Petition Number:	1306-DP-08 & 1306-SIT-05
Subject Site Address:	Custom Commerce Park (Lot 4)
Petitioner:	Andy Weas, Hadah II, LLC and Matt Oman, Beam, Longest and Neff, LLC
Request:	Petitioner requests Development Plan and Site Plan review for its new building
Current Zoning:	Custom Commerce Park PUD District Ordinance No. 03-29
Current Land Use:	Vacant / Undeveloped
Approximate Acreage:	6.19 acres+/-
Exhibits:	1. Staff Report 2. Aerial Location Map 3. Site Plan 4. Elevations 5. Landscape Plan 6. Lighting Plan
Zoning History:	0307-PUD-05 PUD District (Ordinance 03-29) (09/18/03) 0612-SPP-10 Primary Plat (01/22/07) 0706-SFP-06 Secondary Plat (Recorded 03/20/08) 1102-SFP-01 Secondary Plat Amendment (Recorded 03/24/11)
Staff Reviewer:	Jesse M. Pohlman, Senior Planner

PROCEDURAL

Approval of a Primary Plat and Development Plan must be granted if the submitted plans demonstrate compliance with the terms of the underlying zoning district, subdivision control ordinance and/or applicable PUD District Ordinance, any variances associated with the site, and any commitments associated with the site.

PROJECT OVERVIEW

The request is for the Development and Site Plan approval of Weas Engineering's new 51,808 square foot facility to be located on 6.19 acres+/- in the Custom Commerce Park (see Exhibit 2). The Development Plan includes the potential future expansion of an additional 10,000 square feet. The 6.19 acre-site is part of the existing 15.653-acre Lot 4 within Custom Commerce Park. The Petitioner has filed

a Secondary Plat concurrently with the Development Plan to split Lot 4 into two (2) Lots. The Secondary Plat will be reviewed and approved by the Department.

The petition was reviewed by the Technical Advisory Committee at its May 21, 2013, meeting.

DEVELOPMENT PLAN REVIEW COMMENTS

Development Plan Review (WC 16.04.165)

The PUD District Ordinance defaults to the EI (Enclosed Industrial) District as the underlying zoning district, thus the EI District standards apply, except for standards otherwise modified by the PUD District Ordinance.

1) Zoning District Standards: *(Industrial District Standards (WC 16.04.060))*

a) **Performance Standards**: *(WC 16.04.060(A))*:

Comment: Below is a summary of the Zoning Ordinance's Performance Standards for Industrial Districts. In general, these standards apply to the operation of the use and not necessarily the design of the use. As a result, the Development Plan appears to comply with these standards; however, these standards will be applied and enforced, as with all Industrial District uses, in the Department's review of the building permit and after the building is constructed and the use is operational.

i) Smoke: The emission of more than 70 smoke units per hour per stack and emissions in excess of Ringelmann No. 2 are prohibited, except that for one hour during any 24 hour period, this rate may be increased to 80 smoke units per stack up to and including Ringelmann No. 3 for the purging, soot blowing and fire cleaning.

ii) Particulate Matter: The rate of emission of particulate matter from an individual process within the boundaries of any lot shall not exceed a figure of 0.06 pounds per 1,000 pounds of effluent gas for enclosed industrial use, not 0.2 pounds per 1,000 pounds of effluent gas for open industrial use. Not more that 50 percent by weight particles larger than 44 microns (325) mesh shall be allowed.

iii) Odor: Any activity or operation which releases odors to the atmosphere shall be so controlled as to insure that it will produce no public nuisance or hazard at or beyond the nearest residential district boundary line.

iv) Poisonous and Injurious Fumes and Gases: The emission of toxic or injurious fumes and gases shall be controlled so as to comply with the following: The emission from any source shall not cause at or beyond any lot line, concentrations of toxic and/or injurious fumes and gases in excess of 10 percent for an enclosed industrial use of the threshold limit as set for the fume or gas in question in the "Threshold Limit Values for Toxic Materials in Industry" issued by the Indiana Department of Environmental Management, from the American

Conference of Governmental Hygienists, latest issue. The emission of any gas or fumes across lot lines in such concentrations as to be detrimental to or endanger public health, safety, comfort and welfare or shall cause injury or damage to property or business is prohibited.

v) Glare and Heat: No use, operation, activity or structure shall cause heat or glare in such a manner as to be a public nuisance at or beyond any residential or business district boundary.

vi) Vibration: Any use creating intense earthshaking vibrations such as are created by a heavy drop forge shall be set back from a residential district boundary at least 250 feet, or at least 150 feet from a business district boundary. Earthshaking vibrations at the industrial property line shall not be in violation of this ordinance as long as the vibration is not perceptible without the aid of instruments.

