

NEW CASTLE PLAN COMMISSION
April 16, 2025 MEETING MINUTES

Members present:

Ed Hill, President
Dave Barker, Vice President
Kenny Melton, Voting Member
Larry Abrams, Voting Member
Don Criswell, Voting Member
Joel Harvey, Attorney
Janet Davis, Secretary

Absent:

Rex Peckinpugh, Voting Member
Peggy Manor, Voting Member

Also attending:

Kathy Vannice, Ashton Land Surveyors; Scott Adams, DC Develop; Matt Maple, HWC Engineering; Brenda Ramey; Linda Lewis; Jake Isenbarger; Tracy Isenbarger; Richard Dudley

The New Castle Plan Commission met on Wednesday, April 16, 2025, in the City Council Chambers.

President Ed Hill called the meeting to order at 6:00pm, then asked if the members had read the minutes from the February 19, 2025 meeting. When all agreed they had, Larry Abrams made a motion to approve the minutes as presented, with second made by Don Criswell, and this motion passed unanimously by those members in attendance without discussion.

The president then asked Joel Harvey to explain the procedures of the meeting, and the items on the agenda. Mr. Harvey advised the members they were to consider four items, although only three were listed on the agenda, because item #5 included not only a request to rezone, where this commission would consider a recommendation to city council, but also included a request to approve a primary plat at that same location. The commission would vote separately on the two requests for the same properties. Mr. Harvey further explained that the agenda items would be taken in order, and each applicant would be given the opportunity to present their request before opening the floor to public comment. Only item #4, a request to approve a final plat, did not require public hearing so public comment was at the commission's discretion.

The first item on the agenda was PC-3-24, submitted by Ashton Land Surveyors, 325 West Washington Street, Muncie; for Integrity Land Management, PO Box 857, New Castle; requesting approval of a final plat that received preliminary approval in February, for the proposed Meadowbrook Ridge subdivision. Kathy Vannice with Ashton's appeared before the commission with the request, advising them that a few changes had been made to the plat since the preliminary approval. The changes included a reduction in drainage to one pond with the others now swales with check dams to reduce the flow of water. These changes have been approved by United Consultants on behalf of the city. Furthermore, they intend to address the Board of Works to request to escrow to cover the \$25,500 estimated cost of excavation of the drainage, in lieu of purchasing a bond. Dave Barker commented the revisions looked good.

When President Hill asked for additional discussion, there was none. Kenny Melton then made a motion to approve the final plat, contingent upon the Board of Works' approval of the escrow and the amount proposed; second was made by Larry Abrams. The motion passed unanimously by those members present.

President Hill then introduced the next item on the agenda, PC-1-25: DC Develop for the City of New Castle, requesting first to rezone parcels 030-81651-00 and 030-81652-00, located at the northeast corner of Washington and North 20th Streets, New Castle; and then requesting primary plat approval for 85 lots on the same parcels, to be known as Brookfield Farms.

Scott Adams, Director of DC Develop, 3000 Shadow Lake Drive, Charlestown, Indiana, addressed the board to explain the request. The plan has been shared with the Redevelopment Commission and City Council. They are now seeking a favorable recommendation to City Council for rezoning, and contingent approval of the primary plat, dependent upon council's approval of the rezoning.

Mr. Adams shared a slide-show presentation that described New Castle's declining population, and how the city's aging housing has not been replaced. The goal of the proposed project is to increase the supply of new homes, provide affordable housing and create new homeownership opportunities. They have been working on obtaining a READI grant from Indiana Economic Development Commission. The grant applications are still pending, but this project has qualified grant consideration. In addition, the city will establish a residential TIFF district to cover this property. The investment from home building would generate a sizeable investment in the City of New Castle.

There have been many involved in the project, including the Indiana Economic Development Corporation; Mayor York; City Council; the Redevelopment Commission; the Plan Commission; the Board of Public Works and Safety, who has technically owned the property since 1975; and Cory Murphy of the New Castle-Henry County Redevelopment Commission.

The development would be known as Brookfield Farms and will include 85 lots. Development will be accomplished in three phases. If all goes well with the approval process and grant funding is awarded, earth movement would begin in 2025 and building would begin in 2026. The price range of the finished homes has been forecasted between \$250-300,000.

