

**DELAWARE-MUNCIE METROPOLITAN PLAN COMMISSION
AUGUST 2024 REGULAR MONTHLY MEETING
AGENDA**

DATE: August 1, 2024

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

TIME: 6:00 P.M.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

Nathaniel Carroll
Jerry Dishman
Shannon Henry

Teresa Hensley*
Jesse Landess
Michele Owen

Rickie Sipe
Christopher Smith
Allen Wiseley

Advisory Members

Tom Borchers

Justin Curley

Adam Leach

MINUTES: Consideration of the June, 2024 Meeting Minutes.

NEW BUSINESS:

MPC 08-24Z Jurisdiction: City Council

Being a consideration of an appeal filed by **Gharkey Park LLC**, 2617 Meyer Rd., Fort Wayne, Indiana, requesting a change in zone from the R 4 Residence Zone to the MHR Mobile Home Residence Zone on premises located at 701 and 703 – 711 W 15th St.; Lots 1 & 2 in the John T. Eastbrooks First Addition; and the lot formerly addressed as 801 W 15th St., Muncie, Indiana, as more accurately described in the application.

MPC 09-24Z Jurisdiction: City Council

Being a consideration of an appeal filed by **Full Gospel Temple**, 212 W 7th St., Muncie, Indiana, requesting a change in zone from the R 4 Residence Zone to the BV Variety Business Zone on premises located on Lot 1 and the west half of Lot 9 in E.C. Anthony's First Addition to the City of Muncie, as more accurately described in the application.

LEGISLATIVE ACTION:

DIRECTOR'S REPORT:

ADJOURNMENT:

*Terms expiring; members serve until new appointments are made.

**DELAWARE-MUNCIE METROPOLITAN PLAN COMMISSION
AUGUST 2024 REGULAR MONTHLY MEETING
MINUTES**

The Delaware-Muncie Metropolitan Plan Commission held its regular monthly meeting on Thursday August 1, 2024 at 6:00 P.M., in the Commissioners Court Room of the Delaware County Building, Muncie, Indiana. President Allen Wiseley called the meeting to order.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

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

MINUTES:

Mr. Henry made a motion to approve the June, 2024 regular monthly meeting minutes. Ms. Sipe seconded the motion. Voting n favor: Mr. Carroll, Mr. Dishman, Mr., Henry, Ms. Owen, Ms. Sipe, Mr. Smith, and Mr. Wiseley. Voting against: None. Abstaining: Mr. Landess.

NEW BUSINESS:

MPC 08-24Z Jurisdiction: City Council

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Eric Grottness, owner of Gaharkey Prk, LLC appeared. He stated that the section along 15th Street with 6 mobile homes on it had been used for a mobile home park for over 40 years, and that they wanted to bring that into compliance. He stated that around 4 years ago they purchased the 2 lots across the street, and that they had torn down the condemned buildings that were on those properties. He stated that the goal was to expand and that those lots would be part of that expansion. He stated that they love the location and wanted to create a beautiful mobile home park. He stated that each new home was being landscaped by Smoot Landscaping, and they wanted to improve an area that needed beautification.

Mr. Wiseley asked if the mobile homes were new or used and asked if the park owned the homes and rent the lots, or if residents owned the homes.

Mr. Grottness stated they had only been bringing in new homes. He stated that it started out as them owning 2 of the 22 homes, and they have ended up owing about 10 now because people have abandoned homes.

Mr. Wiseley asked if any of the existing homes would be moved to any of the 3 lots proposed in the rezoning request.

Mr. Grottness stated no.

Mr. Wiseley stated that he had driven through this area and that many of the roads were very narrow. He asked if emergency personnel would be able to get into the area if needed.

Mr. Grottness stated yes. He stated that at one time 15th Street had been closed off and was reopened, and that they were trying to add pylons or brightly lit planters to slow traffic down in that area. He stated that due to the on street parking, it was used as a one way street but that people traveling from the neighborhood speed down that area.

Mr. Dishman stated that he had driven past the area recently and asked if they were planning to place a mobile home at the lot at the end of 15th Street.

Mr. Grottness stated that was one of the lots where they had torn down a home, and that there were existing utilities, so they would be placing a new home.

Mr. Dishman asked if when Mr. Grottness said home, did he mean mobile home.

Mr. Grottness stated yes.

Mr. Dishman stated that the streets were terrible in that area and that he planned to address that. He asked if they planned to place a mobile home on the property on the end was currently marked with the orange sign.

Mr. Grottness stated that he was not sure. He stated that there had been a home there and that they owned the lot and pathway along that area and that may serve a better purpose as off street parking.

Mr. Dishman asked how many mobile homes they planned to place at the intersection.

Mr. Grottness stated he believed that they could only place six, and that their next step was to contact Ashton Land Surveyors so that they could make a plan to meet the requirements. He stated that they would like to go around the perimeter with an open area in the middle of the homes.

Mr. Dishman asked which way the mobile homes would be facing on the lot at the corner of 15th Street and Gharkey.

