

APC MINUTES
JANUARY 23, 2019

Members present: Amy Alka, Aaron Stephens, John Reece, Andy Fahl, Bob McCoy, Gary Girton, and Bryn Albertson

Members absent: Adrian Moulton, Paula Keister, Don Calhoun, Jim Hufford, and Missy Williams

Positions Vacant: Union City Mayor Citizen Appointment

Legal Representation: none

Staff Present: Randy Abel, Executive Director, Debra Johnting, Recording Secretary

Others present: Paul Faddis, Randy Miller, Anna Williams, Julie Parrott, Tony Parrott, Judi Addington, Patrick Moone, John Brockman, Donna Mills, Joyce Foster, Ed Thornburg

V. President McCoy: It's 7 o'clock and I will call this meeting of the Area Planning Commission to order. First item on the agenda is the approval of the minutes for November 20, 2018. Has everyone had a chance to review the minutes, are there any corrections or changes? If there are no additions or corrections I will accept a motion to approve the minutes as presented.

G. Girton: I did not see any and I will make a motion to approve the minutes as presented.

V. President McCoy: Do I have a second?

A. Alka: I'll second.

V. President McCoy: It has been moved and seconded to approve the minutes from November 20, 2018 as presented. All in favor say aye, opposed the same, motion carries, minutes are approved. Next on the agenda we have Reorganization of Officers for 2019. Do we have any nominations for President?

D. Johnting: Don Calhoun said that he would do it again.

V. President McCoy: He's fine with it? Well, we'll nominate Don for president, Don do you have any objections to that, I hear none...is there a second? It has been moved and seconded to elect Don Calhoun as President of the Area Planning Commission for 2019, all in favor, opposed the same. We have Don Calhoun will be the president for 2019. Now for Vice President, does anybody want to be Vice President for this year? I am the current Vice President, I will stay in that position unless somebody else wants it?

A. Fahl: I would be interested.

V. President McCoy: You would? Well, I'll nominate you for Vice President then. Anybody else, is there a second? It has been moved and seconded to elect Andy Fahl for Vice President of the Area Planning Commission for 2019, all in favor, opposed the same. Andy Fahl is the Vice President for 2019. Next on the agenda is the attorney contract to retain Jason Welch as the attorney for the APC and

BZA boards for 2019. The contract is the same, does anybody have any objections. Do I have a motion to retain Jason Welch as the attorney for the boards for 2019? Second? It has been moved and seconded to retain Jason Welch as the attorney for the APC and BZA for 2019. All in favor say aye, opposed the same? Jason Welch will be the attorney for the APC and BZA for 2019.

R. Abel: We haven't as yet changed our By-Laws, so technically we do need a secretary until those are changed. So we have to elect a secretary. We can change that when the new By-Laws are adopted.

V. President McCoy: Does anybody want to be secretary? For a month or two? Ok, I'm fine with it if nobody wants it? I need a nomination. It has been moved and seconded for Bob McCoy to be secretary for 2019. All in favor say aye, opposed the same. Bob McCoy will be secretary for 2019, or until the By-Laws change. The only docket on the agenda tonight is for Casey's Marketing Company, APC2019-1-Z. Would you come up and state your name and what's going on.

P. Moone: I am Patrick Moone, from the Farnsworth Group representing Casey's Marketing Company. And the reason we are back today is that I had our administrative assistant put the wrong letter in the legal notice that went out the last time, so we had to come back for another approval for the recommendation to the City Council. So, I can go through the presentation again, or if everybody remembers what it was I can just answer any questions you may have or any questions from the audience at this time.

