

Johnson County Plan Commission

June 28, 2021 Meeting Minutes

The Johnson County Advisory Plan Commission met on Monday, June 28, 2021 in the Johnson County Courthouse Annex Auditorium. The meeting was called to order at 6:00 PM by Chairman Nathan Bush.

I. ROLL CALL:

Present: Chad Bowman, Nathan Bush, Charlie Canary, Gregg Cantwell, Pete Ketchum, Chris Kinnett, Pat Vercauteren, Ron West, Attorney Stephen Watson (Legal Counsel - not voting), Michele Hansard (Director – not voting) and Angela Olson (Recording Secretary – not voting).

Absent: John Schilling and Jonathan Myers (Alternate)

II. APPROVAL OF MEETING MINUTES:

Chairman Nathan Bush called for a motion to approve the May 24, 2021 Plan Commission meeting minutes and the June 7, 2021 Special Plan Commission meeting minutes.

Motion: Approval of May 24, 2021 Plan Commission meeting minutes and the June 7, 2021 Special Plan Commission meeting minutes. **Moved** by Pat Vercauteren. **Seconded** by Chris Kinnett. **Yes:** Bowman, Bush, Canary, Cantwell, Ketchum, Kinnett, Vercauteren and West. **No:** None. **Motion approved 8-0.**

III. PUBLIC HEARINGS:

Z-2-21; Speedway, LLC – Rezoning Request. 6100 W. Smith Valley Rd.

Staff presented findings and facts to the board and recommended a favorable recommendation to the County Board of Commissioners.

Engineering Consultant Eric Carter with Weihe Engineers, Inc. (10505 N. College Ave., Indianapolis 46280) and Project Manager Mike Bergmann/Real Estate Roy Chamberlain with Speedway, LLC (8902 Vincennes Cir., Ste. E, Indianapolis 46268) on behalf of Petitioner was present to speak and address concerns. An **Exhibit** packet was presented to the board members.

Board members asked questions and expressed concerns, which were addressed by Petitioner, Remonstrator and staff, as follows:

- Q. Board member Nathan Bush asked the Petitioner to respond to concerns from the May 24, 2021 meeting regarding does this effect the value of the property that the county is trying to negotiate with Speedway, LLC?

A. Real Estate Roy Chamberlain responded that this was literally something that they do not care to address in this forum. Speedway, LLC looks at it as to separate issues; eminent domain is one issue and the rezoning is a second issue. They will handle the eminent domain as it comes. It really isn't relevant to Speedway, LLC in the rezoning process at this point. They do not choose to litigate in a public forum.

- Q. Board member Ron West asked for confirmation that no part of the property that the county is seeking to acquire would be affected by this change in zoning?

A. Correct. Mr. Chamberlain referred to page two (2) in the packet.

- Q. Board member Ron West referred to page (3) of the packet, quoted language in regards to Speedway currently has no plan to subdivide the parcel and inquired as to the what Speedway, LLC future plans might be?

A. There are no plans to subdivide this parcel at this time.

- Q. Board member Ron West inquired as to how much of the proposed facility layout would consume the parcel acreage?

A. The typical layout consumes two (2) to two and half (2 ½) acres.

- Q. Board member Chad Bowman asked staff as to whether or not the gas station would be considered an essential service?

A. No, it would require a special exception from the Board of Zoning Appeals.

- Q. Board member Charlie Canary inquired as to whether or not the gas station entrance and layout will accommodate large vehicles with trailers, etc. and have provide adequate traffic flow?

A. Yes.

Remonstrator John Holbrook (813 N. Mullinix Rd., Greenwood 46143) was present to express that he was neither for nor against the request but wanted to voice his concerns regarding the direction and layout of the entrance and about the exterior aesthetics of the facility.

Motion: To make a favorable recommendation for Z-2-21 to the County Board of Commissioners to the rezoning of 1.84 acres from R-2 zoning district to the B-1 zoning district. **Moved** by Pat Vercauteren. **Seconded** by Charlie Canary. **Yes:** Bush, Canary, Cantwell, Ketchum, Kinnett, Vercauteren and West. **No:** None. **Motion approved 8-0.**

IV. NEW BUSINESS:

Discussion of whether or not to have a Virtual Meeting Policy took place amongst staff and board members.

