

**Shelby County Plan Commission
Meeting Minutes
Tuesday
February 22, 2022**

Members Present:

Jordan Caldwell
Chris Ross
Mike McCain
Terry Smith
Scott Gabbard
Kevin Carson
Charity Mohr
Steve Mathies – via Zoom, election of officers only

Members Absent:

Taylor Sumerford

Staff Present:

Desiree Calderella – Planning Director
Jodie Butts – Plan Commission Attorney

Call to Order and Roll Call:

Kevin Carson called the February 22, 2022 meeting to order at 7:00 pm in Room 208 A at the Court House Annex.

Oath of Office: Jordan Caldwell took the Oath of Office.

Election of Officers:

Chris Ross nominated Terry Smith for President. Steve Mathies seconded the nomination. Kevin Carson moved to close nominations, and Chris Ross seconded the motion. The Board unanimously elected **Terry Smith as President.**

Chris Ross nominated Kevin Carson for Vice President. Terry Smith seconded the nomination. Steve Mathies moved to close nominations, and Jordan Caldwell seconded the motion. The Board unanimously elected **Kevin Carson as Vice President.**

Kevin Carson nominated Scott Gabbard for Secretary. Terry Smith seconded the nomination. Jordan Caldwell moved to close nominations, and Chris Ross seconded the motion. The Board unanimously elected **Scott Gabbard as Secretary.**

PC Appointment to the BZA:

Mike McCain nominated Jordan Caldwell. Steve Mathies seconded the nomination. Kevin Carson nominated Charity Mohr. The motion died for lack of a second.

Kevin Carson moved to close nominations, and Steve Mathies seconded the motion. The Board unanimously appointed **Jordan Caldwell to the BZA.**

PC Appointment of BZA Hearing Officer:

Jordan Caldwell nominated Dave Klene. Steve Mathies seconded the nomination. Jordan Caldwell moved to close nominations, and Chris Ross seconded the motion. The Board unanimously appointed **Dave Klene as the BZA Hearing Officer.**

Attorney Contract:

Jordan Caldwell made a motion to approve the contract. Steve Mathies seconded the motion. The Board unanimously **Approved the Contact.**

Approval of Minutes:

Chris Ross made a motion to approve the minutes from January 25, 2022. Charity Mohr seconded the motion. The minutes were approved 7-0.

Old Business:

None.

New Business:

RZ 22-03 – DOLLAR GENERAL REZONING: Rezoning of 3 acres from the A1 (Conservation Agricultural) District to the VM (Village Mixed-Use) District to allow for development of the property for medium-intensity retail use. Located west of and adjoining 3075 W Old SR 252, Flat Rock, Washington Township.

Desiree Calderella read the petition into the record and stated that Staff recommends approval with stipulations.

Will McDonough with Paul Primavera & Associates represented the petitioner. He provided an overview of the petition. He indicated that the request is consistent with the Comprehensive Plan because the property extends and attaches to the rural town center. He indicated that Dollar General would have the option to install a sidewalk in the right-of-way, that the site would include a monument sign rather than a pole sign, and that the petitioner plans to install a detention basin and intends to comply with all County drainage requirements.

The Board opened the hearing for public comment.

Ovel Johnson, who owns property at 3075 W Old SR 252, expressed concerns with potential impacts to the natural watershed and runoff from the building onto his property.

The Board closed the public comment portion of the hearing.

Will McDonough indicated that he did not perceive an issue with complying with the County's drainage requirements and that the petitioner does not intend to block waterflow.

Chris Ross explained that the County's engineering firm would review the drainage plans.

Q: Chris Ross – Do they plan to install a wet pond or dry detention?

A: Will McDonough – Dry detention.

The Board, Will McDonough, and Ovel Johnson had a discussion regarding the County's drainage requirements.

Q: Kevin Carson – Are you aware of Staff's recommended stipulations?

A: Will McDonough – Yes.

Q: Charity Mohr – Do other Dollar Generals have parking in the rear yard? Why did Staff recommend parking in the rear yard?

A: Desiree Calderella – Other Dollar Generals in the area do not have parking in the rear yard and Dollar General does not have rear parking in the rear yard as a standard site design option. The VM district recommends parking in the rear yard to encourage an 'old town' design pattern. Staff recommended that the petitioner implement architectural design elements as a compromise to allowing parking in front of the building.

Charity Mohr explained that personally she would prefer a parking lot next to her residential property than a building.

Charity Mohr indicated that Derrek Tennell had submitted information to the Board regarding safety concerns due to lack of sidewalk between the proposed Dollar General and Flat Rock.

Desiree Calderella explained that the County cannot force a developer to install a sidewalk in an area that does not adjoin their property, and that the responsibility of installing a sidewalk would fall upon the County.

Terry Smith explained that the Commissioners could seek out grant programs to potentially fund a sidewalk in the area.

Kevin Carson made a motion to vote on the petition with stipulations and Chris Ross seconded that motion. **The petition was APPROVED 7-0.**

The Board adopted the following findings of fact:

1. The request is consistent with the Shelby County Comprehensive Plan.

2. The request is consistent with the current conditions and the character of structures and uses in each district.
3. The request is consistent with the most desirable use for which the land in each district is adapted.
4. The request is consistent with the conservation of property values throughout the jurisdiction.
5. The request is consistent with responsible growth and development

SD 22-02 – ROBERTSON DIVISION SIMPLE SUBDIVISION: Subdivision of one 3-acre commercial lot from ~36-acre parent tract. Located west of and adjoining 3075 W Old SR 252, Flat Rock, Washington Township.

Desiree Calderella read the petition into the record and stated that Staff recommends approval.

Will McDonough with Paul Primavera & Associates represented the petitioner. He provided an overview of the petition.

The Board opened the hearing for public comment. There was none. The Board closed the public comment portion of the hearing.

Mike McCain made a motion to vote on the petition and Scott Gabbard seconded that motion. **The petition was APPROVED 8-0.**

Browning Investments Traffic & Street Impact Study: Plan Commission determination based on study that public street(s) are designed to effectively and safely convey the existing and added traffic generated by the development, or whether the street will be prematurely degraded by the added traffic generated by the development. Located at 9201 N Frontage Rd, Fairland, Moral Township.

Desiree Calderella explained that the traffic study found that the development would not have an adverse impact on that surrounding newly improved roads as long if the developer implemented the design stipulations recommended in the report.

Chris King verified that the developer agreed to the recommended design stipulations.

Mike McCain made a motion to approve the findings of the traffic study and Scott Gabbard seconded that motion. **The findings of the traffic study were APPROVED 7-0.**

Discussion:

None.

Adjournment:

With no further business to come before the Board, Chris Ross made a motion to adjourn. Jordan Caldwell seconded that motion. The meeting was adjourned.

Terry Smith
President **Date**

Scott Gabbard
Secretary **Date**