

CITY OF ANGOLA PLAN COMMISSION STAFF REPORT

Public Hearing Date: Tuesday, June 22, 2020 – 5:00 p.m.

This is a teleconference (dial by phone) public meeting and public hearings +1 219-293-4381  
Conference ID: 574 373 640 # United States, Gary (Toll) number - The public meeting and public hearings will be recorded.

PC Case #: 2020-06-01

Applicant/Property Owner: Matt DeWood, CF 1801 N Wayne, LLC

Location: 1801 N Maumee St. Angola, Indiana 46703 – Country Fair Shopping Center

Re-Scheduled Public Meeting and Public Hearing Date: Tuesday, June 22, 2020 – 5:00 p.m.

**Request:** Primary Plat/Secondary Plat for a two (2) Lot Subdivision as shown.

- Subdivision of Primary (Public Hearing)
- Subdivision Secondary Plat (public hearing not required)

The legal notice publication and notices to surrounding property owners were served in accordance with applicable statutes and ordinances according to the City of Angola, In, Unified Development Ordinances. Publication advertised in the Herald Republican newspaper was on June 11, 2020.

Applicable Codes and Zoning District:

City of Angola, Indiana, Angola Municipal Code Title 18 - Unified Development Code and City Municipal Code of Ordinances - - Title 18, Chapter 18.92, Medium to Large General (C2) Commercial District. Division II. Division VII. Administration. Chapter 18.200 Subdivision of Land, Sections 18.200.010 Primary Plat and 18.200.020 Secondary Plat.

Surrounding City Zoning Districts: West, North and East - Small to Medium General Commercial (C1), South - Medium to Large General Commercial (C2), West - Institutional (IS).

**SUMMARY:** The Applicant is requesting approval for both the Primary and Secondary Plat for a two (2) Lot subdivision. The purpose of the subdivision layout to create two separate lots with the existing structures in place. There is no new construction planned for the platting purposes. The property owner proposes to subdivide the shopping center and its structures into a two-lot subdivision (Country Fair Shopping Center). The proposed plat will consist of the Lot 1: The existing retail building north of Hobby Lobby building, includes restaurants and retail businesses located within the center (Jimmy Johns, Casa Azteca) and other retail spaces with parking area in front of the area. Lot 2: Consists of the Hobby Lobby retail building and parking lot.

On May 26, 2020, The Board of Zoning Appeals approved a variance from the development standards requirements for the side yard setbacks of Zero (0) setback between two (2) buildings for the proposed two (2) lot subdivision.

If approved by the Plan Commission, the following conditions shall apply :

1. Engineering Dept. Comments:

- Locate and show on plat the 4”C.I. water service line that is connected to the water main on North Wayne Street then runs west along the north line of lot #2 that serves the building on lot #1.
- An easement may be necessary for this service line. Also show the 6” C.I. water main behind the buildings that serves Lot#2 for fire protection.
- These water lines are private and need to be labeled as private.
- A reciprocal easement agreement for parking and utilities should be included for Lot 1 and Lot 2 similar to what was drafted for the properties to the south of lot 2.

2. Planning Department: Viv Likes

The property owner/surveyor is responsible for contacting any Steuben County and out of city utility agencies prior to recording of the plat for verification of other requirements not under the City of Angola’s control or jurisdiction.

3. Once any proposed changes made to the plat is completed and subject to plan commission approval subject to conditions, we can then sign off on the plat. Mylars will be requested with following information and instructions:

- Provide 4 mylars to the City Planning Department only with the owner’s signatures.
- The engineer/surveyor signature and stamp must be on the secondary plat.
- Planning staff will have the Angola Plan Commission President and Secretary to sign the 4 mylars (plats). This will be scheduled for signatures by planning staff.
- The planning staff will contact the engineer/surveyor or property owner to pick up the signed mylars to deliver to the County Auditors and Recorders offices to record.
- The plat must be recorded prior to closing on the property or it will create confusion with the County Auditor’s office. (discuss with Rowland and Associates).
- Once the plat is accurately recorded by the county, returned a mylar to the city planning department for city permanent records.

4. This may be subject to additional comments by the city departments.

## COMPREHENSIVE PLAN

The plat is compatible with the surrounding land uses and in conformance with Angola's Comprehensive Plan dated October 15, 2012. The Angola Municipal Code is current through Ordinance 1623-2019, passed November 4, 2019.

**FINDINGS OF FACT:** The Plan Commission shall make the following findings of fact. Approval of findings may be in the form of a general statement. Disapproval of findings shall specify the provision of this title or City of Angola’s construction standards with which there is not compliance or the manner in which the project is not consistent with the Angola Comprehensive Plan.

