

## **Fortville Plan Commission**

### **Meeting Minutes**

**Tuesday 12/30/2024 – 6:30 PM**

**Opening of Meeting** Called to order at 6:30 PM

**Roll Call** Commission Members Present: Robert Holland, Jason Stein, Amandia Jeschke, Nathan Sturdevant, Chris McCreight. Commission Members Absent: Mike Siebert, Brittney Layton

Town Staff Present: Alex Intermill – Town Attorney (via Zoom), Adam Zaklikowski – Planning and Building Director, Andy Williams – Recording Secretary

**Pledge of Allegiance**

**Approval of Agenda** - Motion to approve. In Favor 5-0.

**Approval of November Minutes** - Tabled

**New Business**

**Case No. RZ-03-2024 – Harmony Dentistry**

- a) Recommendation to the Town Council regarding Ordinance No. 2024-12C, a Rezone of 411 S. Merrill Street from Residential 3.5 (R3.5) to Commercial: Community (CC).
- b) To act on Concept Plans (Site Plan/Landscaping, Elevations/Lighting) for Harmony Dentistry, to be in the former Grace Baptist Church building at the southwest corner of Broadway & Maple Street.

*Owner and Contractor Comments and Questions:*

- 1) Luke Gill – DES Engineering
  - a) Explaining parking space sizes large enough for trucks and mini vans.
  - b) Discusses the dumpster's location is in the center of the parking lot so it is not near roads or housing because of limited available locations to maximize parking.
- 2) David Bak – Harmony - During the demo phase of 406 they did discover some structural issues. They are working with a structural engineer to get that fixed properly but there are two things from the site plan they want the Commission to be aware of. On the front there are 8-foot windows shown however they will need to be reduced to 4-foot windows but still 8-foot tall. Along with where they show the store front, they need to

move it because the whole wall is a sheer wall. They are looking to do spaces in between windows with a pattern. They cannot do a store front because they risk the wind blowing the building down.

*Comments by Public:*

- 1) Garrett McWhirter (520 South Merrill Street) – Concerned about the traffic that this is going to bring down Merrill Street. Bring strong opposition to this proposal not out of resistance to growth or progress but out of commitment to preserving what makes the town special. The town was built on the foundation of neighborhoods, community connections, and the charm that comes with a strong residential base. However, each residential property flipped to commercial use we lose another piece of that identity. We see homes turned to store fronts, offices, and parking lots. This gradual shift transforms our town from a place where people live, raise their families and build connections to just another commercial corridor. [...] I strongly urge this council to vote against this rezoning proposal. Let us preserve our neighborhoods, protect our identity, and honor the vision of our community.
- 2) Don Waymire (Owner of 415 South Merrill Street – right next to the property) – Main concern centers around the alley and the traffic impact it will have on their tenants that live at that property. There has been talk about employees coming in as early as 5:00 AM and therefore driving within a few feet of our house and that potentially disrupting our tenant's early morning life. As well as having concerns about the hours of operation for the rented-out spaces that are currently homes, as when they'll be ending their days it could further impact their tenants' life in that house. He is for access to the parking lot off South Merrill, he thinks it is the most logical way of handling the situation regarding traffic. I appreciate the consideration of turning the alley into a one way because there are regular problems of having it as a two way. Concerns of traffic including food traffic and any potential damage to our property as there is no curb then the general noise for our tenant.

*Petitioner Rebuttal:*

- 1) David Bak – Doing their best to make this as safe as possible by getting the right design professionals involved. They are trying to work with the community and grow with it. Regarding what the current traffic is on that road already, those businesses aren't going anywhere so it would regardless of whether this goes through or not that part is not going to change but they are doing their best to make sure it doesn't interfere with the people who live there as much as we can.

*Commission Member Questions and Comments:*

- 1) Robert Holland - landscaping with the headlights facing out needing to be taller evergreens. Also asked about angle parking, it turned into parallel parking for truck access. If there was an entrance on Merrill there could be added parking in the Alley.
  - a) They looked at that however, they would need to move utility poles, lose street parking (on Merrill St) along with the elevation grade that will end up with draining water back onto the street which is not good for engineering so they decided it would be better to use the existing alley.
- 2) Chris McCreight - building elevations for 401 and 411
  - a) 401 elevations have been submitted to the state for approval and shared that it is the same as what is there now. The only things changing would be any single pane windows in addition to the ADA ramp.
- 3) Jason Stein – What types of businesses could we expect to see in the two homes on Merrill Street?
  - a) 401 has a tenant that will be signing a lease. Freedom Medical will be moving to 401. 411 is being prepped for office space but they have had interest from people such as photographers and other services provided industries.
- 4) Amandia Jeschke – What is the signage going to be?
  - a) They were going to make a sign that hangs off the building. They would like to make it bigger than what the current requirements are because they are getting rid of a sign that was nice and big for advertising. However, they will revisit that because they may need to get a post that holds it up so there won't be a site issue.
- 5) Amandia Jeschke – Is there a true front of this dentistry office?
  - a) The main entrance will be right off the parking lot. Facing West.
- 6) Jason Stein – How high would the sign be above the ground?
  - a) Right now, 7-feet off the ground.
- 7) Amandia Jeschke – Right now the alley is not adequate for two-way traffic you are proposing that it be widened and modified for parking and half of it to be two ways. Who foots the bill for that?
  - a) Adam Zaklikowski: The petitioner would pay for the widening of the alley
- 8) Jason Stein – In the drawing it would widen the alley on the second half and turn those into three parallel parking spaces in a two-way street. How is somebody going to park if they're coming from Merrill Street how do they park? Do they have to turn into the alley and then three-point and then back out that way? Or are we going to have them trying to have them facing the wrong way when they park?
  - a) No one likes parallel parking, but we need space for businesses. They cannot be accessed by coming in from Merrill Street so they would need to come around. What

the plan is going to be is the people working at the house, they're going to park in parallel parking spaces and leave the parking lot for customers.

- 9) Nathan Sturdevant – The 411 rezone is a compromise where previously the request was just to demolish and just have parking but now are we trying to preserve the houses and turn them into businesses?
  - a) Adam Zaklikowski - It appears the best decision is the rezone while keeping the house instead of rezone and turn into a parking lot
- 10) Chris McCreight – What about adding a sidewalk from Merrill Street so if people park there then they can get to the dentistry?
  - a) We would be receptive to that; you would lose the wall of vision but that would be perfectly suitable. Could bring it up with the 411 sidewalks so it doesn't go by the dumpster. Will be difficult to make it ADA if we cut through the lot so it would be better to connect it to Broadway's sidewalk. Could connect the sidewalk from the parking lot to W. Broadway Street.

#### Motion to Approve with Conditions

- 1) Rezone: Favorable 5-0
- 2) Site Plan (Dated 12/3): Favorable 4-1
  - a) Monument sign – remove
  - b) S/W access from Parking lot – ADA
  - c) Merrill – S/W
  - d) Lighting – Add

#### Board Comments:

- 1) Nathan Sturdevant – Thank everyone for their service this year as 2024 comes to an end. Amanda thank you for everything as this is your last meeting.
- 2) Amandia Jeschke – Thank you to the public that comes out. We hear you and try to make the best decision we can to help everyone.
- 3) Nathan Sturdevant – Thank you Alex, Adam, and Andy for everything you do.

#### Adjourn

N. Sturdevant motioned to adjourn. 2nd – McCreight. Carried 5-0.

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

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

Andy Williams