



Planning Commission City of Crawfordsville, Indiana

City Building
300 E. Pike Street, 2nd Floor
Crawfordsville, IN 47933

March 19, 2024 at 5:00 PM Meeting Minutes

The Crawfordsville Plan Commission met in regular session on March 19, 2024 at 5:00 p.m. Members present for the meeting were Troy Swan, Stan Hamilton, Sally Evans, Joyce Burnette, and Jared McMurry. Members Ron Henricks and Gerry Turner were not present. Others in attendance were: Megan Huckstep, Director of Planning & Building Services; Tyler Nichols, City Attorney of Taylor, Minnette, Schneider & Clutter; and Kathryn Fisher, Executive Assistant, Planning & Building Services.

Plan Commission President Joyce Burnette called the meeting to order at 5:00 p.m. and the roll was called.

Meeting minutes from February 20, 2024 were presented. Stan Hamilton moved to approve the minutes as presented. Jared McMurry seconded. Motion passed 5-0.

With no items of old business, the Commission proceeded with items of new business. Planning Director Megan Huckstep reviewed the staff report for petition RZ 0022, which was a request to rezone property located at 605 W Market Street from R-2, residential to B-3, business. She stated that the vacant building currently on site had historically been a grocery store. Ms. Huckstep reported that the property is surrounded by R-2, residential to the north, east, and west and that the property to the south is zoned R-1, residential. She noted that the property is located on US Highway 136, which is a heavily traveled thoroughfare and that any changes in use would require INDOT approvals due to the right-of-way access to the property from the state road. She further stated that any access to the site from the adjoining alley would require Crawfordsville Street Department approval. Ms. Huckstep reported no known environmental, police, fire, or emergency issues at this time. She briefly reviewed the recent history of the property, noting that in April 2023, the BZA denied a request for a multi-tenant retail development. Ms. Huckstep reported that after the denial, City Staff met with the owner to discuss growth and development in the area, as well as possible uses for the site. In November 2023, the BZA denied a request for self-service storage units. The findings of fact are as follows:

1. *Whether the rezoning will fulfill a public need for that type of land use;*

The Petitioner has a use identified, which is storage units. While staff understands there are many in the community always looking for specific types of storage, staff does not have plans to know if rezoning this land could fit that need. There is a significant need for housing in the community and the property is zoned for residential purposes.

2. *Whether the rezoning is appropriate in the area requested or if the public interest would be better served by rezoning another area of the jurisdiction;*

Rezoning the property to B-3, business is not appropriate in the area requested. The property is surrounded by R-1 and R-2, residential zoning districts and is surrounded by



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single and two-family residential dwellings. A storage facility in this area would be a direct conflict with the residential neighborhoods and would not be in the interest of the public, some who have personally voiced their concerns in letters and in previous meetings.

3. *Whether the rezoning conforms to the future land use map in the Comprehensive Plan;*

This area is identified as Residential Neighborhoods in the Comprehensive Plan, therefore approval of the rezoning to B-3 would be in direct conflict with the Future Land Use Map.

4. *Whether the new land use will complement the present and future traffic flows or would the rezoning cause an adverse impact;*

This property has historically had a low to moderate traffic impact; however with the potential use change being on a state road, INDOT would have input into any new development plans. A new use will likely not cause any more intense traffic flow to Market Street than it currently receives; however rezoning the property to B-3 could open the property to many new business uses which could have an adverse effect on the neighboring properties as well as to the existing traffic patterns.

5. *Whether adequate off street parking will be provided if the rezoning request is granted;*

The property would be required to meet the off-street parking requirements if the rezoning is granted or a variance from the parking requirements would be necessary from the Board of Zoning Appeals.

6. *Whether potential inconveniences and nuisances (such as noise, lights, odors, etc.) of the rezoning request on adjacent landowners have been adequately considered;*

With the size of the lot, and the proximity of the lot and structures to the neighboring residential properties, there could be potential effects on the neighboring properties. While the residents have known this property to be either a grocery store or a vacant building either while they have lived in their homes or when they purchased their properties, the property has been zoned R-2, residential and rezoning the property to business could open the property to uses that will have a significant impact and cause a nuisance in many ways including noise, light, odor to the adjoining and adjacent residential properties.

7. *Whether there are adequate public utilities and services available to the land if rezoned, and whether the local government will have to pay the cost of any such installation, and;*



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Public utilities and services should be available and sufficient to the property already. The City will not be responsible for any new utilities or services. It would be the responsibility of the owner or developer.

8. *Whether it is assured that the rezoning request is not spot zoning, a violation of precedents, or arbitrary and capricious.*

Rezoning this property could be considered spot zoning because it is surrounded by R-1 and R-2, Residential zoning districts. Staff will note that a draft of the new Unified Development Ordinance has been received and would include entirely new zoning classifications for the entire city limits; however, it is believed that this area will remain residential core zoning classification.

Ms. Huckstep stated based upon the findings of fact, Staff would recommend the Plan Commission send the request to rezone to the City Council with an unfavorable recommendation. She further recommended that should the Commission feel inclined to forward the request with a favorable recommendation, they do so with the recommendation that the Petitioner submit a site plan that Council could review and in addition Staff would recommend that Plan Commission or City Council exclude certain uses in the B-3 zoning district.

Attorney Dave Peebles came forward representing the Petitioner. Mr. Peebles prompted the Petitioner to explain how he came to request to rezone the property. The Petitioner explained that he had operated Food for Less and Dollar Plus at the location prior to it sitting vacant. The Petitioner felt that self-storage was a need in the community. Mr. Peebles asked the Petitioner if he felt housing at the location would return the investment he had made into the property. The Petitioner indicated that he did not feel that it would. Additionally, he reported to be spending up to \$1,200 per month on bills associated with the property. Mr. Peebles called on Melvin Wright, who would build the storage units should the rezone be approved. Mr. Wright indicated that in his experience, self-storage was a need in the community.

