

MINUTES

WARRICK COUNTY AREA PLAN COMMISSION
Regular meeting to be held in Commissioners Meeting Room,
Third Floor, Historic Court House,
Boonville, IN
Monday, September 12, 2022, 6:00 PM

PLEDGE OF ALLEGIANCE: A moment of silence was held followed by the Pledge of Allegiance.

MINUTES: To approve the Minutes from the last regular meeting held August 8, 2022. Bob Johnson made a motion to approve the minutes as distributed, Doris Horn seconded the motion and it carried unanimously with one abstention being Amanda Mosiman.

MEMBERS PRESENT: Jeff Willis, Doris Horn, Richard Reid, Jeff Valiant, Amanda Mosiman Greg Webb, and Bob Johnson.

Also present were Morrie Doll, Attorney, Molly Barnhill, Executive Director, and Katelyn Cron, Assistant Director.

President Valiant said it looks like we have three primary plats and one rezoning on the meeting agenda tonight, primary plats will receive final approval tonight and rezoning's will go to the Commissioner's meeting. He said so as we go through these if the owner could step up to the podium and there should be a sign in sheet there for you to fill out, we will go over the staff report and give you a chance to add to it.

PP-22-11: Stahl Road Apartments PUD: PETITIONER: Indiana Valley LLC by Mansoor Kahn, Member. Approximately 9.161 acres located on the south side of Stahl Road. Approximately 660 feet west of the intersection formed by Stahl Road and Epworth Road. Part of Lots 27 & 28 in Sweat's Subdivision as recorded in Plat Book 3, Page 156 in the Warrick County Recorder's Office. Ohio Township 20-6-9. (*Advertised in the Standard July 28, 2022.*) *Continued from the last regularly held meeting on August 8, 2022.*

He said this one does have a rezoning with it. He added I will go ahead and read over the rezoning as well.

PC-R-22-09: PETITIONER/OWNER: Indiana Valley LLC by Mansoor Kahn, Member. To rezone 9.161 acres located on the south side of Stahl Road. Approximately 660 feet west of the intersection formed by Stahl Road and Epworth Road from "R-1A" One Family Dwelling Zoning District & "C-4" General Commercial Zoning District to "R-2B/PUD" Multi-Family Planned Unit Development Zoning District. Part of Lots 27 & 28 in Sweat's Subdivision as recorded in Plat Book 3, Page 156 in the Warrick County Recorder's Office. Ohio Township 20-6-9. (*Advertised in the Standard July 28, 2022.*)

Scott Buedel, Cash Waggoner & Associates, and Mansoor Kahn, Owner, were present.

President Valiant called for a staff report.

Mrs. Barnhill said on the notices, they were sent together. She said we are missing 11 green cards but we do have the white pay receipts showing adjacent property owners were notified correctly. She said the current zoning is “R-1A” One-Family Zoning District and “C-4” General Commercial Zoning District, they are requesting to rezone to “R-2B/PUD” Multi-Family Planned Unit Development. She added there is no flood plain and the proposed development consists of a 1 lot Subdivision proposing six 3-story apartment buildings with a total of 144 units, a 1-story clubhouse, and a 1-story maintenance/storage building. She said they have filed an updated plat since our last meeting and they have included a 6’ privacy fence and some trees in their landscape plan between the apartment buildings and Sweats Subdivision to the west. She said the Commissioner’s tabled their street construction plans today, until their September 26th meeting. She said the Drainage Board did approve the drainage plans today. She said Newburgh Sewer has capacity and Chandler Water has capacity. She said the plat would be subject to zoning approval by the County Commissioner’s, subject to the street plans being approved, and subject to the waiver of 24’ right-of-way when the Ordinance requires 40’ minimum right-of-way on private roadway. She added on the zoning portion, the area is projected to be commercial. She said the property is currently vacant. She added to the north and east are “C-4” being a commercial subdivision and commercial buildings, to the west is “R-1A” being Sweat’s Subdivision, and to the south is “M-1” being Deaconess Gateway Hospital. Their access would be onto Stahl Road and Clover Drive. She added their stated use is a Multi-Family Apartment Complex which would be in compliance.

President Valiant said thank you Molly. He asked Scott, do you have anything to add to the staff report.

Scott Buedel said well, I believe the last time we were here the whole reason for the continuance was the traffic study and there was no drainage approval the last time or road plan approval, basically for the traffic study itself. He said we did receive the traffic study within the last week and half or two weeks. He said that was forwarded out to all the departments, MPO, and Bobby and then I forwarded the copy to Molly too and so the reason for the continuance or non-approval from the Commissioner’s was, last Friday, Evansville MPO had questions about Lockmuehler’s study and some of those numbers that were in there and to make sure they are both in agreement on where things are headed, but there were a number of emails that were going back and forth today between Lockmuehler and MPO to make sure everyone is on the same page with what the numbers represent.

