# City of Columbus – Bartholomew County Planning Department

123 Washington Street Columbus, Indiana 47201 Phone: (812) 376-2550 Fax: (812) 376-2643





### STAFF REPORT

# CITY OF COLUMBUS PLAN COMMISSION (September 12, 2012 Meeting)

Docket No. / Project Title:

MI/P-12-03 (George Doup's Addition to the Town of Columbus, 8th Replat)

Staff:

Thom Weintraut

**Applicant:** 

Cummins, Inc.

**Property Size:** 

1.83 Acres

**Current Zoning:** 

CD (Commercial: Downtown)

Location:

The property located between Washington and Jackson Street and 6<sup>th</sup> and

7<sup>th</sup> Street in the City of Columbus

### **Background Summary:**

The applicant has indicated that the proposed subdivision is for the purpose of subdividing a 1.83 acre lot, creating a new lot (Lot 2A) of 1.45 acres with the parent tract (Lot 1B) consisting of 0.38 acres. This plat will separate the site of Cummins Parking Garage from the "Urban Elements" apartment location.

### **Key Issue Summary:**

The following key issue(s) should be resolved through the consideration of this application: Should the petitioner be required to dedicate additional right-of-way along 6<sup>th</sup> and 7<sup>th</sup> Streets?

### **Preliminary Staff Recommendation:**

Approval of the subdivision and the requested modification from Subdivision Control Ordinance Section 16.24.010(b)(1), the dedication of right-of-way consistent with the Thoroughfare Plan classification of adjacent streets and the specifications of this Ordinance for Collector and Local Streets and the specifications of the City Engineer for Arterial Streets.

### **Plan Commission Options:**

In reviewing a request for <u>minor subdivision approval</u>, which includes a request for modification(s) the Plan Commission may (1) approve the modification(s) and the subdivision, (2) deny the modification(s) and the subdivision, or (3) continue the review to the next Plan Commission meeting. If more than one modification is requested, the Plan Commission may approve some, all, or none of the requests. The Plan Commission may attach conditions to the approval of the modification(s); however the conditions should be directly related to the circumstances of the modification requested. (Per Subdivision Control Ordinance Section 16.40.050)

### **Modification Decision Criteria:**

Indiana law and Columbus Subdivision Control Ordinance Section 16.40.050 require that the Plan Commission approve all subdivisions which meet the applicable requirements. The Columbus Plan Commission has delegated the approval authority for Minor Subdivisions to the Plat Committee. This application is being considered by the Plan Commission because the Plat Committee found at least one aspect of the proposal to be inconsistent with the Subdivision Control Ordinance. Section 16.32.020 of the Subdivision Control Ordinance indicates that the Plan Commission may grant a modification of the requirements of the Ordinance upon the determination that each of the following is true:

- 1. The modification will not be detrimental to the public, health, safety, and general welfare.
- 2. Adjacent property will not be adversely affected.
- 3. The modification is justified because of exceptional topographic or other physical conditions unique to the property involved, as opposed to mere inconvenience or financial disadvantage.
- 4. The modification is consistent with the intent of the Zoning Ordinance, other applicable ordinances, and the Comprehensive Plan.
- 5. The modification will not conflict with the requirements of the Zoning Ordinance including but not limited to lot area, lot frontage, lot width, and setback(s).

### **Outstanding Technical Comments:**

The following outstanding technical comments must be addressed by the applicant: None.

<b>Current Property Inform</b>	Current Property Information (entire subdivision site):		
Land Use:	Parking		
Site Features:	The west portion of the site Lot 2A contains the new Cummins Parking Garage; Lot 1B will be the location of the Urban Elements commercial and residential building.		
Flood Hazards:	None		
Special Circumstances: (Airport Hazard Area, Wellfield Protection Area, etc.)	None		
Vehicle Access:	The parking garage and Urban Elements will have access from 6 <sup>th</sup> Street (local, commercial, urban street and 7 <sup>th</sup> Street (collector, commercial, urban).		

Surrounding Zoning and Land Use (entire subdivision site):			
****	Zoning:	Land Use:	
North:	CD (Commercial: Downtown)	Office (Century 21 Breeden) and parking lot	
South:	CD (Commercial: Downtown)	Retail (Viewpoint Books) and parking lot	
East:	CD (Commercial: Downtown)	Office and retail uses	
West:	CD (Commercial: Downtown)	Office (Cummins Office Building)	

Interdepartmental R	leview:
City Engineering:	Supports the relief from providing the additional right-of-way.

