

Boone County Area Plan Commission (APC)
May 7, 2025 - 7:00 PM
Lamar Meeting Room – Boone County Government Building

Members Attending: Matt Johnson, John Merson, Carol Cunningham, Dustin Plunkett, Commissioner Donnie Lawson, Tad Braner and Jay Schaumberg

Members Absent: None

Staff Attending: Deborah Luzier (Area Plan Director) and Bob Clutter (Attorney for the Boone County BZA and APC)

Participants Who Attended on Zoom:

A. Administrative Issues

1. John Merson opened the meeting at 7:00pm by leading the Pledge of Allegiance.
Introductions followed.

2. Determination of Quorum: 7 of 7 members present

John Merson introduced the new Advance Representative Matt Johnson who replaced Dan Fry and wanted to recognize and thank Dan for his service and that he was much appreciated.

3. Approval of the Agenda:

None at this time.

4. Approval of Minutes for April 2, 2025:

Deborah Luzier recommended the April 2, 2025, minutes be tabled until June 4, 2025, APC Meeting, due to edits that need to be done.

A. Old Business Public Hearings:

None at this time.

B. New Business Public Hearings:

1. 25WA-7M-037 Neil and Shannon Merrell/Cross County Consulting; Special Exception for a Minor Residential Subdivision Plat

Deborah Luzier read the staff report.

Stacy Walton with Cross County Consulting came forward on behalf of this petition. No one else came forward.

John Merson closed the public hearing and opened it to the board. Carol Cunningham mentioned that if there was going to be a potential basement that there needed to have a drainage tile brought to the site and that there is no availability for a sump pump on that site, with the plans presented and, on the plat, it states that there will be no basements.

Commissioner Donnie Lawson made a motion to approve 25WA-7M-037 with the conditions stated in the staff report. Dustin Plunkett seconded the motion. Motion carried 7-0.

2. 25WA-23-044 MCI Development/Gregg Farms; Zone Map Change from Agriculture (AG) and Major Thoroughfare Overlay District to PUD for the 47 Commons

Deborah Luzier read the staff report.

Attorney Kent Frandsen came forward on behalf of this petition. Mr. Frandsen started off by stating that since the last meeting it has changed a bit and that 65 acres have been added to the PUD and have added several new sections to comply with the staff's requirements. He stated that this is the only interchange along I-65 from Louisville, Kentucky to Chicago, Illinois that is not already developed in some significant way and feels that the recent Amendments to the Comprehensive Plan and Ordinance this would be a prime development for the area. Merritt Construction has 150 employees that don't want to leave Boone County and that they have been working for 5 years to find a place that works for them and believe this location does. As you know this project contemplates commercial and multi-family residential along State Road 47 and the south side of State Road 47. The more intense use would be 15 feet from the south, the other side of Spring Creek and adequately buffered. We have received a favorable recommendation from the staff for this size of a project, which is hard to do.

Tom Merritt came forward, whom is the President for Merritt Contracting and gave some in site of the history of the company. He then went on to discuss the proposal, which is 190 acres of mixed uses. The initial investment will be about 30 million dollars over the next 3 years we envision the project's competition and that investment will be somewhere between 100 million dollars to 5,170 million dollars and will envision 85 new jobs being created. It's been challenging to find a place that fits logically and fits the area that we need to be with land prices and can afford, and we are here tonight to ask for a favorable recommendation. We really appreciate Deborah's input on our PUD, and we've been working with the neighbors and collaborating with the neighbors to try to minimize the impact on them.

Matt with Shelby Materials came forward, which is a ready-mix concrete producing plant company that was established in 1951 with several family members. We have 13 sites throughout Central Indiana and South-Central Indiana with 275 employees. According to the master plan and future growth of the area a ready-mix concrete is a necessary ingredient, whether it's residential agriculture, commercial or industrial. Every community we are in is supportive of little leagues, boys' and girls' clubs, schools and fairs. We like to be a part of those communities and supportive. We like to build plans on sites that probably aren't what you typically think of a concrete plant. We like to build plants that are not bad to look at, clean, clean equipment, clean trucks and clean plants.

Jake Merritt came forward about advocating seeing Boone County developed the right way, because whether we like it or not Boone County is changing and I want to be part of that positive change in the community, but we really want to set the standard for what the future development in this area would look like. The changes that we've made since the last meeting are the shading and where we're permitting users. We tried to circle up with as many neighbors as possible and I had 92 meetings between our January meeting and today. What we heard is that the North of the Creek could keep the lighter industrial uses and our heavier industrial uses on the South side and that would be ideal. So, we decided to make that whole block our commercial retail use block, like restaurants, little gas station and childcare center. The south side of the creek is our applied technical service and specialty contractor use. The biggest changes that we've made since our last meeting in January was to preserve the Overlay

District and as Deborah mentioned on the north side of the creek those are permitted by the Overlay District. We did remove billboards, even though that is permitted. We increased the mounting height to 8 feet, instead of 6 feet, requiring controlling developer approvals prior to submitting to the agency for development plan review and we are the controlling developer. We also want to note that above ground utilities are permitted only within the TSCS use block, so everything else north of the creek will have utilities underground. We will also mandate compliance with the architectural requirements with the County Zoning Ordinance.

Several individuals came forward with both positives and negatives regarding this project and what all is to be put within this PUD, but the consensus overall is that if it's not the Merritt's doing this, it's the inevitable somebody else will.

John Merson closed the public hearing and gave the petitioner an opportunity to discuss the concerns that were raised. Jake Merritt came forward and addressed the IFA (Indiana Finance Authority) that was brought up and wanted to note that there were 5 alternatives for water and that Sugar Creek can hold 5 million gallons of water a day. Tom Merritt came forward and stated that if DNR came in and we effected the well

No questions or issues were raised by Board Members.

Commissioner Donnie Lawson made a motion to table 25WA-23-044 to an APC Special Meeting on May 21, 2025, at 7pm. Dustin Plunkett seconded the motion. Motion carried 7-0.

John Merson then mentioned they had their initial meeting with HWC regarding establishing a Steering Committee for the Comprehensive Plan and if anyone was interested in being on that please submit your information to Deborah Luzier.

(Email Sean “GUTS” Ticket to make below “Hyperlinks”)

** Additional Petition Materials:

- A. [District Comparison Chart](#)
- B. [PUD District Ordinance review by Staff](#)

C. Violations Report:

None at this time.

D. Administrative Matters:

1. **Draft Zoning Ordinance Amendments – Discussion:** Tabled until June 4, 2025, Meeting
2. **Draft Fee Schedule Amendments – Discussion:** Tabled until June 4, 2025, Meeting

3. Director's Announcements – Discussion: Tabled until June 4, 2025, Meeting

With no further business, John Merson made a motion to adjourn at 10:41pm. Dustin Plunkett seconded the motion. Motion carried 7-0.

