

## Issues/Comments in Response to Harmony PUD District Amendment

*The list below includes issues that were raised in the written comments submitted to the Economic and Community Development Department in response to the revisions submitted for the August 1, 2016, Plan Commission meeting, and issues presented during the meeting. Duplicate or similar issues have been consolidated and simplified for purposes of this list.*

### **General Comments (gasoline service station):**

1. What has changed since the existing PUD Ordinance was adopted that would support allowing a gasoline service station? A gasoline service station is not a prohibited use per the Harmony PUD. Per the Harmony PUD it is a Special Exception which would require consideration by the Board of Zoning Appeals to be permitted on the Property. To this end, the Giant Eagle is requesting a PUD Amendment to permit a fuel station (with a convenience store and food service) on the property placing the question of allowing the proposed use within the jurisdiction of the Plan Commission and ultimately the City Council which is consistent with the custom and practice of the City regarding proposals located within PUD Districts. Further, Giant Eagle is not asking for modification of all the uses contained in the Harmony PUD, but is only asking to permit fuel sales to allow the proposed development which as noted above includes much more than just a typical fuel station. Specifically regarding the GetGo: GetGo is a “high end” very well designed convenience store with fuel sales. GetGo is not the typical fuel station that exists in other locations. GetGo provides a friendly, inviting place for its customers to purchase convenience items they need to help get them through their day, such as subs, sandwiches, salads and other made to order food items— all made from fresh, premium ingredients. GetGo also provides everyday staples such as snacks, drinks, candy and coffee. GetGo is more than a gas station. The GetGo store experience is focused on delivering the best in fresh foods quickly made to order, high quality 100% guaranteed fuels and a variety of convenience services in a friendly and inviting atmosphere that breaks from the traditional “convenience store” stereotype. GetGo customers also benefit from a wide range of convenience offerings including free air for vehicle tires, free Wi-Fi, DVD rentals, lotter, surcharge free ATM, retailer gift cards, an in-store wireless center with no-contract phones and prepaid wireless cards, and bright and spacious restrooms. In addition to the above, GetGo has a partnership with the Market District grocery stores which allow them to offer local in store pick up at the proposed GetGo of on-line grocery orders placed with the Market District located in neighboring Carmel, Indiana. The building revisions include a design which is residential in character and that will be added to the text amendment once finalized. Additional revisions have been made to the plans which incorporate the canopy design, dumpster enclosure, enhanced landscaping and a screen wall. The plans for the area on the west side of the site include landscaping, path and sidewalks and additional outdoor seating and pedestrian amenities.
2. Will the proposed gasoline service station negatively impact the property values of surrounding residential homes? It is the Applicant’s opinion that a gasoline service station with a convenience store use would not impact property values any more than the other types of permitted uses that are currently allowed to be developed on the real estate.

### **Environmental / Operational Comments (gasoline service station):**

3. What are the potential health and environmental risks associated with the gasoline service station? It is possible that a release of gasoline product to the environment and offsite migration via groundwater drinking water wells could possibly occur over a long term period of time, but

only if the if the release were to go undetected and unremediated.

4. What protections would be installed for underground tanks? Underground storage tanks will be double walled fiberglass with continuously monitored (remotely) interstitial seal that will report an alarm in event of any liquid entering the secondary containment seal). Inventory levels are continuously monitored for any potential leaks. Further, Get Go is required to comply with all the stringent federal, state and local regulations related to the operation of a fuel station, including and not limited to safety and remedial requirements.
5. Can the hours of operation be restricted? Concerns raised that 24-hour operations (e.g., gasoline service station, pharmacy) will result in transitory traffic at all hours and be an attraction to undesirable activities. GetGo desires to operate on 24 hour a day basis, as the proposed use is not a destination type use but rather one that primarily services the community and traffic already on the adjoining roadway network.
6. Will the proposed gasoline service station result in an increase in crime in the area? Concerns raised about possible increase of violence in surrounding neighborhoods. The proposed use is unlikely to result in increased crime, as compared to the other permitted uses that could currently operate on the property, as the gasoline service station and convenience store customers are predominantly from the surrounding community and most likely already on the adjoining roadway network, as this type of use is a destination type of use. Further, customers from outside of the community are likely to be other individuals or vendors that are in the community servicing residences and businesses in community (i.e. landscapers, contractors, delivery vendors, etc.).
7. Will the proposed gasoline service station increase noise levels compared to other permitted land uses? Noise levels would be similar to other commercial uses that are currently permitted on the property.
8. Does a gasoline service station generate more traffic than other permitted land uses? The ITE trip generation studies indicate that nearly 50% of traffic frequenting gasoline services are passby diverted trips (i.e.vehicles on the roadway already decide to divert to the gasoline service station to utilize their services).
9. How does a gasoline service station contribute to or benefit the surrounding neighborhoods? A gasoline service station with a convenience store provides a convenient location to obtain fuel and fresh made to order and convenience type food items. The Applicant believes that this alternate use is more preferable and beneficial to the residents that surround this area as compared to the possible types of fast food restaurants that could be developed on the real estate as a permitted use.

**Design Comments (gasoline service station):**

10. Is the proposed buffering along the south property line of the proposed gasoline service station adequate? If not, then what alternative buffering is sufficient and can be accommodated (e.g., fencing, walls, plantings) and where (e.g., on subject property, on adjacent properties)? Please reference the updated drawings, which including additional screening via increased landscaping and the inclusion of a screen wall.
11. Are the proposed curb cut locations sufficient/safe as proposed on to old 146<sup>th</sup> Street and new 146<sup>th</sup> Street? Yes – the proposed access to the site has been reviewed in detail by the municipal departments that have jurisdiction over the adjacent roadways.

