

HENDRICKS COUNTY AREA PLAN COMMISSION

Meeting Minutes

Tuesday, September 10, 2024

6:30 PM

Hendricks County Government Center • Meeting Rooms 4 & 5
355 S Washington St #G80
Danville, IN 46122

Members Present: Mr. Brad Whicker; Mr. Damon Palmer; Mr. Bob Gentry; Mr. Ron Kneeland; Mr. Walt O’Riley; Mr. Thomas Whitaker and Mrs. Margaret Gladden.

Members Absent:

Staff Present: Mr. Tim Dombrosky, Secretary and Planning Director; Mr. Graham Youngs, County Attorney Representative; Mr. Brian Hurskainen, Senior Planner; and Mrs. Anna Wozniak, Recording Secretary.

A quorum was established, the Pledge of Allegiance was recited, and Mr. Whicker asked for a motion to approve the minutes from the August 13th, 2024 meeting. Mr. Gentry made a motion to approve the August minutes. Mr. Whitaker seconded the motion. Motion of approval passed 6-1-0.

DPR 519/24: HEARTLAND CROSSING BUSINESS PARK – SECTION 3 (PRIMARY); a development plan review for Primary Development Plan; 13.817 acres; Guilford Township; 20-14N-2E; located at the Northeast corner of Union Mills Dr. and East Hendricks County Road (Projects Plus)

Mr. Dombrosky: Our recommendation is to continue; we have been working on this project for some time and just received some revisions that we would like to review. There have been some delays due to driveways and landscaping. The most recent plans have been submitted, however, missed the deadline. This will be considered the last continuance request since it has been continued two times.

Mr. Whicker looking to grant continuance of DPR 519/24: HEARTLAND CROSSING BUSINESS PARK

Mr. O’Riley motioned for continuance of 519/24 till October 8th meeting.

Mr. Gentry seconded the motion.

VOTE: For – 7

Against – 0

Abstained – 0

DPR 521/24: SERENITY COMMONS (PRIMARY); a development plan review; 9.849 acres, Guilford Township, 20-14N-2E, key nos. 06-3-20-42E-410-001; located at the northeast corner of Heartland Blvd and S Raceway Road. (Stoepelwerth & Associates, Inc.)

Mr. Dombrosky: continuance was recommended on the primary, but we would like to have a discussion on the design initially. I am not comfortable recommending approval of the site plan at this time. There will be some need for modifications, and if not approved the plan may significantly change.

Mr. David Gilman – 211 South Ritter Ave., Ste. H, Indianapolis, IN 46219

Here representing Helix Development who is the applicant for Serenity Commons. The staff report brings up good recommendations for us to look at and this would be our first time requesting a continuance. We will try to narrow down the items and should be ready to answer all the questions by next meeting.

Mr. Gilman is formerly requesting a continuance to October meeting.

Mr. Dombrosky: If you are okay with the modification, they will need to figure out a solution to the ditches and the landscaping. If they are not okay with the modification for the lot coverage and open space, then it will change their solution.

Mr. Whicker: Is this a conversation you would like to have with a staff on the modifications?

Mr. Gilman: Yes, I would like to discuss the deep ditch along Raceway Road, that ditch is protected by a 40-foot easement which we are staying completely out of. The concern that we are sharing with the staff is the placement of our buildings, the landscaping on the back side of that 40-foot easement and the top of the bank of that ditch. We plan to do a cross section to see how that all plays out.

Mr. O'Riley: So basically, you are looking for more time?

Mr. Whicker: Is there any guidance we can provide you this evening on our position with that or is that something you want to work through internally and with staff.

Mr. Gilman: There are only three things I feel comfortable with Planning Commission. First, we have less than the required open space, we are in 10% and the ordinance requires 15%. Across the street The Flats Apartments project was approved with the same modification by the Plan Commission. The second one is the parking surface is at 57% and ordinance requires 50% maximum, again the apartments across the street had the same modifications and were approved. The last one is on the building design elements that we would like to replace. We have elevations and would like to feel comfortable that the board would be something that the board would be comfortable with us presenting. Also, car ports versus 50% garages, we have requested that the covered parking be reduced to 15%. Again, the Heartland Crossing across the street have asked for 15% and has been approved. We are following some of the guidance and modifications that have been previously approved. We face similar hardships on our property, our property is even more challenging since it's three times wider at the bottom than we are at the top since it's triangular. We have made several modifications to accommodate the development standards.

