

# Town of Brownsburg

## Advisory Plan Commission

### Project Synopsis

**TO:** Advisory Plan Commission; and Tricia Leminger  
**CC:** Dale Kruse, Kruse Consulting  
**FROM:** Todd A. Barker, AICP  
**DATE:** May 21, 2012  
**RE:** CASE # PSDP-4-12-1101 Brownsburg Animal Clinic Primary Plat

**GENERAL INFORMATION:**

**APPLICANT:** Timea Brady

**STATUS OF APPLICATION:** Pending a Public Hearing at the Plan Commission

**REQUESTED ACTION:** Primary Plat Approval

**DATE OF APPLICATION:** April 15, 2012

**PURPOSE:** Combining two (2) parcels into one (1) buildable lot.

**PROPERTY ADDRESS:** 1557 East Main Street

**PARCEL ID:** 32-07-13-200-014.000-015 & 32-07-13-200-013.000-015

**EXISTING ZONING:** C-2

**UTILITIES:**

WATER:	Town of Brownsburg
SANITARY:	Town of Brownsburg
STORMWATER:	Town of Brownsburg

**EXISTING SURROUNDING ZONING:**

NORTH:	LI (Hendricks County) & C-2
SOUTH:	PUD - Creekside Commons
EAST:	AGR (Hendricks County)
WEST:	PUD - Creekside Commons

Hendricks County Zoning District Intent Statements:

**AGR** - The intent of the Agriculture Residential (AGR) District is to permit the establishment of individual single-family dwellings while maintaining a primarily rural character. This can serve to protect land best suited for agricultural use from the encroachment of incompatible land uses.

**LI** - The purpose of the Light Industrial (LI) District is to provide locations for production, small-scale manufacturing, assembly, warehousing, research and development facilities, and similar land uses. This district is intended to accommodate only industrial uses that do not involve the release of potential environmental pollutants or other objectionable elements such as noise, odor, dust, smoke, glare or traffic. This district is designed as a transitional use between heavy manufacturing uses and other less intense business uses.

**EXISTING USES:**

NORTH: Commercial-Retail: Diversity Consignment  
SOUTH: Single & Two Family Residential: Creekside Commons  
EAST: Commercial: Barker Incorporated, & Barker Pools  
WEST: Commercial: Marathon, H&R Block, Pans Pizza, & Toddy Shoppe

**NEIGHBORHOOD CHARACTERISTICS:**

The area adjacent to and surrounding this property includes a wide array of commercial and light industrial uses including Diversity Consignment, Barker Incorporated, Barker Pools, Marathon, H&R Block, Pans Pizza, & Toddy Shoppe. In addition to the non-residential uses, there are many single and two-family dwellings within the proximity of this location.

**TOTAL PARCEL SIZE:**

2.63 Acres

**COMPREHENSIVE PLAN DESIGNATION:**

The Future Land Use Plan within the Brownsburg 2020 Comprehensive Plan designates this area as Commercial.

**THOROUGHFARE PLAN:**

The 2020 Thoroughfare Plan identifies East Main Street / US 136 as a Primary Arterial.

**GREENWAYS MASTER PLAN:**

The 2008 Greenways Master Plan identifies the East Main Street / US 136 corridor as a Multi-Use Trail, which recommends a twelve (12) foot path.

**PUBLIC NOTICE:**

Appeared in the May 12, 2012 Hendricks County Flyer

**PUBLIC HEARING DATES:**

Scheduled for May 29, 2012

**PUBLIC COMMENTS:**

As of May 21, 2012 no written comments have been submitted to staff.

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**STATUTORY REQUIREMENTS/ FACTORS TO BE CONSIDERED:**

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Indiana Code: 36-7-4-702

Subdivision control; primary approval of plat; standards of ordinance; requisites; compliance

Sec. 702. (a) In determining whether to grant primary approval of a plat, the plan commission (or plat committee acting on the commission's behalf) shall determine if the plat or subdivision qualifies for primary approval under the standards prescribed by the subdivision control ordinance.

