

Floyd County Plan Commission

Minutes

The regular meeting of the Floyd County Plan Commission was held on January 12, 2025 at 7:00pm at the following address:

**Pineview Government Center Assembly Room 104
2524 Corydon Pike
New Albany, IN 47150**

PLEDGE OF ALLEGIENCE

ROLL CALL

Present: Gina Anderson, Larry Bibelhauser, Chris Welch, John Brinkworth, Dale Bagshaw, Connie Moon, Frank Loop, Victor Unruh

Absent: Jeremy Shumate

Other: Kristi Fox, Nick Creevy, Karalynn Flora

MINUTES

Minutes from the December 8, 2025 Meeting

Motion: Approve

Moved by: Chris Welch

Seconded by: Larry Bibelhauser

Motion passed 6-0, 2 Abstained.

NEW BUSINESS

Election of Officers and Appointments

Motion: Victor Unruh for President/Chairperson

Moved by: Chris Welch

Seconded by: Frank Loop

Motion passed 8-0.

Motion: Connie Moon for Vice-President/Vice-Chairperson

Moved by: Frank Loop

Seconded by: Larry Bibelhauser

Motion passed 8-0.

Motion: Larry Bibelhauser and Victor Unruh for Board of Zoning and Appeals

Moved by: Chris Welch

Seconded by: Dale Bagshaw

Motion passed 8-0.

Motion: Larry Bibelhauser, John Brinkworth, Gina Anderson, Chris Welch and Victor Unruh (Frank Loop for alternate) for Plat Committee

Moved by: Dale Bagshaw

Seconded by: Connie Moon

Motion passed 8-0.

Agenda Item 1 – FC-11-25-35 – Administrative Subdivision – Applicant is requesting a re-plat of the subdivision known as Legacy Springs Lot 233. James Senn, 1105 Beechwood Drive, Lanesville, IN 47136 (22-02-00-900-042.013-002). Section 09, Township 3 South, Range 5 East.

Applicant requested to table this item until the next meeting.

Motion: Table until February 9th as per request

Moved by: Dale Bagshaw

Seconded by: Larry Bibelhauser

Motion passed 8-0.

Agenda Item 2 – FC-12-25-42 – Zoning Map Amendment – Applicant is requesting to rezone the existing PD-RU property to GC to allow for the development of a grocery store. Jay C Food Stores c/o The Kroger Co., Vacant land between Highway 150 and Schreiber Road, Floyds Knobs, IN 47119 (22-04-01-900-046.000-006, 22-04-01-900-050.000-006, 22-04-01-900-052.000-006, 22-04-01-900-106.000-006, 22-04-01-900-128.000-006, & 22-04-01-900-129.000-006). Section 19, Township 2 South, Range 6 East.

Mr. Creevy – COO. Read the Staff Report. The applicant is proposing the development of the property into 3 lots to include a Grocery/shopping center, a fuel station, and a lot dedicated for detention. Lot A will be 13.9-acres, Lot B will be 1.49-acres, and Lot C will be 1.11-acres. Tract A will be the site where the proposed 122,000 S.F. marketplace (JayC Food Store) will be located. Tract B will be the location of the detention area. Tract C will be the site of the fuel station which will include 9 pumps. Tracts A & C will be separated by a proposed connector road connecting Schreiber Road to Highway 150 with a traffic signal. The applicant has requested several development standards variances for the development, primarily focused on Lot A but also applicable to Lot C in some cases. These are for façade building materials, external sidewalks along Highway 150, internal sidewalks, and signage. A substantial amount of the property was originally zoned General Commercial with a small portion to the north zoned Residential Urban. It was approved to be rezoned to a Planned Unit Development with underlying Residential Urban zoning for a mixed used development that included residential urban homes and commercial lots along Highway 150 (FC-03-22-17). Staff comments: 1. The re-zoning of the subject property IS consistent with the Floyd County Comprehensive Plan because: Vision Floyd County prescribes following Smart Growth Principles for development 2. The re-zoning of the subject property IS consistent with the current conditions and the character of current structures and uses in