City Utilities:	No comments.
Parks Department:	No comments.
MPO:	No comments.

### History of this Location:

The relevant history of this property includes the following:

- 1. The subject property was replatted into 1 lot (RP-91-4) on March 22, 1991.
- 2. On December 14, 2011, DP-11-17 (Cummins Parking Garage) was approved for the construction of a 974 space parking garage and 20 surface parking spaces along Washington Street.
- 3. August 8, 2012, Plan Commission approved DP-12-19 for the construction of a 5 story apartment building with 3520 square feet of ground floor commercial space. The completion of this plat was a

## **History of this Application:**

The relevant history of this application includes the following: The application was reviewed by the Plat Committee August 23, 2012 and forwarded to Plan Commission with a request for modification of the Subdivision Control Ordinance Section 16.24.010(B)(1) requirement of right-of-way dedication for 6<sup>th</sup> and 7<sup>th</sup>

## Planning Consideration(s):

The following general site considerations, planning concepts, and other facts should be considered in the

- 1. The existing right-of-way width for 6<sup>th</sup> Street is 60 feet. To meet the minimum right-of-way requirement shown in Table 12.24-1 of the Subdivision Control Ordinance for a local, commercial urban street, an additional 2.5 feet of right-of-way dedication is required on this site.
- 2. The existing right-of-way of 7<sup>th</sup> Street is 60 feet. To meet the minimum right-of-way requirement shown in Table 12.24-1 of the Subdivision Control Ordinance for a collector, commercial urban street, an additional 7.5 feet of right-of-way dedication is required on this site.
- 3. This site is located in a developed area of the downtown where the buildings located on the south side of 6<sup>th</sup> Street and north side of 7<sup>th</sup> Street are built to the current right-of-way, so it is unlikely

# Subdivision Control Ordinance Consideration(s):

The following provisions of the Subdivision Control Ordinance apply to the key issues of this application: Section 16.24.010(B)(1) of the Subdivision Control Ordinance requires the dedication of additional right-ofway consistent with the Thoroughfare Plan classification of adjacent streets for minor subdivisions.

# Columbus – Bartholomew County Planning Department Subdivision Application

Planning Department Use Only:	00 17 10	001.14	
Jurisdiction: Columbus Bartholomew County Doint District	08-13-12	PUI-14	
Docket No.: MIP - 12 - 03			
Subdivision Application:			
•			
Subdivision & Application Type:   Major - Concept Appr	oval 🗌 Major -	Primary Approval	
Minor (Primary & Secon	idary Approval) [_] A	Agriculture	Administrative
Subdivision Name:Elements on Washington Street			
Applicant Information:			
Maria Baratan			
Name Bryan I. Moll			
Address 7260 Shadeland Station	Indianapolis	IN	46256
(number) (street)	(city)	(state)	(zip)
Phone No.: <u>317-547-5580</u> Fax No.: <u>317-543-0270</u>	E-mail Address:	bmoll@structurepo	int.com
Property Owner Information (the "owner" does not include tenan	ts or contract buyers):		
Name: Cummins, Inc ATTN: Catina Furnish			
Address 1000 Fifth Street Mail Code: 11859 (street)	Columbus (city)	IN (state)	47201
			(zip)
Phone No.: <u>812-377-5496</u> Fax No.:	E-mail Address: _	Catina.J.Furnish@0	Cummins.com
Property Information:			
Property Size: <u>1.83</u> acres <u>or</u> square fee	et.		
Township: Columbus			
Address(number) (street)	(city)	(state)	(zip)
			(ΣΙΡ)
or General Location (if no address has been assigned provide a street corn	er, subdivision lot numbe	r, etc):	
SE corner of 7 <sup>th</sup> Street and Jackson Street			
Lot 1A in George Doup's Addtion, Plat Book "P", Page 148A			
Existing Number of Parcels:1 (includes total number	of lots, parcels, blocks, e	tc.)	
Proposed Number of Parcels: 2 (includes total numbe	r of lots, parcels, blocks,	oto )	

Address 7250 Shadeland Station (street)	Indianepolis	IN	46256
,	(city)	(state)	(zio)
Phone No.: <u>317-547-5580</u> Fax No.: <u>317-543-0270</u>	_ E-mail Address: _b	moli@structure.co	int.com
Notification Information (list the person to whom all correspondence	recenting this applicat	Ioo obeside to a stre	
Name: Bryan J. Moll	and and applicat	ióu suppig de Oite(	cted):
Address 7260 Shadeland Station	Indiana anti-		**·*··
(Street)	Indianapolis (city)	IN_ (state)	46256 (zip)
Phone No.: 317-547-5580 Fax No.: 317-543-0270	E-mail Address: _br	noil@structepoint	com
How would you prefer to receive information (please check one):	⊠ Email ☐ Phone		
Applicant's Signature:			
The information included in and with this application is completely true a	and correct to the best of	of my knowledge c	and hatter
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### Columbus - Bartholomew County Planning Department

