

DELAWARE-MUNCIE METROPOLITAN PLAN COMMISSION
JUNE 2025 REGULAR MONTHLY MEETING
AGENDA

DATE: June 5, 2025

PLACE: Commissioners' Court Room
3rd Floor, Delaware County
Building

TIME: 6:00 P.M.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

Stephen Brand
Nate Carroll
Dustin Clark

Chris Smith
Jerry Dishman
Teresa Hensley
Jesse Landess

Michelle Owen
Rickie Sipe

Advisory Members

Tom Borchers

Justin Curley

Adam Leach

MINUTES: Consideration of the May 2025 regular meeting minutes.

NEW BUSINESS:

BZA 23-25 Jurisdiction: Board of Zoning Appeals

Parcels: 11-02-353-001-000 & 11-02-353-002-000

Being a consideration of an appeal filed by **Huffer Memorial Children's Center & Longfellow Pre-K**, 2000 North Elgin Street, Muncie, Indiana, requesting a special use under the terms of the City of Muncie Comprehensive Zoning Ordinance to allow a day care center special use known as Huffer Memorial Children's Center located at 2000 North Elgin Street, Muncie, Indiana and Longfellow Pre-K located at 1700 North Elgin Street, Muncie, Indiana, both in a R-4 Residence Zone, as more accurately described in the application.

MPC 11-25Z Jurisdiction: City Council

Parcels: 11-17-180-003-000, 11-17-180-001-000, & 11-17-180-007-000

Being a consideration of an appeal filed by **Robert Huddleston**, 760 South Tillotson Avenue, Muncie, Indiana, requesting a change in zone under the terms of the City of Muncie Comprehensive Zoning Ordinance from R-5 Residence Zone to BV Variety Business Zone on premises located at 2611 and 2619 West Ethel Avenue, and the vacated alley and street adjacent to said lots, as more accurately described in the application.

MPC 12-25Z Jurisdiction: City Council
Parcels: 10-01-252-004-000

Being a consideration of an appeal filed by **James R. Daugherty**, 9495 West Jackson Street, Muncie, Indiana, requesting a change in zone under the terms of the City of Muncie Comprehensive Zoning Ordinance from R-1 Residence Zone to R-5 Residence Zone on premises located at the 2700 Block North Benton Road, Muncie, as more accurately described in the application.

MPC 03-25A Jurisdiction: City Council

Being a consideration of approval to amend the text of the City of Muncie Comprehensive Zoning Ordinance regarding changes to residential development standards as described in the following: Article IX, Section 3, regarding lot coverage area, Article XIII, Sections 3,4,5,6,7, and 9, Article XV, Sections 3,4,5,6,7, and 9, all regarding lot width, lot area, setbacks and floor area, and Article XVI, Sections 1 and 2, regarding accessory dwellings.

LEGISLATIVE ACTION:

DIRECTOR'S REPORT:

ADJOURNMENT:

DELAWARE-MUNCIE METROPOLITAN PLAN COMMISSION
JUNE 2025 REGULAR MONTHLY MEETING
MINUTES

The Delaware-Muncie Metropolitan Plan held its regular monthly meeting on Thursday, June 5, 2025, at 6:00 P.M., in the Commissioners Court Room of the Delaware County Building, Muncie, Indiana. President Chris Smith called the meeting to order.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

Ms. Swackhamer called roll and the following members were present: Mr. Brand, Mr. Carroll, Mr. Clark, Mr. Dishman, Ms. Hensley, Mr. Landess, Ms. Owen, Ms. Sipe, and Mr. Smith. Absent: Mr. Borchers, Mr. Curley, and Mr. Leach. Also present: Mr. Murphy, attorney for the Board.

MINUTES:

Mr. Landess made a motion to approve the May, 2025 regular monthly meeting minutes. Mr. Carroll seconded the motion. Voting in favor: Mr. Brand, Mr. Carroll, Mr. Dishman, Ms. Hensley, Mr. Landess, Ms. Sipe, and Mr. Smith. Voting against: None. Abstaining: Mr. Clark and Ms. Owen.

NEW BUSINESS:

BZA 23-25 Jurisdiction: Board of Zoning Appeals

Parcels: 11-02-353-001-000 & 11-02-353-002-000

Being a consideration of an appeal filed by **Huffer Memorial Children's Center & Longfellow Pre-K**, 2000 North Elgin Street, Muncie, Indiana, requesting a special use under the terms of the City of Muncie Comprehensive Zoning Ordinance to allow a day care center special use known as Huffer Memorial Children's Center located at 2000 North Elgin Street, Muncie, Indiana and Longfellow Pre-K located at 1700 North Elgin Street, Muncie, Indiana, both in an R-4 Residence Zone, as more accurately described in the application.

