

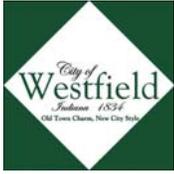


PETITION NUMBER:	0806-DP-08
SUBJECT SITE ADDRESS:	546 N. Union St.
PETITIONER:	William and Robbie Webster
REQUEST:	Development Plan Review and Site Plan Review of a beauty shop on approximately .25 acres in the SF-3 District.
CURRENT ZONING:	SF-3
CURRENT LAND USE:	Residential
APPROXIMATE ACREAGE:	.25 acres
ASSOCIATED PETITIONS:	0806-SIT-07 0708-VU-03
EXHIBITS:	1. Staff Report 2. Technical Advisory Committee Letters 3. Petitioner's Exhibits
STAFF REVIEWER:	Jennifer Miller

PETITION HISTORY

This property was granted a Variance of Use by the Board of Zoning Appeals on August 20, 2007. The following conditions were included in that decision:

- That two (2) off-street parking spaces per chair/station plus one (1) off-street parking space per employee during the largest shift be provided per the standards found in WC 16.04.120, 2;
- That any portion of an off-street parking lot that is not effectively screened by the existing structure, as determined by the Director, shall be screened per the landscaping standards found in WC 16.06.070, B1b; B1c; and B2;
- That any wall signage shall comply with the Home Occupation signage standards, as prescribed in WC 16.08.010, F2 and F3;
- That any monument signage shall comply with the following:
 - One (1) monument sign shall be permitted for the business;
 - The display area shall not exceed sixteen (16) square feet per face;
 - The monument sign, including any base and cap feature, shall not exceed four feet (4') in height from grade;
 - The monument sign shall not be internally lit;
- That awning and projecting signs are prohibited;
- That WC 16.08,010, J (Sign Area Bonus) shall not be available to this site;
- That the structure and any additional site improvements comply with all ADA accessibility requirements;
- That any parking lot lighting comply with all applicable standards found in WC 16.04.120, 2 (Off Street Parking) and WC 16.07.101 (Lighting Standards);
- That the trash collection conform to standard residential trash collection practices;
- That a six foot (6') wood privacy fence be installed along the southern property line;



and,

- That this variance of use be rendered null and void when the owner of record at the time of approval (Mr. William Webster on August 20, 2007) ceases to own the subject property or operate a cosmetology business at the subject property.

The submitted development plan meets all applicable conditions related to DPR at this time.

PROCEDURAL

- Notification of the June 2, 2008 Workshop Meeting was provided to abutting property owners in accordance with the Rules of Procedure on May 19, 2008. Notice of the June 2, 2008 Workshop Meeting was posted to the City web site and at City Hall.
- The June 2, 2008 Workshop Meeting was the first appearance of the Development Plan and Site Plan for the salon.
- This petition was continued once by the petitioner on June 16, 2008 to allow the petitioner more time to address TAC agency comments.
- The petition was continued a second time on July 21, 2008 to allow the petitioner time to hire new engineering consultants.
- Development Plan Review requires a Public Hearing.
- Approval of a Development Plan must be granted if the submitted plans demonstrate compliance with the terms of the zoning district as well as variance conditions.
- The Advisory Plan Commission may approve, conditionally approve, continue or deny the requested approval.
- Any denial must be justified in writing on the accompanying Finding of Fact sheet.

STANDARDS

1. Zoning District Standards

The salon proposed on this site is permitted by Use Variance 0708-VU-03 with conditions (outlined above under Petition History). All minimum standards for lot area, lot frontage, setbacks, ground level square footage, and height have been met. The development plan does not show changes to the exterior of the structure. Parking requirements set as a condition of the variance will permit only three (3) chairs/stations in the business.

2. Overlay District Standards

This property is not located within an overlay district.

3. Subdivision Control Ordinance

This property will not be subdivided.

4. Development Plan Ordinance

Site Access and Circulation: The entrance to the site and internal traffic circulation are compatible with the surrounding area. The traffic pattern provides for the safe and efficient movement of pedestrian and vehicular traffic onsite as well as to and from the site.



Landscaping: The petitioner has preserved trees in exchange for credits towards landscaping requirements. The petitioner has a preservation credit of 126 caliper inches.

Onsite Standards:

Road Frontage and Perimeter Parking Lot trees count toward the onsite totals. Onsite standards have been met with the preservation credit.

	<u>Required</u>	<u>Shown</u>	<u>Preservation Credit</u> <u>126 caliper inches</u>	<u>+ / -</u>
Shade Trees (10 per acre)	3	0	120	+60
Ornamental or Evergreen Trees (10 per acre)	3	2	108	+54
Shrubs (25 per acre)	7	9	0	+2

Road Frontage Standards:

The terms of the Landscaping Ordinance also require Road Frontage trees where the subject site or area of impact abuts the right-of-way lines of Hoover and Union Streets. Road Frontage trees must be planted outside of the road right-of-way and any utility easements, and may be clustered to attain a creative site design. Road Frontage standards have been met with the preservation credit.

