

**DELAWARE-MUNCIE METROPOLITAN PLAN COMMISSION  
MARCH - 2021 REGULAR MONTHLY MEETING  
AGENDA**

**DATE:** March 4, 2021

**PLACE:** Remote- Zoom conference call

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

**NUMBER:** 1-929-205-6099

**PASSCODE:** 641898#

**ROLL CALL:**

	Shannon Henry	
Kathy Carey	Teresa Hensley	Rickie Sipe
Jerry Dishman	Jesse Landess	Allen Wiseley
J. P. Hall	Jud Motsenbocker	

**Advisory Members**

Tom Borchers	Brian Stephens-Hotopp	Laurynn Thieme
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**MINUTES:** Consideration of the January 7, 2021 regular monthly meeting minutes.

**TABLED BUSINESS:**

**MPC 08-19A ABC-DG Subdivision**

**NEW BUSINESS:**

**MPC 01-21Z Jurisdiction: County Commissioners**

Being a public hearing on the matter of an application filed by Fountain Square Ministries, Inc, 4405 S. Madison St., Muncie, Indiana, requesting a change in zone from the F Farming Zone to the IL Limited Industrial Zone on premises located on the west side of the 5400 BLK of S. Cowan Rd., Muncie, Indiana, as more accurately described in the application.

**MPC 02-21Z Jurisdiction: County Commissioners**

Being a public hearing on the matter of an application filed by GVFARMS, LLC, 1810 Fountain Ln., Pendleton, Indiana, requesting a change in zone from the F Farming Zone to the IL Limited Industrial Zone on premises located at 2451 W. Fuson Rd., Muncie, Indiana, as more accurately described in the application.

**OTHER BUSINESS:**

**MPC 02-21A Jurisdiction: City Council**

Being a consideration of a Resolution of Approval for the 2020 Zone Map Changes to the Official Zone Maps for the City of Muncie, Indiana.

**MPC 03-21A Jurisdiction: County Commissioners**

Being a consideration of a Resolution of Approval for the 2020 Zone Map Changes to the Official Zone Maps for Delaware County, Indiana.

**LEGISLATIVE ACTION:**

**REPORT FROM DIRECTOR:**

**ADJOURNMENT:**

**DELAWARE-MUNCIE METROPOLITAN PLAN COMMISSION  
MARCH - 2021 REGULAR MONTHLY MEETING  
MINUTES**

The Delaware-Muncie Metropolitan Plan Commission held its regular monthly meeting on Thursday, March 4, 2021 at 6:30 PM., in the Commissioner's Court Room of the Delaware County Building, Muncie, Indiana, with the members attending remotely. Vice-President Jerry Dishman called the meeting to order.

**ROLL CALL:**

Ms. Moody called roll and the following members were present: Ms. Carey, Mr. Dishman, Mr. Landess, Mr. Motsenbocker, Ms. Sipe, Mr. Stephens-Hotopp, Ms. Thieme, and Mr. Wiseley. Absent: Mr. Borchers, Mr. Hall, Mr. Henry, and Ms. Hensley. Also present: Mr. Rhetts, attorney for the Board.

**MINUTES:**

Ms. Sipe made a motion to approve the January 2021 regular monthly meeting minutes. Ms. Carey seconded the motion. Voting in favor: Ms. Carey, Mr. Dishman, Mr. Landess, Mr. Motsenbocker, Ms. Sipe, and Mr. Wiseley. Voting against: none. Motion carried, January 2021 minutes approved.

**TABLED BUSINESS:**

**MPC 08-19A      ABC-DG Subdivision**

Ms. Moody stated that this item would remain tabled at this time.

**NEW BUSINESS:**

Ms. Moody explained that since the two rezoning requests were connected, that the applicants would speak on both requests and then we would hear from anyone in support or opposition, but that they would be voted on by the Board separately.

**MPC 01-21Z      Jurisdiction: County Commissioners**

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Being a public hearing on the matter of an application filed by GVFARMS, LLC, 1810 Fountain Ln., Pendleton, Indiana, requesting a change in zone from the F Farming Zone to the IL Limited Industrial Zone on premises located at 2451 W. Fuson Rd., Muncie, Indiana, as more accurately described in the application.