The first part of this request was to rezone the properties from R1 to R2, with the following five criteria that state statute directs this plan commission and the city's council members to pay reasonable regard to, while considering the request:

- Keeping the request in line with the city's comprehensive plan, as the current zoning was residential and the zoning would remain residential.
- The current conditions and character of the area would remain, as the surrounding area was residential and would remain residential.
- The most desirable use for the area was more residential.
- The value of proposed housing would be equal to or higher than the current surrounding housing, therefore conserving existing property values.

- The subdivision would show responsible growth and development for the area, since the water and sewer system had adequate capacity and pressure to serve the properties, and the roadway network was adequate, to handle the additional traffic generated, as well.

The second part of the request was for approval of the primary subdivision plat, as presented. As the developer, DC Develop must prove the proposal meets the requirements of the UDO. They believe those requirements have been met, with the exception of the required 65' radius in right-of-way in the cul-de-sacs. The plat proposed 50' radii, so this plat approval would also require the Plan Commission to grant a waiver to reduce the size of the cul-de-sacs.

The proposed site location was at the northeast corner of North 20th and Washington Streets, just east of Wilbur Wright School and west of Osborn Park. The site totals 23.5 acres, and was surrounded by variety of zoning but primarily R1, R2 and R3. Under R1 zoning, the lot size requirement was 7200 square feet with a 60' minimum lot width and setbacks at 25' front, 6' side, and 20' rear. R2 zoning only requires 6000 square feet in lot size with a minimum lot width of 50'. The setback requirements remain the same. The plat as proposed was in between these minimum requirements, with the smallest lot width at 55' and smallest lot size at 6050 square feet. The request to rezone was submitted in order to reduce the lot requirements to allow more efficient use of the land and generate 85 lots. All homes would be single family detached homes.

The plat proposes two entrances to the subdivision: one on Washington Street and one on North 20th Street. The stormwater detention area is in the southeast corner of the site, between Washington Street and the Fitzgerald trail. The intent was do everything possible not to interrupt the trail, other than where the road for the subdivision cuts through it to access Washington Street. The average lot size is 8250 square feet. Clarification was made that some lot frontages may be smaller than the minimum lot width requirement because the lot width requirement is measured at the minimum front yard setback point.

Prior to adopting the UDO, the cul-de-sac minimum radius requirement in city ordinance was at 50'. The plat was planned under the old ordinance but not presented until after the UDO was adopted. The waiver request was submitted when this change in ordinance was discovered. Mr. Adams referred to a national publication by the American Association of State Highway and Transportation Officials called "Policy on Geometric Design of Highways and Streets" that had been adopted by all fifty state Departments of Transportation. This policy has criteria for the design of local streets and subdivision cul-de-sacs, which recommends a 30' radius for residential vehicles to maneuver a cul-de-sac and a 50' radius for commercial vehicles, which might include trash trucks or school buses. Additional research by DC Develop revealed surrounding communities, such as Anderson, Greenfield, Pendleton, Greensburg, and New Palestine, had adopted a 50' standard. When there is a national standard, a state standard, and neighboring community local standards which have adopted a 50' standard, evidence supports that granting the waiver to reduce the minimum radius requirement to 50' would not be detrimental to the public health, safety and welfare, as required by state statute for the commission to grant the waiver request.

The next point made by Mr. Adams was the strict application of the ordinance standard would result in practical difficulties in the use of the site due to physical surroundings, unique

characteristics or topographical conditions. In this case, the most optimal location for the detention basin site is in the lower eastern corner of the plat. The natural topography of the site drains into that location, so all of the surface runoff would be captured in that basin. This would make it difficult to eliminate a cul-de-sac and extend the street out to Washington Street. If they tried to do that, they would have to modify the basin which would then create an offset intersection at 24th Street, which would be unsafe. Likewise, extending the street on the west side of the site would create the same situation with a conflict point at the 20th Street intersection. So, there were unique characteristics to the site that create a practical difficulty to eliminate the cul-de-sacs. This hardship was not self-imposed but due to the lay of the land.

The last point regarding the waiver request made by Mr. Adams was that the request is necessary and represents a minimum deviation from the ordinance standards. Vehicles can maneuver within the cul-de-sac in the 50' radius.

Therefore, the developers believed they met the state's standards of evaluation for granting the waiver.

Mr. Adams then directed the commission's attention to the plat, pointing to the dimensions of the cul-de-sacs. The outer radii and inner radii were both highlighted, with the outer at 50' and the inner at 40'. Roll curbs would allow an additional 4' for larger trucks, without including the sidewalk in that calculation. There would be a grass strip before involving the sidewalk.

