



Petition Number: 1312-DP-16 & 1312-SIT-11

Subject Site Address: 18128 Market Court

Petitioner: Ken Fineis Industries, LLC by Silver Creek Engineering, Inc.

Request: Petitioner requests Development Plan and Site Plan review for a proposed building addition.

Current Zoning: GB/PD (General Business/Planned Development) District

Current Land Use: Commercial

Approximate Acreage: 2.561 acres+/-

Exhibits:

1. Staff Report
2. Aerial Location Map
3. Site and Landscape Plan
4. Elevations and Color Rendering

Zoning History:

96-AP-23	GB-PD Development Approval
0507-DP-31	Development Plan Approval <small>(south existing building)</small>
0507-SIT-23	Site Plan Approval <small>(south existing building)</small>
0702-VU-002	Use Variance <small>(to allow motorcycle sales)</small>

Staff Reviewer: Jesse M. Pohlman, Senior Planner

PROCEDURAL

Approval of a Primary Plat and Development Plan must be granted if the submitted plans demonstrate compliance with the terms of the underlying zoning district, subdivision control ordinance and/or applicable PUD District Ordinance, any variances associated with the site, and any commitments associated with the site.

PROJECT OVERVIEW

The request is for the Development and Site Plan approval of a building addition for Westfield Yamaha, Suzuki and Polaris located on 2.561 acres+/- at 18128 Market Court (northwest corner of US Highway 31 and 181st Street) (see Exhibit 2). The Development Plan includes a 6,810 square foot+/- building addition that connects the two existing structures on the property (see Exhibit 4). No other site plan changes are being proposed at this time (see Exhibit 3).

The petition was reviewed by the Technical Advisory Committee at its November 19, 2013, meeting.



DEVELOPMENT PLAN REVIEW COMMENTS

Development Plan Review (WC 16.04.165)

1) Zoning District Standards: (*Business District Standards (WC 16.04.050)*)

a) General Business District Requirements: (*WC 16.04.050(A)*)

- i) There shall be no storage or display of merchandise outside of a building except in a sales lot established for that purpose.

Comment: The original development plan approved in 2005 established five (5) outdoor display areas and the granted use variance (as noted herein) prohibits displays after hours and limits the displays to no more than ten (10) vehicles at one time. The proposed building addition will result in the elimination of one (1) of these outdoor display areas.

b) GB-PD District Specific Standards: (*WC 16.04.050(H)*)

- i) Minimum Tract Requirement (of business park): 10 acres
- ii) Minimum Lot Frontage on Road: 330 feet
- iii) Minimum Setback Lines:
 - (1) Front Yard: 30 feet
 - (2) Side Yard: 15 feet
 - (3) Rear Yard: 20 feet
- iv) Minimum Lot Width at Building Line: None
- v) Minimum Number of Structures: None
- vi) Minimum Size of Structures: None

Comment: Development Plan complies.

c) Off-Street Loading and Parking Standards: (*WC 16.04 et seq.*)

Comment: Development Plan complies. The building addition results in a net loss of seven (7) parking spaces on site. The Zoning Ordinance does not specify a parking space ratio for this use; rather, it provides that the ratio shall be determined by the Director based upon data supplied by the applicant in response to traffic and parking data requested to be furnished with the application. The additional square footage will likely not result in an increased parking demand, as the building addition will be primarily used for storage. The petitioner has indicated the current building does not require the amount of parking that currently exists on the property, even though additional spaces are located throughout the site that are not utilized (e.g., along west property line). As a result, the Department believes the provided parking is sufficient.

2) Overlay District Standards: The subject property is located within the U.S. Highway 31 Overlay District (the "Overlay") (*WC 16.04.070*).

- a) **Minimum Lot and Setback Standards:** Development Plan complies. The lot size is not changing and the proposed addition is within the already established setback lines of the existing buildings and no new impervious surface is being proposed.