Traci Lutton, from the Economic Development Commission appeared to represent the applicants. She stated that she had been working with Glen Cleland, owner of GVFARMS and that he could answer any questions after the meeting. She stated that the change in zoning would allow the best use of the property, and would be a lighter zoning than the surrounding properties. She stated that there was an R-5 Residence Zone to the west and that they were sensitive to that. She stated that Mr. Cleland owned Magna Tech, and although he wanted to see the economic growth happen, he did not want to develop the properties himself. She stated that there had been rumors of a meat processing plant coming to the site and that was not true. She stated that the area was included in the Industria Centere Economic Plan, and that the Plan Commission had reviewed and approved the area for business use and that they just needed to get the rezoning approved to move forward.

Pastor Stephen Graves, 4405 S. Madison St., Muncie, Indiana, from Fountain Square Ministries appeared. He stated that the church looks forward to using the funds from the sale of their property for community ministry in Muncie.

Mr. Dishman asked if they had a preference as to what the property would be used for.

Pastor Graves stated that they had been blessed to have farmers use the property, but they would like to see the community grow and to have a business that would bring jobs to the area.

Mr. Dishman stated that he would not want to see a similar situation like the city had with the mercury plant wanting to come to the area.

Pastor Graves stated that that was the reason for the light industrial zoning and that he felt comfortable that the Commissioner's would make the best decision for the community.

Ms. Thieme asked why they wanted to rezone these properties versus using properties that were already zoned industrial.

Pastor Graves stated that the church only owned one of the properties and would like to use the funds from selling it to help with their ministries. He stated that they had farmers working the grounds, but that it was just not enough income. He stated that the light industry zoning would get the greatest interest from potential buyers.

Mr. Landess asked for clarification on which lots were being discussed.

Pastor Graves stated that the church owned the 30.8 acres along Cowan Road and that the other two properties were a different owner.

Ms. Carey stated that she was in favor of bringing jobs to the community but that she did not want to see just any business go there and asked who would be developing the sites.

Pastor Graves stated that he had no knowledge of a buyer at this time, just that they were asking for the rezoning and that he trusted that the Commissioner's would make the best decision. He stated that it was used as farm ground and that they had not had any offers from farmers to purchase the land.

Ms. Thieme stated that she understands the value of the land and asked if there had been any offers from anyone interested in the property.

Pastor Graves stated that they had received no offers for the farm ground and that they only put the property up for sale after the Chamber of Commerce approached the church about trying to bring businesses to the area.

Mr. Dishman asked what zoning change they were requesting and what would be permitted uses in that zoning.

Ms. Moody stated that they were requesting a Limited Industrial zoning and she listed those permitted uses including things such as farm use, public and private utilities, everything allowed in the Business Zone, as well as transportation terminals, radio and TV towers, and assembly of premanufactured parts, just to list a few.

Mr. Dishman asked if that would include any type of businesses that would have hazardous waste.

Ms. Moody stated no, but that it would also include food processing and packaging, canning, bottling, cabinet making and warehousing. She stated that in the Intense Industrial zoning permitted uses would include uses such as slaughtering and food processing, manufacturing of explosives, chemicals, detergents, creosotes, and fertilizer.

Mr. Landess asked if it could include solar farms.

Ms. Moody stated that it was not mentioned, but that since solar installations are considered a utility, they would be a permitted use in the Industrial Zone.

Mr. Stephens-Hotopp stated that all of those permitted manufacturing uses in the Intense Industrial Zone would need to be within closed buildings.

Ms. Moody stated that that was another big difference in the Intense Industrial and Limited Industrial zonings.

Mr. Stephens-Hotopp asked if there could be any additional information for the development in the future to restrict how the property could be used.

Ms. Moody stated that the owners of the property could offer to attach commitments to the property as part of the rezoning approval stating what they would and would not allow to develop. She stated that they could be enforceable restrictions and that the Board could request something like this be put in place and the County Commissioners could ask that it be done.

Ms. Lutton stated that the Economic Development Alliance did have other properties that they were looking at but that this area was the most well established as far as visibility, the new sub-station, and available utilities. She stated that when companies begin looking into a community one of the earliest checks to their list is zoning, and that these properties meet all of the other criteria other than zoning. She stated that they due their due diligence to make sure they understand the site selection and how the proposed use will affect the environment and surrounding area. She stated that a few projects had been proposed that she cannot speak about, but that the development does align with the plans for the industrial park and that once they move to the next step she will be happy to share more information. She stated that the Intense Industrial Zone was already across the street and that this would be a lighter zone that would create many job opportunities to the community and increase the tax base.

Ms. Carey stated that she understood the zoning across the street and that those businesses were already there and that her concern was with not knowing what might be coming to these sites.

Ms. Lutton stated that the County Redevelopment Commission had a strict environmental approval application for any project leads to fill out and that no project would be approved if it would be a threat to human health. She stated that she was from Muncie, cared about the community, and would not want something bad for the area.

