

<b>PETITION NUMBER:</b>	0812-VS-15
<b>SUBJECT SITE ADDRESS:</b>	2744 East 146 <sup>th</sup> Street
<b>APPELLANT:</b>	LA Fitness
<b>REPRESENTATIVE:</b>	Don Potter with Thompson Thrift
<b>REQUEST:</b>	The Appellant is requesting a Variance of Standard to the Westfield-Washington Zoning Ordinance (WC 16.08.010, G1a) to increase the allowable wall signage from 251.75 square feet to 436 square feet.
<b>CURRENT ZONING:</b>	SB-PD
<b>CURRENT LAND USE:</b>	Commercial
<b>APPROXIMATE ACREAGE:</b>	6.355
<b>RELATED CASES:</b>	0710-DP-16, 07-S-067
<b>EXHIBITS:</b>	1. Staff Report, 12/09/08 2. Aerial Location Map, 12/09/08 3. Property Card, 12/09/08 4. Appellant's Application and Plans, 11/10/08 5. Site Photo's taken by Staff, 12/01/08
<b>STAFF REVIEWER:</b>	JCM

**PROCEDURAL**

This item requires a public hearing

**PROPERTY HISTORY**

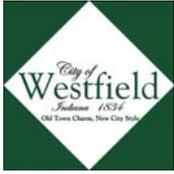
The development plan and site plan for the subject property were approved by the Advisory Plan Commission on October 22, 2007 (0710-DP-16). The development plan approval was for a 45,000 square foot commercial structure on approximately 6.6 acres.

There are no previous variances, special exceptions, subdivision plats, or rezoning cases for the subject property. There are no additional development plan and site plan approvals for the subject property.

**ANALYSIS**

The submitted plans propose installing a second 218 square foot wall sign to the west side of the building. The existing sign on the southern facade is approximately 218 square feet. The wall signage allowed for this building is 228.83 square feet. A sign bonus of Ten percent is available for the type of signage used on the building per the current sign ordinance (WC 16.08.010 J 2 a). The total wall signage allowed with the sign bonus is 251.75 square feet. The request is to allow a 58 percent increase in allowable wall signage for the building, or an additional 184.25 square feet in wall signage.

The appellant also has a panel on a retail center monument sign along 146<sup>th</sup> street. The panel is



nine square feet in size and is the top panel on the center monument sign. The bottom edge of the top panel on the center monument sign measures ten feet from the ground. The sign along 146<sup>th</sup> Street is highly visible to traffic moving east and west as shown in exhibit 5. The current wall sign is highly visible while driving along 146<sup>th</sup> Street, moving east or west. The additional wall sign on the west building façade will be very difficult to view while driving east on 146<sup>th</sup> Street as shown in exhibit 5.

The additional lighting of a new wall sign will also raise the lumens in the parking lot on the west and north side of the building. Per the City of Westfield lighting ordinance (WC 16.07.010 F 1), “the sign shall be positioned so that no light-emitting surface is visible from a residential area when viewed at ground level.” Aerial maps show that residential single family homes are located to the north of the business as shown in exhibit 2. The lumens level when abutting residential shall not exceed 0.5 foot candles at the property line (WC 16.07.010 F 2). New plans showing how the additional sign will affect the lighting at the property line have not been submitted.

The Westfield-Washington Township Comprehensive Plan recommends that this area develop as Suburban Residential. A fitness center does not comply with recommendations of the Plan. The parcel is zoned SB-PD which allows for general business and multi-family uses. The mixed use of the SB-PD zoning district allows this area to develop as commercial.

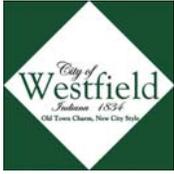
### **CRITERIA FOR SPECIAL EXCEPTION REQUEST**

1. That the approval of such variance of development standard will not be injurious to the public health, safety, morals, and general welfare of the community:

**Finding:** The intent of limiting allowable sign area to an individual business or building is to protect the community from visual clutter in its commercial centers. The building in question is located behind a commercial building located directly north of 146<sup>th</sup> Street as shown in exhibit 2. The signage located on the south building façade can be seen clearly from 146<sup>th</sup> Street as shown in exhibit 5. Placing a 218 square foot sign on the west building facade would not meet the intent of limiting visual clutter in commercial centers and on commercial structures. Updated lighting plans have not been submitted to verify if the additional signage would raise the lumens on the west and north side of the property. Plans submitted with the sign permit application indicate that intent to illuminate, however a photometric plan was not included to show that no light trespass occurs along the north property line when the commercial site abuts residential. Given the previously stated limited visibility of the proposed location, this additional light source will increase light pollution.

