



## JOHNSON COUNTY

Department of Planning & Zoning  
86 West Court Street  
Franklin, Indiana 46131

Phone: (317) 346-4350  
[www.co.johnson.in.us](http://www.co.johnson.in.us)

## MEETING AGENDA

Johnson County Advisory Plan Commission  
September 26, 2022 - 6:00 PM  
Public Auditorium, West Annex Building  
86 West Court Street, Franklin, Indiana

### CALL TO ORDER

### ROLL CALL

### APPROVAL of MINUTES

Approval of minutes from the July 25<sup>th</sup> 2022 meeting.

### PUBLIC HEARINGS

-CONTINUED HEARINGS-

-NEW HEARINGS -

Z-3-22. Easy Investments LLC. 30 acre parcel North of 5734 N 300 E, Whiteland.....Page 3

REZONING of 30 acres from the A-1 (Agricultural) Zoning District to the I-1 (Light Industrial) Zoning District.

Z-4-22. Neighborhood Downtown Zoning Assistance Inc. 4411 W. County Line Rd

REZONING of 0.76 acres from the R-2 (Single-Family Residential) Zoning District to the B-1 (Neighborhood Business) Zoning District.

Applicant withdrawal petition; will reapply for October meeting with different legal description.

OLD BUSINESS      None.

### NEW BUSINESS

Request to vacate Apple Acres Plat .....Page 13

### REPORTS and RECOMMENDATIONS

None.

ADJOURNMENT

The next meeting of the Johnson County Advisory Plan Commission is scheduled for October 24<sup>th</sup>, 2022 at 6:00 PM in the public auditorium of the Courthouse West Annex Building.

# STAFF REPORT

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**CASE NUMBER:** Z-3-22  
**ADDRESS:** 30 acre parcel North of 5734 N 300 E, Whiteland  
(Parcel 41-05-23-011-001.000-033)  
**PETITIONER:** Easy Investments LLC represented by Thomas W. Vander Luitgaren

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## **REQUEST**

REZONING of 30 acres from the A-1 (Agricultural) Zoning District to the I-1 (Light Industrial) Zoning District.

## **PROPERTY DESCRIPTION**

This 30-acre site is located on the southwest corner of 600 N/Tracy Rd and 300 E/Five Points Rd and is east of I-65. It is zoned A-1 (Agricultural) and is used agriculturally with no existing improvements.

The site is surrounded by agricultural fields and single-family dwellings. The nearest single-family dwellings are to the east, south, and northeast. The Whiteland city limits are to the west on the other side of I-65.

## **REZONING REQUEST**

This request, if approved, would rezone the property from A-1, Agricultural Zoning District to the I-1, Light Industrial Zoning District.

*Current Zoning: A-1, Agricultural District - The purpose of the A-1, Agricultural District is to accommodate agricultural operations and practices. In addition, the A-1, Agricultural District preserves and protects agricultural land, the rural character of Johnson County, and the agricultural tradition of the county. The intent of this district is to allow agricultural development by reason of location and the availability of natural resources and infrastructure system.*

*Proposed Zoning: I-L, Light Industrial District - The purpose of the I-1, Light Industrial District is to accommodate limited manufacturing uses having a minimal impact on surrounding areas. The intent is to allow manufacturing development by reason of location and the availability of adequate transportation and infrastructure systems, while protecting the surrounding uses from negative external effects.*

The petitioner's application and preliminary site plan indicates that the purpose of the rezoning request is to initially allow for the construction of a truck repair and service facility with no refueling on-site. The proposed site has been submitted by the petitioner, and is included in this report as the exhibit titled "Petitioner's Proposed Preliminary Site Plan". This is just one use that is proposed for a portion of the 30 acres.

## **COMPREHENSIVE PLAN**

The *Johnson County Comprehensive Plan* Future Land Use Map recommends industrial uses for this property, but also notes that properties for industrial uses “require excellent transportation access and municipal services such as water, sewer, and fire protection”. The future land use map illustrates the desired or recommended development patterns and use of the property over the 20 year planning period (2011-2031). While this property is designated for eventual industrial development on the future land use map, it is currently zoned as agricultural due to the current lack of utilities serving the area. Required utilities may be expanded to this area by 2031, but without them proposed now or in the near future, the property is not ready for industrial development. Rezoning this site to Light Industrial prior to infrastructure improvements would represent irresponsible development and growth.

