

## **STAFF REPORT**

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**CASE NUMBER:** PC 2020-01  
**CASE NAME:** O'Reilly's Auto Parts Site Development

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### **GENERAL INFORMATION**

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Applicant:	Brewer Development Co, LLC. 449 S Ashland Ave., Ste 201 Lexington, KY 40502 (859) 475-3931
Property Owner:	Groub II LLC C/O Jay C Food Stores 710 West Drive Seymour, IN 47274
Acreage:	1.35 Acres (approximately 278' x 212')
Zoning District:	GB- General Business & Highway Corridor Overlay
Legal Description:	Lot 3 - John C Groub Minor Plat (Q/22D)
Parcel Number:	03-05-04-140-000.100-023
Current Land Use:	Vacant

### **CASE DESCRIPTION**

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This case comes before the Plan Commission as established in Division 3, §156. 132 which requires approval by the Plan Commission for "any proposed or revised development plan or structure or structural alteration in the U.S. 31 and S.R. 252 Corridor Overlay Zone Districts".

The board is to consider a petition by Brewer Development Company, LLC, for the development of a vacant lot within the Highway Corridor Overlay District which will include a new 7,225 square foot commercial structure and parking area having access via a Private Drive from S Eisenhower Drive.

Petitioner is requesting the Plan Commission to consider and approve its proposed development plans and waive requirements of the Town Subdivision Control Ordinance Division 3, §156.133 (2) & §156.133 (4).

## DEFECTIVE NOTICE

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Petitioner has not satisfied all legal and public notifications specified in the Town of Edinburgh Plan Commission Rules and Procedures.

Therefore, since proper notice has not been given, the Commission shall continue the petition until a later date to allow time for unnotified persons to prepare for the hearing.

## CONSIDERATIONS

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1. Petitioner has submitted a written request that the Plan Commission conduct a Special Meeting between its regular scheduled monthly meeting for this case to be heard in order to expedite the project.
2. **Article II, Section 5** of the Rules and Procedures for The Planning Commission makes provision for Special Meeting stating; "Special meetings shall be held upon call of the President, written request by two Commission members or as determined at a regular meeting. All members shall be notified of the time and place of a special meeting. Only matters included in the call for a special or emergency meeting shall be considered. Notice shall be given in the same manner as required for regular meetings."
3. Should the Commission consider holding a Special Meeting, it should be scheduled to allow proper legal and public notifications specified in the Town of Edinburgh Plan Commission Rules and Procedures
4. **Article II, Section 11 (d)** states; "The Commission may, at any time, in its own discretion, continue the hearing of any petition. On its own motion, the Commission may determine if re-notification of interested property owners shall be required if a petition is continued at a hearing for which proper notice was given by the petitioner in compliance with the notice requirements."

Respectfully Submitted.



Wade Watson  
Building Commissioner  
Town of Edinburgh