

McCordsville Board of Zoning Appeals
Meeting Minutes
June 7, 2023

Call to Order

Members Present: Steve Duhamell, Dan Vail, Brianne Schneckenberger, Corey Karn

Members Absent: Grant Adams

Others Present: Ryan Crum, Ethan Spalding, Gregg Morelock,

Agenda Considerations

Mr. Morelock announced that the full Board is not present and that any petitioner that wishes to continue their petition until a full Board can hear it may do so.

Approval of Minutes

The minutes of the May meeting could not be approved because a quorum of eligible members was not present. The minutes will be approved at the next meeting.

Old Business

BZA-23-002, McCordsville Development's (Culver's) request for a Special Exception and Development Standard Variances for a drive-thru restaurant at the NWC of CR 600W & W Broadway

Mr. Crum gave a brief overview of the project, noting the

Joe Calderon appeared on behalf of the petitioners. He gave more specifics on the architectural design of the building and the site layout. He also addressed the need for the Special Exception request and the Variances.

Mr. Vail voiced concerns about traffic flow and potential back-ups. Mr. Calderon noted that the site does not generate traffic, it pulls from existing traffic. He also noted that the petitioners have worked with INDOT and positioned the Broadway exit as far west as they could and has another exit on Mt. Comfort.

Mr. Witsman further addressed concerns about traffic access on the site. He stated that the access point on Broadway aligns with Hanna St and that the left turn lane will be extended 200 feet. The Mt. Comfort access point is a right-in/right-out access point. In 2025, a median will be installed on Mt. Comfort that will prevent any left-hand turns. Mr. Witsman stated that these restrictions are the same that would be put on any business at this site.

Mr. Karn asked if another business will go in at this site. Mr. Crum stated that there is a small parcel remaining that could be developed at a future date.

Ms. Schneckenberger asked how the proposed underpass at the railroad would affect this project. Mr. Crum stated that it is a future project that would close the access point on Mt. Comfort. Mr. Calderon stated that the petitioner understands the risk of that and has made the decision to move forward.

Mr. Morelock asked if the conditions on the special expectations were acceptable. Mr. Calderon noted that one of the exceptions had changed, but all the others were acceptable. Mr. Crum stated the exception for the menu board should be discussed. Mr. Crum also clarified the entrance will be shared in the future. Mr. Calderon agreed, noting that the entrance is positioned on the adjoining parcel.

Mr. Karnes and Mr. Crum discussed the amount of parking spots and stacking areas. Mr. Crum stated that Staff believes that after an analysis of other locations parking, the number of parking spots is more than adequate.

Ms. Schneckenberger asked if this location has an outside seating area. Mr. Crum said there is.

Floor opened to the public

Scott Harbin voiced the following concerns:

- 1) Will Indiana St be vacated due to the location of the entrance on Broadway?
- 2) The partial widening of Railroad St and additional traffic

He also stated that he is not against the project but wants to make sure that whole project thinking is applied to the project to make sure that everyone is benefitted.

Dan Justus voiced the following concerns:

- 1) Increased traffic on Railroad St as people

He also stated that he is not against the project, he just wants to ensure that the streets and alley concerns are addressed.

Greg Brewer, speaking as an elected official, stated that he and the Town Council are fully in support of the project. He acknowledged that there are traffic concerns but stated that the Council and Staff are working on road improvement plans. He stated that this is a commercial lot and Culver's is a good use.

Bob Blagburn asked about the cost of making Railroad St 2 lanes for the full length of the road.

Floor closed to the public

Mr. Witsman stated that Staff has already begun looking at road improvements and S Railroad St and connecting alleyways and have included funding in the 2023 budget and is waiting to see if this project moves forward for us to start moving forward with the Town's projects. Existing plans call for property owner involvement in widening the rights-of-way. If those discussions move forward, the Town will move forward with the improvements.

Mr. Crum stated that Staff is in support of this petition noting that the restaurant is permitted by right, only the drive-thru needs the Special Exception. He stated that the Town's traffic consultants, A&F, has said that 50% of the trips this type of restaurant receives is "pass-by" traffic. The developer is putting in a significant number of road improvements on both Railroad St and Broadway.

Special Exception

Ms. Schneckenberger made a motion that if the special exception is approved it is subject to the conditions listed by Staff. Mr. Duhamell seconded. The motion passed unanimously.

The ballots were counted and the Special Exception was approved by a vote of 3/1. Mr. Vail opposed the Special Exception; Ms. Schneckenberger, Mr. Karnes, and Mr. Duhamell supported.

Variance 1 – Front Yard Setback

Ms. Schneckenberger made a motion that if approved, the Variance is subject to the conditions listed. Mr. Duhamell seconded. The motion passed unanimously.

The ballots were counted, and the variance was granted unanimously.

Variance 2 – Side Yard Setback

Ms. Schneckenberger made a motion that if approved, the Variance is subject to the conditions listed. Mr. Duhamell seconded. The motion passed unanimously.

