

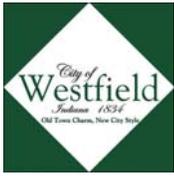
PETITION NUMBER:	0901-DP-01	
SUBJECT SITE ADDRESS:	17827 Commerce Drive	
PETITIONER:	Com-Tech Construction, Inc.	
REPRESENTATIVE:	Adam DeHart, <i>Keeler-Webb</i>	
REQUEST:	Development Plan Review and Site Plan Review of a proposed industrial structure, approximately 11,700 square feet.	
CURRENT ZONING:	EI	
CURRENT LAND USE:	Industrial/Office	
APPROXIMATE ACREAGE:	3	
ASSOCIATED PETITIONS:	0901-SIT-01	
EXHIBITS:	1. Staff Report	
	2. TAC Letters	
	3. Petitioner's Exhibits	
STAFF REVIEWER:	Kevin Todd	
ZONING HISTORY:	98-V-12	Variance of Use to allow manufacturing of detergents and soaps, <i>Approved</i>
	0503-DP-07	Development Plan Review, <i>Approved</i>

PETITION HISTORY

The January 20, 2009 APC meeting represents the first Public Hearing for this petition. This petition appeared before the APC for a Workshop Meeting on January 5, 2009. It was before the Technical Advisory Committee on December 23, 2008.

PROCEDURAL

- Development Plan review requires a Public Hearing.
- Notification of the January 20, 2009 Public Hearing was provided to abutting property owners in accordance with the Rules of Procedure.
- Notification of the January 20, 2009 Workshop Meeting was posted to the City website and at City Hall.
- Approval of a Development Plan review must be granted if the submitted plans demonstrate compliance with the terms of the underlying zoning district or applicable PUD, any Variances associated with the site, and any Commitments associated with the site.
- The Advisory Plan Commission may approve, conditionally approve, continue, or deny the requested approval. Any conditions must be determined through agreement of the APC and the petitioner. Any continuance should also be determined through agreement of the APC and the petitioner.



PROJECT DESCRIPTION

This proposal is for a Phase II expansion of the existing Com-Tech site. Expansion was contemplated during the site’s original development plan approval in 2005 (0503-DP-07); however, the current proposal exceeds the original expansion plan by approximately 1,700 square feet. The proposed plan calls for an 11,700 square foot industrial structure and an additional 35 parking spaces. The proposed structure would match the existing structure.

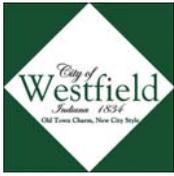
DEVELOPMENT REQUIREMENTS (WC 16.04.165, C)

1. Zoning District Standards

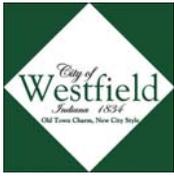
	<u>PROPOSED</u>	<u>STATUS</u>
<u>Industrial Districts</u> (WC 16.04.060)		
A. Performance Standards – no products that decompose by detonation	None	Compliant
A1. EI – operations entirely within enclosed buildings	Operations entirely within enclosed buildings	Compliant
A2. OI – operations requiring open area	NA	NA
A3. Standards – <i>the following standards (A3a – A3h) are not reviewed at the plan review stage, but are measured and monitored by Code Enforcement, as necessary.</i>		
A3a. Smoke – 70 smoke units per stack	NA	NA
A3b. Particulate Matter – 0.06 lbs/1000 lbs	NA	NA
A3c. Odor – not a nuisance or hazard	NA	NA
A3d. Poisonous Fumes & Gases – >10%	NA	NA
A3e. Glare & Heat – not a nuisance	NA	NA
A3f. Vibration – none detected within 250’ of residential, 150’ of business	NA	NA
A3g. Noise – see table in Zoning Ordinance for maximum dB at 125’ from property line	NA	NA
A3h. Fire Hazards – storage, utilization, manufacturing of:		
- Solid Materials	NA	NA
- Liquids or Gases	NA	NA
A4a. Waste Discharge – comply with IC 13-1-3	None	Compliant
A4b. Rear alley part of rear yard	NA	NA
A4c. More than one principal building per lot	2 proposed	Compliant
A4d. Building Height >60’ if side & rear setbacks are increased 1’ for every 2’ of height	NA	NA



