

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

PLAN COMMISSION MINUTES

DATE: November 29, 2022 TIME: 6:30 P.M.

PRESENT:

**MICHAEL LONG, PRESIDENT
RENEE OLDHAM, VICE PRESIDENT
WENDELL HESTER, SECRETARY
BILL BOLANDER
BYRON HOLDEN
BILL SPALDING
TYLER EDON
GREGG MORELOCK, ATTORNEY
TERI SWEET, INTERIM DIRECTOR
DARLA SMOAK, RECORDING SEC.**

ABSENT:

The November 29, 2022 meeting of the Hancock County Area Plan Commission was brought to order by President Michael Long. Ms. Oldham moved to accept the previous month's minutes as received. Mr. Spalding seconded. Motion carried. No action was taken with regards to the Executive Session minutes. 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 stated as of January 1, 2023, Mr. Bolander will no longer be a Plan Commission member so this evening will be his last meeting. He said Mr. Bolander has been a Plan Commission member for 29 years and appreciated his knowledge and for being a mentor to him and other members on this board. He said he is grateful for his public service and dedication to Hancock County. He presented a plaque to Mr. Bolander and stated he would be missed. Mr. Bolander thanked them for the plaque and said he enjoyed being on this board and working with the different members throughout the years.

Mr. Bolander moved to adjourn. Ms. Oldham seconded and the meeting was adjourned at 10:35 PM.

ATTEST:

MICHAEL LONG, PRESIDENT

ATTEST:

WENDELL HESTER, SECRETARY

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

PLAN COMMISSION MINUTES

Tuesday, November 29, 2022

TIME: 6:30 PM

1. AMH Development LLC - Turner Farm-
Behind 4902 N 700 W
11 - 16 - 5

Residential
PUD 22-2270
Buck Creek

Rezone 57.69 acres from R2.5 to a PUD located behind 4902 N 700 W. This was continued from October. Ms. Brooks said you are already familiar with this project as it was heard at the PC meeting in August 2022. She said there have been a few things revised and they will be discussed this evening. She said she has reviewed this proposal thoroughly over the past month and has sent each of you those updated documents, including their PUD ordinance (red-lined) and revised concept plan showing a road cut to the south. She said each PUD is a different mini-zoning ordinance and we save this for projects that are particularly innovative or unique, whether it be for housing, commercial, or industrial. She said in the current Comp Plan the area is shown as Low Density Residential, which is what the houses along 500 N and 700 W were developed as in the 1970's. She said the parcel has an eight-acre wooded area and the rest is flat (a corn field). She said the conceptual plan has not changed much except the developer added a stub road going south for connectivity to the south. She said the developer submitted permitted uses within this development, mainly single-family homes, an amenity center, accessory uses, temporary uses, and landscape standards for each lot. She said with regards to the development standards, the bulk of the lots will be 65 ft wide, which are smaller than the R2.5 zoning district (closer to the R5.0 lot standard). She said there will be 90 ft wide lots on the perimeter of the subdivision along 700 W and 500 N (to the rear of the existing homes). She said the developer did agree to increase the front yard setback from 20 ft to 40 ft and side yard setback from 10 ft to 15 ft. She said their proposal is significant higher lot coverage from 35% to 60%. Ms. Brooks said they have minimum design standards and minimum architectural features that has previously been discussed (see proposal in file in Plan Commission office). She said the office has heard from surrounding neighbors that they would like additional landscaping or space preserved behind them and the preservation of the woods. She said the intent of a PUD regulation is to: 1) provide greater design flexibility in the development of land when consistent with the Comp Plan and the intent of the zoning and subdivision control ordinances. 2) To encourage innovations in land development techniques so that unique opportunities and circumstances may be met with greater flexibility. 3) To address unique environmental concerns, provide a unique mix of land uses, and implement the Comp Plan in ways not considered by the established zoning districts. And 4) Should not be used if the proposed development can be created using established zoning districts, which this could be developed under the R5.0 zoning district, but this location not being the best for R5.0 zoning. Ms. Brooks said she included the preliminary plan decision criteria, questions you need to consider this evening when making your decision: 1) Requirements and Intent – a. Does the proposal meet the intent of a Planned Unit Development as set forth in the Zoning Ordinance? b. Could this development be accomplished using one of the existing zoning districts? She said a lot of times in a residential PUD you will see a mix of houses, single-family, patio homes, townhomes, or fourplexes where the structure looks like a large house but will have two apartments up and two down. She said our new Comp Plan talks about missing middle housing, but no one has done these type of structures for 50 years as single-family

homes became the norm. She said this neighborhood is just single-family, which is one of staff's main concerns. 2) Consistent with the Comprehensive Plan and other planning documents? Ms. Brooks said we will be looking at the old Comp Plan along with the Thoroughfare Plan and the Trails Plan. 3) Characteristics and Property Values – a. Does this use meld well with the current conditions and the character of current structures and uses in the nearby area? b) How will this development affect property values in the area? She said the area is largely single-family and agricultural, but both Comp Plans shows this area as residential in the future. 4) Is this PUD the most desirable use of the land? 5) Is this PUD representative of responsible growth and development? a) Are public utilities/services available: b) Is it adjacent to other, similar growth? She asked is there a sidewalk network, is there a grocery store or other amenities available for the people living in this neighborhood? Ms. Brooks offered up two recommendations: Reasoning for an Unfavorable Recommendation – 1) This project could be accomplished through straight zoning (It doesn't meet the intent of the PUD ordinance). She said it could be done in R2.5 zoning, just on larger lots. 2) It is still very isolated away from other sidewalk networks and amenities as well as utilities (Not especially responsible growth and development). She said utilities will have to travel about a mile and is not contiguous to McCordsville. 3) Only one type of housing is included (single-family); there is no innovation or housing diversity. Reasoning for Favorable Recommendation: 1) Preserves a portion of the wooded area 2) Offers an amenity center. 3) The petitioner has increased architectural standards (no vinyl) and has included one connection point to the southern field. Ms. Brooks said additional commitments the petitioner could make are: 1) Tree Preservation Plan and Survey: Include all healthy trees over 6-inch caliper and commit saving a certain percentage. 2) Two future street connections to the south, rather than just one. She said this project is only 450 ft from Lane Rd. and should preserve right of way for possible connectivity. She said we should view this whole area as residential and not just this one property. 3) At least two types of housing to be constructed not just single-family. Think patio homes or townhouses. 4) All development standards to be relocated to an appendix, not included in the ordinance itself subject to detailed concept plane. 5) If not specifically mentioned in the PUD Ordinance and Concept Plan, items default to Hancock County Zoning Ordinance and Subdivision Control Ordinance. 6) Trails Plan to be executed along 700 W 7) 12-inch overhang on all primary structures, rather than 9-inch. 8) Redevelop detention plan to be a regional pond for a larger area, rather than a bunch of small detention areas. Create an amenity. 9) Type 2 buffer yard (additional 20 ft) along backsides of existing homes on county roads to help appease the remonstrators, not a berm but trees. She said she believes the petitioner has agreed to two additional trees per lot on those specific lots. Ms. Brooks said we are still awaiting the Highway Engineer to sign off on his Tech comment sheet. Mr. Holden said with regards to setbacks, the measurement is done from the overhang not the base of the house also, the activity center must be installed no later than when 60% of the homes are constructed. Ms. Oldham said with regards to the accessory structures, when this was first brought forward, she didn't think they were allowed (sheds, hot-tubs, pools...). Ms. Brooks said that may have changed, she isn't sure, the developer will be able to answer that question. Mr. Long said to be clear, this development is being reviewed under the current Comp Plan as the new one has not yet been adopted. Mr. Long said everything that has been discussed as a part of this PUD could be potential commitments if rezoned to R5.0 if that is a fair statement. Ms. Brooks said that was correct. Mr. Matt Price, attorney representing AMH Development was present along with Mr. Mark Conner and Mr. Gary Carpenter both of AMH Development. He said he appreciates the continuance from October to give them time to work with the county's consultant to address some of the questions that were asked over the last 30 days. He said he would like to discuss the meeting that was held in August. He said at that meeting the proposal received a favorable recommendation subject to three conditions by staff: 1) Increase the front and side yard setbacks, 2) Adhere to the county's architectural guidelines fully, and 3) Clarify that the entryway landscaping meet the county ordinance requirements. He said they made those