### Columbus Minor Subdivision Checklist

(Columbus Subdivision Control Ordinance)

Subdivision Name:	ELEMENTS	011	WASHINGTON	STREET	

All minor subdivision applications must be accompanied by 25 copies of the plat drawing for review by the Plat Committee. An additional 25 copies of the drawing will be required if Plan Commission review is also needed.

Any filing which does not contain all required items as indicated on the list below will be considered incomplete. Submission of all items on this checklist does not relieve the applicant of any other applicable requirement of the subdivision control ordinance.

All plats shall be created as a reproducible drawing that is no larger than 24 by 36 inches. All plats shall be drawn at a scale of 50 feet to the inch or larger.

### **Required Supporting Data:**

- 1. \_\_\_\_ The required filing fee (Sec. 16.44.070)
- 2. One (1) completed application form (Sec. 16.12.040(A))
- 3. N/A A dimensioned drawing noting the location(s) of any existing buildings on the site (Sec. 16.12.040(B))
- 4. A map showing significant physical & topographical features. For subdivisions containing more than two (2) lots from the same parent tract over any period of time a topographic map showing the direction of surface water runoff from the site (Sec. 16.12.040(C))
- 5. Name Any geotechnical or environmental reports relating to the property to be subdivided (Sec. 16.12.030(A))

### **Required Subdivision Drawing Contents:**

1	The proposed name of the subdivision & a legal description (Sec. 16.12.030(A))
2	Bar scale (Sec. 16.12.030(K))
3	North arrow (Sec. 16.12.030(K))
4	Date (Sec. 16.12.030(K))
5. 🗸	Lot numbers for each lot (Sec. 16.12.030(B))
6.	Location of all monuments (Sec. 16.12.030(B))
7	Dimensions, frontage, & area of each lot & area of right-of-way dedication (Sec. 16.12.030(B))
8	All easements for utilities, drainage, and access; any easements from prior agreements or platting (Sec. 16.12.030(C))
9. <u>HA</u>	Any regulated drains (Sec. 16.12.030(D))
10	Right-of-way widths as established by the Thoroughfare Plan (Sec. 16.12.030(E))
11	Signed surveyor's certificate & seal (Sec. 16.12.030(F), Sec. 16.36.010)
12	Signed owner's certificate (Sec. 16.12.030(G), Sec. 16.36.020)
13	Notary signature & seal (Sec. 16.12.030(H), Sec. 16.36.020)
14	Primary & secondary approval certificates (Sec. 16.12.030(I), Sec. 16.36.030)

15. N/A	Board of Public Works & Safety certificates (Sec. 16.12.030(J), Sec. 16.36.040)
16	Tax certificate (Sec. 16.12.030(L), Sec. 16.36.050)
17. <u>~/*</u>	Flood hazard notation (if applicable) (Sec. 16.12.030(M), Sec. 16.36.060)
18. <b>n/n</b>	Private place notation & accompanying documents (if applicable) (Sec. 16.12.030(M), Sec. 16.36.070)
19	Recording notations (Sec. 16.12.030(M), Sec. 16.36.080)
20	Replat notation (if applicable) (Sec. 16.12.030(M), Sec. 16.36.090)
21	Area location map in sufficient detail to enable staff & commission members to identify the site on a field visit (Sec. 16.12.040(N))



August 28, 2012

City of Columbus Plan Commission 123 Washington Street Columbus, Indiana 47201

Re: Cummins Garage Development. Columbus. Indiana. 8<sup>th</sup> Replat of George Doup's Addition

Dear Commission Members,

We would like to request relief from Section 16.24.010 (B) (1) of the Subdivision Control Ordinance requirement that right of way be dedicated consistent with the Thoroughfare Plan classification of adjacent streets. The project Right of Way and improvements were approved as a part of the Cummins Parking Garage Development Plans indicating a 60' Collector, Residential, Urban right of way along 7<sup>th</sup> Street, an 80' Collector, Commercial, Urban right of way along Washington Street, a 60' Local, Commercial, Urban right of way along 6<sup>th</sup> Street and an 80' Local, Commercial, Urban right of way along Jackson Street. We believe this plan has been approved for construction and should remain as per the design as shown on the George Doup's Addition to the Town of Columbus, 8<sup>th</sup> Replat.

