



CLARK COUNTY PLAN COMMISSION
February 9, 2022

The regularly scheduled meeting of the Clark County Plan Commission was held on Wednesday, February 9, 2022 starting at 5:00 p.m. in the County Council Room, Room 418, Fourth Floor, Clark County Government Building, Jeffersonville, Indiana.

The following Board Members and Staff were present at the meeting:

Guy Guernsey
David Blankenkober
Kevin Christman
Connie Sellers
Janne Newland
Eric Morris
Michael Killen

The following Board Members were absent from the meeting:

Wally Estes
Bart Meyer

The following Staff members were present at the meeting:

Amy Williams
David Nachand
Cathy Denison
Jason Stanley
Stacy Gettings

The following appeared on the Plan Commission Agenda:

1. Call to Order: Michael Killen called the meeting to order at 5:00 p.m.
2. Michael Killen announced that he needed to leave at 6:00 p.m. so in order to hear all petitioners, the meeting would hear each docket for 7 ½ minutes, interested parties 1 ½ minutes and no other individuals would be able to speak. David Blankenkober made a motion to approve, motion was seconded by Janne Newland. Motion carried 7-0.
3. Guy Guernsey was introduced as a new Plan Commission member to replace Dan Callahan who resigned.
4. Election of Officers: David Blankenkober made a motion to appoint Michael Killen for President for 2022; Motion was seconded by Connie Sellers. Motion carried 7-0. David Blankenkober made a motion to elect Guy Guernsey Vice President, motion was seconded by Kevin Christman. Motion carried 7-0.
5. David Nachand read the rules of the meeting.
6. Old Business:

- a. Docket 2021-25-PC: Sara Roche/Tescom Two Limited Partnership/Tracy & Lisa Wilkinson requests a plat vacation from the Lakeside at the Summit subdivision for 10-02-00-800-062.000-026 and 10-02-00-800-162.000-026 (located on Summit Parkway, Borden, In.) This petition was tabled in the December, 8,2021 meeting in order to request additional information from the Petitioner as to the reason he wanted to vacate the covenants. Mr. Wilkinson stated that the original covenants required all homeowners to build with a minimum of 2000 feet. He is asking for a release from the covenants in order to build a 1400 square foot house. He also stated he would build a single family home, no mobile home. Motion to approve vacation Plat & Covenants with conditions that all existing covenants be required as conditions except the square footage could be reduced to 1,400 sq ft was made by Guy Guernsey, seconded by David Blankenkbecker. Motion carried 7-0.