above 45'		
A4e. Chimneys, cooling towers, etc – no max height	NA	NA
A4f. ZO and Comp Plan compliance	See comments in this section and Section 5 below	See comments in this section and Section 5 below
B. Enclosed Industrial		
B1. Permitted Uses	Manufacture & Assembly of Communication Equipment	Compliant
B2. Special Exceptions	NA	NA
B3. Min Lot Size – 3 acres	3 acres	Compliant
B4. Min. Road Frontage – 70'	100'	Compliant
B5a. Min. Front Yard Setback (SW) – 40'	135'	Compliant
B5b. Min. Side Yard Setback		
- (East) – 20'	115'	Compliant
- (West) – 20'	20'	Compliant
- (South) – 20'	103'	Compliant
B5c. Min. Rear Yard Setback (North) – 20'	21'	Compliant
B5d. Min Lot Width at Building Line – None	NA	NA
B6. Max. Building Height – 60'	26'	Compliant
B7. Min. Gross Ground Level Space – None	NA	NA
B8. <u>Off-Street Parking</u> (WC 16.04.120)		
2a. Use – parking for passenger vehicles, patrons, occupants, or employees	Parking for patrons, occupants, employees	Compliant
2b. Location – on-site or within 300' of entrance	On-site	Compliant
2c. Computation – fractional spaces	NA	NA
2d. Collective Provisions – separate uses may provide parking collectively	NA	NA
2e. Space Size – 10'x20'	10'x20'	Compliant
2f. Access – 90 degree spaces = 24' aisle	24'	Compliant
2g. In Yards – allowed in front & side yards	NA	NA
2h. Surfacing – dustless material	Heavy Duty Asphalt	Compliant
2i. Lighting – NA	NA	NA
2j. Required Spaces – 1space/2 employees on largest shift (63 employees = 32 spaces required)	58 spaces	Compliant
B9. <u>Loading and Unloading Berths</u> (WC 16.04.120, 1b) – 1 berth/40,000 square feet of building space	2 berths/11,700 SF	Compliant



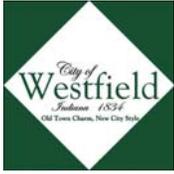
C. Open Industrial	NA	NA	
D. EI-PD	NA	NA	
E. OI-PD	NA	NA	
2. Overlay District Standards			
The subject property is not located in an overlay zone.			
3. Subdivision Control Ordinance			
The Subdivision Control Ordinance is not applicable to business or industrial development (WC 16.04.010, R).			
4. Development Plan Review (WC 16.04.165, D4)			
a. Site Access & Circulation			
1. Access locations	Unchanged from existing	Compliant	
2. Safe & efficient movement to and from site	Unchanged from existing (pedestrian connectivity eliminated by APC waiver, case 0503-DP-07)	Compliant	
3. Safe & efficient movement in and around site	Sidewalks around parking lots/building	Compliant	
b. Landscaping (WC 16.06 et seq.)			
	<u>Required</u>	<u>Proposed</u>	<u>+/-</u>
On-Site (Industrial, 3 acres)			
- Shade Trees	15	8 + preserved trees*	Compliant
- Orn/Ev Trees	15	26	Compliant
- Shrubs	75	167	Compliant
* 892 caliper inches of trees are being credited and preserved = credit for 446 shade trees (WC 16.06.020, F).			
Road Frontage Shade Trees (100')	3	3	Compliant



North Buffer Yard (511')			
- Buffer Yard (EI-AG-SF1)	15'	15'	Compliant
- Evergreen Trees	17	14 + preserved trees*	Compliant
- Evergreen Shrubs	85	34 + substitutions**	Compliant
<p>* 892 caliper inches of trees are being credited and preserved = credit for 446 shade trees (WC 16.06.020, F). Substitution utilized, 1 shade tree = 2 evergreen trees (WC 16.06.030, A5), 446 shade trees = 892 evergreen trees</p> <p>** Substitution utilized, 1 tree:3 shrubs in the buffer yard (WC 16.06.060, C), 51 shrubs “deficient”/3 = 17 additional evergreen trees required to make up difference of new shrubs not being planted. Equivalent of 892 evergreen trees being preserved.</p>			
East Buffer Yard (260')			
- Buffer Yard (EI-AG-SF1)	15'	15'	Compliant
- Evergreen Trees	9	10	Compliant
- Evergreen Shrubs	44	44	Compliant
Interior Parking Lot (58 spaces, 11,600 SF lot, 10% island)	1,160 SF (1 tree & 4 shrubs per island)	1,600 SF (1 trees & 4 shrubs per island)	Compliant
Perimeter Parking Lot	NA	NA	NA
Wall-Softening (WC 16.06.040, K) – plant material every 40’ on ≥ 80’ walls	East side of existing building	Plant material shown	Compliant
	West side of proposed building	Plant material shown	Compliant
c. Lighting (WC 16.07.010)			
E1. Fully shielded, directed downward		Fully shielded, directed downward	Compliant
Directed away from reflective surfaces		Directed away from reflective surfaces	Compliant
E3. Directed away from adjacent property and ROW		NA	Not reviewed at the plan review stage, but are measured and monitored by Code



