

TOWN OF WESTFIELD

COMMUNITY DEVELOPMENT DEPARTMENT

March 5, 2002

Mr. Will Gates
1621 Cool Creek Circle
Carmel, IN 46033

WESTFIELD WASHINGTON TOWNSHIP
PLAN COMMISSION
BOARD OF ZONING APPEALS
ZONING ENFORCEMENT
BUILDING PERMITS

Re: 0111-SE-04, 124 East Main Street, A Special Exception

Dear Mr. Gates,

The Westfield-Washington Township Board of Zoning Appeals met on November 19, 2001 to review case number 0111-SE-04, 124 East Main Street, A special exception; WC 16.04.050, E, 2, Special Exceptions – to permit the operation of a new and used auto sales use in the LB-H (local business- historic) zoning district.

A public hearing was held and the Board voted 4-1 to grant your request with the following conditions:

- FILE COPY**
1. Fences and Walls – the petitioner shall complete the following improvements to the subject site:
 - a. Replace the existing 6' screening fence that runs along the north side of the subject property. Such fence shall be designed in a manner that does not give the appearance of having one finished side and one unfinished side.
 - b. The petitioner shall be required to consult with the adjacent property owner to the east of the subject property to arrive at an amenable screening method for the proposed use. If no other agreement is reached with the adjacent property owner, the following requirements shall become effective:
 - (1) A new screening fence along the east property line of the site shall be installed.
 - (2) Such fence shall be 6' in height along the east side yard and along the east side of the rear yard.
 - (3) Such fence shall gradually slope to a height of 4' along the east side of the front yard (approaching State Highway 32).
 - (4) Such fence shall be designed in a manner that does not give the appearance of having one finished side and one unfinished side.

- c. Repair or replace the damaged tie wall in the northwest corner of the site (see Exhibit 6 of the staff report for clarification).
2. Site Access – the petitioner shall make the following modifications to the vehicular access points to the subject site:
 - a. One (1) vehicular ingress/egress shall be permitted along the south property line not to exceed 25' in width. The remainder of such road frontage shall be curbed (as per Town of Westfield Construction Standards) and, except for the sidewalk area, converted into grass or landscape area.
 - b. One (1) vehicular ingress/egress shall be permitted along the west property line not to exceed 25' in width. The remainder of such road frontage shall be curbed (as per Town of Westfield Construction Standards) and, if possible, converted into grass or landscape area.
 - c. In redesigning the vehicular ingress/egress along the west property line, every effort shall be made to define the property line of the subject site in order to distinguish the alley right-of-way from the subject property (see Exhibit 7 of the staff report for recommended traffic circulation design).
3. Vehicle Display Area:
 - a. No more than twelve (12) automobiles shall be displayed on the subject site at any time.
 - b. At least two (2) off-street parking spaces shall be provided on the subject site.
 - c. No display vehicles or employee vehicles shall be permitted to encroach on public sidewalks or rights-of-way which abut the subject property.
 - d. All vehicular areas on the subject property shall be covered with a finished grade asphalt or finished grade pavement material.
4. Landscaping:
 - a. At least seven (7) shrubs shall be planted along the north side of the subject property between the recommended fence and the existing building.
 - b. At least five (5) shrubs shall be planted along the east side of the subject property between the recommended fence and the existing building.
 - c. The petitioner shall be required to comply with the landscaping provisions of WC 16.06.030 – Selection, Installation, and Maintenance of Plant Materials.
 - d. The petitioner shall be required to comply with the landscaping provisions of WC 16.06.040 – General Landscape Design Standards.