Mr. Gentry: Is this a legal drain?

Mr. Dombrosky: No, it's in Heartland Crossing, in the tri-county conservancy, not with the surveyors.

More discussion about the ditch.

Mr. Whicker looking to grant continuance of DPR 521/24: Serenity Commons (Primary)

Mr. Gentry motioned for continuance of 521/24 till October 8th meeting.

Mr. Kneeland seconded the motion.

VOTE: For – 7

Against – 0

Abstained – 0

DPR 522/24: CREW CAR WASH (PRIMARY); a development plan review; 1.83 acres, Guilford Township, 20-14N-2E, key nos. 06-3-20-42E-226-003; located at the East corner of SR-67 and Heartland Crossing Blvd. (Kimley-Horn)

Mr. Dombrosky: The petitioner has changed the plan to meet the 1st modification we still need to discuss items 2 and 3 and petitioner is here to address those issues, otherwise we recommend approval.

Rick Lawrence – Attorney – Representing Crew Car Wash

Also present is **Katherine Rayner and Travis Smith (Crew Car Wash)** and **Mike Timko** engineer for the project.

Mr. Lawrence gave an overview of the project. Power point presentation showing the proposed project and addressed the staff letter recommendations.

- Showing elevations of what the car wash would look like.
- Modifications were addressed to add detail and or awnings over the exterior doors.
- Number of parking spaces: only 4 are allowed, we are requesting 9 due number of employees parking spots.
- Showing the layout of the car cash.
- Didn't have time to address a new landscape plan but will submit a new updated plan.
- Asking for approval of the development plan with subject to submitting an updated a landscaping plan that meets the criteria.

Mr. Whicker: Do we have any questions?

Mr. Whicker opened and closed the public hearing as no one signed up to speak.

Mr. Gentry: Have all the permits for utilities have been obtained?

Mr. Timko: We have been working with Tri County. There is adequate service here.

Mr. Whicker asked for a motion of approval or denial of DPR 522/24: Crew Car Wash (Primary) with the understanding there will be an exception to number 2 in staff recommendations, numbers 1 and 3 have been satisfied.

Mr. O'Riley motioned for approval of 522/24 with subject to staff recommendation and comments.

Mr. Kneeland seconded the motion.

VOTE: For – 7

Against – 0

Abstained – 0

ZA 517/24: BRIAN MOTTER; a zoning amendment change from AGR/Agricultural Residential Zoning District to GB/General Business Zoning District; 14.63 acres, Marion Township, 07-15N-2W, key nos. 09-2-08-52W-100-010, 09-2-08-52W-100-002; located at 8081 W US Highway 36, Coatesville, IN 46121. (Brian Motter)

Mr. Roger Azar – DES Engineering – 214 E Main Street, Crawfordsville, IN 47933

I'm an Engineer representing Mr. Motter. Mr. Motter is also present here tonight. We are looking for a rezoning to GB adjacent to Mr. Motter's existing storage facility. This case has been in front of the committee before. There were some technical comments and hopefully they have been addressed. The new development will include storage buildings and open storage. Per previous comments they have added landscaping, fencing, and brick architecture. They are here today to answer any questions that staff or public may have to hopefully get this project moving forward.

Mr. Whicker asked Mr. Dombrosky to give a background information on this project.

Mr. Dombrosky summarized the rezoning request and reminded everyone that it is a rezoning petition, not a site plan approval. A concept plan has been presented that filled in some of the concerns that were brought up last time. There was a favorable recommendation from the staff and the commissioners turned it down. The Plan Commission had given it an unfavorable recommendation as well.

Mr. O'Riley: The open area, is that for future development later?

Mr. Azar: That is an open gravel space for parking, there are no plans to build any more buildings there. The drainage does not accommodate for that. Also, around the pond there will be grass and green space.

Mrs. Gladden: What has been done on this ground before?

Mr. O'Riley: It's farm ground.

Discussion about the location of the business petitioner owns. More information about the staff letters from last meeting and it being the same request for a rezoning change. Parcel in front is zoned as Historic Business and behind it it's farm. Petitioner is looking to expand that zoning for his business.

Mr. Azar: We brought the layout since the neighbors had specific concerns at the last meeting.