### **Light Industrial (I-1) Zoning Classification**

In considering proposed light industrial development specifically, the *Johnson County Comprehensive Plan* urges the following questions:

- a. Is the proposal supported by the future land use map?
- b. Is the proposed site supported by public utilities?
- c. Is the proposal consistent with the land use and economic development goals of the comprehensive plan?
- d. Does the proposed site have access to a minor arterial or higher classification roadway?
- e. Can the proposed site be adequately buffered from adjacent residential uses?
- f. Are the adjacent land uses commercial, agricultural, industrial, institutional?

The considerations to these questions are below:

- a. **Future Land Use Map & c. Development Goals.** The site is designated as industrial on the *Johnson County Comprehensive Plan* Future Land Use Map. This area is the southernmost section of the proposed I-65 industrial corridor. The proposed I-65 industrial corridor has yet to develop in other areas, specifically areas to the north of the subject site. The areas to the south along the 500 N/Whiteland Rd and I-65 interchange have industrial development, all of which are in the Whiteland city limits and services by public water and sanitation utilities.
- b. **Public Utilities.** The property is Johnson County REMC for electric service and Vectren Gas Company for gas service. There is currently no access to public water and sanitation services.
- d. **Access.** 600 N/Tracy Rd would be the access roadways for the site, as 300 E/Five Points Rd is a dead end road. Both roads are currently classified as local roads which is the lowest classification given. The site does not have ready access to minor arterial or higher-classification roadway. While the site is adjacent to I-65, the nearest interchanges are approximately 3 miles away to the north and south and are most directly accessed via local roads.

- e. **Buffering.** The site could be adequately buffered from adjacent residential uses, given buffering landscaping meeting the requirements of the zoning ordinance.
- f. **Location.** Approximately 47% of the site's perimeter boundary adjoins agricultural uses. Approximately 38%, along a portion of the site's south and northwest lot lines, borders residential uses. The remaining approximately 15% abuts I-65.

Concerns arise in considering the appropriateness of this site for the handful of higher-intensity, more potentially onerous uses which would be permitted by right in the I-1 zoning district, specifically automobile and truck repair, and truck stops. The proposed use of this site as a truck repair and service facility is one of the most intense allowed uses for this property if rezoned.

### **CRITERIA FOR DECISION**

In accordance with IC 36-7-4-603, when considering a rezoning request the Plan Commission shall pay reasonable regard to:

1. The Comprehensive Plan
2. Current conditions and the character of current structures and uses in each district
3. The most desirable use for which the land in each district is adapted
4. The conservation of property values throughout the jurisdiction
5. Responsible development and growth

#### **1. COMPREHENSIVE PLAN**

Staff finds that the request to rezone the property to I-L is partially consistent with the Comprehensive Plan. The future land use map proposed Industrial development but with consideration that the industrial development requires excellent transportation access and municipal services such as water, sewer, and fire protection. This property lacks transportation access and municipal services of water and sewer.

#### **2. CURRENT CONDITIONS AND THE CHARACTER OF CURRENT STRUCTURES AND USES IN EACH DISTRICT**

The property is surrounded by agricultural and residential uses which the current zoning district supports. The current condition does not satisfy the defined purpose of Light Industrial Zoning District.

#### **3. THE MOST DESIRABLE USE FOR WHICH THE LAND IN EACH DISTRICT IS ADAPTED**

The property is surrounded by agricultural and residential. The most desirable use of this property is continued use of agricultural and residential until such time that adequate transportation and infrastructure system is available.

#### **4. THE CONSERVATION OF PROPERTY VALUES THROUGHOUT THE JURISDICTION**

The rezoning request could affect the property value of the near by residents as the traffic will increase on the local roads and it is less than desirable to live near industrial development

## **5. RESPONSIBLE DEVELOPMENT AND GROWTH**

As expressed above in this staff report, this property faces a few development issues. The main issues to discuss are the following:

Road Infrastructure - This property is only accessed by local county roads. The existing condition of these roads would not withstand industrial traffic. It is recommended by the Highway Department that a traffic study be conducted and that the petitioner should be required to make road improvements based on that study.

Sanitation – Without access to a public sanitation system, development will be required to operate on a septic system. Allowing industrial development to operate on a septic system is not the responsible approach on development. Commercial and industrial septic systems are typically larger than residential systems. The Johnson County Health Department always prefers commercial businesses to be on city sewer as opposed to on-site waste disposal. There is less probability of ground water / aquifer contamination when the business is on city sewer.

Water- Development without access to public water system will need to operate on a well. Any commercial/industrial development operating on a well cannot install the proper fire suppression system. The lack of a suppression system and water hydrant on a public water line will create great difficulties in an emergency.

