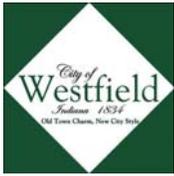


|  |  |   |
|--|--|---|
| <b>PETITION NUMBER:</b>  | 0910-DP-07 & 0910-SIT-05   |   |
| <b>SUBJECT SITE ADDRESS:</b>   | 4283 East 191 <sup>st</sup> Street   |   |
| <b>PETITIONER:</b>   | Lord of Life Lutheran Church   |   |
| <b>REPRESENTATIVE:</b>   | Jeanie Uglum   |   |
| <b>REQUEST:</b>  | Development Plan Review for a proposed 576 square-foot detached accessory structure on approximately 25 acres in the Andover North PUD                   |   |
| <b>CURRENT ZONING:</b>   | Andover North PUD  |   |
| <b>CURRENT LAND USE:</b>   | Religious Institution  |   |
| <b>APPROXIMATE ACREAGE:</b>  | 25.0   |   |
| <b>ASSOCIATED PETITIONS:</b>   | None   |   |
| <b>EXHIBITS:</b>   | <ol style="list-style-type: none"> <li>1. Staff Report</li> <li>2. Aerial Location Map</li> <li>3. TAC Letters</li> <li>4. Petitioner's Plans</li> </ol> |   |
| <b>STAFF REVIEWER:</b>   | Kevin M. Todd, AICP  |   |
| <b>ZONING HISTORY:</b>   | 0506-PUD-02  | Andover North PUD (Ord. 06-12), <i>Approved</i> |
|  | 0707-DP-11   | Original DP, <i>Approved</i>                    |
| <b><u>PETITION HISTORY</u></b>   |  |   |
| <p>This petition was reviewed at the September 22, 2009 Technical Advisory Committee Meeting. It was before the Advisory Plan Commission (the "APC") at the October 5, 2009 APC Workshop Meeting and will receive a public hearing at the October 19, 2009 APC Meeting.</p>  |  |   |
| <b><u>PROCEDURAL</u></b>   |  |   |
| <ul style="list-style-type: none"> <li>o Requests for Development Plan Review and Site Plan review are required to be considered at a public hearing. The public hearing for this petition will be held on October 19, 2009 at the Advisory Plan Commission Regular Meeting.</li> <li>o Notice of the October 19, 2009 public hearing was provided in accordance with the APC Rules of Procedure.</li> <li>o Approval of a Development Plan and Site Plan Review must be granted if the submitted plans demonstrate compliance with the terms of the underlying zoning district, subdivision control ordinance or applicable PUD, any variances associated with the site, and any commitments associated with the site.</li> <li>o 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.</li> </ul> |  |   |



**PROJECT DESCRIPTION**

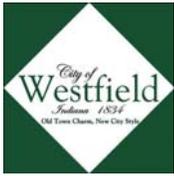
The subject property (the “Property”) is Parcel N of the Andover North PUD. Parcel N was reserved for a church use, including open space and athletic fields. The proposed development is for a detached garage (the “Project”). The garage would be approximately 576 square feet in size and be compatible with the existing structure. The garage would be used to store lawn equipment, decorations, and other items.

Since the Workshop Meeting, the petitioner has relocated the accessory structure so it behind the front plane of the principal structure. The structure has also been reoriented so the overhead door is facing east and is screened by the principal building and existing landscaping. The revised plans indicate additional trees around the accessory building. These trees are additional to the requirements for the site.

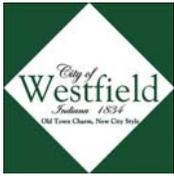
**DEVELOPMENT REQUIREMENTS**

**1. Zoning District Standards**

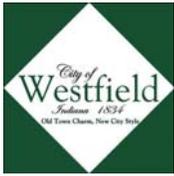
|   | <b><u>PROPOSED</u></b> | <b><u>STATUS</u></b> |
|---|------------------------|----------------------|
| <b><u>ANDOVER NOTRH PUD STANDARDS</u></b>                         |                        |                      |
| <b><u>Section 5 – Uses</u></b>                                    |                        |                      |
| D. Religious Institution  | Religious Institution  | Compliant            |
| <b><u>Section 6 – Number of Dwelling Units</u></b>                |                        |                      |
|   | NA                     | NA                   |
| <b><u>Section 7 – Development and Architectural Standards</u></b> |                        |                      |
| A.  |                        |                      |
| Exhibit 5   |                        |                      |
| - Acreage – 25 acres  | 25 acres               | Compliant            |
| - Max. Dwelling Units – 0   | NA                     | NA                   |
| - Max. Density – NA   | NA                     | NA                   |
| - Min. Sq. Ft. per Residential Unit – NA                          | NA                     | NA                   |
| - Min. Lot Width – NA   | NA                     | NA                   |
| - Min. Lot Depth – NA   | NA                     | NA                   |
| - Min. Lot Area – NA  | NA                     | NA                   |
| - Max. Lot Coverage – NA  | NA                     | NA                   |
| - Min. Front Setback – NA   | NA                     | NA                   |
| - Min. Rear Setback – NA  | NA                     | NA                   |
| - Min. Side Setback – NA  | NA                     | NA                   |
| - Min. Building Separation – NA                                   | NA                     | NA                   |
| - Max. Building Height – 50’                                      | 9’                     | Compliant            |
| Exhibit 4   |                        |                      |