7. New Business:

- a. Docket 2021-26-PC: Amanda Bush requests a zone map amendment from a B3 zone to an R2 zone Located at 215 West Main Street, New Washington, In. 47162. In order for her and her mother to place a mobile home on this parcel (10-12-03-200-096.000-034). The purchase of the property is contingent on the zone change. David Blankenkbecker made a motion for a favorable recommendation to the County Commissioners, Guy Guernsey seconded the motion. Motion carried 7-0.
- b. Docket 2021-27-PC: Harmony Woods, LLC request a Primary Plat approval for Harmony Woods Section 10 for 10-10-22-000-160.000-032, located at the northwest end of Harmony Woods Drive. David Blankenkbecker left the room due to a conflict with the application. Guy Guernsey made a motion to approve, Connie Sellers seconded the motion. Motion carried 6-0 with David Blankenkbecker abstaining.
- c. Docket 2021-28-PC: Mac's Convenience stores, LLC, requests a zone map change amendment from R2/AG to B1 for 4 parcels (10-06-25-400-174.000-027; 10-06-26-900-007.000-027, 10-06-26-900-008.000-027; and 10-06-26-900.000-027) located at Mt. Zion Road (adjacent to 414 Highway 160, Henryville, In. Amy Williams commented that the UDO would require a buffer between the building and the residential zoned properties, explaining what types are acceptable. The Board asked about traffic and if there was going to be an additional entrance/exit. The interested parties were concerned about the additional traffic on Highway 60. Mr. Kushner explained there would not be an additional entrance other than the Mt. Zion current entrance. Drainage, development plan approval, and INDOT approvals will need to be obtained. The interested parties were also concerned about the construction. Connie Sellers suggested the petition be tabled until the March meeting in order to discuss the concerns with the County Engineer, Brian Dixon. Michael also asked the audience if anyone objected. Three individuals raised their hands.
Chris Perry came forward, 1407 Mt. Zion Rd., objected to the addition of diesel pumps because they backed up to his property, and the fumes from the fuel tanks. Mr. Kushner said they would add a fence or a continuous evergreen buffer and vegetation. Mr. Kushner stated there would be 50-60 feet of vegetation and/or separation between the area of the service station and the homeowners property. Amy Williams stated the continuous evergreen buffer would need to be included as a conditions or written commitment. Julianna Sherrill , 1403 Mt. Zion Rd, Memphis, also came forward stating a small portion of their property was included in the survey for Circle K. She was concerned that Mac's would take part of her property. David Nachand stated she would not lose any of her property to the convenience store. James Bottorff, 1429 Mt. Zion Rd., is also on the Sanitation Board. He stated that Mac's have not reached out to them for the confirmation of service. However, the applicant did provide a letter (in file) from the sewer district stating that they would be able to provide sanitation service to the convenience store and restaurant, signed by Doug Dunlevy from the sewage board. Mr. Bottorff also asked about the overnight parking for semi-trucks. Mr. Kushner did confirm there would be 15 overnight parking spots reserved for overnight parking for trucks. Michael Killen asked about the lighting plan and told them it should not bleed over to other property. He also asked that the site plan be included as a commitment with any conditions set by the Board. Michael Killen then asked for a motion. David Blankenkbecker made a motion for a favorable recommendation to the Commissioners for the re-zoning with the condition that the development cannot be done any closer or more intense than included in the site plan submitted and also with a written commitment to build a continuous evergreen buffer between any residential uses or residential zoned properties. Jeanne Newland seconded the motion. Motion carried 7-0.
- d. Docket 2021-29-PC: Commerce Park Warehouse LLC requests a plat vacation of Lot 7 from the Commerce Park PUD for 10-09-11-100-178.000-030 located at 8512 Commerce Park Drive,

Sellersburg, In. 47472. David Blankenkaker left the room due to a conflict with the application. Greg Fifer, Applegate, Fifer and Pulliam, 428 Meigs Ave., Jeffersonville, In. He introduced Paul Primavera, Scott Welch, President of AML, and Van Evans, manager of Light Up Toys, current occupant of the buildings. Mr. Fifer presented the petition, asking to vacate the Lot 7 from the plat including restrictions. The purpose of vacating the lot is they have outgrown the current building and need to expand the company footprint for Light Up Toys, which is operating in the building. The addition consists of 12,000 square feet, consisting approximately 0.6 acres. Betsy Jones, 4119 Greenleaf Rd, asked about the roads, drainage, and being so close to the school. They are not hiring additional employees so there should not be any additional traffic. No additional changes will be made to the building. Mr. Fifer stated there may be 8-10 feet that could be dedicated if the county needs to expand Greenleaf. He stated they could commit the additional footage is required with written conditions for the rezoning (2021-30-PC). There was no one else present to speak to the matter. Michael Killen asked for a Motion to vacate the plat and covenants. Connie Sellers made a motion to vacate the plat and the restrictions. Eric Morris seconded the motion. David Blankenkaker abstained. Motion carried 6-0.

- e. Docket 2021-30-PC: Commerce Park Warehouse LLC requests a zone map amendment from Commerce Park PUD /R1 to a PUD for 3 parcels (10-09-11-100-178.000-030; 10-09-11-100-024.000-030; 10-09-11-100-080.000-030) located at 8512 Commerce Park Drive, 4507 Greenleaf Road and 4515 Greenleaf Drive, Sellersburg, In. 47422. Betsy Jones, 4111 Greenleaf Road, asked how close this expansion would be to her property and the applicant explained. Eric Morris made a motion for a favorable recommendation with the inclusion of the submitted site plan as development standards and with a written commitment that 8 feet would be dedicated to the county if Greenleaf needed to be expanded in the future (and the setback from Greenleaf would be reduced accordingly). Guy Guernsey seconded the motion. Motion carried 6-0 with David Blankenkaker abstaining.
- f. 2022-02-PC: Woodstream Development, LLC, requests a re-zoning change from AG to R-2 on parcel numbers 10-03-13-500-209.000-003, 8611 Burdette Drive, Charlestown, In. 47111 for single family residential development. 2022-03 PC: Woodstream Development, LLC requests a re-zoning from AG to R-2 on Parcel numbers 10-03-13-500-179-000-003; 10-03-13-500-178.000-003; and 10-03-15-300-009.000-003, located at 1608 Charlestown Memphis Rd, for the purpose of a single family residential development. At this time David Blankenkaker left the meeting and did not return.

