



Westfield City Council Report

Ordinance Number:	14-39
APC Petition Number:	1405-PUD-06
Requested Action:	Kroger Limited Partnership by EMH&T requests a change in zoning of approximately 7.5+/- acres from the SF-3 District and CrossRoads Church PUD District to the Spring Mill Station NE Quadrant PUD District on approx. 7.5 acres.
Current Zoning District:	Vacant & Commercial (existing Kroger Grocery Store and Fueling Center)
Current Land Use:	Agricultural
Exhibits:	<ol style="list-style-type: none">1. Staff Report2. Aerial Location Map3. APC Certification4. Ord. 14-39
Prepared by:	Ryan Clark, AICP

PETITION HISTORY

This petition was introduced at the July 14, 2014, City Council meeting. The petition received a public hearing at the August 4, 2014, Advisory Plan Commission (the "APC") meeting. The APC forwarded the petition to the Westfield City Council (the "Council") with a favorable recommendation for approval at its August 18, 2014, meeting. The APC Certification is included as Exhibit 3.

PROCEDURAL

- Requests for a change in zoning are required to be considered at a public hearing, in accordance with Indiana Code 36-7-4-1511. The public hearing for this petition was held on August 4, 2014, at the APC meeting. Notice of the August 4, 2014, public hearing was provided in accordance with the APC Rules of Procedure.
- At its August 18, 2014 meeting, the APC issued a favorable recommendation (8-0) of the proposed change of zoning to the Council.
- The Council may take action on this item at its September 8, 2014, meeting.

PROJECT OVERVIEW

Project Location

The subject properties are approximately 7.5+/- acres in size and are located on the northeast corner of 161st St. and Spring Mill Road (the "Property"). The Property consists of three separate areas including approximately 5 acres of the existing Kroger grocery store, approximately 1.5 acres of the CrossRoads Church PUD and approximately .75 acres of the of the existing Kroger Fuel Center on the northeast corner of 161st Street and Spring Mill Road. The Spring Mill Commons shopping center is not included in this rezoning request.

Project Description

Kroger Limited Partnership by EMH&T (the "Petitioner") is proposing a PUD ordinance (the "Proposal") for the Property to allow the following items:

1) Grocery Store Expansion:

Proposal to add an approximately 9,000 square feet addition to the north and 4,800 square foot addition to the south side of the existing Kroger Grocery store for a total of 80,320 square feet. The expansion would move the existing drive-thru from the south end to the north end of the building and also add an outdoor seating area and wall mural on the south end of the building along 161st Street.

2) Fuel Center Expansion:

Proposal to move the existing fuel center facility at the intersection of 161st Street and Spring Mill Road directly north to an existing vacant lot. The proposed new fueling center would include a 161 foot fueling canopy located along Spring Mill Road and a 1034 square foot convenience store ("the fueling center") building. Both the canopy and Fueling Center were designed to be architecturally compatible with the objectives of the Spring Mill Station Plan. The proposal also includes railroad themed bike stops along the multi-use trail along Spring Mill Road.

3) Fuel Center Redevelopment:

The existing fuel center is proposed to be redeveloped by demolishing the existing fuel center and replacing with twenty (20) additional parking spots and a new park amenity space at the intersection. The new park will include a brick paver pedestrian crossing from the existing Starbucks facility to a circular brick paver plaza area. The plaza area will include built-in seating on the walls along the exterior of the plaza and a connection to the existing pedestrian trail along Spring Mill Road.

Update since APC Recommendation on 8/18/14

Section 1.2 has been added to the PUD to repeal the previous zoning of the CrossRoads Church PUD on the area of the proposed fuel center location. This addition restricts the property to only the fuel service station use listed in the PUD.

STATUTORY CONSIDERATIONS

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

1. The Comprehensive Plan.

According to the Westfield-Washington Township Comprehensive Plan (the "Comprehensive Plan"), the Property is located in the Spring Mill Station area, an addendum to the Westfield-Washington Township Comprehensive Plan. Retail, office, and services uses are listed as appropriate uses within the Spring Mill Station classification.

2. Current conditions and the character of current structures and uses.

The area of the proposed fuel station is currently in a dilapidated state with a vacant house and barn. Demolition of the site with the new improvements added will improve the aesthetic appeal of the property. The grocery store use and service station use will remain on the real estate.

3. The most desirable use for which the land is adapted.

Removing the existing gas station off the intersection of 161st St. and Spring Mill Rd. and replacing with a pocket park is consistent with the Spring Mill Station Comprehensive Plan and more conducive to a pedestrian environment. The grocery store and gas station use remain unchanged.

4. The conservation of property values throughout the jurisdiction.

It is anticipated that the proposal would have neutral or positive impact on property values throughout the jurisdiction.

5. Responsible growth and development.

The Property is contiguous to other developed areas, and the improvement of the Property would be consistent with the principle of contiguous growth.

RECOMMENDATIONS / ACTIONS

APC Recommendation

At its August 18, 2014, meeting, the APC forwarded a **favorable recommendation** of Ordinance No. 14-39 (APC Petition No. 1405-PUD-06) to the Council (Vote of: 8 in favor, 0 opposed).