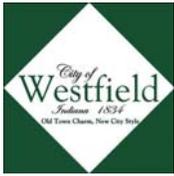
|  |                                   |           |
|--|-----------------------------------|-----------|
| 1. Permitted Uses  | See Section 5                     | NA        |
| 2. Special Exceptions  | NA                                | NA        |
| 3. Permitted Home Occupations  | NA                                | NA        |
| 4. Min. Lot Area   | See Exhibit 5                     | NA        |
| 5. Min Lot Frontage on Road – 250’   | 760’                              | Compliant |
| 6. Min. Setback Lines  |                                   |           |
| - Front – NA   | - See Exhibit 5                   | - NA      |
| - Side – NA  | - See Exhibit 5                   | - NA      |
| - Rear –NA   | - See Exhibit 5                   | - NA      |
| - Min. Lot Width at Building Line – NA   | - NA                              | - NA      |
| 7. Max. Building Height – 35’ or 2.5 stories   | See Exhibit 5                     | NA        |
| 8. Min. Ground Level Square Footage  | NA                                | NA        |
| 9. Parking   | NA                                | NA        |
|  |                                   |           |
| B.   |                                   |           |
| Streetscape Standards (Exhibit 6)  | NA to Parcel N                    | NA        |
| Architectural Standards (Exhibit 7)  | NA to Parcel N                    | NA        |
| Development Standards for Roads, Drives, and Alleys (Exhibit 8)  | NA                                | NA        |
|  |                                   |           |
| <u>Section 8 – Landscaping (Exhibit 12)</u>  |                                   |           |
| The 25-acre site was master-planned under case number 0707-DP-11, which included a landscaping plan. The addition of a new accessory structure on the Property does not warrant new landscaping. The original landscaping plan is compliant. |                                   |           |
|  |                                   |           |
| <u>Section 9 –Signage (Exhibit 14)</u>   | NA                                | NA        |
|  |                                   |           |
| <u>Section 10 – Amenities</u>  | NA                                | NA        |
|  |                                   |           |
| <u>Exhibit 13 – Lighting</u>   | NA                                | NA        |
|  |                                   |           |
| <b>WESTFIELD ZONING ORDINANCE STANDARDS</b>  |                                   |           |
|  |                                   |           |
| Accessory Buildings (WC 16.04.100, 2)  |                                   |           |
| a. Applicability   | NA                                | NA        |
|  |                                   |           |
| b. General Standards   |                                   |           |
| i. Same parcel as principal building   | Same parcel as principal building | Compliant |
| ii. Constructed after start of principal building  | Principal building is             | Compliant |



|  |   |                  |
|--|---|------------------|
| construction   | constructed   |                  |
| iii. Occupy principal building first   | Principal building is occupied                                      | Compliant        |
| iv. Temporary construction building  | NA  | NA               |
| v. Construction Period (completion of building) – 1 year after date of permit issued       | Permit not yet issued, TBD  | NA               |
| vi. Not substantially alter the character of the area                                      | Consistent with the character of the area                           | Complaint        |
| vii. Subordinate in height, width, length and bulk to principal building                   | Subordinate in height, width, length and bulk to principal building | Compliant        |
| viii. Same ownership as principal building   | Same ownership as principal building                                | Compliant        |
|  |   |                  |
| <b>c. Building Location</b>  |   |                  |
| <b>i. Front Setback</b>  |   |                  |
| (1) Parcels in Recorded Subdivision  | NA  | NA               |
| (2) Parcels Not in Recorded Subdivision  |   |                  |
| (i) Min. 75' from ROW  | 145'  | Compliant        |
| (ii) Not between ROW and principal building  | Behind front plane of principal building                            | Compliant        |
| ii. Side and Rear Setback – same as underlying zoning requirement                          | NA  | NA               |
|  |   |                  |
| <b>d. Max. Building Height –18'</b>  | <b>9'</b>   | <b>Compliant</b> |
|  |   |                  |
| <b><u>2. Overlay District Standards</u></b>  |   |                  |
| The Property does not fall within an overlay district.                                     |   |                  |
|  |   |                  |
| <b><u>3. Subdivision Control Ordinance</u></b>   |   |                  |
| The Property is not being subdivided. The Subdivision Control Ordinance is not applicable. |   |                  |
|  |   |                  |
| <b><u>4. Development Plan Review</u> (WC 16.04.165, D1)</b>                                |   |                  |
| <b>a. <u>Site Access &amp; Circulation</u></b>   |   |                  |
| 1. Access locations  | Unchanged from existing   | Compliant        |
| 2. Safe & efficient movement to and from site  | Unchanged from existing   | Compliant        |
| 3. Safe & efficient movement in and around Site  | Unchanged from existing   | Compliant        |



