprehensive plan, and the site plan. He explained the PUD zoning classification noting that the uses requested would be the only uses allowed in that district. He noted the petitioner is seeking to allow for 371 "dwelling, single-family" lots, 112 attached residential units described as horizontally and vertically separated Townhomes, and 31 acres of land for a community center and private school with dormitories. This results in a gross density in the residential sections of 3.27. With the PUD application, the uses described in the application would be the only permitted uses in the district. The development would also include "essential services, major" in the form of a community sewage treatment plant. The staff was recommending an unfavorable recommendation.

Mr. Whicker noted that he believed that drainage would be a major point tonight and that they do not hold the petitioner to the highest standard of engineering studies prior to the approval of a zoning change. That comes later with the development plan review which is another step in the process.

Ms. Link stated this was their second attempt at a rezoning. The first time it received a favorable recommendation by the Plan Commission but was denied by the Board of County Commissioners due to a perceived drainage issue. She explained the project was named after the legal drain at the southern end of the property, but after speaking to descendants of James Phillips, she has agreed to change the project name to Pioneer Village. She reviewed the plans for the project. She addressed some concerns that had come in from the public and staff, noting the following for the record.

- There would be no call the prayer over a speaker.
- The architectural standards included in the ordinance are far more restrictive than other subdivisions in the county to avoid monotony.
- The conservancy district would provide sewer the same standards of both Brownsburg and the Hendricks County Sewer District. It will comply with all state standards as well.
- No septic sewage systems will be used.
- The treatment plants will be completely buried with covers for the access openings. Carbon filled vents will be installed on the openings that need vented to eliminate the odor. The only odor that would occur would be when the primary tank is pumped which would only be 1-2 days every few years.
- No well water would be impacted. The conservancy will purchase water from Citizens Water. If neighboring properties run out of well water, they may have the opportunity to join the conservancy.
- The first homes and community center will open in the same year.
- The review times for the project were the same as all that are submitted in the county.

August 8, 2022

- With the county's permission, they would construct a gate to the south at Shady Bend connection to allow access only for police and fire vehicles. No traffic from the project will go south onto Shady Bend.

Ms. Link then addressed the traffic concerns which seems to be the biggest concern. She then reviewed the staff comments, comprehensive plan and explained how she felt they met the requirements.

Mr. Whicker asked if there were any questions from plan commission members.

Mr. Palmer asked what the density was without the greenspace.

Ms. Link replied that for the single-family homes it would be 2.8 units per acre and for the multi-family homes it would 7.0 units per acre. She believed that staff had calculated the overall was 3.27.

Mr. O'Riley asked if they had the density of the surrounding properties.

Mr. Dombrosky stated that they did not have that information.

Mr. O'Riley replied that to him it looked like it would be 1 per acre or less by looking at the information.

Mr. Whicker opened the public hearing.

The speakers present were:

- Stephen Enz, 6705 E. CR 1000 N., Brownsburg
- Teri McDonald-Kulis, 6865 E. CR 1000 N., Brownsburg
- James Murphy, 10726 N. State Rd. 267, Brownsburg
- Fred & Sandra Arkanoff, 10566 N. State Rd. 267, Brownsburg
- Steve Chase, 7149 Kennesaw Circle, Brownsburg
- Scott Hazel, 10317 N. CR 650 E., Brownsburg
- Mike Trippeer, 9296 Shady Bend, Brownsburg
- Clarence Ebersole, 9140 N. State Rd. 267, Brownsburg
- Wayne Walters, 10468 Breezeway Circle, Brownsburg
- Craig Replogle, 9501 Gladstone Dr., Pittsboro
- Tom Feister, 5692 Country View Dr., Pittsboro
- Charles Neese, 9719 N. CR 650 E., Brownsburg
- Michael Dye, 6110 E. CR 1000 N., Pittsboro
- Ryan Birk, 9737 N. CR 650 E., Pittsboro
- Scott Black, 9382 Windmill Dr., Pittsboro
- Mary Rokusek, 9769 N. CR 550 E., Pittsboro
- Roy Strong, 10852 Golf View Dr., Indianapolis
- Cindy Holman, 15 Tyler Ct., Brownsburg
- Gloria Barger, 7006 E. CR 900 N., Brownsburg
- Rhalid Hasan, 7628 Quail Ridge N., Indianapolis
- Dennis Roark, 6204 E. CR 1000 N., Pittsboro
- Brian Sholz, 9512 Gladstone Dr., Pittsboro
- Dua Tariq, 979 Glenmore Trail, Brownsburg
- Aamad Chaudhry, 5103 Flame Way, Indianapolis
- Jeremy Bowers, 6060 E. CR 800 N., Brownsburg
- Zainab Bah, 2639 Kilgobbin Crescent, Brownsburg
- Jamila Jalloh, 8739 Bushypark Dr., Brownsburg
- Hassan Shah, 8029 Kilborn Way, Indianapolis
- George Gregor, 6990 E. CR 1000 N., Brownsburg

