

**DELAWARE-MUNCIE METROPOLITAN PLAN COMMISSION  
MAY 2025 REGULAR MONTHLY MEETING  
AGENDA**

**DATE:** May 1, 2025

**PLACE:** Commissioners' Court Room  
3<sup>rd</sup> Floor, Delaware County  
Building

**TIME:** 6:00 P.M.

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

Stephen Brand	Chris Smith	
Nate Carroll	Jerry Dishman	Michelle Owen
Dustin Clark	Teresa Hensley	Rickie Sipe
	Jesse Landess	

**Advisory Members**

Tom Borchers	Justin Curley	Adam Leach
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**MINUTES:** Consideration of the March 2025 regular meeting minutes.  
Consideration of the April 2025 regular meeting minutes.

**OLD BUSINESS:**

**MPC 10-25Z Jurisdiction: County Commissioners  
Parcel: 12-31-200-001-000**

Being a consideration of an appeal filed by **Monte Froehlich**, 129 North 10<sup>th</sup> Street, Suite 313, Lincoln, Nebraska, requesting a change in zone from the R-1 Residence Zone and the R-2 Residence Zone to the R-1 Residence Zone on premises located in the 5800 Block of South Burlington Drive, Perry Township, Delaware County, as more accurately described in the application.

**NEW BUSINESS:**

**BZA 22-25 Jurisdiction: Board of Zoning Appeals  
Parcels: 11-16-226-008-000 & 11-16-226-001-000**

Being a consideration of an appeal filed by **Muncie Monthly Meeting of Friends Memorial Church and Recovery Café Muncie, Inc.**, 418 West Adams Street, Muncie, Indiana, requesting a special use under the terms of the City of Muncie Comprehensive Zoning Ordinance to allow a non-profit organization special use known as Recovery Café Muncie, Inc. to hold weekly meetings in an existing church in a R-5 Residence Zone located at 418 West Adams Street, Muncie, Indiana, as more accurately described in the application.

**LEGISLATIVE ACTION:**

**DIRECTOR'S REPORT:**

**ADJOURNMENT:**

**DELAWARE-MUNCIE METROPOLITAN PLAN COMMISSION  
MAY 2025 REGULAR MONTHLY MEETING  
MINUTES**

The Delaware-Muncie Metropolitan Plan Commission held its regular monthly meeting on Thursday, May 1, 2025 in the County 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. Dishman, Ms. Hensley, Mr. Landess, Ms. Owen, Ms. Sipe, and Mr. Smith. Absent: Mr. Borchers, Mr. Clark, Mr. Curley, and Mr. Leach. Also present: Mr. Murphy, attorney for Board.

**MINUTES:**

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

Mr. Landess made a motion to approve the April, 2025 regular meeting minutes. Mr. Brand seconded the motion. Voting in favor: Mr. Carroll, Mr. Dishman, Ms. Hensley, Mr. Landess, and Mr. Smith. Voting against: None. Abstaining: Ms. Owen, and Ms. Sipe. (Mr. Brand was skipped during the voting, but a vote of yea or nay would not have impacted the outcome of this matter) Motion carried, April 2025 minutes approved.

**OLD BUSINESS:**

**MPC 10-25Z Jurisdiction: County Commissioners**

**Parcel: 12-31-200-001-000**

Being a consideration of an appeal filed by **Monte Froehlich**, 129 North 10<sup>th</sup> Street, Suite 313, Lincoln, Nebraska, requesting a change in zone from the R-1 Residence Zone and the R-2 Residence Zone to the R-1 Residence Zone on premises located in the 5800 Block of South Burlington Drive, Perry Township, Delaware County, as more accurately described in the application.

Tyler Fritz, 3640 Flagstone Dr., Zionsville, Indiana, appeared to speak on behalf of the applicant. He stated that they would like to have the parcel the same zoning classification in order to sell.

Mr. Smith asked if the plans were to sell both parcels to the same buyer.

Mr. Fritz stated that the parcel was listed for sale and included 75 acres and that 5 acres would be sold separately, and was all vacant land.

Mr. Brand asked if the property was currently being farmed, and if so was it all the same farmer.

Mr. Fritz stated yes.

Mr. Brand asked about a portion of the land being in a floodzone.

Mr. Fritz stated yes, about 30% of the property was in a floodzone.

Mr. Smith stated that the description indicated that the land use in that area was a mixture of agricultural and residential and asked if there were any homes on this property.

Mr. Fritz stated not on this but that there were a few homes on neighboring properties.