V. President McCoy: Does the board have any further questions that he didn't answer the last time?

R. Abel: You might want to go over some of it just briefly for those in the audience who were not here last time.

P. Moone: Ok, I can do that. Basically, Casey's General Store is proposing to build a new 3500 square foot store along Washington Street in Winchester, just west of the route 27 interchange. It's going to be one of their smaller stores but it does have all the same services and amenities that their other ones have just a little bit smaller scale. They have their own pizza ovens, and they sell pizzas and subs, that's one of their convenience items, and there is a coffee shop and the fuel sales as well. Just for general background, Casey's is headquartered in Ankeny, Iowa. They started in 1959, is when the founder of the company started it. They rebranded their company to Casey's in 1968 so they are actually celebrating their 50th anniversary last year and this year. They have approximately 2,100 stores open across the Midwest. Every store is a corporate store, there are no franchises. The reason for that is they want to maintain the general appearance, how the stores are operated, so the general feel from site to site is the same. And they have been very successful with that. Typically when they are in a community they give back. Between 2 and 3 percent of their gross sales go to community organizations in some fashion. Whether it be fundraisers for schools, sponsorship to local football, baseball, basketball teams and what have you. They do many other fundraisers, too numerous for me to even recall them all, but I do know that they support a variety of local businesses. They help organizations with their fundraising efforts as well. With regards to the development, there's two access points provided, or proposed, one is directly onto the state route, the other one is shared with the Randolph County Hospitality building that is to the south, they are going to share that driveway. That driveway will be rebuilt so it will handle the additional traffic that will be coming in and out of the Casey's store as well as their semi-trucks that come in on an average one per day, whether it be a fuel

truck or a grocery truck. The traffic study we put together for INDOT and the city that was approved by INDOT with the two access points as shown, makes some minor modification to the access location on the shared driveway. They wanted the drive pushed back a little farther from the intersection just for additional safety. They didn't want people backing up or the trucks maybe blocking people trying to enter or exit so we made that accommodation. The drainage plan we do have some retention proposed for the site. We have both the city and Randolph County approvals. We have verbal approval on the drainage plan from INDOT this afternoon, I need to submit a couple more things and we'll have that permit and we'll be ready to go. Once that drainage permit is approved they will also issue the access permit as well so Casey's will be looking to start sometime in April, once the weather breaks. The last time I was here I had some building drawings, unfortunately I did not bring them this time. It's the same building as we saw last time. It's going to have a hip roof, so it's not a flat roof so it will actually look more like a residential type building only much larger.

V. President McCoy: Will it be identical to the one in Union City?

P. Moone: I did not do the one in Union City so I don't know what they have, so I can't say for sure. I had a lighting plan, and unfortunately I did not bring that but I can answer any questions anyone might have on that. All the fixtures are shielded to push all the light into the sight and down toward the ground for security reasons. Typically the entrances are lit up a little bit brighter than you would normally see on the rest of the sight just for safety and ingress and egress. When the store is typically open, around either 5 or 6 am, and it may be open until around 10 pm or 11, depending on the local market, then the lights are turned down except for security lighting around the building. Landscaping, I do have a landscaping photo I can share if there's questions on that but there is a screening buffer along the west property line as is required by the City of Winchester, for differing uses between commercial and residential. This store typically employs 2 to 3 full time employees, there's always a store manager, a kitchen manager, and depending on the store and how busy it is they may also have an assistant manager for the store, then there would be another 15 to 18 part time employees for the store. I think that's it unless anyone has any questions.

V. President McCoy: What's the total investment?

P. Moone: Typically, and again I don't know the investment on the ground, but typically it will range from 3.2 and 3.7 million dollars.

V. President McCoy: Does anybody have any questions?

A. Fahl: What type of screening will you have on the west side?

P. Moone: It's a landscape screen, evergreen.

A. Fahl: Do you know the height of that?

P. Moone: Typically they are 6' in height when they are installed, it's a Black Hills Spruce and is 6' high when installed, and grow about 6" per year.

V. President McCoy: And the last time you were here you stated you were not set up for semi-truck traffic there?

P. Moone: That's correct, there will be diesel fuel dispensers on the islands for passenger vehicles only. It's not to say that somebody won't try to sneak in there, but they'll do it only once.

V. President McCoy: Anybody else have any questions, anyone in the audience have any questions? Come on up sir, and state your name and address for the record.

R. Miller: Randy Miller, 781 East Washington St., Winchester, Indiana. We live directly across from the street where this is going, and we already have so much problems with the trash we get from McDonalds and Pac-A-Sak, I can only imagine what this is going to do. We're out there every day picking up trash and how is that going to be for us getting in and out of our driveway.

V. President McCoy: You live right next to the insurance salesman's office?

R. Miller: We live right across from where they are going to build, right in the middle. Me and him both, he lives right next to the insurance office.