Board members directed staff to draft a policy for review and approval at the next meeting on July 26, 2021.

V. ADJOURNMENT:

Chairman Nathan Bush called for a motion to adjourn the meeting at 6:33 PM.

Motion: Adjourn the meeting. **Moved** by Pat Vercauteren. **Seconded** by Ron West. **Yes:** Bowman, Bush, Canary, Cantwell, Ketchum, Kinnett, Vercauteren and West. **No:** None.
Motion approved 8-0.

Approved on: July 26, 2021

By:



Nathan Bush, Chairman

Attested By:



Pat Vercauteren, Secretary



*The Convenience
Stores of Speedway*

**SPEEDWAY STORE #6027
JOHNSON COUNTY, INDIANA
ADDENDUM
TO A REZONING APPLICATION**

JUNE 28, 2021 – PLAN COMMISSION

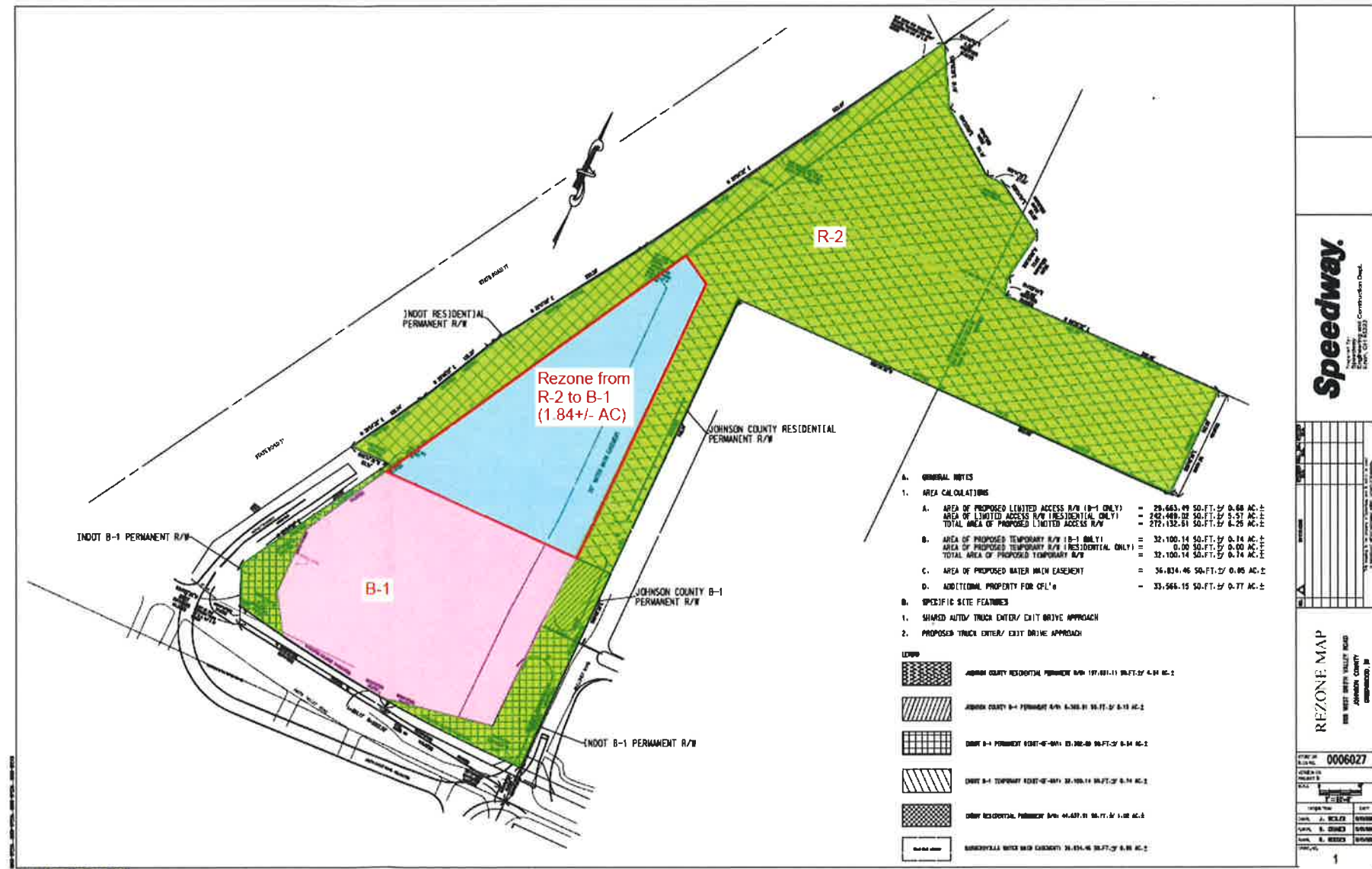


Proposed Changes to the Speedway Property



Johnson County, the State of Indiana, and Bargersville have all filed suit against Speedway LLC to take its part of its property located at 6100 W. Smith Valley Rd., Greenwood, IN (Speedway 6027), under eminent domain law. The land that is the subject of the taking by the County and the State of Indiana is highlighted in green on the plan below. The negotiations regarding the taking are ongoing.

- The land that is the subject of Speedway's current rezoning petition (highlighted in blue on the plan to the left) includes the residual property that will still belong to Speedway after the taking.
- The proposed improvements to Smith Valley Rd. and Mullinex Rd., including the relocation of Speedway's access point on Smith Valley Rd. to Mullinex Rd., necessitate a full redesign and rebuild of Speedway 6027. Speedway 6027 cannot function as it currently is designed and built due to the taking.
- As such, Speedway seeks to rezone the blue area to facilitate this redesign and rebuild.



Speedway
 A Division of
 Speedway LLC
 6100 W. Smith Valley Road
 Greenwood, IN 46030

REZONE MAP
 6100 W. SMITH VALLEY ROAD
 JOHNSON COUNTY
 INDIANAPOLIS, IN

STATE OF INDIANA
 COUNTY OF JOHNSON
 PROJECT NO. 0006027
 SHEET NO. 1 OF 1
 DATE: 11/11/11
 DRAWN BY: J. B. BISHOP
 CHECKED BY: J. B. BISHOP
 SCALE: AS SHOWN
 1