Mr. Stephens-Hotopp stated that these properties are surrounded by Intense Industrial zoning and that it does line up with the long-term plan and use of the property. He stated that the lighter zoning does take into consideration the residence zoning that is nearby, and that he did not have concerns about the rezoning.

Jody Thomas, 3101 W. Bonaire Ave, Muncie, Indiana appeared in opposition with her husband Jerry. She stated that she had been a teacher at Cowan Elementary, her husband had worked at GM, and they were one of the first residents of the Southwind Village neighborhood. She stated that the zoning across the street had been established

in the 1960's, and that for decades they had failed to sell and fill all of that acreage including a vacant shell building that has never been occupied. She stated that everyone was interested in more jobs coming to the community, but not at the cost of a loss of a peaceful lifestyle to the neighborhood. She stated that living across the street had not come without problems due to factories, dangerous gases, and the potential loss of value to their properties, she stated that she understood the pastors reasoning but that this was not a win for everyone. She stated that they understood what factories could mean for the area but that there was no need to rezone these properties at this time and that she and her husband were not in favor of losing farm ground.

Mike Downham, 5005 S. Montego Way, Muncie, Indiana, appeared in opposition. He stated that he agreed with Ms. Thomas's comments and was opposed to the request for many of the same reasons. He stated that there were properties across the street that had not been utilized and that they did not need more property being unused. He stated that he did not understand who would be buying and developing the properties and that Exide had created environmental issues for the area and that they do not need anything else like Exide coming to the area.

David Smith, 5113 S. Jamaica Dr., Muncie, Indiana, appeared in opposition. He stated that he also agreed with the previous comments and that we did not need another factory in that area creating environmental issues like they had encountered from Exide. He stated that this location was one of the last entrances to Muncie that still had trees and farm ground and that he did not want to see that covered by pavement and buildings and he asked what feedback from the community there had been. He stated that he had noticed crews drilling and taking core samples and that when a neighbor asked a worker what it was for they told him that he did not want to know. He stated that he had heard some rumors about what might be coming to the area but that by the time they find out it might be too late to stop anything.

Kelly Christy, 5121 S. Jamaica Dr., Muncie, Indiana, appeared in opposition. She stated that she was a newer resident to that area and chose that neighborhood because it was peaceful and quiet. She stated that she knew there was industrial zoning across the street and that it should be used before establishing any more properties in that zone. She stated that she had been instructed to call to voice concerns and wondered about any other calls that may have been received.

Ms. Moody stated that once everyone who appeared in person had spoken that she would share any phone calls and letters that had been received.

Alice Lancaster, 3012 W. Bonaire Ave., Muncie, Indiana, appeared in opposition. She stated that there were so many blighted and unused sites that were industrial in the area and that she agreed with the other residents that there is enough.

Brad Welsh, 5121 S. Jamaica Dr., Muncie, Indiana, appeared in opposition. He stated that he had recently moved back to Muncie after being gone for 30 years, and that little had changed in that area. He stated that it was a beautiful neighborhood with more mature residents and that younger families were starting to move into the area. He stated that he respects the Pastor's needs for funds for the church but that this was not the place for more businesses and asked the Board if they would want to live there with their kids not knowing what might be built there.

Ms. Lutton stated that the Limited Industrial zoning would not allow for a meat processing plant or a battery operation like Exide to be developed. She stated that there were unique challenges when choosing a site and that they try to focus on areas where money had already been spent on utilities. She stated that the park had changed in the past few years with Magna and Progress Rail and more recently INOX and a new building supply company moving in. She stated that the empty shell building did bring in leads but that not every company wants a 200,000 square foot building, instead they want to develop it themselves. She stated that there were a few sites remaining between 11 and 90 acres in the Industria Centre, but a lot of projects want 100 or more acres to develop. She stated that there are interested buyers in these locations and that when working with potential buyers they have to sign a confidentiality agreement or risk being eliminated as a possibility. She stated that she had proposed this site more

than 30 times in the last year and that it was the largest tract of land in the area for development and that the only thing missing was the zoning.

Ms. Carey stated that the residents of the neighborhood were not aware anything would be happening to the property and asked why she did not reach out to them.

Ms. Lutton stated that they were narrowing down the projects and that there was not an announcement to make yet.

Mr. Wiseley asked if the surrounding property owners had been notified of the rezoning request.