Amanda Mosiman asked MPO is.

Scott Buedel said MPO, Metropolitan Planning Organization.

Amanda Mosiman said thank you.

Scott Buedel said so that is the reason for the road plan approval not happening today. He said I believe that was continued for two weeks. He said but beyond that, last time there were a number

of neighbor's who showed up to the Drainage Board meeting and the County Commissioner's meeting last time and then we met with them out in the hall after this meeting. He said they had a number of questions, number of concerns about the property. He said we did set up a neighborhood meeting, it was on August 18th at Bell Road Apartments, his other development, at the clubhouse and if I counted right there were 15 neighbor's there that represented 10 lots in Sweat's Subdivision. He said so, I feel like it was a pretty good turnout from the standpoint of who was invited and how many showed up. He said a lot of the questions revolved around drainage and I feel like that was... um, everything was taken care from the standpoint of understanding what we are doing with the storm water on-site as far as it exists now and what it would be like if it was developed and after development took place. He added I believe everyone was comfortable with that. He said some of the other questions dealt with basically just that west line and privacy so after that meeting we did go back and, I know it probably doesn't sound like much, but we did shift all the buildings further east and granted it was only 3' but we moved them as far as we could in dealing with Chandler, we have also been working with them on where the water line was going, but we moved the buildings 3' further east, we added the fence that was discussed at the meeting, and then at each... like northwest and southwest of each building, if you have been to Bell Road Apartments it will be the same building, uh, but they were asking for some sort of a buffer at that location so we have shown two trees that would be at each one of those locations, at the ends of the buildings. He added we're planning on doing an evergreen type tree so there will be some privacy associated with that. He said the other change that we also made, the parking lots. He said we had them extended one stall further west towards Sweat's whenever we initially laid this out and when we moved the buildings 3' we also took off that last parking stall on the end of each aisle and moved it to the ends of the buildings. He said so basically the parking lots themselves got 9' shorter from, you know, pushing up against their backyard. He said as we have it shown there is a 6' public utility easement that would be along the west property line, on top of that would be a 12' RPUE for sanitary sewer, and then the fence would be outside of that. He said so the fence would be about 19' from the property line and then there would be 9' from the fence to the buildings. He added so I think there is plenty of room to get around the back side to do maintenance and plenty of room on the building side to do maintenance at that location. He added beyond that, I think we... I mean we hoped we addressed everyone's concerns when we met and, um, and I haven't really heard anything since that meeting and we did provide some plans to them at that meeting so they could kind of review what was prepared and you know we haven't really gotten any comments back since.

President Valiant said thank you for that additional info Scott, any questions from the Board at this time.

Amanda Mosiman asked the fence... the fence in that one area is only going up to about Building 2, it looks like.

Scott Buedel replied no, the fence goes from the southwest corner of Building 6 to the basically where we have the recreational or dog park area.

Amanda Mosiman said okay, it is just hard to see on the line.

Scott Buedel said right, but it should go up to that point but I did want to kind of leave it open for maintenance, mowers, weed eaters.

President Valiant asked any other questions at this time. He asked any other remonstrators for or against this project.

Jim Greer, 3866 Clover Drive, was present.

Jim Greer said my wife and I are property owners at 3866 Clover Drive which is on the east side of Clover, adjacent to this proposed development. He said I do want to point out that our existing lot size is less than a quarter of an acre so even though they have added 3' for their setback it is still going to be an imposing building adjacent to our property. He said so I would respectfully ask if the Planning Commission could um, require more than that 27' because these buildings are going to be 40 something foot tall and are going to be imposing on us. He said looking from our vantage point, you know as property owners, you know 27' it is not to the back wall here so um, you know this is a new development and you have the ability to require, now they may not be able to do all 6 apartment buildings with an increase set back but they could still maybe do a few apartment buildings but I do respectfully ask that if there is something you can do as the Planning Commission to help that situation it would be appreciated I think by all the existing property owner's. He said I just ask that you put yourself in our shoes.

President Valiant said thank you sir.

Jim Greer said thank you.

Thomas Aylword, 3922 Clover Drive, was present.