		Enforcement, as necessary
E4. Max. pole height – 25'	NA	NA
E5. Fixtures meet building code	NA	Not reviewed at the plan review stage, but at building plan review stage
F1. Light emitting surface not visible from residential area of ROW	NA	Not reviewed at the plan review stage, but are measured and monitored by Code Enforcement, as necessary
F2. Foot-candle measurements – 0.5 at residential property line; 1.0 at non-residential property line	Highest is 0.23 foot-candle at property line	Compliant
F3. Shield, adjustable reflector & non-protruding diffuser	Shield, adjustable reflector & non-protruding diffuser	Compliant
F4. Under-canopy lights – recessed	NA	NA
F5. Under-canopy & under-awning lights – not illuminate canopy or awning	NA	NA
F6. Parking area lighting – 30% of lighting turned off within 30 minutes of closing or 11 PM	NA	Not reviewed at the plan review stage, but are measured and monitored by Code Enforcement, as necessary
F7. Outdoor sports/recreation facilities – no illumination after 11 PM	NA	NA
<u>d. Signs</u>		
Sign review and approval has been delegated to staff and will be reviewed administratively under a separate application and review process.		
<u>e. Building Orientation</u>		
1. Finished façade – façades visible from public street or adjoining Residential District	Pre-Concrete panels on all elevations	Compliant
2. Loading spaces – not facing public street or adjoining Residential District	Loading spaces on each building face each other	Compliant
3. Outside storage – not permitted between	None depicted	Compliant



building line and ROW or adjoining Residential District		
4. Mechanical equipment – completely enclosed. - Ground-mounted – landscaped on all sides	Ground-mounted = screened by landscaping	Compliant
f. <u>Building Materials</u> (<i>applicable to façades visible from public street or adjoining Residential District</i>)		
1. Brick or masonry (architectural concrete, pre-cast concrete, EIFS, or stone)	Pre-cast concrete panels on all elevations	Compliant
2. If masonry (not brick) used, façade supplemented with multiple colors, multiple textures, or architectural elements	3 colors	Compliant
3. Primary material used – 60%	100% concrete panels on all elevations	Compliant
<u>5. Comprehensive Plan Compliance</u>		
The 2007 Comprehensive Plan identifies the subject area as “Business Park” (p. 23). The subject property is part of an existing and developed business park. A manufacturing and assembly use is consistent with the recommendations of the Comprehensive Plan, and the proposed plan meets many of the stated “Business Park” development policies (pp. 55-56).		
<u>6. Street and Highway Access</u>		
The proposed expansion of the business does not require a new curb cut or improvement to existing public rights-of-way. All existing access would be unchanged. The subject property is located at the end of a cul-de-sac in an existing business park.		
<u>7. Street and Highway Capacity</u>		
The size of the proposed business/business expansion does not warrant a traffic study. The petitioner’s submitted narrative indicates that the expansion would not change the level of service on Commerce Drive or Alpha Drive, but no documentation supporting the claim. .		
<u>8. Utility Capacity</u>		
The proposed development plans were reviewed by the Technical Advisory Committee at the December 23, 2008 meeting. Comment letters from interested agencies are attached.		
<u>9. Traffic Circulation Compatibility</u>		
The site access is not changing from the existing access point. The expanded circulation is compatible with the existing traffic circulation and vehicle movement on the subject property.		



PUBLIC POLICIES & CITY ORDINANCES

Comprehensive Plan-Feb 2007

See 'Comprehensive Plan Compliance' section above.

Thoroughfare Plan-Feb 2007

Commerce Drive is not specifically identified in the Thoroughfare Plan. As such, the road would be considered a "Local Street." The Thoroughfare Plan indicates that Local Streets are regulated by the City's Construction Manual.

Parks & Recreation Master Plan-Dec 2007

The Westfield Parks & Recreation Master Plan makes no specific recommendation for the subject property.

Water & Sewer System-Aug 2005

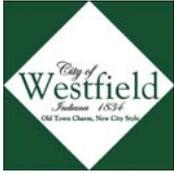
The subject property is currently on both, the City's water and sewer systems.

Annexation

The subject property is within the corporate boundaries of the City of Westfield.

Wellhead Protection-Ord. 05-31

The subject property falls within Zone 2 (5 year TOT). According to the petitioner, the subject business will not exceed 100 gallons of liquids or 600 pounds of water soluble solids on-site at any given time. The proposed use is exempt from the Wellhead Protection Ordinance (Ord. 05-31, Section 4.2b).



Plan Documentation
 Pending compliance with any conditions, the petitioner will have provided the required documents.

<u>Required Submittals</u>	<u>Original</u>	<u>Amended</u>	<u>Status</u>
Application	12/02/08	-	Compliant
Fees	12/02/08	-	Compliant
Legal Description	12/02/08	-	Compliant
Consent Form	12/02/08	-	Compliant
Site Plan	12/02/08	12/29/08	Compliant
Demolition Plan	NA	-	NA
Location Map	12/02/08	-	Compliant
Landscape Plan	12/02/08	12/29/08	Compliant
Sign Plan	NA	-	NA
Lighting Plan	None	12/29/08	Compliant
Building Elevations	None	12/29/08	Compliant
Access & Circulation	12/02/08	-	Compliant

<u>Required Procedure</u>	<u>Original</u>	<u>Status</u>
Pre-Filing Conference	11/17/08	Compliant
TAC	12/23/08	Compliant
Notice - Sign on site	01/09/09	Compliant
Notice- Newspaper	01/09/09	Compliant
Notice -Mail	01/09/09	Compliant
Submit Revisions	12/29/08	Compliant

RECOMMENDATION

Approve this petition, subject to the following condition:

1. That all necessary approvals and permits be obtained from the WPWD and the Hamilton County Surveyor’s Office prior to the issuance of an ILP for the proposed building.

KMT