2. That the use and value of the area adjacent to the property included in the variance of development standard will not be affected in a substantially adverse manner:

**Finding:** Neighboring properties are used commercially and residentially. The current City of Westfield sign ordinance states that all lighting fixtures shall be positioned in such a manner so



that no light emitting surface is visible from a residential area when viewed at ground level (WC 16.07.010 F 1). The appellant has not submitted evidence of how the wall signage will or will not affect the adjacent properties.

3. That the strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property:

**Finding:** Signage for a business has two main purposes: advertising and business identification. Signage for both purposes has been met on the south building façade and on the center monument sign which is located on the 146<sup>th</sup> Street corridor. Current wall and center monument signage is clearly visible traveling east and west along 146<sup>th</sup> Street as shown in exhibit 5.

**RECOMMENDATIONS**

Deny this request based on the findings 1, 2 and 3 of this report.

If the Board sees fit to approve, approve with the applicable condition(s) listed below.

Applicable conditions of approval

1. That no additional signage, including window signage, be allowed on the south or west facades of the building; and,
2. That the subject sign not be relocated or repositioned on the west wall from its proposed location;
3. That the wall sign on the west building façade be completely shielded from the residential property line as viewed from the ground.

\*\*\*\*\*

JCM



0812-VS-15  
08-10-18-00-00-014.303  
2744 East 146th Street  
Exhibit 2

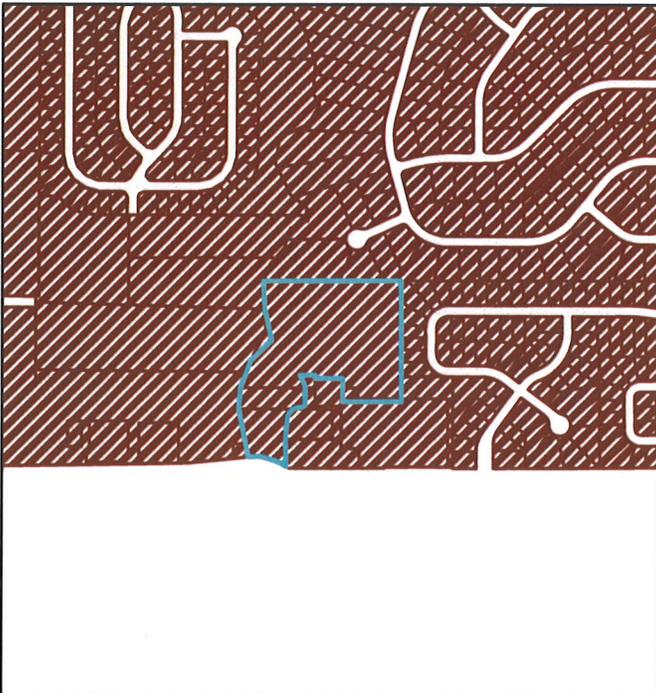


### Aerial Location Map

 Site

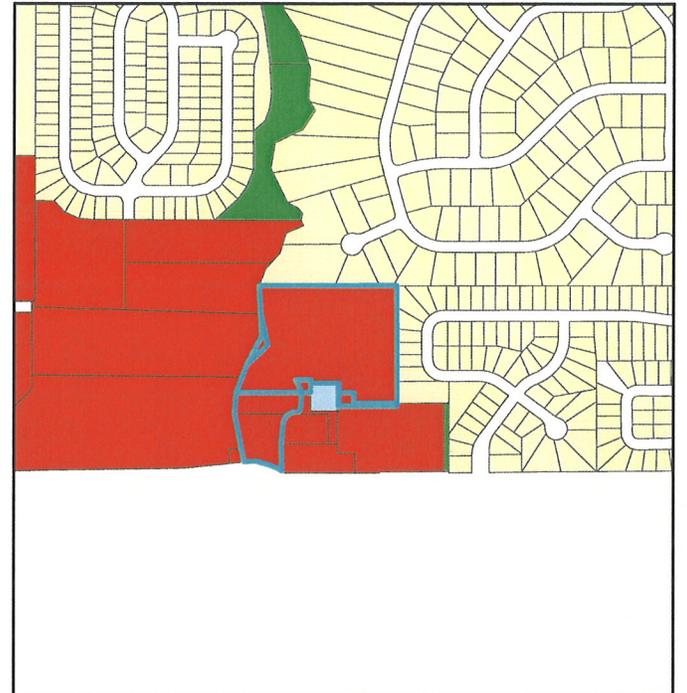


### Zoning Map



 Special Business Planned Development

### Existing Land Use Map



 Commercial  
 Institutional  
 Recreational  
 Residential  
 Vacant

Property Card Report

1. report type

Reset

2. property search

new search

3. view reports

general parcel info.