<u>Trees</u>	<u>Distance</u>	<u>Required</u>	<u>Shown*</u>	<u>+ / -</u>
Hoover	56'	1	0	+53
Union	25'	1	0	+52

**Trees met through preservation credits. Remaining caliper inch credit after Road Frontage standards: 104 caliper inches or 52 shade trees.*

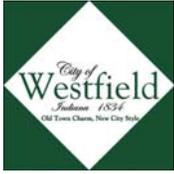
Buffer Yard Standards:

The buffer yard standard within the landscape ordinance does not apply as all the adjacent properties and the site are zoned SF-3.

Parking Lot Islands:

A portion of vehicular use areas shall be maintained as landscaped area. The amount of required landscape area for this parking lot is 160 square feet. The parking lot island area standard has been met. Parking lot islands are required to be curbed and six (6) inches above grade. This standard has been met.

	<u>Required</u>	<u>Shown</u>	<u>+ / -</u>
Trees	2	2	0
Shrubs	8	9	+1



Parking Lot Perimeter:

Perimeter parking is not required for parking lots of less than ten (10) spaces. The parking lot is proposed to have nine (9) parking spaces. Perimeter parking is required for this petitioner as a condition of the variances obtained on this property. Perimeter landscaping is required in areas, as determined by the Director, that are not effectively screened by the existing structures. Such planting areas must be five (5) feet wide. Planting areas shown on the plans are all five (5) feet wide.

One (1) tree is required for every thirty (30) linear feet of parking area. One (1) shrub is required for every three (3) feet of parking area. Preserved trees fulfill the tree planting requirement and the proposed plantings fulfill the perimeter parking shrub requirements.

	<u>Required</u>	<u>Shown</u>	<u>+ / -</u>
Trees (1/30 linear feet)	4	0*	+48
Shrubs (1/3 linear feet)	38	38	0

** Trees met through preservation credits. Remaining caliper inch credit after Road Frontage standards: 96 caliper inches or 48 shade trees.*

Lighting: No new lighting is proposed for this site. Submittal not required.

Building Orientation: There is no proposed demolition or addition to the existing building. No loading docks will be added and no loading spaces are required for this type of business.

Building Materials: There is no proposed demolition or addition to the existing building. In its present state, it is compatible with the residences on adjacent properties.

5. Comprehensive Plan Compliance

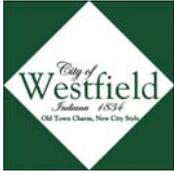
See Public Policies section below.

6. Street and Highway Access

Access to the site will be via the existing double drive from Hoover Street. This drive is already located toward the rear of the property and is positioned to safely accommodate parking and access to the site. Access has also been reviewed by WPWD and WFD.

7. Street and Highway Capacity

The adjacent streets, Union and Hoover, presently accommodate traffic for the Westfield-Washington School complex located between Union and US 31 along Hoover. It is not anticipated that a salon with 3-4 stations/chairs will impact Street and Highway Capacity in this area significantly.



8. Utility Capacity

See Technical Advisory Committee Letters, Exhibit 2.

9. Traffic Circulation Compatibility

The entrance to the site and internal traffic circulation are compatible with the surrounding area. The traffic pattern provides for the safe and efficient movement of pedestrian and vehicular traffic onsite as well as to and from the site. Circulation has also been reviewed by WPWD and WFD.

DEVELOPMENT REQUIREMENTS

- 1. Site access and circulation
- 2. Landscaping
- 3. Lighting
- 4. Signs
- 5. Building Orientation
- 6. Building Materials

FOR EACH DISTRICT

- Compliant
- Compliant
- Compliant (no changes proposed)
- None Proposed
- Compliant (no changes proposed)
- Compliant (no changes proposed)

PUBLIC POLICIES

Comprehensive Plan-Feb 2007

See Findings of Fact below.

Thoroughfare Plan-Feb 2007

Union Street has been identified as a secondary arterial in the Westfield Thoroughfare Plan. Characteristics of a secondary arterial include 120 feet of right-of-way, multi-use paths and moderate landscaping. The 120 feet of right-of-way will eliminate most front yards and some structures along this section of Union Street. This is in conflict with the Comprehensive Plan which calls for the preservation of the structures along this corridor.

Parks & Recreation Master Plan-Dec 2007

The 2008-2012 Parks and Recreation Master Plan, adopted in December of 2007, does not include policy regarding downtown development and parks development.

Water & Sewer System

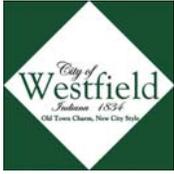
See Technical Advisory Committee letter from Westfield Public Works addressing standards and regulations.

Annexation

This property is located within the corporate limits of the City of Westfield.

FINDINGS OF FACT

- 1. The proposed development is consistent with the intent and purpose of the Westfield-



Washington Township Comprehensive Plan,

Staff Finding: The property is located in the area identified by the Westfield-Washington Township Comprehensive Plan as Downtown Westfield. The Comprehensive Plan identifies a need to revitalize Westfield's downtown and improve parking. The potential to convert existing residences along Union Street to business and office uses is listed as an opportunity to help revitalize the area (chapter 3, page 74).

Additionally, the proposed development plan includes off-street parking including parking for employees located behind the store front. These are specifically listed as development policies in the Comprehensive Plan (chapter 3, page 74).

2. The proposed development satisfies the development requirements specified in this ordinance,

Staff Finding: The proposed development meets the development requirements of the zoning ordinance.

RECOMMENDATIONS

At this time staff recommends approval of 0806-DP-08 and 0806-SIT-07.

JMM