

**SHELBYVILLE PLAN COMMISSION
SUMMARIZED MEETING MINUTES
November 28, 2022**

Mike Evans called the meeting to order.

Members Present: Joanne Bowen, Jeremy Ruble, Scarlett Tinsley-Price, Doug Cassidy, Mike Evans, Winnie Soviar, Gary Nolley, Joe Lux, John Kuntz

Members Absent: Wade Lewis, Ben Hall

Staff Present: Hannah Jones, Adam Rude

Approval of Minutes: Gary Nolley motion to approve the minutes and Doug Cassidy seconded the motion. Voice Vote: 9 - 0. Minutes approved.

Old Business: *PC 2022-21 Genesis Property Development, E. St. Rd. 44 annexation*

Adam Rude read the petition and Ron Kelsay, petition representative, discussed the annexation and rezone project.

- Joanne Bowen had no questions.
- Jeremy Ruble asked the criteria of general industrial and Adam Rude said that everything Mr. Kelsay has discussed so far would fall within the IG, general industrial category. Mr. Ruble asked if manufacturing would fall under the IG classification and Adam said it would.
- Scarlet Tinsley-Price had no questions.
- Doug Cassidy asked why they didn't try to buy the property that Greenleaf originally was supposed to occupy. Mr. Kelsay said if the land was available, they would buy it.
- Winnie Soviar asked what the commitment level is for this project. Mr. Kelsay said there will be upwards of \$100 million in investment in this project.
- Gary Nolley asked about noise, fumes that might be involved. Mr. Kelsay answered that he wasn't aware of anything outside of the bounds of any typical manufacturing facility. Discussion followed.
- Joe Lux asked if the manufacturing process of the proposed development emit a bad smell. Mr. Kelsay said there's some smell to it but it's not been a big concern in their discussions so far. He noted that with the size of their buffer, he doesn't think it will be a problem. He'll look into it. Joe asked when development would start if approved. Mr. Kelsay said he hoped next year.
- John Kuntz had no questions.
- Mike Evans asked if the product would be grown and processed on the property. Mr. Kelsay said he wasn't sure. He knew it would be grown in Indiana. Discussion followed. Mike asked if traffic would be entering off of 325E and Mr. Kelsay said the main entrance

is planned to be off of 44. There may be a back entrance. Mr. Evans brought up some things that were discussed at the City Council meeting and discussion followed.

Mr. Evans closed questions from the board and opened it to the public.

- Jim Schulties, 3117 E. German Road said that hemp does have an odor. He also said that Greenleaf's property is for sale and has been for some time. He expressed frustration with not being able to find out exactly what will be going on there. Mike Evans explained that they'll have to come before the Plan Commission when they have a plat for development.
- Beth Coffey, 3423 E. German Road said that in the original request they were told that all additional land would remain agricultural and there would be no additional request. Now they're stating that they requested the maximum allowed by statute which makes her think they did know there would be a second request so will there be additional requests to annex and rezone more land beyond these two requests? Ms. Coffey asked why there's not a site plan as indicated on the city's website. Mike Evans said that this is an annexation. Ms. Coffey asked if it wasn't also a rezone. Mr. Evans said that when something is annexed, a zoning classification is assigned at that time. Ms. Coffey said she doesn't feel like surrounding property owners have complete information to be able to argue for or against annexation. She also said there is an odor that goes along with the harvesting of the product rumored to be going on on this property. She brought up the secrecy involved with the project and said that if they want to be a good community partner, they need to be a partner to the surrounding property owners as well. Mike Evans reminded everyone that they would have to come back for site development plan approval.
- John Burgess, 848N 325E, expressed concern about the odor, secrecy about what's going in and questioned whether a hemp farm could be located across from the church/preschool. He was also frustrated with the lack of concrete answers. Mr. Burgess asked if it was gonna be brought in as agricultural land and Mr. Evans said no, the request is for industrial. Discussion followed about the zoning. Mr. Burgess asked about the need for a plot plan too and Mike reiterated that when property is annexed, it has to be assigned a zoning classification. The petitioner has requested an IG, general industrial zoning classification. Discussion followed.
- (?) said that his mom owns the preschool at the church and had concerns if the project is hemp with pollution, odor and safety concerns. He asked why it's being annexed if they've not fully revealed the project.
- Jason Coffey, 3423 E. German Road encouraged the board to educate themselves on hemp and hemp manufacturing. There will be an odor. Mr. Coffey has concerns about the church and preschool being so close. Mike Evans asked about the next City Council meeting and Gary Nolley interrupted to explain "rezoning". More discussion followed. Adam Rude said the next City Council meeting will be December 5th at 7:00 p.m. Mr. Coffey said they've had drainage problems that they've worked with the county to resolve and he doesn't want to see those made worse. He also expressed concerns about how the project would impact residential property values.

