

CITY OF SHELBYVILLE

Adam M Rude
Director



Allan Henderson
Deputy Director

PLAN COMMISSION

MEETING DATE: 10/23/2023

Case Number & Name:	PC 2023-17; State Road 44 Multi-tenant Commercial Building; SDP			
Petitioner's Name:	Kolbrook Design			
Owner's Name:	MAP Shelbyville LLC			
Petitioner's Representative:	Steven Kolber, Kolbrook Design			
Address of Property:	1830 State Road 44, Shelbyville, IN			
Subject Property Zoning Classification:	BH – Business Highway			
Comprehensive Future Land use:	Gateway/Mixed Use			
	North	East	South	West
Surrounding Properties' Zoning Classifications:	BH – Business Highway	BH – Business Highway	BH – Business Highway	BH – Business Highway
Surrounding Properties' Future Land Use	Gateway/Mixed Use	Gateway/Mixed Use	Gateway/Mixed Use	Gateway/Mixed Use
History:	This property is part of the Rivergate Development that houses Hibbett Sports, Anytime Fitness, Choulas, the Bureau of Motor Vehicles to name a few. The property owner would like to subdivide the 8.93 acre site to create a one acre outlot to build a multi-tenant building.			
Vicinity Map:				
Action Requested:	A request for Site Development Plan approval for the construction of multi-tenant commercial building.			

Facts of the Case:

- The petitioner is proposing to construct a 3,000 square foot multi-tenant commercial building on approximately 1-acre. The building will have two (2) retail facilities of 1,500 square feet each, one with a drive-thru.
- The platting of the 1-acre parcel is currently being reviewed by the Plat Committee.

1. The Zoning Ordinance (Section 9.05 (F) (5)) requires the Plan Commission make Findings of Fact that the Site Development Plan:

- a. **Is consistent with the City of Shelbyville Comprehensive Plan:**

The planning staff has determined the subject petition is consistent with the goals of the Comprehensive Plan. A focus of the Comprehensive Plan is:

Community and Society

Objective 4: Invest in improving Our Quality of Life

Action 1: Identify quality of life elements within the CIP plan.

Built Environment

Objective 2: Guide Healthy development patterns using the Future Land Use Map

Action 3: Target mixed-use flexibility for gateway development.

Commerce and Economy

Objective 5: Support Local Business Retention and Creation.

The site for this subject petition is located along State Road 44 which has been designed as a mix of commercial and retail services. The projected future occupants of the multi-tenant building are a good mix for the other commercial businesses located along this corridor.

- b. **Meets the Technical Review Committee's expectations for best practices and quality design:**

The Technical Review Committee reviewed the site development plan against their applicable standards. The petitioner has responded and addressed the Technical Review Committee's comments.

This project went to the Technical Review Committee on September 26th, 2023, where the petitioner was able to present their project and answer questions of the committee members. Since that time, the petitioner has addressed all comments and corrections identified by the committee members, aside from providing a full Drainage Report and a Landscape Plan. Both documents will require review before full approval can be granted. For this reason, Planning Staff will be recommending Continuance until the City Engineering Department reviews and approves a drainage plan and report and the Planning Department reviews and approves a landscape plan.

- c. **Satisfies the applicable requirements of Article 2: Zoning Districts:**

The planning staff has determined the subject petition is consistent with the BH – Business Highway district established for along State Road 44. The BH – Business Highway district is intended to provide areas for businesses that either service travelers or require immediate access to high-volume streets for the delivery of goods and services. The City of Shelbyville

has strived to create areas for highway serving businesses and prevent conflict with residential or industrial uses. The State Road 44 commercial corridor is one of these areas.

d. Satisfies the applicable requirements of Article 5: Development Standards:

Planning Staff has worked with the petitioner to satisfy the standards of Article 5 of the Unified Development Ordinance.

Architectural Standards: Architectural Standards are detailed in UDO 5.08 Institutional and Business Architectural Standards. The project is meeting the architectural standards for each façade of the building by providing numerous façade projections, material changes, and the incorporation of vertical and horizontal breaks in the façade. In addition, the proposed development incorporates one required design feature in the roof of the building, meeting that requirement as well. Finally, the development is utilizing overhangs, display windows and recesses to satisfy the Entryway Standards. The proposed development meets or exceeds all the applicable Architectural Standards.

Commercial Standards: Commercial Standards are detailed in UDO 5.09 Commercial Standards. The project is meeting the commercial standards for the site by providing sidewalks around the entire building and sidewalks that will connect to future sidewalks in surrounding developments. In addition, the design provides weather protection over both customer entrances to the buildings. The proposed development meets or exceeds all the applicable Commercial Standards.