- (i) The subdivision of land is/is not consistent with the Angola Comprehensive Plan.
- (ii) The subdivision of land does/does not satisfy the development requirements of Division IV of this title, Subdivisions.
- (iii) The subdivision of land does/does not satisfy the standards of Division V of this title, Design Standards.
- (iv) The subdivision of land does/does not satisfy any other applicable provisions of this title.
- (v) The subdivision of land does/does not satisfy the construction requirements of the city of Angola’s construction standards.

Final Action.

(i) If the Plan Commission finds all of the findings of fact in the affirmative, it shall approve or approve with commitments the application for primary plat.

(ii) If the Plan Commission does not find all of the findings of fact in the affirmative, it shall deny the application for primary plat.

Action of the Angola Plan Commission based on the Findings of Fact:

\_\_\_ Motion to Approve:

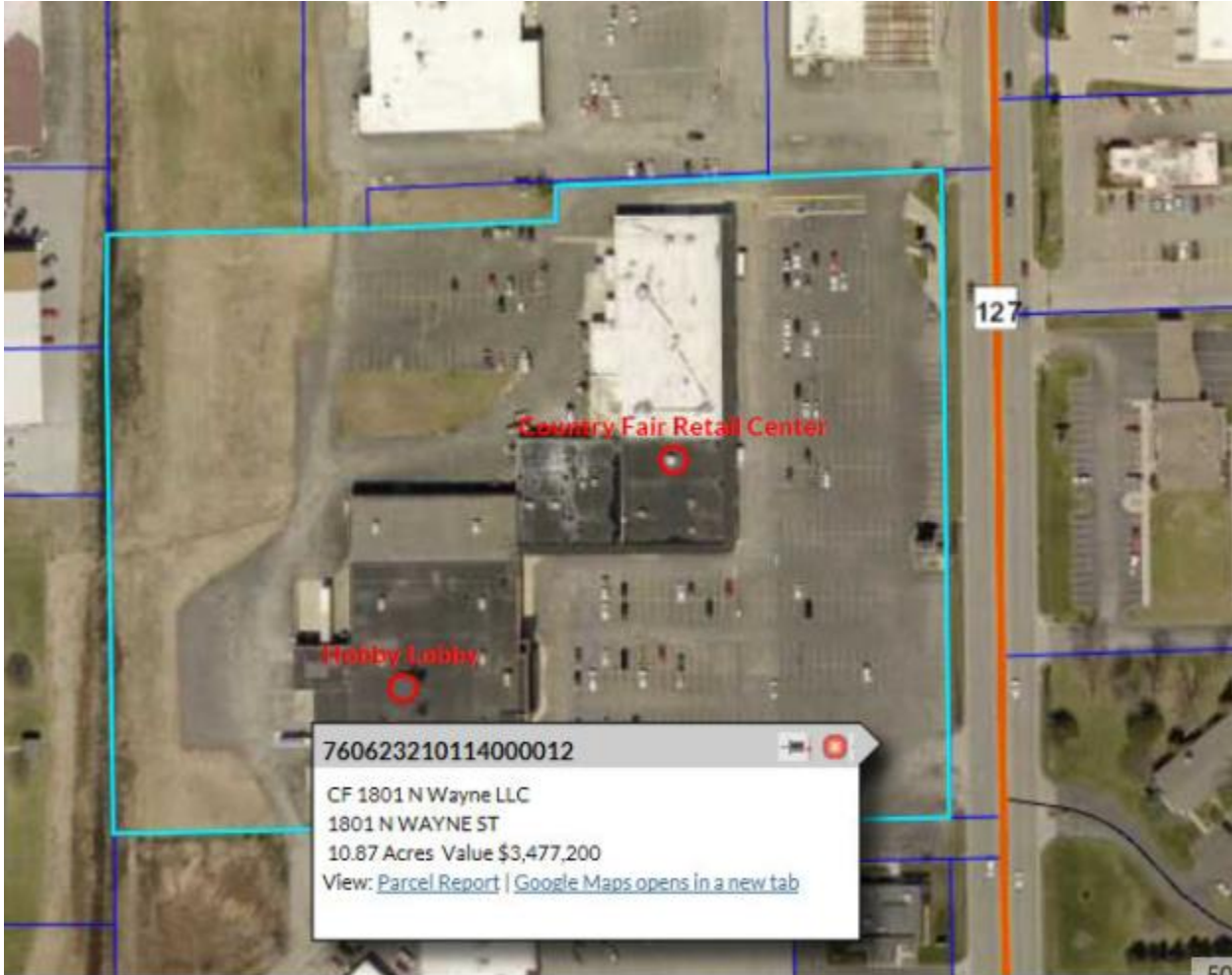
\_\_\_ Motion to Approve with Conditions: (as per the attached staff report) and any additional comments made by the Plan Commission.