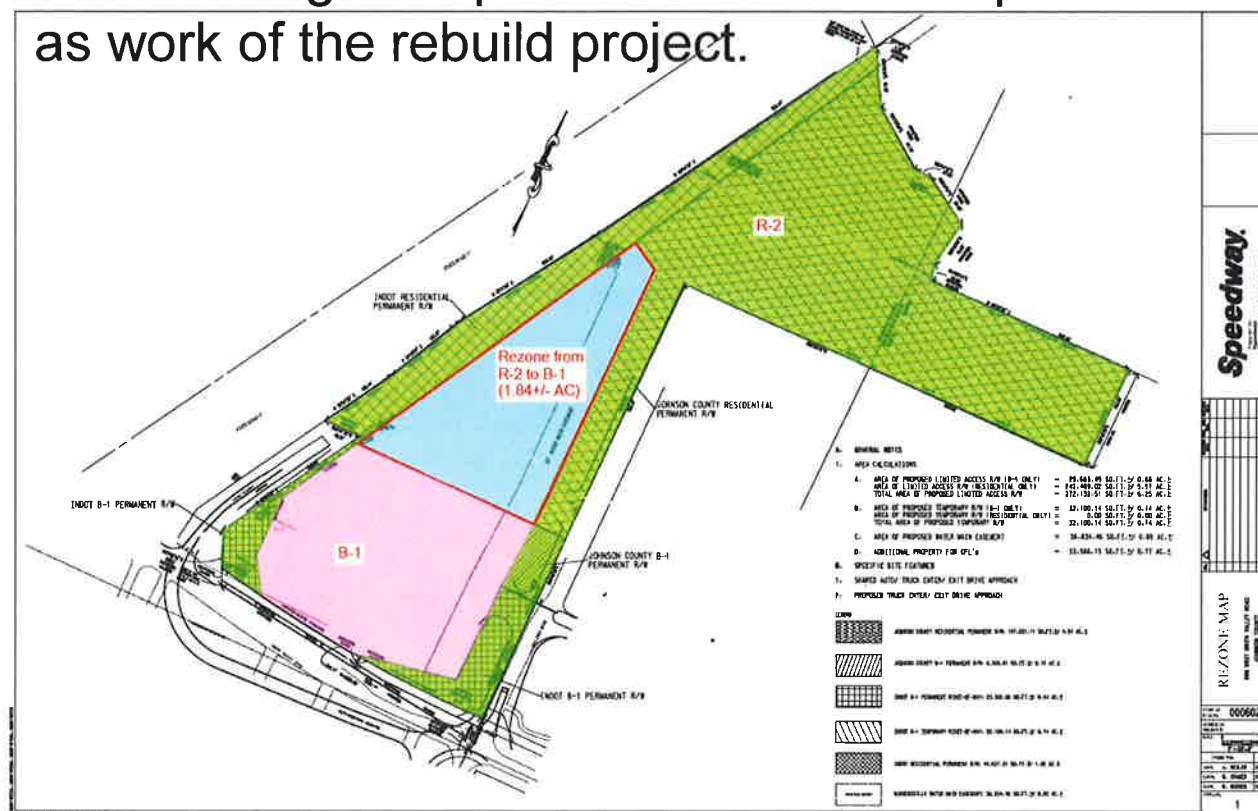


Speedway's Rezoning Petition



The Speedway parcel is a single lot (Parcel Identification Number 41-03-32-044-001.000-038) that is located in 2 zoning districts.

The intent of the rezoning petition is to facilitate the redesign and rebuild of store #6027 by simplifying the zoning of the site to a single commercial district. Speedway anticipates that some of the land for which the rezoning is requested will be developed as work of the rebuild project.



- The proposed commercial zoning is in accord with the Comprehensive Plan.
- The future rebuild of store #6027 will be pursued subject to Johnson County's process for site plan approval.
- Speedway currently has no plan to subdivide the parcel (that portion remaining after takings by INDOT and Johnson County). Any future subdivision would require Plan Commission review.

