



Petition Number: 1508-DDP-14

Subject Site Address: Northeast corner of 161st Street and Spring Mill Road

Petitioner: Paula Gartner, EMH&T on behalf of Kroger Limited Partnership

Request: Petitioner requests Detailed Development Plan review for a Curbside Pickup Canopy on a 0.529 acre site directly north of the existing store in the Spring Mill Station Northeast Quadrant PUD.

Current Zoning: Spring Mill Station NE Quadrant PUD

Current Land Use: Commercial/Vacant

Approximate Acreage: 0.529 acres+/-

Exhibits:

1. Staff Report
2. Location Map
3. Detailed Development Plan
4. Elevations
5. Landscape Plan
6. Overall Site Plan
7. Signage Plan
8. Proposed Lighting

Property History: 1405-PUD-06, Rezoning to Spring Mill Station NE Quadrant PUD
1409-DP-28 & 1409-SIT-13, Fuel Station Development Plan
1410-DP-31 & 1410-SIT-14, Grocery Store Expansion Development Plan
1508-PUD-15, PUD Amendment (Pending)

Staff Reviewer: Pam Howard, Associate Planner

PROCEDURAL

Approval of a Detailed 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 0.529 acre+/- site is located on the northeast corner of 161st Street and Spring Mill Road (see **Exhibit 2**). The request is for approval of a Detailed Development Plan (see **Exhibit 3**) for a Curbside Pickup Canopy directly north of the existing store in the Spring Mill Station NE Quadrant PUD.

The petition was reviewed by the Technical Advisory Committee at its July 21, 2015, meeting. This petition has been properly noticed for a public hearing at the Plan Commission's August 3, 2015, meeting.



The applicable zoning district is the Spring Mill Station NE Quadrant PUD (the "PUD"). The petitioner has also filed a request to amend the PUD (see Petition No. 1508-PUD-15) (the "PUD Amendment") with respect to incorporating the subject real estate into the PUD District, permitting the proposed use, and then establishing the applicable development and design standards. The PUD Amendment was introduced at the July 2, 2015, City Council meeting, and is also scheduled for a public hearing at the Plan Commission's August 3, 2015, meeting. As a result, the review comments herein include the proposed PUD Amendment standards. To the extent provisions established within the UDO conflict with the provisions of the PUD, then the provisions of the PUD shall supersede and apply.

DEVELOPMENT PLAN (Article 10.7(G) of the UDO):

The plans comply except for those items identified as outstanding below:

- 1) Area map insert showing the general location of the site referenced to Streets, section lines and alternative transportation plan system, as well as the Zoning District and use of adjacent property.
- 2) Address and legal description of the property.
- 3) Boundary lines of the property including all dimensions.
- 4) Location, name, centerline and width of all Streets, Private Streets, Alleys, access easements and alternative transportation plan system improvements that are existing or proposed to be located within or adjacent to the property.
Comment: No streets located within or adjacent to property.
- 5) Location, centerline and width (at the Lot Line) measurements of any proposed or existing Driveways within two hundred (200) feet of the property, and any connection to an Alley must be indicated.
Comment: No driveways or alleys within 200'.
- 6) Location and dimensions of primary vehicular ways in and around the proposed development, including depictions of all travel lanes, turning movements, vehicle storage areas and tapers.
Comment: Dimensions not shown.
- 7) All proposed Street and Driveway improvements, both on and offsite, including measurement of curb radius and/or taper.
Comment: Curb radius and tapers not shown.
- 8) Location and dimensions of existing and proposed sidewalks, pathways, trails or other alternate transportation plan improvements.
- 9) Layout, number, dimension and area (in square feet and acres) of all Lots and Outlots with Building Setback Lines.
Comment: Not shown.
- 10) Location and dimensions of all existing structures and paved areas.
- 11) Location and dimensions of all proposed structures and paved areas (indicated by cross-hatching).
Comment: Canopy dimensions not shown.



- 12) Location of all Floodplain areas within the boundaries of the property.
- 13) Names of legal ditches and streams on or adjacent to the site.
- 14) Location and feasibility statement 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.
Comment: Please coordinate with the Public Works Department and utility providers.
- 15) Identify buildings proposed for demolition.
- 16) Areas of the property reserved for Development Amenities, Open Space and other similar uses.
- 17) Use of each Lot and/or building by labeling, including approximate density or size of proposed uses and buildings (e.g., number of parking spaces, Dwelling Units, Gross Floor Area, Living Area).

DEVELOPMENT PLAN REVIEW (Article 10.7(E) of the UDO):

Development Plans shall comply with and be reviewed by the Plan Commission upon finding that the Development Plan is in compliance with the following requirements:

- 18) Compliance with all applicable development and design standards of the Zoning District in which the real estate is located.
Comment: Please see District Standards comments herein.
- 19) Compliance with all applicable provisions of any Overlay District in which the real estate is located.
- 20) Management of traffic will be in a manner that creates conditions favorable to health, safety, convenience, and the harmonious development of the community such that:
 - a) The design and location of proposed street and highway access points shall minimize safety hazards and congestion.
 - b) The capacity of adjacent streets and highways is sufficient to safely and efficiently accept traffic that will be generated by the new development.
 - c) The entrances, streets and internal traffic circulation facilities in the proposed development are compatible with existing and planned streets and adjacent development.
- 21) 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: Please coordinate with the Public Works Department and utility providers.