T. Parrott: I live right next to the insurance office.

V. President McCoy: Will your dumpsters be out back, or off to the side of the building, I think in your drawing you actually showed where they would be?

P. Moone: There is a dumpster enclosure.

V. President McCoy: Ok, gotcha.

P. Moone: Right there in this drawing, with a fence around it. I would say that some things might get around, I would say that it depends on how people put the trash in the garbage cans. Typically Casey's does a good job of keeping them clean. I have talked to many of the other communities and they comment that they do a really good job of keeping the lots clean.

R. Miller: Yeah, I am sure they do a good job of keeping them clean, but it's the people who pull in there to buy stuff...

P. Moone: And again, it's, they try to take care of things the best they can. When their people are not busy they are out picking up the parking lot. I mean, that's a part of their operation manual.

R. Miller: Cause it's fairly hard for us to get in and out of our driveway at times the way it is, so how much harder is this going to make it? And the businesses that are all beside us, they don't care because they are only there in and out one time a day, well we have to live there.

V. President McCoy: That's a valid concern, I really can't answer that.

R. Miller: We have a problem with H and R Block next to me, I had to put in a \$4,000 fence because they wouldn't stop driving across my property. It came out of my pocket because they refused to do anything and I couldn't get the city to help me.

V. President McCoy: What's your name sir?

T. Parrott: Tony Parrott.

T. Parrott: My question is what are they going to do with our mail boxes?

R. Miller: Yeah. Our mail boxes are right there, where they are going to tear down the houses. And I have three mail boxes, because I have two apartments upstairs.

P. Moone: My response to the mail boxes, if they are already there because that's the way the mail route is, they can't do anything with them.

R. Miller: They are going to put a driveway there, they aren't going to leave them where they are when they put a driveway there.

P. Moone: No, they won't leave them in the middle of the driveway, they will put the mailboxes...

R. Miller: My mailbox is right next to a driveway, I mean, one where they can't put it there.

P. Moone: You're talking about during construction?

R. Miller: At all, I mean....

P. Moone: Well, we can make a note on the plans that those mailboxes have to be maintained for the residences across the street, because that's within the public right of way, that's where the post office tells us where the mail box is going to be.

R. Miller: We're on the other side of the sidewalk, we're in the grass, so...

P. Moone: Yes, that's not a problem. And if that's where the post office wants them as part of their route, then that's where they will be.

R. Miller: And when we asked him, he said, "well, I'll let you know later".

R. Abel: I don't think he's seen the plans, so I don't think he knows until he sees the plans.

P. Moone: Once the houses are down and they go to get the building permit, they will get an address and at that point it will be determined where those mail boxes will be. In this community if the mail boxes are on the south side of the road, because that's what the postal route is, Casey's has got to abide by keeping them in there. I wasn't aware that they were there, because I had only seen the surveys. When I heard that question had come up, I saw that for some reason our surveyor person didn't mark them, but I can make a note on the plan that those will be maintained.

R. Miller: There are five where mine's at, and then there's like four or five on down from there.

P. Moone: I will make a note on the plans that existing mail boxes on the south side of the road need to be maintained for the residences on the north side. And during construction if they have to move them they will have to get with you. That's about all I can do at this point until the start of construction.

T. Parrott: Did I understand you correct, are they going to be open 24 hours?

P. Moone: They are not open 24 hours. The only stores that are doing 24 hours are next to an interstate.

T. Parrott: Do they leave the lights on?

P. Moone: No, they turn them down. Typically the area that is lit during the evening is going to be some security lights around the building and then maybe a little light around here because there are dispensers there. There are not operational there but it's just there for safety reasons, so somebody does not drive into them.

R. Miller: This is Washington Street here?

P. Moone: Correct.

R. Miller: That's going to be a monster getting out of our driveway.

V. President McCoy: Now, were you at the first meeting?

T. Parrott: No, see we never got notified that there was a first meeting.

P. Moone: That's what I said that, we sent the wrong notification.

V. President McCoy: Because you can voice your concerns at the Council Meeting once it goes through here as well.

R. Miller: I was told at the council meetings that no one was allowed to speak.

T. Parrott: Nobody is allowed to speak at the council meetings.

V. President McCoy: Not in a hearing, but when it comes to an APC Petition, they have to hear you. I'm on the Board of Works, and they have to hear you. And a lot of that got resolved last night.