Mr. Whicker: Our decision is based on the zoning, not the site plan. Are there other questions?

Mr. Greg Irby – 47 W. Marion – Danville, IN 46122

On behalf of the petitioner. I believe one of the reasons it wasn't approved the first time, either at this meeting or the Commissioners, was that there was confusion as to which meeting needed to be attended and no one attended. There were some remonstrators and since there was no one representing the client, so it was hard to get it approved. Also just to clarify this past year the farm is not being farmed as they were looking to move forward with the project.

Mr. Whicker opened the public hearing and explained this is just a recommendation to the Board of County Commissioners.

Mr. Allen Koston – 314 Overlook Ct Avon

I currently have an RV at Mr. Motter's site and want to say the property is very well kept. It is clean, safe, very well lit, very presentable and very well secured. Facing is in very good condition. Been here for over a year and would like to see Mr. Motter expand.

Mr. Kris Harmless – 8123 W US Hwy 36 Coatesville

I live in the property to the North and West of the proposed property for rezoning. Have lived there for 15 years and enjoy our back porch and the wildlife. I am concerned with the property being directly behind me. During the 15 years we have witnessed people there at 2:00AM, lights being there all hours of the night, it will dramatically change the wildlife's habitat as well. My son spends a lot of time by the pond, and we will not be able to see him and the security of people coming back and forth all the time will be hard to monitor. Storage units are what they are proposing but once it's commercial it could be any business and that is what we are trying to keep from being directly behind our house.

Mr. Ray Sarkine – 7973 US Hwy 36

I live exactly South and exactly East of the proposed property. When the commercial zoning is granted, it will plummet the values of the property. We all moved out here 20 years ago for country to keep it country. There is other storage and RV places on the East side of 36. The community does not want to have business here. This proposed pond will be draining into my creek, the lighting will be shining into the windows of the homes around there, there will be noise pollution and winterizing the RV's will drain into the creek poisoning the farm land. The property values are a gamble, but the zoning should be decided before you decide to open a business. The community is here, and they do not want the business, they don't want to change the zoning, they want to keep the country, country. We ask the board to deny this request.

Mrs. Tammy Sarkine – 252 S CR 775 W

My husband pretty much said everything, the only thing I would like to add is that the light pollution is a big deal. We have horses and we love to see the stars and I would like to ride the horses on the trails. The damage to the creek will be huge, it feels like an infringement on your property when it's right up against to you, please deny this request.

Mr. Glenn Klaum – 7699 W CR 100 N – Danville, IN

I am for this business because it has been established and as a Marion Township Trustee, we are looking at opportunities to increase tax on the commercial side of business. Town of Danville and Center Township currently have a fire contract, they want to expand the fire contract into a territory which will increase our tax base. The more businesses I can bring in, the more I am able to support the territory, and I have not seen fully what is going to happen in Marion Township because we are the farthest West of Hendricks County. West side is growing and it's a difficult decision, and I just want to say I am for it, it is a reasonable commercial business, it's very low key.

Mrs. Tyanna Miller and Daniel Stearns – 7973 US Hwy 36 Coatesville

As it stands right now, we already see Mr. Motter's original storage and the fence, we would like to see our country views. If he was to build the extension to his current business, we would no longer have our country views. My husband and I moved out here so we could be out here with our show horses. I don't want to worry about other people coming out here and messing with our horses. We are also concerned about the noise and light pollution; we have great views of the sky, and we don't want to lose that. We have so much wild life and we love to see them.

Mr. Brian Ramirez – 8255 W US Hwy 36 Coatesville

Just for the record November of 2023 this case was presented in front of the board and was unanimously denied. For zoning purposes, we are surrounded by AGR and residential and we have a horseshoe of houses around this area that is everyone's backyard. It will be in my front yard and for six months of the year I do have some trees that will separate the light, but I will still see the light shining up above. The light and the noise will be very loud because it is in the country, and it is very quiet. Drainage comes right through the creek on my property, and it goes right to Heritage Lake. I would appreciate if you would deny this request unanimously again.