12. Can the canopy and pumps be located to minimize the impact on properties to the south? The orientation of the short side of duel pumps is configured to minimize impact to the adjoining properties.
13. Can the number of pumps be reduced (e.g., from 16 to 12)? Concern that proposed 16 pumps would have more of a “truck stop” character than neighborhood fueling station. The number of pumps were designed and planned to avoid queuing and congestion issues on site for customers waiting to use the fuel pumps.
14. Can the canopy be connected to the convenience store to provide the desired character and customer protection from the weather elements? Separate structures are proposed to minimize the mass of the canopy and to deemphasize predominance of that feature from an architectural perspective.
15. Can the canopy colors be modified to brown or another color to match the masonry to blend and provide a more “upscale” appearance, rather than the illustrated white? Please reference updated elevations related to the canopy design which address this issue.

**Design Comments (overall commercial area):**

16. Are the currently applicable standards (e.g., SR32 Overlay) appropriate? The Applicant’s opinion is that the SR 32 Overlay standards are not the most appropriate design standards for this site, but recognizes that this was the design theme established by the original PUD approval. Further, the Applicant was encouraged and recommended to utilize this design theme in designing the Get Go building. If not, then what is an acceptable alternative design for the commercial area? The Applicant has worked with the Planning Staff to establish an architectural design theme for the overall commercial area of the Harmony PUD. The revised building renderings for the proposed Get Go and CVS buildings are designed to meet this newly established architectural theme which draws its design cues from the residential design themes of the homes to be constructed in Harmony (see revised language in PUD Text Amendment that addresses this issue). The goal of newly designed CVS and Get Go buildings was to complement the architectural requirements of the Harmony Neighborhood homes to give the commercial area a more “residential” or “neighborhood” feel. The Applicant believes the building design that is proposed for the Get Go and CVS will complement the multifamily and single family homes to be constructed in Harmony.
17. If a “village” design theme is deemed appropriate, then what does that look like? Comments provided by neighbors have included the following: This design would include similar characteristics to residential homes and proposed apartment buildings for Harmony (i.e. brick, stone, clapboard, pitch roof look, 4 sided architecture, etc.)
  - a) Architecture:
    - Matching Harmony’s single-family residential homes. Please see the revised building elevations for Get Go and CVS.
    - Inclusion of roof overhangs around all building facades to provide pedestrian cover from weather. Yes, generally more overhangs have been provided to establish areas for pedestrians to obtain cover from weather and for outdoor seating.
    - Inclusion of dormers. These have been implemented where applicable and depending on the building use, as reflected in the revised building elevations for

Get Go and CVS.

- Inclusion of columns with masonry bases. Yes, depending on building size. We've incorporated these on the Get Go and CVS building design and have used columns to help break up the façade.
  - Attention to window detail, trim and sizes. Yes, larger windows were used to give more of a "neighborhood" feel.
  - Not typical suburban strip development architecture. Yes, see revised building elevations for Get Go and CVS, as well as addition to text of PUD Amendment request to establish an overall architectural design theme for the Commercial Area.
  - Brighter siding colors similar to Harmony's single-family homes.
  - Variety of colors, materials and designs features. Yes, to help with breaking up commercial structures.
- b) Examples attached. Spring Mill Station CVS also suggested as an example. The Applicant took under consideration these examples and implemented where appropriate elements from these examples, as well as the existing Harmony homes and applied many of them to the CVS and Get Go design revisions.
- c) Site Design: The Applicant's goal with the redesign of the Get Go and CVS buildings, as well with the addition of text to the PUD Amendment to establish an architectural design theme, was to make commercial area more pedestrian friendly for all neighborhoods in the area. The frontage road, pedestrian walkways and greenspace areas provided should all go toward the goal of making the area pedestrian friendly and convenient to neighbors. Obviously the investment for the single and multifamily areas are significant. The Developer wants to foster and encourage businesses that will support the needs of area residents and businesses that will hopefully be operating in the area long term.
- Incorporate a central space of the development with a pedestrian focus (e.g., green space or gathering node). Included in Get Go design.
  - Incorporate additional pedestrian corridors, and not just the perimeter "corridors passing by on the fringe of the space". Included in both CVS and Get Go design.
  - Orient buildings toward the interior of the site, rather than to the perimeter. The Applicant has designed the Get Go and CVS buildings with 4 sided architecture so the buildings will be oriented to the main thoroughfare on the South side.
  - Additional landscaping incorporated beyond current minimum requirements. Included in plans.
- b) Land Uses: The goal is to provide uses and businesses that can provide services to the neighborhood and businesses that will operate successfully and for the long term (many of which are named below).
- Reduce or restrict auto-oriented land uses.
  - Desired land uses suggested by neighbor includes: fine dining establishment (e.g., Olive Garden, Red Lobster, Mark Pi's China Gate, Cheesecake Factory; perhaps even an MCL; nice neighborhood bar and grill (e.g., Applebee's); upscale ice cream

shop (e.g., Handel's, Cold Stone Creamery); upscale coffee café (e.g., Craven, Hubbard, Starbucks); upscale brunch café (e.g., Patachou's); upscale deli (e.g., Allistair's); Trader Joe's; spa salon; upscale barber shop.

d) Lighting:

- Can signs be externally lit with decorative lighting (e.g., gooseneck) and not internally or back lit? [The revisions to the text of the Amended Ordinance address this issue for Area B.](#)
- What can be done to prevent light pollution? [Please review the photometric plan on file. The Lighting plan will meet all code and ordinance requirements.](#)

"Village" Design Theme Examples:



