



## *Westfield City Council Report*

<b>Ordinance Number:</b>	16-05
<b>APC Petition Number:</b>	1603-PUD-03
<b>Petitioner:</b>	Paula Gartner, EMH&T on behalf of Kroger Limited Partnership
<b>Requested Action:</b>	An amendment to permit a Monument Sign on the Fuel Center Outlot in the Spring Mill Station Northeast Quadrant PUD.
<b>Current Zoning:</b>	Spring Mill Station Northeast Quadrant PUD District (Ord. 14-39) Amendment to the Spring Mill Station Northeast Quadrant PUD District (Ordinance 15-24)
<b>Current Land Use:</b>	Commercial/ Fuel Center
<b>Exhibits:</b>	<ol style="list-style-type: none"><li>1. Staff Report</li><li>2. Location Map</li><li>3. Proposed Sign Location</li><li>4. Proposed Sign Elevations</li><li>5. Amendment Ordinance</li><li>6. APC Certification</li></ol>
<b>Prepared by:</b>	Pam Howard, Associate Planner

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### **PETITION HISTORY**

This petition was introduced at the February 8, 2016, City Council meeting. The petition will receive a public hearing at the March 7, 2016, Advisory Plan Commission (the "APC") meeting.

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### **PROCEDURAL**

#### **Public Hearing:**

Amendments to a Planned Unit Development District are required to be considered at a public hearing by the APC. The public hearing for this petition is scheduled for the March 7, 2015, APC meeting. Notice of the public hearing was provided in accordance with Indiana law.

Statutory Considerations:

Indiana Code 36-7-4-603 states that in the consideration of zoning ordinance amendments and zone map changes that reasonable regard shall be paid to:

1. The Comprehensive Plan.
  2. Current conditions and the character of current structures and uses.
  3. The most desirable use for which the land is adapted.
  4. The conservation of property values throughout the jurisdiction.
  5. Responsible growth and development.
- 

**PROJECT OVERVIEW**

Project Location: The Petitioner is requesting an amendment to the Spring Mill Station Northeast Quadrant PUD (the “PUD Ordinance”), which is located at the northeast corner of 161<sup>st</sup> Street and Springmill Road (see **Exhibit 2**).

Amendment Request: The Petitioner is requesting an amendment to permit a Monument Sign on The Fuel Center Outlot.

1. Sign Standards: The PUD Ordinance currently contains signage standards for the Fuel Center, but does not address a Monument Sign. The proposed amendment permits a Monument Sign for the Fuel Center to be built in compliance with provided exhibits. Additionally, the proposed amendment requires that the existing digital price sign located on the fuel canopy be removed at the time the Monument Sign is installed.
- 

**PROCEDURAL**

Public Hearing: Amendments to a Planned Unit Development (PUD) District are required to be considered at a public hearing by the Plan Commission. The public hearing for this petition was held at the November 2, 2015, Plan Commission meeting. Notice of the public hearing was provided in accordance with Indiana law and the Plan Commission’s Rules of Procedure.

Statutory Considerations:

Indiana Code 36-7-4-603 states that in the consideration of zoning ordinance amendments and zone map changes that reasonable regard shall be paid to:

6. The Comprehensive Plan.
  7. Current conditions and the character of current structures and uses.
  8. The most desirable use for which the land is adapted.
  9. The conservation of property values throughout the jurisdiction.
  10. Responsible growth and development.
-

**RECOMMENDATIONS / ACTIONS**

Plan Commission Recommendation

At its March 21, 2016 meeting, the Plan Commission forwarded a unanimous favorable recommendation of this petition to the Council (Vote: 8 in favor, 0 opposed) (see **Exhibit 7**).

City Council

Introduction: February 8, 2016

Eligible for Adoption: March 28, 2016

Submitted by: Pam Howard, Associate Planner  
Economic and Community Development Department