the area because: The property is adjacent to Highlander Point where the current JayC Store is located. Large scale commercial and strip commercial is located there. 3. The re-zoning of the subject property IS necessary for the most desirable use of the land because: The property was initially substantially zoned for general commercial because it is an economic growth area identified in the County's Comprehensive plan. It is ideally located near the interstate and along Highway 150. The large tract available is particularly suited for a large shopping center and ancillary services such as a fuel station. 4. The re-zoning of the subject property WILL NOT be injurious to the value of other properties in the area because: The re-zoning is consistent with the original zoning of the property which was not injurious to nearby properties. 5. The re-zoning of the subject property WILL support responsible growth and development in the area because: The proposed re-zoning follows smart growth principles and consistent with nearby land uses and County Planning documents. Adequate infrastructure is available nearby and can be brought to the properties. Staff Recommendations: Written Commitment: Property owner will commit to working with County on the Limited Access Right of Way Break permit and property owner will pay any required fee for the increased property value, for these properties, charged by INDOT or other State agencies, as agreed to by the County.

Mr. John Campbell – 603 N Shore Dr. Suite 204, Jeffersonville. Heritage Engineering. Mr. Campbell stated they are hoping to rezone back to General Commercial (GC), so that they can create the three lots proposed and the roadway through the property. He displayed a map showing how much of the site area was previously zoned GC.

Mr. Unruh- asked if anyone would like to speak in favor. No one came forward, asked if anyone would like to speak in opposition, No one came forward.

Mr. Loop- read the ballot. Docket FC-12-25-42, Under the Floyd County Zoning ordinance 2006. In reviewing the zoning amendment petition, the Planning Commission, the county commissioner shall pay reasonable regard to the following: The Floyd County comprehensive plan in any applicable adopted planning studies or reports, Current conditions in the character of current structures and uses of each district, the most desirable use of which the land for each district is adapted, The conservation of property values throughout Floyd County and responsible growth and development. After careful reviews, Floyd County Planning Commission finds that 1. The rezoning of the subject property is consistent with Floyd County Comprehensive Plan because Floyd County follows smart growth principles for development with the following paramount principles: We want to preserve open space, farmland, natural beauty, and critical environmental areas, we want to strengthen and direct development toward existing communities, we want to foster distinctive, attractive communities with strong sense of place. 2. The rezoning of the subject property is consistent with current conditions in the character of current structures and uses in the area because the property it's adjacent to the Highlander Point shopping center which is a large commercial strip and it's on both sides of 150. The rezoning of this subject property is necessary for the most desirable use of land because the property is in the economic growth area defined in Floyd County's comprehensive plan, is also ideally located on US150 near I-64. The property is well suited for continuation of the shopping district, ancillary services and a fuel station. 4. The rezoning of the subject property will not be injurious to the value of the other properties in the area because the rezoning is not injurious to nearby properties or the proposal is consistent with long-term historic planning of the 150 corridors. The rezoning of the subject property will support responsible growth and development in the area because proposed rezoning

follows the county smart growth principles and are consistent with nearby land use. Adequate infrastructure is available nearby and can be brought to the project. Upon careful reviews, Floyd County Planning Commission hereby makes a favorable recommendation to honor the petitioners zoning amendment application. This day, the 12th of January 2026. The favorable recommendation is made based on the following written commitments: Property owners shall commit to working with the county on a limited access right away break permit, Property shall pay any required fee for the increased property value for those properties charged by INDOT or other state agencies. That's My Ballet.

Mr. Creevy – I would suggest adding as approved by the county for the written commitment.

Moved by: Frank Loop

Seconded by: Larry Bibelhauser

Motion passed 8-0.

Agenda Item 3 – FC-12-25-43 – Major Subdivision – Applicant is requesting Primary Approval of a Commercial Subdivision for a Jay C grocery store and fuel station. Jay C Food Stores c/o The Kroger Co., Vacant land between Highway 150 and Schreiber Road, Floyds Knobs, IN 47119 (22-04-01-900-046.000-006, 22-04-01-900-050.000-006, 22-04-01-900-052.000-006, 22-04-01-900-106.000-006, 22-04-01-900-128.000-006, & 22-04-01-900-129.000-006). Section 19, Township 2 South, Range 6 East.

