



Petition Number: 1612-PUD-23 & 1612-DDP-34

Subject Site Address: 1189 E. 181st Street

Petitioner: Grand Junction Brewing Co. LLC

Requests: **1612-PUD-23:** Petitioner requests an amendment to the 181st Street Planned Unit Development (PUD) District to allow a brewery production facility and tasting room.

1612-DDP-34: Petitioner requests approval of a Detailed Development Plan for a brewery production facility and tasting room on approximately 5.12 acres+/- in the 181st Street Planned Unit Development (PUD) District.

Current Zoning: 181st Street PUD District

Current Land Use: Vacant

Approximate Acreage: 5.12 acre +/-

Property History: 181st Street PUD, Ordinance 14-03

Staff Reviewer: Kevin M. Todd, AICP

PETITION HISTORY:

This PUD amendment petition (1612-PUD-23) was introduced at the November 14, 2016, City Council meeting. Both petitions (1612-PUD-23 and 1612-DDP-34) are scheduled to receive a public hearing at the November 21, 2016, Advisory Plan Commission (the "APC") meeting. The Department recommends holding a single public hearing for both items.

PROCEDURAL:

1612-PUD-23

Planned Unit Development (PUD) Districts are required to be considered at a public hearing by the Plan Commission. The public hearing for this petition is scheduled for the November 21, 2016 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:

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.

1612-DDP-34

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.

The petition was reviewed by the Technical Advisory Committee at its November 15, 2016, meeting. This petition has been properly noticed for a public hearing at the Plan Commission's November 21, 2016, meeting.

PROJECT OVERVIEW:

Project Location: The 181st Street PUD is located on the south side of 181st Street, between U.S. 31 and Wheeler Road. The subject site is located within Parcel A of the 181st Street PUD, located at the southeast corner of 181st Street and Sun Park Drive.

Project History: The 181st Street PUD District ordinance (Ord. 14-03; APC Docket No. 1311-PUD-10) was approved by the City Council at its January 27, 2014 meeting. The 181st Street PUD District was designed to allow industrial uses for a limited time, but eventually convert to general business uses. The 181st Street PUD Ordinance does not allow industrial uses on the real estate after December 31, 2023. It also requires all buildings/building materials to be brought up to the standard at that time.

181st Street PUD Amendment (1612-PUD-23)

The petitioner requests this modification to the 181st Street PUD Ordinance to allow a brewery production facility and tasting room, as well as allow mobile food service vending on the site. State law (IC 7.1-3-20-9 & 905 IAC 1-20-1) requires places that sell alcohol by the "drink" are required to have food service available at all times. One of the ways to accomplish this is through mobile food service vending. This would essentially serve as a mobile kitchen for the brewery, and potentially offer a variety of food choices to patrons. The petitioner has included a concept plan and character exhibits. All site improvements



regarding mobile food vending on this site would have to be substantially similar to those depicted in these exhibits.

Detailed Development Plan (1612-DDP-34)

The plans comply with the following standards of the 181st Street PUD District and the Unified Development Ordinance, except for those items identified as outstanding below:

181st Street PUD Ordinance

1. Within twelve (12) months of the adoption of this 181st Street PUD Ordinance, the existing wood privacy fence and chain link type fence gates along the northern boundary of Parcel "A", Parcel "B" and portions of Parcel "D" as depicted in Exhibit "3" shall be repaired or replaced to like-new condition.

STAFF COMMENT – Staff is working with the petitioner to ensure compliance.

2. Within twelve (12) months of the adoption of this 181st Street PUD Ordinance, the chain link type fence gates on Parcel "A", Parcel "B" and Parcel "D" shall be covered with a matching black, brown or gray screening material, similar or equal to the material depicted in Exhibit "5", as determined by the Director.

STAFF COMMENT – Staff is working with the petitioner to ensure compliance.

3. The existing on-story metal building that is located on the northern boundary line of Parcel "A" may be removed in conjunction with the U.S. 31 road improvements. In the event the building is removed, a wood privacy fence to match the existing wood privacy fence that is located on the northern boundary of Parcel "A"; or evergreen trees having a minimum height of six (6) feet, spaced at a minimum of twelve (12) feet on center; or a combination thereof shall be installed within one hundred and eighty (180) days of the building's removal.

STAFF COMMENT – Staff is working with the petitioner to ensure compliance.

4. The landscape and fencing improvements shall be installed in substantial compliance with the Interim Streetscape Plan as set forth in Exhibit "3".

STAFF COMMENT – Staff is working with the petitioner to ensure compliance.

5. Over time, the Interim Streetscape Plan shall be fully replaced by the Landscape Buffer Plan as set forth in Exhibit "4" in accordance with the terms of Section 2.1, b, 3.
6. The streetscape along Wheeler Road and 181st Street (the "Streetscapes") as depicted on the Landscape Buffer Plan, which is attached hereto and incorporated herein by reference as Exhibit "4", shall be installed 1) on each Parcel at the time development or redevelopment of each Parcel requires the Development Plan Review process, 2) on each Parcel at the time the first building on a Parcel requires an Improvement Location Permit; or 3) by no later than December 31, 2023 for all Parcels, whichever occurs first. The landscaping shall be installed in substantial compliance



with the Landscape Buffer Plan as set forth in exhibit "4". When installing on a Parcel, the Landscape Buffer Plan as set forth in Exhibit "4" shall replace the correlating screening and landscaping required by the Interim Streetscape Plan of Exhibit "3" for that Parcel. The Streetscapes shall be planted with the following minimum requirements: A minimum of three (3) shade trees and one (1) ornamental tree shall be provided per every one hundred (100) lineal foot of frontage along Wheeler Road and 181st Street. Shade trees shall be spaced at least fifteen (15) feet apart and no more than forty (40) feet apart, all trees shall be at least two and one half (2.5) inches in caliper at the time of planting.

STAFF COMMENT – Staff is working with the petitioner to ensure compliance.

Unified Development Ordinance

Outside Sales Display (Article 6.12, C, 2)

7. Any proposed Outside Sales Display shall be delineated on an approved Development Plan and subject to approval by the Plan Commission, except as otherwise permitted by *Article 6.18 Temporary Uses and Events*, and subject to the following:
 - a. The Development Plan shall include the types of merchandise and/or finished products, location, landscaping and other improvement of the Outside Sales Display area.
STAFF COMMENT – Please label Mobile Food Vending Service Area on the plan.
 - b. Pedestrian circulation areas shall not be obstructed and enhancements may be required by the Director or Plan Commission to ensure safe pedestrian movements.
 - c. The Director or Plan Commission may require enhanced site design features to ensure that Outside Sales Display areas are delineated and that such areas are compatible with the design of the building and site context.
STAFF COMMENT – The Plan Commission may wish to discuss this matter.
 - d. In addition to the standards of the Zoning District, the Plan Commission or Director may require enhanced screening or landscaping to ensure the compatibility of the proposed use with adjoining areas.
STAFF COMMENT – The Plan Commission may wish to discuss this matter.
 - e. Once approved, the Outside Sales Display area shall not be materially or substantially changed or altered without the approval an amendment to a Development Plan.

Outdoor Café and Eating Areas (Article 6.13)

8. **Applicability**: Outdoor cafes and eating areas shall be subject to this Article.
9. **Health Department**: All outdoor cafés and eating areas shall conform to all State and County Health Department regulations and code, including but not limited to I.C. 16-42-5 and 410 IAC 7-24.
10. **Lighting**: Shall comply with *Article 6.9 Lighting Standards*. Festoon lighting shall not be permitted.
11. **Audio**: Music and other audio devices shall be maintained at a level: (i) not audible from forty (40) feet from the source; or (ii) ninety (90) decibels or less when measured six (6) feet from source on a dB(A) meter.



12. Pedestrian Ways: Shall not impede pedestrian traffic or force pedestrians into vehicular travel lanes in accordance with the following:
- a. A five (5) foot pedestrian access area on the perimeter of the outdoor café and eating area shall be maintained at all times. The pedestrian access area on the sidewalk shall not be interrupted with building, infrastructure, utility or landscaping elements such as but not limited to columns, supports, plantings or other such materials.
STAFF COMMENT – Please label width of pedestrian access.
 - b. Proposed outdoor cafés and eating areas that would occupy or extend into public rights-of-way may not be located in such a manner that renders any Right-of-way, sidewalk, or path non-compliant with Federal, State, or City Building Code.
 - c. Shall be compliant with all Federal, State and City Building Codes and access requirements.
13. Required Approvals:
- d. Permanent Areas: Outdoor cafes and eating areas that are utilized or set aside for use for a period longer than seven (7) days in a calendar year shall be deemed permanent in nature. Permanent outdoor cafes and eating areas shall require Development Plan approval, in accordance with *Article 10.7 Development Plan Review*, to ensure compliance with this Ordinance and that its use and design is compatible with the surrounding area and Zoning District.
 - e. Temporary Areas: Temporary outdoor cafes and eating areas shall require a Temporary Use/Event Permit annually, in accordance with *Article 10.13 Temporary Use and Events Permits*, and shall obtain any other necessary permits (e.g., encroachment permit by the Public Works Department) or approvals (e.g., Fire Marshal).
STAFF COMMENT – Not Applicable.

Off-Street Parking (Article 6.14)

The plans comply with the Off-Street Parking standards of the UDO (Article 6.14), except for the outstanding items below.

STAFF COMMENT – Staff is working with the petitioner to ensure compliance with all items below.

14. Public Parking Areas and loading and unloading berths shall be paved with a dust proof or hard surface. All open off-street Parking Areas shall be improved with a compacted gravel or stone base and surfaced with all-weather, dustless material, in accordance with the City's Construction Standards.
15. Required Spaces: Restaurants: One (1) space for each three (3) seats of serving area, plus one (1) space for each employee on primary shift.
16. Bicycle Parking: It is the purpose of this section to provide adequate and safe facilities for the storage of bicycles. This section shall apply to all new development and/or building expansions requiring Development Plan approval or an Improvement Location Permit.



- a. Number of Spaces: A minimum of one (1) bicycle parking space (or parking position) shall be provided per thirty (30) vehicular parking spaces. No more than fifteen (15) bicycle parking spaces shall be required for any Principal Building.
- b. Proximity to Principal Building: The bicycle parking spaces shall be located in close proximity to the main entryway into the Principal Building or be located inside the Principal Building.
- c. Rack Requirement: A bicycle rack, which may contain multiple bicycle parking spaces, shall be installed on a hard dustless surface that allows the parking structure to be securely fastened to the ground and that secures the bicycles.
- d. Pedestrian Ways: Bicycle Parking Areas shall be designed such that when in use, the bicycles (and trailers), shall not obstruct an adjacent sidewalk, path, or other pedestrian way and located to provide a minimum of five (5) feet of clearance behind the bicycle to allow for room to maneuver.

DEPARTMENT COMMENTS:

1. **Action: Hold a public hearing at the November 21, 2016 Plan Commission meeting.**
2. The petitioner will make any necessary revisions to the proposal based on Plan Commission comments, public comments and any additional Department comments, prior to the Plan Commission's further consideration of this petition.
3. If any Plan Commission member has questions prior to the public hearing, then please contact Kevin Todd at 317.379.6467 or ktodd@westfield.in.gov.