T. Parrott: How will we know when that council meeting is going to be?

D. Johnting: February 4th.

T. Parrott: February 4th, ok.

V. President McCoy: There you go.

T. Parrott: Ok. And one other question, they want to put up a 60' light? Lighted sign.

D. Johnting: Yes, it comes here to the BZA, next month.

P. Moone: Oh, that's here on the map.

T. Parrott: They was supposed to send out notifications about that too and we never got notified about that either.

D. Johnting: There was a different mistake on that. You should get a letter about the next hearing.

P. Moone: That was the one that Jacob was talking about.

D. Johnting: They sent notices out to the four properties involved but not the neighboring properties.

V. President McCoy: Is that for the BZA?

R. Abel: Yes, that will be next month.

D. Johnting: That hearing will be February 19th.

P. Moone: We didn't have to send that one out...

D. Johnting: No, you didn't do that one, that was done by Triumph Signs. No, that wasn't on you that was done by the sign company. And since this one was being done over, they had to wait to re-do theirs. It will be in the paper and you all will get notices and they will come back here to the BZA on the 19th.

T. Parrott: And when did you say the meeting was for the city?

D. Johnting: February 4th.

T. Parrott: February 4th, I need to write that down, and that's at 6:30?

D. Johnting: Yes, 6:30. That's a Monday night.

V. President McCoy: And you will be able to address the council and express your concerns as well. And you will be there to address additional questions?

P. Moone: Yes.

T. Parrott: The only thing that bothers me is getting in and out of my driveway and the extra traffic.

R. Miller: It's pretty hard at times, sometimes it takes 5 minutes.

P. Moone: The only thing I can say about the traffic and we are required to count existing traffic patterns out there and there's so much traffic that is generated by a store and I'm not an expert I am just trying to paraphrase what they do and the way they do it is that during peak hours there's a percentage of traffic for their total volume plugged into those peak hours. And they do a traffic study. And the requirements are, and hopefully I got this right, the roads are graded, just like schools, A through F. And you can't drop a level of service more than one letter. So, if you go from A to B, it's ok because they typically, it's measured in seconds, so if you go from A to B. So if you have an A you are sitting there for one to twelve seconds, and the next is twelve to twenty. So if you go from waiting 11 seconds, and you drop down to fifteen, they consider that acceptable. But if you drop from an A to a C you have to make roadway improvements. The traffic study indicated that we didn't drop that far, so they did not ask us to do any roadway improvements.

R. Miller: We have all those businesses, we've got the highway coming in, from the factory.

P. Moone: All I can tell you is what the numbers said...

R. Miller: I know how many semi's come in and out of that factory because I have worked in shipping for seventeen years over there, so I know how many come in and out.

P. Moone: All I can tell you is what they asked us to review and what they asked us to look at.

R. Miller : And it's a lot.

P. Moone: So based on that they did not ask us to do anything. The only thing they had us do is to move the entrance from here to here and that's the only changes they had us do.

R. Miller: That's the entrance that goes back to Referee's, right?

P. Moone: Yes. And I'm not disagreeing with you on the traffic being really bad out there at times, but they didn't ask us to do anything other than that.

V. President McCoy: Anybody else in the audience have any questions or comments?

J. Brockman: I agree with the traffic part a little bit, I used to own a house, that they're buying, hopefully, and my sister owns the other house, and my brother owns the other house. But, you know about the traffic, but it's not going to change much, cause I will agree with you on one thing you've got the stop light there.

R. Miller: What about those entrances they are putting right in front of our driveway, how's that not going to create a problem?

J. Brockman: Well, you're going to be able to go into the other entrance.

R. Miller: You're not going to have to deal with it, we do.

J. Brockman: Well, you're making big problems out of a little problem.

R. Miller: No, I think you're trying to make it a small problem, because you're selling your property. We have to live there, you don't.

J. Brockman: Well, that's true.

R. Miller: I'm voicing my concern, and you're trying to...

J. Brockman: I know, I understand.

R. Miller: And you're trying to make it like it's no big deal.

J. Brockman: I know, traffic's a little bad, but it's not going to change that much, it's always going to be a busy area. Try pulling in and out of H & R Block, it's always going to take you a couple minutes to get out of there.

