

LAPEL PLANNING COMMISSION MEETING
August 10, 2023

In attendance: Matt Wood, Dan Paddock, Paula Lee, Brian Robertson Angie Calloway, Andrea Baldwin, Town attorney Evan McMullen, and Town Planning Administrator Oksana Polhuy.

Motion was made to approve the March 9, 2023 and April 13, 2023 minutes by Robertson, 2nd by Paddock. Baldwin abstained from the March minutes and voted yes on April minutes. Everyone else was in favor.

OLD BUSINESS

Item 1. Application REZ-2023-02

Subject: Rezoning of the real estate from Agricultural to General Industrial zoning district.

Location: 6199 S ST RD 13; 0 S SR 13

Petitioner(s): LKQ Midwest Inc. (Randy Smith) and FMC Advisors LLC (Chris Farrar)

Property Owner(s): Carolyn L Wilson & Wilson Land Trust c/o Dick Wilson

Oksana Polhuy spoke to the Commission about the new items that were added to the Staff Report: Exhibits B-F that included documents submitted by the public at the previous meeting, responses of the petitioner to some public comment and Commissioners' questions, a Wellhead Protection Area and information from staff answering Commissioner's questions. She spoke of the water. She stated that she had spoken to IDEM and said they stated they would have to have some permits regarding the water.

Mr. Farrer from the Town of Lapel's attorney's office spoke about all the permits that LKQ would have to get to even begin to put a building permit and that run off water would be one of them. Farrer went on to explain how TIF works and how it is related to the LKQ project.

Wood paused the regular meeting and opened the Public Hearing for Application REZ-2023-02. LKQ petition to rezone 6199 S ST RD 13; 0 S SR 13.

Greg Valentine spoke about the aquifer and the towns well. He stated that if he and David break a hydraulic hose while they are farming they might lose 30 to 40 gallon of oil. He stated that he is opposed.

David Smethers spoke about the exhibits that were submitted. He stated that this is not the best use of this land. He is opposed.

There were no more public comment for the Public Hearing.

Wood then closed the Public Hearing and reopened the regular meeting.

Mr. Farrer stated that this Hearing is only for a rezone.

Paddock stated he would like some guidelines in writing and some authority to shut them down if they don't follow the guidelines.

Polhuy stated that if you have a certain zoning district then they would have to follow the guidelines for that zoning district.

Calloway said she didn't approve of the outside storage on the corridor to the town.

Robertson brought up the fact that there has already been a property across the street zoned for General Industrial.

Wood brought up the aquifer and his reservations with the LKQ being over the aquifer.

Polhuy stated that every inch of Madison County is over an aquifer.

David Benefiel from Madison County Council of Governments addressed the Commission. He stated that if someone were to build and need a Special Use they would have to go before the BZA and lots of caveats could be added and required to protect the water.

McMullen stated that the BZA could make those caveats in their findings.

Polhuy stated that LKQ would have to get Special Use approval by the BZA and then apply for the permits before any construction can commence.

Motion was made to send a favorable recommendation to the Council to rezone 6199 S ST RD 13: 0 S SR 13 from Agricultural to General Industrial by Robertson, 2nd by Lee. Robertson, Lee and Paddock (three members) voted yes and Calloway, Wood and Baldwin (three members) voted no, resulting in no recommendation sent to the Council.

New business- There was none

Public Comment-There was none

Planning Commission Discussion: Polhuy discussed different procedures and processes. She spoke of some education for the Commission. Also working with MCCOG.

Polhuy brought up she would like to start up a Plat Committee. Baldwin and Wood agreed to be on the committee.

Motion was made to adjourn by Wood, 2nd by Lee and all were in favor.