

PLANNING COMMISSION
TOWN OF EDINBURGH
107 S. Holland St.
Edinburgh, IN 46124

STAFF REPORT
PC 2024– 03
February 14, 2024

STAFF REPORT

CASE NUMBER: PC 2024-03 HCOD
CASE NAME: Michael Tetrick

GENERAL INFORMATION

Applicant: Michael Tetrick
7590 E. State Road 252
Edinburgh, IN 46124

Property Owner: Michael L. Tetrick Jr & John David Tingle
7590 E. State Road 252
Edinburgh, IN 46124

Property Address: N. Kyle Street

Acreage: 0.29 Acres

Zoning District: R4- Medium Density Residential & Highway Corridor Overlay

Legal Description: Lot 2 – Tetrick Minor Subdivision

Parcel Number: 41-12-34-021-124.000-002

Current Land Use: Vacant

FEMA Flood Plain: Subject Property does not exist within a designated floodplain area

PROPERTY DESCRIPTION

The property is located at N. Kyle Street, Edinburgh, Indiana 46124, having its legal description as Lot Number Two (2) in The Tetrick Minor Subdivision.

REQUEST:

Case PC 2024-03 N. Kyle St. Highway Corridor Overlay. A petition by Michael Tetrick for the proposed site development of a vacant lot within the Highway Corridor Overlay District which will include a new 2,400 square foot duplex having access from N. Kyle Street.

SURROUNDING ZONING:**SURROUNDING LAND USE:**

North: R4/R1:
South: R4:
East: R4:
West: R4/Open Industrial:

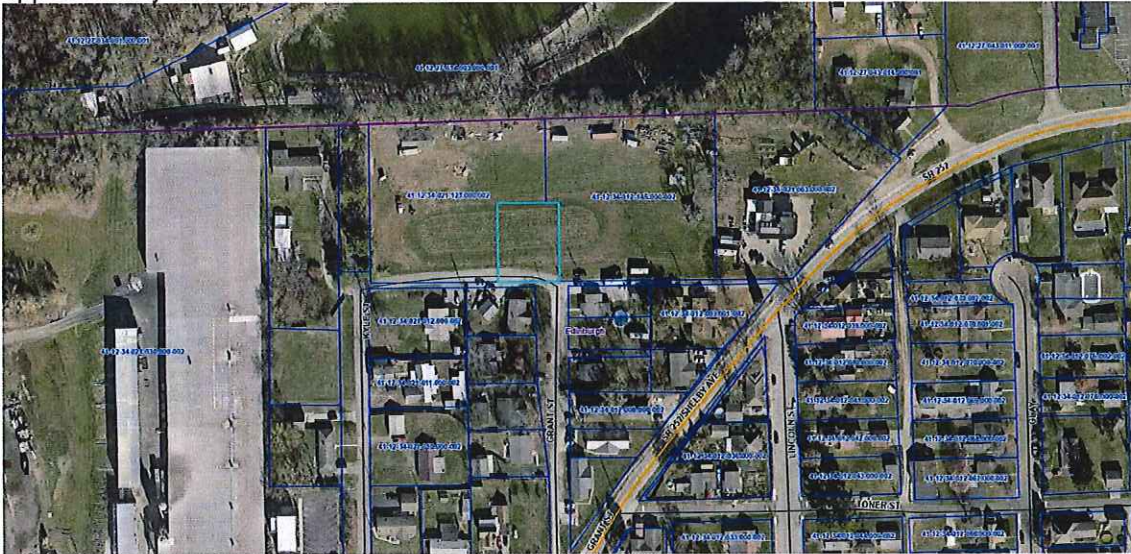
Residential/Open Space
Residential
Residential
Residential & Industrial

DOCUMENTATION REQUIREMENTS, LEGAL AND PUBLIC NOTIFICATIONS:

The Petitioner has satisfied all documentation requirements, legal and public notifications specified in the Town of Edinburgh Plan Commission Application Packet.

PROJECT LOCATION

The subject property is located on N Kyle Street, Edinburgh, IN 46124. The property is approximately one block west of SR 252.

**CASE DESCRIPTION**

This case comes before the Plan Commission as established in Division 3, §156.132 which requires "Plan Commission approval of architectural design, landscaping, drainage, sewerage, parking, signage, lighting and access to the property shall be necessary prior to: (1) the establishment of any use of the land; (2) the issuance of any improvement location permit; (3) the erection, construction or structural alteration of any building(s) in the U.S. 31 and S.R. 252 Corridor Overlay Zone Districts..."

