

McCordsville

ESTD  1988

INDIANA

Plan Commission Staff Report
Meeting Date: October 17, 2023

PETITIONER: Jim Swan (Culver's)

PETITION: PC-23-016, Culver's Restaurant Re-plat of a Primary Plat & Subdivision Control Waiver

REQUEST: Petitioner requests approval of a Primary Plat for two (2) lots on approximately 3 acres, as well as a Subdivision Control Ordinance waiver for dedication of right-of-way.

LOCATION: The subject property is located at the northwest corner of CR 600W and W Broadway.

ZONING: The subject property is zoned Commercial Neighborhood (CN) and is currently undeveloped. Zoning and land use for the surrounding area are as noted below:

Zoning

North: PUD, R-3, P & CN
South: OT
East: CN
West: CN

Land Use

Single-family, HVAC, & cemetery
Fuel station and business
Fuel station
Business

STAFF REVIEW: The petition proposes a re-plat of lots 5-20 of the original Plat of the Town of McCordsville in order to create two (2) new lots. The subject Real Estate currently encompasses the rights-of-way for Ohio Street and two (2) alleys. These rights-of-ways are being shown as "to be vacated". The right-of-way vacation process occurs at the Town Council, and first reading was held on October 10th. A public hearing and second reading is scheduled for November 14th. Staff will ensure public notice is provided in accordance with State Statute. Also, the BZA approved a number of variances, some of which relate to standards applicable to a primary plat.

Infrastructure

The site will receive sanitary sewer service through the Town. Water service will be provided Citizens Energy Group. The petitioner is also required to detain stormwater. The petitioner's detention facility will be a dry facility and located between the parking lot and CR 600W.

The site has two (2) entrances, as well as a connection to S. Railroad St. The entrance on W Broadway will be full access, while the entrance on CR 600W will be limited to a right-

in/right-out. The petitioner's plan proposes to dedicate the half-width right-of-way required by the Subdivision Control Ordinance along CR 600W. The petitioner is seeking to reduce the right-of-way dedication along W Broadway from 60' to 50'. Staff is in full support of this waiver request for a number of reasons, including, but not limited to the fact that the W Broadway is not Town right-of-way, and the petitioner has agreed to install the required sidewalk along the backside of the right-of-way. This will allow more flexibility for future roadway improvements, within the right-of-way, should INDOT determine future improvements are appropriate. Lastly, the existing right-of-way for S. Railroad Street is not shown on the plat, staff has requested that be added to the plat.

Lot & Yard Standards

The following bulk standards (as modified by the BZA) apply to the property:

- Minimum Lot Width at Building Line: 100 feet
- Minimum Front Yard Setback – 600W: 25 feet
- Minimum Front Yard Setback – Broadway: 17 feet
- Minimum Front Yard Setback – Railroad St: 5 feet
- Minimum Side Yard Setback: 5 feet
- Maximum Lot Coverage: 65%
- Maximum Height-Principal: 45 feet

In addition to the bulk standards denoted above, all primary plats must show right-of-way to be dedicated (at time of final plat) in accordance with the Town's Thoroughfare Plan, existing easements, proof of access to a public thoroughfare, delineations of any anticipated or known future easements, and common area consistent with the Concept Plan included in the PUD Ordinance.

All other standards relating to lot specific requirements, development standards, design standards, etc are reviewed at subsequent stages.

STAFF COMMENTS/RECOMMENDATION:

The purpose of primary plats are to ensure the minimum basic standards of the applicable zoning district are met, and that all proposed lots/parcels have access to public right-of-way, utilities, and other necessary services. In other words, the primary plat is ensuring that all lots/parcels/blocks are legal, conforming lots/parcels/blocks as required by the Town's Zoning Ordinance. This primary plat, as submitted, is in compliance with those basic items. However, staff has a few items that deserve discussion at the meeting:

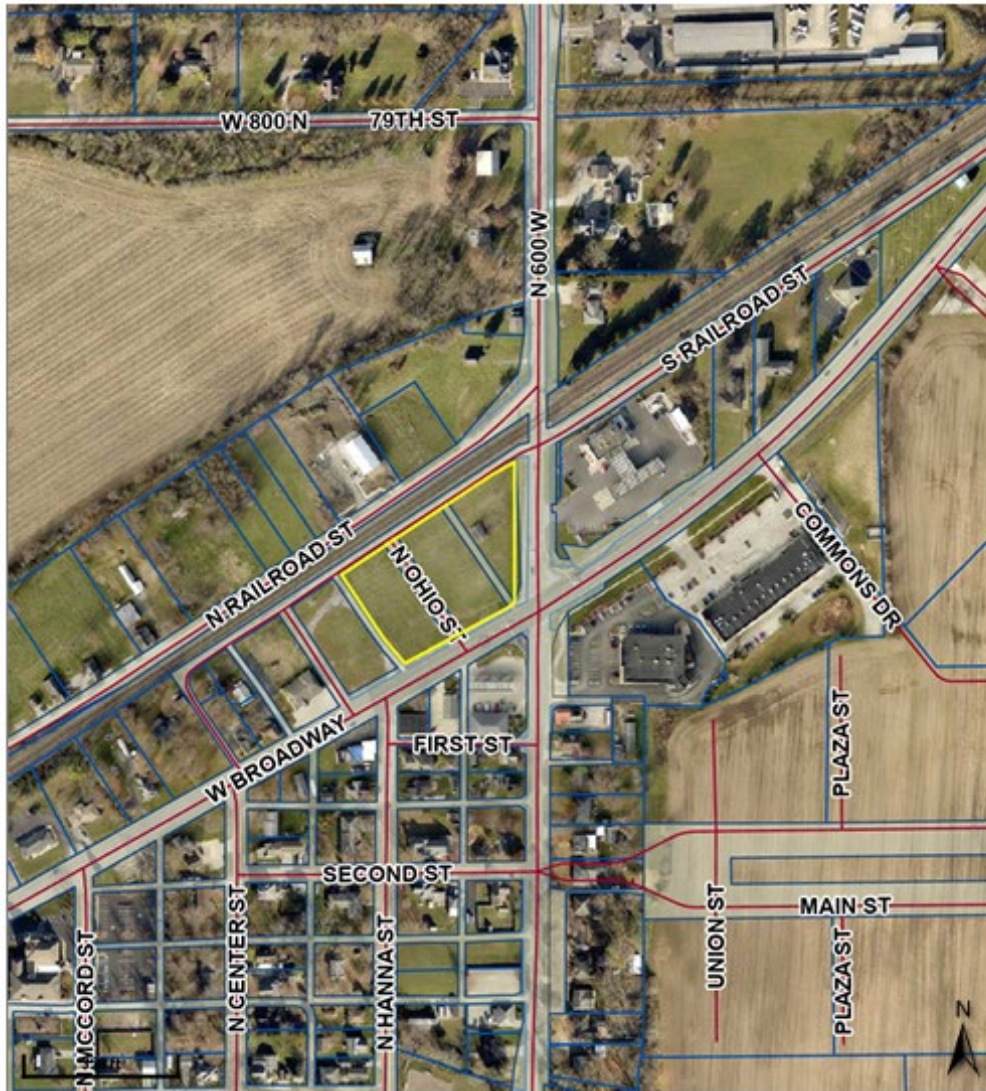
1. The existing right-of-way for St. Railroad Street needs to be added to the plat.

2. Staff has requested adjustments to the “to be vacated” portions of right-of-way for Ohio Street and the two (2) alleys. Staff can provide further clarification on the requested adjustments if needed at the meeting.

Following the public hearing, the Commission may vote first vote on the Subdivision Control Ordinance waiver. The Plan Commission can motion to provide (a) approval, (b) continuance, or (c) denial. Staff recommends approval of the waiver, as this is necessary to move the project forward.

If the Subdivision Control Ordinance Waive is approved and following a public hearing and resolution of the two (2) items above, staff recommends approval of the Re-plat of the Primary Plat.

As of the writing of this report, staff has received no comments from the public regarding this petition.



Overview



Legend

- Roads**
- I
 - S
 - U
 - <all other values>
- Rights of Way**
- Parcels**

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