Thomas Aylword said I live at 3922 Clover Drive, and we discussed at the meeting at the apartments, at the clubhouse or what not that um, their second access to the complex is going to run parallel to the Lloyd Expressway, against the fence I guess there, and is going to run the end of what is now a cul-de-sac. He said so it is going to take a dead end street that I have lived on for 10 years and it is going to make it a thoroughfare for all the traffic leaving the apartments. He said the owner of the property had mentioned possibly putting in the lease agreement that that was emergency use only because that was by law, or something, they are supposed to have 2 exits. He said my concern is their trash compactor, the only source to get rid of their trash is going to be on the Lloyd Expressway close to that exit and if I am an apartment owner at the front of the complex and I need to drop my trash at the back why would I not go to the back, drop my trash, and then exit out that side exit there out to Clover there, and then exit out Clover Drive. He said I am just concerned it is going to increase a lot of traffic on our street that right now doesn't hardly get any traffic on it so... He said that was my concern so I don't know if there is any way that we could see something about that in the lease or that they could even be able to hold people to that. He said it is definitely going to highly change the aspect as to where we live currently and I also agree that having these tall buildings only 27' away is actually pretty da-gone close when you measure it out on this floor. He added I don't think from where you are sitting to the back wall is probably more than 28'. He said so anyway, that is all I have.

President Valiant said thank you sir. He asked anyone else, seeing none Scott would you like to step back up and re-address those concerns we just had.

Scott Buedel returned to the podium.

Scott Buedel said first of all, from the standpoint of the zoning portion, the property is, except for the small area where the access where the secondary access road would be, the property is currently zoned C-4. He said so from the standpoint of the use to what it could be today to what we are proposing you know to go to the R-2 so it is a down-zone, granted it is a PUD but you know I feel like we are down zoning to a certain extent so you know building heights and traffic patterns and so forth are going to be the same or less, potentially less in this type of situation.

Amanda Mosiman said you said small amount. She asked do you know the actual acreage of the amount in residential zoning.

Scott Buedel responded it is just that small portion of...

Amanda Mosiman said I am sure it is in here somewhere, I'm just not seeing it.

Scott Buedel said it is 145' X 65'.

Amanda Mosiman said how much of it was the "C-4" verses the "R-2", I mean the "R-1A" to "C-4". She asked how much was one and how much was the other of the 9.1 acres.

Mrs. Barnhill said there is just a little lot where they are going to extend over to Clover Drive. She said the rest of this, where all those apartments sit was "C-4".

Amanda Mosiman said oh okay, I understand what you are telling me.

Scott Buedel said yeah that area is .2 acres and the overall site is uh...

President Valiant said 9.161.

Scott Buedel said right. He said um, so from the standpoint to the zoning, you know it is a downzone to the residential instead of the commercial use and from the standpoint of the traffic study whenever I initially talked to Lockmuehler about the ... during the study, I asked about one entrance verses two and they said absolutely you need the second entrance it's... you know from a safety standpoint. He said their first bullet point in their summary in their traffic study, I will just read what they got here, it says:

The site plan shows primary access to Stahl Road and secondary access via Clover Drive. The secondary access to the development for safety reasons so the neighborhood can still be accessed in the event of one access being shut down or blocked.

He said so, they were adamant that the second access be utilized and in that meeting we did discuss, um, you know whether it is a notation to the people leasing or you know, some sort of signage that is, uh, secondary access or emergency access to try and limit the amount of people that would freely, you know, drive down there and then access Clover Drive. He said I mean if you look at the development too, if you are leaving the development everybody is coming from the east and exiting to the east. He said there is nothing back down that road to the west, other than our office. He said and there is another apartment complex back there too, you know, there is other buildings back there but it's not where these residents would be coming and going from. He added they would be exiting from the east and coming from the east. He said so, you know, if you lived in the development to circle all the way around and go back further west to go back further east... or to go back east... I, I am not going to say nobody is gonna do it, but I just feel like if you live in that development the shortest route to get to where you are going is going to be north and east instead of south west then north east. He added on the other, and I thought this is where Jim was headed when he talked about the size of their lots in Sweat's Subdivision. He said the sanitary sewer... they are all on septic on the quarter-acre lots and the sanitary sewer we have proposed is just off their east property line, at least for all the people east of Clover Drive and whenever we prepared those plans and submitted those to Newburgh Sewer for approval we did receive comment back that they would like to see laterals added for each one of those lots to make sure that if their septic system were to fail, they had a place to hook onto, but nobody has to hook onto as long as their septic is operating and everything is working fine but if it comes to a point where something fails on their lot, a quarter-acre is probably not going to be sufficient to put in a new field bed and you know, allow them to keep residing at that location, with septic. He said so, so having the laterals in place for the sanitary would be an asset for them if they ever choose to use it.

President Valiant said thank you Scott, any other questions from the Board.

Richard Reid asked the Commissioner's did not approve one thing, what was that. He asked was that the road.

