

I. CALL TO ORDER

The Pendleton Plan Commission (PC) met on July 6, 2022 at 7:00 pm at 100 W State Street, Pendleton, Indiana. The meeting was called to order by Tim Pritchard at 7:00 pm.

II. ROLL CALL AND DETERMINATION OF QUORUM

Commission members present in-person were Tim Pritchard, Cheryl Ramey-Hunt, Carol Hanna, Connie Schultz-Heinz. Attending virtually were Brad Ballentine, Kyle Eichhorn, Jenny Sisson and Town Attorney Greg Graham. A quorum was established.

Representing the Town in-person were Planning Director Hannahrose Urbanski, Planning and Zoning Administrator Denise McKee, Clerk Stephanie Buck.

Others in attendance were, Tom Theobald of Mohr Capital of 4851 LBJ Freeway, Dallas, Texas, Michelle Skaggs of HRM Attorneys of 12801 E. New Market St, Carmel, Indiana, Lynn Lawyer of 1163 W US 36, Pendleton, Indiana, Neal Smith of 7055 W 675 S, Pendleton, Indiana, Brent Holverson and Peter Watson of Mystic Waters Family Campground of 5435 W SR 38, Pendleton, Indiana, Edward Wolenty representing Decker, Lawyer & Maynard of 505 West 9th Street, Anderson, Indiana, Jason Gaines, property owner of involved parcel, Town Council Member Marissa Skaggs

III. APPROVAL OF MINUTES OF PREVIOUS MEETING

Carol Hanna motioned to approve the June 1, 2022 Meeting Minutes; seconded by Cheryl Ramey-Hunt. Roll call taken and all members present voted in favor of the motion. Motion carried.

IV. OLD BUSINESS

No Old Business to report.

V. NEW BUSINESS

A. PC06012022-01: – Request in zoning change from A-1 to LI District. 5517 SR 38 – Parcel ID 48-14-19-600-001.000-013 & 48-14-19-900-002.000-013

Hannahrose Urbanski provided an overview of proposed zone map change. Petitioner is Mohr Capital and concerns the two parcels of approximately 113 acres combined. Current zoning Large Lot Agriculture (A-1) proposed rezoning to Light Industry (LI). The parcels fall into the Southwest Quadrant of the I-69 Plan, which is slated for the southern part of the Keystone District and Residential Development District. The SW Keystone District area has development expectations for commercial retail that supports the larger Keystone Development District in the Northwest quadrant. Market analysis in the I-69 Plan have indicated that executive style homes would have market traction in the SW Residential Development District, this area would also develop to include trails and regional stormwater management facilities that double as park/open space areas.

Urbanski explained that Light Industry allows for distribution facilities and light manufacturing. She gave a conceptual site plan of 4 proposed structures ranging from 268k – 363k sq. ft, including truck docks/drive-ins and semi-trailer parking, On-site detention, the existing tree-line proposed to be preserved, would potentially have to include part of the 146th St road extension on this section of property. (available on Google Drive).

Urbanski noted that the function of Planning staff is to analyze the petition against the UDO and other approved plans and present facts and analysis. Based on that, staff has the following comments: The rezone from AG-1 to LI does not meet the intent of the current I-69 Quadrant Plan. It does fall into a small part of the Keystone District, which is slated for more retail commercial uses, but could be utilized as a Light Industry use. Proximity to highway plays a factor in any development. However, the Plan Commission can vote to recommend neutral, favorable, unfavorable, with or without conditions, or continue for more information.

Michelle Skaggs of HRM Attorneys representing Mohr Capital and Jason Gaines presented the proposed change for light industrial development. She noted the interstate noise and air pollution that exists makes this area not the best use for executive homes.

There was discussion from the Commission about exact location of parcels, zoning of surrounding area, the presentation of the Town at this entry point from the interstate. There was concern about the overall look and visual impact of the Town if these structures were present in the Keystone area. Hesitation was stated regarding changes to the I-69 Quadrant Plan and that the proposed changes are in opposition to the plan.

Tom Theobald of Mohr Capital discussed conceptual design of the buildings, and that there would be enhanced architectural design to mitigate the look of warehouse-style buildings. Theobald stated that truck traffic would be limited to the interchange, on and off. Theobald referenced a current 500-acre park project under development in Whiteland, Indiana at their newer I-65 interchange. Questions were raised regarding daily truck traffic. Theobald indicated current statistics are not available.

Tim Pritchard asked for questions / comments from those in attendance. Edward Wolenty reiterated his point that the Plan Commission is not in compliance with the state statute for making decisions and that any zoning changes would be contested. Wolenty was however, in agreement with the Commission's concerns. Michelle Skaggs pointed out that executive homes will either be next to light industry or I-69, both potentially problematic. She stated their support in maintaining and bolstering tree lines and buffers, the advances in building design, and the opportunity for new jobs. Skaggs commented that farmers would be able to continue farming the land until construction began. Jason Gaines spoke about his appreciation for the planning efforts, but also mentioned that there have been no residential development contracts for this area and that builders he has talked to say executive homes are not feasible in this location, but that the area is more suited for the style of homes not desired for that location. Gaines stated that light industry use was not their original intent, however he supports this proposed change and believed Mohr Capital to be a good choice for the project. Tim Pritchard noted the concern about potential lack of residential development, but also that this proposed change goes against the quadrant plan. Pritchard stated he thought the Board does not have sufficient information at this time to make a decision. Brent Holverson commented that the I-69 Plan was a main reason they purchased the campground and are very happy to be a part of the Town. He stated there are plans to beautify the lake and that area along the interstate, and that he feels this proposed change is not a good fit for the area. Peter Watson stated his concerns about maintaining buffers on all sides, and that future zoning changes for gas stations and restaurants would be needed to support industrial traffic west of I-69.

Tim Pritchard motioned to continue the request in zoning change from A-1 to LI District; Parcel ID 48-14-19-600-001.000-013 & 48-14-19-900-002.000-013 until August meeting, pending further

submissions by the owner of setbacks, building design, traffic counts, etc. Seconded by Connie Schultz-Heinz. All members present voted in favor of said motion. Motion carried.

B. Resolution Amending Pendleton Tax Allocation Redevelopment Area

Denise McKee presented map identifying additional parcels determined in April and May by the RDC for a fourth TIF District. McKee briefly explained how TIF Districts work. Parcels determined were 13 Agricultural properties near businesses or business-related zoning districts that will likely develop as commercial. McKee pointed out the following steps to completing the process:

1. Redevelopment Commission approved a Resolution amending adding the fourth TIF District. (June Meeting)
2. Plan Commission presents this evening a Resolution approving the Resolution. (July Meeting)
3. If approved, goes before Town Council next week to present a Resolution approving the Resolution. (July Meeting)
4. Public Hearing during next RDC Meeting with a Final Resolution to adopt the fourth TIF District. (August Meeting)

In December, documents will be filed with DLGF (Dept of Local Government Finance) and will officially be a TIF District in January 2023. It then takes a couple years to see gains on the increased value. The 25-year clock will start once the Town bonds or leases on those properties.

McKee addressed questions concerning logistics of the TIF District and provided examples from current TIF Funds.

Tim Pritchard motioned to approve 22-02 Resolution Amending Pendleton Tax Allocation Redevelopment Area; seconded by Carol Hanna. All members present voted in favor of said motion. Motion carried.

VI. ADJOURNMENT

Meeting adjourned by Tim Pritchard at 7:50 pm.

Next meeting August 3, 2022 at 7:00 pm.

Stephanie Buck
Clerk