Ms. Moody stated that the requirement for notice was 300 feet or 2 properties deep and that those notices did go out. She stated that the office had also received 22 phone calls in opposition with the comments being concerns for health issues, livestock or food processing plants, the roads need fixed and there was enough industrially zoned land already in the area. She read 2 letters of opposition that had also been received with concerns for the added traffic, safety of the children in the area, noise, contamination, and loss of enjoyment to the surrounding property owners.

Ms. Christy asked if there were so many potential buyers and so much unused property across the street why those sites could not be utilized first. She stated that the Southwind Neighborhood was home to many multi-generational families and that they would not be able to continue to live like they had expected to when they moved into the area if the rezoning was approved. She stated that if it had not been for one of the neighbors notifying them, most people would not have even known about the rezoning request.

Ms. Moody stated that there were 2 properties in the Southwind Village neighborhood that met the criteria for notification.

Mr. Landess made a motion for an unfavorable recommendation for MPC 01-21Z, requesting a change in zoning from the F-Farming Zone to the IL Limited Industrial Zone. Ms. Carey seconded the motion. Voting in favor: Ms. Carey, Mr. Landess, and Mr. Motsenbocker. Voting against: Mr. Dishman, Ms. Sipe, and Mr. Wiseley. Motion failed, continued to the April 1, 2021 regular meeting.

Mr. Landess made a motion for an unfavorable recommendation for MPC 02-21Z, requesting a change in zoning from the F-Farming Zone to the IL Limited Industrial Zone. Ms. Carey seconded the motion. Voting in favor: Ms. Carey, Mr. Landess, and Mr. Motsenbocker. Voting against: Mr. Dishman, Ms. Sipe, and Mr. Wiseley. Motion failed, continued to the April 1, 2021 regular meeting.

## **OTHER BUSINESS:**

### **MPC 02-21A      Jurisdiction: City Council**

Being a consideration of a Resolution of Approval for the 2020 Zone Map Changes to the Official Zone Maps for the City of Muncie, Indiana.

Ms. Moody stated that this was annual business to endorse the changes to the Official Zone Map for the City for 2020.

Mr. Landess made a motion to approve MPC 02-21A. Mr. Wiseley seconded the motion. Voting in favor: Ms. Carey, Mr. Dishman, Mr. Landess, Mr. Motsenbocker, Ms. Sipe, and Mr. Wiseley. Voting against: none. Motion carried, favorable recommendation to be forwarded to City Council for the April 5, 2021 regular meeting.

**MPC 03-21A      Jurisdiction: County Commissioners**  
Being a consideration of a Resolution of Approval for the 2020 Zone Map Changes to the Official Zone Maps for Delaware County, Indiana.

Ms. Moody stated that this was annual business to endorse the changes to the Official Zone Map for the County for 2020.

Mr. Landess made a motion to approve MPC 02-21A. Ms. Carey seconded the motion. Voting in favor: Ms. Carey, Mr. Dishman, Mr. Landess, Mr. Motsenbocker, Ms. Sipe, and Mr. Wiseley. Voting against: none. Motion carried, favorable recommendation to be forwarded to the County Commissioners for the March 15, 2021 regular meeting.

**LEGISLATIVE ACTION:**

Ms. Moody stated that the County Commissioners had approved a rezoning in November and that the BZA had approved 2 special uses; one to allow an accessory dwelling and one for a 1 chair in home beauty salon with a limit to the size and location of the sign.

**REPORT FROM DIRECTOR:**

Ms. Moody stated that the Office of Community Development needed a paperwork trail to transfer the \$25,000 funds that had been earmarked for the Comp Plan and Muncie Action Plan project. She stated that the Memorandum stated that the Plan Commission, Muncie Action Plan and the Office of Community Development were entering into an agreement and that the Plan Commission would coordinate and collect the funds since they had entered into the agreement with czb, LLC consulting firm.

Mr. Motsenbocker made a motion to approve the Memorandum. Mr. Wiseley seconded the motion. Voting in favor: Ms. Carey, Mr. Dishman, Mr. Landess, Mr. Motsenbocker, Ms. Sipe, and Mr. Wiseley. Voting against: none. Motion carried, Memorandum of understanding approved.

Ms. Moody stated that the official website for the planning project was [www.togetherdm.org](http://www.togetherdm.org), which had a lot of information including a survey that would be available the entire month of March as part of the collection of public input. She stated that at the end of the survey there was an exercise where you can decide where you would spend 10 million dollars to determine what projects are important to the public.

Mr. Wiseley stated that the survey took about 20-30 minutes and that it was tough to decide where to spend the money since you had to use 1 million at a time.

**ADJOURNMENT:**

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Jerry Dishman, Vice-President

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Marta Moody, Secretary