Scott Buedel said the roads, yes.

Amanda Mosiman added street plans.

Bob Johnson said we are waiting for the MPO to approve the street plans.

Scott Buedel said no, the traffic study.

Bob Johnson said the traffic study.

Scott Buedel said yeah.

Amanda Mosiman said I mean that is kind of new for us, why are they commenting on that or are they always commenting and we just don't know about it at this point.

Bob Johnson said I can't answer that question.

Mrs. Barnhill asked the MPO.

Amanda Mosiman said yeah. She asked why is Evansville's commenting on that project now.

Mrs. Barnhill said our county engineer uses them.

Richard Reid said they look at multiple counties.

Amanda Mosiman said oh, okay.

Mrs. Barnhill added to study the traffic impact study in order to make a determination.

Richard Reid said several counties, I think Henderson uses them too.

Scott Buedel said yeah.

Mrs. Barnhill said and the things they were talking about were an axillary lane or maybe some sort of d-cell lane at the entrance. She said maybe some improvements at the entrance down Stahl Road, but they just haven't gotten all that figured out yet.

Amanda Mosiman asked can we talk about the waiver.

Mrs. Barnhill said yes.

Amanda Mosiman asked what are they wanting to waive from 40 to 24.

Mrs. Barnhill said the width of the right-of-way on the private road.

Amanda Mosiman said okay.

Mrs. Barnhill said which is how they did Bell Road Apartments, those were done just like that.

Scott Buedel said yes.

Jeff Willis asked is 24' going to be wide enough with people backing out at the end.

Scott Buedel said yes, 24' is the typical drive lane for 90 degree parking and people to access on either side.

President Valiant said so based on what... who was your firm who did the street plan, I am sorry.

Scott Buedel said Lockmuehler.

President Valiant said so based on them, they wanted that second entrance. He asked you weren't thinking of that originally.

Scott Buedel said well I knew it was there and Dr. Kahn, uh, who is here tonight I don't know if I mentioned that, um, you know he had mentioned utilizing that second entrance and when I brought it up to Lockmuehler that, you know, is it something that we definitely need to have or not, um, they said it was. He said they said from a safety standpoint with 144 units you want to have that secondary access and I mean if you look at it that way, maybe not so much, but it is also a secondary access for Clover Drive.

President Valiant said Clover Drive, yeah.

Scott Buedel said if something were to happen then maybe they could access out through the apartments too because right now there is a dead end too.

President Valiant said that is what I was just thinking, they are a dead end too. He said alright.

Amanda Mosiman said it is tight, it is very tight.

Jeff Willis asked is that lot to the...

Scott Buedel asked east.

Jeff Willis said east, yeah... what are they doing with those lots back towards you know...

Scott Buedel asked Epworth.

Jeff Willis said Epworth, yeah. He said well they're not that big but between the road and Venetian Drive.

Scott Buedel said that is Venetian Way over there so we back up to and adjoin Venetian.

Attorney Doll asked that is the detention isn't it.

Scott Buedel said yeah, that is the detention.

Amanda Mosiman asked what is the potential for all of the lots on that side to get developed. She said like these two are developed right and then the rest are still vacant.

Scott Buedel said correct, yes and then Bostons was just recently purchase by Deaconess I believe.

Amanda Mosiman said okay.

Attorney Doll asked what is the parking Scott, how many parking spaces.

Scott Buedel said are we providing... oh... we are... we have 301 shown and the required is 288.

Attorney Doll said I'm sorry what.

Scott Buedel said 288 is what is required based upon 2 per unit and we have 301 shown, and the additional ones are just up around the clubhouse so I guess we probably could have cut some back but I feel like having 2 per unit around each more apartment site is probably more practical.

Attorney Doll asked do you think at 8 o'clock in the morning this development can handle everyone trying to go to work and kids trying to get on the bus.

Scott Buedel said oh, yeah. He said yes, and I drive Stahl Road every day and like I said, there is the apartment complex back to the west, up along the parkway the hotels back there... I mean it is... granted I come and go early and late but traffic is always light and...

Attorney Doll interjected I was thinking more the interior roadway.

Scott Buedel said yeah, I mean it is laid out like any other apartment site.

President Valiant asked any further questions from the Board.

Attorney Doll said the school corporation, do you pick up interiorly.

Greg Webb said we would pick up on Stahl Road.

Attorney Doll asked so these kids would have to walk out to the road.

Greg Webb said yes, they would.

Amanda Mosiman said so I am assuming there are sidewalks then.

Attorney Doll said yeah, there are sidewalks.

Scott Buedel said yeah, I mean there is...

Jim Greer asked may I comment.

President Valiant said you are going to have to come up to the podium sir.