Lanette Clark, Executive Director of Huffer Memorial Children's Center, appeared. She stated that last year they had opened 2 additional classrooms and when applying for their annual child care letter, they discovered that they would need the special use.

Mr. Smith asked the current zoning for that location.

Ms. Clark stated it was R-4 Residence Zone.

Mr. Smith stated that since the center was a business the special use was so that they could continue in an R-4 Residence Zone.

Mr. Brand asked if they were already in operation.

Ms. Clark stated that the main building had been in operation since 1975 and that last year they added 2 classrooms at Longfellow.

Mr. Brand asked if the 2 classrooms that required the special use were already in operation.

Ms. Clark stated yes.

Mr. Smith stated that the application indicated that Huffer had been in the classrooms in Longfellow since 2021 and asked if that was correct.

Ms. Clark stated that the partnership started in 2021 with 1 classroom and that last year they added another classroom.

Ms. Swackhamer stated that when the center requested their annual letter, Mr. Daniel noted that this was something that just had been overlooked and that they had been very cooperative in correcting the issue at this time.

Mr. Smith asked if they would need that letter every year moving forward.

Ms. Swackhamer stated yes, a zoning verification letter.

Mayor Ridenour appeared. He stated that they have had a number of conversations and that a daycare was a great need for the community. He stated that he encouraged the Board to support this request.

No one appeared in opposition.

Ms. Swackhamer stated that she had met with the City Building Commissioner, Mr. Rawlings and that he was in agreement with the process of requesting a special use.

Mr. Carroll made a motion for a favorable recommendation for BZA 23-25 the special use appeal of Huffer Memorial Children's Center and Longfellow Pre-K. Ms. Owen seconded the motion. Voting in favor: Mr. Brand, Mr. Carroll, Mr. Clark, Mr. Dishman, Ms. Hensley, Mr. Landess, Ms. Owen, Ms. Sipe, and Mr. Smith. Voting against: None. Motion carried, a favorable recommendation will be forwarded to the BZA for their June 26, 2025 regular meeting.

MPC 11-25Z Jurisdiction: City Council

Parcels: 11-17-180-003-000, 11-17-180-001-000, & 11-17-180-007-000

Being a consideration of an appeal filed by **Robert Huddleston**, 760 South Tillotson Avenue, Muncie, Indiana, requesting a change in zone under the terms of the City of Muncie Comprehensive Zoning Ordinance from R-5

Residence Zone to BV Variety Business Zone on premises located at 2611 and 2619 West Ethel Avenue, and the vacated alley and street adjacent to said lots, as more accurately described in the application.

David Carnes, attorney with Dennis Wenger and Abrel, 324 W. Jackson St., Muncie, Indiana, appeared to represent the applicant. He stated that Mr. Huddleston had owned the property known as the Tillotson Plaza for over 30 years. He stated that in the past 10 years, he had purchased the adjacent residential properties that needed to be torn down, which he did and that they had also vacated an undeveloped alley running between them. He stated that they would like to change the zoning of those residential properties to the same zoning as the Tillotson Plaza zoning.

Mr. Smith asked if those residential lots were currently vacant.

Mr. Carnes stated yes.

Mr. Smith asked if there were any plans for those lots at this time.

Mr. Carnes stated no, he might eventually sell that whole 4 acres and could be developed for maybe retail or medical use.

Mr. Brand asked if a street was also being vacated.

Mr. Carnes stated that it was not a street, it was an undeveloped alley between the residential lots and the property to the south.

Mr. Brand asked if notice had been sent to the property owners within 300' and if they had received any response.

Mr. Carnes stated yes, and that they had not had any responses.

No one appeared in opposition.

Mr. Brand made a motion for a favorable recommendation for MPC 11-25Z requesting a change in zoning from the R-5 Residence Zone to the BV Variety Business Zone. Voting in favor: Mr. Brand, Mr. Carroll, Mr. Clark, Mr. Dishman, Ms. Hensley, Mr. Landess, Ms. Owen, Ms. Sipe, and Mr. Smith. Voting against: None. Motion carried, a favorable recommendation will be forwarded to City Council for introduction at their July 7, 2025 regular meeting.