revisions to their PUD based on those recommendations. He said this ties in to why they chose to do a PUD instead of an R5.0. He said the county's architectural standards set for single-family residential developments specify the architectural requirements for the project, in particular the materials as well as percentage of materials on all sides. He said a key feature of their project is an enhanced architectural package that allows more variability for the use of those materials so when Ms. Brooks said the standards were enhanced, that is true but when it is said they could do the same in R5.0 with a commitment, that is not true. He said they are departing from those standards and they will exceed the lot coverage standard. He said in their initial pre-filing, they were encouraged to file for a PUD by Mr. Mike Dale, then acting Plan Director. Mr. Price said according to the county's ordinance R5.0 is meant to be adjacent to existing development. He said they used R2.5 as the base zoning classification for the development then enhanced the architecture through the PUD and substantially preserved the wooded area, added the amenity center, and tried to take into account the surrounding characteristics surrounding this property. He said it is a unique piece of property in that to the north and east are existing homes individually developed, however there were access ways reserved on 700 W and 500 N in order to develop behind them. He said they did amend the setbacks and committed to the entryway landscaping as requested. He said per the August meeting, they have agreed to set minimal lease terms, a single entity that owns these homes, making sure they are professionally managed, limiting the number of vehicles for parking, and added a renewable letter of credit in the amount of \$100,000 to provide funds for items that are not being adequately maintained and have also limited the occupancy to a single family. He said the main reasons for those who wish to rent are for those who no longer wish to have their own home, for those who are changing careers and need a home while in transition, and for those who just can't afford to purchase their own home (down payments are out of their reach). Mr. Price said he took notes with regards to Ms. Brooks recommendations and focused on the unfavorable recommendation. He said they would like to work with the county on tree preservation and are putting a good faith effort into doing that, they are not inclined to offer two housing types and seeking to keep the density where it is, agree to the reformatting of the ordinance they used which was the template that was given to them by Mr. Dale but not opposed to reformatting as to putting the development standards into an appendix. He said they did add to the commitments to add two six-foot evergreens to the yards to address the buffering concern but would be happy to add a landscaping strip that is within the lot and to place those trees within that strip. He said there is not a required buffer between single-family residential uses. He said they are ok with the increase of overhang requirement and agree to construct the amenity center at 60% buildout. Mr. Bolander asked about the extra connectivity that Ms. Brooks mentioned. Mr. Price said they will do the one on the east side but has not had the opportunity to discuss this with Mr. Conner, they aren't necessarily opposed but would have to study it further. Mr. Long said to be clear, this board did not give you a favorable recommendation in August. Mr. Price said he meant staff gave a favorable recommendation. Mr. Spalding asked if at the amenity center will that all be green space and would parking be on the street? Mr. Price said there will be onsite parking. Mr. Spalding asked if there will be sidewalks with lights? Mr. Price said yes. He said Ms. Brooks mentioned the trails plan along 700 W and for the part that their project fronts 700 W, they are committed to comply with the trails plan. Mr. Spalding asked if they would consider making the lots to the south perimeter also 90 ft wide lots and adding the extra buffer for potential future development and if this property would ever be up for annexation into McCordsville, would you commit that you wouldn't fight the annexation? Mr. Price said they can give consideration to the 90 ft wide lots but with regards to the area that abuts the woods, those lots don't need to be buffered, but if you would allow, he will speak with Mr. Conner regarding the lot width. However they would commit to not fighting an annexation. Mr. Holden asked what did the amenity center consist of? Mr. Price said a pool, a meeting room, sometimes exercise equipment. Mr. Long stated Mr. Price could consult with Mr. Conner regarding some of the questions this board had asked and to

