

**HANCOCK COUNTY AREA PLAN COMMISSION
111 AMERICAN LEGION PLACE
GREENFIELD, IN 46140**

PLAN COMMISSION MINUTES

DATE: April 25, 2023 TIME: 6:30 P.M.

PRESENT:

**MICHAEL LONG, PRESIDENT
TYLER EDON, VICE PRESIDENT
RENEE OLDHAM, SECRETARY
SCOTT WOOLDRIDGE
GARY McDANIEL
RHONDA COOK, ATTORNEY
KAYLA BROOKS, DIRECTOR
DAWN PARKER, RECORDING SEC.
LACEY WILLARD
DEAN FOUT**

ABSENT:

TERI SWEET, RECORDING SEC.

The April 25, 2023 meeting of the Hancock County Area Plan Commission was brought to order by President Michael Long. Mr. Wooldridge moved to accept the previous month's minutes as received. Mr. McDaniel seconded. Motion carried. Prior to making their presentations, the Commission's attorney Rhonda Cook duly swore in all persons appearing before the Hancock County Area Plan Commission. Mr. Long presented Mr. Dean Fout and Lacey Willard as new members to the Plan Commission.

Mr. McDaniel moved to adjourn. Mr. Wooldridge seconded, and the meeting was adjourned at 8:18 PM.

ATTEST:

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MICHAEL LONG, PRESIDENT

Renee Oldham, SECRETARY

**HANCOCK COUNTY AREA PLAN COMMISSION
111 AMERICAN LEGION PLACE, SUITE 146
GREENFIELD, IN 46140**

PLAN COMMISSION MINUTES

Tuesday, April 25, 2023

TIME: 6:30 PM

1. Steele Family Properties
4191 W. 500 N
8 – 16 – 6

Institutional
Rezoning 22-2322
Buck Creek

Rezoning 141.0 acres from IN (Institutional) to IG (Industrial General) at 4191 W 500 N in Buck Creek Township. Continued from January. Ms. Brooks presented that the petitioner requested a continuance to October meeting. Mr. David Gilman was present for petitioner and stated this project has had one automatic continuance in January and asks for a “for cause” continuance for six (6) months to October to allow time to speak with Airport Authority regarding expansion of airport to the South and West borders of this project and to research the current Comprehensive Plan and how to best comply with it for this project. Mr. Gilman said that new notice will be sent. Mr. Long stated “for the record” that this project will be reviewed under the current Comprehensive Plan that was adopted this year. Motion to continue with new notice and the understanding that this project will be reviewed under the current Comprehensive Plan made by Ms. Oldham. Motion seconded by Mr. McDaniel. Motion carried.

2. First Investment Inc.
Approx. 4700 W 300 N
17 – 16 – 6

Industrial Business Park
Rezoning 23-2340
Buck Creek

Rezoning 25.0 acres from IBP (Industrial Business Park) to IL (Industrial Light) located approximately 4700 W 300 N for a truck repair shop with semi-truck/trailer storage. Continued from February at Petitioner's request. Motion requested by petitioner via email to continue to May for improper advertisement. Motion to continue to May due to improper advertising made by Mr. McDaniel. Motion seconded by Mr. Wooldridge. Motion carried.

3. Turner Farms/Kittle, Jerry
SW Corner of 700 W & 500 N
2 – 16 – 5

Planned Unit Dev.
Primary Plat 23-2353
Buck Creek

Primary plat for Turner Farms (144 lots) located on the southwest corner of 700 W and 500 N on 57.69 acres zoned PUD (Planned Unit Development). Automatically Continued from March due to not obtaining a majority vote. Ms. Brooks stated that the petitioner has withdrawn project via email/letter today (April 25, 2023). WITHDRAWN

4. Joyner Homes/Carroll, Paul
SE Corner of Fortville Pike & W. 375 N
13 – 6 – 6

Agricultural
Rezoning 23-2371
Center

Rezoning 22.44 acres from A (Agricultural) to RR (Rural Residential) at the Southeast corner of

