



**CITY OF COLUMBUS
BOARD OF ZONING APPEALS
(November 29, 2016 Meeting)**

STAFF REPORT

Docket No. / Project Title: C/CU-16-16 & C/DS-16-49 (Premier Ag)
Staff: Charles Russell
Applicant: Premier Ag
Property Size: 4.043 Acres
Zoning: I-3 (Industrial: Heavy)
Location: 2840 Roadway Drive, in the City of Columbus

Background Summary:

The applicant is requesting conditional use approval to allow a new 5,400 square foot warehouse as an expansion of their bulk fuel depot. This expansion would trigger all site features to come into compliance, including parking. The applicant is requesting relief from their parking space requirement of 52 spaces; they are proposing 5 parking spaces.

Key Issue Summary:

The following key issue(s) should be resolved through the consideration of this application:

- Is the expansion appropriate at this location?
- Are the parking needs for this type of use satisfied by the number proposed by the applicant?

Preliminary Staff Recommendation:

Conditional Use: Approval – All criteria have been met.
Development Standards: Approval – All criteria have been met.

Zoning District Intent:

The intent of the I-3 (Industrial: Heavy) zoning district is as follows: to provide locations for industrial manufacturing, production, assembly, warehousing, research & development facilities, and similar land uses. This district is intended to accommodate a variety of high intensity industrial uses in locations that minimize land use conflicts and provide the necessary supporting infrastructure.

Zoning Ordinance Considerations:

Development Standards: Section 7.1 (Table 7.2) The required parking for truck stop uses shall be 1 parking space for every 200 square feet of gross floor area. The bulk fuel depot is considered a “truck stop” for the purposes of the zoning ordinance.

Current Property Information:	
Land Use:	An existing bulk fuel depot.
Site Features:	Woods, an existing truck loading dock (unused), residential propane tanks, a commercial propane tank, an existing bulk loading barn.
Flood Hazards:	A very small area of the 100 year flood fringe is located in the northwest corner of the property.
Vehicle Access:	Roadway Drive (Local, Industrial, Suburban)

Surrounding Zoning and Land Use:		
	Zoning:	Land Use:
North:	I-2 (Industrial: General)	Kroot Corporation (Steel sales and scrapyard)
South:	I-3 (Industrial: Heavy)	A light manufacturing and assembly operation, HRC Sheet Metal, Inc.
East:	I-3 (Industrial: Heavy)	Undeveloped property owned by Kroot Corp.
West:	I-3 (Industrial: Heavy)	Undeveloped

Interdepartmental Review:	
Code Enforcement:	Does not have any issues with this proposal. State and local approvals as well as a building permit and inspections are required.

Planning Consideration(s):

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. The applicants are currently operating a bulk fuel depot that allows for the bulk distribution of propane, gasoline, and diesel fuel. They are requesting to expand their facilities by building a 5,400 square foot warehouse. The warehouse will be used to store existing goods and equipment. The applicants indicated it would not increase their fuel capacity. In addition to the warehouse the applicant is proposing 5 parking spaces on the property.
2. The property received previous conditional use approval in 2008 (C/CU-08-18) to allow the applicant to convert a truck terminal to a bulk fuel depot. In 2014 they received approval to allow an expansion to include commercial vehicle fueling. This would include fuel dispensers for gasoline, diesel, and alternative fuels. Only authorized users with Premier Ag fuel cards would have access to these pumps.
3. According to the applicant, large trucks, and a few on-site employees primarily use the property. The property is not intended for use by the general public. As such, any parking on the property is primarily used by any employees on-site.
4. The property is located in a predominately industrial area. Surrounding properties include Kroot, Faurecia, HRC Roofing & Sheet Metal, and Cummins.
5. The property is accessed from Roadway Drive, a short road off Marr Road that ends in a cul-de-sac.

6. The proposed 5,400 square foot warehouse qualifies 100% expansion or development of the site, which requires all site features to come into compliance (per Zoning Ordinance Section 11.4 (B)(3)(b).) The proposed building is larger than the existing structures. Features that are typically affected include buffering, landscaping, parking spaces, access drives, and lighting.
7. The Zoning Ordinance does not have a definition for a bulk fuel depot. It was determined by staff that a “truck stop” was the most appropriate Zoning Ordinance term to categorize the use of the property, and that it should be used to determine the required parking. Under this definition the parking requirement would be 1 space per 200 square feet of gross floor area. This equates to 52 spaces needed.
8. As shown on the preliminary site plan, all other site features would comply with the current zoning ordinance. The applicant will need to submit a Zoning Compliance application with a certified site plan to the Planning Department for final site plan approval.