Jim Greer returned to the podium.

Jim Greer said I do know that currently the school corporation bus comes down Clover Drive, currently it turns down the cul-de-sac so that may be a little difficult if there is a road that ties into the cul-de-sac now because you got, you know a school bus trying to turn and you know, potentially traffic coming their way so that is a consideration to for the...

Attorney Doll said well that may be a safer place for the bus to pick up kids, in that cul-de-sac then out here on Stahl Road.

Bob Johnson said true.

Attorney Doll said or half the kids.

Amanda Mosiman said instead of having to come in and turn around.

Attorney Doll said yep, certain buildings, certain directions.

Greg Webb said you know with apartment complexes sometimes you get kids coming from every direction to the bus and it is hard to see around the buildings and things with those pretty tight turns so we try to stay out in the front. He said the other thing is, is really we are trying to get away from going into these types of subdivisions. He said I am not saying we couldn't do it but from what I see here I think we would pick up out front.

Attorney Doll asked Scott where is the mail delivery.

Scott Buedel said we have basically a kiosk shown on the west side of the clubhouse. He said there are boxes on the west side of the clubhouse and there is some parking shown on the west side of the clubhouse and...

Attorney Doll said oh yeah, for the 3 cars to park.

Scott Buedel said yeah, so when you are coming and going you can pull in there as needed or walk if your, I am sure if you are within the first couple buildings it would be easier to walk up and get your mail.

Amanda Mosiman said in my opinion, and I am not speaking for anybody else on the rest of this Board, I like the project we need more of these types of housing units in the Warrick County, I am sure they will go quick and that is why we are building them but this space is extremely tight. She said again, I like the project and I like that you are down zoning it but that is an extremely extensive footprint on a very, very small space. She added so it brings me some pause.

Richard Reid asked it is very similar to Bell Road, isn't it.

Scott Buedel said yes, absolutely. He said the building, the footprint it is this size. He added it is the same building that is on Bell Road so...

President Valiant asked any other questions from the Board, if not I would say we would address the rezoning first if we were going to do anything.

President Valiant asked do you have your list of zoning... of what is allowed in a "C-4".

Mrs. Barnhill asked in a "C-4".

President Valiant said yeah, do you have your list available.

Bob Johnson said it is wide open.

Attorney Doll said yeah, that is general commercial, that is...

Mrs. Barnhill said that is the highest commercial you can do.

President Valiant said right.

Mrs. Barnhill read aloud from the ordinance: "Freight truck, industrial rental, nursing home, trade school, welding supplies, warehouse", and then it trickles down... "Ambulance, auto retail, feed stores, firework sales, gas stations, Walmarts" all of that.

President Valiant said yeah, restaurants, hotels... we are just covering what could currently go there, so. He said any other questions, if not I will entertain a motion, like I said lets start with the rezoning since that will kind of dictate everything.

Bob Johnson made a motion to recommend PC-R-22-09 to the County Commissioner's. Richard Reid seconded the motion and it carried 6-1 with Amanda Mosiman opposing.

President Valiant said alright, so with the primary plat with it subject to the conditions of the zoning, the street plans, and the waiver. He asked do we need a separate motion on the waiver of the right-of-way Morrie.

Attorney Doll said yes, yes.

President Valiant said okay I will say we will start with that for a motion.

Richard Reid made a motion to approve PP-22-11 subject to the rezoning approval by County Commissioner's, street approval by the County Commissioner's, and the 24' wide right-of-way waiver.

Attorney Doll said well Jeff, that will work.

Jeff Valiant said okay.

Bob Johnson seconded the motion and it carried 5-2 with Amanda Mosiman and Doris Horn opposing.

Attorney Doll said so the plat is approved and the rezoning will go two weeks from tonight.

Mrs. Barnhill said the rezoning will go October 10th.

Attorney Doll corrected himself, he said October 10th.

Scott Buedel said okay, thank you.

President Valiant said okay, thank you Scott.

PP-22-14: North Warrick Industrial Park Section 4: PETITIONER: Warrick County Redevelopment Commission by Steve Roelle, Executive Director. OWNERS: Phenix Properties LLC by Brian Hurst, Owner and Warrick County Redevelopment Commission by Steve Roelle, Executive Director. Approximately 183.46 acres located on the east side of State Road 57. Approximately 1-mile south of the intersection formed by State Road 57 and State Road 68. Being Lot 11 in North Warrick Industrial Park Section 3 as recorded in Document #2020R-008831 and Part of Outlot A in North Warrick Industrial Park Section 1 as recorded in Document #2008-004075 in the Warrick County Recorder's Office. Greer Township 7-4-9 & 18-4-9. (*Advertised in the Standard September 1, 2022.*)

Jim Morley Jr., Morley & Associates, and Steve Roelle, Owner, were present.