Comment: The closest non-industrial district boundary is directly to the west across Oak Ridge Road (SF3 and MF2), located approximately 95 feet from the boundary of the subject property.

vii) Noise: At no point 125 feet from the boundary of an enclosed industrial district, or any district which permits an enclosed industrial use, shall the sound pressure level of any operation or plant (other than background noises produced by sources not under the control of this chapter) exceed the decibel limits in the octave bands designated below [chart set forth in ordinance].

Comment: The closest non-industrial district boundary is directly to the west across Oak Ridge Road (SF3 and MF2), located approximately 95 feet from the boundary of the subject property.

viii) Fire Hazards: The storage, utilization or manufacture of solid materials, or products ranging from incombustible to moderate burning is permitted. The storage, utilization or manufacture of solid materials or products ranging from free or active burning to intense burning is permitted provided the following conditions are met: (1) Said materials shall be stored, utilized or manufactured in such a manner and protected by such means as approved by the Indiana State Fire Marshal; and (2) The storage, utilization or manufacture of flammable liquids or gases which produce flammable or explosive vapors shall be permitted in accordance with the rules and regulations of the Indiana State Fire Marshall regulating the use, handling, storage and sale of flammable liquids - Official Regulation Number 5, effective July 23, 1973.

Comment: Petitioner is coordinating with Fire Department.

b) **Other Industrial District Requirements** *(WC 16.04.060(A)(4))*::

i) The disposal of wastes discharged into public streams and sewage systems shall meet the requirements of the stream pollution control law of the State of Indiana (IC 13-1-3) as amended.

Comment: Petitioner is coordinating with the Public Works Department (WPWD) and Surveyor's Office.

ii) The Plan Commission shall review and approve plans to assure adherence to developmental standards and overall conformity to the master plan and Zoning Ordinance.

c) **EI District and PUD Specific Standards**: *(WC 16.04.060(B))*

Comment: Development Plan complies, except as noted below.

i) Minimum Lot Area: 1 acre *(per PUD)*

ii) Minimum Lot Frontage on Road: 70 feet

iii) Minimum Setback Lines:

(1) Front Yard: 80 feet on Oak Ridge Road *(per PUD)*

(2) Side Yard: 20 feet

(3) Rear Yard: 20 feet

iv) Minimum Lot Width at Building Line: None

v) Maximum Building Height: 35 feet on Lots adjacent to Oak Ridge Road *(per PUD)*

vi) Minimum Gross Ground Level Space: None; however, not more than 80% of the total area of any lot of any development or multiple lot shall be occupied by buildings, roads, parking area, drainage facilities and accessory structures. *(per PUD)*

Comment: Development Plan complies.

d) **Off-Street Loading and Parking Standards:** (WC 16.04 et seq.)

Comment: Development Plan complies.

e) **Outside Storage:** *(per PUD)*

Comment: Development Plan complies. No outside storage is proposed.

2) Overlay District Standards: Not applicable per PUD District Ordinance.

3) Subdivision Control Ordinance: Please see separate Secondary Plat review comments.

4) Development Plan Review Standards: *(WC 16.04.165(D)(4))*

a) **Site Access and Site Circulation & Sidewalks, Pedestrian Paths, Jogging Paths, and Bicycle Paths (WC 16.04.240(G)):**

i) Standard: All proposed site access locations shall comply with the requirements of the Indiana Department of Transportation, Driveway Permit Manual (1996 Version) and any amendments thereto, which is hereby incorporated into and made a part of this Ordinance by this reference.

Comment: Petitioner is coordinating with WPWD.

ii) Standard: All proposed site access locations shall provide for the safe and efficient movement of vehicular and pedestrian movement to and from the proposed development.

