

**WHITELAND PLANNING COMMISSION**  
**September 1, 2020**

**Council members present**

Richard Hill, President	_____
Gary Howard, Vice President	X
Eric Funkhouser, Member	X
Stephanie Harris, Member	X
Justin Lien, Member	X
W. Andy Marker, Member	X
Josh Wade, Member	X

**Other town officials present**

Julia Meece, Deputy Clerk (Secretary)	X
Norm Gabehart, Town Manager	_____
Carmen Parker, Community Develop.	X
Stephen Watson, Town Attorney	X

**Call to order:**

G. Howard called the meeting to order at 7:01 pm

**Roll call & Determination of Quorum:**

- Absent R. Hill
- Quorum requirements reached

**Approval of Minutes:**

- G. Howard made a motion to approve the August 4, 2020 minutes as presented. J. Wade seconded the motion. **Passed 6-0**

**Swearing In:**

- G. Howard reviewed the rules for anyone wanting to speak tonight. Everyone will need to be sworn in. Due to the last two petitions being combined together for presentation tonight, the board is allowing additional time for public and petitioner to speak. Public will be given 40 minutes instead of the normal 20 minutes to speak. Each speaker gets 2 minutes to speak and if a group leader is elected to speak on behalf of the group then they will get 5 minutes. We will get in all speakers that we can in the 40 mins allotted. Anyone that received a Public Notice will get to speak first, then move to general public wanting to speak.
- S. Watson completed the swearing in at 7:15 pm and 7:28 pm for all public hearings tonight. It was verified with each speaker that they were sworn in already as they approached to speak.

**Communications/Reports of Committee:**

- None

**Old business:**

- None

**New business:**

- **Case #20-P-12: Final Plat – Saddlebrook Farms, Section 2**
  - C. Parker presented case #20-P-12 for a final plat plan approval request. The petitioner is DR Horton – Indiana, LLC dba Westport Homes. The final plat plans being presented tonight are for section 2 of Saddlebrook Farms. The property is located south of Whiteland Rd and East of Pearl Street. This is a PUD (Planned Unit Development) and the original PUD had front yard setback requirement of 25 feet, Town has now asked developer to extend the front yard setback to be a minimum of 27 feet. Staff recommends approval of the Final Plat

plans with the petitioner commitment of changing the front yard setback to extend to no less than 27 feet instead of the 25 feet setback listed on the Staff Report.