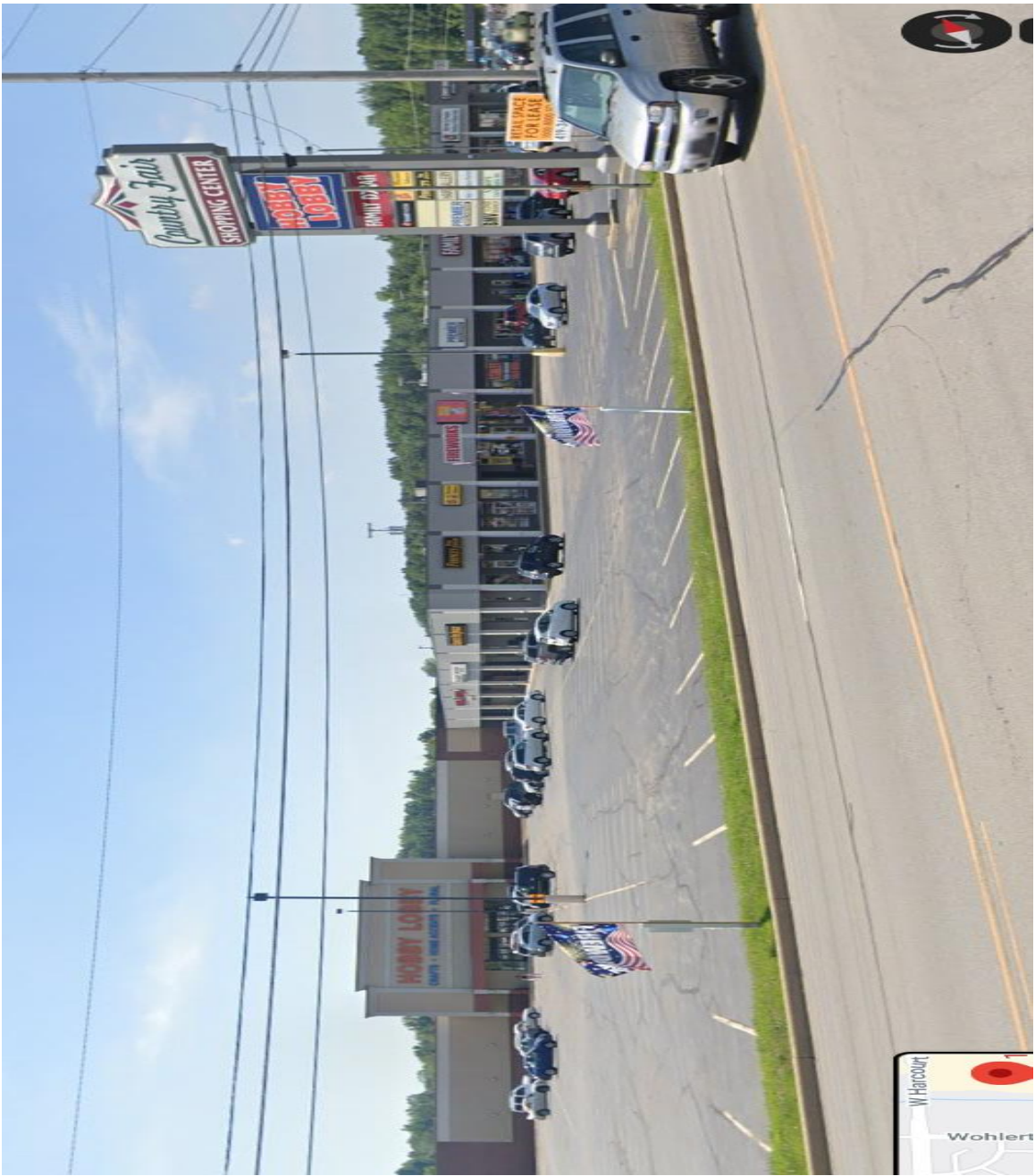
\_\_\_ Motion to Deny: due to the following comments:

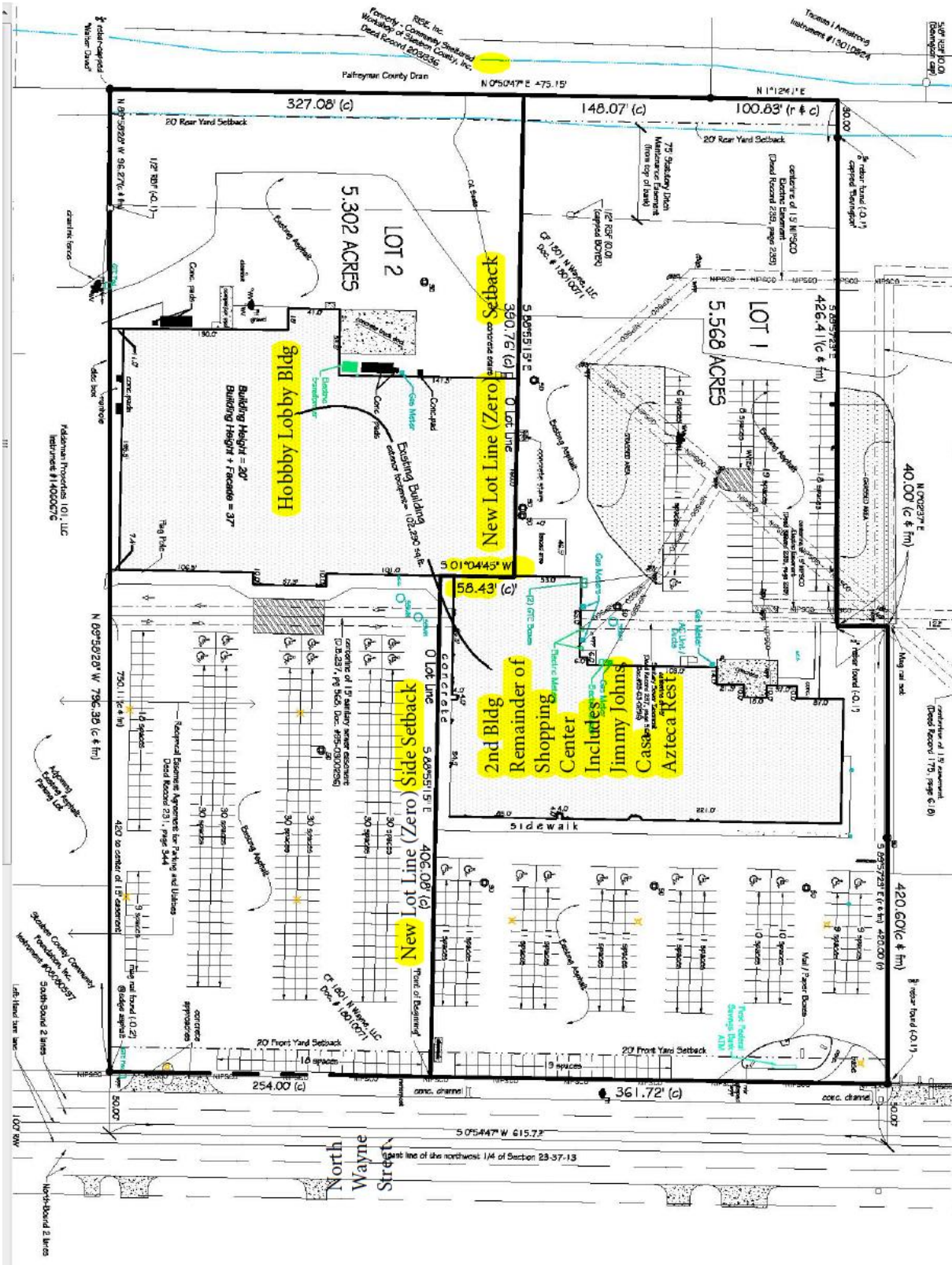
Vote by Angola Plan Commission:

<u>Name:</u>	<u>Approve</u>	<u>Deny</u>	<u>Abstain</u>	<u>Absent</u>
Gene Burd	Approve	Deny	Abstain	Absent
Veryl Carpenter	Approve	Deny	Abstain	Absent
Amanda Cope	Approve	Deny	Abstain	Absent
Josh Fletcher	Approve	Deny	Abstain	Absent
Tina King	Approve	Deny	Abstain	Absent
Jeff Martin	Approve	Deny	Abstain	Absent
Jerry McDermid	Approve	Deny	Abstain	Absent
Jeff Peters	Approve	Deny	Abstain	Absent
Charles Sheets	Approve	Deny	Abstain	Absent
Anne Watkins	Approve	Deny	Abstain	Absent
Craig Williams	Approve	Deny	Abstain	Absent

This report was prepared by the Board Secretary Vivian Likes. The report and findings are included as part of the public hearing and record. The staff report is subject to revisions prior to or at the public hearing.







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