- e. The petitioner shall install at least one (1) evergreen tree somewhere on the subject property in compliance with item 4(c) and (d) above.
 - f. The petitioner shall install at least two (2) ornamental trees on the subject site as "road frontage trees" along State Highway 32. Such trees shall be at least 20' apart and shall be located adjacent to the State Highway 32 right-of-way. Such trees shall be installed in compliance with item 4(c) and (d) above.
5. Lighting – Lighting on the subject site shall be completely replaced to conform with the following standards:
- a. Light sources shall be located and installed in such a way that minimizes light spilling over onto contiguous properties.
 - b. On-site lighting of buildings, and parking areas shall be designed so as not to shine or cause glare in excess of one-half (0.5) foot-candle beyond the property line.
 - c. Lighting shall be installed so as to reflect directly downward and away from adjoining properties.
 - d. Covers shall be installed on lighting fixtures. Lamps (bulbs) shall not extend below the bottom of such covers.
 - e. Light poles shall not exceed twelve (12) feet in height.
 - f. Reflected glare on nearby buildings, streets, or pedestrian areas shall be mitigated by utilizing overhangs and awnings; using non-reflective building materials for exterior walls and roof surfaces; controlling angles of reflection; and placing landscaping and screening in appropriate locations.
 - g. Lighting fixtures to be installed on the subject property shall be architecturally compatible with the historic character of the "Old Downtown" area.
6. Miscellaneous Requirements – the petitioner shall comply with the following requirements:
- a. No outside storage shall be permitted on the subject property other than display vehicles.
 - b. 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.
 - c. Any alteration to the existing building on the site shall be executed in a manner that retains the original design and features of the existing structure.
 - d. Materials used for restoration and repair for windows, doors, exterior siding, roofing, and other exterior needs shall replicate to the extent possible the existing materials utilized in the period of initial construction.

- e. Exterior building colors shall consist of white and/or earthen tones.
7. Required Documentation – the following documentation shall be submitted as a condition of this approval prior to commencing auto sales:
- a. Site Plan – A site plan shall be drawn to scale of not more than 1"=100' and shall include the following items:
- (1) North arrow;
 - (2) Graphic scale;
 - (3) Address of the site;
 - (4) Proposed name of the development;
 - (5) Area map insert showing the general location of the site referenced to major streets, section lines, as well as the zoning and land use of adjacent property;
 - (6) Legal description of the site;
 - (7) Boundary lines of the site including all dimensions of the site;
 - (8) Names, centerlines, and right-of-way widths of all streets, alleys, and easements;
 - (9) Layout, number, dimension, and area (in square feet and acres) of the subject property with zoning setback lines or building setback lines;
 - (10) Location and dimensions of all existing structures, including paved and graveled areas;
 - (11) Location and dimensions of all proposed structures, including paved areas, and indicated by cross-hatching;
 - (12) Location and name of all existing and proposed public or private streets, access easements, and rights-of-way within two-hundred (200) feet of the site;
 - (13) Location of all floodway and floodway fringe areas within the boundaries of the site;
 - (14) Location of all existing and proposed utility facilities and easements, including, but not limited to: sanitary sewer, water, storm water management, electric, gas, telephone, and cable;

- (15) Use of each structure by labeling including approximate density or size of all proposed uses and structures on the site (e.g. parking - # of parking spaces required and provided, residence - # of dwelling units per net acre, office - gross floor area);
 - (16) Structures proposed for demolition should be indicated as such;
 - (17) Distance of all structures from front, rear, and side lot lines. (This distance is measured as a line from the point where the structure is closest to the lot line. This line is perpendicular to the lot line.);
 - (18) Location of any proposed or existing driveway and its width at the lot line. (Any connection to an alley must also be indicated);
 - (19) All improvements to street system on-site and off-site;
 - (20) Plan for sidewalks;
 - (21) Measurement of curb radius and/or taper;
 - (22) Names of legal ditches and streams on or adjacent to the site;
 - (23) Existing zoning and land use of all adjoining real estate; and
 - (24) Any other information necessary to support a thorough review of the project and as requested in writing by the Director.
 - (25) The Director may, in writing, waive or relax any of the Site Plan requirements listed above, which are not necessary to support a thorough review of the project.
- b. Landscape Plan - A landscape plan shall be drawn to scale of not more than 1"=100' and shall include the following items:
- (1) It is recommended that landscape plans be prepared by licensed landscape architects, nurserymen, or other professionals experienced in landscape design, installation, and maintenance.
 - (2) Landscape plans shall show the entire project drawn to scale on standard sized sheets (minimum 24" x 36") and shall contain the following information:
 - (a) Names and addresses of owners, developers, plan preparers, plan preparation dates, scale of drawings, and north arrows;
 - (b) Locations and dimensions of all existing and proposed structures, parking lots, driveways, roadways, rights-of-way, sidewalks, refuse disposal areas, bicycle parking areas, freestanding electrical

equipment, utility lines, easements, freestanding structural features, landscape improvements, walls, fences, screens, street furniture, lights, paved areas, and buffer yards;