Both these petitions will be heard as one at the request of Chris Jackson, 925 McIntyre Rd., New Washington, In. The petitioners want to combine the parcels to create approximately a 30 acre development, with the homes priced in the \$300,000 to \$400,000 price range with 1200 to 1700 square feet homes. Chris showed the street layout with the entrance/exit being located on Burdette Rd. Chris stated there would be between 120 and 150 new single-family residential homes built in the development. The following adjoining land owners came forward to speak against the new development.

Brenda Burgess, 218 Saddleback Drive, Memphis, In., had questions regarding what the difference was between the zoning of R-1 and R-2. Amy Williams explained it is the size of the lots, and initially, the application did state the request was for an R-1 zoning, however, that was incorrect and was changed to R-2 with single family homes prior to public advertisement and posting of the agenda. Chris stated they would be willing to make a commitment in writing to only build single family homes in the development. David Swanson, 1512 Charlestown-Memphis Rd., came forward to speak against the petition. He cited the UDO regarding the density and comprehensive plan regarding land uses. David Reed, 8609 Redbud, Memphis, stated concerns about the traffic flow and additional traffic that will result from placement of this development. He stated traffic on Highway 403 is extremely heavy and it is currently dangerous to enter Highway 403. With the addition of 120-150 new homes, up to 300 additional vehicles traveling through that area, the traffic would be even more heavy and dangerous, creating a hazardous situation. Ron Vermillion, 216 Saddleback Rd., was also very concerned about additional traffic, fire problems, sewage and water. Keeley Foster, 8571 Lakewood Drive, Memphis, asked about the separation and how far the new development will be from her. At this time, Michael Killen had to leave the meeting and did not return.

Guy Guernsey, Vice Chair, stated he would be willing to hear other neighbors that were not interested parties. Bob Burgess, 218 Saddleback Drive, Memphis, asked if his wife could return to the table and continue to ask her questions. Brenda Burgess, 218 Saddleback Drive, returned to the table asking if this is a done deal or if there is a way to stop the project. She stated she and her husband moved to the

county in order to enjoy the country setting and peace and quiet. Now the area is becoming more like the city and not rural.

Kevin Christman made a motion for a favorable recommendation to the county commissioners with the condition that it is only single family homes and a maximum 150 units,. Eric Morris seconded the motion. Motion failed 1-4 with Kevin Christman voting for the Motion and Janne Newland, Eric Morris, Connie Sellers, and Guy Guernsey voting against the motion. Connie Sellers wanted to discuss any road options that may be available with the county engineer, Brian Dixon, so she asked if the petition could be tabled until the March meeting. Janne Newland made a motion to table the petition until our March 9, 2022 meeting at 5:00 p.m. Connie Sellers seconded the motion. Motion carried 5-0. This petition will be heard at the March 9, 2022 meeting at 5:00 p.m.

8. Appointment of PC member to the BZA: Guy Guernsey was appointed to the BZA. Connie Sellers made a motion to approve the appointment, Eric Morris seconded the Motion. Motion carried 5-0.

9. Reports, Resolutions and Communications:

a. Administrative Approvals:

Development Plan Approval: 2021-31-PC: Cell Tower located at Nova's Landing, Sellersburg, In. Kingsland Fields, Section 4, 2022-01-PC: Secondary Plat

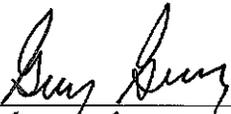
Planning Director Report: There was no report prepared for this meeting.

Legal Counsel Report: David Nachand gave a brief report on the Wooldridge case and the Jackson (Hillbilly Jeep) case.

b. Adjournment: Janne Newland made a motion to adjourn the meeting. Connie Sellers seconded the motion. Motion carried 5-0. The next Plan Commission meeting will meet on Wednesday, Marcy 9, 2022 at 5:00 P.M.

Meeting was adjourned at 7:00 p.m.

~~Michael Killen, Chairman~~


Guy Guernsey
Vice Chairman

~~Cathy Denison, Secretary~~