# Location Map

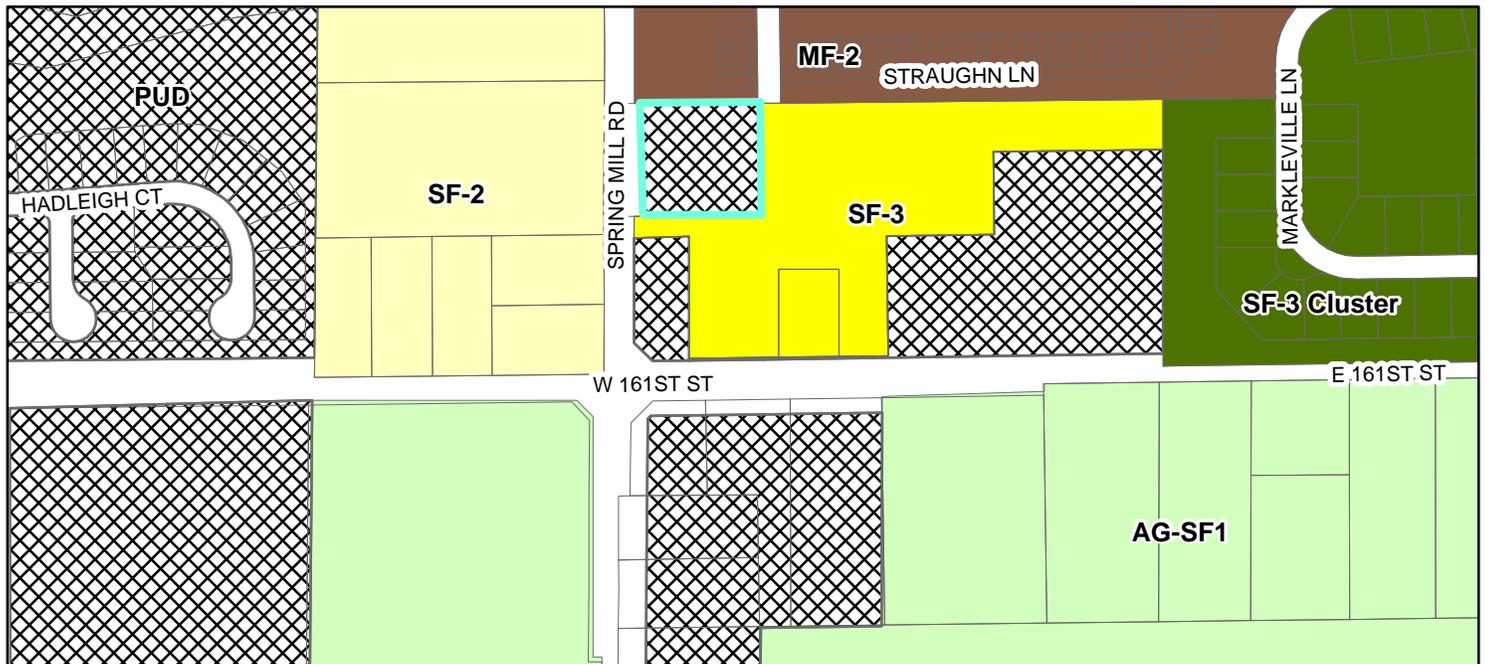
## Spring Mill Station Northeast Quadrant PUD Amendment 1603-PUD-03



### Aerial Location Map



### Zoning Map



#### Zoning

- |  |  |   |                          |
|--|--|---|--------------------------|
|  | AG-SF1 (Agriculture - Single Family - 1) |  | SF-2 (Single Family - 2) |
|  | MF-2 (Multiple Family - 2)               |  | SF-3 (Single Family - 3) |
|  | PUD (Planned Unit Development)           |  | SF-3 Cluster             |



### Exhibit 3: Proposed Depot and Fuel Center

Westfield, IN Kroger

March 11, 2016

# EXHIBIT 4



Evans, Mechwart, Hambleton & Tilton, Inc.  
Engineers • Surveyors • Planners • Scientists  
7400 N. Shadeland Ave., Ste. 150, Indianapolis, IN 46250  
Phone: 317.913.6930 Toll Free: 888.775.3648

emht.com

TOWN OF WESTFIELD, HAMILTON, INDIANA

EXHIBIT "4"