Comment: Petitioner is coordinating with WPWD.

iii) Standard: Site circulation patterns shall be designed to minimize conflicts between vehicular and pedestrian traffic, and create a safe and efficient movement of both vehicular and pedestrian traffic in and around the site.

Comment: Petitioner is coordinating with WPWD.

iv) Standard: The Plan Commission shall require sidewalks to be installed on each side of the street in all subdivisions.

Comment: Development Plan complies.

v) Standard: Where a proposed subdivision abuts existing street right-of-way, the Plan Commission shall require developer to construct sidewalks parallel to the existing street.

Comment: Development Plan complies.

vi) Standard: When a proposed subdivision lies between or adjacent to existing subdivisions which have been provided with sidewalks, the Plan Commission shall require connecting sidewalks (which are extensions of the existing sidewalks) to be constructed.

Comment: Development Plan complies.

vii) Standard: If a sidewalk, pedestrian path, jogging path and/or bicycle way is to be installed, a plan shall be submitted to the Plan Commission with the Primary Plat and Secondary Plat drawings.

Comment: Development Plan complies.

viii) Standard: Curb ramps for handicapped accessibility shall be provided at all intersections of streets, alleys, and drives.

Comment: Petitioner is coordinating with WPWD.

ix) Standard: When a sidewalk, pedestrian path, jogging path, and/or bicycle way crosses a street intersection within or adjacent to a subdivision (where one of the streets is a primary arterial or a secondary arterial), necessary safety devices, such as painted crosswalks, signs, or other traffic control devices shall be installed at the developer's expense.

Comment: Petitioner is coordinating with WPWD. Oak Ridge Road is an arterial.

x) Standard: When sidewalks, pedestrian paths, jogging paths, and/or bicycle ways are to be installed, they shall be constructed in accordance with the Hamilton County Alternative Transportation Plan and the Construction Standards for the City of Westfield, which have both been adopted by the City of Westfield.

Comment: Development Plan complies..

b) **Landscaping:** *(WC 16.06 et seq.)*

i) General Landscape Design Standards: *(WC 16.06.040)*:

(1) Standard: Trash dumpsters, trash pads and loading areas consisting of two or more loading spaces, loading docks, service areas, and maintenance areas shall be screened from public roads.

Comment: Development Plan complies.

(2) Standard: Ground mounted heating and cooling units for nonresidential structures shall be completely screened.

Comment: Development Plan complies. Mechanical equipment is located interior to the building.

(3) Standard: Plant materials shall be placed intermittently (approximately every 40 feet) against long expanses (over 80 feet) of building walls to create a softening effect.

Comment: The building's north and south elevations are 500'+/-, west elevation is 400'+/-, and the east elevation is 300'+/-. As such, the north and south elevations would require a minimum number of fifteen (15) plantings along each elevation, the west elevation ten (10) plantings and the east elevation eight (8) plantings for a total

of thirty-three (33) plantings. The petitioner is proposing seventy-seven (77) plantings that are primarily focused along the west (main entrance adjacent to Oak Ridge Road) and south (parking area) elevations. No plantings are proposed along the east elevation, which is internal to the site and planned for future expansion, and minimal plantings are proposed along the north elevation, which consists of the loading areas. The plantings exceed the required quantity and are located in areas most visible to the public. The Department believes the wall plantings meet the intent of this standard and that the Development Plan complies.

(4) Standard: Detention/retention basins and ponds shall be landscaped in a manner that replicates the natural form of ponds and shall include shade trees, ornamental trees, evergreens, shrubbery, hedges and/or other plant materials.

Comment: Development Plan complies. The eastern edge of the detention pond is a legal drain, which would not permit landscaping. The western edge of the retention basin includes six (6) trees.

ii) On-Site and Road Frontage Requirements: *(WC 16.06.050)*:

(1) On-Site Standard: Industrial uses require 5 shade trees, 5 ornamental or evergreen trees, and 25 shrubs per acre.

Comment: Development Plan complies. This site at 6.2 acres requires 31 shade trees, 31 ornamental or evergreen trees and 155 shrubs. 31 shade trees, 12 ornamental trees, 19 evergreen trees, and 177 shrubs are provided.