spring tax statement

tax payments

property card

fall tax statement

**Disclaimer:**

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Any, and all information contained on this web site report is the result of assessment data extracted on the most recent taxable year - **March 1, 2007.** Improvement characteristics may differ from those used to determine the total assessed value listed.

**Summary Information - Parcel Number: 08-10-18-00-00-014.303**

**Property Data**

Parcel Location	2700 146th St E,Carmel
Taxing Unit	Westfield
Legal Description	12/13/06 split 1.31 ac fr 014.001, .8
Section/Township/Range	S18 T18 R04
Subdivision Name	NULL
Lot and Block	Lot Block
Acres	9.07
Effective Frontage	
Effective Depth	
Property Class	Commercial Other structure

**Exterior Features and Out Buildings**

1. General Office,

**Property Owner as of April 30, 2007**

Cool Creek Village LLC

**Most Recent Valuation as of March 1, 2007**

Assessed Value: Land	3635700
Assessed Value: Improvements	128300
Total Assessed Value:	3764000

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Petition Number: 0812-VS-15  
Date of Filing: 11/10/08

**Application for VARIANCE OF DEVELOPMENT STANDARD  
Westfield – Washington  
Board of Zoning Appeals (BZA)**

This application must be completed and filed with the Community Services Department of the City of Westfield, Indiana in accordance with the meeting schedule.

- 1. **Appellant's Name** Cool Creek Village, LLC  
**Address** 901 Wabash Avenue, Suite 300  
Terre Haute, IN 47807  
**Telephone Number** 812-235-5959  
**E-Mail Address**
- 2. **Landowner's Name** Cool Creek Village, LLC  
**Address** Terre Haute, IN 47807  
**Telephone Number** 812-235-5959
- 3. **\*Representative** Don Potter  
**\*Address** 2750 E. 146<sup>th</sup> Street, Suite 200  
Carmel, IN 46033  
**\*Telephone Number** 317-848-4755  
**\*Email Address** [dpotter@thompsonthrift.com](mailto:dpotter@thompsonthrift.com)

RECEIVED  
NOV 10 2008  
WESTFIELD COMMUNITY  
DEVELOPMENT DEPARTMENT

\*If the applicant is not presenting a petition, please provide contact information for the party representing the applicant.

4. **Common description of property (address, location, etc.):**

2744 E. 146<sup>th</sup> Street (behind Westfield water tower)

5. **Legal description of property (list below or attach):** See attached.

6. **Complete description of the nature of the development standard variance applied for:**

Per section WC 16.08.010.G.1.a of the Zoning Ordinance, sign area is based on the linear footage of the building frontage along a public way. Based on this criteria, the allowable sign area is 229 square feet. In addition, section WC 16.08.010.J.2.a of the Zoning Ordinance allows for a bonus of a 10% increase when individual letters are used, which is the case with the LA Fitness signage. This 10% increase brings the total sign area allowed to 252 square feet. At this time one sign has been installed on the south face of the building with a sign area of 218 square feet. We would like to install an identical sign on the west elevation that adds 218 square feet. To accommodate this additional sign area, a variance is requested to allow the additional 184 square feet.

7. **ALL SITE PLANS SHALL BE LEGIBLE AND DRAWN TO SCALE.** Site plans must accompany this application and must depict at a minimum:
- a. Lot(s) shape and dimensions;
  - b. Location and dimensions of existing and proposed structures;
  - c. Location and dimensions of existing and proposed points of ingress and egress; and
  - d. All topographic and natural features and/or other unusual characteristics associated with the property.
8. **The Applicant must address the following criteria and establish at the public hearing that each of the following is true in order to obtain a favorable determination from the BZA.**

*No variance of development standard shall be granted unless the BZA finds all of the following to be true:*

- a. **That the approval of such variance of development standard will not be injurious to the public health, safety, morals, and general welfare of the community:**

This statement is true. The increase in the size of the sign to be installed on the west side of the building will not be injurious to the public health, morals or general welfare of the community.