FOR

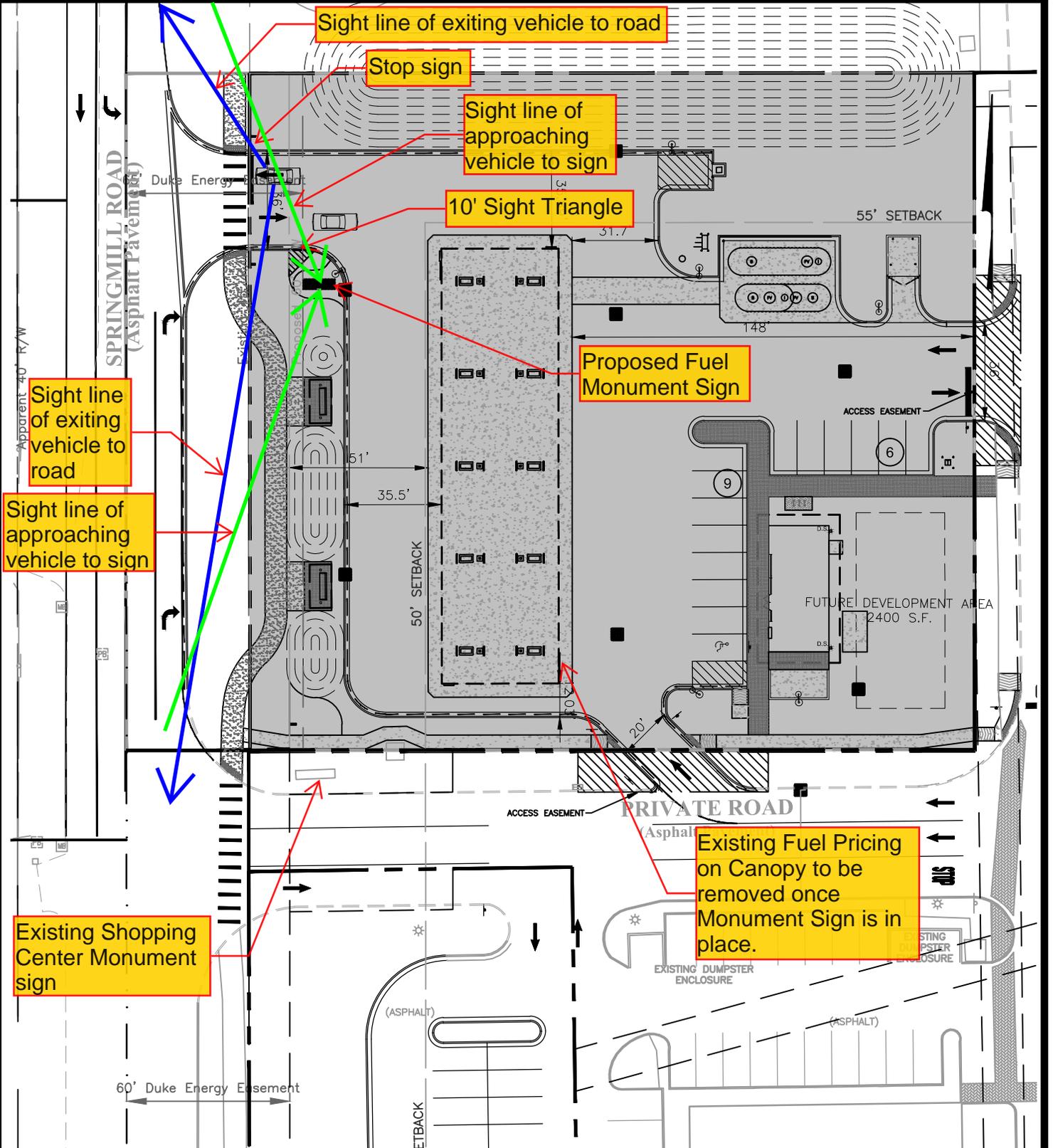
KROGER J970 FUEL CENTER

SITE SIGNAGE AND VISIBILITY

DATE: March 09, 2016

JOB NO. 20130506

SCALE: None



Vertical text on the left margin: (No. Xrefa)