(b) The subdivision control ordinance must specify the standards for determining whether a plat qualifies for primary approval. The ordinance must include standards for:

- (1) minimum width, depth, and area of lots in the subdivision;
- (2) public way widths, grades, curves, and the coordination of subdivision public ways with current and planned public ways; and
- (3) the extension of water, sewer, and other municipal services.

The ordinance may also include standards for the allocation of areas to be used as public ways, parks, schools, public and semipublic buildings, homes, businesses, and utilities, and any other standards related to the purposes of this chapter.

(c) The standards fixed in the subdivision control ordinance under subsection (b) may be waived at the discretion of the plan commission (or plat committee acting on the commission's behalf); however, to be approved, the plat must still meet all applicable standards prescribed in the zoning ordinance (other than standards modified by variance in accordance with the 900 series of this chapter). As a condition of granting a waiver under this subsection, the commission or committee may allow or require a commitment to be made under section 1015 of this chapter.

(d) As a condition of primary approval of a plat, the commission or committee may specify:

- (1) the manner in which public ways shall be laid out, graded, and improved;
- (2) a provision for water, sewage, and other utility services;
- (3) a provision for lot size, number, and location;
- (4) a provision for drainage design; and

(5) a provision for other services as specified in the subdivision control ordinance.

(e) The subdivision control ordinance may not regulate condominiums regulated by IC 32-25.

Town of Brownsburg Zoning Ordinance: § 154.018(A)(3)(b)

Primary plat. All plats shall be prepared by a licensed land surveyor or engineer at a scale no smaller than one (1) inch equals one hundred (100) feet. Very large tracts of land may be presented in a different scale upon approval of the Administrator. The primary plat and development plans shall be submitted on sheets no larger than twenty-four (24) inches wide by thirty-six (36) inches long. A minimum of three (3) sheets are necessary. The sheets shall be numbered in sequence. The three (3) sheets shall show, respectively, the following information:

1. Sheet One: Primary Plat.
  - a. The proposed name of the subdivision.
  - b. The name and address of the owner of record, the subdivider, and the registered engineer or land surveyor preparing the plat.
  - c. A key map showing the location of the proposed subdivision referenced to existing or proposed major streets and to government section lines.
  - d. The names, with location of intersecting boundary lines, of adjoining subdivisions, and the location of the current corporate limits of the Town if falling within or immediately adjoining the tract.
  - e. The length of the boundaries of the tract, measured to the nearest foot, and the proposed location and width of streets, alleys, easements, and setback lines and the approximate lot dimensions.
  - f. A complete legal description of the property to be subdivided.
  - g. Existing zoning of the proposed subdivision and adjacent tracts in zoning areas.
  - h. The names of owners of all adjacent parcels shall be shown.
  - i. All contiguous property in which the developer/owner either owns or has financial interest shall be shown, including a conceptual plan for future extension of streets, water lines, sanitary sewer lines, and overall drainage.
  - j. A legend scale, and north arrow.
2. Sheet Two: Topography and Drainage.
  - a. The boundaries and number of acres of the total watershed of which the proposed subdivision is a part.
  - b. The land contours with vertical intervals not greater than two (2) feet referenced to a United States Geological Survey or equal monument or bench mark referenced to sea level.
  - c. The location of existing building(s), water, watercourses, and the location of dedicated streets at the point where they adjoin and/or are immediately adjacent to the subdivision.
  - d. The location of all drainage channels and subsurface drainage structures; the proposed method of disposing of all runoff from the proposed subdivision; and the location and size of all drainage easements relating thereto, whether they are located within or outside the proposed plat.
  - e. Preliminary drainage plans and calculations, including erosion control plans and proposed detention or retention areas.
  - f. Identification of any legal drains or tiles on or adjacent to the property which are under the jurisdiction of the County Drainage Board.
3. Sheet Three: Improvements.
  - a. The location, size, and type of existing sanitary and storm sewers, water mains, culverts, power and natural gas lines, and other surface and subsurface structures and pipe lines existing within or immediately adjacent to the proposed subdivision; and the location, layout, type, and proposed size of the following proposed improvements shall be indicated:
    - i. Water mains and laterals.
    - ii. Sanitary sewer mains, sub-mains, and laterals.
    - iii. Storm sewers, culverts, and drainage structures.
    - iv. Street improve-ments.
    - v. Telephone, electric, TV cable, natural gas lines.
  - b. The classification of every street within or adjacent to the subdivision in accordance with the Comprehensive Plan thoroughfare designation. This shall be done by placing the appropriate street classification in parentheses directly on each street.