President Valiant called for a staff report.

Mrs. Barnhill said on their notices we are missing 4 green cards but we do have the white pay receipts showing adjacent property owners were notified correctly. She said the zoning is M-2" General Industrial Zoning District and there is no flood plain. She said the proposed development consists of 1 new industrial lot, increasing the size of Lot 11 and 1 outlot being the remaining 148.02 acres. She said the Commissioner's approved the request for no street improvements today and the Drainage Board approved the request for no drainage improvements today. She said Elberfeld Sewer has capacity and Elberfeld Water also has capacity. She said so the plat would be in order.

President Valiant said thank you. He said Mr. Morley anything to add to the staff report.

Jim Morley Jr. said so on the exhibit, this is up at the North Warrick Industrial Park, you see I-69 is over here and I-64 is right at the bottom of the page so it is kind of the northeast quadrant there. He said the entire piece of property is 180 acres but the majority of it is all an Outlot. He said the whole purpose of this plat is to create Lot 5 which is this big purple lot here, it is about a 30 acre lot and to expand Lot 11 by 1 acre so ultimately we are expanding one lot by one acre and we are creating a new lot to be sold to a new user, and so the rest of it all remains as an Outlot that is nonbuildable.

President Valiant said thank you sir, any questions from the Board at this time.

Amanda Mosiman asked was there a lot of concern for... a lot of discussion about this Outlot being nonbuildable at this point.

Jim Morley Jr. responded that is the way it has always been, every time we primary it the Outlot just keeps getting smaller each time but it is just the remaining property.

Amanda Mosiman said okay.

Attorney Doll asked Jim, what do you do with the conservation easement on Lot 5.

Jim Morley Jr. responded it stays with the... it runs with the land so it will just transfer to the new property owner.

Mrs. Barnhill said and there will not be any access onto 57 right there.

Jim Morley Jr. said correct.

Mrs. Barnhill said it will be interior access only.

Jim Morley Jr. said and for what it is worth there were no required street plans because both of these lots access existing roadways and there were no drainage plans required because both of these lots are big enough that we handle the drainage for the lot as a separate site development drainage plan. He said the site development drainage plan for Lot 5 was approved today and the site development drainage for lot 11 will be brought forward when the plans for the expansion for Lot 11 is done but the basin for what it is worth on Lot 11 was designed originally to take this water in.

Amanda Mosiman said the blue boxes I assume are possibly for both.

Jim Morley Jr. said yea on the Lot 5 the square blue box is the basin and then for what would be phase 1, and then the rectangular blue box at the North property line would be a basin for phase 2. He said then down on Lot 11 the blue box is where the existing is.

President Valiant asked are there any remonstrators for or against this project. He said there is nobody moving so I will turn it back over to the Board. He asked are there any further questions. He said if not I will entertain a motion.

Doris Horn made a motion to approve PP-22-14, Richard Reid seconded the motion and it carried unanimously.

Jim Morley Jr. said thank you.

PP-22-15: Stahl Landing: PETITIONER: Wolfson Young LLC by Rodney Young, Managing Member. OWNERS: Wolfson Young LLC by Rodney Young, Managing Member and Noe Properties LLC by N. Allan Noe, Owner. Approximately 8.88 acres located on the south side of Stahl Road. Approximately 0 feet south of the intersection formed by Stahl Road and Citadel Circle. Ohio Township 20-6-9. (*Advertised in the Standard September 1, 2022.*)

President Valiant asked Molly do you have the staff report.

Mrs. Barnhill said yes do we have an owner here.

Jim Morley Jr. said yep, well legal counsel.

Mrs. Barnhill said the notices, we are missing 3 green cards but we have the white pay receipts and they were all mailed correctly, the zoning is "C-4" zoning, Commercial Zoning District, and

there is no flood plain. She said the proposed development is 2 commercial lots, Lot 1 has an existing business on it and Lot 2 is vacant. She said the Commissioners approved the request for the private roadway today and the Drainage Board approved the request for no drainage movement at this time. She said Newburgh Sewer has capacity and Chandler Water has capacity so the plat would be in order.

President Valiant said thank you, Mr. Morley anything to add to the staff report.

Jim Morley Jr. said so on the pretty exhibit I passed out, across the bottom you see Highway 66 and you can see the hospital south of there and starts of Clover Leaf at 66 and 69, so we are in the northeast quadrant. He said the purple represents the parameter of the subdivision Lot 1 is the old ITT building that used to have a college in it, and Lot 2 is the green grass area beneath there or just south of the old ITT building and the yellow is a private drive that is used to access Lot 2, so it is just being split apart. He said that way they can sell Lot 2 off. He said there is a 40 foot easement or is it 50 feet Molly.