If you have any questions, please feel free to contact me directly.

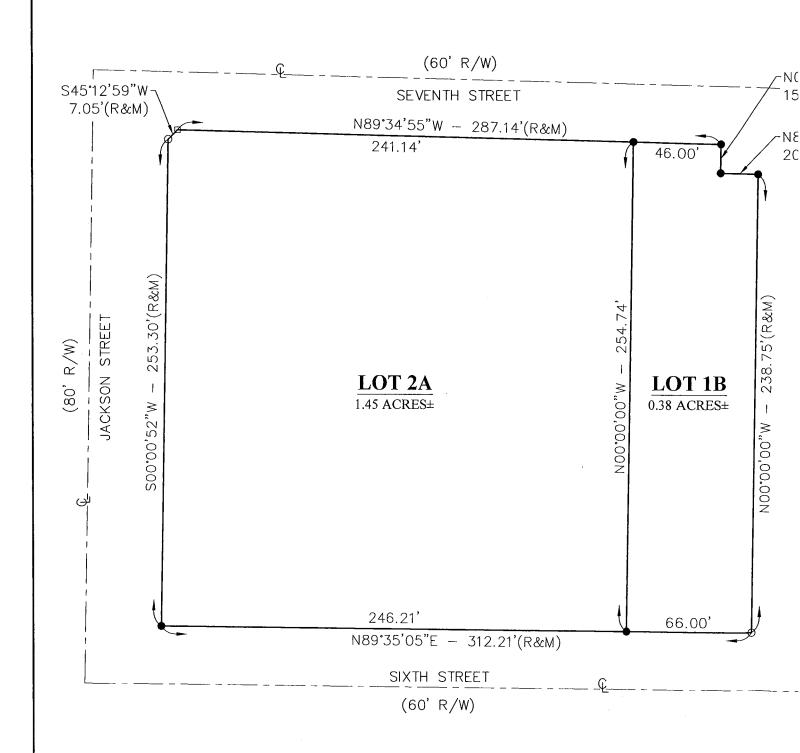
Very truly yours,

American Structurepoint, Inc.

Bryan J. Moll, LS Survey Group Leader

# GEORGE DOUP'S ADDITION TO THE

A PART OF THE SOUTHWEST QUARTER OF SECT LYING IN COLUMBUS TOWNSHIP, BA



# GEORGE DOUP'S ADDITION TO THE

A PART OF THE SOUTHWEST QUARTER OF SECT LYING IN COLUMBUS TOWNSHIP, BA

### OWNER'S CERTIFICATE

# We, the undersigned Cummins, Inc. owners of the real estate shown and described herein, do hereby certify that we have laid off, platted and subdivided, and do hereby lay off, plat and subdivided, said real estate in accordance with the within plat. The subdivision shall be known and designated as "GEORGE DOUP'S ADDITION TO THE TOWN OF COLUMBUS, 8th REPLAT" consisting of two lots numbered LOT 2A and LOT 1B and containing 1.83 acres.

All streets and alleys shown and not heretofore dedicated are hereby dedicated to the public. Other public lands shown and not heretofore dedicated are hereby reserved for public use.

Clear title to the land contained in this plat is guaranteed. (Any encumbrances and special assessments are explained as follows):

The setback lines shall be determined by the regulation of the Columbus, Indiana Zoning Ordinance of current adoption.

WITNESS MY HAND AND	SEAL THIS	day of		, 20
Name:  Before me, the undersigned life foregoing instrument as his or	for Cummins,	Inc. and ac	knowledged the ex	ecution of
Before me, the undersigned	Notary Public, in a for Cummins, her voluntary act a	Inc. and ac	unty and State, pers knowledged the ex purposes therein exp	ecution of oressed.
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### PRIMARY API

Under authority provided by IC 36-7-4-700, S thereto, this plat was given PRIMARY APPRO follows:
Approved by the City Plan Commission at a meetin

President - Roger Lang	

Void unless secondary approval is received by _	
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SECONDARY A
02001.211111

All conditions	of primary	approval	have	been
APPROVAL.				

Approved by the Planning Department on	
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Jeffrey R	Reroman - Planning Director

Void unless Recorded by	

### TAX CERTII

The real property has been duly entered for tax Auditor of Bartholomew County.

Barbara J. Hackman - Bartholomew County Audit