- Looking to our future, coming with the development of Saddlebrook Farms, to the South of Whiteland Rd, there will be 15 acres of park that will become dedicated park facilities. DR Horton is also developing on the North of Whiteland Rd and that development will also have 25 acres of park that is looked to be dedicated to the Town. Currently the Town has zero dedicated park lands, but after these developments are completed, the Town will have 40 acres of dedicated park lands; and coming with these parks will be trails and other amenities. The 40 acres will be for the benefit of the residents of Saddlebrook Farms as well as for the Community of Whiteland.
  - Rick Ellis, attorney for Petitioner DR Horton, stated that they are here tonight asking for an approval of the final plat for section 2 of Saddlebrook Farms. Section 2 is a 67-lot residential subdivision consisting of 20.715 acres zoned Residential Single-Family. There is a commitment from developer to change the front yard setback from 25 feet to a minimum of 27 feet as stated by Town Staff.
  - Board had no questions.
  - A. Marker made a motion to approve Case 20-P-12: Final Plat- Saddlebrook Farms, Section 2 as presented with meeting all the applicable standards and with the commitment for 27 feet minimum front yard setback. J. Lien seconded the motion. **Passed 6-0**
- **Public Hearing for Case #20-Z-13: Re-Zoning – ABC Cutting Contractors, Inc.**
    - C. Parker presented case #20-Z-13 for a re-zoning request. The petitioner is ABC LLC dba ABC Cutting Contractors, INC. The subject property is located North of Whiteland Road and West of Warrior Trail. The property is currently vacant and undeveloped. The 10 acres to be rezoned are located at the North end of the parcel and developer is giving the commitment that the remaining 15 acres of this parcel will remain AG (Agricultural). Staff recommends that the proposed re-zoning be given a favorable recommendation to the Town Council.
    - Larry Gesse, attorney for petitioner ABC Cutting Contractors, and Mark Hege, representative of the family of ABC, presented the board with a summary statement about the ABC company and team. He stated that they are here tonight asking for a favorable recommendation for the re-zoning of approximately 10 acres from AG (Agricultural) to I-1 (Industrial). The remaining 15 acres of the Brightwell property, that are not being purchased, will remain AG (Agricultural). The purpose of this re-zoning is to expand their business and move their headquarters down here. They have about 40 employees and it will be more convenient to them to move from Emerson Ave to Whiteland. The proximity of I-65 to their location is very beneficial for their business. The staff report includes the stated commitments for land use and perimeter buffering. Uses be limited to: light industrial assembly, and production, warehouse/distribution facility, wholesale facility, conference center, data processing/call center, office uses, government facility (non-office); and permitted accessory uses to include, but not limited to: parking and temporary storage of trailers, outdoor storage of machinery or materials, vehicle maintenance facilities, or fueling facilities.
    - Board had the following question and it was answered by the Petitioner:
      - Are there any plans for the other 15 acres?
        - No known plans at this time
    - G. Howard opened the Public Hearing at 7:20 pm. No Public that were present at the meeting wished to speak on this case. Closed Public Hearing at 7:20 pm.
    - A. Marker made a motion to approve case #20-Z-13: Re-Zoning – ABC Cutting Contractors, INC to I-1 (Industrial) in receiving a favorable recommendation from this Commission to the Whiteland Town Council. E. Funkhouser seconded the motion. **Passed 6-0**

- **Public Hearing for Cases 20-Z-14: Re-Zoning – Bright Farms and #20-ANX-15: Annexation – Rose, Haveman, O’Brien & 8<sup>th</sup> Generation**

- C. Parker stated that we are presenting the next two cases on the agenda together. Case #20-Z-14 is for a re-zoning request and case #20-ANX-15 is for an annexation request. The Petitioner is Mohr Development, LLC. The subject properties are located at the southwest of Tracy Road and Interstate 65. The re-zoning is for approximately 156 acres and the annexation is for approximately 184 acres. The property is primarily vacant and undeveloped, with a few residential homes located on the properties. The proposed annexed property is currently zoned Johnson County R-2 and Johnson County B-2. The proposed annexed properties include 4 property owners with the requested zoning, pending approval of the annexation, of I-1 (Industrial).
  - In 2006, when the Bright Farms was annexed into the Town, it continued to be AG (Agricultural). In 2013, the Whiteland RDC established an Economic Development Area with the purpose and goal of attracting and retaining quality, permanent jobs; to increase the property tax base; to retain and expand existing business enterprises; and to attract new business enterprise and improve the diversity of the economic base for the Town. Within this plan, there are identified sub areas targeted for future development. The relevant sub area for this matter is office/industrial. This area is largely planned for modern industrial and commercial development; including general manufacturing, warehouses and logistics. In addition to future uses, it was identified that Whiteland Rd should be rebuilt to accommodate the additional traffic volume and other transportation needs. The construction of connector roads within this sub area were also identified. Sept 2019, the RDC added the 5 Terry Bright Farm Parcels to the Whiteland Advancement Allocation Area. With these parcels being added, they were added to the office/industrial sub area, with the some of the permitted uses stated prior.

Staff recommends that the proposed re-zoning and annexation requests be given a favorable recommendation to the Town Council with the commitments stated in the Staff Report for uses and buffering.