The board is to consider a petition by Michael Tetrick for the proposed site development of a vacant lot within the Highway Corridor Overlay District which will include a new 2,400 square foot duplex having access from N. Kyle Street. The subject property is Lot 2 of the Tetrick Minor Subdivision, approved November 1, 2023 by the Edinburgh Plan Commission.

A duplex is a permitted use in the R4, Medium Density Residential Zoning District. Based on the site plan provided and the information available the site plan will meet the setback requirements of the R4 district. The setbacks would be verified prior to the issuance of permit.

The petitioner is requesting the Plan Commission to consider and approve its proposed development plan within the Highway Corridor Overlay District.

CURRENT ZONING:

"R4", Districts designated for residential use, "R-1", "R-2", "R-3", "R-4", "R-5, and "R-6: are limited to dwellings and public and semi-public uses which are normally associated with residential neighborhoods. The only uses permitted in the residential districts are those which would not detract from the residential character of the neighborhood. The purpose of these six districts is to create an attractive, stable, and orderly residential environment. However, the density standards, dwelling types and the lot and yard requirements are different in the each of the six districts to provide for the various housing needs and desires for citizens. In no case shall there be more than one principal building used for residential purposes and its accessory buildings located on one lot, except as otherwise provided in this ordinance. (Section 156.030, Zoning Ordinance)

"Highway Corridor Overlay District" The districts designated for highway corridor overlay zones establish standards for the design of sites, buildings, structures, plantings, signs street hardware and such other improvements that are visible to the public and affect the physical development of land within the US 31 and SR 252 Corridor Overlay Zone Districts. These standards are intended to promote high quality creative development that will combine imagination, innovation and variety in the appearance of buildings and sites in the overlay zone. These standards are further intended to preserve and enhance property values and to promote the public health, safety, and welfare by providing for consistent, and coordinated treatment of the property encompassed by the U.S. 31 and S.R. 252 Corridor Zone Districts. (Section 156.035, Zoning Ordinance)

CONSIDERATIONS

Plan Commission should review the following criteria when considering this petition and prior to issuing approval for the development of this site.

Highway Corridor Overlay District (HCOD)- ITEM #1

Consideration of the Architectural Design Standards

- a) Section 156.133 (2)(a) Exterior metal walls shall be prohibited on all buildings erected, constructed, altered, repaired or used in this Overlay Zone which abut or are adjacent to U.S. 31 and S.R. 252. Exceptions to this requirement may be permitted on a case by case basis by the Edinburgh Plan Commission or its duly appointed or designated representative.
- b) Section 156.133 (2)(b) Building facades may be constructed from masonry or glass, as defined below, or other materials or products which provide the same desired stability and quality. Products other than those listed below must be approved by the Edinburgh Plan Commission or its duly appointed or designated representative.

STAFF RECOMMENDATIONS for the Architectural Design

Based on the following considerations, staff recommends the Plan Commission **approve** the building design standards (Section 156.133(2)):

1. The proposed exterior treatment is a metal siding with a painted galvanized roof.
2. The exterior color scheme will be similar to the home located at 7590 E SR 252.
3. The ordinance prohibits metal walls on properties adjacent to SR 252 and requires masonry or glass materials on building facades.

Highway Corridor Overlay District (HCOD)- ITEM #2

CONSIDERATIONS for the Relationship of Buildings to Site

- a) Section 156.133(3)(c) Parking areas shall be treated with decorative elements, building wall extensions, plantings, berms, or other innovative means so as to attractively landscape and/or screen parking areas from view from public ways.

STAFF RECOMMENDATIONS for the Relationship of Building to Site

Based on the following considerations, staff recommends the Plan Commission **approve** the building design standards (Section 156.133(3)):

1. The proposed structure will meet the existing zoning district setbacks per the information provided as well as the height and scale requirements.
2. The petitioner has proposed parking in front of each unit.
3. Parking areas for residences are not typically screened from view from public ways.
4. The petitioner plans to provide direct drive access from the public way similar to other residential properties in the area.

Highway Corridor Overlay District (HCOD)- ITEM #3

CONSIDERATIONS for the Building Orientation

Section 156.133(4) All structures shall be sited to front onto Corridor Streets (as herein defined) or give the appearance of a frontlike facade on Corridor streets.

STAFF RECOMMENDATIONS for the Building Orientation

Based on the following considerations, staff recommends the Plan Commission **approve** the building design standards (Section 156.133(4)):

1. The proposed structure will front onto N. Kyle St.
2. The subject property does not access the Corridor Street.
3. The subject property exists approximately 375' from SR 252/Shelby Ave.
4. The subject property is two properties removed from SR 252/Shelby Ave. The typical location for the front façade would be to orient towards N. Kyle Street.

