



**Petition Number:** 1306-PUD-07  
**Subject Site Address:** East Greyhound Pass (Village Park Plaza)  
**Petitioner:** Village Park Plaza, LLC  
**Request:** Petitioner requests a change in zoning from the SB-PD District to the Village Park Plaza PUD District.  
**Current Zoning:** SB-PD (Special Business-Planned Development)  
**Current Land Use:** Regional Shopping Center  
**Approximate Acreage:** 46.84 acres  
**Exhibits:**  
1. Staff Report  
2. Aerial Location Map  
3. PUD District Ordinance  
4. Sign Exhibit (permitted by PUD Ordinance)  
5. Sign Exhibit (permitted by Zoning Ordinance)  
**Zoning History:**  
88-PD-16 Original Development Plan  
88-V-9 Original Sign Variance  
**Staff Reviewer:** Jesse M. Pohlman, Senior Planner

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### **PETITION HISTORY**

This petition was introduced at the May 13, 2013, City Council meeting. The petition received a public hearing at the June 3, 2013, Advisory Plan Commission (the "APC") hearing.

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### **PROCEDURAL**

- Changes in zoning are required to be considered at a public hearing by the APC. The public hearing for this petition was held on June 3, 2013, at the APC meeting.
- Notice of the June 3, 2013, public hearing was provided in accordance with the APC Rules of Procedure.

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### **PROJECT OVERVIEW**

**Location:** This petition is specific to properties owned by the Petitioner within the Village Park Plaza shopping center, which is located on the east side of US Highway 31, between 146<sup>th</sup> Street and 151<sup>st</sup> Street (see **Exhibit 2**).



Project Description: Village Park Plaza is an outdoor regional shopping center that received its original approval in 1988 under the SB-PD (Special Business – Planned Development) District, a zoning district that pre-dated the Planned Unit Development (PUD) District. A PUD District would typically be established today for a development of this nature.

The Petitioner desires to update the commercial center’s building façades as well as update the center’s signs standards (as originally established by a sign variance in 1988). The Petitioner is in the process of addressing its proposed façade improvements under a separate petition for Development Plan approval (Petition No. 1306-DP-10). To address the sign standards, the Department has recommended the Petitioner seek a change of zoning to a PUD District rather than continue to use the existing zoning district (SB-PD) and variances. As a result, the Petitioner has filed this change of zoning petition for a PUD District (see **Exhibit 3**). The Department believes a PUD District will create a structure that can better accommodate the existing improvements and facilitate future improvements, while at the same time modernize the governing regulations.

Future amendments to the PUD District Ordinance are likely and are contemplated by the Petitioner as it continues to reassess the commercial center. In addition, the Department anticipates that adjacent properties within Village Park Plaza will be improved and/or redeveloped in the future and when that occurs, that those properties could easily be incorporated into this PUD District.

Default Standards: As currently proposed, the PUD District Ordinance primarily addresses signage and defaults to the Zoning Ordinance’s GB (General Business) District for land uses and development standards. The property’s current zoning (SB-PD) essentially already defaults to the GB District for the permitted land uses and development standards.

Sign Standards: Currently, the property is subject to a set of sign criteria that were approved by the Board of Zoning Appeals in 1988 (“Sign Variance Standards”). The Petitioner desires to adopt the Zoning Ordinance’s current signs standards, with its proposed modifications, in lieu of the Sign Variance Standards. Modifications to the Zoning Ordinance’s sign standards are proposed after taking into consideration the following:

1. Village Park Plaza was originally built as a one-sided shopping center, oriented towards US31. Since its development, circulation patterns through and around the shopping center have evolved as a result of improvements to 146<sup>th</sup> Street and Greyhound Pass, the construction of the new Cool Creek Road, and the ongoing and planned improvements to US31. These changes have resulted in a four-sided shopping center with road frontages on all four sides.



2. Village Park Plaza is currently the City's only outdoor regional shopping center. The Zoning Ordinance's sign standards were not uniquely crafted to accommodate the unique orientation and nature of such a development.
3. US31 is currently being improved to a "freeway" status. This will result in traffic traveling past the shopping center at a faster speed than it does today, without traffic signals, and with limited access from US31. Sign standards are traditionally written after taking into consideration the speed of traffic on adjacent thoroughfares and the anticipated frequency of access points to the development. There were no "freeways" in Washington Township when the City adopted the Zoning Ordinance's sign standards.

As a result of these factors, the Department believes it is reasonable to consider modifications to the Zoning Ordinance's sign standards. The proposed modifications are outlined in the PUD District Ordinance (see **Exhibit 3**).

Comprehensive Plan: The Future Land Use Plan in the Westfield-Washington Township Comprehensive Plan (the "Comprehensive Plan") identifies the properties as "Regional Commercial". The existing commercial center and proposed PUD District meets many of Comprehensive Plan's development policies for this area, including, but not limited to: (i) Reserve exclusively for regional commercial development; (ii) Permit regional commercial uses only in planned centers with consistent design and architectural style for each center; (iii) require that buildings be designed to enhance the community character; and (iv) required the size, materials, color, and design of buildings to be unique to Westfield. "Franchise" architecture that represents no effort to create a unique design that fits Westfield-Washington Township is not acceptable. The Comprehensive Plan is not law; rather, it is intended to serve as a guide in making land use decisions.

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### **STATUTORY CONSIDERATIONS**

Indiana Code 36-7-4-603 states that reasonable regard shall be paid to:

1. The Comprehensive Plan.
  2. Current conditions and the character of current structures and uses.
  3. The most desirable use for which the land is adapted.
  4. The conservation of property values throughout the jurisdiction.
  5. Responsible growth and development.
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### **PUBLIC HEARING COMMENTS**

The Petitioner has modified the proposed ordinance to reflect comments received from the APC and Staff. The modifications are redlined in **Exhibit 3** and are briefly summarized below:

1. A standard has been incorporated to address temporary signage for tenants during the renovation period in which the tenants' wall signs would be removed while their facades are being improved.
2. The proposed building elevations have been incorporated to establish a uniform benchmark for the architecture and design of buildings within the PUD District so that future building improvements will be consistent in quality and character as those shown.

The APC requested the Petitioner present an exhibit depicting a smaller tenant space façade and a larger tenant space façade illustrating a maximum sign permitted under the City's Zoning Ordinance and then compared to the maximum sign permitted under the proposed standards. That exhibit has been provided by the Petitioner is included at **Exhibit 4** (signs permitted under proposed PUD Ordinance) and **Exhibit 5** (signs permitted by Zoning Ordinance).

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### **STAFF COMMENTS**

If the Plan Commission is satisfied with the proposed PUD District Ordinance, then Staff recommends forwarding Petition No. 1306-PUD-07 to the City Council with a favorable recommendation.

If any APC member has questions prior to the public hearing, then please contact Jesse Pohlman at 317.402.4380 or [jpohlman@westfield.in.gov](mailto:jpohlman@westfield.in.gov).