- b) **Architectural and Design Standards:**
- i) No loading or unloading berth or bay may be visible from US Highway 31; elsewhere in the development, such bays shall be completely screened by landscaping or other screening.
Comment: Development Plan complies. The building addition incorporates one additional loading bay, which is located on the west elevation adjacent to the existing loading bays on the building to the south.
 - ii) All heating, ventilating, communication and like equipment for any facility shall be completely screened from view in a manner that is homogenous with the balance of the structure.
Comment: There is no proposed ground mechanical equipment; rather, the mechanical equipment will be roof mounted and screen by the parapet wall.
 - iii) The architectural plan of any building proposed to be built in the US Highway 31 Overlay Zone must exhibit pleasing scale and proportion and demonstrate compatibility with other buildings and structures in the same and adjacent developments. A minimum of three (3) materials shall be used for building exteriors, and must include stone or brick. Buildings shall be designed with a minimum of eight (8) external corners to eliminate box buildings. Sloped roofs of 100 feet or more must include a gable, dormer or other change in roof plane.
Comment: Development Plan complies.
- 3) **Subdivision Control Ordinance:** Not applicable. No subdivision is being proposed.
- 4) **Development Plan Review Standards:** (WC 16.04.165(D)(3))
- a) **Site Access and Site Circulation:**
Comment: No new vehicular access drives are being proposed. The proposed addition eliminates the existing drive between the buildings; however, the existing drive around the entire perimeter of the site will remain providing for adequate circulation.
 - b) **Landscaping:** (WC 16.06 *et seq.*)
 - i) **General Landscape Design Standards:** (WC 16.06.040):
 - (1) **Standard:** Ground mounted heating and cooling units for nonresidential structures shall be completely screened.
Comment: There is no proposed ground mechanical equipment; rather, the mechanical equipment will be roof mounted and screen by the parapet wall.
 - ii) **On-Site and Road Frontage Requirements:** (WC 16.06.050):
 - (1) **On-Site and Road Frontage Standards:**
Comment: No new on-site or street frontage landscaping is required as a result of the proposed addition and related improvements. The existing landscaping impacted by the construction limits is proposed to be relocated to the northeast corner of the site.
 - iii) **Buffer Yard Requirements:** (WC 16.06.060):
Comment: No new buffer yard is required as a result of the proposed addition and related improvements.
 - iv) **Parking Area Landscaping:** (WC 16.06.070):



Comment: No new parking areas are being proposed as part of this development plan. The building addition does, however, result in the loss of an interior parking lot island (494 square feet+/-). The plantings from this island will remain on-site and are being proposed to be relocated to the northeast corner of the property. Even with the removal of the parking lot island, the parking area landscaping complies.

c) **Lighting:** (WC 16.07 *et seq.*)

Comment: Development Plan complies. No new exterior lighting is being proposed.

d) **Signs:** (WC 16.08 *et seq.*)

Comment: Not applicable. No new signs are being proposed.

e) **Building Orientation:**

i) **Standard:** Each building façade visible from a public street or oriented to an adjoining Residential District shall be a finished façade.

Comment: Development Plan complies.

ii) **Standard:** No loading spaces or loading docks shall be permitted to face a public street or an adjoining Residential District.

Comment: Development Plan complies.

iii) **Standard:** No outside storage shall be permitted between an established building line and the right-of-way of a public street or an adjoining Residential District.

Comment: Development Plan complies. No outside storage is proposed. Outdoor display areas are subject to the standards noted herein.

iv) **Standard:** All roof or ground mounted mechanical equipment shall be completely enclosed. Ground-mounted enclosures for mechanical equipment shall be landscaped on all sides not facing the building served.

Comment: There is no proposed ground mechanical equipment; rather, the mechanical equipment will be roof mounted and screen by the parapet wall.

f) **Building Materials:**

i) **Standard:** In order to create variation and interest in the built environment, all new building additions shall use the exterior building materials specified below on each facade visible from a public street or an adjoining Residential District:

(1) All brick (excluding window, display window, door, roofing, fascia and soffit materials); or,

(2) Two (2) or more building materials (excluding window, display window, door and roofing materials), provided, however, that the primary building material shall be either brick or Exterior Insulation and Finish System (E.I.F.S.) and shall constitute a minimum of sixty (60) percent of each visible facade visible.