Fortville Pike & W. 300 N Greenfield for a future development by Joyner Homes. Ms. Brooks said the petitioner is wanting a recommendation from this board to get direction on how this project should move forward with this rezone or maybe if it should stop here. Mr. Long clarified that what is being asked for is to consider rezone with recommendation to the Commissioners. Ms. Brooks said that is correct. Ms. Brooks said there have been two (2) letters received one (1) from a neighbor and one (1) from the Center Township Trustee expressing concerns (cemetery, traffic safety and drainage). She said that sanitary sewers are not available, but it is in Ninestar territory and Greenfield Utilities are relatively close and that she has reached out to Joanie Fitzwater @ Greenfield Planning without any response. Ms. Brooks presented an unfavorable recommendation for rezoning of this property from A (Agricultural) to RR (Rural Residential) siting the Comprehensive Plan states that more rural/pastoral character be preserved along Fortville Pike, site is in future growth area for Suburban Residential; to remain Agricultural for next twenty years or so and would require an amendment to the Comprehensive Plan prior to or concurrent with rezoning, which would require quite a bit of justification. Ms. Brooks also said other criteria to consider is 1. Current conditions/character – An area along Fortville Pike that transitions from City of Greenfield to Hancock County, 2. Property values, preservation of – This is a desirable location, and petitioner has a great reputation, 3. Desired use – Comprehensive plan states that this should be held as agricultural land until the land designated for specific uses, like Suburban Residential, fills up. Then, and when utilities serve this area, this area may be rezoned and developed for housing, 4. Responsible growth – No public water or sewer are available, driveway cuts on a major collector that also has an angled intersection. She said that if this project moved forward, it would require 1. Amending Future Land Use Map & Comprehensive Plan and providing justification for doing so and 2. Development Plan approved by DNR-DHPA due to proximity to Reeves Cemetery. Mr. Paul Carroll was present for petitioner Joyner Homes and said Mr. Tom Joyner is present to answer any questions. Mr. Carroll said Joyner Homes has a contract with the owners of the property (James Phares & Megan Addison) for rezoning from A to RR for development of this 24-acre site. He said lack of utilities necessitates the use of well and septic. He said the upside to this approach is that a line for development prior to utilities reaching the area will avoid the higher density developments which would be needed to justify the cost of utility infrastructure on the site. Additionally, the lower density development being proposed specifically the Rural Residential (RR) zoning would be consistent with the surrounding residential developments along Fortville Pike and would avoid heavier traffic associated with a more intense development. Mr. Carroll said Joyner Homes originally proposed all entrances and exits off Fortville Pike but have modified the concept plan to three (3) shared drives off Fortville Pike servicing six (6) lots with the remaining entrances and exits off CR W 375 N. He said Joyner builds desirable homes and the development will keep as many trees as possible for a more park like setting. Mr. Carroll said the future growth area in the Comprehensive Plan specifically foresees suburban residential development for this site but only after utilities are available and stated there is a demand for lots like this development. Mr. Carroll stated that these are desirable estate homes and feels the Comprehensive Plan is too restrictive given that there are similar homes nearby. He asks for approval of this project. Mr. Wooldridge asked if Mr. Carroll met with remonstrators. Mr. Carroll stated that he had met with neighbor (Ms. Hall) prior to the meeting but did not meet with the Center Township Trustee regarding their concerns. Mr. McDaniel stated that water & sewer territory for Greenfield Utilities does service Fortville Pike and suggested that petitioner reach out to them for access to utilities. Mr. Carroll stated that he has reached out to Ninestar

without any response but would also reach out to Greenfield Utilities as well. Ms. Willard asked if the current plan incorporates any amendments for the cemetery or is that to be determined, does the conversion to three (3) driveways from six (6) off Fortville Pike address all the concerns, has annexation been considered, and where is the location of the remonstrators in relation to the land? Mr. Carroll answered that if approved they would address all concerns regarding the cemetery as well as design, but there is still going to be traffic concerns, that annexation has not been considered and he would have Ms. Hall (remonstrator) address her proximity to the land and from her property. Mr. Long asked if Highway Department has been asked about the cuts into the road and why can't we have an interior street that comes from CR W375 N and keeps the possible blockage off Fortville Pike? Mr. Carroll answered that the Highway Engineer asked for less cuts on Fortville Pike thus the changes to the plan to three (3) driveway cuts off Fortville Pike and said that the cost of a single street entering from CR W 375 N would be more than what the project could absorb, and the concept would only give rear access to the homes which is not desirable. Mr. Long asks for any remonstrators. Ms. Kim Hall stated concerns about well water, wrecks on Fortville Pike and water drainage w/standing water already in the area and the effects of the development on the Pioneer Cemetery. Mr. McDaniel asked why the concern about water. Ms. Hall said that with twelve (12) more homes in the area the well water usage would dry the water up. Mr. McDaniel asked if Greenfield Utilities were to provide service would that eliminate her concern? Ms. Hall said yes but is also worried about being annexed and that causing more issues. Mr. Tom Lopez, Center Township Trustee was present and represented Mt. Reeves Cemetery or Walker Cemetery as it is also called. Mr. Lopez said the cemetery is to the North of this site and he wants to ensure that statute 14-21-1-26-5 is adhered to. He stated that he is not for or against this project but wants precautions met for the cemetery because there is no one representing the dead. Mr. Carroll answered that the concept for this project is sound, drainage is going to be a process, and that Joyner Homes understands that a development plan for the cemetery is needed and will be worked out with DNR. Ms. Oldham stated that it took 18 months to develop the Comprehensive Plan and now we are talking about amending it already and is worried about the credibility of the Comprehensive Plan and how it should be utilized and said this does not have anything to do with the validity of the project but the Comprehensive Plan and what would need to be done. Ms. Brooks stated that the Comprehensive Plan acts as a fence around developed areas and those areas that are not ready for development yet suggests a wait and see approach and quoted the Comprehensive Plan and the many detailed the steps that would need to be taken to amend the Comprehensive Plan to allow this project to proceed. Ms. Brooks said that just because development has happened in the past does not mean that we need to continue that path. She said Fortville Pike is a major collector combined with the angle of CR W 375 N and the odd curves on Fortville Pike makes for very real safety concerns. Ms. Brooks suggested maybe a central drive into the subdivision from CR W 375 N be done instead of coming off Fortville Pike and adjusting the placement of the homes, but that is not what we are seeing here. Ms. Oldham asked if the suggestion of the entrance from CR W 375 N would be a possibility for Joyner? Mr. John Joyner the length of the lots is a 3 to 1 ratio with an acre and a half, so putting in one road would only service 5 or 6 lots and would not be feasible as a development at that point. He argued that street access with estate style homes have been done off US 40 and when we were approached, we felt that it is a great location. Mr. Joyner said if this development does not work in this format, they will need to look for another location, but are not finding anywhere to put a project like this. Mr. Joyner said he feels like it is a continuation of what is already in the area