answer them at the rebuttal time. He asked for remonstrators. Ms. Elizabeth Linhart-Musikant said she moved here about a year ago and bought their house on 500 N and what caught their attention was the farmland, as they grew up around farmland. She said they liked how quiet it was but was still close to McCordsville. She said she was surprised this was being developed and then heard they were rental homes and they are worried this will devalue their home in case they want to sell in a few years. Mr. Leo Spino said they are from northwest Indiana and moved to this area for work. He said they knew they wanted some privacy and after several months of research, this home caught their attention. He said this development is something they are opposed to. There were no other remonstrators. Mr. Long asked for rebuttal. Mr. Price said the two requests were to increase the lot sizes to the south and southeast as well as the west side along the perimeters and to add another street for connectivity. He said with regards to the lot size, with the commitment they already made (per the comments previously received) to increase the front setback and add the stub road to the east, they will be losing a number of lots in all likelihood as it sits today. He said it would be too difficult to increase the width of the other perimeter lots but will agree to enhance the buffer yard on those lots so that there is a planting strip. He said one of the things they are working up against is they are offering the two-million dollar amenity center and it is an important part of their project and there does come at some point the ability to do that without having a requisite number of homes. He said they could build 106 homes under the existing zoning, so they are trying to find a balance here being harmonious to the neighbors and at the same time maintaining the quality. He said with regards to the stub street, they are 144 homes and have agreed to the once stub street to the east and believes the stub to the west is a possibility but can't commit to it until they get to the second step. He said they can commit in good faith that they will try. Mr. Holden asked if this board would see this again. Ms. Sweet said yes, they will need to file for a primary plat. Ms. Oldham asked with regards to Ms. Brooks presentation, a PUD should have a uniqueness about it and according to you, that uniqueness is the land itself which you believe should qualify for a PUD? Mr. Price said part of the uniqueness is the land and the development pattern around it. He said he is not aware of any other land in Hancock County where you have a 60-acre parcel behind two major collector streets with existing access points that have been reserved for the development behind those two strips of homes. He said how they make their development unique is to offer two lot widths and have added materials variation that is not permitted under your ordinance and to also offer an amenity center, which the current code requires when there is 300+ units. He said what they have tried to do is enhance the quality, add variability, add amenities, but also be cognizant of their neighbors who live there today and want to be unaffected by their project, but be positively impacted by the investment that is coming into the area. He said that is what makes it unique. He said they have opted not to add a second product type, they believe there is a place for that in the community but doesn't believe it is here. Mr. Spalding asked if there was going to be a fully equipped playground. Mr. Price said that would be with the amenity center and they can add that as a commitment. Mr. Spalding said although it doesn't truly meet the definition of a PUD, with us asking for all the commitments and other changes, we ended up getting most of what we want. Mr. Bolander made the motion for a favorable recommendation subject to staff's recommendation on 1) Tree preservation plan and survey; include all health trees over 6" caliper and commit to saving a certain percentage 2) Two future street connections to the south, rather than just one. 3) All development standards to be relocated to an appendix, not included in the ordinance itself- subject to detailed concept plan. 4) If not specifically mentioned in the PUD Ordinance and Concept Plan, items default to Hancock County Zoning Ordinance and Subdivision Control Ordinance. 5) Trails Plan to be executed along 700 W (within your property boundaries). 6) 12-inch overhangs on all primary structures, rather than 9-inch. And 7) Type 2 bufferyard (additional 20 ft) along the backsides of existing homes on county roads. Mr. Price said he would like to discuss this required buffer yard further to make sure it is clearly understood. He said on the buffer yard he was envisioning a landscape

strip that is located on the lot because they have increased the front setback which then shrinks the back yard and there would not be room for an additional 20 ft rear yard buffer plus the 15 ft rear yard setback, he said that would be 35 total rear yard setback and they can't do that. He said there is no requirement to have buffer yards between residential zoned areas. He said they are willing to increase the number of plantings for buffer by adding a couple more evergreen trees. Mr. Long asked what about the additional access? Mr. Mark Conner said the other access point that's wanted would be located where a pond is currently located and that location is due to topography or be located where the woods are. Ms. Brooks said the street doesn't have to be installed now but leave enough right-of-way for a possible access. Mr. Conner said the issue is where the connectivity is wanted is where water goes. Mr. Long said it looks like there is a couple of issues that we are asking for that can't be committed to tonight so we can make that as part of our motion that would then go to the Commissioner's with a favorable recommendation and then those issues can be discussed with the Commissioners. He said that would give AMH Development time to study their plans and determine whether it could be done or not. Mr. Bolander amended his motion for 7) Type 2 buffer and change to enhance landscaping strip with the extra two evergreen trees. Mr. Spalding said to also include 'Will not remonstrate against annexation into the Town of McCordsville. Mr. Price said he also wanted to add that the activity center will be installed at 60% of buildout per Mr. Holden's request. Mr. Bolander said to add that also to his motion. Mr. Spalding seconded but wanted to add that American Homes do their due diligence to see if these other things are possible however difficult it may be. Five (5) approved the favorable recommendation, Two (2) denied.

2. Versatile Const. - 300 Plaza Dev. Plan
6072-6088 W 300 N
13 - 16 - 5

Commercial Neighborhood
Development Plan 22-2292
Buck Creek

Development plan review for a proposed commercial building located at 6072-6088 W 300 N on 2.16 acres zoned CC (Commercial: Community). Continued to next month as revised plans have not yet been submitted. Mr. Holden made the to continue. Mr. Spalding seconded. Motion carried.

3. Tahm Enterprises
1429 E Main St. (US 40)
33 - 16 - 7

Commercial Neighborhood
Rezoning 22-2299
Center

Rezoning 4.93 acres from CN (Commercial Neighborhood) to CC (Commercial Community) at 1429 E Main St. (US 40) Greenfield for a Vehicle Detail/Accessory Shop. Mr. Ed Walter, the attorney filling in for Mr. House (TAHM's attorney) who was unable to attend as he is at a trial in Lafayette, asked for a continuance in order for Mr. House to be present. Mr. Steve Elsbury, opposing attorney said this project has already been continued twice and would be unfair to his client as the business in question continues to operate. He said last month when this was continued, Mr. House said he would be reaching out to them, but they have not heard anything until today from Mr. House's secretary and then Mr. Walter. The board determined that the petitioner already requested a continuance from last month and believes this needs to proceed tonight. Ms. Sweet wanted to give a brief history. She said in August 2005 a permit was issued for the pole barn as an accessory to the bait shop and a State Design Release was obtained from the state for an accessory structure for storage. That permit was appealed to the BZA. The BZA denied the appeal but added commitments to be recorded: 1) The business shall not expand unless the property is rezoned for commercial, and 2) This commitment shall be binding upon the land's current owners, heirs, and/or successors in interest. Ms. Sweet said in July 2016 the property was rezoned from R2.5 to CN to establish administrative offices and enclosed storage for a work truck and subject to a recorded zoning commitment to prohibit 14 uses, one of the uses being Equipment, Vehicle, and/or Mechanical Repair Services. Also,

