Petition Number:	1604-DDP-12
Subject Site Address:	1821 E. 151st Street
Petitioner:	MAC's Convenience Stores LLC
Representative:	Robert Wellert, Wellert Corporation
Request:	Detailed Development Plan review and associated variances for reconstruction of the convenience store and gas station on 1.5 acres+/-.
Current Zoning:	SB-PD: Special Business Planned Development District
Current Land Use:	Commercial, Gasoline Service Station and Convenience Store
Approximate Acreage:	1.545 acres+/-
Property History:	83-SE-3, Special Exception to permit Gasoline Service Station AP, Original Development Plan
Exhibits:	1. Staff Report 2. Location Map 3. Detailed Development Plan 4. Elevations 5. Landscape Plan 6. Lighting Plan
Staff Reviewer:	Pam Howard, Associate Planner

PROCEDURAL

Approval of a Detailed 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 1.545 acre+/- site is located on the southeast corner of 151st Street and US 31 (see **Exhibit 2**). The request is for approval of a Detailed Development Plan (see **Exhibit 3**) for reconstruction of the convenience store and gas station located on the property.

The petition was reviewed by the Technical Advisory Committee at its March 22, 2016, meeting. This petition was properly noticed and received its public hearing at the Plan Commission's April 4, 2016, meeting.

The applicable zoning district is the SB-PD: Special Business / Planned Development (the "SB-PD") District. The property is located within the US Highway 31 Overlay District (the "US31 Overlay"), however, is

exempt from the US31 Overlay Standards due to the business being in existence prior to December 11, 1989[1].

DEVELOPMENT PLAN (Article 10.7(G) of the UDO):

The plans comply except for those items identified as outstanding below:

1) Area map insert showing the general location of the site referenced to Streets, section lines and alternative transportation plan system, as well as the Zoning District and use of adjacent property.
2) Address and legal description of the property.
3) Boundary lines of the property including all dimensions.
4) Location, name, centerline and width of all Streets, Private Streets, Alleys, access easements and alternative transportation plan system improvements that are existing or proposed to be located within or adjacent to the property.
5) Location, centerline and width (at the Lot Line) measurements of any proposed or existing Driveways within two hundred (200) feet of the property, and any connection to an Alley must be indicated.
6) Location and dimensions of primary vehicular ways in and around the proposed development, including depictions of all travel lanes, turning movements, vehicle storage areas and tapers.
7) All proposed Street and Driveway improvements, both on and offsite, including measurement of curb radius and/or taper.
   Comment: Working with petitioner to ensure compliance.

8) Location and dimensions of existing and proposed sidewalks, pathways, trails or other alternate transportation plan improvements.
   Comment: Working with petitioner to ensure compliance.

9) Layout, number, dimension and area (in square feet and acres) of all Lots and Outlots with Building Setback Lines.
   Comment: Working with petitioner to ensure compliance.

10) Location and dimensions of all existing structures and paved areas.
11) Location and dimensions of all proposed structures and paved areas (indicated by cross-hatching).
12) Location of all Floodplain areas within the boundaries of the property.
13) Names of legal ditches and streams on or adjacent to the site.
14) Location and feasibility statement of all existing and proposed utility facilities and easements, including, but not limited to: sanitary sewer, water, storm water management, electric, gas, telephone and cable.
    Comment: Petitioner coordinating with the Public Works Department and utility providers.

15) Identify buildings proposed for demolition.
16) Areas of the property reserved for Development Amenities, Open Space and other similar uses.
17) Use of each Lot and/or building by labeling, including approximate density or size of proposed uses and buildings (e.g., number of parking spaces, Dwelling Units, Gross Floor Area, Living Area).

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[1] Article 5.2(L) of the Unified Development Ordinance

DEVELOPMENT PLAN REVIEW (Article 10.7(E) of the UDO):

Development Plans shall comply with and be reviewed by the Plan Commission upon finding that the Development Plan is in compliance with the following requirements:

18) Compliance with all applicable development and design standards of the Zoning District in which the real estate is located.
    Comment: Please see District Standards comments herein.

19) Compliance with all applicable provisions of any Overlay District in which the real estate is located.
    Comment: Business existed prior to December 11, 1989 and is therefore exempt from the US 31 Overlay District.

20) Management of traffic will be in a manner that creates conditions favorable to health, safety, convenience, and the harmonious development of the community such that:
    a) The design and location of proposed street and highway access points shall minimize safety hazards and congestion.
    b) The capacity of adjacent streets and highways is sufficient to safely and efficiently accept traffic that will be generated by the new development.
    c) The entrances, streets and internal traffic circulation facilities in the proposed development are compatible with existing and planned streets and adjacent development.

21) 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 coordinating with the Public Works Department and utility providers.

DISTRICT STANDARDS (CHAPTER 4.22 AND 4.23 OF UDO)

The plans comply with the SB-PD: Special Business Planned Development District standards except for those items identified as outstanding below:

22) Minimum Tract Requirement: 10 acres
23) Permitted Uses
    Comment: Compliant per 83-SE-3 and inapplicability of US 31 overlay

24) Minimum Road Frontage: 660'
25) Minimum Setback Lines:
    a) Front: 60'
    b) Rear: 20'
    Comment: Compliant if 1604-VS-06 is approved.