- b. **That the use and value of the area adjacent to the property included in the variance of development standard will not be affected in a substantially adverse manner:**

This statement is true. Signage is already allowed on the building and the direction the proposed sign will face is toward the west parking lot, pond and Cool Creek flood plain area, and not toward a residential area .

- c. **That the strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property:**

Adequate signage and visibility are critical to the success of this 45,000 s.f. LA Fitness facility. In addition, this building location is unique in that it sits over 580' off of the road and is fronted/blocked by the Westfield water tower, a two story office building, a bank building and in the future by a building to be constructed on the current vacant out lot.

CITY OF WESTFIELD, INDIANA

The Appellant hereby certifies that the information contained in and accompanying this application is true and correct.

  
\_\_\_\_\_  
Applicant

SUBSCRIBED AND SWORN TO ME THIS 10<sup>th</sup> DAY OF November, 2008.

  
\_\_\_\_\_  
Notary Public Debra Jean Wood  
Hamilton Cty, IN

My commission expires: June 6, 2014

Land Description  
Lot 4

Part of the Southeast Quarter of Section 18, Township 18 North, Range 4 East in Washington Township, Hamilton County, Indiana described as follows:

Commencing at the Southeast Corner of the Southeast Quarter of said Section 18; thence South 89 degrees 45 minutes 45 seconds West (an assumed bearing) 1,209.84 feet along the south line of the Southeast Quarter of said Section 18 to the eastern boundary line of the 0.165 acre tract of land described within Instrument Number 9709733807 of the Hamilton County Recorder's Office; thence North 00 degrees 14 minutes 15 seconds West 49.86 feet along the eastern boundary line of said 0.165 acre tract to the northern right-of-way line of 146th Street, the following eight (8) courses are along the northern right-of-way line of 146th Street; 1) thence South 89 degrees 45 minutes 45 seconds West 418.44 feet; 2) thence South 03 degrees 48 minutes 39 seconds West 4.88 feet; 3) thence South 89 degrees 45 minutes 45 seconds West 110.66 feet; 4) thence North 89 degrees 41 minutes 45 seconds West 104.94 feet; 5) thence North 89 degrees 13 minutes 25 seconds West 105.30 feet; 6) thence North 86 degrees 55 minutes 40 seconds West 80.15 feet; 7) thence North 68 degrees 29 minutes 42 seconds West 35.43 feet; 8) thence South 89 degrees 45 minutes 45 seconds West 53.09 feet to the western boundary of a tract of land granted to Cool Creek Village, LLC recorded in Instrument #2006073880 in said Office of the Recorder; the following ten (10) courses are along the western, northern and eastern boundary lines of said Cool Creek Village, LLC Tract; 1) thence North 14 degrees 02 minutes 48 seconds East 9.42 feet; 2) thence North 10 degrees 36 minutes 15 seconds West 266.63 feet; 3) thence North 06 degrees 42 minutes 12 seconds East 93.66 feet; 4) thence North 09 degrees 53 minutes 15 seconds East 30.48 feet to the POINT OF BEGINNING of this description; 5) thence continue North 09 degrees 53 minutes 15 seconds East 112.02 feet; 6) thence North 46 degrees 18 minutes 05 seconds East 119.00 feet; 7) thence North 12 degrees 17 minutes 28 seconds West 140.97 feet; 8) thence North 01 degrees 28 minutes 30 seconds East 100.80 feet; 9) thence North 89 degrees 45 minutes 45 seconds East 625.00 feet; 10) thence South 00 degrees 14 minutes 15 seconds East 430.75 feet; thence South 89 degrees 45 minutes 45 seconds West 704.64 feet to the POINT OF BEGINNING, containing 6.355 acres, more or less.

**PARCEL EXHIBIT LOT 4**

AMERICAN  
**STRUCTUREPOINT**  
INC.

7260 SHADELAND STATION  
INDIANAPOLIS, IN 46256-3957  
TEL 317.547.5580 FAX 317.543.0270  
www.structurepoint.com

DATE: 12/06/07

DRAWN BY: JNH

JOB NO. 07-1004

SHEET NO.