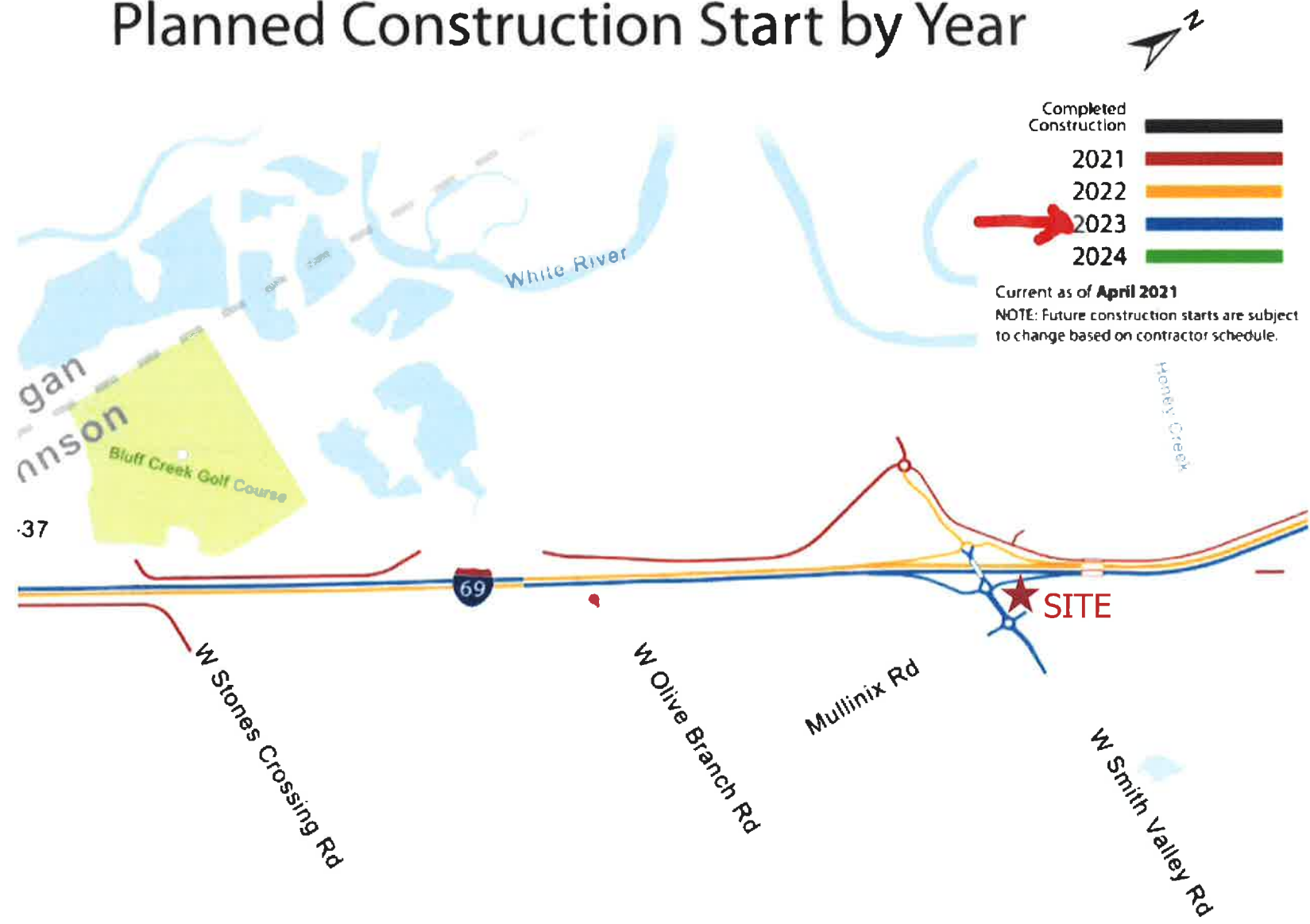


Future Rebuild – Anticipated Timeline



JOHNSON COUNTY

Planned Construction Start by Year



Speedway is requesting the rezoning of a portion of the Store #6027 site in anticipation of razing the existing convenience store / fueling station and rebuilding on the site a new convenience store with 8 auto fueling dispensers (16 fueling locations).

Speedway's intent is to time the rebuild of the Store #6027 to align with the proposed construction of the I-69 / Smith Valley Road interchange.

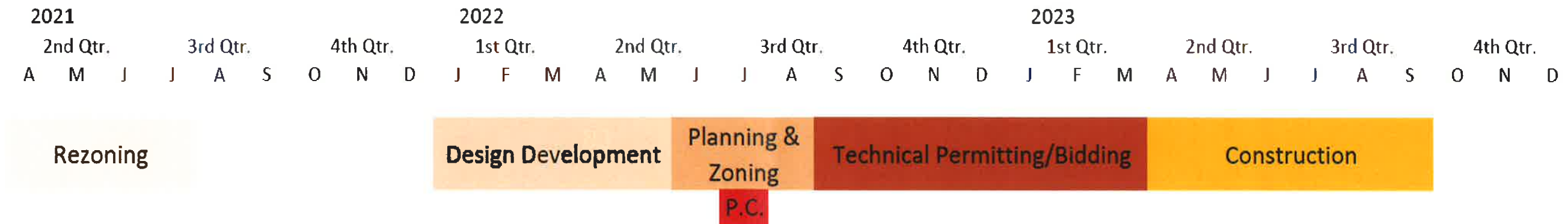
INDOT's current (as of April 2021) plans are for work on the interchange to be undertaken in 2023.



Future Rebuild – Anticipated Timeline



REBUILD TIMELINE



Anticipated Timeline for the Store #6027 Rebuild

2021: Rezoning

2022: Plan Development, Planning & Zoning, Technical Permitting

2023: Construction

