

**Plan Commission  
Meeting Minutes  
October 20, 2020  
Held Virtually through the  
Zoom Meeting App Due to Covid-19 Pandemic**

**Call to Order and Roll Call**

**MEMBERS PRESENT:** Brianne Schneckenberger, Chad Gooding, Devin Stettler, Steve Duhamel, Tom Strayer

**MEMBERS ABSENT:** Scott Shipley, Barry Wood

**OTHERS PRESENT:** Director of Planning Ryan Crum; Attorney Chris Isom, Town Manager Tonya Galbraith, Town Engineer Mark Witsman, and Planning & Building Administrative Assistant Jennifer Pack.

**Approval of Minutes**

Mr. Duhamel made a motion to approve the minutes from the September 15, 2020 meeting. Ms. Schneckenberger seconded the motion. The motion passed 5/0.

**Old Business**

***PC-20-011, The Town of McCordsville Proposed Updates to the Town's Zoning Ordinance***

Mr. Crum reviewed the proposed changes to the Zoning Ordinance (see document attached to Agenda).

The floor was opened to comments from the public and there were none.

Ms. Schneckenberger made a motion for a favorable recommendation to the Town Council. Mr. Strayer second the motion. The motion passed 5/0.

**New Business**

***PC 20-016 Plan Commission Order Re: Amending Declaratory Resolution for Mt. Comfort Economic Development Area.***

Mr. Crum introduced the agenda item, stating that in 2019 the Town Council and Redevelopment Commission established the McCordsville Mt. Comfort Corridor Economic Development Area. This order is for the Plan Commission to affirm that the area conforms to the existing land use plan.

The floor was opened to comments from the public and there were none.

Mr. Isom read the Declaration.

Mr. Gooding made a motion to approve the Order. Mr. Strayer seconded. The motion passed 5/0.

***PC 20-014, Leo's Market and Eatery's request to Amend the Villages at Brookside PUD Ordinance***

Brian Touhy presented on behalf of the petitioner. He stated that the area they are requesting the change for is at the southwest corner of County Roads 900 N and 600 W at the north end of the Villages at Brookside PUD. The request is to amend the PUD Ordinance to allow for a food market & eatery and fuel as well as a neighborhood retail. He noted that there is an approved use of a Lowes on the southwest corner of the site and that this area of the PUD has always been contemplated as a commercial area and this proposed used is much less intense than what a Lowes would generate. Mr. Touhy noted that the Leo's Market development plans include an extensive landscaping mound and buffer that runs east-west to the center of the property and then turns north, with homes remaining behind the buffer area. He also stated a berm would be built to separate the uses to screen off the retail from whatever is built on the neighboring section. The proposed amendments would limit what retail would be allowed in the area. Mr. Touhy noted that they've also asked the Fire Department to build a new station on the 1.5 acres to the west of the Market. He stated that a traffic study has been completed for the intersection, and that the report stated that the intersection would continue to operate at acceptable levels of service.

Mr. Touhy described the Leo's Market concept to the Board and the public, emphasizing that it was designed to be an appealing building with low lighting and upscale interior design.

**STAFF REPORT:**

Mr. Crum reported that Staff is support of the amendment. He stated that the majority of the uses in the proposed amendment are already allowed, the exception being the fuel station. He also stated that the proposed amendment is more restrictive of the retail uses than what the Town allows and the amendment is tailored to a neighborhood center. Mr. Crum also reviewed the landscaping and lighting plans, stating that the required McCordsville lighting standards would create more light than the proposed plan.

Mr. Duhamel asked if traffic would be negatively affected with the necessary curb cuts. Mr. Crum explained the alignment, saying that the only opening that would not align would be the one for the hypothetical fire station, but that would only be used by emergency vehicles so it would not effect traffic.

Mr. Stettler asked about future improvements at the intersection. Mr. Crum and Mr. Witsman gave a brief overview of future plans for the intersection.

