

CITY OF SHELBYVILLE

Bryant P. Niehoff
Director



Adam M. Rude
Deputy Director

PLAN COMMISSION

MEETING DATE: 1/28/2019

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|---|--|-----------------------|-----------------------|-----------------------|
| Case Number & Name: | PC 2018-18: Hubler Property Rezone | | | |
| Petitioner's Name: | Bradley and Michele Hubler | | | |
| Owner's Name: | Bradley and Michele Hubler | | | |
| Petitioner's Representative: | John Haines & Space and Sites, Tony Nicholson | | | |
| Address of Property: | 1414 E State Road 44 | | | |
| Subject Property Zoning Classification: | Current: BH – Business Highway Proposed: IL – Light Industrial | | | |
| Comprehensive Future Land use: | General Commercial | | | |
| | North | East | South | West |
| Surrounding Properties' Zoning Classifications: | BH – Business Highway | BH – Business Highway | BH – Business Highway | BH – Business Highway |
| Surrounding Properties' Comprehensive Future Land Use | Conservation Area | General Commercial | General Commercial | General Commercial |
| History: | The petitioner for this project is proposing a subdivision that would create three separate lots: one for expansion of the existing dealership, one intended for a self-storage facility, and the other as an outlot for a future commercial development. This petition is a request to rezone the area intended for the self-storage facility. The Common Council approved first reading of the proposed rezone ordinance at their October 5 th meeting. | | | |
| Vicinity Map: | | | | |
| Action Requested: | A formal recommendation on a request to rezone roughly 3.454 acres of land from the <i>BH – Business Highway</i> zoning district to <i>IL – Light Industrial</i> zoning district. | | | |

NOTE: Changes to this petition since its first hearing on October 22nd, 2018 are being shown in blue

1. This project involves two petitions: a preliminary plat petition to subdivide the property into three lots and a rezone petition requesting a zoning classification of IL – Light Industrial for Lot 3, consisting of 3.454 acres in the north of the subject property. This specific petition is for the requested rezone. The petitioner is proposing a self-storage facility, which is not a permitted use in the current BH – Business Highway zoning district; however, a “mini-storage facility” is listed as a permitted use in the IL – Light Industrial zoning district.
2. If the requested rezone is approved, the proposed self-storage facility would come before the Plan Commission at a later date for Site Development Plan Approval.
3. **The area being petitioned for rezone has changed slightly due to a change in the proposed plat for the area being heard as PC 2018-19. The applicant has also provided a proposed site plan showing how the land could be used if it were rezoned.**
4. The Unified Development Ordinance (Section 9.10 (K)) requires the Plan Commission pay reasonable regard to the following decision criteria:

a. Relation to the Comprehensive Plan:

The planning staff feels that the proposed zoning classification of IL – Light Industrial is generally consistent with the City’s Comprehensive Plan due to Objective 5.1 in Chapter 2, Land Use and Growth Management, in the Comprehensive Plan: *Encourage infill of vacant lots and redevelopment of un-utilized or under-utilized properties, especially along commercial corridors.*

b. Current Conditions:

Although redevelopment of this site is an implementation measure of Objective 5.1 of the Land Use Chapter of the Comprehensive Plan, the surrounding properties are zoned BH – Business Highway and the commercial character of this area is consistent with that zoning district. If zoned to IL – Light Industrial, development on Lot 3 of the proposed subdivision would not have to meet the Institutional and Business Architectural Standards that would normally be required for development along major commercial corridors in the City. If the commercial architectural standards were applied to the subject property while allowing uses within the IL – Light Industrial zoning district, such as a self-storage facility, the planning staff feels that the proposed rezoning would not have an adverse impact on the character of the surrounding commercial district.

c. Desired Use:

The City’s Comprehensive Plan indicates that this area should be utilized for commercial developments, and the proposed zoning classification would not necessarily promote this, but a commercial character could be established and maintained in this area by enforcing commercial development standards. This would promote the appearance of a more traditionally commercial district, while allowing the redevelopment of this site.

d. Property Values:

The planning staff has determined that the proposed zoning classification could have an adverse impact on neighboring property values by allowing a lower aesthetic standard for this particular property, while all the surrounding properties are being held to a higher standard when they are developed or redeveloped. By requiring the proposed development to comply with development standards similar to those in surrounding commercially-zoned properties, the impact on property values for the surrounding area should be positive rather than negative.

e. Responsible Growth:

The planning staff has determined that the public infrastructure has been designed for this scale of development, this is a responsible growth and development pattern that can be supported by the current and planned infrastructure and utilities in the area.

STAFF RECOMMENDATION: Favorable recommendation on the proposed rezoning from BH – Business Highway to IL- Light Industrial, with the following conditions:

1. The property shall comply with the development standards for the BH – Business Highway zoning district, as that is the zoning district of the adjoining properties.

Rezone (Zoning Map Amendment): PC 2018-18: Hubler Property Rezone

FINDINGS OF FACT BY THE SHELBYVILLE PLAN COMMISSION

Staff Prepared

Motion:

(I) would like to make a motion to forward a favorable recommendation for the rezone petition presented before this body, rezoning from BN – Business Neighborhood to IS - Institutional, pursuant to the planning staff’s report and Findings of Fact.

- 1. The Plan Commission has paid reasonable regard to, and finds that the proposed rezone is consistent with The City of Shelbyville Comprehensive Plan and all other applicable, adopted planning studies or reports.
- The Plan Commission has paid reasonable regard to, and finds that the proposed rezone **is not** consistent with The City of Shelbyville Comprehensive Plan and all other applicable, adopted planning studies or reports.
- 2. The Plan Commission has paid reasonable regard to, and finds that the proposed rezone is complimentary to the current conditions and the character of current structures and uses in this zoning district.
- The Plan Commission has paid reasonable regard to, and finds that the proposed rezone **is not** complimentary to the current conditions and the character of current structures and uses in this zoning district.
- 3. The Plan Commission has paid reasonable regard to, and finds that the proposed rezone will allow for the most desirable use of the subject land, pursuant to the planning staff’s report.
- The Plan Commission has paid reasonable regard to, and finds that the proposed rezone **will not** allow for the most desirable use of the subject land, pursuant to the planning staff’s report.
- 4. The Plan Commission has paid reasonable regard to, and finds that the proposed rezone will not have an adverse negative affect on the conservation of property values throughout the City of Shelbyville’s planning jurisdiction, pursuant to the planning staff’s report.
- The Plan Commission has paid reasonable regard to, and finds that the proposed rezone **will** have an adverse negative affect on the conservation of property values throughout the City of Shelbyville’s planning jurisdiction, pursuant to the planning staff’s report.
- 5. The Plan Commission has paid reasonable regard to, and finds that the proposed rezone is a responsible growth and development strategy for the City of Shelbyville’s planning jurisdiction, pursuant to the planning staff’s report.
- The Plan Commission has paid reasonable regard to, and finds that the proposed rezone is not a responsible growth and development strategy for the City of Shelbyville’s planning jurisdiction, pursuant to the planning staff’s report.

Shelbyville Plan Commission

By: _____

Attest: _____

Chairperson

Secretary