2

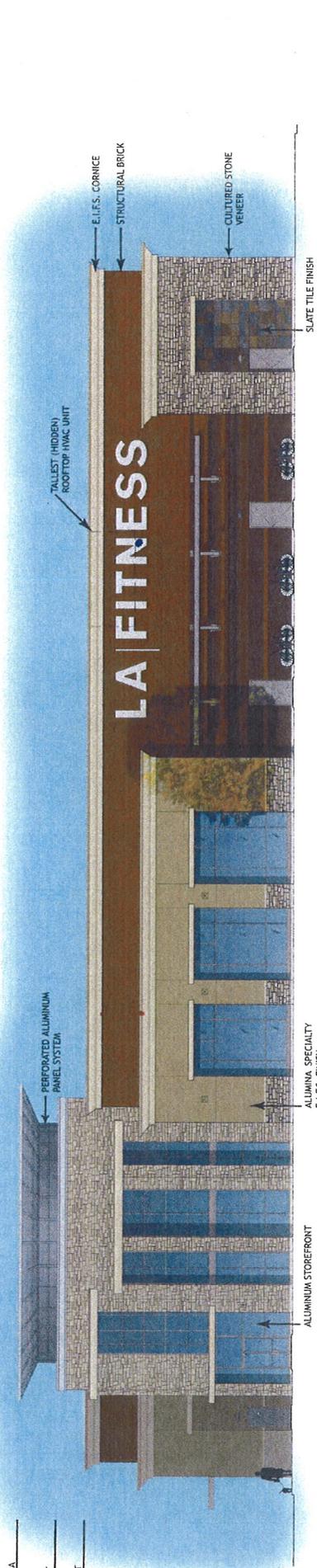
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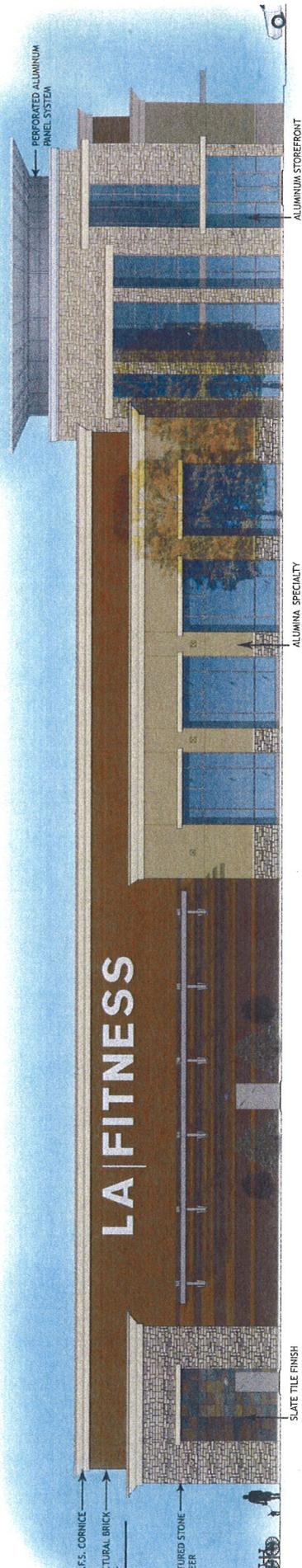


TOP OF ROTUNDA  
 44'-10"  
 TOP OF PARAPET  
 38'-6"  
 TOP OF PARAPET  
 34'-4"



SOUTH ELEVATION  
 0' 8' 16' 32'

E.I.F.S. CORNICE  
 STRUCTURAL BRICK  
 TOP OF PARAPET  
 25'-0"  
 CULTURED STONE VENEER  
 SLATE TILE FINISH



WEST ELEVATION  
 0' 8' 16' 32'



**LA Fitness**  
 Westfield, Indiana  
 September 12, 2007

**ARCHITECTS FORUM**  
 301 Pennsylvania Pkwy., Suite 155, Indianapolis, Indiana, 46280  
 (317) 642-8500 | (317) 642-8877





www.signcraftind.com	
8920 CORPORATION DR. INDIANAPOLIS, IN 46256 Office 317.842.8664 Fax 317.842.3015	
<b>PREPARED FOR</b>	LA FITNESS COOL CREEK
<b>SKETCH NAME</b>	WESTFIELD, INDIANA TENANT PANELS
<b>SCALE</b>	3/4" = 1'-0"
<b>DATE</b>	FEB 24, 2008
<b>S. C. REPRESENTATIVE</b>	STEVE McVICKER
<b>INDEX NUMBER</b>	1108-0180
<b>DESIGNER</b>	SLM
<b>REVISIONS</b>	1- 6/12/08 5- 2- 6/13/08 6- 3- 6/30/08 7- 4- 11/20/08 8-
<b>COLOR SPECS</b>	A _____ B _____ C _____ D _____ E _____ F _____ G _____
<b>COLOR APPROVAL</b>	
<b>DRAWING APPROVAL</b>	
<b>PRODUCTION NO.</b>	