## EXHIBIT 2: Fuel Monument Sign

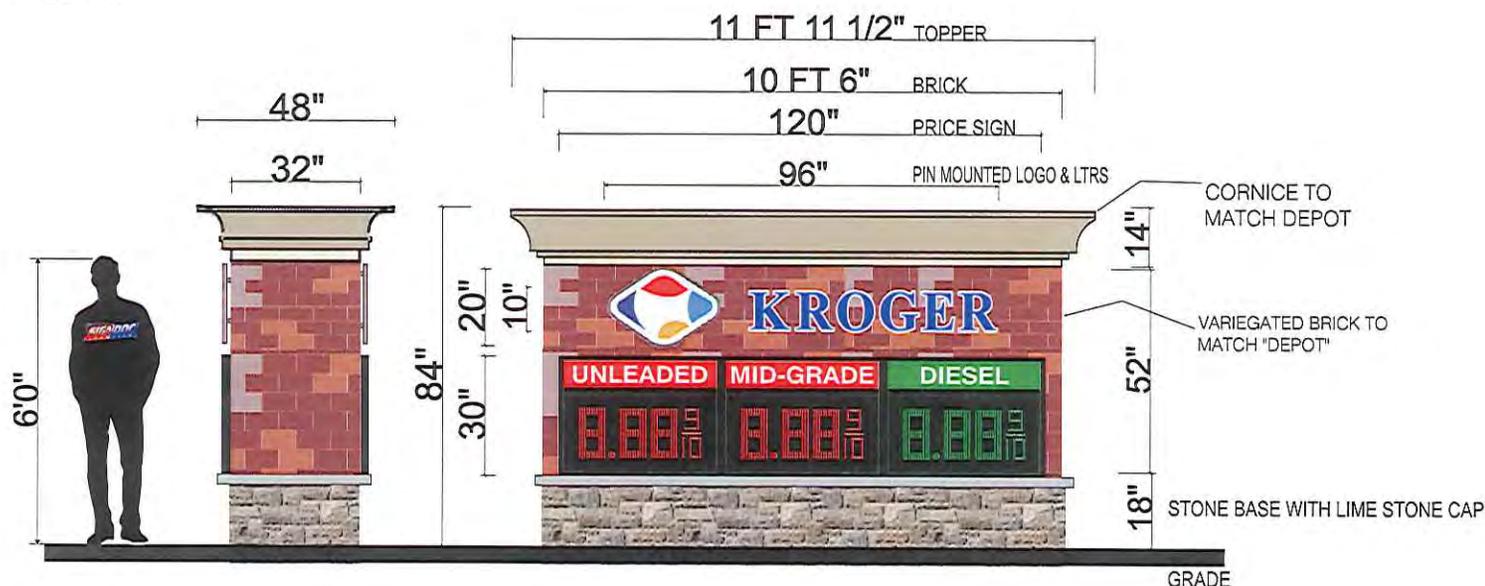
### SIGN SPECIFICATIONS

MONUMENT SIGN  
 STONE BASE  
 BRICK FACE  
 1/4" X 10" PIN MOUNTED LTRS  
 READING KROGER  
 LTRS BLUE W/ WHITE BOARDER  
 20" FUEL LOGO PIN MOUNTED  
 THREE PRODUCT FUEL SIGN  
 LED ILLUMINATED  
 Connect to provided 120v electrical feed

### SIGN AREA

FUEL LOGO 2.8 sf  
 KROGER 4 sf  
 PRICER 25 sf

TOTAL EACH SIDE 31.8 sf



Approved x: \_\_\_\_\_

Date x: \_\_\_\_\_

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

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Customer  
**KROGER J-970**

Sales Rep  
**DANNY GAYDE**

Date  
**03/10/16**

Job Number  
**0301016**

Color Spec  
 A.  
 B.  
 C.

Office: 317-247-9670  
 Fax: 317-247-9673

Location  
**Indianapolis, IN**

Designer  
**DG**

Scale  
 Photo Elev. Not To Scale  
**1/4" = 1'-0"**

3150 Rand Rd Ste. B  
 Indianapolis, IN 46241





**4** ENTRY VIEW (FROM NORTHWEST)  
SCALE: NTS



**5** PLAZA VIEW (FROM SOUTHWEST)  
SCALE: NTS

**Exhibit 2: Proposed Fuel Monument Sign**

Seal

REVISIONS		DATE
No.	DESCRIPTION	DATE
1	MEETING	05-28-2014
2	RESUBMITTAL	07-02-2014
3	ZONING APPROVAL	08-01-2014
4	CITY RESUBMITTAL	02-03-2016
5	CITY RESUBMITTAL	03-17-2016

Project No.: 014-00678-00  
 Project Manager: KLEIN  
 Designed By: KLEIN  
 Drawn By: KLEIN  
 Checked By: KLEIN  
 Store No.: J 970  
 Address: 16201 SPRING MILL ROAD  
 WESTFIELD, IN 46074

**SITE RENDERINGS**

Drawing No.: **C2.4**

## ORDINANCE NUMBER 16-05

### AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AN AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE AND THE SPRING MILL STATION NORTHEAST QUADRANT PLANNED UNIT DEVELOPMENT DISTRICT ORDINANCE

This is an Ordinance (this "Ordinance") to amend the Unified Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Unified Development Ordinance"), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended;

**WHEREAS**, the City of Westfield, Indiana (the "City") and the Township of Washington, both of Hamilton County, Indiana are subject to the Unified Development Ordinance;

**WHEREAS**, the Council enacted Ordinance No. 14-39, the Spring Mill Station Northeast Quadrant Planned Unit Development District (the "Spring Mill Station Northeast Quadrant PUD Ordinance"), on September 8, 2014, as amended by Ordinance No. 15-24;

**WHEREAS**, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 1603-PUD-03**), requesting an amendment to the Spring Mill Station Northeast Quadrant PUD Ordinance with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate");

**WHEREAS**, the Commission forwarded **Petition No. 1603-PUD-03** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a favorable recommendation in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

**WHEREAS**, the Secretary of the Commission certified the action of the Commission to the Common Council on March 22, 2016;