business hours limited to only administrative and clerical work between 9:00 PM and 6:00 AM, along with landscape buffering and fencing. She said with the rezoning request, a letter of intent was submitted stating it was to allow Field's Tree service to serve the site as their office and the pole barn for storage and one work truck, heavy equipment would not be at this site. A change of use permit would be required. She said in September 2016 a sign permit was obtained and on July 20, 2021 a violation was sent to the property owner (Mr. Willits) for operating a business without a permit and for a storage yard (outside storage is prohibited). She said in January 2022 Fields moved out and the property was then sold to TAHM Enterprises and in July 2022 TAHM was sent a violation notice as a change of use permit was not obtained and then found his business was not permitted in CN. She said on September 27, 2022 a petition was filed to rezone from CN to CC to allow for a Vehicle Detail/Accessory Shop but was continued in order to have a full board. On October 25, 2022 the petition was continued per the petitioner's attorney in order to obtain additional information and to have discussions with the chief remonstrator and try to work something out. She said on November 23, 2022 a letter of remonstrance was received from Mr. Steve Elsbury, an attorney. She said the office has not received any new or additional information from the petitioner. Ms. Sweet said there is residential homes to the west, east and north (along with a commercial structure northeast and a church also to the east). She said a good portion of the site is located within the flood plain/way. She said the site plan submitted by the petitioner shows the large pole barn is to be used for the Vehicle Detail/Accessory shop and the other structure for a Barber/Beauty Shop. She said the site had been cited for a couple of zoning violations (pick up trucks parked in the grass and outside boat storage in the rear), those has since been resolved. She said the petitioner included a letter of intent stating: 1) The property was formerly operated as a bait and fishing supply store and recently as a tree trimming service. 2) They intend to apply for an additional address and rent the property to Ethridge Motor Sports as a vehicle detail/accessory shop which is permitted in the CC zone but not in the CN zone. 3) As provided in the county code, the proposed 'CC' zoned is intended for a variety of small to mid-sized businesses and institutional facilities that serve a wide area of the community. The CC zone can be used alone and in combination with other zoning districts to create areas for shopping, entertainment, services, and public gatherings. The CC zone is intended to permit a mixture of compatible land uses near transportation routes and other necessary infrastructure and utilities. 4) This location along US 40 is intended to permit a mixture of compatible land uses near residential areas and the proposed lease would be an ideal use to bring the zoning to match the current land use and development of the property. 5) They would like to lease the property to a local business that can continue to use the property in its current makeup. Ms. Sweet said there is R2.5 (residential) to the west and south and R1.0 (residential) to the east, with an area zoned CN to the east. She said the petitioner has submitted a zoning commitment that removes all permitted uses in the CC district except for the following: Auto repair and body shop, barber/beauty shop, and vehicle detailing/accessory shop. She said Mr. Steve Elsbury, attorney for the Webb's (neighbor to the west of the site) submitted a letter stating: 1) In March 2006, a building permit was denied by the Planning office and the decision was appealed to the BZA. The BZA determined the building permit for an accessory would be granted if a document was recorded stating the building can never be used or sold as a business and any expansion would require that the owner petition to rezone the property first. 2) Site was rezoned to CN in 2016 subject to a zoning commitment that prohibited 'Equipment Vehicle and/or Mechanical Repair Service'. 3) The site is being utilized for vehicle service, detailing and vehicle work. Multiple vehicles are parked in and around the front and back of the property, and my clients observed a vehicle being delivered via wrecker. A boat and trailers have been parked on the site with multiple vehicles parking in front of the pole barn to advertise the type of vehicle services being offered on the site. 4) The petition is silent on the hours of operation, number of cars on site, parking of vehicles, storage of boats and/or trailers, number of employees, and number of businesses on the site. 5) No information is provided about a proposed barber/beauty

shop in the statement of intent. 6) There are no areas currently zoned CC that touch the TAHM parcel, and approval of the rezoning request would be at odds with the current zoning of the surrounding parcels. 7) The proposed more-intensive commercial zoning conflicts with the current and proposed comprehensive plans that designate this area for residential development. The pole barn was not built for commercial use and does not have adequate insulation or other standard equipment for vehicle service or mechanical detailing. The last applicant never finalized the agreed-upon landscape plan between the properties as the shrubbery was never installed, the fence is in poor condition, and his client's have paid to ensure the live landscaped trees were installed. Regardless of the PC's recommendation, we ask the Board to impose restrictions regarding landscaping buffers, pole barn insulation, limitations on the number of vehicles and other items on the site, and hours of operation. Ms. Sweet said Mr. Elsbury also submitted additional info stating ' Definition of Vehicle Detailing/Accessory Shop and Automobile Repair and what is being done at this site is more in line with Auto Repair (Picture were submitted showing more than an Auto Detailing shop is being operated at this site (pics can be found in the file in the Plan Commission office). Ms. Sweet said the 2012 Comp Plan shows the area as Suburban Residential and is intended for single-family detached residences not exceeding 2.5 du/ac and the 2022 Comp Plan (pending approval) shows the site as Planned Neighborhood and is intended for large, compact, master planned tracts with integrated and compatible uses that provide a variety of housing types, basic services, supporting public facilities and recreation/open spaces. Ms. Sweet said the proposal is not consistent with the Comp Plan or with responsible growth and development and maybe consistent with the conservation of property values and with the most desirable use of the land and is consistent with the current conditions and character of current structures. Staff's position is unfavorable but if favorable, it should be subject to a recorded commitment: a) prohibits the uses referenced in the applicant's petition and all industrial uses, b) prescribes hours of operation to the satisfaction of the BOC, c) requires the pole building to be fully insulated, d) requires landscape buffering along the west boundary pursuant to the county's landscape standards, e) paved parking to meet commercial standards, f) existing structure is located within the Highway Corridor Overlay and to meet those standards, and g) a permit is required for a Change of Use, which may require a State Design Release. Mr. Holden asked if there were other commercial/industrial uses around Jaycie Phelps Rd. Ms. Sweet said there is commercial in and out along US 40 to Jaycie Phelps Rd. Mr. Spalding asked if there were meeting minutes to see what action was taken. Ms. Sweet said if it went before a board there should be minutes but did not obtain them for this evening's meeting. Mr. Bolander said he seems to recall auto repair was one of things that was not permitted. Ms. Sweet said in the recorded commitment, auto repair specifically would not be permitted. She asked our attorney what happens to that recorded commitment if this rezoning request is approved and this request is in direct conflict to what has already been recorded. Ms. Cook said if this is rezoned and auto repair is permitted, the recorded commitment applied to the old zoning. Mr. Walter stated he was here representing TAHM Enterprises along with Kent and Stephanie Colclazier, the owners and Mr. Derek Ethridge, the tenant. He said their tenant does vehicle detailing, remote starts, window tinting, lift kits, tire rims, any after market accessories. He said one of the complaints was having vehicles delivered on wreckers, we will commit to not having vehicles being delivered on wreckers. He said all the vehicles they will be servicing should be able to drive in and out of the facility. He said they have no problem with the prior zoning commitments, TAHM is ok with the prior restraints on the time, TAHM agrees to fully insulate the structure (which is almost already done), with regards to landscaping, there is already a bunch of trees there but has no problem with county recommendations on the west side of the property. Mr. Walter said Mr. Elsbury likes to look just at the county's zoning, but right across the street is the City of Greenfield with mixed uses, just down the street is a body shop and an auto mechanic shop close by. The board asked for remonstrators. Mr. Steve Elsbury, attorney representing Mike and Michelle Webb and their son Michael Webb who live in the two