- G. Howard opened the Public Hearing at 7:28 pm with petitioner speaking first. S. Watson reviewed the timeframes for anyone speaking. Public will be getting 40 minutes and each speaker gets 2 minutes; if a group leader is elected to speak on behalf of the group then they will get 5 minutes. The petitioner will also get additional time of 30 minutes for initial presentation and will then get 10 minutes for rebuttal opportunity.
- Matt Price, attorney for petitioner Mohr Development, is here tonight with Gary Horn of Mohr Development, Ross Nixon our Civil Engineer, and Mark Witt. He stated that they are here tonight asking for a favorable recommendation for Bright Farms to be re-zoned from AG (Agricultural) to I-1 (Industrial) for case #20-Z-14 and for Rose, Haveman, O’Brien & 8<sup>th</sup> Generation to be given an annexation into the Town for case #20-ANX-15. They fully agree with the Staff Report and that it is very detailed in covering their plans and commitments for these petitions. Petitioner provided the board with a handout to highlight some of the plans and commitments for the Mohr Logistics Park. It shows the master plan and the potential look of the buildings for the property and potential future retailers for the facilities. Our development team was here back in May for the initial phase of this project, Cooper Tires, and that is well under way. We are seeking to expand that same type of development to the neighboring properties that also hug I-65. We looked at how best to meet the Whiteland Comprehensive Plans and feel that we have nailed it for all requirements. This is accomplished with a business park consisting of warehousing and logistics, research and development, as well as light manufacturing uses; a signature economic development project utilizing Whiteland’s ideal location and convenient Interstate access. This business park is envisioned as part of a master campus plan providing for internal collector roads, drainage facilities and pedestrian circulation. We feel

that the Mohr Logistics Park represents this master planned, signature economic development project and provides the investment to improve roads, utilities, and drainage. The proposed commitments for uses, permitted accessory uses, and perimeter buffering are also covered. To summarize, the signature economic development project meets the Comprehensive Plan of the Town, there are commitments to assure rezoning and uses are compatible with surrounding land uses, and represents responsible planning for the entire community with capital investment of approximately \$300,000,000 in real property improvements and \$75,000,000 in personal property investment.

- Board had the following questions prior to the Public Hearing being opened to the Public to speak and they were answered by the Petitioner:
  - Are the building drawings valid representations of what will be built?
    - The picture in the handout is representative of a Class A building. Individual users can require different configurations.
  - Is there a commitment to an Access Road being built with the project?
    - Very much so and the investment is there to make it happen
- G. Howard opened for the Public to speak at 7:43 pm.
  - Board was also given prior to the meeting, and in their packets tonight, two letters submitted to the Town in response to the proposed re-zoning and annexation. Items in the letters are included in the below Public summary.
- Public (13 speakers, each allotted 2-5 minutes, total 40 minutes) had the following comments/statements/questions/concerns:
  - We want Whiteland to stay a small town and keep that small-town feel
  - Talked to other residents of the Town not neighboring this project, walked around and spoke to anyone available, and they agreed that they didn't want this type of project, but also understand there is a need for improvements for the community for tax bases
  - Feels that the 2011 Town of Whiteland Comprehensive Plan shows this area to be residential and homes were built because of this being residential, not industrial
  - The current agricultural land to the south and the west of this area is also planned to be residential development in the Johnson County Master Plan and the City of Greenwood Master Plan and will disrupt that continuity
  - Feel that a favorable decision will dramatically affect the future development of the community and not in a positive manner
  - Traffic impact study needs completed for this area and an impact study for the safety of schools
  - Town needs to develop a zoning standard for this type of development with minimum requirements
  - The Findings of Fact presented by the petitioner are misleading and do not accurately represent the obvious facts
  - What is the urgency for immediate rezoning? Why rush, Amazon and Cooper Tires being here is already enough
  - Mohr Development is from Texas, not local, just coming in to change everything and then be gone tomorrow, is only coming here cause 10-year tax abatement is ending there
  - Too large of a project for this area/town and not positive for the community
  - Its really a trucking industrial park, not a logistics park
  - What affect will this have on residential insurance rates or the Town's insurance rates?
  - Jobs at the development are not guaranteed to Whiteland Residents
  - Household did not receive a notice of public hearing, but feel that property was still very close that it should have been given to more people
  - Concerns were dismissed when speaking to Town Manager about this project and other current projects in the Town
  - Will County decrease value on property taxes? Probably not, but what it will decrease is the selling value of my home and others around this project

