

MINUTES OF THE
JEFFERSONVILLE PLAN COMMISSION
March 28, 2023

Call to Order

Chairman Mike McCutcheon calls to order the Plan Commission meeting. It is Tuesday, March 28, 2023, it is 6:00 pm in the City Council Chambers, Jeffersonville City Hall, 500 Quartermaster Ct., Jeffersonville, Indiana. The meeting was held in person and streamed live on the City's website and City's Facebook page.

Roll Call

Board President Mike McCutcheon and board members Duard Avery, Chris Bottorff, Bill Burns, Joe Paris, and Steve Webb were present in the City Council Chambers. Also present were Planning & Zoning Attorney Les Merkley, Planning & Zoning Director Chad Reischl, and Secretary Zachary Giuffre. David Schmidt was absent.

(Secretary's Note: All plat maps, public letters, photos, etc. presented before the Plan Commission on this date can be found in the office of Planning & Zoning.)

Approval of Minutes

Approval of the minutes from February 28, 2023. Mr. Burns made a motion to approve the February 28, 2023 minutes, seconded by Mr. Paris. Roll call vote. Motion passed 6-0.

Approval of the Docket

Motion to approve the agenda made by Mr. Paris, seconded by Mr. Bottorff. Roll call vote. Motion passed 6-0.

Old Business

PC-23-05 Rezoning

Thieneman Group, LLC filed a rezoning application for three parcels located on the 3500 block of Holmans Lane. The current zoning is R1 (Single-Family Residential: Large-Lot); the proposed zoning is M2 (Multi-Family: Medium-Scale). The Docket Number is PC-23-05.

John Kraft stated the following:

- This project aligns with the Future Land Use Map in that it is supporting growth. Vacant land will be developed as infill.
- The maximum height of the R1 zone district is 35ft; the maximum height of the M2 zone district is 40ft. This project will still only be 35ft so it will meet the R1 height development standard.
- There are similar developments within a half mile of this property.
- This property is also located in the Commercial Corridor Overlay District. The intent is to minimize strip commercial development. This project aligns with that intent.
- There will be connectivity to this project to the Abby Woods subdivision.
- Mr. Whitten, the developer of the nearby Abby Woods subdivision, submitted a letter of support for this project.

Jason Copperwaite, with Paul Primavera and Associates, stated the following:

- Mr. Thieneman's target housing cost for these units are \$1,500 per month.
- There are several parcels nearby zoned for multi-family use.
- There will be 84 units on around 4 acres.
- Abby Woods was designed to accept the water from this development.
- The developer wants to implement 4 amenity units instead of the minimum required of 2 amenity units. Some of these amenities will include a dog park and walking trail.
- This project matches with the developer that is occurring on either end of the development.

Open Public Comment

Eugene Ballew, who lives at 3408 Holmans Lane, stated I am against the rezoning change. This will worsen traffic, crime rates, and nearby property values.

Tia Tirkeldsen, who lives at 110 Burns Street in Elaine's Place Condominiums, stated we are very concerned about the traffic. This project will contain 84 units. There are 60 units being developed nearby, and 30 patio homes are being constructed behind us. There are 174 units being developed which equates to 350 cars. It will be more difficult for us to leave. We would like to see a traffic light implemented at Hammons Lane and one at Gardner Boulevard.

Harold Caldwell, who lives in the Abby Woods subdivision, stated people will be using Abby Woods as a cut through. This will create a real problem of safety and security for the residents of Abby Woods.

Brooke, who lives at 2766 Abby Woods Drive, stated there are multiple apartments being developed near me. We spoke briefly with the builder. The target demographic are people who work from home. The amenities offered on the property are not that great.

Ronald Smith, who lives at 3310 Holmans Lane, stated these apartments are not necessarily progress. There is 4x more traffic in front of my house than ever. These apartments will not be a benefit to anyone who owns single-family homes or duplexes. The property taxes have been raised \$40,000 in recent years.

Mary Ballew, who lives at 3408 Holmans Lane, stated we love living on Holmans Lane. Growth can take away from the privacy of the current residents. This area is saturated with apartments already.

Close Public Comment

John Kraft stated this project aligns with the goals of the Suburban Neighborhoods Planning District. Mr. Thieneman is offering up to a \$125,000 contribution towards a traffic light if and when it is warranted if this rezoning is passed on with a favorable recommendation.

Jason Copperwaite stated this project is not creating traffic; the traffic talked about tonight already exists. The road constructed from Hammons Lane to Abby Woods will be developed no matter what goes in.

Mr. Webb stated I appreciate the public voicing their concerns. The developer is great. Though, I will not be giving this a favorable recommendation. There are new apartments being built everywhere.

Mr. Webb made a motion for an unfavorable recommendation, seconded by Mr. Paris. Roll Call vote. Motion passed 4-2 (Burns and Bottorff).

New Business

PC-23-07 Rezoning

Jim Johns with Millennium Builders, LLC filed a rezoning application for property on the 3300 block of Middle Road. The current zoning is R1 (Single-Family Residential: Large-Lot); the proposed zoning is R2 (Single-Family Residential: Medium-Lot). The Docket Number is PC-23-07.

