

# Fortville Plan Commission Meeting Minutes

Tuesday, 12/26/2023 - 6:30 pm

## 1. OPENING OF MEETING

The meeting was called to order at 6:30 p.m. by Nathan Sturdevant followed by the Pledge of Allegiance.

## ROLL CALL

- **Commission Members Present:** Amandia Jeschke, Nathan Sturdevant, Brittney Layton, Jason Stein - **Quorum established.**
  - **Commission Members Absent:** Dan Justus, Jason Snider, Mike Seibert
  - **Town Staff Present:** Adam Zaklikowski – Planning & Building Director, Alex Intermill - Town Attorney (via Zoom), Andy Williams – Recording Secretary
2. **APPROVAL OF AGENDA** - Note: Marmion Rezone (9737 N Fortville Pike) has been moved to the January 30, 2024 Meeting; A. Jeschke motioned to approve, 2<sup>nd</sup> - J. Stein. Motion carried 4-0.
3. **APPROVAL OF MINUTES**  
B. Layton motioned to approve the 8/28/2023 minutes, 2<sup>nd</sup> – J. Stein. Motion carried 5-0.
4. **NEW BUSINESS / PUBLIC HEARINGS**

### **Case No. RZ-03-2023 Huck's Expansion Rezone**

To consider a petition by Martin & Bailey, Inc. (dba Huck's Convenience Stores) requesting a Positive Recommendation to the Town Council to Rezone property from Residential: 3.5 (R3.5) to Commercial: Community (CC) on the west side of Walnut Street, south of Broadway Street, to accommodate an expansion.

### **Staff Presentation**

Adam Zaklikowski gives the staff presentation via slides including a plan overview –

- Location: West side of Walnut St. south of 322 W. Broadway
- Owner/Petitioner: Martin & Bailey, Inc. (dba Huck's Gas Station)
- Zoning: Residential: 3.5 (R3.5) (pending Rezone to Commercial: Community (CC))
- Use of Property: Single-family residential (side yard)
- Request: Huck's would like to expand their convenience store and parking lot.
- Variances Requested through BZA:
  - Use Variance – To allow expansion of a gas station use on a property within the Old Town Overlay.
  - Development Standards Variance – To allow expansion of the store southward rather than towards Broadway or Walnut frontages.
- Maps & images of the site plan, location, rezone exhibit, the design concept elevations of petitioner's request, staff exhibits, staff review & analysis.
- The staff is supportive of the expansion, as it will be an investment & improvement of the current Huck's store.
- The council is supportive of the request.
- Community response requirements were completed and met for the Rezone.
- Public Remonstrance for Rezone – None
- Decision Criteria specific for Expansion Rezone:
  - Consistent with the Comprehensive Plan – Yes
  - Consistent with current conditions/character of current structures – Yes
  - Consistent with the most desirable use of land - Yes
  - Consistent with conservation of property values throughout the jurisdiction – Yes

- o Consistent with responsible growth and development - Yes

Staff recommends approving the request, subject to Town Council approval of the associated Rezone.

**Commission Questions for Staff**

Amandia Jeschke – Is the existing home owned? Adam – Owned, yes.

A. Jeschke – Are there other businesses that are pushed back into R3.5? Adam – No commercial areas on High Street.

J. Stein – The end of the new parking lot to the house, the 6-foot gap between the lot & property line, with the landscape buffer & fence? Adam – Minimum setback allowed in the district. Landscape buffer – 11 feet wide. The height of the fence would be 6-8 feet tall. Stein – Lighting in the parking lot? Adam – Lighting hasn't been proposed yet.

N. Sturdevant asks that the property to be rezoned be considered only. Conceptual planning will be addressed later.

**Petitioner Presentation / Statement**

Troy Deitz, VP of Real Estate for Huck's – Approval of Rezone for improvements to the Huck's property, put up a fence, landscape buffer, lights will point downward so lighting will not hit nearby houses.

**Commission Questions for the Petitioner**

J. Stein – Are you purchasing the property to High Street just not rezoning it? T. Dietz – Correct.

**Public Response**

Mark Dudley, ReMax Realty – Overall appearance will not negatively impact the neighboring properties.

**Government Officials Comments / Remonstrance – None**

**Petitioner Comments/Rebuttal - None**

**Commission Motion**

J. Stein motions to approve the Positive Recommendation to the Town Council to re-zone property from Residential: 3.5 (R3.5) to Commercial: Community (CC) on the west side of Walnut Street, south of Broadway Street, to accommodate expansion. 2<sup>nd</sup> – A. Jeschke. Motion carried 4-0.

5. **BOARD COMMENTS** – Brittney appreciates being a part of the board. Nathan and Adam thank her. Adam states that commission member's seats are expiring on December 31<sup>st</sup>, 2023. Notice has gone out for further interest.

6. **ADJOURNMENT**

J. Stein motioned to adjourn at 6:58 p.m. 2<sup>nd</sup> – B. Layton. Motion carried, 4-0.

Board Chairperson: \_\_\_\_\_

  
Nathan Sturdevant

Recording Secretary: \_\_\_\_\_

  
Andy Williams