There being no further public comments, Mike Evans reopened the meeting to the board and invited the petitioner to return to the podium.

- John Kuntz clarified exactly what parcels would be annexed.
- Joe Lux had no questions.
- Gary Nolley asked if it's hemp and if there's a press release. Ron Kelsay said no to the press release. He also said that the companies involved don't want to make an announcement until farther along in the process, stressing that it's not about hiding anything. It's just a confidential process. Gary asked if the EPA and IDEM would have to approve things and Mr. Kelsay said yes.
- Winnie Soviar encouraged Mr. Kelsay to take the public's concerns back to the developer to address.
- Doug Cassidy had no questions.
- Scarlet Tinsley-Price had no questions.
- Jeremy Ruble had no questions.
- Joanne Bowen reiterated Ms. Soviar's comment. She asked if there will be a detention or retention pond and Mr. Kelsay said yes, it would be detention. Discussion followed.
- Mike Evans asked if there was still a railroad ROW across the front of the property that used to run to Rushville. Gary Nolley said it was returned to all the property owners. Adam concurred saying that near municipalities and interstates, INDOT owns it but in more rural areas, it reverted to property owners. Discussion followed.

Mike Evans called for a motion. Joe Lux motioned for a favorable recommendation on PC 2022-21 for IG zoning and annexation. Winnie Soviar seconded the motion. Ballot vote: Gary Nolley - yes, John Kuntz - yes, Joe Lux - yes, Winnie Soviar - yes, Joanne Bowen - yes, Jeremy Ruble - yes, Scarlet Tinsley-Price - yes, Doug Cassidy - yes, Mike Evans - yes. Motion passed 9 - 0.

New Business: *PC 2022-24 UDO Amendments*

Adam Rude explained that the planning staff has been working on amendments for several months then turned it over to staff planner, Hannah Jones to discuss. Ms. Jones began with the subdivision process.

Commercial standards - Hannah described the changes and members asked questions with discussion following.

Changing multi-family residential to calculate the way density is limited was explained and discussed.

Business neighborhood and business central districts were discussed to allow first floor residential units in the same building as other uses.

Business general and business highway districts were discussed to amend multi-family residential as a permitted use with a minimum dwelling unit size of 600 square feet.

Entrance and Drive Standards amendment to clarify that the Right of Way permit may be required and is reviewed by the engineering department was explained.

The processes in Article 9 amendment to establish a subdivision waiver was explained.

The planned development process amendment to remove the clause that planned developments can only occur in certain zoning districts was explained.

The notice of public hearing section amendment to update the notice requirements for the new plat committee was explained.

Mike Evans closed board comment and opened it to the public. With no public comment, Mr. Evans closed it and reopened the meeting to board comments.

There being no further comment, Mr. Evans called for a motion. Joanne Bowen began the motion and Gary Bowen said, "So moved". The motion was seconded by Gary Nolley. Ballot vote: Joanne Bowen - yes, Jeremy Ruble - yes, Scarlet Tinsley-Price - yes, Doug Cassidy - yes, John Kuntz - yes, Joe Lux - yes, Gary Nolley - yes, Mike Evans - yes, Winnie Soviar - yes. Motion passed 9 - 0.

Miscellaneous: None

Discussion: Adam Rude briefly discussed the Plan Commission Rules and Procedures updates saying that it doesn't require City Council approval, just Plan Commission approval.

Joanne Bowen motioned to approve and Doug Cassidy(?) seconded the motion. Voice vote passed unanimously.

Adjournment: Gary Nolley motioned to adjourn and Jeremy Ruble seconded the motion.

Meeting adjourned