

Yorktown Planning Commission

FINDINGS OF FACT

PETITION NO. 2023-01 REZONE
SUBJECT PROPERTY: 8620 W. Smith Street, Yorktown (3 parcels)
PETITIONER: Platinum Property Group LLC
800 W. White River Blvd.
Muncie, IN 47303

A hearing was held, pursuant to due notice regarding the above-mentioned application for rezoning, on the 6th day of December, 2023. Testimony and evidence from the Petitioner, remonstrators from the public, and the Town were received by the Plan Commission members.

1. The Petition was presented by a representative of the Petitioner, requesting a rezoning from IS (Institutional) and C-1 (Small to Medium Scale Commercial) to M-2 (Medium Density Multiple-family Residential).
2. Testimony was given by members of the public who presented concerns about safety, crime, traffic, and their property values. A summary of the testimony presented is available in the minutes of the meeting, incorporated herein by reference.
3. The Comprehensive Plan states that the Institutional zoning district is established for institutional and municipal owned lands both public and quasi-public, where the use is for public purpose and is anticipated to remain permanent.
4. The Planning Commission, in reviewing this application, paid reasonable regard to the following factors:
 - a. The content of the Yorktown Comprehensive Plan.
 - b. The current conditions and character of current structures and uses.
 - c. The most desirable use for which the land in each district is adapted.
 - d. The conservation of property values throughout the jurisdiction.
 - e. Reasonable development and growth.
5. Based on the foregoing facts, the Plan Commission finds:
 - A. Rezoning these parcels is part of the reasonable development and growth of the Town; and

- B. Multi-family residential is an appropriate use given the current neighboring structures and uses; and
- C. The application for rezoning should be approved with the following **conditions**:
 - 1. Bufferyard “B” Standards be required between this property and adjacent properties.
 - 2. Maximum Density of 12 dwelling units per acre be enforced as per M2 District Development Standards.

Being duly advised, the Plan Commission recommends as follows:

The application/petition should be:

- Approved as submitted
- Approved with conditions
- Approved with modifications
- Denied

The Yorktown Town Council has ninety (90) days to review the Plan Commission’s recommendation to approve with conditions this rezoning request.

Jason Gasaway, Plan Commission President