

Plan Commission Minutes
June 11, 2020

Members Present: Perry King, Mark Taylor, Robert Alumbaugh, JD Robinson, attorney Chou-il Lee, Mike Young, Jeff Dieterlen, Kimberly Swinney, and Dennis Chambers. Jessica Hester is not in attendance. Schofield

Mike Young calls the meeting to order and informs the audience of some guidelines for the meeting. He informs the council that the agenda order will change. Also, considering there are many citizens present and wishing to speak, he asks for speakers not be repetitious and limit their time to 5 minutes.

The first item on the agenda is a 2 lot minor plat of 22 acres on Pennington Road. Lot 1 would be 6.875 acres and lot 2 would be 15.71 acres. Ross Holloway of Holloway Engineering discusses plans of rezoning each lot separately for future use. Mr. Holloway informed the board that while a similar planned was rejected last year, he has since worked with his client and made some changes, including a buffer along the entire East side of the property, that they thought would be favorable to both the board and surrounding neighbors. The lot change would require maintenance access from lot 1. Mike Young calls for questions or comments. Jeff Dieterlen asks about BZA action being required for open space. JD Robinson asks about tress in the lots now, which Mr. Holloway answers that the lot is completely wooded now. Mary Herold of 5010 E. Orchard Rd. brings concerns of the reasoning the lots are being split. Mr. Holloway states that future agenda items would give additional details of plans dependent on the split into two lots. Mike Young asks for a motion. Jeff Dieterlen calls for a motion to approve the minor lot change into 2 minor lots as presented. Perry King seconds the motion. The motion carries 7-1, Kimberly Swinney voting opposed.

The next item on the agenda is a request for rezone of 6.875 acres on Pennington road from AG to open space and for lot 2, 15.71 acres, in the same location rezoned from AG to R3 with commitments and restrictions. Ross Holloway of Holloway Engineering presents extensive details including protections that open space zoning has that AG does not which he states could protect neighbors from development or incompatible use. He further lists commitments that would be adhered to on lot 2 including restrictions to allow the R3 zoning to include manufactured homes only, 40 ft buffer with privacy fence on east side of property, requiring homes to be owner occupied, and no new direct access to Pennington Road. He gives additional details on distances between the lots from residential homes as well as the impact on property taxes from IU Kelly School of Business. Mike Young calls for questions or comments from the board. JD Robinson and Jeff Dieterlen ask about fire protection and street

access for large emergency vehicles. Mr. Holloway explains that while there is no fire protection system, the Unified Zoning Ordinance has restrictions in place to ensure emergency vehicle access. Mike Young calls for questions from the audience. Kent Ebbing presents the board with a list of neighbors against the rezone and expansion. Many individuals spoke against the rezone and manufactured home expansion including Karen Overpeck, Ed Bucker, Mary Herold, Len Heinrichs, Dave Gilbert, Dennis Campbell, Jen McKinney, and others. They brought concerns regarding negative impact on property taxes, current extensive drainage issues, flooding, emergency vehicle access and operations, increased taxes, and the impact of wildlife currently in the area. Some audience members presented the board with maps, incident reports from the board of health, and photos. Ross Holloway explained future expansion would require them to follow ordinance requirements addressing drainage, water systems, lot size, road width and more. He further discusses that the plan commission was in place to look at the benefit for the entire community, not only the surrounding areas. Mike Young calls for further questions from the board. Kimberly Swinney expresses her concern and opposition of the project. Mike Young calls for a motion. When no motion is made, he offers a continuance. Attorney Lee clarifies the options for the board. Jeff Dieterlen makes a motion for continuance on lot 2. JD Robinson seconds the motion and it carries 7-1. Mike Young then calls for a motion for lot 1. Jeff Dieterlen makes a favorable recommendation from AG to open space. Mark Taylor seconds the motion and it carries 7-1, Kimberly Swinney opposes the vote. Mike Young calls for a short break.

The next item is a resolution from the Mooresville Redevelopment Commission presented by Chelsea Manns. The resolution is to allocate 56 acres to NicePak from the existing 100 acres of the Mooresville Business Center. Ms. Manns further explains the details in the resolution regarding negotiations and the incentive package agreed up between the Mooresville Redevelopment Commission and NicePak. JD Robinson motions to accept the resolution. Mark Taylor seconds and the motion carries 8-0.

The next item is a continuance of a rezone of 4.5 acres from PUD-R to B1 with the commitment of use for a church with a special exception to allow childcare within the facility at County Line Road and Heartland Boulevard. John Larrison of Holloway Engineering asks for clarification on the next steps for the special exception. Attorney Lee gives Mr. Larrison guidance on moving forward with the request with the BZA. Additionally, Mr. Larrison asks about the need to re-notify. The board along with Mr. Lee recommend sending new notifications to neighbors.

The following item is for a 2 lot minor plat change at E. North County Line Road. John Larrison of Holloway Engineering presents on behalf of Richard Allison,

owner of A & A Automotive and Transmission. Mr. Larrison explains the boundary change is to keep business and residential buildings separated and industrial traffic contained. Mike Young asks for questions, when none are asked he calls for a motion. JD Robinson motions to accept the plat change as presented. Dennis Chambers seconds and the motion passes unanimously.


Following is a rezone at E. North County Line Road from AG to i1 presented again by John Larrison of Holloway Engineering of behalf of Richard Allison. The rezone would accommodate existing and future business buildings. Mike Young calls for questions and then for a motion. Jeff Dieterlen motions to accept the rezone. JD Robinson seconds and the motion is passed 8-0.

The next item on the agenda is a request for the division of a minor plat of 17.9 acres at the intersection of Bethesda Road and State Road 42. John Larrison of Holloway Engineering presents on behalf John Dirlam. The use of lot 1 will be to construct a single family home and lot 2 would continue to be used for sheep farming. Mike Young calls for questions from the council and audience. He then calls for a motion. JD Robinson motions to accept. Perry King seconds and the motion carries 8-0.

The following item is for the approval of a replat request at Harlan Drive contingent upon receiving approval from BZA on lot size from 10,000 to 8,721 square feet. Mr. Holloway explains sewer on lot 1a, setbacks, width and depths would all meet ordinances. Mark Taylor asks about the drainage in the area. Mr. Holloway states that the drainage would be improved with underground retention. The chairman asks for questions. When none are presented he calls for a motion. Robert Alumbaugh motions to accept the replat contingent on the lot size change from BZA. JD Robinson seconds the motion and it is passed unanimously. Ross Holloway requests signatures from the council on the previous approval of lot 1 at the same location.

Tim Bennett reports 27 permits and 37 inspections.

With no new business, Mark Taylor motions to adjourn. Robert Alumbaugh seconds and it is carried unanimously.



President

Jeff Ditterman
Secretary Vice Chairman

↳ Not in attendance (Dennis Chambers)

Next possible meeting: July 9, 2020