|   |   |           |
|---|---|-----------|
| b. <u>Landscaping</u> – See above – ANDOVER NORTH PUD STANDARDS, Section 8  |   |           |
| c. <u>Lighting</u> – See above – ANDOVER NORTH PUD STANDARDS, Exhibit 13  |   |           |
| d. <u>Signs</u> – See above – ANDOVER NORTH PUD STANDARDS, Exhibit 14   |   |           |
| e. <u>Building Orientation</u>  |   |           |
| 1. Loading spaces – not facing public street  | Not facing public street  | Compliant |
| 2. Loading spaces – oriented to side or rear lot line to be screened  | Oriented to side, screened by principal building and landscaping                                    | Compliant |
| f. <u>Building Materials</u>  |   |           |
| Materials and rooflines compatible and consistent with residential construction methods and materials   | Traditional garage architecture; gable roof; fiber cement siding (consistent with principal siding) | Compliant |
| <b><u>5. Comprehensive Plan Compliance</u></b>  |   |           |
| The 2007 Comprehensive Plan identifies the subject area as “New Suburban” (p.23). Institutional uses are listed as being appropriate within this area of the community (p. 40). |   |           |
| <b><u>6. Street and Highway Access</u></b>  |   |           |
| The Project does not require a new curb cut or improvement to existing public rights-of-way. All existing access would be unchanged.  |   |           |
| <b><u>7. Street and Highway Capacity</u></b>  |   |           |
| The size of the Project does not warrant a traffic study.   |   |           |
| <b><u>8. Utility Capacity</u></b>   |   |           |
| There is sufficient capacity for public utilities to serve the Property.  |   |           |
| <b><u>9. Traffic Circulation Compatibility</u></b>  |   |           |
| The Project does not change the internal circulation pattern or access to external streets.   |   |           |



**PUBLIC POLICIES**

Comprehensive Plan-Feb 2007

The 2007 Comprehensive Plan identifies the subject area as “New Suburban” (p.23). Institutional uses are listed as being appropriate within this area of the community (p. 40).

Thoroughfare Plan-Feb 2007

The Thoroughfare Plan identifies the adjacent segment of 191<sup>st</sup> Street as a Primary Arterial (150’ right-of-way) (p. 4-20). Adequate right-of-way was planned for 191<sup>st</sup> Street when the original development plan was approved in 2007.

Parks & Recreation Master Plan-Dec 2007

The Westfield Parks & Recreation Master Plan focuses on the build-out and development of the community’s existing parks and trail systems. The subject property is not within or adjacent to an existing park or trail.

Water & Sewer System-Aug 2005

The Property is adequately served by the City’s water and sewer systems for this Project.

Annexation

The Property is within the corporate boundaries of the City of Westfield.

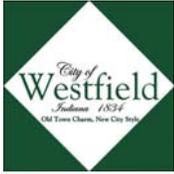
Wellhead Protection-Ord. 05-31

The Property is not within a wellhead protection zone.

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                | 08/27/09        | -              | Compliant     |
| Fees                       | 08/27/09        | -              | Compliant     |
| Legal Description          | 08/27/09        | -              | Compliant     |
| Consent Form               | NA              | -              | NA            |
| Site Plan                  | 08/27/09        | 10/09/09       | Compliant     |
| Demolition Plan            | NA              | -              | NA            |
| Location Map               | None            | 10/09/09       | Compliant     |
| Landscape Plan             | NA              | -              | NA            |
| Sign Plan                  | NA              | -              | NA            |
| Lighting Plan              | NA              | -              | NA            |
| Building Elevations        | 08/27/09        | -              | Compliant     |
| Access & Circulation       | 08/27/09        | -              | Compliant     |
| Traffic Impact Study       | NA              | -              | NA            |



| <u>Required Procedure</u> | <u>Original</u> | <u>Status</u> |
|---------------------------|-----------------|---------------|
| Pre-Filing Conference     | 08/17/09        | Compliant     |
| TAC                       | 09/21/09        | Compliant     |
| Notice - Sign on site     | 10/09/09        | Compliant     |
| Notice- Newspaper         | 10/09/09        | Compliant     |
| Notice –Mail              | 10/09/09        | Compliant     |
| Submit Revisions          | 10/09/09        | Compliant     |

**STAFF COMMENTS**

Approve 0910-DP-07 & 0910-SIT-05 as presented.

\*\*\*\*\*

***KMT***