Mr. Creevy – COO. Read the Staff Report. The applicant is proposing the development of the property into 3 lots to include a Grocery/shopping center, a fuel station, and a lot dedicated for detention. Lot A will be 13.9-acres, Lot B will be 1.49-acres, and Lot C will be 1.11-acres. Tract A will be the site where the proposed 122,000 S.F. marketplace (JayC Food Store) will be located. Tract B will be the location of the detention area. Tract C will be the site of the fuel station which will include 9 pumps. Tracts A & C will be separated by a proposed connector road connecting Schreiber Road to Highway 150 with a traffic signal. A traffic impact study including the project was conducted by Strand. The design for the limited access break has been approved by INDOT. Final approval will come once the design of the intersection is complete, which is a Federally funded project the County is undertaking. Staff Review: 1. The petitioner has provided a preliminary site plan and plat. A traffic impact study was completed and provided adequate level of service once the intersection at Highway 150 is completed. A soil and preliminary site report was completed for (FC-03-22-17) for this property that indicated there was not a need for a Phase I environmental or a Geotechnical Report and there are no wetlands or flood hazards present. Lots meet size standards for the General Commercial zone with access from new roads and drives. And the new public street is compliant with County Standards but needs to be named. A private access easement is needed for the drive access to Lot C. Connection to the new public street is prohibited as it will interfere with the intersection with Highway 150. Approval of the Limited Access Break is pending with INDOT. 2. The petitioner has provided a preliminary plan for drainage. The development will utilize Lot B for a detention basin. 3. The petitioner has provided letters of service for the following utilities and services: Harrison REMC – Electric, Highlander Fire

District – Fire Protection, Floyds Knobs Water Company – Water, Centerpoint Energy – Gas and Clark Dietz – For NA Wastewater (Sewer) 4. The petitioner has met the requirements of the SCO for wastewater, they have provided a letter from Clark Dietz stating available infrastructure and sewer capacity. Final approval of the connection will come from the City of New Albany, New Albany Municipal Wastewater. This was also confirmed at the TRC meeting. Staff Recommendations: Prior to secondary approve provide the following: Complete drainage plan, Provide documentation blueline stream has been declassified from IDEM and DNR, Update plan to include an access easement for Lot C, Provide protective covenants to include sidewalk maintenance and liability provisions, private access easement use and maintenance, and regional detention use and maintenance, Provide an easement to buffer the creek in the northeast corner of the property compliant with the design manual, Provide documentation of cooperation with Highlander Fire for placement of hydrants, Provide name for new street.

Mr. John Campbell – 603 N Shore Dr. Suite 204, Jeffersonville. Heritage Engineering. Mr. Campbell stated that requesting approval for a 3-lot commercial subdivision plat for the creation of this combined Jay C grocery and gas store. Lot 1 is for the grocery store, lot 2 is for the fuel center and lot 3 which is the open space and detention lot.

Mr. Unruh – do you know the approx. elevation verses the elevation of US 150?

Mr. Campbell – Jay C would be midpoint of close to midpoint elevation between US 150 and Schreiber Rd.

Mr. Loop - Was there a discussion between adding a connector road highlander Pt and this new proposed road A?

Mr. Campbell - the current plans do not include this.

Mr. Creevy – We did not ask them to add this because the previous propped construction tried and the owner of Highlander Point Center declined and Highlander point does not have any public roads inside of it.

Mr. Unruh- asked if anyone would like to speak in favor. No one came forward, asked if anyone would like to speak in opposition,

Clyde Harrelson, 4059 Tanglewood Dr. Floyd Knob – felt that asking the owner of Highlander Point about a connector road should be a stipulation for approval. Also asked how the connection to Schreiber because this road is in bad shape currently and traffic should be restricted to Schreiber.

Rick Ellis, 7407 Jersey Park Rd, Floyd Knobs – Thought that a connection between Highlander Point and Jay C would help to alleviate some of the traffic congestion. He also asked who id funding and maintaining the proposed road A.

Mr. Loop – once they build it, we own it.

Mr. Ellis – so they will have to pay for the initial roadway?

Mr. Loop – they will have to and as government we have limited ability to tell two private people on what to do.