- More than the affect on values, it will cause life altering situations because people will need to up-root their families to get away from the development if its approved
- Worried about Semis and School Buses being on the small country roads at the same time that are around the project because they are too small of roads and have large drop offs on the sides of the roads
- To make the roads wider to accommodate this type of traffic more, it would require taking more of peoples' properties, trees and land has already been taken
- The semis will be using the country roads as a go thru to reach other 65 interstate ramps
- Concern for safety of grandkids playing in yards, will it take the first kid getting hit and suing the city cause the road is too narrow for these semis?
- Will the water quality be affected? Will the town put the surrounding properties on the Town's utilities at no cost to tap in?
- Greenwood was talked out of rezoning because it was what was best for the town and they wanted to keep their land
- There are multiple spaces available in existing logistics type buildings at the Greenwood exit that is only 4 miles away, why can't they go there?
- Where did the colors come from and what do they mean on heat map?
- There is already work being done for an internet provider for businesses, thought this project was not approved yet, so why is work being done prior
- When we said pledge tonight at start of meeting, it stated "and to the republic", the republic is to represent the people, that is what you are doing here tonight, and the people do not want this, consider the needs of your residents
- Is this going to turn into an industrial takeover? Will you respect the residents and what they want and need?
- Congrats to the Petitioner on their presentation, they are good at their jobs and know what to say to get a town and boards to buy what they are selling, but they just have a fill in the blank format they use, will use same next time with different names
- Any thought on how this will affect the need of additional schools? Is there adequate police and fire? Can the fire dept handle a tall building like they want?
- The town was affected by its neighboring towns when they built up their business and took all the I-1 areas on 31 many years ago, now Whiteland has to rezone in other places to get the businesses
- My property isn't close to this project, but as a resident of the town there is concern on traffic for the town and for the schools. Whiteland Rd can't handle being an in between for 65 & 69
- My property is between Amazon and Cooper tire, this project is in backyard, I am not against town improvement, but there is infrastructure that needs improved still
- G. Howard closed for the Public to speak at 8:23 pm
- M. Price gave the petitioner rebuttal addressing the following items:
  - We want to be good neighbors and this project will allow for lots of improvements for the citizens, including utilities.
  - The comp plan makes it very clear that areas are in two types. Light industrial, includes a business park, area and our project is less than 1/5 of this area. Bright Farm was marked are Residential to the plans the Public is referring to, but read more into the plan and it cautions residential for this area due to outside of 20-year plan and land use maps are revisited frequently. The Comprehensive Plan we keep talking about is the plan and vision that was made and approved by the Town Council, the Redevelopment Commission, and the Planning Commission Board members.
  - Responding to the suggestion of going to the spaces in Greenwood that appear to be available logistics centers to be used instead of doing this project, that availability can change tomorrow due to the demand of companies needing these centers every day. Developers are building in advance to the companies needs to keep up with this growing demand.