c. The plans shall clearly identify and label which improvements are proposed to be privately-owned and maintained and which improvements are to be owned and maintained by the public agency having jurisdiction.

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**PREVIOUS ACTIONS ON-SITE:**

Ordinance 2012-04 Annexation of the two parcels

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**PREVIOUS ACTION- SURROUNDING AREA:**

1997-37P	Gary Starkey, et al (Crossman Communities) - 70.54AC	Annexation	Creekside Commons
1997-38P	Gary Starkey, et al (Crossman Communities)	PUD Concept Plan	Creekside Commons
1997-39P	Gary Starkey, et al (Crossman Communities)	PUD Master Plan	Creekside Commons
1998-04P	Norma Anderson, et al (Crossman Communities) - 74.51AC	Annexation	Creekside Commons
1998-05P	Creekside Commons (Crossman Communities)	PUD Concept Plan	
1998-11P	Creekside Commons (Crossman Communities)	PUD Master Plan	
1998-22P	Creekside Commons (Crossman Communities)	Primary Plat	
1999-01P	Creekside Commons (Crossman Communities)	Primary Plat	
1999-27P	Creekside Commons, Sec. 2	Secondary Plat	
1999-28P	Creekside Commons, Sec. 1	Secondary Plat	
1999-29P	Creekside Commons, Sec. 4	Secondary Plat	
1999-30P	Creekside Commons, Sec. 3	Secondary Plat	
2000-07P	Creekside Commons (Crossman Communities)	Replat	
2000-16P	Creekside Commons Shoppes - Lots 1 and 2	Replat	
2000-17P	Creekside Commons Shoppes - Lots 1 and 2	Site Development Plan Review	
2000-24P	Creekside Commons Shoppes - Lots 1 and 2	Plat Amendment	
2000-25P	Creekside Commons Shoppes - Lots 1 and 2	Site Development Plan Review	
2000-26P	Creekside Commons, Sec. 10	Secondary Plat	
2000-27P	Creekside Commons, Sec. 6	Secondary Plat	
2000-28P	Creekside Commons, Sec. 8	Secondary Plat	
2000-29P	Creekside Commons, Sec. 9	Secondary Plat	
2000-30P	Creekside Commons, Sec. 1	Secondary Plat	
2003-11P	Creekside Commons (Dura Builders, Inc)	PUD Master Plan Amendment	
2003-12P	Creekside Commons (Dura Builders, Inc)	Plat Amendment	
2003-26P	Creekside Commons, Amenity Area 'A'	Secondary Plat	
2004-15P	Creekside Commons Shoppes (Crossman Communities)	Plat Amendment	
2004-29P	Creekside Commons, Sec. 9, Lot 126 (Dura Builders)	Waiver of SCO - Easement Encroachment	
2005-04P	Creekside Commons, Sec. 7, Lot 155 A and B (KB Home)	Waiver of SCO - Driveway Placement	
2005-11P	Louise Davison, et al (Wrede and Sons) - Rezone to C-2	Zoning Map Amendment	
2005-22P	Creekside Commons, Sec. 7	Secondary Plat	

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**SUPPLEMENTARY DOCUMENTATION INSERT:**

▪ APPLICATION		EXHIBIT - A
▪ PRIMARY PLAT	(FULL SIZE PLAT IS A SEPARATE DOCUMENT)	EXHIBIT - B
▪ ZONING MAP		EXHIBIT - C
▪ AERIAL INSERTS		EXHIBIT - D
▪ SITE PHOTOS		EXHIBIT - E