John Kraft stated the following:

- This property aligns with the adjacent R2-zoned parcels and the future land use map.
- The next docket item will be a primary plat of a 55-lot single-family subdivision known as Middle Road Commons. The plat will be subject to this rezoning.
- This project falls in line with the intent of the Comprehensive Plan's Suburban Neighborhood Planning District.

Open Public Comment

Mark Adams, who owns property at 3410 Middle Road, stated, right now, we are neutral about the project. It appears that the houses backup to Middle Road. I asked if the developer can design the houses to face Middle Road; however, he stated the ordinance does not allow that. The developer also stated that the zoning ordinance requires a 20ft landscape buffer. We feel that the buffer is inadequate and would like to see a 50ft buffer; however, the developer stated he may be able to implement a 40ft buffer instead. We would like to see a 5ft landscape berm to shield the backyard of the proposed homes from our view and nice, vinyl fences.

Close Public Comment

John Kraft stated a number of the questions raised are more likely to be addressed with a subdivision rather than with this land use request.

Jim Johns stated we have no issue putting a 40ft berm with evergreens on the property. We try to go above and beyond with the homes we build; therefore, we would most likely require the residents to implement 5ft black aluminum fences. These homes would sell for between \$350,000 and \$450,000.

Mr. Avery stated this is a great use for this parcel. This lines up perfectly with the entrance into Oak Park. Putting the driveways out onto a major road causes a lot of issues.

Mr. Webb stated this project is more of what Jeffersonville needs instead of apartments.

Mr. Avery made a motion for a favorable recommendation, seconded by Mr. Paris. Roll Call vote. Motion passed 6-0.

PC-23-08 Primary Plat

Jim Johns with Millennium Builders, LLC filed a primary plat application for two parcels on the 3300 block of Middle Road. The application is for a 55-lot single-family residential subdivision. The parcels are currently zoned R1 (Single-Family Residential: Large-Lot) and R2 (Single-Family Residential: Medium-Lot) respectively. The Docket Number is PC-23-08.

John Kraft stated the requested plat will be subject to the rezoning approval of the City Council.

David Sanders stated the following:

- There is future development potential for the adjacent old radio station property.
- We wanted to provide connectivity to the surrounding area.
- We added sidewalks as requested by staff along Presidential Place. There are existing sidewalks on Middle Road.
- We are providing a 20ft no access and screening easement.
- We would like to do R2 zoning for this property as there are issues with the presence of a floodplain on the property.

Chad Reischl stated our code discourages through lots where the backs of lots face onto local streets; however, that is difficult to implement onto a major arterial.

Open Public Comment

Mark Adams stated we are now in favor of the project after hearing the comments. We are glad that they are looking at the berm and fence elements as potential design features. How does the testimony get solidified into the record?

Chad Reischl stated the Plan Commission can add any stipulations to the approval of the primary plat.

Les Merkley stated, assuming that the Plan Commission approves this plat, the testimony stated here would be binding.

Mark Adams stated the berm space should not be the responsibility for the individual property owners to cut.

Chad Reischl stated that if we made the berm area a common area, there is a possibility that the Homeowner's Association could dissolve and there would be no one to maintain the berm.

Close Public Comment

Mr. Paris made a motion for approval, seconded by Mr. Avery. Roll Call vote. Motion passed 6-0.

PC-23-09 Rezoning

Greg Miller w/ Community Action of Southern Indiana filed a rezoning application for property on the 1500 block of Plank Road. The current zoning is R3 (Single-Family Residential: Small Lot); the proposed zoning is M2 (Multi-Family: Medium-Scale). The Docket Number is PC-23-09.

Greg Miller stated the following:

- We are not proposing apartment buildings; we are proposing smaller-scale, single-story duplexes.
- This would serve as a good transition from single-family to multi-family.

Chad Reischl stated this parcel is oddly-shaped; however, it does abut a similarly-zoned property. I worry about this property opening up the door to someone in the future wanting to implement 3-story apartments. The Plan Commission should exercise sensitivity with this case and perhaps implement conditions to control the density of this property.

Open Public Comment

David Schiller stated we represent the property next to this development. We are against this project until we can see a better development plan.

Close Public Comment

Mr. McCutcheon stated we have the capabilities to apply a contingency on the rezoning.

Chad Reischl stated there is an issue with the zoning code. M1 only allows for one building on a piece of property. M2 allows for 100 units and multiple buildings; however, the buildings can go up to three stories. There is an issue in that putting a contingency on the property makes it difficult for the City to remember what condition was imposed on the parcel.

Les Merkley stated the contingency can be recorded with Clark County.

Mr. Avery made a motion for a favorable recommendation with the conditions that the project contains only three, one-story duplexes and that the applicant agrees to execute a zoning commitment, stating as such, to be recorded at the County following City Council approval at their April 3, 2023 meeting, seconded by Mr. Bottorff. Roll Call vote. Motion passed 6-0.

Director's Report

Chad Reischl stated we are going to forgo the report which was originally intended to be presented in light of the need to proceed to the Board of Zoning Appeals Meeting.

Adjournment

There being no further business to come before the Plan Commission, the meeting was adjourned at 7:23 pm.



Mike McCutcheon, Chair



Zachary Giuffre, Secretary