R. Miller: How many people is going to go into that business right there?

J. Brockman: Well, they're going to have to entrances there, that's what makes it so nice is that they are going to have two entrances. Most of the people who come off 27 will go back that way.

R. Miller: It will be right there off 32. And they're going to start getting customers going in and out of there, and those of us across the street will have to get in and out with customers pulling in and out.

J. Brockman: And there's an alley here to get in and out of there. There are two entrances, one here and one here.

R. Miller: They can go to a road and get out of theirs, they don't have to worry about it. We don't have that.

A. Fahl: From Casey's side of it, do you have any number, say during a peak hour, how many customers you would serve? It might help these gentlemen here understand the flow. If INDOT has said that it's only moved one letter then we're probably not talking about a big surge in amount of traffic.

P. Moone: Let me see if I can interpret this. In the morning, based on the type of store used to estimate an additional 20 new cars. They base it on the, let me say, that convenience stores vary. In this case it says, 100 cars in and out. But there's also a disclaimer that says of those 100 cars, 80 of them are already on the road, so there are 20 new cars that are going to be coming in and out of this thing during the peak hour. So, it's one every three minutes. In the morning. In the pm it's says it's 25. New cars, over what's already on the road.

R. Miller: And all of them that are not new are going to be pulling in there to the business too, so. What do you have to think about that? I mean, if you understand what I'm saying.

P. Moone: I understand what you're saying, but those 80 cars are going to either be going by or coming in here and going out there. Still the cars are going to be going by.

R. Miller: Our driveways are going to be hard to get in and out of, if you know what I'm saying.

P. Moone: I know what you're saying, but right now, of the 100 trips, 80 of them are already on the road. During the peak hour. That's one car every 45 seconds. These are the ones coming in.

T. Parrott: I have another question, too. What's going to keep people from parking in our driveways and running across the street?

V. President McCoy: Hopefully the police. I can't answer that question, and I don't know why they would but,

R. Miller: We've dealt with that for years. They damaged my fiance's car. They drive in our yard, park and run into the businesses.

R. Abel: I wouldn't think that people would want to run across 32, maybe parking at Arby's and going over to McDonalds, but not if they have to cross the highway.

V. President McCoy: I would hope that they wouldn't be doing that.

R. Miller: It's been a lot better since I put that fence in and put a gate up. We shouldn't have had to do that.

T. Parrott: That and people going into State Farm, driving through my yard and pulling out of my driveway, just pulling out on the highway.

R. Miller: We've complained about it several times to no avail, nobody has done anything for us.

V. President McCoy: What does State Farm have to say about it?

R. Miller: Nothing

T. Parrott: Nothing.

R. Miller: She wants to get out of there anyway, she's trying to sell her place too.

T. Parrott: And another thing of concern, are people riding golf carts up and down the sidewalks here in town.

P. Moone: Well, we can't do anything about that.

V. President McCoy: I agree, that is an issue and it does need to be addressed, but it should not be addressed here.

P. Moone: The question was asked how many cars are already on the road, in the morning, in the peak hour going eastbound is 220, and in the evening is 290. Going westbound is 235 and 365. And so we are going to add 20 and 25 on top of that.

R. Miller: We get a lot of traffic out there, I mean, it's a busy street.

P. Moone: So, we are adding about 10%. But the way the road is set up with the left turn lane, it's set up to accommodate that. There is no level of service lost, since they put that in.

R. Miller: When they are coming out of here at times, if there's no traffic here, they will all pull out there and that keeps us from pulling out of our driveway too, cos they get a lot of business over there at Referees and then the hotel.

P. Moone: Ok, the only turning movement that shows that it degrades with the installation of the store is this movement, coming out of here is the one that degrades. By putting that in it's the one that degrades from an operational A to a B.

R. Miller: And I'll be in the middle of both of them now. With the extra, and he will too, cos we are right next door to each other. We'll be right in the middle of them. I mean, I understand there's a turning lane and everything, but with us getting out of our driveway we can't use a turning lane, we have to get into a lane. You're right in the middle of both of these, you're just going to make it a hassle for us.