Overlay District Standards (Chapter 5 of UDO)

26) US Highway 31 Overlay (Article 5.2)
    a) Exemption: Any alterations to existing buildings or development of additional structures for businesses existing prior to the adoption of Ordinance No. 89-15 (December 11, 1989), or Ordinance No. 00-17 (August 14, 2000), as may be applicable to a subject property, shall be exempt from this Article; however, if an existing business ceases to operate and/or the facility becomes a new type of business, then it shall be subject to the provisions of this Article.
    Comment: Business began in 1983 and is exempt from overlay standards

DEVELOPMENT STANDARDS (Chapter 6 of UDO)

The plans comply, as applicable to a Detailed Development Plan, except for those items identified as outstanding below, that need addressed prior to approval:

27) Accessory Use and Building Standards (Article 6.1)
    a) Screening of Receptacles and Loading Areas (Article 6.1(H))
       Comment: Compliant if 1604-VS-06 is approved.
28) Architectural Standards (Article 6.3(F))
    a) Mechanical Screening
    b) Building Materials
       Comment: Working with petitioner to obtain masonry calculation for north façade and ensure compliance.
    c) Architectural Theme
    d) Four-Sided Architecture
    e) Building Elevations
       Comment: Compliant if 1604-VS-06 is approved.
    f) Gutters and Downspouts
       Comment: Working with petitioner to obtain details and ensure compliance.
    g) Roof Design
    h) Main Entrances
    i) Windows
    j) Awnings
    k) Gasoline Service Station Canopies
29) Building Standards (Article 6.4)
30) Fence Standards (Article 6.5)
31) Height Standards (Article 6.6)
32) Landscaping Standards (Article 6.8)
    a) General Screening Standards (Article 6.8(H))
       Comment: Working with petitioner to obtain details of mechanical screening and ensure compliance.
    b) Minimum Lot Landscaping Requirements (Article 6.8(K))

	Required	Provided	Remaining
Shade (10 per acre)	**15**	**7**	**8***
Ornamental (10 per acre)	**15**	**15**	**0**
Shrub (25 per acre)	**39**	**211**	**0**

       ***Comment: Compliant if 1604-VS-06 is approved.**
    c) Foundation Plantings (Article 6.8(L)): Plant materials shall be required intermittently (approximately every forty (40) feet) against long expanses (over eighty (80) feet) of Building Facades, fences, and other barriers to create a softening effect. Plant materials shall also be required along the Front Building Façade of all Buildings at a minimum ratio of one (1) shrub or ornamental tree per twelve (12) lineal feet.
       Comment: Compliant if 1604-VS-06 is approved

d) External Street Frontage Landscaping

US 31, 250'			
	Required	**Provided**	**Remaining**
Shade or Evergreen (3 per 100')	**8**	**2**	**6***
Ornamental (2 per 100')	**5**	**5**	**0**
Shrub (25 per 100')	**63**	**63**	**0**

151st Street, 235'			
	Required	**Provided**	**Remaining**
Shade or Evergreen (3 per 100')	**7**	**2**	**5***
Ornamental (2 per 100')	**5**	**5**	**0**
Shrub (25 per 100')	**60**	**75**	**0**

Thatcher Lane, 250'			
	Required	**Provided**	**Remaining**
Shade or Evergreen (3 per 100')	**8**	**1**	**7***
Ornamental (2 per 100')	**5**	**5**	**0**
Shrub (25 per 100')	**63**	**35**	**28***

***Comment:** **Compliant if 1604-VS-06 is approved.**

e) Buffer Yard Requirements

f) Interior Parking Area Landscaping

Comment: **Compliant if 1604-VS-06 is approved.**

g) Perimeter Parking Area Landscaping

33) Lighting Standards (Article 6.9)

a) General lighting standards

b) Business standards

Comment: **Comment: Working with petitioner to ensure compliance.**

34) Lot Standards (Article 6.10)

35) Outside Storage and Display (Article 6.12)

Comment: **Compliant if 1604-VS-06 is approved.**

36) Outdoor Café and Eating Areas (Article 6.13)

37) Parking and Loading Standards (Article 6.14)

38) Setback Standards (Article 6.16)

Comment: **See district standards (#25).**

39) Sign Standards (Article 6.17)

Comment: **Any proposed sign(s) will require a sign permit and will be reviewed by the Department for compliance at that time.**

40) Vision Clearance Standards (Article 6.19)
41) Yard Standards (Article 6.21)

DESIGN STANDARDS (Chapter 8 of UDO)

The plans comply except for those items identified as outstanding below, that need addressed prior to approval:

42) Easement Standards (Article 8.3)
    Comment: Petitioner coordinating with the Public Works Department and utility providers.

43) Pedestrian Network Standards (Article 8.7)
    Comment: Petitioner coordinating with the Public Works Department.

44) Street and Right-of-Way Standards (Article 8.9)
    Comment: Petitioner coordinating with the Public Works Department and utility providers.

45) Surety Standards (Article 8.12)
    Comment: Petitioner coordinating with the Public Works Department and utility providers.

46) Utility Standards (Article 8.13)
    Comment: Petitioner coordinating with the Public Works Department and utility providers.

DEPARTMENT COMMENTS

1) **Action: Hold a public hearing at the April 4, 2016, Plan Commission meeting.**
2) The Petitioner will make any necessary revisions to the plans, as noted in this report as outstanding. The Economic and Community Development Department will confirm compliance prior to this item being placed on the next Plan Commission agenda.
3) If any Plan Commission member has questions prior to the public hearing, then please contact Pam Howard at 317-531-3751 or phoward@westfield.in.gov.