**WHEREAS**, the Common Council is subject to the provisions of the Indiana Code §36-7-4-1507 and Indiana Code § 36-7-4-1512 concerning any action on this request; and

**NOW, THEREFORE, BE IT ORDAINED** by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in regular session, that the Spring Mill Station Northeast Quadrant PUD Ordinance and the Unified Development Ordinance and are hereby amended as follows:

**Section 1.**    **Applicability of Ordinance.**

- 1.1    This Ordinance shall amend the Spring Mill Station Northeast Quadrant PUD Ordinance, as applicable to the Real Estate. Development of the Real Estate shall be governed by (i) the Spring Mill Station Northeast Quadrant PUD Ordinance, as amended by this Ordinance and its exhibits, and (ii) the provisions of the Unified Development Ordinance, as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by the Spring Mill Station Northeast Quadrant PUD Ordinance, as amended.
- 1.2    All other provisions of the Spring Mill Station Northeast Quadrant PUD Ordinance shall remain in effect with the adoption of this Ordinance.
- 1.3    All provisions and representations of the Unified Development Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of the Spring Mill Station Northeast Quadrant PUD Ordinance, as amended.

**Section 2.**    **Sign Standards.** The standards of *Section 10: Sign Standards* of the Spring Mill Station Northeast Quadrant PUD Ordinance shall apply to the development of the District, except as otherwise modified below.

- 2.1    One Monument Sign with fuel pricing on the fuel center site shall be allowed. The maximum size of the monument sign shall be 125 square feet with a maximum of 65 square feet of sign area allowed on each side of the Monument Sign. The sign shall be constructed in substantial compliance with **Exhibit 2** at the location shown in **Exhibit 3**.
- 2.2    The price sign located on the rear of the fuel canopy, shown in **Exhibit 4**, shall be removed at the time the Monument Sign is installed.

**ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD,  
HAMILTON COUNTY, INDIANA THIS \_\_ DAY OF \_\_\_\_\_, 2016.**

**Voting For**

**Voting Against**

**Abstain**

\_\_\_\_\_  
Jim Ake

\_\_\_\_\_  
Jim Ake

\_\_\_\_\_  
Jim Ake

\_\_\_\_\_  
James J. Edwards

\_\_\_\_\_  
James J. Edwards

\_\_\_\_\_  
James J. Edwards

\_\_\_\_\_  
Steven Hoover

\_\_\_\_\_  
Steven Hoover

\_\_\_\_\_  
Steven Hoover

\_\_\_\_\_  
Robert L. Horkay

\_\_\_\_\_  
Robert L. Horkay

\_\_\_\_\_  
Robert L. Horkay

\_\_\_\_\_  
Mark F. Keen

\_\_\_\_\_  
Mark F. Keen

\_\_\_\_\_  
Mark F. Keen

\_\_\_\_\_  
Charles Lehman

\_\_\_\_\_  
Charles Lehman

\_\_\_\_\_  
Charles Lehman

\_\_\_\_\_  
Cindy L. Spoljaric

\_\_\_\_\_  
Cindy L. Spoljaric

\_\_\_\_\_  
Cindy L. Spoljaric

ATTEST:

\_\_\_\_\_  
Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 16-05** was delivered to the Mayor of Westfield

on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, at \_\_\_\_\_m.

\_\_\_\_\_  
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 16-05**

this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 16-05**

this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
J. Andrew Cook, Mayor

**WESTFIELD-WASHINGTON TOWNSHIP ADVISORY  
PLAN COMMISSION CERTIFICATION**

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The Westfield-Washington Township Advisory Plan Commission held a public hearing on Tuesday, February 16, 2016, to consider an amendment to the Spring Mill Station Northeast Quadrant PUD District and Westfield-Washington Township Unified Development Ordinance. Notice of the public hearing was advertised and noticed in accordance with Indiana law and the Advisory Plan Commission's Rules of Procedure. Notice was shown to have been published in a newspaper of general circulation in Hamilton County, Indiana. The petition is as follows:

Docket No.	1603-PUD-03
Ordinance No.	16-05
Petitioner	Kroger Limited Partnership
Description	The petitioner requests an amendment to permit a Monument Sign on an Outlot in the Spring Mill Station Northeast Quadrant PUD District.

On March 21 2016, a motion was made and passed to send a unanimous favorable recommendation to the City Council regarding this petition (Vote: 8 in favor, 0 opposed).

The above-mentioned proposal and the Advisory Plan Commission's recommendation thereof are hereby certified.

  
\_\_\_\_\_  
Matthew S. Skelton, Secretary

March 21, 2016  
\_\_\_\_\_  
Date