but understands what the Comprehensive Plan says. He referred to Beckenholt Park and an apartment development to the West and said the impact of the traffic that is created by those developments is a lot compared to what this development would cause. He said this project only has three (3) driveway cuts on Fortville Pike that leads to six (6) nice homes. Mr. Long explained that A (Agricultural) land is to be preserved, if possible, in this area according to the Comprehensive Plan and that when this happens, the board wants to be respectful of what the Comprehensive Plan says. He asks that with the cost and time of amending the Comprehensive Plan would Joyner Homes be willing to absorb some of that cost if the development goes forward. Mr. Joyner answered: If it is a reasonable amount? The amendment to the Comprehensive Plan is required stated Mr. Long and we must be mindful of the agricultural impact, the traffic and safety concern and not take those lightly. Mr. Long asked for a Motion from the board. Ms. Willard made a motion to continue with the following conditions: 1. Address rezoning concerns, 2. Address traffic, cemetery, and safety issues, 3. Present Proposal regarding what petitioner is willing to do for the amending of the Comprehensive Plan 4. Utilities plan, 5. Remonstrations concerns. Mr. Wooldridge seconded motion. Motion carried with eight (8) approved, zero (0) opposed. Motion carried to continue to May.

5. Manship Estates/Logan Limited
 Approx. 1300 W 900 N
 15 – 17 – 6

Residential
 Primary Plat 23-2373
 Vernon

Primary plat for Manship Estates (11 lots) located approximately 1300 W 900 N on 40.536 acres zoned R1.0 (Residential). Subject to the Technical Committee recommendations. Ms. Brooks presented a favorable recommendation stating Tech Committee comments from Highway Engineer, County Surveyor, Health Department, County Auditor and Mutual Aid have been signed off on & BZA has approved Zero (0) road frontage for this primary plat. She said changes to this plat include three (3) driveway cuts on 900 N instead of the proposed nine (9), a through street to the back lots with one crossing over the ditch and reconfiguration of the plat for a very nice project. Mr. Woodridge asked if trees were going to be saved and what the possibility is of rental properties. Mr. Gibson, MJ Gibson Surveying was present and asked for a favorable recommendation for this project as they have made all necessary changes and brought back a better plat than the original concept. Mr. Gibson said the lots are between 2 ½ to 6 acres, that this project will go through drainage board for approval and tech committee for the Secondary but feels confident with this new plat configuration. Mr. Gibson stated that as many trees as possible will be preserved but that would be up to the developer and said these homes will be custom homes and cannot foresee rental homes there. He said this is a great product and ask respectfully for approval. No remonstrators were present. Motion for approval made by Mr. McDaniel. Mr. Hester seconded motion. Motion carried with eight (8) approved, zero (0) opposed.

OTHER BUSINESS:

1. New Membership & Governing Rules – Update presented by Ms. Brooks and asked board members to review at their leisure.
2. Comprehensive Plan Implementation – Update – Funds have been added to pay for new contract with Vanderwahl & Associates. Ms. Brooks discussed the particulars of the new contract with

the board and how to utilize Vanderwahl & Associates expertise with questions that may come up and the scope of that contract. She said our attorneys are still looking over this contract and has not been signed yet. There was much discussion between Mr. Long and the board about the Steering Committees & their role in the implementation process. Ms. Oldham suggested using Vanderwahl & Associates as a third party to speak with the Steering Committee and explain what their role is in this process. Mr. Long suggested using the Steering Committee members as a sounding board and help with issues as needed by Plan. Ms. Brooks said working together does not always work so well at times, but it is very useful to have the Highway Engineer, Economic Development, Plan, a councilman, a commissioner, a community foundation person, Plan Commission and an airport representative in the same room to hear from everyone at the same time and so that all area concerns are shared so that all are aware of the goings on in our communities. Plan Commission members to review contract and scope over the next month with hope to sign in May.

3. Annual Report 2022 update – Ms. Brooks presented the 2022 Planning and Building annual report