homes west of this site (Mike and Michelle Webb's home is about 40 ft from the barn). He said typically he represents the petitioner, and he has a very expansive view on property rights but the reason he is representing the remonstrator is he felt a sense of obligation to Mr. and Mrs. Webb because in 2016 he represented Bob and Julie Willets, who owned this property, which was at one time the bait shop and operated as such for a number of years. He said when the Willits ended operating the bait shop, they were going to lease the property and found out it was a legal non-conforming use (or grandfathered) so the property remained zoned residential. He said he and Mr. and Mrs. Willits set down with Mike Dale and looked at old minutes from 2005 where Mr. Willits committed to having no business in the barn, that it was an accessory to the bait shop. He said the way the current zoning was accomplished is they had a potential tenant (Field's Tree Service) that wanted to operate their offices in the building to the east (the old bait shop) and the pole barn was to be for storage only (to comply with the previous commitment made by Mr. Willits). The pole barn was only to be used to store Field's equipment. Mr. Elsbury said that is why he is representing the Webb's because he was involved in getting the CN zoning approved and the commitment recorded in 2016. He said he met with Mike Webb and sat down with Mike Dale and listed uses that would be strictly prohibited, made the zoning commitment and had it recorded. He said one of those uses, he feels, is now occurring at this site, which is equipment vehicle and/or mechanical repair services. He said the commitment that was made is very specific in that it was binding on the owners, successors, and subsequent owners of the property. Mr. Elsbury said he had sent an email to Mr. Morelock (Planning attorney) asking what was to happen with the current commitment if the proposed zoning was granted and after some back and forth, it was determined that the old commitment would have to be revoked or otherwise it would still be in place. He said he is asking this board not to do that because he was here in 2016 requesting to rezone to CN with that commitment (and that particular use), a commitment that he and the county made to Mr. Webb in order to get this parcel rezoned to CN. He said the county has a definition for vehicle detailing and what Mr. Ethridge is doing is not just detailing, he is winterizing boats, installing livestock trailer jacks and a number of things that the definition specifically says does not include mechanical upgrades or services. He said from the media advertising Ethridge Motor Sports will provide brake control wiring, trailer wiring, truck lifts (from the ground up), dealer /seller of tires, rims, tire mounting and balancing, air bag installation, bed cover installation, light bar installation, and others. He said these would not be accessories but a lot of this is mechanical in nature. He said staff has looked at this and says it is consistent with the Comprehensive Plan. Mr. Elsbury said he doesn't believe this is responsible growth as this is the entrance into Greenfield and if you drop this commercial designation here, there is no adjacent real estate that has this designation, this would be a spot rezoning. He said regardless of what is going on in the old Elks Lodge (now TJ's Chimney Sweep), everything surrounding this property is residential, except for the church, which is zoned CN and is why they were able to get the CN zoning designation in 2016 and was not considered spot rezoning. Mr. Oldham asked if Mr. Elsbury represented the previous owner that outlined these commitments and wouldn't these show up when the new owner purchased this property? Mr. Elsbury said yes he was the Willits attorney and these should have shown up in the title search. He said just today, Ms. Webb works from home and doesn't know what they were doing inside the pole barn, but it was very loud. He said maybe if this barn wasn't just 40 feet from their home, they would feel differently. He said he respectfully ask that you give an unfavorable recommendation to this rezoning request. There was no further discussion. Mr. Long asked for rebuttal. Mr. Walter asked Mr. Ethridge to come before the board. Mr. Derek Ethridge, tenant and owner of Ethridge Motor Sports and Racing said this is a detail and accessory after market parts shop. He said they add parts to vehicles. They are not doing engine rebuilds or automotive repair. He said they install lift kits, not auto repair like across the street. He said they do after market add on's to the vehicle to enhance the vehicle. Mr. Colclazier, owner stated they purchased the property this year and previously Field's Tree Service was there and needed a big

clean up. He said he worked with the previous owners to help get everything out and cleaned up. He said he spoke with Mike Webb and was told this property looked the best it had in years. He said they are in the process of installing insulation and putting a ceiling in. He said there will be blown insulation in the side walls. He said he bought the property mainly for the beauty shop as his daughter does hair. He said he was approached by Mr. Ethridge, that he was looking for a place, trying to start to his business and grow. He wanted to help Derek as someone had once helped him start his business. He said with regards to landscaping, there are trees there but didn't know there was supposed to be more, they want to place a bigger fence up too. He said with regards to the trucks being parked out back, the Webb's park their trucks and campers there and we can see them from our property and we don't have issues with that. He said they are trying to get the property in good shape and to use it for what it is intended for. Ms. Oldham asked Mr. Colclazier if he was aware of the commitments when he purchased the property. Mr. Colclazier said he believes he had already purchased the property when he saw them. There was no further discussion. Mr. Holden said there are 60 some uses in the CC zoning and are any of them being prohibited. Mr. Colclazier said he went through what was permitted in the CN zoning and left everything that was in that designation and added auto repair and vehicle detail and accessory shop. He said the googled the definition for detail and accessory shop but it is different than what the county's definition is and he didn't have that information at the time. Ms. Kayla Brooks said the current CN zoning is more compatible with the neighborhood whereas the CC zoning is more of a commercial site and feels this would be more of a spot rezoning and could put the enjoyment of the residential property at risk. She said CC zoning is not consistent with either the current Comp Plan or the proposed Comp Plan. Mr. Long stated he feels they try to make things fit by striking all the uses except the ones that are wanted, which is in his mind, spot rezoning. Mr. Spalding made the motion for an unfavorable recommendation to the County Commissioner. Mr. Bolander seconded. Motion carried. Seven (7) approved the unfavorable recommendation. Zero (0) denied.

4. Quigley, Jana - Re-plat Jackley Estates
 2888 E 400 N
 9 - 16 - 7
 Agricultural 22-2320
 Re-Plat Major Subdivision
 Center
 Re-plat of Jackley Estates, Lot 7 and a 3:1 Depth/Width Exception located at 2888 E 400 N on 4.857 acres zoned A (Agricultural). Ms. Sweet said Jackley Estates was recorded in 1985, Lots 8 and 9 were replated in 2016, and a portion of Lot 7 was split and recorded without platting. She said the area is mostly farm fields with a smattering of single-family homes on larger lots. She said the area is zoned A (Agricultural). She said our office and the County Surveyor submitted comments from the Technical Committee, but both have been signed off. Staff's position is favorable. Mr. Philip Going, Accura Land Surveying was present and stated all the lots in this subdivision are large lots. He said a 3:1 Exception will also be needed for Lot 7A as it is three times deeper than it is wide. He said both lots will still exceed two acres. Mr. Holden asked if there is a shared driveway easement. Mr. Going said they plan to share a driveway near the road (the other lot will be her mother's home) and a shared driveway maintenance agreement will be added to the final plat. Mr. Holden asked if there was a shared utility easement. Mr. Going said they are creating a utility easement, per County Surveyor's Tech comment. He said there's a proposed 8 in tile that runs across the lot and has been put on the revised plat and signed off by the County Surveyor. There was no further discussion. There were no remonstrators. Mr. Bolander made the motion to approve the plat and the 3:1 Exception. Mr. Holden seconded. Motion carried. Seven (7) approved, Zero (0) denied.