Mr. Grottness stated that it would be facing the same direction as the existing row of homes.

Barbara Malinsky, 802 W. 15th St. lot 13, Muncie, Indiana, appeared in opposition. She stated that she was a fairly new resident to the mobile home park and that she had a few questions. She stated that right now, the park was mostly seniors and people with disabilities, and asked if they would be allowing families or more seniors because there was no place for kids to play. She stated that the lot at the dead-end had no place for anyone to turn around and that the garbage trucks fly around the corner and drive in her yard. She stated that when the mailman goes to the end of the road, he had no place to turn around so he goes in her yard. She stated that there were 10 children that play in that area and she was concerned about the trucks backing down the road and not seeing those kids. She stated that something has to be done and that she felt she needed more information.

Jeff Crossland, 5801 W. Riverroad, Muncie, Indiana, appeared in support. He stated that he had worked at Gharkey Park since the Grotness's had purchased it and that they had really cleaned it up and removed a lot of junk. He stated that as far as people driving fast down the roads, it does happen but there was not much that could be done to prevent that from happening anywhere.

Mr. Grotness stated that starting where Ms. Malinsky lived they wanted to add some cement planters to look nice and slow down the cars that drive so fast. He stated that they would also like to replace the one way only signs so that it was clearly marked people needed to turn left at that street. He stated that there was a dead-end sign on 15th Street, but people know that they can cut through so they want to add another sign warning drivers to slow down. He stated that the new homes would primarily be for older people maybe 55 and older. He stated that they also planned to place video security cameras around the area because that tends to help with issues.

Ms. Malinsky asked about the dead-end area and how that would be addressed.

Mr. Grotness stated that they could not block that area off since it was a driveway access for the house behind her. He stated that they did plan to place those attractive deterrents such as planters and large boulders to slow people down.

Ms. Malinsky stated that maybe she misunderstood because she thought he was going to block the road next to the yellow house, which was at the end of the area, and that if he placed empty fill there, how would the trucks empty trash and make deliveries back up and get out.

Mr. Grotness stated that there was a road behind Ms. Malinsky and that it was a driveway that he could not remove and that they might need to make that a parking lot that was accessed from Gharkey.

Ms. Malinsky stated that she hears he might do something, but what happens in 2-3 years when you have not done anything to the lot and then try and add more homes.

Mr. Grotness stated that zoning would not allow him to add more homes on that lot.

Mr. Henry asked if he had thought about adding a playground for the kids.

Mr. Grottness stated that he had recently checked with his insurance because a playground was considered an attractive nuisance. He stated that as long as he did not add a swimming pool or a pond, he might be ok to add a playground if they had more children move in.

Ms. Owen stated that in section E of the ordinance information provide stated that each mobile home park needed to provide at least 2500 square feet of recreation area.

Ms. Swackhamer stated that since this was an existing non-conforming mobile home park, any further development would need to comply with the ordinance. She stated that they had talked about if this needed to be a condition or addressed in the future, since it was addressing the recreation area and not each individual home.

Ms. Pope stated that if they expanded it would need addressed at that point, and they would need to either follow the requirements or ask for a variance.

Mr. Dishman made a motion to approve MPC 08-24Z requesting a change on zoning from the R 4 Residence Zone to the MHR Mobile Home Residence. Ms. Owen seconded the motion. Voting in favor: Mr. Carroll, Mr. Dishman, Mr. Henry, Mr. Landess, Ms. Owen, Ms. Sipe, Mr. Smith, and Mr. Wiseley. Voting against: None. Motion carried, a favorable recommendation to be forwarded to City Council for introduction on September 9th, 2024.

MPC 09-24Z Jurisdiction: City Council

Being a consideration of an appeal filed by **Full Gospel Temple**, 212 W 7th St., Muncie, Indiana, requesting a change in zone from the R 4 Residence Zone to the BV Variety Business Zone on premises located on Lot 1 and the west half of Lot 9 in E.C. Anthony's First Addition to the City of Muncie, as more accurately described in the application.

Chris Badger, 9830 Michigan Rd., Suite D, Carmel Indiana, appeared to represent the applicant. He stated that the current proposal was for a new fellowship hall, and that they would like to have the zoning the same on all the parcels. He stated that they could build on the property as currently zoned since it was for a church, but they wanted to clean up that zoning issue.

Mr. Wiseley stated that the Board appreciated them correcting the split zoning.

Mr. Badger stated that there were two alleys that crossed through that parcel and that they were working on having them vacated. He stated that there was also a powerline running through the are and that they were working with an engineer at the electric company to move some lines underground.

Mr. Wiseley asked Mr. Badger to describe what they would be placing on this parcel.

Mr. Badger stated it was for a multi-function building that would have some classrooms, a basketball court, and a small meeting area for their quilting club or a wedding reception.

Mr. Wiseley stated that this was not a high traffic street, but asked if they place another crosswalk or install signage to direct people to the intersection. He stated that his concern was for the people coming out of the church on High Street and then crossing over to the fellowship hall.

