



<b>PETITION NUMBER:</b>	0807-REZ-02	
<b>SUBJECT SITE ADDRESS:</b>	16201 Spring Mill Road	
<b>PETITIONER:</b>	Cross Roads Church at Westfield, Inc.	
<b>REQUEST:</b>	Change in zoning to GB	
<b>CURRENT ZONING:</b>	AG-SF-1	
<b>CURRENT LAND USE:</b>	Institutional	
<b>APPROXIMATE ACREAGE:</b>	1.79	
<b>ASSOCIATED PETITIONS:</b>	None	
<b>EXHIBITS:</b>	1. Staff Report	
	2. WCD Proposed Commitments	
	3. Technical Advisory Committee Letters	
	4. Petitioner's Exhibits	
<b>SITE HISTORY</b>	0707-REZ-02	Zinkan & Barker change in zoning
	0408-REZ-07	Town of Westfield change in zoning
	0306-REZ-02	Springmill Commons change in zoning
<b>STAFF REVIEWER:</b>	Al Salzman	

**PETITION HISTORY**

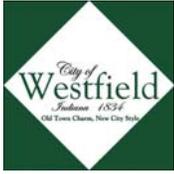
The July 21, 2008 meeting represents the first public hearing of this petition before the Advisory Plan Commission.

This petition appeared before the Advisory Plan Commission at the July 7, 2008 workshop meeting.

This petition was introduced to the Westfield City Council at the June 9, 2008 meeting.

**PROCEDURAL**

- Legal notice has been provided for the required public hearing for the July 21, 2008 Advisory Plan Commission meeting in accordance with all applicable statutes.
- Notice of the July 21, 2008 Workshop Meeting was posted to the City web site and at City Hall.
- Change in zoning petitions are required to have a public hearing.
- The Advisory Plan Commission issues a recommendation to the City Council in regard to proposed changes in zoning.



## **PUBLIC POLICIES**

### **Comprehensive Plan-Feb 2007**

The Amended Westfield-Washington Township 2020 Plan identifies the 1.79 acre parcel as located in an “Existing Suburban” area (pg. 23). The Comprehensive Plan states that “New retail uses should not be permitted in the Existing Suburban area...” (pg. 38), and further states that “...attempting to introduce retail uses into those areas will change the residential character of the area.” (pg. 38). The recommendations of Existing Suburban areas identify attached and detached dwellings, institutional uses, and recreational uses as appropriate uses for the subject site.

### **Thoroughfare Plan-Feb 2007**

The current Westfield Thoroughfare Plan roadway classification map (page 4-20, figure 4-7) identifies Spring Mill Road as a “Secondary Arterial,” and recommends a minimum dedication of a sixty (60) foot half right-of-way. Right-of-way along Spring Mill Road abutting the 1.79 acre parcel has not been dedicated, and should be required as a condition of any change in zoning granted the 1.79 acre parcel.

The current Westfield Thoroughfare Plan identifies Spring Mill Road as providing bicycle and pedestrian accommodation within the public right-of-way. The extension of the eight-foot wide asphalt path along the portion of the 1.79 acre parcel should be required as a condition of any change in zoning granted the 1.79 acre parcel.

### **Parks & Recreation Master Plan-Dec 2007**

The Parks & Recreation Master Plan does not make any recommendation for the subject site.

### **Water & Sewer System**

Connections for water and sewer service to the subject site were anticipated in the development of the abutting commercial integrated center, and would provide service to the subject site in the event of development.

### **Annexation**

The subject site is within the corporate limits.

## **TECHNICAL REVIEW**

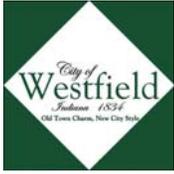
This petition underwent preliminary review by the Technical Advisory Committee at the June 24, 2008 TAC meeting. Comments received from agencies in attendance are attached.

## **INDIANA CODE**

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

### **1. The Comprehensive Plan.**

The Amended Westfield-Washington Township 2020 Plan identifies the 1.79 acre parcel as



located in an “Existing Suburban” area (pg. 23). The Comprehensive Plan states that “New retail uses should not be permitted in the Existing Suburban area...” (pg. 38), and further states that “...attempting to introduce retail uses into those areas will change the residential character of the area.” (pg. 38). The recommendations of Existing Suburban areas identify attached and detached dwellings, institutional uses, and recreational uses as appropriate uses for the subject site.

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

The subject property is currently improved with a former farm house and large detached accessory structure. The property in question is used for activities associated with a religious institution.

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

The subject site is improved with a dwelling and agricultural building of a character and function inconsistent with the abutting commercial integrated center. The influence of this center has the potential to make this 1.79-acre site less suitable for continued residential or institutional use. The requested change in zoning for the 1.79 acre parcel may represent the most desirable use for which the land is adapted.

4. The conservation of property values throughout the jurisdiction.

This proposed change is expected to have neutral or positive impacts on property values within the vicinity and jurisdiction.

5. Responsible growth and development.

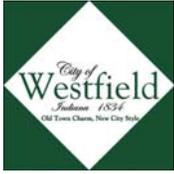
The subject site is located within the corporate limits. The site is contiguous to other major developments, and development of the subject site would be consistent with the principle of contiguous growth.

**APPLICABLE COMMITMENTS**

The petitioner has submitted a set of proposed commitments. These commitments would voluntarily restrict the uses allowed at the subject site should the requested change in zoning be approved. The list of uses that would be restricted at the subject site is consistent with the list of uses prohibited within the abutting integrated commercial center.

WCD has provided the petitioner with a list of proposed commitments. These commitments would govern aspects of the subject site including trash pick-up, hours of operation, architectural features, drive-through service, signage, and access from public rights-of-way.

The comment letter provided by Westfield Public Works at the June 24, 2008 TAC meeting includes several site development requirements and restrictions that would also take the form of a commitment. These include dedication of rights-of-way, provision of multi-use asphalt paths, and agreements for fees.



The petitioner has provided revised commitments, dated July 9, 2008, accepting the majority of the commitments proposed by WCD and WPWD.

**RECOMMENDATIONS**

Forward this petition to the August 11, 2008 City Council meeting with a **positive recommendation.**

Should the Advisory Plan Commission see fit to forward a positive recommendation, staff recommends approval of the requested change in zoning be subject to the petitioner's proposed commitments, dated July 9, 2008.

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***AFS***