Jake Motter – 1139 N St Rd 39 Danville

I'm Brian Motter's son, we are trying to do this together. We are planning to have a pond, and it will take several years to develop all the buildings. We are not building all of it at once and by then most of it will hopefully already be developed. The original plan was revised and instead of 50 feet set back from the property and we have pushed it back to 200 feet. If we go back to planting corn the neighbors would not be able to see kids fishing since the crops grow very high. I live right across the road from Hawkeye Storage, and I do not hear anything during the night. There are no loud noises, no gates opening I don't hear anything. We will have fences and mounds, cameras and we will take very good care of it, we will be watching it and make sure it's safe and secure.

Karen Mendenhall – 2005 Van Bibber Lake Est N-16 Greencastle, IN 46135

My husband and I were previous owners of the business. My husband farmed so there were many trucks, combines, junk and parts everywhere. Mr. Motter bought the business from us, and he cleaned it up. It is very clean and safe, people used to come in at all hours of the night and they still can but now there are cameras and it's very secure. I would think the community would like a nice cleaned up business with fences and cameras. We bought the storage unit business in 2010 so the people who bought property there, bought the property knowing there was a storage unit business already there, all they are trying to do is expand it.

Mia Phillips – 8227 W US Hwy 36 46121

Ms. Phillips stated: I am on the other side of the pond from the Harmless's, it's been said the ground has been taken care off, if you go out there the weeds are 8 feet tall. I enjoy sitting on my deck looking at the pond and when this is approved, I will be looking at the storage units. I am against changing the zoning and would like to ask the board to deny the request.

Mr. Whicker closed the public hearing and asked the petitioner to respond.

Mr. Motter: I bought the business a couple of years ago. It wasn't something I was looking to buy at the time, but opportunity presented itself for me to buy it. I knew the Harmless Family owned the land all around the storage business and they could have bought the land but didn't, so I bought it. My son and I would like to run the business together, when we first bought it needed to be cleaned up and we have done just that. We have installed a fence so no one can come in like they used to. I can't say that someone has not come in at 2:00AM, however, we have cameras, and we can see who comes in and out and if there were any issues we would be there immediately. We are very good neighbors; we try to help everybody. I am trying to follow the rules and do everything right. I know a neighbor here has added to their property and not followed the rules. Another neighbor just bought property and didn't tell me their plans. Another neighbor's horses got out and we helped get them back. I am asking for your vote; I am not trying to be the storage king and try to outdo Hawkeye Storage. We bought more

property after learning of the setbacks and development rules. We may not even build all these buildings. We get a lot of comments about Hawkeye raising their rates. We are just trying to have a business and allow people to have a fair priced area for storage and there should be a little competition.

Mr. Gentry: Do you have a storage unit there now? So, the farm pictures are from before?

Mr. Motter: Those are the pictures from when it was farmed, it has been there for over 20-25 years. Harmless owned it and another building was approved, and I don't know why they didn't built but it was always there when the people bought their homes. You can't see the pond when the corn is up. And the lighting will be cut off and not like the street lights on the neighbors back decks.

Mr. Palmer: So, all around it it's zoned AGR? And what's the history about this being GB?

Mr. Dombrosky: It has been a business for a long time, they rectified the zoning at some point.

Mr. Palmer: So, it wasn't rezoned, it has been matched. What's approved in GB, what else can go in that area?

The list of permitted uses was shown on the screen.

Mr. Palmer: How far outside of town is this?

Mr. Dombrosky: About a mile from the center of town.

Mr. Whicker: I'm looking for motion of favorable or unfavorable or no recommendation to the Board County Commissioners. It's a sensitive case with the neighbors. It's a longstanding business that will have an impact if expanded.

Mr. Gentry: If passed, would it go to an administrative meeting? Could we limit hours to address some concerns?

Mr. Dombrosky: They would have to make a commitment, but that is difficult to enforce.

Mr. Palmer: They presented a plan as they see it today but were being asked to recommend a change in the land use that could be anything on that list.

Mr. Whicker: They would have to come back for site plan approval, but yes, they would be entitled to certain uses.

Mr. Palmer: And if the plan complies with the ordinance, we have to approve it.

Mr. Palmer motioned for unfavorable recommendation of ZA 517/24.

Mr. O'Riley seconded the motion.

VOTE: For – 6

Against – 1

Abstained – 0

Mr. Whicker confirmed this case will be heard in front of the Board of County Commissioners on September 24th, 2024 meeting at 9:00 AM.