EXHIBIT - A  
APPLICATION

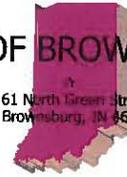
**Primary Plat  
Application**

FOUNDED 1848

TOWN OF BROWNSBURG  
PLANNING & BUILDING

TOWN OF BROWNSBURG

61 North Green Street  
Brownsburg, IN 46112



Phone: 317.852.1128  
Fax: 317.852.1135

APR 15 2012

**BROWNSBURG ADVISORY PLAN COMMISSION**

Project Name: BROWNSBURG ANIMAL CLINIC - ADDITION Received: 4/15/2012

Docket Number: 2012-04P / PCPP-4-12-1101 Fee: \$760.00

1. Applicant's Name(s): Timea Brady 2. Phone: (317) 852-3323

3. Applicant's Email: \_\_\_\_\_

4. Applicant's Address: 1557 East Main Street  
Brownsburg, IN 46112

5. Owner's Name(s): Ronald Miller 6. Phone: \_\_\_\_\_

7. Owner's Address: PO Box 234  
Brownsburg, IN 46112

8. Applicant(s) is Circle One: Sole owner Joint owner Tenant Agent

Other (specify) Buyer

9. Legal Description: (See Attached Description & Map)

10. Parcel Number(s) \_\_\_\_\_

EXHIBIT – A  
APPLICATION *continued*

***Primary Plat Application*** continued

11. Present Zoning: C2

12. Present Use: Commercial - Animal Clinic

13. Size of Project in Acres: 2.63

14. Describe the proposed project:

~~improvements~~ Addition to existing structure and construction of additional parking

15. Acreage:

Total for project: 2.63

Common Area: N/A

16. Densities:

Number of lots or units: N/A

Number of units / acre: N/A

Estimated population: N/A

17. Identify the utilities to serve this development.

Water: Town of Brownsburg

Electricity: Hendricks Power Co-op

Sewer: Town of Brownsburg

Phone: AT&T

Natural Gas: Verizon

Cable TV: Comcast

18. List any improvement or common areas that are to be owned and maintained privately (and by whom):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

EXHIBIT – A  
APPLICATION *continued*

***Primary Plat Application*** *continued*

19. For which of the below improvements will you be submitting performance bond estimates as part of your application for SECONDARY APPROVAL?

<u>N/A</u> Streets	<u>N/A</u> Signs and monuments
<u>N/A</u> Sanitary Sewers	<u>N/A</u> Off-site sewers
<u>N/A</u> Storm Sewers/Drainage	<u>N/A</u> Off-site drainage
<u>N/A</u> Sidewalks	<u>N/A</u> Water Mains
<u>N/A</u> Off-site Water Mains	<u>N/A</u> Other

20. Notarization:

The above information and attached exhibits, to my knowledge and belief, are true and correct, and in compliance with the Subdivision Control Ordinance of the Town of Brownsburg, IN.

*Timea H. Brady* 4/16/12  
Signature of Applicant Date

Timea H. Brady 4/16/12  
Print Name Date

STATE OF INDIANA )  
COUNTY OF Hendricks ) SS:

Subscribed and sworn to before me this 16 day of April, 2012

County of Residence:  
Hendricks

*Margaret Fenty*  
Signature of Notary Public  
8-25-2016

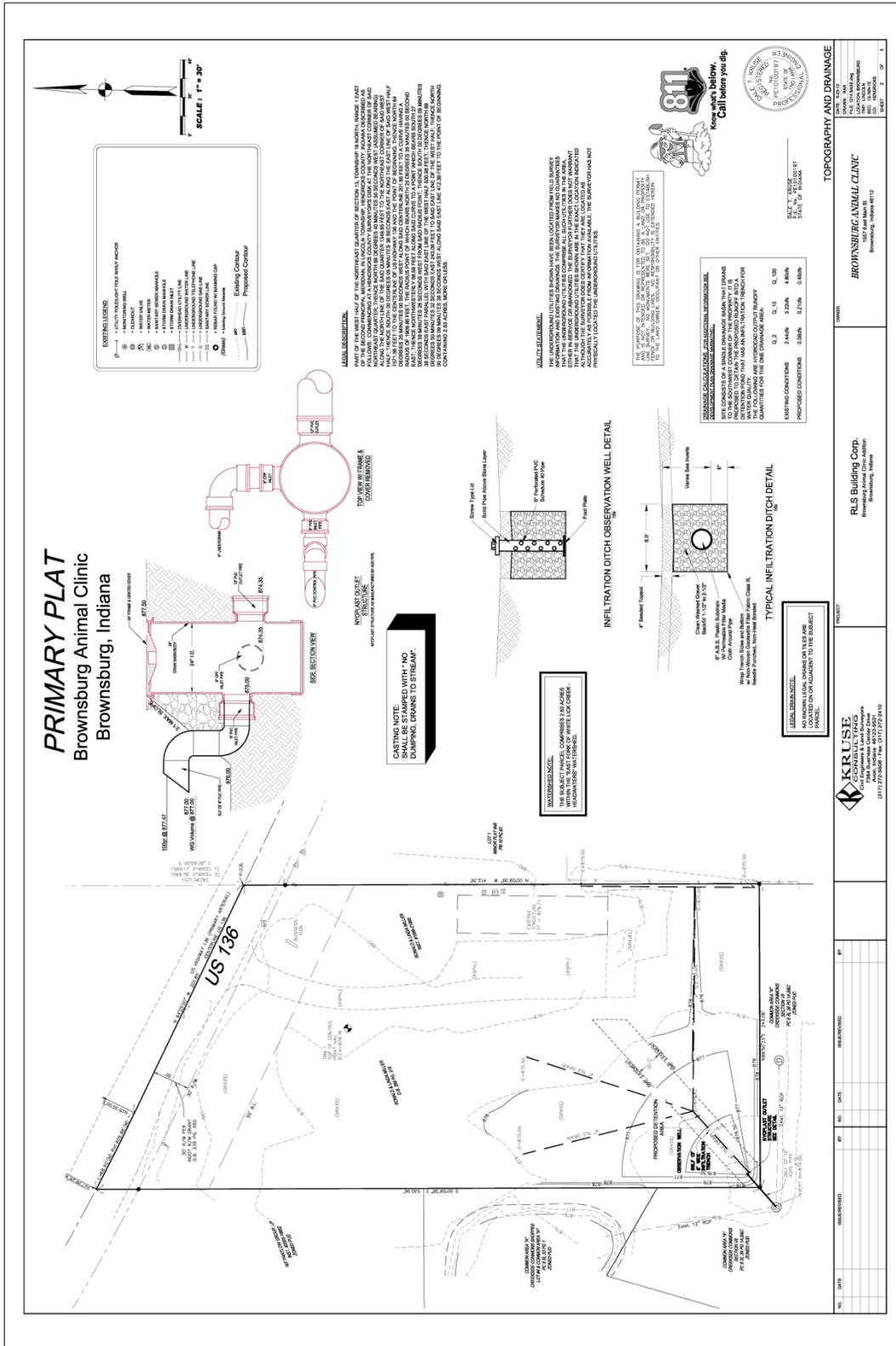


EXHIBIT – A  
APPLICATION *continued*

Part of the West Half of the Northeast quarter of Section 13, Township 16 North, Range 1 East of the Second Principal Meridian, in Lincoln Township, Hendricks County, Indiana described as follows: Commencing at a Hendricks County Surveyor's disk at the northeast corner of said Northeast Quarter; thence North 89 degrees 40 minutes 55 seconds West (assumed bearing) along the north line of the said Quarter 1349.85 feet to the northeast corner of said West Half; thence South 00 degrees 09 minutes 38 seconds East along the east line of said West Half 1571.56 feet to the centerline of US Highway 136 and the Point of Beginning; thence North 64 degrees 25 minutes 00 seconds West along said centerline 201.85 feet to a curve having a radius of 1909.86 feet, the radius point of which bears North 25 degrees 35 minutes 00 second East; thence Northwesterly 68.59 feet along said curve to a point which bears South 27 degrees 38 minutes 28 seconds West from said radius point; thence South 00 degrees 09 minutes 38 seconds East parallel with said east line of the West Half 530.96 feet; thence North 89 degrees 50 minutes 32 seconds East 243.06 feet to said east line of the West Half; thence North 00 degrees 09 minutes 38 seconds West along said east line 412.39 feet to the Point of Beginning. Containing 2.63 acres, more or less.