P. Moone: I would think you could get in that middle lane before you could pull all the way across.

R. Miller: We deal with it every day already, and it's pretty rough at times.

P. Moone: I'm not disagreeing with the amount of cars I saw there, but it's still well below the conditions you need for roadway improvements, so....The Casey's doesn't degrade the level of service other than the access point going out, so they're willing to live with that, DOT says we don't need to do anything. But I will make plans to address the mailboxes during and after construction. I will be honest, I did not take a look at that, I will take a look at those thing and get those on the plats. Depending on how they look they may require....

R. Miller: I know some of them are going to come out because those four homes are going to be gone. One of them is already layed over and someone has already knocked one down for you.

P. Moone: And as far as the trash, again, all I know is that when they are not busy they will go out and pick up trash.

R. Miller: Oh, I don't doubt that they do, but they can't watch everyone all the time, and we've got a lot of slobbs around this place. We pick it up every day, all the time.

P. Moone: Well, I will see what I can do about that.

V. President McCoy: Anybody else got any concerns?

R. Miller: You chickens backed up.

V. President McCoy: They're being polite.

T. Parrott: For once.

V. President McCoy: Anything else from the board? Thank you for your concerns, and like I said, you can address the city council, and Pat will be there if you have any further questions.

R. Miller: Alright, thank you.

V. President McCoy: Thank you. All the property owners have been notified this time, right?

P. Moone: Oh yes, right.

V. President McCoy: At this time I would entertain a motion to take a roll call vote. It has been moved and seconded to take a roll call vote.

D. Johnting: Bob McCoy, yes, Andy Fahl, yes, John Reece, yes, Aaron Stephens, yes, Amy Alka, yes, Gary Girton, yes, Bryn Albertson, yes, and Adrian Moulton, Paula Keister, Don Calhoun, Jim Hufford and Missy Williams are absent, and the Union City Mayor Appointment is vacant at this time.

V. President McCoy: That is a favorable recommendation, 7 to 0. This will go forward to the Winchester City Council on February 4, at 6:30. Moving forward, do we have any old business?

R. Abel: Just to recap, we talked about the different by-laws and the BZA Rules of Procedures. We're getting those done right now. We have a steering committee for the Unified Developmental Ordinance and that will meet on the 31st. So hopefully we'll be able to talk to Debbie Luzier at that time and get the Rules of Procedures finished up and make those amendments that we talked about.

V. President McCoy: Was there some training involved in that when you're all done?

R. Abel: When it's all said and done, yes we'll have a training session.

V. President McCoy: So we'll try to do that in the evening? How will that work?

R. Abel: We'll just have to see how that works out, but I assume it will be in the evening.

D. Johnting: She mentioned an all-day or half-day work shop and also inviting county and city representatives to come in as the ordinance is gone over, plus getting as many people as possible involved in training.

V. President McCoy: What about the Solar Ordinance?

R. Abel: I think you've got it in front of you, I think we passed them out. This isn't necessarily the final draft. We've met with Meeks Cockerill, and a couple others and said they were going to tweak a few things in there and then we'll bring it back to the committee and then bring it to the APC for final approval.

V. President McCoy: Will we have to do any sort of road plan for this? I mean, you're not talking cranes or anything right?

R. Abel: There is a road plan, it's pretty minimal.

G. Girton: It's very minimal.

R. Abel: And the section we put in there actually says "use state highways as much as possible" so it minimize any damage done to the county roads.

V. President McCoy: Which again, with solar panels we're probably not talking anything too much.

R. Abel: It's a large volume but it's not the weight.

G. Girton: The road usage is going to be just from the vehicles, not from the weight.

V. President McCoy: Anything from you, Deb? Other than we're glad we made it to this meeting, right?

D. Johnting: I can't tell you how glad I was to see every one of you. We were supposed to have eight and we lost one since 4pm this afternoon, so we needed everybody that's here to vote.

V. President McCoy: Thanks everyone for coming, and I couldn't get Ed to be my proxy so I had to come.

D. Johnting: Everybody's got stuff, and we know that.

V. President McCoy: If there's nothing else we will be adjourned.

President, Don Calhoun

Vice President, Bob McCoy

Recording Secretary, Debra Johnting