5. Fiano, Nicholas
 1990 N Meridian Rd.
 25 - 16 - 6
 Agricultural
 Rezoning 22-2321
 Center

Rezoning 5.25 acres from A (Agricultural) to CC (Commercial Community) to allow for office administration/professional space at 1990 N Meridian Rd. Ms. Sweet said Pickett's landscaping was located at this site for many years then in June 2016 Fiano's obtained a Special Exception to allow a contractor's storage yard and in 2019 a Variance to waive paved parking. She said Mr. Fiano submitted a letter of intent stating for several years he has been operating his business for both office space in the existing house and to store landscaping materials outside (as a Special Exception). The letter goes on stating he and his family have decided to close their business to engage more deeply with their heart for global mission's work. Mr. Fiano states their desire is to offer this space for other business professionals looking to grow their businesses. He said the tenants desiring to move into their facility are going to use the space in direct relation to how it had been used by his own business, but the current zoning doesn't quite fit close enough to make it work, therefore, he is pursuing the rezoning of the property. Ms. Sweet said the area is mostly farm ground with a smattering of single-family homes. She said if this board is in favor of rezoning this parcel, staff recommends a zoning commitment that would prohibit these uses within the CC zone: Parking lot/structure (as a primary use), Microbrewery/brewpub, Auto repair and body shop, Automobile/motorcycle sales and service, Banquet or assembly hall, Bowling alleys, Car wash, Conference center, Gas station, Hotel/motel, Liquor store, Night club, Oil change shop, Restaurant, Skating rink/swimming pool, and Theater. She said as an FYI, the City of Greenfield is located just east of this site and the southeast corner is zoned Business Park and the northeast corner is zoned Innovation and Manufacturing. She said the Comprehensive Plan shows the area within the City of Greenfield. She said staff's recommendation is favorable subject to a zoning commitment that prohibits the above-mentioned uses. Mr. Nick Fiano, owner was present and stated he had operated his business at this location with administrative offices and design center for their landscape business. He said when they closed their business and decided to lease this property, they found that their landscaping business just fit into the criteria for agricultural because the landscaping side fits into agriculture but administrative offices, by itself does not which is why they are requesting the rezoning. He said they have a couple of businesses that are interested in using the property. He said one of the tenants will be Fisk Excavating (Denis Fisk) and if this is rezoned, he will have to apply for a Special Exception to allow for a contractor's storage yard. He said he was already granted a Sp. Exc. for their trailers and equipment but it was for his use only. He said the other tenant is Gibson Land Surveying with field guys going in and out, much like their guys did. There was no further discussion. There were no remonstrators. Mr. Bolander made the motion for a favorable recommendation subject to prohibiting the above-mentioned uses. Ms. Oldham seconded. Motion carried. Seven (7) approved the favorable recommendation, Zero (0) denied.

6. 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. Ms. Sweet said the petitioner wants to pre-zone this parcel to allow uses to benefit from the proximity to the airport and access to I-70. She said the site has agricultural zoning to the east and north, institutional zoning to the south and west, with IL and IBP further to the west and northwest. She said the petitioner submitted a letter of intent stating, "The site currently has the infrastructure capacity to support the rezoning petition. It is immediately north of Aqua Indiana Treatment Plant and has Buck Creek along its western border. The majority of the traffic from the development are expected to travel west and south. There are roadway improvements underway to 600 W, 500 N and the I-70 / Mt. Comfort interchange to address future traffic patterns. The current zoning of Institutional is no longer

appropriate for the subject parcels. Under chapter 156.034, most of the IN uses are already prohibited by the Airport Overlay, as stipulated by Chapter 156.043. As a result, the current zoning provides little opportunity or economic investment and fails to support future growth to this area. The proposed rezoning will allow general industrial, manufacturing, production, assembly, warehouse, and research and development facilities. Other potential user may be available to support the many business parks in the area. The proposed rezoning supports the implementation of the working Comp Plan's future land use, it is compatible with nearby development and has the available infrastructure to support smart growth principals'. Ms. Sweet said a concept plan was submitted showing the possibility of four structures, along with pond area and parking. She said the current Comp Plan shows the area as Institutional and is intended for civic and cultural functions including government, educational, and civic facilities that serve the community to include county offices or properties, water treatment facilities, airports, schools, and hospitals. She said the proposal is not consistent with the Comp Plan, with the current conditions and character of current structures, with responsible growth and development and may be consistent with the conservation of property values and is and isn't consistent with the most desirable use of land. She said the proposed Comp Plan shows the site as Manufacturing and is intended for large-scale employment intensive uses. She said Warehousing and logistic uses are allowed only as accessories to a principal manufacturing use on the same site. She said the site is consistent with the proposed Comp Plan and maybe consistent with the conservation of property values and with responsible growth and development but is not consistent with the current conditions and character of current structures and is and isn't consistent with the most desirable use of land. Ms. Sweet said if this board gives a favorable recommendation, it should be subject to prohibiting the following uses (per the new Comp Plan): Mini-warehousing self-storage facility, truck and freight terminal, warehouse and distribution facility (unless as an accessory to a manufacturing facility), and contractor's warehouse. Based on the new Comp Plan, staff's position is favorable subject to recording a commitment prohibiting the above-mentioned uses. Mr. Long said we need to look at the current Comp Plan for this evening's discussions as the new Comp Plan has not yet been adopted. Mr. David Gilman, representing Steele Family Properties was present along with Mr. Kevin Summer, Weihe Engineering and Zach Burton, Avison and Young industrial real estate brokers. Mr. Gilman said they are anticipating the adoption of the new Comp Plan that was a prerequisite for filing for the IG zoning. He said going to an institutional use, as a recommendation of the current Comp Plan was not appropriate at the time and asked the board to give some consideration to the new Comp Plan that's to be adopted on December 6, even if it means a presentation and a continuance to when the new Comp Plan is officially adopted. He said he would not want this board to look at this as an Institutional recommendation as they know they are not compatible in any way to that classification. He said the site is on the southwest corner 500 N and 400 W with the airport property bordering to the west and south. He said the water service will be provided by Citizens and coming east from 600 W near the Walmart Fulfillment Center. He said sanitary sewer will be coming from the south from Aqua Indiana, which has a 13 million dollar treatment plant expansion proposed. He said they have adequate drainage because Buck Creek abuts them to the west, along with two legal drains that run through the property that they will propose to be relocated, if this proposal is approved. He said 500 N has been upgraded by the working Thoroughfare plan to a minor arterial and if this is approved, the County Engineer has told them, and they have agreed, will widen 500 N across their frontage and will also require them to install a one-lane round-about as part of the needed transportation improvements. Mr. Gilman said the parcel to the west along the creek and the little triangular piece to the south has been sold to Indianapolis Airport Authority. He said the airport wants to move the current northwest runway and make it a due north runway. He said the reason why they would like to have some consideration for the new Comp Plan is because the current plan has this as Institutional and the uses within that classification are prohibited as a result of their