At 5:21 p.m. the meeting opened for public comment. Neighboring property owner, Jon Baer, came forward in opposition of the request. Mr. Baer felt that the Petitioner had made a bad investment and in trying to recoup some of his loss, was inappropriately offloading that burden onto the City and the surrounding property owners. He urged the Commission to follow the BZA's lead and send an unfavorable recommendation to City Council.

Neighboring property owner, Gary Ross, came forward in opposition of the request. Mr. Ross felt that approving the request would be detrimental to property values in the area.

Neighboring property owner, Cathie Randles, came forward in opposition of the request. Ms. Randles felt that the condition of the building located on the property was unsafe. Additionally, she had traffic concerns, particularly with bus routes in the area.



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Neighboring property owner, Carolyn Baer came forward in opposition of the request. Ms. Baer felt that the condition of the property had been declining for quite some time. She felt that this could be an opportunity to use this property for residential as intended. Ms. Baer expressed to the Commission how much pride the property owners in the area take in their community by hosting events such as Trick-or-Treat on Main Street because they value children, families, and safety. She felt that residential was the appropriate use for this property. Ms. Baer urged the Commission to forward the request with an unfavorable recommendation. The meeting closed for public comment at 5:31 p.m.

After brief discussion amongst the Commission, Troy Swan moved to forward the request to rezone 605 W Market Street from R-2, residential to B-3, business to City Council with an unfavorable recommendation. Sally Evans seconded. Motion passed 5-0.

Continuing with items of new business, Ms. Huckstep reviewed the staff report for RZ 0023, which was a request to rezone property located at 301 W Market Street from R-3, residential to B-2, business. She reported that the current use of the property was a gas station/convenience store, which the Petitioner had received a use variance from the Board of Zoning appeals to operate in 2015. Ms. Huckstep reported that the property was located on the corner of West Market Street and Grant Avenue, which was a heavily traveled intersection. She reported no known environmental, police, fire, emergency, or drainage issues. The findings of fact are as follows:

1. ***Whether the rezoning will fulfill a public need for that type of land use;***
The site is already developed and being used for the intended use. The gas station/convenience store is fulfilling a public need.
2. ***Whether the rezoning is appropriate in the area requested or if the public interest would be better served by rezoning another area of the jurisdiction;***
The likely does not comply entirely with the Zoning Ordinance; therefore it is currently legal, non-conforming since it received a use variance from the Zoning Ordinance. Should the property be rezoned, and the use change or the site ever redeveloped, it would likely require variances from the lot and yard requirements and potentially from parking requirements.
3. ***Whether the rezoning conforms to the future land use map in the Comprehensive Plan;***
This area is identified as Residential Neighborhood in the Comprehensive Plan; therefore the rezoning would conflict with future land use map.
4. ***Whether the new land use will complement the present and future traffic flows or would the rezoning cause an adverse impact;***
The property is already developed and being used as a gas station/convenience store; therefore traffic should not be altered since the use will continue. If the property is rezoned and the property was sold or the Petitioner was interested in changing the use



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of the property, traffic could be adversely impacted. There is access from a state road as well as a city street where approvals would be required for any use changes.

5. *Whether adequate off street parking will be provided if the rezoning request is granted;*

The property was already developed prior to the current zoning ordinance. While the property does have off-street parking, it is unclear whether it meets the current off-street parking requirements.

6. *Whether potential inconveniences and nuisances (such as noise, lights, odors, etc.) of the rezoning request on adjacent landowners have been adequately considered;*

These nuisances were considered during the variance requests by the Board of Zoning Appeals for both the use as well as the sign. Should the property be rezoned to B-2, the uses in the B-2 zoning district will be permitted regardless of such inconveniences and nuisances and the adjacent and adjoining property owners will not have an opportunity to voice their opinions of the requirements of the Zoning Ordinance are all met.

7. *Whether there are adequate public utilities and services available to the land if rezoned, and whether the local government will have to pay the cost of any such installation, and;*

Public utilities and services are already available and sufficient for the property since it has been operational since 2015 under the current ownership.

8. *Whether it is assured that the rezoning request is not spot zoning, a violation of precedents, or arbitrary and capricious.*

The rezoning request could be considered spot zoning since there is no B-2 zoning adjacent or adjoining to the property; however there is a B-3 zoning district adjacent to the property. In addition, there is a home occupation business that operates directly to the east of the property as well. The B-2 zoning district would be a little more restrictive than the B-3 zoning district.

Ms. Huckstep stated based on the findings of fact, Staff would recommend forward the request to City Council with no recommendation.

Mr. Peebles came forward representing the Petitioner. He prompted the Petitioner to explain his desire for the request. The Petitioner felt that the rezoning would help with signage issues he was experiencing in order to market his business. Ms. Huckstep clarified that there would still be signage standards to follow and necessary approvals for either permanent or temporary signage should the rezoning be approved. She urged the Petitioner to submit any plans to the Department of Planning and Building Services for review regardless of the outcome of the rezoning request.



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With no members of the public present to offer comment, the Commission moved to deliberation. After brief discussion, Troy Swan moved to forward the request to rezone 301 W Market Street from R-3, residential to B-2, business with no recommendation. Jared McMurry seconded. Motion passed 5-0.

With no further business, the meeting adjourned at 6:09 p.m.

Minutes Approved: _____

Joyce Burnette

President

Pat 2

Member

Don Hsueks

Member

Stan Hamilton

Member

Salley Mahi

Member

JMF

Member

Member

Member