EXHIBIT - B  
PRIMARY PLAT SHEET 2





FULL SIZE PRIMARY PLAT

See file: [\*PSDP-4-12-1101 Brownsburg Animal Clinic Primary Plat.pdf\*](#) on Laserfiche

EXHIBIT – C  
ZONING MAP



EXHIBIT – D  
AERIAL INSERT

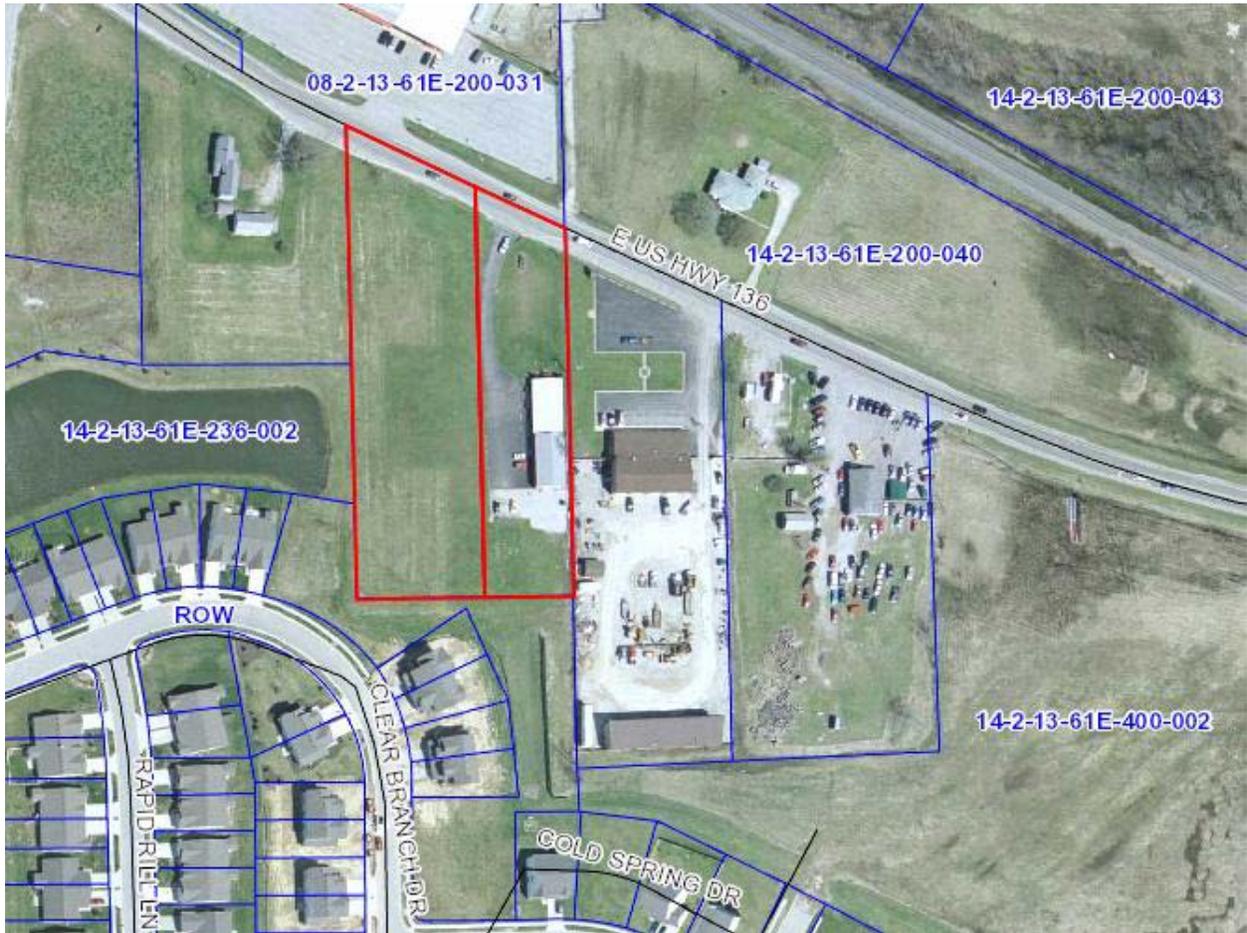


EXHIBIT – E  
SITE PHOTOS



From the project site looking west along East Main Street / US 136



From the project site looking northwest along East Main Street / US 136



From the project site looking north across East Main Street / US 136

EXHIBIT – F  
SITE PHOTOS *continued*



From the project site looking northeast along East Main Street / US 136



From the project site looking east along East Main Street / US 136



The existing Brownsburg Animal Clinic building

EXHIBIT – F  
SITE PHOTOS *continued*



From the project site looking south along into the Creekside Commons subdivision



From the project site looking south into the Creekside Commons subdivision



From the project site looking southwest into the Creekside Commons subdivision

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**STAFF ANALYSIS:**

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§154.018 (A)(3)(b)1.d. requires that the location of the current corporate limits of the Town be shown on sheet one (1) of the primary plat if it falls within or immediately adjoining the tract. This property has completed the annexation process through the Town Council therefore the corporate limits boundary should be identified based on the annexation of this property which would move the corporate limit to the east edge of this property.

§154.042 of the Brownsburg Subdivision Control Ordinance states that the "Building setback lines on lots shall be regulated by the setback provisions of the Zoning Ordinance applicable to the area proposed to be platted. Setback lines shall be clearly delineated, labeled, and dimensioned on the secondary plat." During the TECH Review it was discussed that INDOT is not willing to accept R/W that is proposed as a part of the platting process that exceeds their existing need. Therefore, the additional R/W grant will not be required on the secondary plat however the front building setback line must be established based on the proposed R/W