Drainage – This development will be faced with some drainage difficulties as well. The property lacks an adequate outlet for any detention facility.

### **STAFF RECOMMENDATION:**

Based on the criteria for decisions above, staff recommends an Unfavorable Recommendation be forwarded to the County Commissioners for the IL rezoning request.

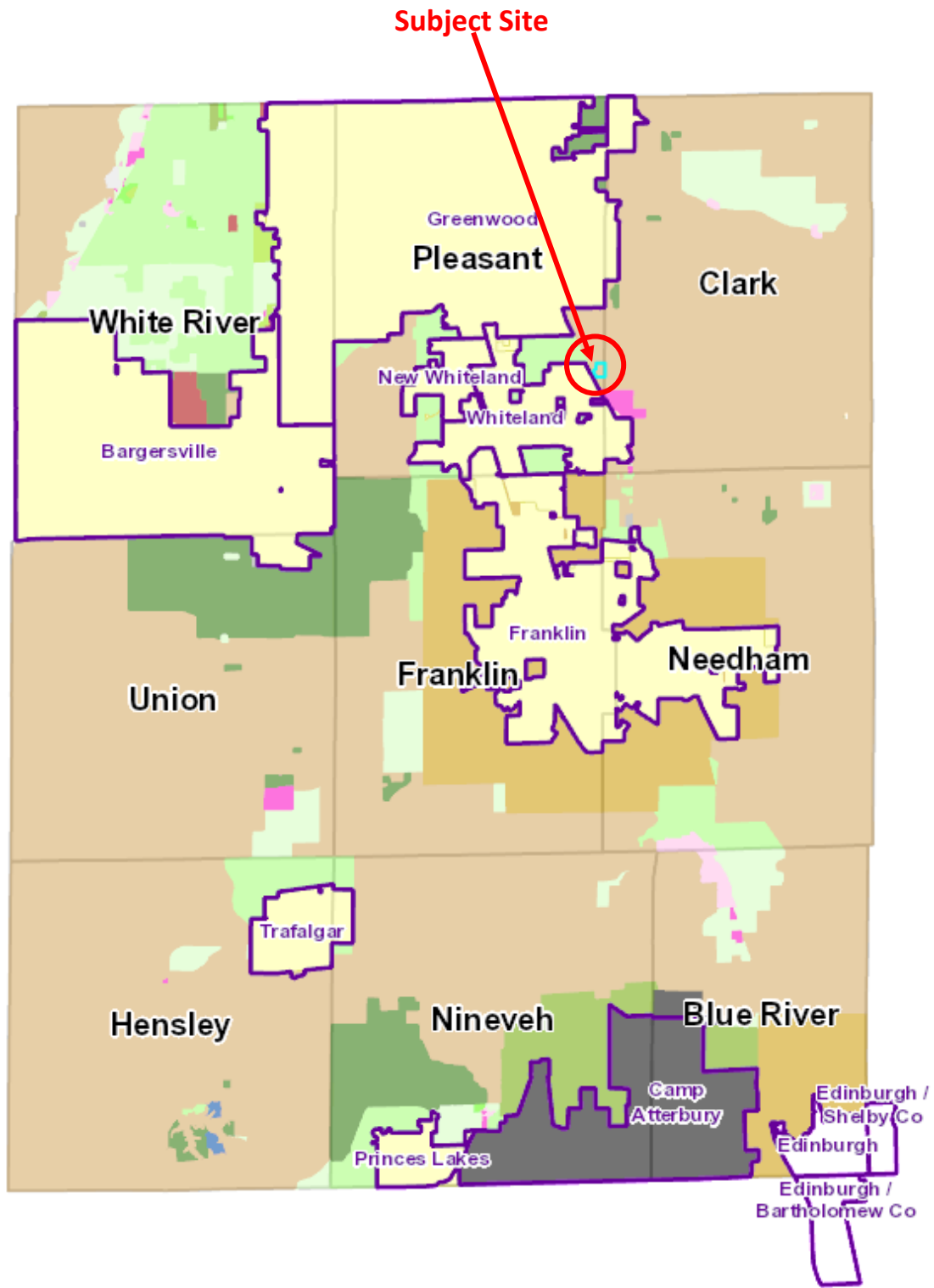
### **PLAN COMMISSION ACTION – REZONING:**

In the rezoning process, the Plan Commission has the authority to review the provisions of the Comprehensive Plan and the Zoning Ordinance. Plan Commission action (either favorable, unfavorable, or no recommendation) is a recommendation to the County Commissioners, which takes action on the rezoning petition.