Entrance and Drive Standards: Entrance and Drive Standards are detailed in UDO 5.15 Non-residential Driveway Standards. These standards specify an access road shall be at least twenty (20) feet wide, but not exceed twelve (12) feet per lane and thirty-six (36) feet in overall width. The building is not proposing a driveway cut onto a major throughfare or local road but is gaining access from the adjoining parking lot of the Rivergate Development. The proposed internal access drive is twenty-six (26) feet in width, under the thirty-six (36) foot maximum. The proposed development meets or exceeds the applicable Entrance and Drive Standards. petitioner is satisfying all applicable Entrance and Drive Standards.

Landscaping Standards: Landscape Standards are detailed in UDO 5.31 General Landscape Standards, 5.32 Non-Residential Landscape Standards, 5.35 Parking Lot Landscape Standards and 5.37 Landscape Screening Standards. A Landscape Plan was not submitted with civil plan set. For this reason, the Planning Staff will be recommending Continuance until the Planning Department reviews and approves a Landscape Plan.

Parking Standards: Parking Standards are detailed in UDO 5.52 Non-residential Parking Standards. The standards specify that one (1) parking space be provided for every four (4) seats in a restaurant and one (1) space for every employee working on the largest shift. There will be eight (8) seats in each retail space for a total of sixteen (16) seats requiring four (4) parking spots and four (4) employees in each retail space for a total of eight (8) employees requiring a total of eight (8) parking spaces. A total of twelve (12) parking spaces are required. A total of twenty (20) parking spaces are being provided. The petitioner is satisfying all applicable Non-residential Parking Standards.

Other Standards: The planning staff has conducted numerous reviews of this project and all other applicable standards within Article 5 of the UDO have been satisfied.

e. Satisfies the applicable requirements of Article 6: Design Standards

Article 6: Design Standards provides the standards for all subdivisions and generally apply to the construction of residential planned unit developments with public improvements. Article 6: Design Standards do not apply to this project.

f. Satisfies any other applicable provisions of the Unified Development Ordinance.

All other applicable provisions of the Unified Development Ordinance are satisfied by the submitted civil plans.

STAFF RECOMMENDATION: CONTINUANCE

Site Development Plan: PC 2023-17; Multi-tenant Commercial Building; SDP

Findings of Fact by the Shelbyville Plan Commission

Staff Prepared

Motion:

(I) would like to make a motion to approve the site development plan as presented to this body, incorporating the proposed conditions, pursuant to the planning staff's report and Findings of Fact.

1. ☐ The site development plan is consistent with the *City of Shelbyville Comprehensive Plan* as outlined in the planning staff's report.
☐ The site development plan is **not** consistent with the *City of Shelbyville Comprehensive Plan*, as outlined in the planning staff's report.
2. ☐ The site development plan meets the Technical Review Committee's expectations for best practices and quality design, as outlined in the planning staff's report, as outlined in the planning staff's report.
☐ The site development plan **does not** meet the Technical Review Committee's expectations for best practices and quality design, as outlined in the planning staff's report, as outlined in the planning staff's report
3. ☐ The site development plan satisfies the applicable requirements of Article 2: *Zoning Districts*, as outlined in the planning staff's report.
☐ The site development plan **does not** satisfy the applicable requirements of Article 2: *Zoning Districts*, as outlined in the planning staff's report.
4. ☐ The site development plan satisfies the applicable requirements of Article 5: *Development Standards*, as outlined in the planning staff's report.
☐ The site development plan **does not** satisfy the applicable requirements of Article 5: *Development Standards*, as outlined in the planning staff's report.
5. ☐ The site development plan satisfies the applicable requirements of Article 6: *Design Standards*, as outlined in the planning staff's report.
☐ The site development plan **does not** satisfy the applicable requirements of Article 6: *Design Standards*, as outlined by the planning staff's report.
6. ☐ This site development plan satisfies all other applicable provision of the *Unified Development Ordinance*, as outlined by the planning staff's report.
☐ The site development plan **does not** satisfy all other applicable provision of the *Unified Development Ordinance*, as outlined in the planning staff's report.

Additional Conditions Imposed by the Shelbyville Plan Commission:

- 1.
- 2.
- 3.

Shelbyville Plan Commission

By: _____

Chairperson / Presiding Officer

Attest: _____

Adam M. Rude, Secretary



SITE DEVELOPMENT PLAN APPLICATION

Shelbyville Planning & Building Department
44 West Washington Street
Shelbyville, IN 46176
P: 317.392.5102

For Office Use Only:

Case #: PC _____ - _____

Hearing Date: _____

Fees Paid: \$ _____

Final Decision:

Approved

Denied

1.