MPC 12-25Z Jurisdiction: City Council

Parcels: 10-01-252-004-000

Being a consideration of an appeal filed by **James R. Daugherty**, 9495 West Jackson Street, Muncie, Indiana, requesting a change in zone under the terms of the City of Muncie Comprehensive Zoning Ordinance from R-1 Residence Zone to R-5 Residence Zone on premises located at the 2700

Block North Benton Road, Muncie, as more accurately described in the application.

Dan Gibson, attorney with Delk McNally, 211 S. Walnut St., Muncie, Indiana, appeared to represent the applicant. He stated that this was currently an unimproved parcel of property that used to be joined with the residential property on Benton Road. He stated that the purpose of the request was so that a triplex could be built on that parcel and that they had included a drawing of that with the application. He stated that Mr. Daugherty would do a lot of the work himself and oversee the project and continue to own and manage the property as a rental after completion. He stated that Mr. Daugherty was a Delaware County native, an electrician, owns a construction company, and that he and his wife owned 10 rental properties in Delaware County. He stated that the adjacent parcels in the area were all zoned R-1 Residence Zone, but he would note that the entire block already consisted of duplexes, likely built prior to the ordinance. He stated that if granted, this allow the property to be used similarly to the surrounding properties in that area.

Mr. Carroll asked if a triplex was permitted to be built in an R-1 Residence zone.

Ms. Swackhamer stated no, it could not.

Mr. Smith stated in the R-1 Residence Zone, houses have a little more space between them.

Mr. Gibson stated that the only distinction he knew was that the R-1 Residence Zone allowed for single family homes and the R-5 Residence Zone allowed for multi-family homes.

Ms. Swackhamer stated that was correct.

Mr. Smith stated that the map showed all R-1 Residence Zone and when he drove by the area he noted that they were all duplexes. He stated that he had looked at the drawings, and asked if they had ever built a triplex before.

James Daugherty, 9495 W. Jackson Street, Muncie, Indiana, appeared. He stated that he had not built a triplex but he had built 5-6 custom single-family homes.

Mr. Brand asked if they had responses from the notices regarding the request and if they anticipated needing any variances.

Mr. Daugherty stated he had not received any responses and that he did not believe he would be asking for any variances.

No one appeared in opposition.

Ms. Owen made a motion for a favorable recommendation for the MPC 12-25Z requesting a change in zoning from the R-1 Residence Zone to the R-5 Residence Zone. Mr. Brand seconded the motion. Voting in favor: Mr. Brand, Mr. Carroll, Mr. Clark, Mr.

Dishman, Ms. Hensley, Mr. Landess, Ms. Owen, Ms. Sipe, and Mr. Smith. Voting against: None. Motion carried, a favorable recommendation will be forwarded to City Council to be introduced at their July 7, 2025 regular meeting.

MPC 03-25A Jurisdiction: City Council

Being a consideration of approval to amend the text of the **City of Muncie Comprehensive Zoning Ordinance** regarding changes to residential development standards as described in the following: Article IX, Section 3, regarding lot coverage area, Article XIII, Sections 3,4,5,6,7, and 9, Article XV, Sections 3,4,5,6,7, and 9, all regarding lot width, lot area, setbacks and floor area, and Article XVI, Sections 1 and 2, regarding accessory dwellings.

Ms. Swackhamer stated that she had provided the Board members a redlined version of the proposed amendments to the City Zoning Ordinance along with a summary table. She stated that the proposed changes would be addressing some of the City of Muncie's current needs related to housing development. She stated that these amendments were developed and written by a committee comprised of Mayor Ridenour, Commissioner Brand, Jim Lowe, retired Vice-President for Facilities Management at Ball State, and herself. She stated that the goal was to update and modernize some of the requirements in the zoning ordinance to fit the current needs of the city. She stated that there were a few changes that needed immediate action in order to help the problems right now. She stated that the current zoning ordinance was implemented in 1973, and in response to the current demand for quality housing, the committee proposed the changes before the Board. She stated that they felt those changes would address the current need for housing by increasing opportunities for development and help address the need to use vacant land. She stated that they believed it aligned with current planning practices, supports the priority to strengthen housing conditions, and will attract new development. She stated that they had researched other communities which had recently updated their zoning ordinances. He stated that South Bend had made changes in 2021 to address lot size and off-site parking, Fort Wayne and Anderson had both made other changes recently. She stated that Mr. Murphy had reviewed the changes and had no concerns about the proposed amendments. She stated that Mr. Wiseley, former Plan Commission and BZA Board member, had suggested changing an accessory dwelling unit from a special use to a permitted use and that the proposed amendments were supported by the committee.