Mrs. Barnhill said it is a 50 foot easement.

Jim Morley Jr. said and then the drive itself is 24 feet wide, Bobby signed off on the private drive. He said the private drive actually stopped about 40 feet short of the property line so we had to submit road plans to extend it the last 40 feet and provide a turnaround area. He said those private road plans were approved at the Commissioners meeting today and then this also is about a 5 acre, a 4.5-acre parcel and will also get a set of drainage plans with it when the development for that project comes through. He said it was approved as no drainage plans required for the subdivision because it is unknown what will happen on that large parcel and that is rather typical on the large parcels that we don't know what the development is they come through as their own drainage plan with the development.

Inaudible mumbling from the Board.

President Valiant asked are there any remonstrators for or against this project, if so please step forward. He said nobody is moving other than Mr. Morley so I will turn it back over to the Board, are there any other questions.

Amanda Mosiman made a motion to approve PP-22-15, Jeff Willis seconded, the motion carried unanimously.

Jim Morley Jr. said thank you all, I appreciate it.

Other Business:

President Valiant said Comprehensive Plan contract.

Mrs. Barnhill said you have it right.

President Valiant said I have it right here.

Mrs. Barnhill said so I emailed this out to everyone and this is our contract with Taylor Siefker Williams and Lochmuehler to get started on the comprehensive plan.

Amanda Mosiman asked what do they have, I will be honest I didn't have time to look at the email, but hey at least I'm almost about it, did they put anything in the contract about public meetings.

Mrs. Barnhill said yes they did.

President Valiant said they were very thorough.

Mrs. Barnhill said it talks about steering committee and they think we will meet about 4 times probably.. quarterly, yea... public workshops... they have these things called meeting in a box where they will get it ready for us to go do our own meetings for a public outreach part of this program if we want. She said yea there was a lot in here, they have it like listed out exactly... like this would happen, this is the first thing they have an online survey, public visioning workshop and then they start drafting, public workshops.

President Valiant asked how soon are we wanting to get a steering committee together on this.

Mrs. Barnhill said well, if this gets approved tonight I will take it to the Commissioners for them to sign off on it at their next meeting, and then they said the beginning of October that they would be in touch. She said we could probably go ahead and start reaching out, they did send us a list of the titles, recommended titles for the steering committee.

President Valiant said there would be some representation from this Board as well as the BZA so.

Mrs. Barnhill said this Board, BZA, a Commissioner or two.... a high schooler, we could get a high school kid on here if we wanted to.

Amanda Mosiman said oh I can get you a high school kid.

Mrs. Barnhill said oh yea, we need representatives of companies out in Warrick County, possibly a developer, people of that nature.

Jim Morley Jr. said I think you need an engineer on there.

President Valiant said, I'm sorry.. an Engineer.

Jim Morley Jr. said given the opportunity I would like to sit on that committee.

President Valiant said well thank you sir, and your name was....(laughter from the Board members). He continued I know Molly and I have talked about this briefly she has been putting in a ton of work on it, she does kind of have her wish list for people in the community so I mean anybody who is interested just let her know that way she can cross your name on or off or put you on there. He continued I think it is a good deal, Molly has put in a lot of work already and I know

she is pretty ambitious and they are anxious to get this rolling. He said we just need a motion to approve it.

Richard Reid made a motion to approve the Comprehensive Plan, Doris Horn seconded the motion and it carried unanimously.

Mrs. Barnhill asked do you have a pen.

President Valiant asked does it have to be a certain color.

Mrs. Barnhill responded I like blue...Just kidding.

ATTORNEY BUSINESS:

President Valiant said Attorney business.

Attorney Doll said umm the hearing on the Fishers violation of the court order for the storage of the carnival equipment in the wrong zoning district has been postponed until October 24th.

President Valiant said all right. He asked Molly do you have any other business.

Mrs. Barnhill said no sir.

Jeff Willis said I have a question for you. He continued I know we have been doing many apartment buildings, I know previously we checked with the superintendent years ago but have we checked recently if that's an issue or something to consider with the school district or any of the schools in the area because I know a lot of the schools in the Castle area are getting really full.

President Valiant said that is where everyone wants to move though, it seems like the...

Jeff Willis said right but the schools, is that something we are supposed to consider or is that something we should check with them again now that it has been a couple years and we have done a couple hundred apartments.

Amanda Mosiman said that is definitely something that we should approach with the Comprehensive Plan.