City Council

Introduction: July 14, 2014

Eligible for Adoption: September 8, 2014

Submitted by: Ryan Clark, AICP
Economic and Community Development Department

Aerial Map 1405-PUD-06 161st St. and Springmill NE Quadrant PUD

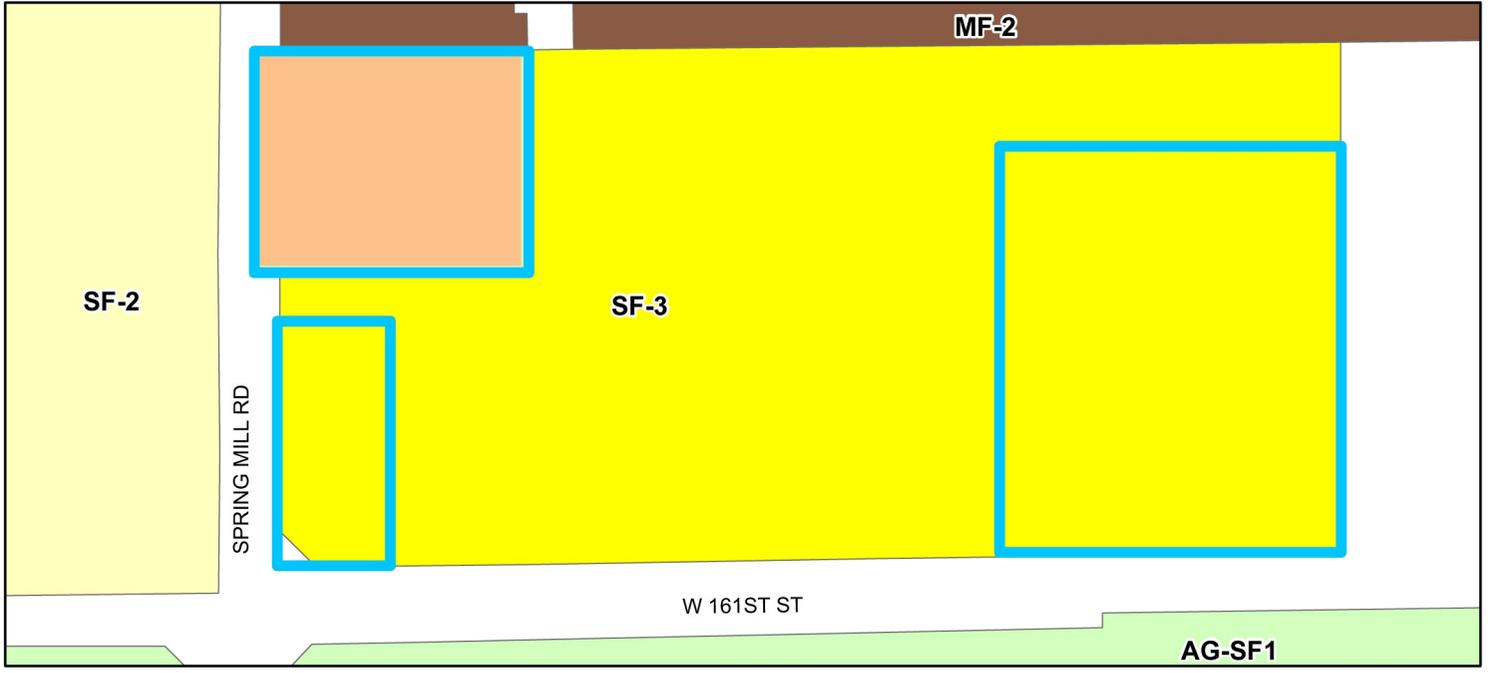


Aerial Location Map

Site



Zoning Map



Zoning

- SF-2 (Single Family - 2)
- CrossRoads Church PUD
- SF-3 (Single Family - 3)
- MF-2 (Multiple Family - 2)

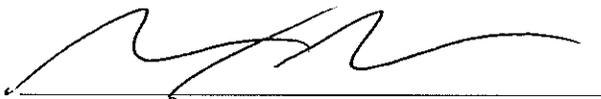
**WESTFIELD-WASHINGTON ADVISORY PLAN COMMISSION
CERTIFICATION**

The Westfield-Washington Advisory Plan Commission held a public hearing on Monday, August 4, 2014, to consider the Spring Mill Station NE Quadrant PUD. Notice of the public hearing was advertised and noticed and presented to the Advisory Plan Commission. Notice was shown to have been published in a newspaper of general circulation in Hamilton County, Indiana. The proposal is as follows:

Case No.	1405-PUD-06
Petitioner	Kroger Limited Partnership by EMH&T
Description	Change in zoning of approximately 7.5+/- acres from the SF-3 District and CrossRoads Church PUD District to the Spring Mill Station NE Quadrant PUD District.

On August 18, 2014, a motion was made and passed to send a favorable recommendation to the City Council regarding Petition No. 1405-PUD-06.

The above-mentioned proposal and the Advisory Plan Commission's recommendation thereof are hereby certified.



Matthew S. Skelton, Secretary

August 19, 2014

Date