Mr. Campbell – we are open to continuing the conversation but not going to commit to anything at this time.

Mr. Bibelhauser- read the ballot. Docket FC-12-25-43, Jay C food stores Petitioner has met all the following requirements. A. Preliminary plan provided, B. certification demonstrates compliance with IDEM rule 5, C. the plat provided identifying all pertinent information pursuant to SCO and Floyd County plan planning and zoning commissions rules and procedures, D. Geotechnical report provided and soil report was completed under FC-03-22-17, E Traffic impact study was provided, F phase one Environmental Audit report provided is not required because we had one from a preliminary site report completed and submitted under FC-03-22-17, G. site plan provided that shows topographic wetlands, Flood hazard areas, Steep slopes and soil shown in soil survey for Floyd County is having severe limitations on Urban Development. H. All lots comply with the Floyd counties zoning ordinance requirements for general commercial. I. New streets is compliant with county standards. 2. The new street serving the development meets the surface type and the right of way requirements 3. The new street has not been named 4. There are not any permanent dead-end streets however a private easement is needed for the private drive to access Lot C. 5. INDOT approval is pending for the limited access break. 6. Curbs and gutters conformity INDOT standard specification. J. Driveways, intersections, and entrances. Two subdivision entrances provided where 50 or more lots proposed. 2. Driveway separation meets the requirements of the SEO. 3. All driveways and intersections are located in accordance with the SCO. K. Sidewalks are provided throughout the development on either side of the public Rd. L. Protective covenants are required but have not been provided for maintenance and repair of sidewalks and regional detention and private easements use and maintenance. 2. Petitioner has met the final requirements for drainage and stormwater. IDEM/ DNR approval is required for alterations up to the natural drainage Pattern and natural stream patterns caused by construction. The petitioner will also need to provide documentation of the declassification of the Blue Line stream from IDEM and DNR. B. full drainage plans compliant with the county stormwater regulations will be required prior to secondary approval. Development we utilize like B for detention basin.

C. A preliminary drainage plan was provided. 3. Petitioner has provided letters confirming availability and willingness to serve for all necessary utilities, water, sewage, fire, gas and electric. #4 Petitioner has met the following requirements for sewer and the service for the subdivision los will be extended to an IDEM approved municipal or county owned or operate sanitary sewer system. Decision Upon careful review, the Floyd County Planning Commission hereby grants.

The petitioner. Primary approval for a major subdivision at the meeting held on the 12th day of January 2026. Primary approval is based on completion of the following conditions. 1. complete drainage plan. 2. provide documentation that the Blue Line stream has been declassified.

From IDEM. 3. update plan to include an access easement for Lot C. 4. Provide protective covenants to include sidewalk maintenance, liability provisions, Private access easement use and maintenance and Regional detention Use and maintenance 5. Provide an easement to buffer the creek in this northwest corner of the property compliant with the design manual number. 6.

Provide documentation of cooperation with Highlander fire for placement of hydrants 7. Provide name for the new street. That completes my ballot.

Moved by: Larry Bibelhauser

Seconded by: Chris Welch

Motion passed 8-0.

Agenda Item 4 – FC-12-25-44 – Development Plan – Applicant is requesting to develop a 123,000 square foot Jay C grocery store. Jay C Food Stores c/o The Kroger Co., Vacant land between Highway 150 and Schreiber Road, Floyds Knobs, IN 47119 (22-04-01-900-046.000-006, 22-04-01-900-050.000-006, 22-04-01-900-052.000-006, 22-04-01-900-106.000-006, 22-04-01-900-128.000-006, & 22-04-01-900-129.000-006). Section 19, Township 2 South, Range 6 East.