120 1/2"

117"

**LA|FITNESS**

24"  
26 1/2"

109 5/8"

**FABRICATE AND INSTALL 2 TENANT PANELS FOR EXISTING MONUMENT SIGN**

- FACES ARE 3/16" WHITE POLYCARB WITH TWILIGHT BLUE A9591-T
- FILM COLORS FROM 3M TRANSLUCENT TO MATCH PMS COLORS
- VERIFY DIMENSIONS OF EXISTING PANELS BEFORE CUTTING NEW PANELS. PANELS ARE IN THE SHOP

**COOL CREEK VILLAGE  
OF WESTFIELD**

**LA|FITNESS**

02	57 3/4"				

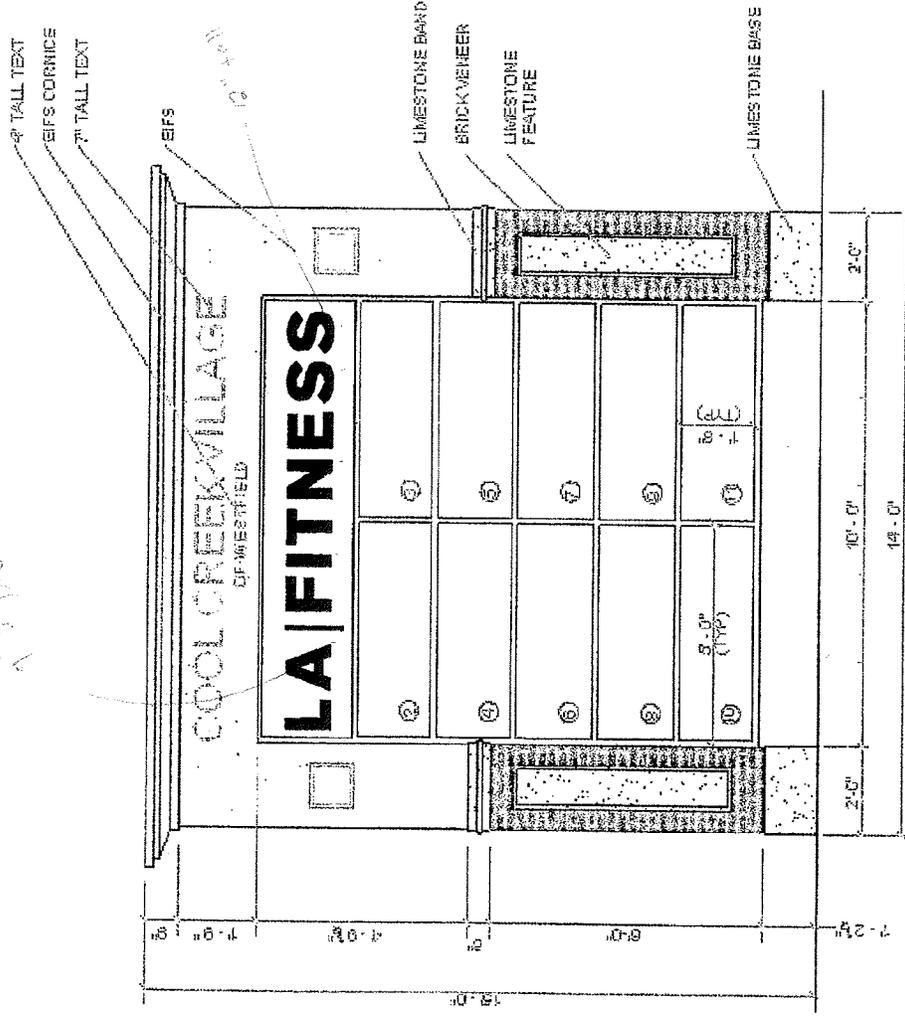
121"

3/8" = 1'-0"