- Responding to how can the schools afford to build a new school because of this project happening, this business plan is a positive for school corporations. In fact, schools love these types of projects, they get money and don't have kids to be added to the school system. Leaving this a residential will have more of an impact on the schools than our proposal.
- C. Parker gave a Town's Response addressing the following items:
  - The fiber optics cable line being ran is a different project and the Company obtained their Right of Way permit from the Town awhile back for the portions of the project that are within the Town. It is to run line to a much larger area, not to this project specifically. It started with New Whiteland and is being ran from Honey Creek Road to Reds Corner.
  - Impacts on schools are a major concern to the Town Staff. TIF money is a commitment made to still commit 10% of dollars received and allows use of the money to use as the schools see fit. We are one of the only Municipalities that does this that we know of and it is because we want to make sure the schools can still receive money available to them while still improving the Town in these TIF districts.
- A. Marker asked if the rest of the board would agree in allowing the remaining 3 speakers, who were not able to speak previously due to time running out for Public comment, to get a chance to speak still and then allow the Petitioner another chance for a quick rebuttal as well. All present at the meeting agreed.
- Additional Public (3 speakers, each allotted 2 minutes, total 6 minutes) had the following comments/statements/questions/concerns:
  - Semi-Trucks can't make the turns on the current roads
  - Passing this request will start a trend of residents wanting to sell and that then opens up more area for warehouses to come in, it is not a cycle to start for the Town
  - Where do semis park? On the on and off ramps and side streets. How is this controlled? More demand on the state and local police to monitor where they park
  - Ask yourself "What is a good neighbor to a warehouse?" My answer is that it is not residential homes
  - What is the economic impact on the jobs promised with these future retailers? What types of income come with those jobs? It will be low wage jobs and a low density of jobs available
  - Development of community needs to be done in a responsible manner
  - The privacy factor will be lost for a ministry that helps mothers, abuse victims, veterans and others in need that seek the refuge of privacy and security of being hidden until they are able to rejoin society. This area was picked for a reason by the ministry and a logistics park will no longer allow it to be "hidden".
- M. Price gave the petitioner rebuttal addressing the following items:
  - On the statement regarding the wages of future employees for the retailers, I personally am from the Whitestown area and I am saddened to hear that statement being made. We do not "look down our nose" at a job that is paying \$31,000 a year. That job, with a wage you consider to be low wage, is an employment opportunity for a single parent family to support their household, to be out in the workforce, and have the access and ability to carry insurance on their family. These companies will include a wide range of employment opportunities with wages to be considered low, mid and high. There are entry level position opportunities for those higher wage jobs that require degrees as well.
- G. Howard closed the Public Hearing at 8:48 pm
- Board also had the following questions that were answered by C. Parker:
  - The public hearing tonight is for the annexation and rezoning, not for what the buildings, landscaping, ponds, setbacks and such will look like or be located, correct?
    - Yes, tonight's meeting is for giving a recommendation of Favorable, Unfavorable, or Favorable with Modifications to the Town Council

- If found in the future that the road could need to be widened, that would be able to be done later, correct?
  - Yes
- Are Police and Fire in agreement with ability to be able to service it?
  - This has not gone thru Tech Review state yet, but yes this is an important concern for the Town Staff and it will be fully addressed when that stage of development is reached.
- Traffic patterns been reviewed or of concern?
  - There is a current thoroughfare plan with connector road and a new proposed road to Graham Rd that will be able to help remedy traffic patterns.
  - G. Howard stated that he feels that semi traffic would not use these roads as previously stated for concern due to weight limits on bridges/roads
- Board discussion with S. Watson and C. Parker on the recommendations that can be given to the Town Council and that the requests will continue on to Council after tonight's meeting regardless of recommendation type given.
- A. Marker made a motion to approve cases #20-Z-14 & #20-ANX-15 in receiving a favorable recommendation from this Commission to the Whiteland Town Council with the commitments stated in the Staff Report for uses and buffering.  
G. Howard seconded the motion. **Passed 6-0**

**Other Business:**

- None

E. Funkhouser made a motion to adjourn. S. Harris seconded. Meeting adjourned at 8:58 pm

Passed by the Whiteland Plan Commission on this day 06<sup>th</sup> of October, 2020

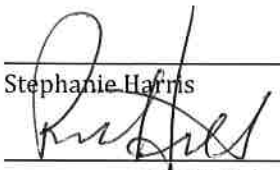
**Aye**

**Nay**

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Eric Funkhouser

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Eric Funkhouser

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Stephanie Harris



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Stephanie Harris

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Richard Hill, President

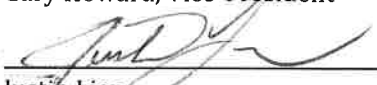
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Richard Hill, President

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Gary Howard, Vice-President



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Gary Howard, Vice-President

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Justin Lien



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Justin Lien

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William A. Marker



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William A. Marker

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Josh Wade

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Josh Wade

Attest:  
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Julia Meete, Deputy Clerk, Secretary  
Ronda Cover