Mr. Creevy – COO. Read the Staff Report. The applicant is proposing the development of the property into 3 lots to include a Grocery/shopping center, a fuel station, and a lot dedicated for detention. Lot A will be 13.9-acres, Lot B will be 1.49-acres, and Lot C will be 1.11-acres. Tract A will be the site where the proposed 122,000 S.F. marketplace (JayC Food Store) will be located. Tract B will be the location of the detention area. Tract C will be the site of the fuel station which will include 9 pumps. Tracts A & C will be separated by a proposed connector road connecting Schreiber Road to Highway 150 with a traffic signal. A traffic impact study including the project was conducted by Strand. The design for the limited access break has been approved by INDOT. Final approval will come once the design of the intersection is complete, which is a Federally funded project the County is undertaking. 1. Petitioner HAS NOT met all developmental standards for the district. The petitioner has requested four development standards variances from the BZA for façade building material (less than 30% transparency for front of building), signage (total signage for lot A greater than 200sqft.), internal sidewalk/pedestrian connection (parking greater than 60' from entrance or sidewalk), and external sidewalk (no sidewalk along Highway 150). 2. A waiver of the development standards requirements IS required. If required, a waiver of the developmental standards (IS/IS NOT) granted because: A. A waiver IS consistent with the spirit and intent of the Comprehensive Plan because: The waiver supports the development of the Commercial Growth area while ensuring high quality design. B. A waiver IS consistent with the intent of the District because: The variances requested are not eliminating the required design elements but modifying them to the unique circumstances of the property and the scale of the development. 3. The proposed development plan IS consistent with the Comprehensive Plan because: The development is a large-scale commercial project located in the Highlander Point Overlay district and Economic Growth Area. And there is sufficient infrastructure to support the development. 4. The proposed development plan IS consistent with the intent of the District as set forth in the Floyd County Zoning Ordinance because: The development substantially meets the standards for the district with several minor variance appropriate for the scale and location of the proposal. 5. The proposed development plan DOES satisfy the following development requirements: Signage is designed to create a unified and consistent sign package, Design and location of street

access points minimize congestion, Entrances, streets, and internal traffic facilities are compatible with existing and planned streets in adjacent developments, Design and layout of the development has a clear circulation pattern that is sensitive to topography and other natural features, Design of the proposed development plan provides adequate pedestrian connections within the development and safe street crossings to adjacent land uses, Lighting is designed to create a unified and consistent lighting package for the development, Lighting in parking areas do not exceed 20 feet in height. 6. The proposed development IS NOT in a Residential Urban or Multi-Family development. 7. The proposed development IS located in the Highlander Point District or the Edwardsville Gateway District. If the proposed development is located in the Highlander Point Gateway District or the Edwardsville Gateway District, the following requirements HAVE been met: Building facades that face any adjacent street have a finished façade and Loading docks and trash collection bins are not placed on or along the facades that face any adjacent street. Staff Recommendations: Approval contingent upon approval of Development Standards Variances for Signage, Pedestrian Connections/Internal Sidewalks, Sidewalks along Highway 150, and Building Façade. Buffer yard fence/wall material to be same material as primary structure as approved by staff

Mr. John Campbell – 603 N Shore Dr. Suite 204, Jeffersonville. Heritage Engineering. Mr. Campbell stated that they created development plans specific to the grocery that is 123,00 ft² that will include a pharmacy, a wine and spirits section and a Starbucks. He said that they complied with all the visual effect and code requirements of highlander point, except the window requirements. They were able to obtain the variance from the BZA for the window requirements. They are also providing monument signs that are in compliance with code requirements.

Mr. Unruh- asked if anyone would like to speak in favor. No one came forward, asked if anyone would like to speak in opposition, No one came forward.

Mr. Loop- read the ballot. Docket FC-12-25-44, Findings that the petitioner has not met all the development standards for the district. Petitioner has requested variances from the development standards from the BTA for the facade, building material, signage, internal sidewalk, pedestrian connection, and external sidewalk. A waiver of the development standards requirement is required. If required, a waiver of the development standard is granted because the waiver supports the development of the commercial growth area while ensuring high quality design. A waiver is consistent with the spirit intent of the comprehensive plan because the waiver supports the development of the commercial growth area while ensuring high quality design. B. a waiver is consistent with the intent of the district because the requested variances are not eliminating the required design elements, but modifying them to the property characteristics and the scale of our development. The proposed development is consistent with the comprehensive plan because the development is a commercial project located upon Highlander Point District and Economic Growth Area, sufficient infrastructure exists to support the project. The proposed development plan is consistent with the intent of the district and set forth in Floyd County Zoning ordinance because the development meets the standards for the district with minor variances and are appropriate for the location and scale of the project. The proposed development plan does satisfy the following development requirements: signage is