**INSTALL IN ACCORDANCE WITH THE  
NEC AND LOCAL ELECTRICAL CODES**

**NOTE: THERE WILL BE COLOR VARIATIONS FROM THIS PRINTED DRAWING TO THE FINAL PRODUCT. COLORS SPECIFIED WILL ALWAYS BE MATCHED AS CLOSE AS POSSIBLE.**

# EXHIBIT H



Proposed Pylon Sign  
 Cool Creek Village  
 Westfield, IN



Exhibit 5



DEC 1 2008



DEC 1 2008



DEC 1 2008



DEC 1 2008



DEC 1 2008



DEC 1 2008



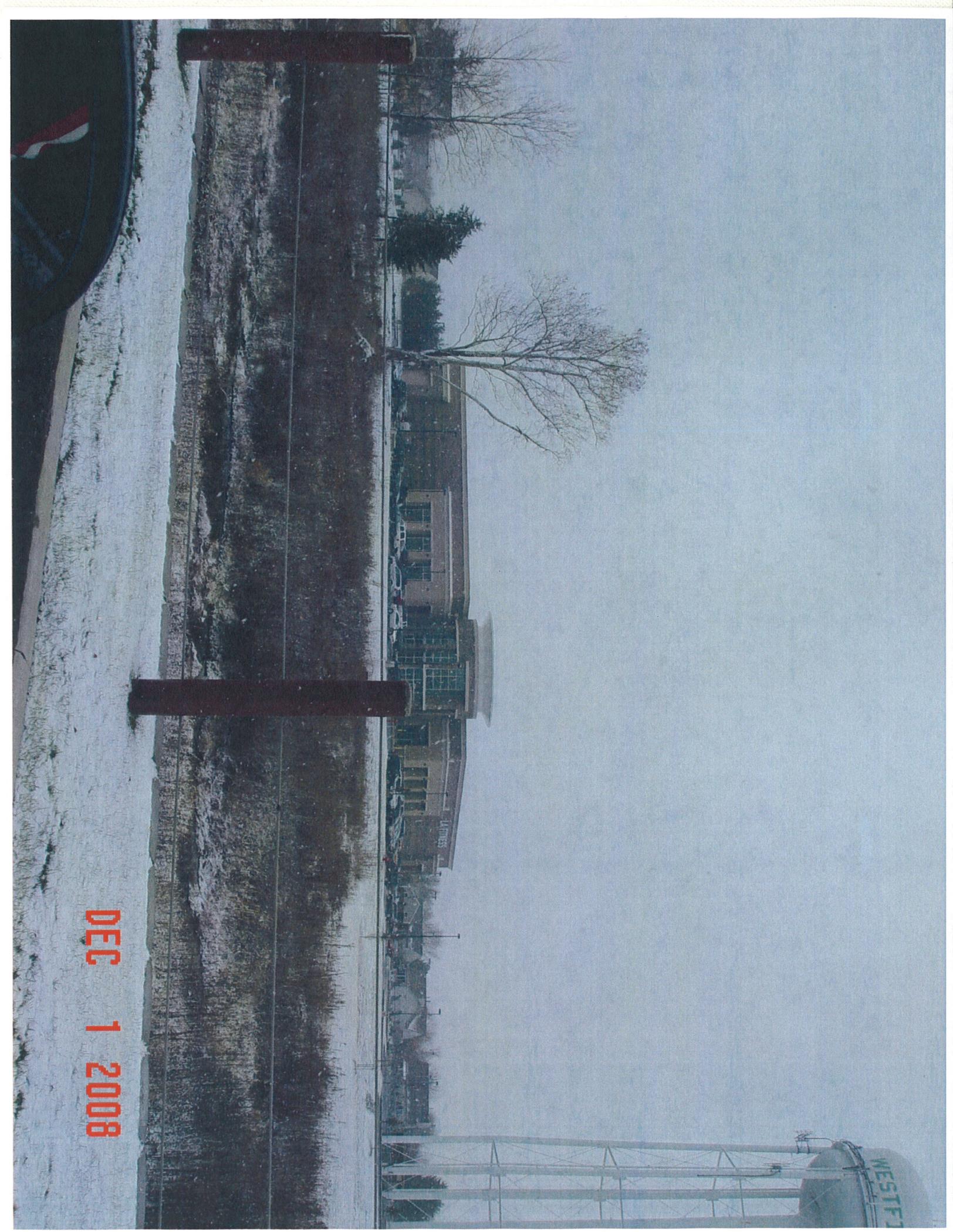
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DEC 1 2008

WESTFL



DEC 1 2008



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