pursuant to the Town of Brownsburg 2020 Thoroughfare Plan. The plan requires a total R/W of one hundred-fifteen (115) feet for East Main Street / US 136. The south half of that requirement that impacts this property is fifty-seven and a half (57 ½ ) feet from the centerline of East Main Street / US 136. The fifty (50) foot building setback line will be measured from the point of the fifty-seven and a half (57 ½ ) feet (as proposed in the Town of Brownsburg 2020 Thoroughfare Plan) for a total of one hundred-seven and a half (107 ½ ) feet from the centerline of East Main Street / US 136.

The petitioner submitted plans as required for the TECH Review on April 26, 2012. Upon receiving the TECH Review Report the petitioner has revised the plans (*dated May 14, 2012*) to satisfy the comments from the TECH Review Report with the exception of the Stormwater & Erosion Control comments.

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**RECOMMENDATIONS:**

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Upon reviewing all of the materials provided by the petitioner, a review of the site, the applicable Town regulations I recommend the Plan Commission APPROVE this Primary Plat subject to the following comments, commitments, and conditions:

1. That the primary plat be revised to include the updated corporate limit boundary. The corporate limit boundary must be identified as the east edge of this property.
2. That the primary plat be revised to include the updated front building setback line. The front building setback line must be a minimum of one hundred-seven and a half (107 ½ ) feet from the centerline of East Main Street / US 136.
3. The completion of a STAFF Review, and the Stamped Approval of the primary plat by the Director of Planning.
4. The approval of the Findings of Fact and Report of Determination by the Plan Commission.

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**STAFF CONTACT:**

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NAME: Todd A. Barker, AICP

Jonathan K. Blake

TITLE: Director of Planning

Planning Technician

PHONE: 317-852-1128

317-852-1128

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[jblake@brownsburg.org](mailto:jblake@brownsburg.org)