No one appeared in opposition.

Mr. Brand made a favorable recommendation for MPC 10-25Z requesting a change in zoning from the R-1 Residence Zone and R-2 Residence Zone to the R-1 Residence Zone. Ms. Owen seconded the motion. Voting in favor: Mr. Brand, Mr. Carroll, Mr. Dishman, Ms. Hensley, Mr. Landess, Ms. Owen, Ms. Sipe, and Mr. Smith. Voting against: None. Motion carried, a favorable recommendation to be forwarded to the County Commissioners for their May 19, 2025 regular meeting.

## **NEW BUSINESS:**

### **BZA 22-25     Jurisdiction: Board of Zoning Appeals**

#### **Parcels: 11-16-226-008-000 & 11-16-226-001-000**

Being a consideration of an appeal filed by **Muncie Monthly Meeting of Friends Memorial Church and Recovery Café Muncie, Inc.**, 418 West Adams Street, Muncie, Indiana, requesting a special use under the terms of the City of Muncie Comprehensive Zoning Ordinance to allow a non-profit organization special use known as Recovery Café Muncie, Inc. to hold weekly meetings in an existing church in a R-5 Residence Zone located at 418 West Adams Street, Muncie, Indiana, as more accurately described in the application.

Linda Daniel, 1305 N. Elm St., Muncie, Indiana, appeared. She stated that the Recovery Café would be buying the building on contract and that the Muncie Monthly Meeting of Friends would continue to meet in a portion of the building. She stated that they had dwindling congregation, so 21,000 square feet was not needed, and this agreement would allow them to remain in the building for the next 10 years.

Mr. Smith stated that the application outlined that Recovery Café would utilize the larger portion of the building and that it did not appear that there was a lot of overlap in the hours of operation.

Ms. Daniel stated that was correct.

Mr. Brand asked Ms. Daniel when were their meetings.

Ms. Daniel stated that the Muncie Monthly Meeting of Friends had their Sunday worship usually from 9:00 A.M. to 1:00 P.M., and they had a free coffee shop for the public on Mondays and Thursdays from 10:00 A.M to 1:00 P.M., and periodically they would have evening meetings that would be between 5:00-8:00 P.M. She stated that the Recovery Café had hours of operations on Tuesdays Wednesdays, Fridays and Saturdays, so they would not be using the parking spaces at the same time.

Mr. Brand stated that was his concern, and thanked Ms. Daniel for explaining.

Bill Rogers, 1700 N. Innis Brooke Dr., Muncie, Indiana, appeared. He stated that he was the Board President of Recovery Café and that were currently located in the lower level of the

Commonway Church, and that they had outgrown the space. He stated that in looking for a new place, they found that some of the programs they run were similar to the Muncie Monthly Meeting of Friends and believed that they could benefit each other.

Ms. Owen asked since they had outgrown their current location, did Mr. Rogers believe that their growth was stable at this time or would they outgrow the proposed space as well.

Mr. Rogers stated that he would be surprised if they outgrew the Friends Church since it was such a large facility, but they did have plans in place that would limit certain parts of their programs if that was needed.

No one appeared in opposition.

Mr. Brand made a motion for a favorable recommendation for BZA 22-25 the Special Use appeal filed by Muncie Monthly Meeting of Friends Memorial Church and Recovery Café Muncie, Inc., to allow a non-profit organization to hold regular monthly meetings in an existing church. Mr. Carroll seconded the motion. Voting in favor: Mr. Brand, Mr. Carroll, Mr. Dishman, Ms. Hensley, Mr. Landess, Ms. Owen, Ms. Sipe, and Mr. Smith. Voting against: None. Motion carried, a favorable recommendation to be forwarded to the Board of Zoning Appeals for their May 29, 2025 regular meeting.

#### **DIRECTOR'S REPORT:**

Ms. Swackhamer stated that she had provided the numbers for the year to date for permits issued, inspection completed, complaints received, variance, rezonings, and plats that had been filed. She stated that the Plat Committee met once per month as business was filed, and that the committee members were approved by the Plan Commission. She stated that this was a 5-member committee in which one of those seats needed to be held by a Plan Commission member and that was currently Ms. Sipe, and asked if she would be willing to continue to serve.

Ms. Sipe indicated yes.

