

## MCPC - Minutes August 13, 2024 Board Minutes

The Madison County Plan Commission met on the above date at 9:00 A.M. with President Olivia Pratt, presiding.

Members Present: Olivia Pratt, Mark Gary, Denise Spooner, Jerry Alexander, Tom Shepherd, Rob Steele, Michael Pelsor, and Lindsay Brown via Teams

Members Absent: John Simmermon

Also Present: Larry Strange - Director, Jeff Graham – County Attorney, and Nikki Wood – Board Secretary

### Current Business

1. Prayer – Jerry Alexander
2. Pledge of Allegiance
3. Roll call: 7 present, 1 absent – John Simmermon
4. Approval of the July 9, 2024 Board Minutes – Member Alexander made a motion to approve the July 9, 2024 minutes, seconded by Member Gary. Voice call was unanimous. **Motion approved**

### Old Business

1. Petition: 2024-Z-005  
Address: 701 Layton Road  
Location: Jackson Township  
Petitioner: Therese Brown  
Landowners: Philip & Therese Brown  
Zoning: CR – Conservation Residential  
Request: Rezone to LC – Local Commercial for an event center

Director Strange presented the staff report for petition 2024-Z-005. The petitioners plan for 3-4 events per month in the barns with generally 30 cars per event. The Technical Review Committee met on June 27, 2024 and was supportive of this request. It is recommended that a commitment is added to the ordinance that an event center is the only use to be permitted in this district. Staff recommendation is pending public hearing. Staff recommends the following conditions: 1. Before a building permit is issued, appropriate approvals from the Indiana Department of Homeland Security, the State Board of Health, and the County Drainage Board must be obtained, and 2. Detailed site plans are provided for review by the appropriate county departments prior to a building permit being issued. Attorney Adler, here with petitioners Philip and Therese, passed out an appraisal of the property, business plan and a draft ordinance to the board and Director Strange. He spoke to address compliance of all regulations. Member Gary asked about the driveway which the petitioners currently share with the neighbor to the north. Member Pelsor questioned the field just west of the neighbors and the petitioner said its farm field which will remain farm field. The petitioners would create their own driveway as they plan to live on the property in the near future. Some concerns from the neighbors were a pond in the wetlands and parking lot in the farm field, to which Therese confirmed the venue will be small scale, mostly birthday parties and reunions, and there are no

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plans of ponds or parking lots in the field. They are not adding restrooms, they are renting fancy trailers for restroom use which will be parked by the barns during events. Member Spooner questioned any plans of outdoor concerts/parties and Therese said no big parties, all events would be inside, and they would follow any noise regulations. They plan to plant more trees to help block sound. Parking is planned for 30 – 40 cars and a maximum of 100 people in the barn. Director Strange told the petitioner there may be different parking requirements that don't allow parking in the grass. Member Alexander asked the petitioner if she is willing to ask neighbors to rescind their original letter of opposition since she spoke to them and now have their support. Petitioner Philip spoke on noise and there is approximately a quarter mile from where they would have a reception to the nearest house. According to Philips calculations, the average decibels for music at a wedding venue is 100 decibels and when calculating travel at that distance it drops down to 40 decibels, and typical environmental sounds in the evening are at 50 decibels. They are considering noise will do what they can so not to be disruptive to neighbors. They are not getting a liquor license and plans to have their own security and parking attendants. After looking at all the work that needs to be done in the house they plan to move to the property in the spring. Member Spooner mentioned they should have their own separate driveway and recommends chip and seal if not pavement and/or possibly shrubs to assist with keeping dust down. Remonstrator, Dan Bilskie asked where the new driveway would be and was ok with Philip's location. He asked if the property would remain commercial if it was sold. Director Strange said if it was rezoned to local commercial then it would remain local commercial if sold but there is a recommendation to the Board of Commission that a recorded commitment be added to the ordinance that the property will only be used as an event center. Member Spooner asked if Mr. Bilskie feels more comfortable with the petition and he said he does feel more comfortable with the petition after hearing the plans and restrictions that will be put in place. There was a second remonstrator, Mrs. Jean Riedel, that spoke and values the lack of traffic and noise issues. She worries about the devaluation of property. Member Spooner asked this remonstrator as well if she feels better about the project after todays hearing. Mrs. Riedel isn't sure as she doesn't want to see the change to views and traffic. Attorney Graham confirmed the petitioners are ok with the commitment that was stated. Member Alexander explained he was a licensed appraiser and the motivation to buy a property isn't based on an event center down the road but by the property availability. After hearing todays support, lack of adding restrooms and the fact they are planning to move to the property rather than having a fully commercial property, Director Strange gives a favorable recommendation. He reread the conditions recommended. Member Alexander made a motion to give 2024-Z-005 a favorable recommendation including adopting the amended staff report to the Board of Commissioners, Seconded by Member Pelsor. Roll call was unanimous. **Motion approved**