Mayor Ridenour, 300 N. High St., Muncie, Indiana, appeared. He stated that one of the challenges they faced in the R-1 Residence Zone was that the lot width was 100' and yet many of the neighborhoods they are working in had lots that were 40' wide. He stated that the proposed changes would allow developers and home builders' more options to build where the majority of the lots were not as wide. He stated that hopefully a complete update to the ordinance can happen soon, but that these were the immediate challenges and were simple changes to make.

Jim Lowe, 2501 N. Kensington Way., Muncie, Indiana, appeared. He stated that for the record, he would read his comments; "I support and speak in favor of MPC 03-25A. Thank you to Kylene, Commissioner Brand, and the Mayor for allowing him to be part of that team. It was really good to get together and talk about some really old ordinances, to

the point, 50 years old. In 1973 these were enacted and coincidentally back in 1973, I was an intern in the Plan Commission as a high school student. I support the requested amendments to the residential development standards regarding lot width, lot area, setbacks, floor area, and accessory dwellings as noted in MPC 03-25A. I believe the changes will continue to organize urban development and preserve community character. I ask that you make a favorable recommendation for MPC 03-25A. Thank you".

Mr. Clark asked for clarification of Article 9, Section 3 for the R-1, R-2, and R-3 Residential zones regarding lot coverage.

Ms. Swackhamer stated that the yard lot coverage was not listed within the R-1, R-2, and R-3 Residential Zone sections, but rather was a section on its own. She stated that the lot coverage for the R-4 and R-5 Residential Zones would remain as they were.

No one appeared in opposition.

Mr. Carroll made a motion for a favorable recommendation for MPC 03-25A to amend the text of the City of Muncie Comprehensive Zoning Ordinance regarding changes to residential development standards. Ms. Sipe seconded the motion. Voting in favor: Mr. Brand, Mr. Carroll, Mr. Clark, Mr. Dishman, Ms. Hensley, Mr. Landess, Ms. Owen, Ms. Sipe, and Mr. Smith. Voting against: None. Motion carried, a favorable recommendation will be forwarded to City Council to be introduced at their July 7, 2025 regular meeting

LEGISLATIVE ACTION:

Ms. Swackhamer reported that MPC 09-25Z, rezoning for Fred and Nellie Edwards and MPC 10-25Z, rezoning for Monte Froelich had both been adopted by the County Commissioners. She stated that BZA 22-25, the special use request by the Muncie Monthly meeting of Friends Memorial Church and the Recovery Café had been approved by the Board of Zoning Appeals. She also stated that BZA 16-25 the appeal of Darrell E. Smith and Integrated eBusiness Solutions Inc., requesting a special use for a seasonal amusement park was denied by the Board of Zoning Appeals with a vote of 7-0.

DIRECTOR'S REPORT:

Ms. Swackhamer stated that she had provided the Board with her monthly report that including the total number of permits, inspections, variances, rezonings, and plats filed for the year to date. She stated that a final draft of the solar ordinance was pending, and that once that was received she would forward that to the Board members. She asked the members if they would like to continue to receive those items digitally or if they would like printed copies of all the materials.

Board, overall prefer to receive digital information.

Ms. Swackhamer stated that the pond committee which included Courtney Pruitt, Muncie Sanitary District, Tom Borchers, County Surveyor, Tom Fouch, Building/Zoning

Administrator, and several Plan Commission staff members had met. She stated that the meeting was very productive and that they had reviewed surrounding counties existing pond ordinances for examples. She stated that at this point, a really good first draft was together and that the committee would meet again to continue to make progress.

Mr. Brand stated that one of the companies that was looking to develop in Delaware County, National Grid Renewable, was purchased he believed by Brookfield Group, and had been going through a name change. He stated that moving forward National Grid Renewables will be referred to as Geronimo Power.

Mr. Landess asked if that meeting would be within the next month.

Ms. Swackhamer stated she did not believe so. She stated that it would depend on when the final draft was received and that it would be at least 10 days after that.

Mr. Brand stated that the final draft had been deliberated in a Commissioner's meeting had been approved by himself and Commissioner Henry, and that Commissioner Riggins had not responded yet. He stated that once she did, it could be forwarded to the Plan Commission Office.

ADJOURNMENT:

Chris Smith, President

Kylene Swackhamer, Secretary