Dave Barker asked if the subdivision covenants would restrict street parking to keep the cul-de-sacs free of parked vehicles. Mr. Adams confirmed they would, and the covenants would be presented with the final plat request. When Don Criswell asked if they could make the pavement wider by eliminating the grassy verge, Mr. Adams replied that they could but it would not be necessary. Vehicles could safely maneuver the cul-de-sac at the requested 50' waiver. He also confirmed the standard ordinance was requiring the size of right-of-way, not the size of the blacktop.

Mr. Adams then concluded by advising the commission that there were two actions desired of this board. First, to favorably recommend the requested rezoning to city council; and second: to approve the primary plat, contingent upon city council's approval of the recommended rezoning.

When Dave Barker inquired about the square footage of the homes, Mr. Adams stated the ranch-style would be 1300-1400 minimum square feet, and the two-story home would be 1600-2500 square feet. The developers were currently speaking with four builders, and would ultimately prefer one builder for the entire development. Pricing is a major factor in that decision, so that the homes are not outpriced. They anticipated both spec homes and contracted homes.

Mr. Adams pointed out that he believed this would be a great opportunity for this community. There were only a few subdivisions developed in this community in the past decade. This project is all about growing New Castle.

With no additional questions from the commission members, President Hill offered the floor to the public.

Brenda Ramey, 2017 Lake Forest Lane, has lived at her home for twenty years, and does not want this neighborhood out of her back door. The ribbons currently staked were very close to their homes. At the very least, the homeowners deserve a privacy fence along the property line to separate their neighborhood from the new subdivision. In addition, the excavation will cause the water to run onto their properties, as the land falls towards them.

Jake Isenbarger, 2013 Lake Forest Lane, expressed concern over the large number of lots in the plat. He was also concerned about the runoff and the slope of the land; and about only two exits for 85 homes; and about the safety of the current neighborhood, especially with the school and hospital traffic. Their neighborhood saw nine new homes built a few years ago and the traffic doubled with those just those nine homes. They live in a cul-de-sac with only one entrance in their neighborhood. Ed Hill then noted that their addition was platted further east for future development with an additional entrance planned close to the Salvation Army that was not developed. When Mr. Isenbarger questioned whether the tree line would be removed, he was told all questions would be answered after the public had their opportunity to speak.

Linda Lewis, 2015 Lake Forest Lane, stated she had lived there for twenty-five years, and theirs was a quiet neighborhood that they wanted to keep private.

Tracy Isenbarger, 2013 Lake Forest Lane, agreed with the other comments that this development would create a privacy issue for them. They moved into this neighborhood because it was peaceful and quiet. She further felt the anticipated cost at \$250,000-\$300,000 was expensive and unaffordable. Also, they've had children from North 20th Street playing in their drives and on the cul-de-sac because of the traffic on North 20th Street.

Joel Harvey reminded those in the audience to speak one at a time to allow accurate recording of the minutes.

When offered the opportunity for rebuttal, Matt Maple with HWC Engineering, 135 North Pennsylvania Street, Indianapolis, addressed the concerns presented by the neighboring property owners. He was the site design engineer working with DC Develop on the plat, whose focus is primarily drainage. Regarding the potential runoff, he advised that they would take storm sewers back to the rear lot line to collect water and run it south to reroute water away from the north side of the property so it does not drain onto the neighboring properties. Regarding the design, typically, a subdivision was allowed one entrance for up to 50 homes, then a second entrance would be required. They believed two are appropriate for 85 homes. Grading to install infrastructure would occur, but would draw underground water away. Although it probably would not improve the neighbor's sump-pump situation, it would not add to it either. Ed Hill then commented that when he previously worked for the city, he worked with storm water and knows the regulations are strict for any development, to reduce the flows offsite.

Scott Adams then addressed some of the other concerns presented by the neighbors. He confirmed the lots abutting the northern neighboring lots would be 120' deep, which is the R1 standard. He then informed them that, if the developers had presented an R1 compliant subdivision plan, under Indiana law, the Plan Commission would be bound to approve the

subdivision as proposed. This was known as a ministerial act. The developers did not decrease the yards on those northern lots because of the adjoining neighbors.