District Standards

Spring Mill Station NE Quadrant (1405-PUD-06) – underlying General Business (GB) zoning
Italicized standards are new pending the approval of the amendment (1508-PUD-15)

The plans comply, as applicable to a Detailed Development Plan, except for those items identified as outstanding below, that need addressed prior to approval:



22) Conceptual Plan

- a) The Real Estate shall be developed in substantial compliance with the Conceptual Plans. The Department shall determine whether a structure is consistent with the established benchmark and complies with the standards of this Ordinance. The Department's decision may be appealed to the Plan Commission.

Comment: Complaint pending approval of 1508-PUD-15

23) Permitted Uses

- a) *The permitted use in "Area A.4" shall be a Curb Side Pickup Station.*

Comment: Compliant pending approval of 1508-PUD-15

24) Setbacks/Building Separation

- a) *The following shall apply to "Area A.4"*
 - i) The separation between the Curbside Pickup Station and the existing grocery store shall be at least thirty (30) feet.
 - ii) Side and Rear yards that abut existing residential shall be at least forty (40) feet.

Comment: Complaint pending approval of 1508-PUD-15

25) Parking

- a) *Article 6.14 of the UDO shall apply; however, Article 6.14(E), Stacking Requirements for Drive-Through Facilities, shall not apply.*

Comment: Complaint pending approval of 1508-PUD-15

26) Landscaping and Screening

- a) *Article 6.8 of the UDO shall not apply; rather, landscaping and screening shall be installed in substantial compliance with Exhibit B.*

Comment: Complaint pending approval of 1508-PUD-15

27) Sign Standards

Comment: Any proposed sign(s) will require a sign permit and will be reviewed by the Department for compliance at that time.

28) Lighting Standards

- a) The District's lighting shall comply with the Zoning Ordinance (UDO Chapter 6.9).

Comment: Please add a note to the photometric plan that states "All parking area lighting for nonresidential uses shall be reduced (e.g. turned off or dimmed) by a minimum of thirty percent (30%) within thirty minutes of closing of the last business or no later than 11:00pm".

29) Architectural and Streetscape Design Standards

- a) *Article 6.3 of the UDO shall not apply; however, buildings shall be developed in substantial compliance with Exhibit C.*



30) Underlying Zoning, GB: General Business

- a) Minimum Lot Frontage: 80'

Comment: Petitioner needs to confirm whether this additional real estate will be combined with the lot containing the store. If not, then the plans are not compliant unless otherwise addressed in the PUD Amendment.

- b) Minimum Building Setback Lines: Superseded by the PUD

- c) Maximum Building Height: 60'

DEVELOPMENT STANDARDS (Chapter 6 of UDO)

The plans comply, as applicable to a Detailed Development Plan, except for those items identified as outstanding below, that need addressed prior to approval:

31) Accessory Use and Building Standards (Article 6.1)

32) Architectural Standards (Article 6.3)

- a) Accessory Buildings: All Accessory Buildings shall be architecturally compatible with the Principal Building(s) with which they are associated.

33) Building Standards (Article 6.4)

34) Fence Standards (Article 6.5)

35) Height Standards (Article 6.6)

36) Landscaping Standards (Article 6.8)

Comment: See Comment #26 above.

37) Lighting Standards (Article 6.9)

Comment: See Comment #28 above.

38) Lot Standards (Article 6.10)

39) Outside Storage and Display (Article 6.12)

40) Outdoor Café and Eating Areas (Article 6.13)

41) Parking and Loading Standards (Article 6.14)

42) Setback Standards (Article 6.16)

43) Sign Standards (Article 6.17)

Comment: Any proposed sign(s) will require a sign permit and will be reviewed by the Department for compliance at that time.

44) Vision Clearance Standards (Article 6.19)

45) Yard Standards (Article 6.21)



DESIGN STANDARDS (Chapter 8 of UDO)

The plans comply except for those items identified as outstanding below, that need addressed prior to approval:

46) Easement Standards (Article 8.3)

Comment: Please coordinate with the Public Works Department and utility providers.

47) Pedestrian Network Standards (Article 8.7)

48) Street and Right-of-Way Standards (Article 8.9)

49) Surety Standards (Article 8.12)

50) Utility Standards (Article 8.13)

Comment: Please coordinate with the Public Works Department and utility providers.

DEPARTMENT COMMENTS

Action:

1) Hold a public hearing at the August 3, 2015, APC meeting.

Recommendation:

2) Prior to the final disposition, the Petitioner will make any necessary revisions to the plans, as noted in this report. The Economic and Community Development Department staff will confirm compliance prior to this item being placed on the next Plan Commission agenda.

3) If any Plan Commission member has questions prior to the public hearing, then please contact Pam Howard at 317-531-3751 or phoward@westfield.in.gov.