proximity to the airport and their flight zone. He said the airport doesn't allow large public gatherings like schools, hospitals or community buildings and all uses that are residential are prohibited. He said the only uses that would be left is fire department, which is already located on the airport property, a park, a golf course, or continued ag property. He said they are seeking industrial zoning that would facilitate compatible land use and economic growth to the area and take advantage of being near the airport, major arterials, and other business parks in the area. He said their concept plan incorporates rerouting the legal drains and Mr. Sumner can answer any questions if this board should have some about the rerouting. He said they have spoken with Ms. Susan Bodkin and Mr. Chad Coughenour (County Surveyor's office) regarding this proposal and they understand their plan. Mr. Gilman said their concept plan shows a number of buildings and different sizes, as designed by the brokers as what is in demand for the area. He said these could be manufacturing, production, distribution, warehouses, research and development, or be uses that support the other business parks in the nearby area. He said there are areas shown where the legal drain will be located (as shown on the concept plan) by leaving space between buildings. Mr. Gilman said the IG zoning designation allows them to do what they are proposing as well as what the future Comp Plan designates it. Mr. Gilman said with regards to staff recommendations, they could agree with some of the restrictions regarding mini-self storage, truck freight terminal, and contractor warehouse but would not be agreeable to prohibiting warehouse and distribution facility. He said the site is 141 acres and can support up to two million square feet of development and believes warehouse and distribution are still very valuable uses within the development. Mr. Bolander said before we go any further, will the developer be asking for abatements as our process is that we don't rezone anything until the County Council has chance to review the proposal. Bill Spalding said an Economic Development agreement should be in place or an abatement should be in place because zoning doesn't happen until that has been finalized. He said the county's leverage is not going to be given away until they know what is there, that you have shown warehouses, but we already have a lot of warehouses. He said there is a proper procedure to go through. Mr. Bolander said the procedure was to go to the County Council first. Mr. Gilman said in order to ask for any money from the county they would have to know how much they are committing to, how many employees. Mr. Bolander would like to know what you are planning, not know who the exact end user is. Mr. Spalding said they haven't rezoned any property without getting an Economic Development agreement approved or potential abatement. Mr. Bolander said this needs to go to County Council to see what your plans are and then we will decide rather to move forward or not, unless you are not asking for any abatements. Mr. Spalding said he would like to know what is going in there, other than a speculative building. Mr. Gilman said before they can sit down with anyone and have a serious dialog about developing the site and investing their time and energy they have to know that the zoning is correct. He said the next step would be to submit a conceptual plan, a commitment, then come back to the Commissioners for TIF or tax abatement. He said that was the intention of his clients (Steel Family Properties). Mr. Bolander and Mr. Spalding said they think this should be continued until the Comp Plan has been approved. Mr. Bolander said in the meantime to go and talk with your clients and see what their plans are. Mr. Spalding said the process does not start with Planning now. Mr. Gilman said he is comfortable with waiting for the Comp Plan to be approved and is encouraged that they need a meeting with the County Commissioners to talk about the potential users and the abatement process, so they have a better understanding as what is expected. Mr. Bolander said it starts with the County Council regarding the abatement process. Mr. Gilman said he will talk with Mr. Randy Sorrell (Economic Development) and use him as their facilitator or liaison to the County Council. Mr. Gilman said the only thing that will change from going to the County Council is if his client is not asking for a tax abatement, then he will make that as a verbal understanding to this board and to the County Council. He said he would like to ask for a continuance but would hate for it to be his only continuance request as he is only allowed one. Ms. Sweet said their

office was unaware of the new procedures or they would have directed Mr. Gilman to the County Council first. Mr. Spalding said he wouldn't be in favor of granting a rezoning until he knows what is going to be there. Mr. Long said he would like this project better under the new Comp Plan. He asked for any remonstrators. Ms. Lisa Stites and Ms. Robin Walford said they live across the road on 500 N, only 750 ft away, with the front of their home only 30 ft from the road. They moved out here to be in the country. Then Walmart came and the road was a mess. They said there are so many warehouses out there now, some empty. They asked if they are allowed to ask Steele Properties questions? Mr. Bolander said you could ask them if they would be willing to purchase your property. Ms. Stites and Ms. Wilford said this development will bring their property values down. Mr. Spalding said not necessarily. Ms. Stites and Ms. Walford said with widening the road, that will put the road right at their front door. They asked where will their entrances going to be located and are they building the structures back from the road or right up on the road. Mr. Spalding said what has been submitted is very preliminary so you could probably find out more by just asking the petitioner. Mr. Long said when talking about the new Comp Plan, it is a document that the county uses to direct future land use. He said Ms. Stites and Ms. Wilford may want to contact Gary Pool, Highway Engineer to discuss the Thoroughfare Plan or concerns regarding 500 N road improvements. Mr. Long asked for rebuttal. Mr. Gilman said there are road improvements for 500 N that will be a part of this new development process as a part of the new working Comp Plan when adopted. He said the recommendation for their property is going to change with the new recommendation of the land use plan. He said the traffic is going to be intended to be rerouted and directed both west and then south, which is part of the new Thoroughfare plan. He said there are a lot of moving parts that will be solidified when it gets adopted. He said he will make his email and cell phone available to the two ladies so they can discuss the proposal. He said he apologizes that there is a new process he was unaware of and thanked the board for giving them some time this evening and giving them some direction. Ms. Oldham asked if they have talked with the airport about this proposal. Mr. Gilman said yes, they are working with them for them to purchase 57 acres. Mr. Hester made the motion to continue to January. Mr. Spalding seconded. Motion carried. Seven (7) approved, Zero (0) denied.