designed to create a unified and consistent sign package. Yes. Design and location of the street access points minimize congestion. Yes. Entrance entrances, streets, internal traffic facilities. Are compatible with existing planned streets and adjacent development, yes. Design and layout of the development has a clear circulation pattern that is sensitive to the topography and other natural features. Yes. Design of the proposed development plan provides adequate pedestrian connections within the development and safe street crossings to adjacent land uses, yes. (As much as possible) Lighting is designed to create a unified and consistent lighting package for the development. Yes. Lighting and parking areas did not exceed 20 feet in height, Yes. The proposed development is not in a residential urban. The proposed development is not a multi-family development. If the proposed development is located in a residential urban district. Multifamily development is proposed. The development does satisfy the requirements of the recreational space and open space. The proposed development is located in the Highlander Point district of The Edwardsville Gateway District. If the proposed development is located in Highlander Point Gateway District in the Edwardsville Gateway District. The following requirements have been met: building facades that face any adjacent street have a finished facade. Yes. Loading docks and trash collection bins are not placed on or along the facade that face any adjacent street. Yes. Accommodation for the community space where proposed commercial development has over 100,000 square foot, either combination of buildings or lots in a cohesive commercial development. project It does not apply. Open space requirement on section 904 of the zoning ordinance are met. did not apply. The Decision. Upon careful review, the Floyd County Planning Commission hereby approves the petitioner's development plan application at the meeting held on the 12th day of January 2026.

Moved by: Frank Loop

Seconded by: Chris Welch

Motion passed 8-0.

Agenda Item 5 – FC-12-25-45 – Development Plan – Applicant is requesting to develop a fuel center to contain 9 fuel pumps. Jay C Food Stores c/o The Kroger Co., Vacant land between Highway 150 and Schreiber Road, Floyds Knobs, IN 47119 (22-04-01-900-046.000-006 & 22-04-01-900-050.000-006). Section 19, Township 2 South, Range 6 East.

Mr. Creevy – COO. Read the Staff Report. The applicant is proposing the development of the property into 3 lots to include a Grocery/shopping center, a fuel station, and a lot dedicated for detention. Lot A will be 13.9-acres, Lot B will be 1.49-acres, and Lot C will be 1.11-acres. Tract A will be the site where the proposed 122,000 S.F. marketplace (JayC Food Store) will be located. Tract B will be the location of the detention area. Tract C will be the site of the fuel station which will include 9 pumps. Tracts A & C will be separated by a proposed connector road connecting Schreiber Road to Highway 150 with a traffic signal. A traffic impact study including the project was conducted by Strand. The design for the limited access break has been approved by INDOT. Final approval will come once the design of the intersection is complete, which is a Federally funded project the County is undertaking. The applicant has requested several development standards variances for the development, primarily focused on Lot A but also applicable to Lot C in

some cases. These are for façade building materials, external sidewalks along Highway 150, internal sidewalks, and signage. Lot C requires the variance for the sidewalk along Highway 150. Staff Comments: A conception site plan was reviewed by staff on 10/3/2025 1. Petitioner HAS NOT met all developmental standards for the district. The petitioner has requested a development standards variance for sidewalks along Highway 150 for this portion of the project. 2. A waiver of the development standards requirements IS required. A waiver of the developmental standards (IS / IS NOT) granted because: A. A waiver IS consistent with the spirit and intent of the Comprehensive Plan because: The waiver supports the development of the Commercial Growth area while ensuring high quality design. B. A waiver IS consistent with the intent of the District because: The variances requested are not eliminating the required design elements but modifying them to the unique circumstances of the property and the scale of the development. 3. The proposed development plan IS consistent with the Comprehensive Plan because: The overall development is a large scale commercial project located in the Highlander Point Overlay district and Economic Growth Area. And there is sufficient infrastructure to support the development. 4. The proposed development plan IS consistent with the intent of the District as set forth in the Floyd County Zoning Ordinance because: The development substantially meets the standards for the district with a minor variance appropriate for the location of the proposal. The use is an allowed conditional use in the district. 5. The proposed development plan DOES satisfy the following development requirements: Signage is designed to create a unified and consistent sign package, Design and location of street access points minimize congestion, Entrances, streets, and internal traffic facilities are compatible with existing and planned streets in adjacent developments, Design and layout of the development has a clear circulation pattern that is sensitive to topography and other natural features, Design of the proposed development plan provides adequate pedestrian connections within the development and safe street crossings to adjacent land uses, Lighting is designed to create a unified and consistent lighting package for the development, Lighting in parking areas do not exceed 20 feet in height. 6. The proposed development IS NOT in a Residential Urban or a Multi-Family development. 7. The proposed development IS located in the Highlander Point District or the Edwardsville Gateway District and the following requirements HAVE been met: Building facades that face any adjacent street have a finished façade and Loading docks and trash collection bins are not placed on or along the facades that face any adjacent street. Staff Recommendations: Approval contingent upon approval of Development Standards Variances for Sidewalks along Highway 150.