(2) Road Frontage Standard: A minimum of 1 shade tree required along Oak Ridge Road per 40' of road frontage and may be credited toward the on-site requirements.

Comment: Development Plan complies. The road frontage is 346'+/-, which would require 9 trees. At least 9 trees are provided within the buffer yard required by the PUD along Oak Ridge Road (as noted below).

iii) Buffer Yard Requirements: *(per PUD)*: Perimeter buffer yard along Oak Ridge Road shall be at least 25 feet wide and consist of berms (at least 4 feet in height and 3:1 slope) and landscaped with at least 7 evergreen trees and 2 shade trees per 100 lineal feet. Ornamental trees may be substituted 1:1 with evergreen trees, but at least 60% of trees shall be evergreen.

Comment: Development Plan complies. A 70-foot+/- wide buffer is provided. The frontage along Oak Ridge Road is 346'+/- and requires the following:

Area	Evergreen Trees		Ornamental Trees	
	Required	Provided	Required	Provided
Oak Ridge Road Buffer Yard	15[1]	15	10[1]	10

[1] 60% of the Buffer Yard trees are evergreen and 40% ornamental.

Area	Shade Trees		Shrubs	
	Required	Provided	Required	Provided
Oak Ridge Road Buffer Yard	7	7	-	28

iv) Parking Area Landscaping: *(WC 16.06.070)*:

(1) Interior Parking Standard: 10% of the vehicular use area (based on 50+ parking spaces being provided) is required to be landscaped.

Comment: Development Plan complies. 1,100 square feet of interior parking landscaped area is required, which is provided by 5 interior parking lot islands totaling over 1,300 square feet.

(2) Parking Lot Island Standard: Parking lot islands shall be a minimum of 120 square feet in area and a minimum 7 feet in width, and constructed 6 inches above the parking surface. Parking lot islands shall include at least 1 tree and 4 shrubs per island. Interior landscaped areas shall be dispersed so as to define aisles and limit unbroken rows of parking spaces to a maximum of 200 feet in length.

Comment: Development Plan complies.

(3) Perimeter Parking Standard: Area at least 5 feet wide shall extend along perimeter of parking lots (where the parking lot is located in required yard or within 20 feet of a lot or right-of-way line) and shall include 1 tree per 30 feet and 1 shrub per 3 feet. Plantings may be credited toward on-site requirements.

Comment: Development Plan complies.

c) **Lighting:** (WC 16.07 et seq.)

(1) General Standards: (a) All light fixtures, with the exception of internally-illuminated signage or Electronic Signage, shall be fully shielded and direct light downward toward the earth's surface; (b) All lighting sources shall be directed away from reflective surfaces to minimize glare upon adjacent property and public rights-of-way; (c) All lighting sources, with the exception of internally-illuminated signage or Electronic Signage, shall be positioned in such a manner as to direct light away from adjacent property and public rights-of-way; (d) Light pole height shall not exceed twenty-five feet (25'). All parking area light fixtures shall be designed and located to confine emitted light to the parking area.

Comment: Development Plan complies.

(2) Applicable Industrial District Standards: (a) All light fixtures, with the exception of internally-illuminated signage or Electronic Signage, shall be positioned in such a

manner so that no light-emitting surface is visible from a residential area or public right-of-way when viewed at ground level; (b) Light meter readings shall not exceed: one-half (0.5) foot-candles at a single-family residential property line, or one-half a (0.5) foot-candle at a multi-family residential property line or one (1.0) foot-candle at all other non-residential property lines; (c) All lights on poles, stands, or mounted on a building shall have a shield, adjustable reflector, and non-protruding diffuser.

Comment: Development Plan complies.

d) **Signs:** *(WC 16.08 et seq.)*

Comment: The building elevations conceptually show a wall sign; however, any proposed sign(s) will require a sign permit and will be reviewed by the Department for compliance at that time.

e) **Building Orientation:**

i) Standard: Each building façade visible from a public street or oriented to an adjoining Residential District shall be a finished façade.

Comment: Development Plan complies. The west façade is oriented towards a residential district and the south and north facades are potentially visible from a public street (Oak Ridge Road); however, all facades are shown as finished.

ii) Standard: No loading spaces or loading docks shall be permitted to face a public street or an adjoining Residential District.