### FINDINGS OF FACT

- a. The Madison County Comprehensive Plan and any other applicable, adopted planning studies or reports - The recommendation on the Future Land Use map shows the parcels to be part of a contiguous area targeted for a mix of agricultural and residential activity.
- b. The current conditions and the character of current structures and uses in each district – Rezoning to Local Commercial with a commitment to restrict the use to an event center only is consistent with the neighborhood.
- c. The most desirable use of which the land in each district is adapted – Residential and local commercial activities are a desirable use for these parcels.
- d. The conservation of property values throughout Madison County – This rezoning should not have an impact on property values.
- e. Responsible growth and development – This petition is part of a development process used for responsible growth and development.

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Dr. Kathleen Callahan, approached the podium to mention the remonstrator's letter from last month should be reread. Director Strange reread Clark Dalton's letter that was submitted last month. There was more discussion about the amount of parking. Member Pelsor points out that on the map there aren't many garages along that street. The current owner of the parcels stated she does not have garage and down the street there is a barn that was converted into a duplex so this project isn't out of character. Remonstrator, Gary Nunley, spoke of his experience in real estate for 51 years in the Pendleton Area and after projects such as this, values go up and he doesn't see how this project would negatively affect the area. Green Township Trustee, Greg Valentine is in favor of this project and doesn't feel that it would have any negative impact. He feels Ingalls could use more rentals. Member Shepherd voted no last month. After driving through the area last week, this will change the parking he feels this project would be a good improvement. Member Spooner asks the petition to take in consideration using concrete instead of gravel for their parking and adding landscaping. JD stated he could add some landscaping between the parking and the neighbor. He is planning on a gravel driveway and parking which is the same as the other driveways along that road. Member Shepherd made motion to give a favorable recommendation to the Board of Commissioners including the commitments made by the petitioners that this structure will be built substantially similar to those of the plans presented and also a shared driveway for each duplex, seconded by Member Alexander. Roll call was unanimous. **Motion approved**

### FINDINGS OF FACT

- f. The Madison County Comprehensive Plan and any other applicable, adopted planning studies or reports - The recommendation on the Future Land Use map shows the parcels to be part of a contiguous area targeted for future residential activity.
- g. The current conditions and the character of current structures and uses in each district – Rezoning to residential is consistent with the neighborhood.
- h. The most desirable use of which the land in each district is adapted – Residential is the natural use for these parcels.
- i. The conservation of property values throughout Madison County – This rezoning should not have an impact on property values..
- j. Responsible growth and development – This petition is part of a development process used for responsible growth and development.

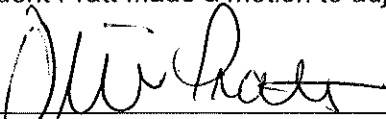
### Miscellaneous

Director Strange gave a brief update on the storage container ordinance and the floodplain ordinance. On the storage container ordinance, we adopted an ordinance several months ago with the idea that we were going to work with people who already had them to get them into compliance with the ordinance. One issue we've found that we will need to include a #2 gravel option as there have been issues with concrete. Working on having an update to the ordinance within a year or so. On the floodplain ordinance, Director Strange met with DNR and they requested that based on FEMA requirement put in place a couple years ago we make changes to our floodplain ordinance. DNR will provide to us, Director Strange will evaluate and bring to the Planning Commission and Board of Commissioners for readoption of the current floodplain ordinance. Director Strange will have a draft ready in the next 60 days.

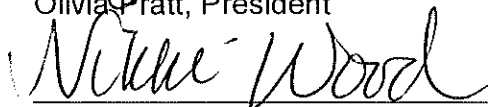
### Adjournment

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President Pratt made a motion to adjourn, seconded by Member Spooner. Meeting adjourned at 10:37:34



Olivia Pratt, President



Nikki Wood, Board Secretary