**PUBLIC HEARING**

Cody and Megan McWhorter– Mr. McWhorter stated that they are concerned about a gas station going in and that the 2011 Comprehensive Plan stated that a gas station was not a good use. They believe that a gas station in the middle of four residential spaces would be a detraction from the area. He noted that the Lowes was approved before the neighborhoods were developed. Mr. McWhorter also asked if a demographic study of the area had been done and if the Market would have the clientele in the area.

Jeff Marshall stated that he is concerned about lighting, debris, and noise levels from the gas station and is not sure if community needs another gas station. He is worried about the clientele if the business is open 24 hours and that bringing in a bakery/eatery as proposed would take away from Tim's. He is also concerned about an increase in traffic and asked if sidewalk would be put in. He also asked if the Town planned to rezone the area west of the school resulting in the Town asking the current residents to move.

Florence May, Vernon Twp trustee, stated that they have had trouble finding land on north side of the railroad tracks and that this is a good location with access to Traditions, which is the number 1 run.

Mr. Touhy addressed the concerns, pointing out that the proposed berm would be tall enough to block the view and any light spillage from the business. He also stated that there is over 1000 feet from the homes to the back of the store. He stated that Leo's wouldn't be in direct competition with Tim's. He said that sidewalks area planned part of the development. He also stated that he knows of no plans to rezone any other area. Mr. Touhy stated that the planned hours of operation are 6 am to 10 pm. and that there are no plans to extend those hours in the foreseeable future.

Mr. Crum addressed the concern about the perceived conflict with the 2011 Comprehensive Plan. He stated that the plan lays out the future landscape and addresses uses within each district. While gas stations are not generally in neighborhood commercial, they are allowed by special exception to be decided on a case by case basis. He stated that Staff believe Leo's Market is acceptable because of the controls in place.

Mr. Crum also stated that the Town has never had discussions about rezoning the residential area to the West of the school.

Mr. Witsman addressed the traffic concerns regarding the school, acknowledging that the traffic plans did not go as planned when the school opened in January, but those plans were revised.

Mr. Crum presented the letter of remonstrance from Greg Blunk.

Mr. Crum stated that the original VBS PUD was adopted in 2005 and amended in 2009 to allow for the Lowes. The recession killed the project. That amendment allowed for a 20-acre commercial site, showing that the area was always planned for commercial.

Mr. Strayer stated that he was on the Town Council when the PUD amendment for the Lowes came across and wasn't happy with it. He stated that he was concerned about the gas station and went to the Greenfield Leo's Market and agrees with Mr. Touhy's description. Mr. Strayer stated that he is much more comfortable with this development that with the other possibilities of what could be developed on this property.

Mr. Duhamel made a motion to give a favorable recommendation to the Town Council. Mr. Strayer seconded the motion. The motion passed 5/0.

***PC 20-015 Clover Communities Request to Amend the Gateway Crossing PUD Ordinance***

Mr. Crum introduced the item to the Board, stating that the project was approved last year, but the title company is concerned with language in the ordinance. The proposed language will not change the built environment. He stated that Staff find the proposed amendments are acceptable.

The floor was opened for comments from the public and there were none.

Ms. Schneckenberger made a motion to give a favorable recommendation to the Town Council. Mr. Strayer seconded the motion. The motion passed 5/0.

***PC 20-012 Meadows at Sagebrook, Section 2 Development Plan and Secondary Plat***

Sean Downey presented for the petitioner. This is the second and final section of Meadows at Sagebrook. Section 2 will have 110 lots. All the storm and sanitary sewers were put in under section one. This plan will complete any of the remaining work. The Technical Advisory Committee has reviewed the plans and all recommendations have been followed.

Mr. Crum stated that the standard review to make sure all requirements have been met. Staff is in support of approving.

Mr. Duhamel made a motion to approve the Section 2 Development Plan and Secondary Plat as presented. Ms. Schneckenberger seconded. The motion passed 5/0.

**Announcements**

The next meeting will be on November 17, 2020, if needed.

**Adjournment**

There being no further business, meeting was adjourned.