He then addressed the request to install fencing, saying he had been in this business a long time and fences tend to divide people instead of bring them together. In addition, they were rarely maintained and eventually became a nuisance to the neighborhood rather than an asset. Also, fence requirements would be specified for the proposed neighborhood so that fencing, when installed by property owners, will be consistent, creating a good-looking neighborhood. If the developers or the city were to install one fence along the northern property line, the potential owners would have to inherit that fence and may not want it. In his experience, the addition of a subdivision that brings new neighbors to existing neighbors, usually sorts itself out. It was noted that city ordinance allows for a maximum fence height of 6'. When asked to clarify whether a fence would or would not be installed, Mr. Adams stated a fence would not be installed.

Dave Barker then confirmed with Mr. Adams that the proposed homes would be slab homes, versus crawl space.

Cory Murphy, with New Castle-Henry County Redevelopment Commission addressed the commission next. He let them know they had been working on this project for 2-3 years. He suspected that, no matter where the development might be planned, similar concerns would be shared by surrounding neighbors, because development represented change. Data shows Henry County and New Castle need new housing. DC Develop was a qualified development firm, and there was a one-time opportunity to receive READI grant money from the state for the development. At this point, Ed Hill asked if we had perspective on the national housing market, and Mr. Murphy answered that Indiana had been identified as the eighth most difficult housing market in the country. Mr. Murphy then stated that the price point speaks to the data, and the development is important to the long-term prosperity of the community. He then urged the members to recommend the rezoning and approve the primary plat.

Linda Lewis then added that the land has not previously been an empty lot, that it had been farmed so the land was not going to waste.

When President Hill asked the board members for additional discussion, Kenny Melton confirmed that the city's engineering firm will need more in-depth design plans for infrastructure, so this plat was only preliminary. Final approval would not be requested or granted until that information is submitted and approved by the engineer.

Brenda Ramey then asked to comment again, and stated she felt this was terrible that the property owners of her neighborhood now have to consider selling and moving because of this development.

President Hill then reminded the commission members that this was a preliminary request, and they would vote on two different matters regarding this development. Joel Harvey then interceded that the members would be voting on three matters: the rezoning recommendation to council, the requested waiver, and the primary plat.

Don Criswell made a motion to favorably recommend the requested zoning change to city council; second by Larry Abrams; motion passed 5-0.

Next, President Hill reminded the commission members that, if the rezoning is approved by council, then the plat would be in compliance. It was then determined that the commission would need to vote on the waiver for the cul-de-sacs, as well, as the current plat's cul-de-sac did not meet the UDO minimum requirement.

Dave Barker made a motion to approve the primary plat as presented; second by Don Criswell; the motion passed 5-0.

Dave Barker then made a motion to approve the waiver to reduce the cul-de-sac radius from 65' to 50' in the rights-of-way; second by Larry Abrams; the motion passed 5-0.

The final item on the agenda was proposed ordinance # 3949, an amendment to the zoning ordinance to prohibit parking a semi-tractor or semi-trailer on any property zoned principally residential, unless loading or unloading, or parked within a fully enclosed building.

Joel Harvey explained the amendment had been proposed by city council, after discussion regarding restricting parking of semi-tractors and -trailers in residential districts, not only in rights-of-way but on private property as well. Since a restriction on private property is a restriction of the R1, R2 and R3 zonings, this commission must consider a recommendation to council to amend the UDO.

Don Criswell asked to confirm his current situation, where he has a semi-trailer used for the high school's building trades class at job sites, as a travelling classroom. He was advised ordinance has a provision for construction trailers. In addition, permission has already been granted for the semi-trailer to remain parked in the alley at the current jobsite.

President Hill then offered the floor for public comment. Richard Dudley, 2100 Spring Street, New Castle, has 8+acres in the city limits, and he has had a semi-trailer on his lot for about 30 years. The trailer had been used for storage since he purchased in from Val when it was on New York Avenue, and it was not visible from the road. It had basically become permanent due to the amount of time it had sat on the property. Since the property was residentially zoned, Mr. Harvey advised that this could be considered a lawful nonconforming use. If it were to be moved, it could not return, and it could not be replaced with another. Mr. Dudley advised he wanted to abide by the law, and that was the reason he asked.

With no further discussion, Larry Abrams made a motion to favorably recommend the amendment to council, as proposed; second by Kenny Melton; the motion passed 5-0.

With no additional business before the Commission, Kenny Melton made a motion to adjourn, second by Dave Barker. The meeting adjourned at 7:15 pm.

Respectfully submitted by:

A handwritten signature in black ink, appearing to read "Kenny Melton", written over a horizontal line.

Kenny Melton

New Castle Plan Commission