



**Board of Zoning Appeals Staff Report
Department of Planning and Building
Town of McCordsville**

September 2, 2020

Project: Shell Station, BZA-20-009

Petitioner: Midwest Maintenance

Location: 5964 W. Broadway (former Village Pantry Station)

Request: The petitioner's request seeks a Special Exception and a Development Standard Variance for signage.

Staff Review: Background: This property has been operated as a convenience store and fuel station for decades. Recently, the property was purchased by Additional Real Estate, LLC, and the new owner seeks to convert the site to Shell/Quickpix branding.

Existing Conditions: The site features a convenience store, ten (10) fuel dispensers (under canopy), and a carwash on approximately 2.75 acres. The property can be accessed from W. Broadway, CR 600W, and S. Railroad Street. The property is zoned Neighborhood Commercial (CN).

Surrounding Land Use & Zoning: The surrounding land uses are as follows:

- North: Across the railroad tracks is developed as a single-family home, zoned R-3
- East: Developed as a single-family home, zoned R-3
- South: Across W. Broadway is developed as commercial retail featuring a CVS pharmacy and multi-tenant retail center zoned CN
- West: Undeveloped land zoned CN

Both of the petitioner's requests are detailed below.

Special Exception – Section 9.06

The existing ground sign is considered legal, non-conforming. The petitioner would like to make alterations to the ground sign as depicted on pages 9 and 15 of the petitioner's packet. In summary, the changes include:

- A reduction in the overall height of the structure from 27'6" to 25'
- A reduction in sign square footage from 155 SF to 136 SF
- The addition of a LED gas pricing sign

Under the applicable code section, any alterations to a legal, non-conforming sign require a Special Exception.

Development Standards Variance – Section 7.08(C)

This section permits wall signs only on primary structures. Additionally, signs specific to fuel station canopies (accessory structures) are not permitted. Therefore, to permit wall signage on an accessory structure a variance is needed. The petitioner is proposing 3 such signs, each measuring approximately 7.8 SF.

Staff Comments:

In addition to the proposed signage, the petitioner is also making other improvements to the site. The primary structure has been partially re-painted, and the fuel dispensers have been cleaned up and branded with the Shell decals. Renovations to the interior are on-going. The petitioner will also be installing new wall signage on the primary structure. These improvements are long overdue and will benefit both the new owner and the McCordsville community. Comments related to each request are detailed below.

Special Exception Request

The alterations to the ground sign reduce both overall height and sign area. The alterations also eliminate the “gap” in the existing signage and add LED gas price signage. While the LED gas price signage is not permitted by our Sign Ordinance, we fully support its use, as it is safer and more aesthetically appearing than the alternatives. While the overall amount of signage exceeds the allowances in our current Sign Ordinance, due to the reduction in overall sign area, staff is supportive of this request.

Development Standards Variance Request

The Town has supported signage on fuel station canopies in the past. The most recent example is the Meijer fuel center. During the discussion regarding that signage, staff requested the canopy fascia feature a neutral color, complimentary to the primary structure. That combination of neutral background color and signage seems to have been received well. Staff generally considers that as the example for fuel center canopy fascia and signage moving forward. We expressed that desire to the petitioner, and they have provided a very similar concept in their proposal. Staff is supportive of the proposed signage and canopy fascia color.

As detailed above, we see the proposed signage as upgrades, and therefore staff is in support of this petition. Following any discussions/questions from the Board, and the public hearing, staff would recommend approval with the following suggested conditions of approval:

- The petitioner commits to installing landscaping, in accordance with the Town’s current Sign Ordinance, around the ground sign.
- The EMB shall only feature fuel pricing in no more than two colors. The pricing shall not flash, swirl, spin, or make movements of any kind.

- The maximum daytime light level shall be 4000 NIT and maximum nighttime light level shall be 495 NIT.
- The petitioner commits to painting the fuel canopy posts a color (neutral hue/tone) complimentary to the primary structure.
- The fuel center canopy signage is contingent upon the neutral color fascia as shown.

The BZA may include conditions of approval noted above, and if so, those conditions should be incorporated into the ballots. They may be amended, added to, or removed by the BZA. The petitioner also has the right to request them to be amended, added to, or removed until the time the BZA has made a motion on the conditions.

Decision Criteria:

The BZA has four (4) options in considering this request; the Board may approve, approve with modifications, deny, or continue this petition.

Existing Conditions



Zoning

