

# TOWN OF PLAINFIELD PLAN COMMISSION REPORT

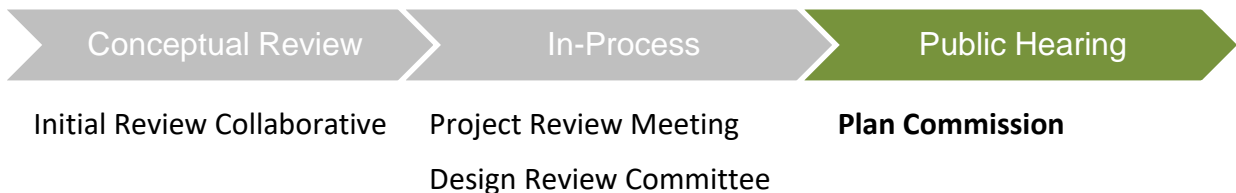
**DATE:** 06-03-2024  
**CASE NO.:** [DP-24-033](#)  
**PETITIONER:** McCON Building Corporation  
**REQUESTED ACTIONS:** Architectural and Site Design Review for a drive-thru Culver's restaurant  
**LOCATION:** 2224 E. Perry Rd.  
**PARCEL SIZE:** 1.47 acres+/-



	Existing Zoning Classification		Comprehensive Plan – Future Land Use	
<b>Site:</b>	GC	General Commercial	<b>Site:</b>	HC Highway Commercial
<b>North:</b>	GC	General Commercial	<b>North:</b>	LI Light Industrial
<b>South:</b>	GC	General Commercial	<b>South:</b>	HC Highway Commercial
<b>East:</b>	GC	General Commercial	<b>East:</b>	HC Highway Commercial
<b>West:</b>	GC	General Commercial	<b>West:</b>	HC Highway Commercial

## PETITION OVERVIEW AND STATUS

The applicant is seeking to construct a 4,611 square foot drive-thru Culver's restaurant at 2224 E. Perry Rd. The site is located on the north side of Perry Rd. east of Cambridge Rd. and was formerly used as a Golden Corral buffet / sit-down restaurant.



## PLANNING OVERVIEW

The site is located within 600' of a Gateway Corridor (Perry Rd.) and is subject to the requirements of Article 5.5. The ordinance states the following as the intended purpose of

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the Gateway Corridor requirements:

*In order to: promote innovation and creativity in the design of the built environment along the major corridors within the town; protect residential neighborhoods from the potential negative impacts of nearby commercial or industrial development; minimize the negative impacts on the town associated with strip commercial development, service facilities, loading facilities, storage facilities; minimize sign clutter and the intrusion of signs on the landscape; and minimize the use of incompatible building design features, all development located within 600 feet of the right-of-way of any Gateway Corridor or within 600 feet of a residential district shall be subject to the approval of a development plan by the Plan Commission or by the Director.*

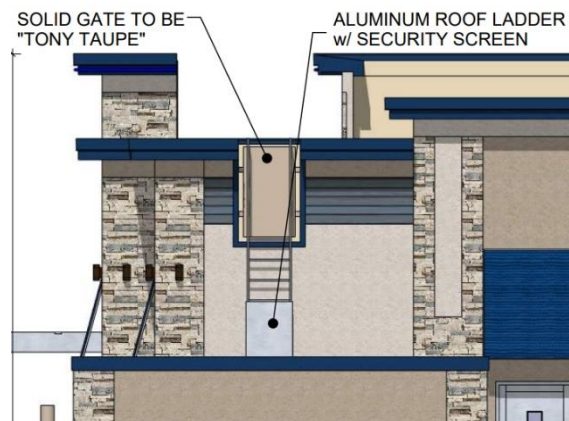
The Plan Commission may approve a development plan for architectural and site design review as proposed upon finding that:

1. The development plan complies with all applicable development standards of the underlying District for which a waiver has not been granted;
2. The development plan complies with all applicable provisions of the Subdivision Control Ordinance for which a waiver has not been granted;
3. The proposed development is consistent with the Comprehensive Plan;
4. The proposed development is appropriate to the site and its surroundings; and
5. The proposed development is consistent with the intent and purpose of this ordinance.

## DESIGN REVIEW

This request was reviewed by the Design Review Committee (DRC) at its May 7<sup>th</sup> meeting. The committee recommended approval of the petition subject to the following:

1. Consider moving the exterior ladder inside or screening the access opening in the parapet. *The plan was revised to show a metal gate at the parapet opening which will be painted to match the building.*



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2. Remove the “Butterburgers & Frozen Custard” sign on the runner canopy. *The applicant has requested to keep the sign as presented.*



## STAFF COMMENTS, QUESTIONS, AND CONCERNS

### Planning

The DRC’s rationale for requesting the runner canopy sign removal is that the committee does not support signs which describe products offered for sale. While staff can appreciate this position, the sign is allowed by the ordinance. Prohibiting an otherwise lawful sign due to the type of content or messaging rather than its size, location, design, or other potential characteristics could be problematic based upon the Supreme Court ruling *Reed v. Town of Gilbert* (2015).

### Utilities

The site was previously developed as a restaurant with all utilities. Culvers has proposed to demolish the old building along with the former service lines. The existing Town lines around the site are sufficient to serve the proposed project. Detailed construction plans will be reviewed and approved as part of the permitting process if this project moves ahead.

### Transportation

The minimum threshold for requiring a Traffic Impact Study for this development is not met, however, the Petitioner was in agreement to provide a cursory review of the expected trip generation this change in use is expected to create. Staff has reviewed the provided Trip Generation Analysis memo from LaCroix Traffic Engineering and takes no exception to the conclusions offered. In general, Staff concludes that the site provides drive locations and site circulation in a suitable fashion where backups onto the public right-of-way or adjacent Interior Access Driveways should not be experienced.

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To that point, the site does not derive access directly to the public right-of-way, rather, it relies upon a pair of preexisting Interior Access Driveways. Staff has cited concern to the Petitioner about the existing condition of these Interior Access Driveways and that there are expectations that they are both improved and better maintained as part of this project development. The Petitioner has committed to improving the condition of the pavement and drainage at these two locations, and to work to establish an appropriate agreement to ensure future maintenance is not ignored. Details of addressing these concerns are expected to be fully addressed through the Town's Site Infrastructure Plan Review process.

### **MOTION**

I move that the Plan Commission **approve / deny / continue** [DP-24-033](#) as filed by McCON Building Corporation requesting Architectural Site Design approval for a proposed drive-thru Culver's restaurant on a 1.47 acre parcel zoned GC: General Commercial within a Gateway Corridor finding that:

1. The Development Plan **complies / does not comply** with all applicable Development Standards of the District in which the site is located;
2. The Development Plan **complies / does not comply** with all applicable provisions of the Subdivision Control Ordinance for which a waiver has not been granted;
3. The Development Plan **complies / does not comply** with all applicable provisions for Architectural and Site Design Review for which a waiver has not been granted;
4. The proposed development **is / is not** appropriate to the site and its surroundings; and,
5. The proposed development **is / is not** consistent with the intent and purpose of this Ordinance.

And that such approval shall be subject to the following condition(s):

1. Substantial compliance with the development plan file as of June 3<sup>rd</sup>, 2024.