7. Bundy Family Farm LLC
596 W 100 N (Rear)
25 - 16 - 6

Agricultural
Rezoning 22-2324
Center

Rezoning 74.043 acres from A (Agricultural) to RR (Rural Residential) at 596 W 100 N (farm ground to the west and north). Ms. Sweet said the owner wishes to create a couple of additional lots but per county code, the site has exceeded the maximum number of divisions per the parent parcel for a minor subdivision, which would now require the development of a major subdivision, which cannot be developed within the Ag zone. She said the area is mostly farm ground with a smattering of single-family homes along the road. She said the zoning map shows agricultural zoning to the north, east, and west and the City of Greenfield is to the south (zoned Residential Moderate Density). The Comprehensive Plan shows the areas as Low Density Suburban Residential, primarily for single-family residences. She said the site is consistent with the Comp Plan, with the most desirable used of land, with conservation of property values, and with responsible growth and development but is and isn't consistent with the current conditions and character of current structures (as the parcel is a farm field). Staff's recommendation is favorable. Mr. Steven Bundy, agent for Bundy Family Farm was present and stated he has a couple of family members who want to build their homes on Bundy Family property but found they had reached their limit on the division of land for minor subdividing, then found that a major subdivision could not be located in the Ag zone. He said he was advised to rezone the property to allow the additional lots. There was no further discussion.

There were no remonstrators. Mr. Bolander made the motion for a favorable recommendation. Ms. Oldham seconded. Motion carried. Seven (7) approved the favorable recommendation, Zero (0) denied.

8. Lighting Ordinance – Advertised for a public meeting. Cont. from July – Mr. Long said Ms. Brooks emailed the ordinance and comments to the board members. Ms. Brooks said this was created by Context Design and Mike Dale had a few comments before he left regarding some things he would like to see done in our ordinance that were done in the Redmon Washington lighting ordinance and to be clear, they are not a part of this ordinance because she wasn't sure which part of the Washington ordinance he was looking at to incorporate into our ordinance. She said reading through this, she has made a few changes, mainly by striking the minimum foot candles as she doesn't believe that is necessary, that the market can regulate its own lighting standards for minimum lighting. She said it isn't good business to not have a parking lot lit appropriately. She said this is establishing maximums and to regulate light trespassing. She said she added some language regarding agriculture, as there was none. She said this is not perfect but establishes maximums and is a good place to start. Mr. Holden asked if this addresses lights shining down. Ms. Brooks said photometric plans are submitted with development plans for non-residential and we look at those figures to see how much lighting is at the edge of their property. Ms. Oldham said this should make the neighbors happier. There was no further discussion. There were no comments from audience. Ms. Oldham made the motion for a favorable recommendation to the County Commissioners. Mr. Spalding seconded. Motion carried. Seven (7) approved the favorable recommendation, Zero (0) denied.

9. Rezoned missed areas from old zoning code to current zoning code – I1 to IL. Advertised for a public meeting. Ms. Sweet said in 2007 when the county adopted the current zoning code and map, those parcels that had previously paid to be rezoned got to keep their zoning, so the Planning office has been using two different zoning codes. In July 2022, the Plan Commission gave a favorable recommendation to the BOC to rescind the old zoning map designations and to convert those parcels to the current zoning map designations. She said on August 2, 2022 the BOC approved to rescind the old zoning map designations to the current zoning map designations however there were a few parcels missed in this process. Ms. Sweet said last month the missed parcels were added as other business item in order to obtain approval from the PC to advertise for a public meeting in order to have the old zoning code designation completely rescinded. This board agreed. This has been advertised for a public meeting, the property owners of these lots have been notified and the Planning office has only received one call about it, wanting to make sure what they are doing would be grandfathered. Ms. Sweet said she sent that property owner a letter stating their lot would be legal nonconforming or grandfathered. She said staff's position is favorable. Mr. Long said this would complete the rescinding of the old zoning designation to the current zoning designation. He said that has been quite a process. There was no further discussion. There were no remonstrators. Mr. Holden made the motion for a favorable recommendation to the County Commissioners. Mr. Spalding seconded. Motion carried. Seven (7) approved, the favorable recommendation, Zero (0) denied.

OTHER BUSINESS:

1. Director position discussion – Mr. Long stated on November 12, 2022, five members of this board interviewed five candidates for the Executive Director position. He said there

were seven to begin with but two dropped out. He said after much discussion, the PC members believed Ms. Kayla Brooks would be very capable to fill the position. He said this evening this board officially offered the position to Ms. Brooks with a starting annual salary of \$103,000 and the standard employee benefits and the starting date of January 2, 2023. Ms. Oldham made the motion to offer the Director's position to Ms. Brooks. Mr. Bolander seconded. Motion carried. Seven (7) approved, Zero (0) denied.

2. Re-appoint Plat Committee members for 2023 – Byron Holden, Jack McKinney, Joe Doninger, Bryan Smith, and Jim Sweet. (Appointed annually) – Mr. Holden said all the Plat members agreed to be a member for another year. Mr. Spalding made the motion to reappoint all the Plat members for another year. Mr. Bolander seconded. Motion carried. Seven (7) approved, Zero (0) denied.
3. Re-appoint Mike Long to BZA (4-year term) – Mr. Holden made the motion to re-appoint Mr. Long to the BZA. Mr. Spalding seconded. Motion carried. Seven (7) approved, Zero (0) denied.
4. PUD and Architectural Design Standards – Update – Ms. Sweet said the committee (Ms. Oldham, Mr. Bolander, and Mr. Hester) met in the Planning office with Ms. Brooks to discuss some possible changes. Mr. Bolander stated he would like to do away with the 'one mile near corporate limits' requirement and keep the higher standard for everywhere. He said he would like to do away with vinyl siding, except for a percentage for soffits or other trim areas. Ms. Brooks said the real problem is the monotony and trying to get away from the 'box' look. She said it isn't so much the vinyl, but what can be added to make the architecture more interesting or likable. The board said it sounds like there is some direction and requested Ms. Brooks to write a draft ordinance for January to review.
5. Geo Permits – Update – Ms. Sweet said the new program is still not working correctly and Ms. Dawn Parker has been working with Schnieder. The board stated it has been over a year and believes it should have been up and running by now. The board asked about the contract and what provisions were made within it. Ms. Sweet said she has not seen the contract so is unable to answer any questions regarding it. The board suggested to have Mr. Morelock look into it.
6. Comp Plan – Update – Ms. Sweet said she took the new Comp Plan to the BOC to approve however, there was not a resolution with it. She said she contacted Mr. Morelock and was told Mr. Benke should have the resolution but if not, he could make the resolution document then go before the BOC again. Ms. Sweet said she received the resolution from Mr. Morelock and is scheduled to go before the BOC on December 6, 2022 at 11:00 am. Mr. Hester and Mr. Holden will need to take the resolutions to the towns of Shirley and Spring Lake.
7. Deputy Director's position – Mr. Long stated he would like to raise the salary for this position and that Ms. Brooks, as the Director, would be hiring someone for that position sometime in January 2023.