Comment: The facades visible from a public street include two (2) or more building materials (see [Exhibit 4](#)); however, the proposed design does not meet the requirement that sixty (60) percent of the façade (primary building material) shall be either EIFS or brick. The primary building material is Concrete Masonry Unit (CMU). The secondary building material is Exterior Insulation and Finish System (EIFS) at twenty-three (23) percent of the facades. The Petitioner has indicated that additional EIFS could be added to the facades to comply with this standard; however, the Petitioner believes the proposed design and building materials are more desirable and consistent with the



building materials and design of the existing building. If sixty (60) percent EIFS were to be required, then the additional EIFS would be incorporated on the bottom portion of the façade (the area of the facade below the white horizontal stripe). **As a result, the Petitioner is requesting the Plan Commission's consideration and approval of a building materials waiver.**

- ii) Standard: The exterior building material selection shall be supplemented with the use of multiple colors, multiple textures (e.g., rough, smooth, striated, etc.) or the addition of architectural elements (e.g., quoins, pilasters, soldier courses, lintels, friezes, cornices, dentils, architraves, etc.) on each facade visible from a public street or an adjoining Residential District:

Comment: Development Plan complies. Multiple colors and textures are proposed to match the existing building(s).

- 5) Street and Highway Access: The design and location of proposed street and highway access points shall minimize safety and hazards and congestion.

Comment: No new access points are being proposed. Development Plan complies.

- 6) Street and Highway Capacity: The capacity of adjacent streets and highways is sufficient to safely and efficiently accept traffic that will be generated by the new development

Comment: Development Plan complies.

- 7) Utility Capacity: The applicable utilities have sufficient capacity to provide potable water, sanitary sewer facilities, electricity, telephone, natural gas, and cable service at a satisfactory level of service to meet the needs of the proposed development

Comment: Coordinate with WPWD and other service providers.

- 8) Traffic Circulation Compatibility: The entrances, streets and internal traffic circulation facilities in the proposed development are compatible with existing and planned streets and adjacent development.

Comment: Development Plan complies.

COMPLIANCE WITH VARIANCE OF USE CONDITIONS

On February 20, 2007, The Board of Zoning Appeals approved a Variance of Use (Petition No. 0702-VU-002) for the Property to allow motorcycle sales and administrative office in the US 31 Overlay District with the following five (5) conditions:

- 9) There will be no outdoor storage or after hours displays of product on site.
- 10) There will be no repairing of motorcycles, all-terrain vehicles and personal water crafts on site.
- 11) The applicant will cooperate with the development of the Monon Trail in terms of cross access easements and access if appropriate.
- 12) All motorcycle, all-terrain vehicle and personal water craft activities will occur within the confines of the building at 18120 Market Court.
- 13) No more than ten (10) vehicles displayed outdoors at one time.

Comment: The Development Plan complies with all of these conditions. The Department will continue to monitor and administer the enforcement of these conditions.



DEVELOPMENT REQUIREMENTS WAIVER

As noted in comment #4(F)(i) above, the Petitioner is requesting the Plan Commission's consideration and approval of a building materials waiver to allow less than sixty (60) percent EIFS on the facades visible from the public street.

Pursuant to WC §16.04.165(F), the Plan Commission is authorized to grant a waiver of the required building materials. In order to encourage innovative building and site designs capable of enhancing the quality of the built environment of Westfield-Washington Township, the Plan Commission may waive the development requirements related to building materials, for the approval of a Development Plan, only upon making findings that:

- a) The proposed development represents an innovative use of site design / site access design / site circulation design / building orientation / building materials / landscaping which will enhance the use or value of area properties;
- b) The proposed development will not be injurious to the public health, safety, morals or general welfare of Westfield-Washington Township;
- c) The strict application of the Development Requirements of the Westfield-Washington Township Zoning Ordinance will result in a development of the real estate which is undesirable when compared with the proposed development;
- d) The proposed development is consistent with and compatible with other development located in the area; and,
- e) The proposed development is consistent with the intent and purpose of the Westfield-Washington Township Comprehensive Plan.

STAFF COMMENTS

1. No action is required at this time.
2. Prior to the final deposition, the petitioner will make any necessary revisions to the plans, as addressed in this staff report. The Economic and Community Development Department staff will confirm compliance prior to this item being placed on the next APC agenda.
3. 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.