August 8, 2022

- Grayden Schlein, 7247 Countrybrook Dr., Indianapolis
- Shamaas Nyazee, 5047 Deer Creek Pl., Indianapolis
- Zainab Baig, 5547 James Blair Dr., Indianapolis
- Ammna Ali, 10297 McClain Dr., Brownsburg
- Muayyad Patel, 5784 Brookstone Dr., Brownsburg
- Ahmed Alamin, 6030 Nolon Lane, Indianapolis
- Jeff Chapman, 10141 N. State Rd. 267, Brownsburg
- Matt Mazelin, 4452 E. CR 1000 N., Pittsboro
- Bilal Siddiqui, 7671 Monte Carlo Way, Indianapolis
- Irham Shaikh, 5572 James Blair Dr., Indianapolis
- Fatima Khan, 9485 Meadow Woods Ln., Avon
- Tahmina Ahmad, 10692 Deerfield Dr., Brownsburg

The speakers that were opposed to the project listed many concerns, some of which being the following: size and density of the project, lack of infrastructure, numerous traffic concerns both from State Road 267 and the surrounding county roads, drainage and flooding, effect on surrounding property values, small lot sizes, leapfrogging, the loss of farmland, discrepancies in the traffic study performed, environmental concerns, water sheds, and it not fitting in the comprehensive plan.

The speakers that were in favor of the project listed their reasons, some of which being the following: that it would bring more tax revenue and professionals to the area, it would be a family community, not wasting time traveling to get their Islamic studies done, increase diversity in the area,

Mr. Whicker closed the public hearing and asked the petitioner for closing remarks.

Ms. Link briefly replied to some of the concerns. She stated the project was open to all people regardless of race, color, or creed.

Mr. Grady Vaughn, traffic engineer for the project, addressed some of the concerns. He acknowledged the errors that were mentioned in the traffic report. He discussed some further details about the traffic study.

Mr. Glen Gerchke, civil engineer for the project, stated that they had contracted to work with an engineering firm that had designed successfully 45 the same treatment plants proposed in their 25 years in business.

Mr. O'Riley asked if the dormitories were in addition to the 483 housing units proposed or was it separate.

Ms. Link replied that it was in addition to the units. The men living there will not have cars so it will not add any additional traffic. If they go anywhere, it will be via the bus that will be available.

Mr. Palmer asked about density again. There was further discussion about what was included in the calculations and how they were figured.

Mr. Palmer then asked about 71% traffic increase concern. He referred his question to Mr. John Ayres, County Engineer. He asked if that was confirmed and if coming out of COVID-19 would the numbers be any different.

Mr. Ayres replied that he was not sure if the 71% was background traffic. He believed those numbers were high. He believed the then numbers INDOT has are probably accurate. He would have confidence in those. The counts they had around the county did not show much fluctuation from before and after COVID. He stated he agreed with the methodology of the study. He also stated he also agreed with the comment about the school traffic noting there was not much fluctuation in traffic between summer and winter traffic counts. The traffic issues at Shady Bend, he believed their intent there was to have a

August 8, 2022

gate for emergency access only. The proposed improvements discussed at CR 1000 N. He stated there was an INDOT project proposed there for 2026-2027. He asked them to do the study based on the current conditions and not with those lanes there. What that showed was there was a need for a couple left turn lanes. If there needs to be a commitment from the petitioner to do those, then that is something that needs to be discussed. He then discussed his traffic memo that was sent out in detail and his concerns on those items.

There was discussion about the bridge on CR 1000 N. It is controlled by CSX and the county has no jurisdiction. With its height clearance of 10 feet 5, no triaxles and most construction delivery vehicles cannot go under it. He is concerned about construction traffic having to detour around on other county roads for a 5 to 7 year period.

Mr. Palmer asked how they engage with CSX to fix for the long-term as it is not just a concern for this project.

Mr. Ayres replied that it was difficult to do any business with CSX.

Mr. Gentry wanted to note that the drainage concern at the petitioner's previous site was being pumped out by the town of Brownsburg to help with the issue. The county would not approve that method.

Mr. Palmer asked about for a summary of the school corporations' input on the project.

Mr. Dombrosky replied the school maintained a neutral position in their comments. They are neither in favor or against the project. They do anticipate some additional students from the development. They also say no residential development pays for itself as far as school funding goes.

Mr. O'Riley appreciates what they were trying to do, but he does not feel it is the right location for such a development.

Mr. O'Riley motioned for an unfavorable recommendation

Mr. Palmer seconded the motion.

Mr. Palmer voted for the project in the last location. He believed it was a great project. He had significant challenges with this location. He believed it was leapfrogging and he voted against other developments for the same reason.

FOR – 5 –

AGAINST – 0 –

ABSTAINED – 0 –

There being no further business, the meeting was adjourned at 10:18 p.m.

---

Tim Dombrosky, Secretary