Ms. Swackhamer stated that Ms. Pickett, Senior Plat Deputy had retired, and Ms. Moyer, with the County Engineer's Department who no longer worked for the county both held 2 of those seats and would need to be replaced. She stated that John Anderson, Muncie Sanitary District and Tom Borchers, County Surveyor split a seat and voted accordingly when a property was in the city or the county. She stated that Adam Leach, City Engineer was the final voting member and that the advisory members were Heather Beard from the County Engineer's Office, Jan Smoot and Paula Morrison from the Recorder's Office, and Courtney Pruitt from Muncie Sanitary District along with Plan Commission staff. She stated that Ms. Moody had been a voting member, and that Ms. Pickett had taken that seat after Ms. Moody passed away. She stated that at this time she would propose that she take that voting seat, and add Ms. Pruitt as a voting member to have the Plat Committee voting members as follows: Ms. Swackhamer, Mr. Leach, Ms. Pruitt, Ms. Sipe, and that Mr. Anderson and Mr. Borchers continue to share a seat.

Mr. Brand made a motion to appoint Courtney Pruitt as a voting member of the Plat Committee. Mr. Carroll seconded the motion. Mr. Smith called for all those in favor to say aye, then those opposed same sign. Motion carried, Ms. Pruitt to be a voting member of the Plat Committee.

Mr. Brand made a motion to appoint Kylene Swackhamer as a voting member of the Plat Committee. Ms. Owen seconded the motion. Mr. Smith called for those in favor to say aye, then those opposed same sign. Motion carried, Ms. Swackhamer to serve as voting member of the Plat Committee.

Ms. Swackhamer stated that Ms. Murrell had been in the Community Planner position for a little over a month and was the one preparing the documents for this Board, and would also be working with the Plat Committee. She stated that a new staff member Kayla Ferguson was our GIS Specialist and would be fulltime soon after graduation at Ball State, and that Liz Wilcox had joined the office as the Planning Technician and that made the office fully staffed at this time.

Ms. Swackhamer reported that we had checked on available dates from the Justice Center and Mr. Murphy as we begin to determine when the special meeting regarding solar can be set. She stated that we would work around the Boards schedules to have as many members present as possible at that meeting. She stated that she had been emailing the members information as it was received, and that folders had been passed out to the members with copies of those items to make sure everyone is receiving all of the information. She stated that the members should try and check their email often, because a lot of information had been coming in and she wanted to make sure that they had as much time as possible review everything. She stated that she had sent the proposed solar ordinance amendment from April 21<sup>st</sup>, and that she had not received the final copy yet, but would email that as well.

Mr. Murphy stated that the final version should be received before a meeting was scheduled.

Mr. Brand asked if the final version was required to be posted 10 days prior to a special meeting.

Mr. Murphy stated that the final proposal would need to be posted in the notice in advance of the meeting but that he could not recall if it was 10 days.

Ms. Swackhamer stated that for the office, legal notice was required 10 days prior to any meeting. She also reminded the Board that if they received any communication regarding solar to let her know since those are to come through the office and then distributed to all of the Board members.

Mr. Brand asked from what point in time would Ms. Swackhamer want information and emails that he had received since he had been receiving emails since January 6, 2025.

Mr. Murphy stated that for the purposes of this Board, the relevant time period would be after the Commissioner's had submitted their amendments.

Mr. Brand clarified that would be since April 21<sup>st</sup>.

Mr. Murphy stated yes.

Mr. Brand stated that he would forward those emails to Ms. Swackhamer.

Mr. Landess asked how the case regarding the amusement park/haunted house went with the Board of Zoning Appeals.

Ms. Swackhamer stated that the matter lasted 2 hours and with only 5 out 7 members present, ended with no official action with the Board of Zoning Appeals and had been continued to the May 29th meeting.

Mr. Brand asked if the vote had been 3-2 unfavorable to favorable.

Ms. Swackhamer stated she believed it had been 2 votes in favor and 3 against the request. She stated that the court room was full and that the Board had a lot of emails and information to review and go over.

Mr. Landess asked if most of those were in opposition.

Ms. Swackhamer stated that before this Board yes but at the BZA it was more of a mix.

Ms. Hensley stated that the next county road over which was County Road 750 West, there had been a 2 car crash a few days ago that resulted in a fatality and that wrecks and crashes were constant there and needed to be considered.

Ms. Swackhamer stated that she had talked with Mr. Borchers and Ms. Pruitt to start reviewing the Pond Ordinance and would be scheduling a meeting this month to go over all of that information.

Ms. Hensley asked if they had received the 2 addresses that she had sent that had created issues with their ponds.

Ms. Swackhamer stated yes.

**ADJOURNMENT:**

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Chris Smith, President

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Kylene Swackhamer, Secretary