Comment: Development Plan complies.

iii) Standard: No outside storage shall be permitted between an established building line and the right-of-way of a public street or an adjoining Residential District.

Comment: Development Plan complies. No outside storage is proposed.

iv) Standard: All roof or ground mounted mechanical equipment shall be completely enclosed. Ground-mounted enclosures for mechanical equipment shall be landscaped on all sides not facing the building served.

Comment: Development Plan complies. Mechanical equipment is located interior to the building.

f) **Building Materials:**

i) Standard: In order to create variation and interest in the built environment, all new buildings or building additions located within any Industrial District shall use the exterior building materials specified below on all facades *(per PUD)*:

(1) Brick or other masonry material. Other masonry materials shall include: (a) Architectural concrete, if the surface of the architectural concrete simulates brick or stone (e.g., limestone, marble, or, granite); (b) Pre-cast concrete, if the surface of the pre-cast concrete is painted, textured (e.g. rough, striated, imprinted with a pattern or form), or designed to simulate brick or stone (e.g., limestone, marble, or, granite); (c) External Insulation and Finish System (E.I.F.S.); or, (d) Stone.

Comment: Development Plan complies. All facades consist of pre-cast concrete that consists of painted and textured surfaces.

(2) If a masonry material other than brick is utilized, it shall be supplemented with the use of multiple colors, multiple textures (e.g., rough, smooth, striated, etc.) or the addition

of architectural elements (e.g., quoins, pilasters, soldier courses, lintels, friezes, cornices, dentils, architraves, etc.) on each facade.

Comment: Development Plan complies. All facades consist of pre-cast concrete that consists of multiple colors and textures. Additionally, pilasters are incorporated along the west (front) elevation.

(3) The primary exterior building material shall constitute a minimum of sixty (60) percent of the available wall area (exclusive of window and doors) of each facade.

Comment: Development Plan complies.

5) **Comprehensive Plan Compliance:** The proposed development shall be appropriate to the site and its surroundings based upon the recommendations contained in the Westfield-Washington Township Comprehensive Plan (the "Comprehensive Plan").

Comment: The Westfield-Washington Township Comprehensive Plan identifies the Custom Commerce Park within the "Business Park" land use classifications. Among other uses, these classifications encourage manufacturing, research and development, processing activities, office and services uses. The development policies of the Comprehensive Plan for this area includes among other policies: (1) Reserve for employment-generating uses and related supporting service uses; (2) Promote campus-like settings; (3) Encourage building materials and colors appropriate to the setting; (4) Locate docks appropriately, generally at the sides or backs of buildings. Screening should be provided where it is needed to hide unattractive views; (5) Require parking areas to have interior landscaping and landscaping along street frontages; (6) Maintain attractive and appealing business and industrial areas through landscaping, setbacks, and building design. As such, the proposed use and Development Plan is consistent with the policies of the Comprehensive Plan.

6) **Street and Highway Access:** The design and location of proposed street and highway access points shall minimize safety and hazards and congestion.

Comment: Petitioner is coordinating with WPWD.

7) **Street and Highway Capacity:** The capacity of adjacent streets and highways is sufficient to safely and efficiently accept traffic that will be generated by the new development

Comment: Petitioner is coordinating with WPWD.

8) **Utility Capacity:** The applicable utilities have sufficient capacity to provide potable water, sanitary sewer facilities, electricity, telephone, natural gas, and cable service at a satisfactory level of service to meet the needs of the proposed development

Comment: Petitioner is coordinating with WPWD and other service providers.

9) **Traffic Circulation Compatibility:** The entrances, streets and internal traffic circulation facilities in the proposed development are compatible with existing and planned streets and adjacent development.

Comment: Petitioner is coordinating with WPWD.

STAFF COMMENTS

1. No action is required at this time.
2. Prior to the final deposition, the petitioner will make any necessary revisions to the plans, as addressed in this staff report. The Economic and Community Development Department staff will confirm compliance prior to this item being placed on the next APC agenda.
3. If any APC member has questions prior to the public hearing, then please contact Jesse Pohlman at 317.402.4380 or jpohlman@westfield.in.gov.