The ballots were counted, and the variance was granted unanimously.

Variance 3 – Foundation Sidewalk

Ms. Schneckenberger made a motion that if approved, the Variance is subject to the conditions listed. Mr. Duhamell seconded. The motion passed unanimously.

The ballots were counted, and the variance was granted unanimously.

Variance 4 – Parking

Ms. Schneckenberger made a motion that if approved, the Variance is subject to the conditions listed. Mr. Duhamell seconded. The motion passed unanimously.

The ballots were counted, and the variance was granted unanimously.

Variance 5 – Trash Receptacle Location

The ballots were counted, and the variance was granted unanimously.

Variance 6 – Perimeter Parking Lot Landscaping

Ms. Schneckenberger made a motion that if approved, the Variance is subject to the conditions listed. Mr. Duhamell seconded. The motion passed unanimously.

The ballots were counted, and the variance was granted unanimously.

Variance 7 – Customer Entrance

Ms. Schneckenberger made a motion that if approved, the Variance is subject to the conditions listed. Mr. Duhamell seconded. The motion passed unanimously.

The ballots were counted, and the variance was granted unanimously.

Variance 8 – Wall Signage

Ms. Schneckenberger made a motion that if approved, the Variance is subject to the conditions listed. Mr. Duhamell seconded. The motion passed unanimously.

The ballots were counted, and the variance was granted unanimously.

Variance 9 – Ground Signage

Ms. Schneckenberger made a motion that if approved, the Variance is subject to the conditions listed. Mr. Duhamell seconded. The motion passed unanimously.

The ballots were counted, and the variance was granted unanimously.

Variance 10 – Electronic Message Board

Ms. Schneckenberger made a motion that if approved, the Variance is subject to the conditions listed. Mr. Duhamell seconded. The motion passed unanimously.

The ballots were counted, and the variance was granted unanimously.

Variance 11 – Menu Board

Mr. Crum noted Staff concerns that because of the size and location of the menu board that it would essentially become another ground sign for the business. Mr. Calderon described the menu board as making the drive-thru more efficient. He stated that the petitioner appreciates the staff concerns and would enhance landscaping between Mt. Comfort and the menu board. Trey Watts with Springfield Sign spoke toward the design of the sign, stating that the size is strictly functional and not to pull customers in. He noted on the site plan where the sign will be located.

Mr. Crum asked that in any approval, the Board include two menu boards and a maximum size for the menu boards. Mr. Watts stated that the menu board comes out to 46.8 sf. Mr. Watts noted that Culver's does not have digital menu boards available.

Mr. Crum said that if the size of the board allows customers to order faster, that addresses one of the concerns about traffic stacking. He said that he is comfortable with the size of the menu board in that instance.

Mr. Crum said that after Mr. Watts showed where the menu board, visibility from Mt. Comfort is not as big of a concern. Mr. Watts noted that the boards have LED lights that are set on a timer.

Ms. Schneckenberger made a motion that if approved, the Variance is subject to the condition that there be two boards, each at 46.8 sf maximum. Mr. Duhamell seconded. The motion passed unanimously.

The ballots were counted, and the variance was granted unanimously.

BZA-23-008, Rectify Solar's request for approval of a Development Standards Variance for roof top solar panels at 5448 Woods Pointe Dr

Staff gave a brief overview of the project.

John Remington stated that the panels are already up and that the Woodhaven HOA did deny the panels, but he gathered signatures of 65% of the community to support the installation. He stated that a town inspector has inspected the installation and that it was approved.

Ms. Schneckenberger noted that she needs to recuse herself because her husband signed the petition to allow the panels.

Mr. Vail made a motion that if this variance is approved it meets staff conditions. Mr. Duhamell seconded. The motion passed unanimously.

The ballots were counted, and the variance was granted 3/0/1 with Ms. Schneckenberger abstaining.

New Business

BZA-23-011, Roxanna Hart O'Bryant's request for approval of a Development Standards Variance for an accessory structure, located at 8059 N 700 W

Mr. Crum introduced the petition and stated that the Staff is in full support of the petition.

Larry O'Bryant gave a brief overview of the project.

Floor opened to the public

Kai Bechmann, asked for clarification of where the barn will be located on the property. Mr. O'Bryant gave specific measurements from the property lines where the barn will be located.

Floor closed to the public

Mr. Vail made a motion that if this special exception is approved it meets staff conditions. Ms. Schneckenberger seconded. The motion passed unanimously.

The ballots were counted, and the variance was granted unanimously.

BZA-23-012, Blue Raven's request for approval of a Development Standards Variance for rooftop solar panels, located at 9975 N. Briarway Ln

Mr. Crum noted that there are no representatives and asked that the Board continue the petition.

Ms. Schneckenberger made a motion to continue agenda item to the next meeting. Mr. Vail seconded. The motion passed unanimously.

Announcements

The next meeting will be July 5, 2023.

Adjournment

There being no further business, the meeting was adjourned.