Applicant

Name: STEVEN KOLBER
Address: 828 DAVIS ST. STE 300
EVANSTON, IL 60201
Phone Number: _____
Fax Number: _____
Email: SKOLBER@KOLBROOK.COM

Property Owners Information (if different than Applicant)

Name: MAP SHELBYVILLE LLC
Address: 1814 E. STATE RD. 44
SHELBYVILLE, IN
Phone Number: _____
Fax Number: _____
Email: MHIGHUM@MIDLANDATLANTIC.US

2.

Applicant's Attorney/Representative

Name: _____
Address: _____
Phone Number: _____
Fax Number: _____
Email: _____

Project Engineer

Name: ENGINEERING SOURCE ASSOC.
Address: 33701 WEST AVE.
WARRENVILLE, IL 60555
Phone Number: _____
Fax Number: _____
Email: NVARCHETTO@EPACONSULTANTS.COM

3. Project Information:

General Location of Property (and address is applicable): MULTI TENANT BUILDING W/ DRIVE
THRU - 1814 STATE RD. SHELBYVILLE, IN
Current Zoning: _____
Proposed Zoning: _____

Existing Use of Property: VACANT
Proposed Use: MULTI TENANT BLDG W/ DRIVE THRU

4. Attachments

- ☒ Affidavit and Consent of Property Owner (if applicable)
☐ Proof of Ownership (copy of deed, recent property card)
☐ Letter of Intent
☒ Civil Plans as prescribed in UDO 9.05
☐ Vicinity Map

- ☐ Lighting Plan
☐ Landscaping Plan
☐ Drainage Plan and Report
☐ Dimensioned Site Plan
☐ Filling Fee

The undersigned states the above information is true and correct as s/he is informed and believes.

Applicant: [Signature] Date: 9-14-23

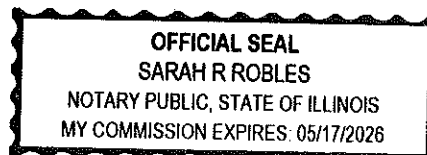
State of Illinois
County of DuPage SS:

Subscribed and sworn to before me this 14th day of September, 2023

[Signature] SARAH R. ROBLES
Notary Public Printed

Residing in DuPage County.

My Commission Expires: 5-17-2026





TECHNICAL REVIEW SUBMITTAL

Shelbyville Planning & Building Department
44 West Washington Street
Shelbyville, IN 46176
P: 317.392.5102

Project Name: MULTI TENANT BUILDING

Applicant:

Name: STEVEN KOLBER - ARCHITECT
Address: 828 DAVIS ST. STE 300
EVANSTON, IL 60201
Phone Number: 630-300-4699
Fax Number: _____

MAP SHELBYVILLE, LLC
Owner: MORGAN HIGHUM
Name: ~~MAP SHELBYVILLE, LLC~~
Address: 3801 E 82ND ST. STE B.
INDIANAPOLIS, IN 46240
Phone Number: 317-597-1720
Fax Number: _____

Project Designer:

Name: KOLBROOK DESIGN, INC.
Address: 828 DAVIS ST. STE 300
EVANSTON, IL 60201
Phone Number: 630-300-4699
Fax Number: _____

Address or Location of Property:

1814 STATE ROAD, SHELBYVILLE, IN

Type of Review

☐

- ☐ Major Subdivision Preliminary Plat
- ☐ Minor Subdivision Preliminary Plat
- ☒ Site Development Plan
- ☐ Planned Unit Development Conceptual Plans
- ☐ Planned Unit Development Detail Plans
- ☐ Construction Plans
- ☐ Others _____

Contact of Representative for the Project

(AGENT FOR CONTRACT PURCHASER)

Name: STEVEN KOLBER Address (if not listed above): _____

Phone Number: 630-300-4699 _____

Email: SKOLBER@KOLBROOK.COM Preferred Method of Contact: ☒ Email or ☐ Phone

AFFIDAVIT & CONSENT OF PROPERTY OWNER
APPLICATION TO THE SHELBYVILLE PLAN COMMISSION

STATE OF INDIANA
COUNTY OF MARION) SS:

I, MMP Shelbyville, LLC, AFTER BEING DULY SWORN, DEPOSE AND SAY THE
(Name of property owner)
FOLLOWING:

1. That I am the owner of real estate located at 1814 E. State Road 44, Shelbyville, IN 46176,
(Address of subject property)
2. That I have read and examined the Application made to the Shelbyville Plan Commission by:
Steven Kolber
(Name of applicant)
3. That I have no objections to, and consent to the request(s) described in the Application made to the Shelbyville Plan Commission.



T. Aaron Bey
Owner's Name (Please Print)

T. C.
Owner's Signature

Subscribed and sworn to before me this 12th day of September, 2023.

Morgan Highum / Morgan Highum
Notary Public Printed

Residing in Marion County My Commission expires May 14, 2030