- (c) Locations, quantities, sizes, and names (botanical names and common names) of planting materials;
 - (d) Existing and proposed grading plans, indicating contours at not more than two-foot intervals;
 - (e) Planting and installation details as necessary to ensure conformance with required standards; and
 - (f) Tables clearly displaying relevant statistical information, including numbers of existing trees and numbers of trees preserved, for example.
- (3) The Director may, in writing, waive or relax any of the Landscape Plan requirements listed above, which are not necessary to support a thorough review of the project.
- c. Lighting Plan – Lighting Plans shall be drawn to a scale of not more than 1"=100', and shall include the following items:
- (1) North arrow;
 - (2) Graphic scale;
 - (3) Address of the site;
 - (4) Proposed name of the development;
 - (5) Boundary lines of the site including all dimensions of the site;
 - (6) Location and dimensions of all existing structures, parking areas and walkways;
 - (7) Type and location of all exterior lighting fixtures, including, wattage and type of light;
 - (8) Intensity of lighting at base of light structure and at the lot line measured in foot candles (otherwise known as a photometric plan);
 - (9) If architectural building lighting is proposed, indicate the location, type and intensity of lighting on each building façade.
 - (10) Timing of lighting and method of control of lighting; and

- (11) Any other information necessary to support a thorough review of the project and as requested in writing by the Director.
 - (12) The Director may, in writing, waive or relax any of the Lighting Plan requirements listed above, which are not necessary to support a thorough review of the project.
- d. Site Access and Site Circulation Plan – A Site Access and Site Circulation Plan shall be drawn to scale of not more than 1"=100' and shall include the following items:
- (1) North arrow;
 - (2) Graphic scale;
 - (3) Address of site;
 - (4) Proposed name of the development;
 - (5) Area map insert showing the general location of the site referenced to major streets, and section lines;
 - (6) Names, centerlines, and right-of-way widths of all streets, alleys, and easements;
 - (7) Location and name of all public or private streets, access easements, and rights-of-way within two-hundred (200) feet of the site;
 - (8) Location of any proposed or existing driveway onto a street or alley and its width at the lot line;
 - (9) Depictions of all travel lanes, turning movements, vehicle storage areas, and tapers, including dimensions, at all driveways;
 - (10) All improvements to the street system on-site and off site;
 - (11) Centerline measurements between all existing and proposed driveways within two-hundred (200) feet of the site;
 - (12) Measurement of curb radius and/or taper;
 - (13) Location and dimensions of primary vehicular ways in and around the proposed development;
 - (14) Location of any proposed or existing sidewalk;
 - (15) Any other information necessary to support a thorough review of the project and as requested in writing by the Director.

- (16) The Site Access and Site Circulation Plan requirements listed above may be incorporated into the required Site Plan.
 - (17) The Director may, in writing, waive or relax any of the Site Access and Site Circulation Plan requirements listed above, which are not necessary to support a thorough review of the project.
8. The tree illustrated in Exhibit 7 of the staff report near the intersection of the adjacent alley [which runs along the west side of the subject property] and State Highway 32 shall be moved back away from the intersection in a manner that does not interfere with applicable line-of-site standards.

Please feel free to contact the Community Development Department at (317) 896-5577 should you have any questions regarding your case or for obtaining permits.

Sincerely,



Terri Ochs
Secretary, Westfield Washington Township Board of Zoning Appeals

cc: Ron Wright
9292 North Meridian
Indianapolis, IN 46260
File #: 0111-SE-04

Ron Povenelli
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Indianapolis, IN 46260
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