President Valiant said well there you go.

Mrs. Barnhill asked now what was the question exactly.

Jeff Willis said well the schools are really crowded in Newburgh for Ohio Township.

Mrs. Barnhill said yes with some high-density apartments...

Jeff Willis said I just wanted to know if that is something, we need to address with the school board, ask the school corporation before we pass anything or see if they still have capacity or is that something you even consider or they just have to deal with it.

Attorney Doll said no I think you can consider it for sure, maybe we want to ask the school corporation to give us a little information on that.

Mrs. Barnhill said so do you want to discourage those type developments.

Jeff Willis said I don't want to discourage it, if they have plans that they can handle it then let's keep doing them as long as that makes sense, but I know it's not going to make sense for them to build apartments 2 or 3 miles from Castle Elementary and then ship them to Lynnville because they don't have capacity at the school.

Mrs. Barnhill said I know on this one there is a lot of concern over the density, how tight everything was, like Amanda was saying. She continued, I have heard that from some other people....

President Valiant said well that was just the footprint.

Attorney Doll said there has been what a thousand apartments in the past 2-3 years...

President Valiant said and we keep, it is what keeps going in but your... what are we going to do limit... we cannot approve because you are in the wrong school district.

Amanda Mosiman said no but you can look at a high-density overlay on a comprehensive plan map and you can take in affect we only want the best projects which might be residential.

President Valiant said right but in the intro...

Attorney Doll said no but it doesn't change what happened tonight but that is a good question, that's a great question... I think we should get information from the school corporation on this. He asked where can you absorb residential growth in the district. He said they may have to move but we are kicking the problem over to the public schools and if we fully develop in a high-density manner, certain areas of the township that they do not have classroom space for additional children, we have just created an economic issue for the school corporation. He continued they have got to figure out a way to handle that so we need to work hand in hand with the school district asking where do you have capacity and we can bring that up maybe in sight review. He said during sight review we can say have you looked at the school corporation, can you handle this many families in this district at that location.

Jeff Willis said none of these were one bedroom they were 2-3 bedroom apartments and there are 24 per building, so there are 144 units in this that was approved tonight.

President Valiant said that is a good point.

Attorney Doll asked so do you want to make a motion.

Jeff Willis asked to get more information from the school corporation.

Attorney Doll responded I think the most we could do is invite the school corporation to provide us with density information so that we can consider it when we are in sight review looking at large residential projects. He said I think that we ought to be told by the school corporation, this is the building that we are needing to expand... it's on our radar that we are needing to expand. He continued take a look out toward Victoria, I mean what are we doing about the Elementary School in that neighborhood... I mean Jagoe impacts schools tremendously.

Jeff Willis said it wasn't only the apartments that were on the agenda tonight, we have also heard about 500 home neighborhoods and that is going to effect the schools.

Attorney Doll said so the motion would be to invite the school corporation to share with us density information and future plans that we can take into consideration when representing a project.

Amanda Mosiman said would it be appropriate to make a motion to make a small committee or just bring them in front of the Board.

Attorney Doll said well that's up to Molly but it seems to me that we ought to invite the school corp... let's see what they've got and then set up a meeting. He said I think that's the way to do that but I am just one opinion.

Jeff Willis said they could be like man we are stressing out we just didn't know how to tell you guys.

President Valiant asked is that a motion Jeff.

Attorney Doll said ok so Jeff you made a motion to invite the school corporation to share information and density.

President Valiant said are we just talking about inviting them to site review, and starting there maybe.

Attorney Doll said well we would use the information in site review, I think that is the appropriate place where we would say to the developers... Hey you realize there is not school corporation space for this many families in this part of Ohio Township, have you talked to the school corporation about that.

President Valiant said right.

Attorney Doll said I am really concerned about the amount of children that are going to be walking on Stahl Road to get to the bus, that is going to be a lot of kids coming out of 144 apartments at the same hour of the day, I mean that's a full bus.... It will be more than one bus of kids coming out at a time so Jeff that is a great question.

President Valiant said they should have those numbers somewhere. He said there is a motion on the floor.

Richard Reid seconded the motion and it carried unanimously.

Attorney Doll said so Molly you will reach out to the school corporation.

Mrs. Barnhill said yes.

Amanda Mosiman said so the school corp will need to have a letter of capacity like the sewer and the water.

President Valiant asked is there any other business otherwise I'll entertain a motion to adjourn.

Richard Reid made a motion to adjourn at 7:01 p.m. Doris Horn seconded the motion and it carried unanimously.

EXECUTIVE DIRECTOR BUSINESS:

ATTEST:

Molly Barnhill, Executive Director

Jeff Valiant, President