COMPREHENSIVE PLAN UPDATE

Mr. Dombrosky: Adam is here to talk about the Comprehensive Plan Update, he will give us an overview, I have forwarded the draft to you digitally for you to look at and give any comments. He is here to remind you that you have it and that we need to get back and incorporate your comments before we present it for a public hearing and in the upcoming Plan Commission meeting probably not at the next one since we would like ample time to advertised and incorporate your comments. The goal would be that it would be adopted by the end of the year by the commissioners.

Mr. Adam Peaper - HWC Engineering – 135 N. Pennsylvania, Indianapolis, IN 46204

Mr. Peaper is here to informally discuss the comprehensive plan update.

- 14 chapters in the plan. Each broken down into a series of goals and objectives that support those goals and then the chapter concludes with an action plan.
- There are very important takeaways on the population side and how the county has grown.
- We would like to have this be something that can be used as you are asked to make decisions.
- One important thing that is different than your current plan is proposed town growth areas. In the future land use map, you will be able to identify areas around most of the municipalities that already have utilities extended outside of their boundaries or are being served by regional utility district that doesn't necessarily care about their current limits are as they look to extend service to serve new development. As you are being asked to make decisions about proposed development in an unincorporated area, it becomes a more formal review process, so you are not being put in an awkward position.
- The plan anticipates continued growth in Brown Township and Liberty Township
- The Transportation Plan is slightly updated from the 2019 update, such as taking out the idea of a new interchange on I-70
- Infrastructure dictates where new development can and should occur
- The plan advocates for workforce housing where it can be supported, and rural housing style development elsewhere. We don't want to allow minor subdivisions where it is going to block responsible growth and infrastructure expansion.
- Continue to invest in trail infrastructure and the small-town character and value in the County
- Importance of Farmland preservation and tools to accomplish that.

Mr. Palmer: Is there anything here that highlights diversity of economic development?

Mr. Peaper: Yes, it does talk about a wider variety of jobs in the community.

Mr. Palmer: Is there anything on growth and collaboration with our adjacent counties? I worry about the infrastructure.

Mr. Peaper continued to cover the final chapters of the plan, more discussion and timelines.

Mr. Dombrosky: The goal would be before the hearing, we have presented the draft, made it available to the public, go through the public process early on and now with the final draft we are

incorporating any comments and resolve concerns from both the committee and the public. We have resolved negative feedback and incorporated all the positive feedback, and the hearing will just be a formality at that point. It is important; however, everything will be done, all the comments have been received and we will be ready to adopt it.

Mr. Whicker: I agree, and I encourage all the members to take the time and read it. It's a good document, I have been on numerous calls where Adam and his team did a great job, and staff provided some really good insight. It has the making of being a very good document for us for a period of time.

WISHES TO BE HEARD

Yohannes Zaray - 10421 King's Gap Way Indianapolis, IN 46234

The judgement I received from County Commissioner's meeting was not fair. I connected with director and the planner and the number of animals I planned to have is allowed. The meat processing, I already have one in Brownstown, and I also connected with the Board of Animal Health. They will regulate how I use the building and dispose of the animals remains. I am asking for you to please reconsider the decision.

Mr. Whicker: It was a new use request that we are not as familiar with, and I think a use in a different location would be more likely.

Mr. Gentry: We spoke over the phone, personally I don't have a problem if you model exactly what Lowes in Ladoga and Moody's are doing you will have no problem, but that's not the way it has been presented.

Mr. Zaray: But I must get the rezoning approval first before I have to prepare the plan and during that time it will have to follow all the rules. I would like to give service and would like to work hard and give back to the community.

Council Member David Wyeth –

The land preservation is a great idea that you are trying to implement, since there are people with many acres that would like to leave a legacy. Secondly it is a water shortage, it is happening in the county, we are low on water levels. We should be looking at how we are going to pool that resource that we use on daily basis. Please consider that and think about that in the future when you start looking at the comprehensive planning, water may not be a resource it may become a commodity.

More discussion about water shortage in the future and the reservoir being a really good idea.

Mr. Dombrosky asked for an appointed plan commission citizen member for the Monday, Sept. 16th at 6:30 to attend a BZA meeting. Mrs. Gladden agreed to attend.

Being no further business before the board, the meeting was adjourned at 8:24 PM.

Tim Dombrosky, Secretary