Highway Corridor Overlay District (HCOD)- ITEM #4

CONSIDERATIONS for the Minimum Building Height Requirements

Section 156.133(5) All uses shall have a minimum building height of fourteen (14) feet with a minimum of ten (10) feet to the lowest eaves for a building with a gable, hip or gambrel roof.

STAFF RECOMMENDATIONS for the Minimum Building Height Requirements

Based on the following considerations, staff recommends the Plan Commission **approve** the building design standards (Section 156.133(5)):

1. The proposed structure is planned to have a 12' side wall with a 19' roof peak, which is more typical in scale for single story residential buildings.

Highway Corridor Overlay District (HCOD)- ITEM #4

CONSIDERATIONS for the Landscape Plan

Section 156.135

(1) A landscaping plan shall be submitted to the Plan Commission for its approval at the same time other plans are submitted. This plan shall be drawn to scale, including dimensions and distances, shall delineate all existing and proposed structures, private parking areas, walks, ramps for handicapped, terraces, driveways, signs, lighting standards, steps and other similar structures: and shall delineate the location, size, and description of all landscape materials. Landscape treatment for plazas, roads, paths, service and private parking areas shall be designed as an integral and coordinated part of the landscape plan for the entire lot.

- a) Section 156.135 (2) Areas to be Landscaped: Greenbelt, Planting Adjacent to Free-Standing Buildings, Peripheral Planting, and Planting Within Parking Lots.
- b) Section 156.135 (3)(a) The interior dimensions, specifications and design of any planting area or planting medium proposed to be constructed shall be sufficient to protect the landscaping materials planted therein and to provide for proper growth.
- c) Section 156.135 (3)(b) The primary landscaping materials used in the Greenbelt and adjacent to buildings shall consist of one or a combination of the following: shade trees, ornamental trees, shrubs, ground covers, grass, mulches, etc.
- d) Section 156.135 (3)(c) The primary landscaping materials used in and around private parking areas shall be trees which provide shade at maturity. Shrubbery, hedges, and other planting material may be used to compliment tree landscaping, but shall not be the sole contribution to the landscaping.
- e) Section 156.135 (3)(d) All shade trees proposed to be used in accordance with any landscaping plan shall be a minimum of eight feet in overall height and have a minimum trunk diameter, twelve (12) inches above the ground of two (2) inches upon planting. They should be of a variety which will attain an average mature spread greater than twenty (20) feet.
- f) Section 156.135 (3)(e) Landscaping materials selected should be appropriate to local growing and climatic conditions. Wherever appropriate existing trees should be conserved and integrated into the landscaping plan. Plant material shall be selected for interest in its structure, texture, and other hardy plants that are harmonious to the design, and of good appearance shall be used.

- g) Section 156.135 (3)(f) The landscaping plan shall ensure that sight distances are not obstructed for drivers of motor vehicles.
- h) Section 156.135 (3)(g) Where natural or existing topographic patterns contribute to beauty and utility of a development, they shall be preserved and developed. Modification to topography shall be permitted where it contributes to good appearance.
- i) Section 156.135 (3)(h) Grades of walks, parking spaces, terraces, and other paved areas shall provide an inviting and stable appearance for walking and, if seating is provided, for sitting.
- j) Section 156.135 (3)(i) Landscape treatment shall be provided to enhance architectural features, strengthening vistas and important axes, and provide shade. Spectacular effects shall be reserved for special locations only.
- k) Section 156.135 (3)(j) Unity of design shall be achieved by repetition of certain plant varieties and other materials and by correlation with adjacent developments.
- l) Section 156.135 (3)(k) In locations where plants will be susceptible to injury by pedestrian or motor traffic, they shall be protected by appropriate curbs, tree guards, or other devices.
- m) Section 156.135 (3)(l) Where building sites limit planting, the placement of trees in parkways or paved areas is encouraged and the tree spread shall be a minimum of four (4) feet.
- n) Section 156.135 (3)(m) Screening of service yards and other places that tend to be unsightly shall be accomplished by use of walls, fencing, planting, or combinations of these. Screening shall be equally effective in winter and summer.
- o) Section 156.135 (3)(n) In areas where general planting will not prosper, other materials such as fences, walls, and pavings of wood, brick, stone, gravel, and cobbles shall be used. Carefully selected plants shall be combined with such materials where possible.
- p) Section 156.135 (3)(o) Miscellaneous structures and street hardware shall be designed to be part of the architectural concept of design and landscape. Materials shall be compatible with buildings, scale shall be good, colors shall be in harmony with buildings and surroundings, and proportions shall be attractive.
- q) Section 156.135 (3)(p) Lighting in connection with miscellaneous structures and street hardware shall meet the criteria applicable to site, landscape, buildings and signs.
- r) Section 156.135 (4)(a) Installation - All landscaping required by the approved landscaping plan shall be installed prior to the issuance of a building occupancy permit if said permit is issued during a planting season, or within six (6) months of the date an occupancy permit is issued if issued during a non-planting season.
- s) Section 156.135 (4)(b) Maintenance - It shall be the responsibility of the owners and their agents to insure proper maintenance of the landscaping, in accordance with the standards set by this Ordinance and as indicated on the landscaping plan which has been approved by the Plan Commission. This is to include, but is not limited to, replacing dead plantings with identical varieties or a suitable substitute, and keeping the area free of refuse and debris.
- t) Section 156.135 (4)(c) Changes after Approval - No landscaping which has been approved by the Plan Commission may later be altered, eliminated, or sacrificed, without first obtaining further Plan Commission approval.
- u) Section 156.135 (4)(d) Inspection - The Plan Commission, Building Commissioner, or their duly appointed representative, shall have the authority to visit any lot within U.S. 31