### **GENERAL INFORMATION**

Petitioner:	Thomas W. Vander Luitgaren 225 S Emerson Ave, Suite 181 Greenwood, IN 46143	Indianapolis, IN 46221
Owners:	Easy Investments LLC 1425 W Ray St	Zoning: A-1 Land Use: Agricultural Future Land Use: Industrial -RLS

## Z-3-22 BASE MAP



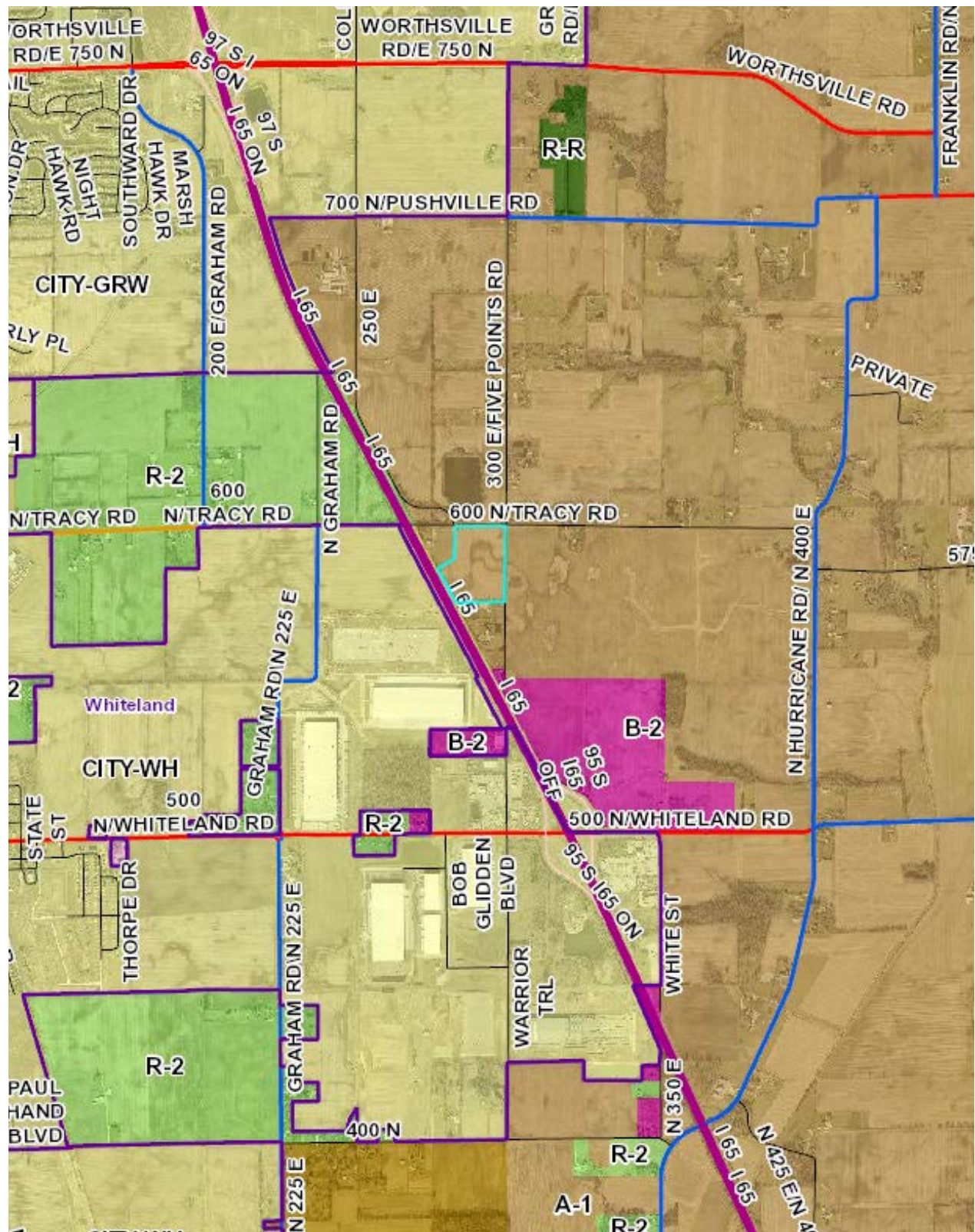


## Z-3-22 BASE MAP II



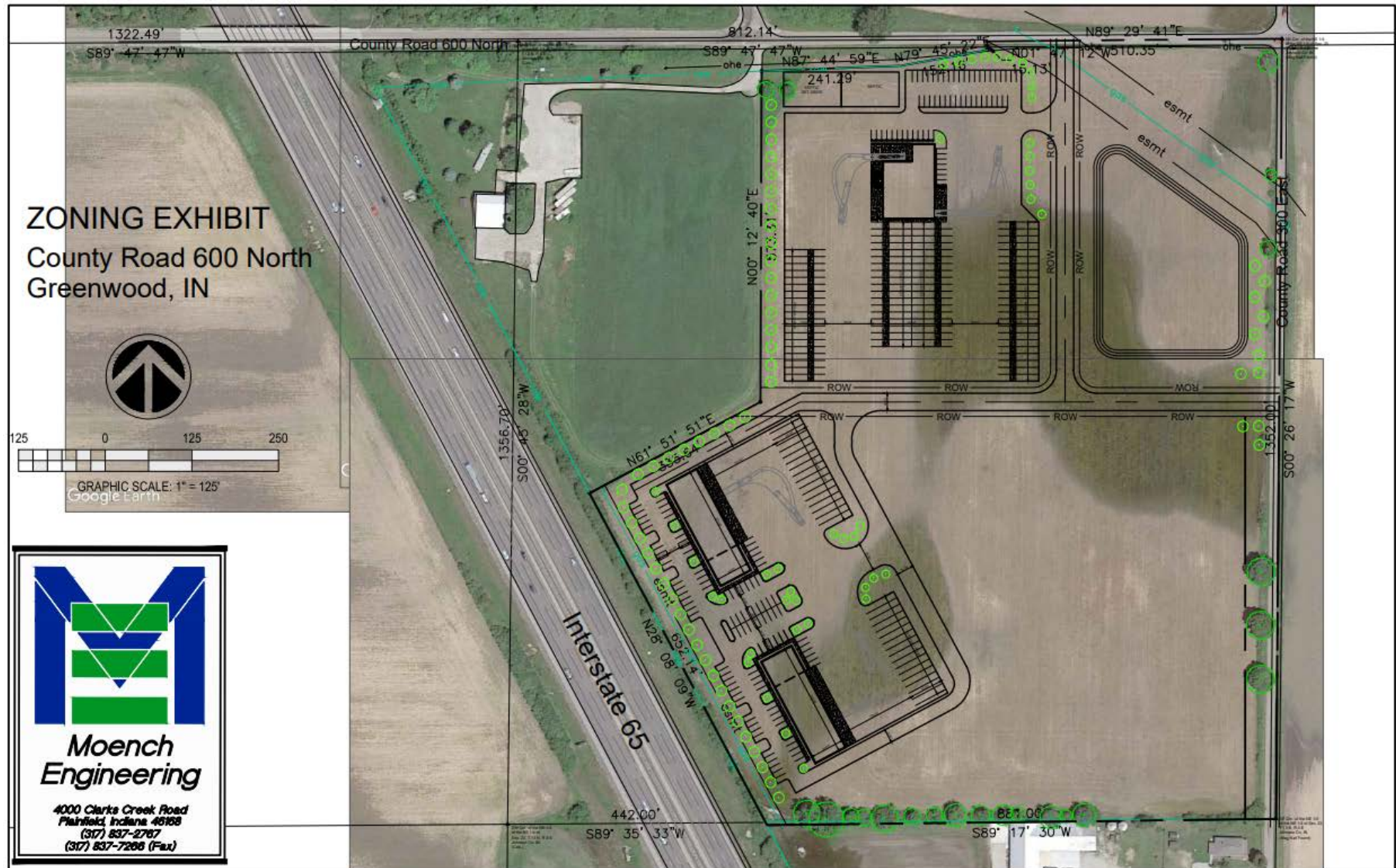


# Z-3-22 ZONING MAP

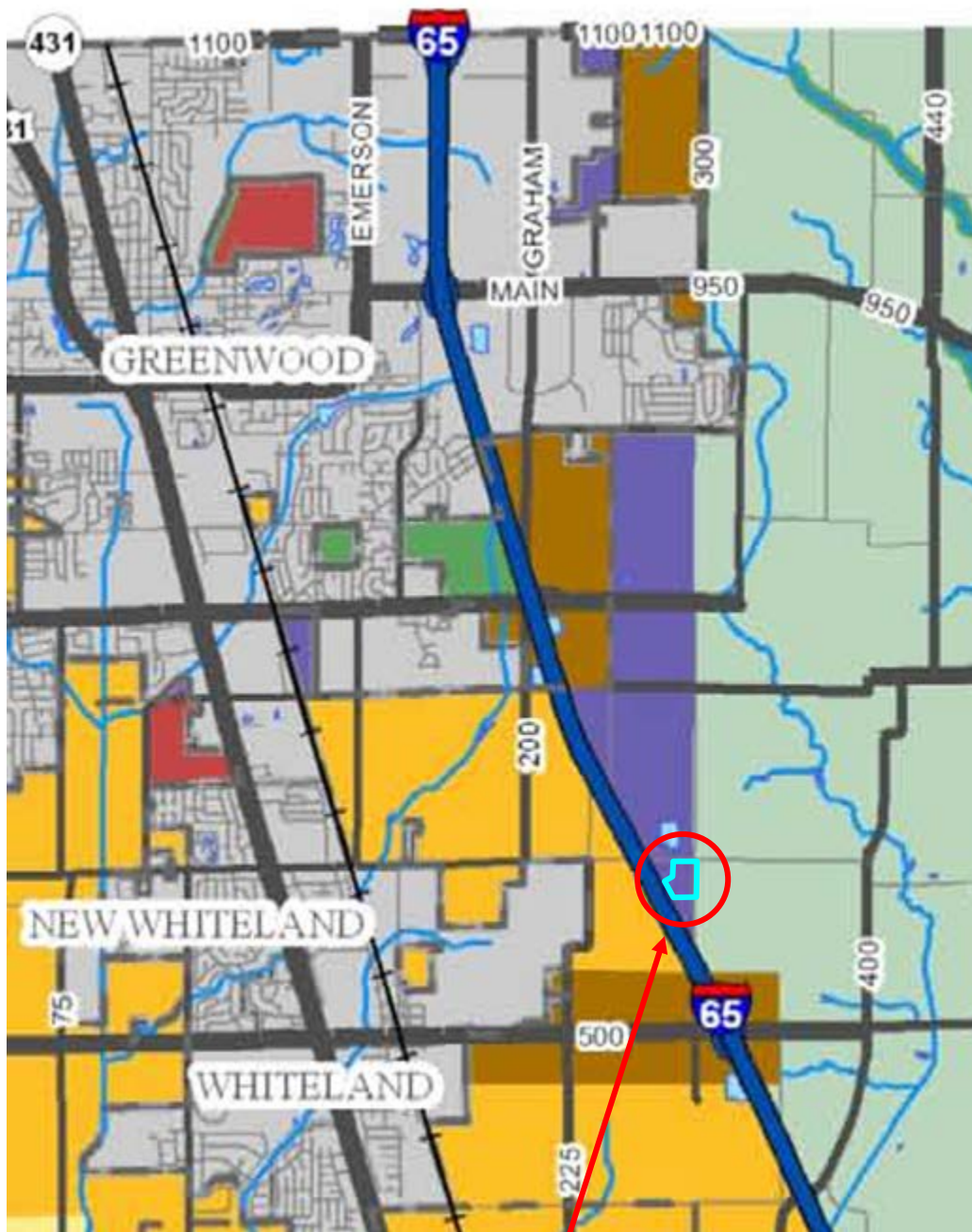




## PETITIONER'S PROPOSED PRELIMINARY SITE PLAN



## 2011 COMPREHENSIVE PLAN FUTURE LAND USE MAP



proposed rezoning site





## 2011 COMPREHENSIVE PLAN FUTURE LAND USE MAP



# Staff Report

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**CASE NAME:** Apple Acres Park Vacation  
**ADDRESS:** 2836 -2882 S Morgantown Rd, Greenwood  
Section 16, Township 13, Range 3  
**PETITIONER:** Center Grove Community School Corp. by Crossroad Engineers P.C.

## **CASE DESCRIPTION**

The board is to consider a request to vacate a plat for Apple Acres Subdivision. The petitioner is not requesting to vacate the right-of-way. This 2.91-acre subdivision is zoned R-1 and longer has any improvements.

Apple Acres is a four-lot platted subdivision approved in 1965. Centre Grove School Corporation currently owns all of the lots.

The Center Grove School Corporation plans to combine these lots with property the school also owns to the west and construct a building for the corporation to house it's wellness center and flex space. The petitioner must vacate the plat to combine all the lots into one parcel for development.

All utility providers serving the property have reviewed this petition and have indicated no objections.