Mr. Badger stated that they had plans for a sidewalk.

Mr. Smith asked if the plans showed the building on parcel A and the parking on parcel C.

Mr. Badger stated yes.

Mr. Wiseley stated that a variance was granted by the BZA for the positioning of the building.

Pastor John Helton, led pastor Full Gospel Temple. 1401 S. High St., Muncie, Indiana, appeared. He stated that this would be a beautiful building that would enhance the neighborhood, which was something that the church had tried to do since 1965. He stated that with all of the landscaping they would doing, it would really make the area that much nicer, He stated that all of the youth and children's activities would be here, and he was in full support.

No one appeared in opposition.

Mr., Henry made a motion to approve MPC 09-24Z, requesting a change in zone from the R 4 Residence Zone to the BV Variety Business Zone. Mr. Dishman, seconded the motion. Voting in favor: Mr. Carroll, Mr. Dishman, Mr. Henry, Mr. Landess, Ms. Owen, Ms. Sipe, Mr. Smith, and Mr. Wiseley. Voting against: None. Motion carried, a favorable recommendation to be forwarded to City Council for introduction on September 9th, 2024.

LEGISLATIVE ACTION:

Ms. Swackhamer reported that Cardinal Properties, Inc, requesting a rezoning from the R4-Residence Zone to the R5-Residence Zone had been adopted by City Council on July 1st, 2024. She also reported that the Special Use requested by Big Oak Park for an expansion of an existing campground had been approved by the BZA, after 4 appearances to that Board, and with 2 separate votes to place conditions on that approval. She stated that the first vote was to allow 89 sites, move all the trailers at least 15' apart, and remove all of the trailers not in use, and that motion was approved. She stated that the second vote was to allow the increase to 108 sites, move the trailers 15' apart, and remove all of the trailers not connected to utilities. She stated that both of those votes with their conditions had been approved.

Mr. Wiseley stated that for the expansion the BZA had asked for a progress report on the septic system in 6 months. He stated that the owner was to remain in contact with Mr. Fouch on the progress of that work

Mr. Dishman stated that he drove past there recently and that they were working on that.

Ms. Swackhamer stated that Mr. Yeary from the State Health Department had given Mr. Conaway his blessing on the progress so far, and that within 6 months the Board wanted an update.

DIRECTOR'S REPORT:

Ms. Swackhamer stated that she had provided the Board with a port for June and July, and that the building permits and inspections had been very busy. She stated that an Unsafe Housing meeting was scheduled for August 19, and that there were 6 cases on that agenda. She stated that the Technical Advisory Committee had a new member from Eaton, and that he had not attended a meeting yet, but hopefully he would be at the next one. She stated that the Transportation Policy Committee also had a new member from County Council, and that was Jim Mochal. She stated that the ADA Transition Plan was in the process of being updated, and that Angie Moyer was working with her on that project. She stated this plan would include Delaware County, Yorktown, and Selma and that those RFQ's should be posted within the next 2 weeks. She stated that this was a plan that was required in order to receive federal funding, and that the current plan was last updated in 2013, so it was time. She stated that she had also provided a list of the BZA, MPC, and Plat committee and all of the cases that had been before those boards and included how many were city versus county, and that she felt it was fairly even. She stated that she also wanted to report that the TogetherDM Coalition had started implementing the Comprehensive Plan, and that the Board should be familiar with that, and may have even received some emails inviting them to some of those meetings. She stated that American Structure Point was the consultant that was working on that project, and that if any members had questions, she would be happy to give them more information. She stated that it was budgets for next year were due at the end of June and that those hearings will begin the first week of September, so we were trying to prepare as much information to help the Council understand how our office is set up differently than many other offices.

Mr. Wiseley asked about needing a City Council member for the Transportation Policy Committee, and mentioned Mr. Dishman.

Ms. Swackhamer stated that she was not sure if that would be on the August City Council agenda or not.

Mr. Henry stated that a pond permit needed to be addressed. He stated that ponds were being installed everywhere and that they were tearing up farmers' fields and that he received complaint calls all the time.

Ms. Swackhamer asked if they were contacting anyone before digging a pond.

Mr. Henry stated no. He stated that there was a pond on 800 East that ran across the road and that they were only calling 811 and then digging. He stated that he knew it would be complicated, but it needed to be done.

Ms. Sipe asked if there were any kinds of permits for things like floodwater.

Mr. Henry stated that he believed they were just digging them.

Mr. Carroll stated that it was the homeowners just digging the ponds.

Mr. Henry stated that he had mentioned it to Ms. Moody around the time that the solar ordinance came up, and that they had just put it to the side. He stated that Chuck Whitehair was on him all of the time about the damage that the ponds were creating when there was no outlet.

Mr. Wiseley stated that they needed to get together with Mr. Borchers, County Surveyor, and Mr. Fouch, County Building Commissioner and start working on this again.

Mr. Henry stated that he would get together with them as well.

ADJOURNMENT:

Allen Wiseley, President

Kylene Swackhamer, Secretary