Mr. John Campbell – 603 N Shore Dr. Suite 204, Jeffersonville. Heritage Engineering. Mr. Campbell stated that the proposed site had 9 double sided fuel pumps, with a 200 ft² walk up payment window. This lot complies with the landscape and lot coverage requirements and detention is provided off site.

Ms. Anderson- what was the planned outcome for the existing fuel station.

Mr. Campbell – This project is on the timeline of the traffic light installation and probably will not begin until 2028 or later, but currently Kroger has no plan to close the existing fuel station.

Mr. Unruh- asked if anyone would like to speak in favor. No one came forward, asked if anyone would like to speak in opposition,

Clyde Harrelson, 4059 Tanglewood Dr. Floyd Knob – asked if this project could be built without the fueling station because it would bring unnecessary traffic and there is already an existing station.

Mr. Welch – is the intent to build the station right away?

Mr. Campbell – the intent is for it to be built.

Mr. Bibelhauser - 1. Petitioner HAS NOT met all developmental standards for the district. 2. A waiver of the development standards requirements IS required. A waiver of the developmental standards (IS / IS NOT) granted because: A. A waiver IS consistent with the spirit and intent of the Comprehensive Plan because: The waiver supports the development of the Commercial Growth area while ensuring high quality design. B. A waiver IS consistent with the intent of the District because: The variances requested are not eliminating the required design elements but modifying them to the unique circumstances of the property and the scale of the development. 3. The proposed development plan IS consistent with the Comprehensive Plan because: The overall development is a large-scale commercial project located in the Highlander Point Overlay district and Economic Growth Area. And there is sufficient infrastructure to support the development. 4. The proposed development plan IS consistent with the intent of the District as set forth in the Floyd County Zoning Ordinance because: The development substantially meets the standards for the district with a minor variance appropriate for the location of the proposal. The use is an allowed conditional use in the district. 5. The proposed development plan DOES satisfy the following development requirements: Signage is designed to create a unified and consistent sign package, Yes. Design and location of street access points minimize congestion, Yes. Entrances, streets, and internal traffic facilities are compatible with existing and planned streets in adjacent developments, Yes. Design and layout of the development has a clear circulation pattern that is sensitive to topography and other natural features, Yes. Design of the proposed development plan provides adequate pedestrian connections within the development and safe street crossings to adjacent land uses, Yes. Lighting is designed to create a unified and consistent lighting package for the development, Yes. Lighting in parking areas do not exceed 20 feet in height. Yes. 6. The proposed development IS NOT in a Residential Urban or a Multi-Family development. 7. The proposed development IS located in the Highlander Point District or the Edwardsville Gateway District and the following requirements HAVE been met: Building facades that face any adjacent street have a finished façade and Loading docks and trash collection bins are not placed on or along the facades that face any adjacent street. Decision Upon careful review, The Floyd County Plan Commission hereby approves the Petitioner's Development Plan Review Application at the meeting held on the 12th day of January 2026.

Moved by: Larry Bibelhauser

Seconded by: Chris Welch

Motion passed 8-0.

Motion: Adjourn

Moved by: Dale Bagshaw

Seconded by: Chris Welch

Motion passed 8-0.

Adopted this _____ day of _____ 2026.

Chairperson

Attest