and S.R. 252 Overlay Zone Districts to inspect the landscaping and check it against the approved plan on file.

STAFF RECOMMENDATIONS for the Landscaping Plan

Based on the following considerations, staff recommends the Plan Commission **approve** the building design standards (Section 156.135):

1. Landscape plans are not typically submitted with residential plan sets.
2. Residential properties typically are subject to landscape requirements when the property is subject to Homeowners' Association membership.

Highway Corridor Overlay District (HCOD)- ITEM #5

CONSIDERATIONS for the Other Standards

1. Section 156.140 (4) Paving Requirements - All parking areas shall be finished with a hard surface such as asphalt or concrete.

STAFF RECOMMENDATIONS for the Other Standards

Based on the following considerations, staff recommends the Plan Commission **approve** the building design standards (Section 156.140(4)):

1. The petitioner is planning to provide gravel parking areas for the units. There would be a gravel drive for each unit.
2. Gravel drives are utilized by residents in the surrounding area.



Photograph of the Lot visible from N. Kyle St.

PLAN COMMISSION ACTION

The Plan Commission has the responsibility to review the petition as the property is located within the Highway Corridor Overlay District.

STAFF RECOMMENDATIONS

Based on these findings, staff recommends the Plan Commission approve the Tetrick Highway Corridor Overlay developmental project submittals dated January 11, 2024 subject to the following conditions:

1. That the Plan Commission grant a waiver of the requirements of the Town Zoning Ordinance **Division 3 §156.133 (2) a. and b.** to allow the use of the architectural exterior finishes as proposed,
2. That the Plan Commission grant a waiver of the requirements of the Town Zoning Ordinance **Division 3 §156.133 (3) c.** and thereby not requiring the parking areas to be

treated with decorative elements, building wall extensions, plantings, berms, or other innovative means so as to attractively landscape and/or screen parking areas from view from public ways,

3. That the Plan Commission grant a waiver of the requirements of the Town Zoning Ordinance **Division 3 §156.133 (4)** and thereby not requiring the structure to front onto a Corridor Street,
4. That the Plan Commission grant a waiver of the requirements of the Town Zoning Ordinance **Division 3 §156.133 (5)** and thereby not requiring the structure to meet the minimum building height requirement
5. That the Plan Commission grant a waiver of the requirements of the Town Zoning Ordinance **Division 3 §156.135** and thereby not requiring the development plan to meet the requirements of the landscape plan;
6. That the Plan Commission grant a waiver of the requirements of the Town Zoning Ordinance **Division 3 §156.140 (4)** and to allow the petitioner to install a gravel parking area;
7. That this decision is null and void should the Petitioner fail to develop and occupy the project within two (2) years of the date of the Plan Commission Findings of Fact;
8. That the project be compliant with all other developmental standards established in the Edinburgh Zoning Ordinances for development within the Highway Corridor Overlay District for which a waiver is not specifically granted,
9. That the structure be compliant with all applicable Building Codes adopted by the State of Indiana, and all other requirements of the Edinburgh Zoning Ordinances and,
10. That prior to commencement of any construction at the subject parcel, the Petitioner submit construction plans to the Town Building Official for review/approval and new permit issuance(s) by the Planning Department as applicable.
11. That this decision is only granted to this Petitioner, and any waiver of requirements granted shall not be transferable to any other development of this property not directly associated with this plan submittal.

Respectfully Submitted,



Julie Young, AICP
Town of Edinburgh
Planning Director