Comprehensive Plan Consideration(s):

The Comprehensive Plan designates the future land use of properties in this area as Industrial.

The Comprehensive Plan includes this property in the East Columbus character area. The following planning principles for that character area apply to this application: Prohibit new or expanded industrial development, except in industrial park areas.

The following Comprehensive Plan goal(s) and/or policy(ies) apply to this application:

1. **POLICY J-3-2:** Promote infill development in existing industrial areas.
2. **POLICY J-7-1:** Encourage industrial development consistent in character with the existing industries to locate in this area, particularly within the city limits, where infrastructure and services can be provided. *New development of a similar nature will enhance the strength of the existing businesses and continue to provide economic and job growth.*

Provisional Findings of Fact/Decision Criteria (Conditional Use):

Section 12.4(D) of the Zoning Ordinance permits the Board of Zoning Appeals to allow conditional uses that meet the criteria listed below. The Board may impose reasonable conditions as part of an approval.

1. **The proposal will not be injurious to the public health, safety, and general welfare of the community.**

Provisional Findings: Warehouses are a common structure in industrial areas. This expansion will be constructed according to the appropriate building code, and does not inhibit on-site circulation. *This criterion has been met.*

2. **The development of the property will be consistent with the intent of the development standards established by the Zoning Ordinance for similar uses.**

Provisional Findings: This expansion triggers a provision in the Zoning Ordinance that requires all site features to come into compliance. It will also have to meet the landscaping and setback requirements for similar uses. *This criterion has been met.*

3. **Granting the conditional use will not be contrary to the general purposes served by the Zoning Ordinance, and will not permanently injure other property or uses in the same zoning district and vicinity.**

Provisional Findings: The property is located in a predominately industrial area. The expansion would be consistent with other industrial properties in the area. *This criterion has been met.*

- 4. The proposed use will be consistent with the character of the zoning district in which it is located and the recommendations of the Comprehensive Plan.**

Provisional Findings: The Comprehensive Plan has designated this area for industrial use, and has policies that support continued development at this site. The expansion would be consistent with the Comprehensive Plan, and with the surrounding industrial character of the area. *This criterion has been met.*

Board of Zoning Appeals Options (Conditional Use):

In reviewing a request for conditional use the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum or lack of a positive vote on a motion results in an automatic continuance to the next regularly scheduled meeting.

Provisional Findings of Fact/Decision Criteria (Variance):

The Board of Zoning Appeals may approve or deny variances from the development standards of the City of Columbus Zoning Ordinance. The Board may impose reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

- 1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.**

Provisional Findings: The property primarily caters to larger trucks and a few employees. A reduction in the number of parking spots would have little affect on the public. *This criterion has been met.*

- 2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.**

Provisional Findings: Though the applicant is proposing 5 parking spaces there is still sufficient space for additional parking and circulation on the property if needed. This would prevent any street congestion due to street parking, and would prevent overflow parking on adjacent properties. *This criterion has been met.*

- 3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain.**

Provisional Findings: The addition of the required number of parking spaces, including curbing and related landscaping, would inhibit large trucks, the primary users of the property, from having safe and adequate access and circulation to the property. *This criterion has been met.*

Board of Zoning Appeals Options (Variance):

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum or lack of a positive vote on a motion results in an automatic continuance to the next regularly scheduled meeting.

**Columbus – Bartholomew County Planning Department
Conditional Use Application**

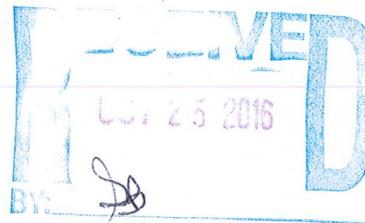
Planning Department Use Only:

Jurisdiction: Columbus Bartholomew County

Zoning: _____

Docket No.: CU 16-16

Hearing Procedure: Board of Zoning Appeals Hearing Officer



Conditional Use Application:

Note: It is recommended that all conditional use applications are reviewed in a meeting with a Planning Department staff member prior to being filed. Please contact the Planning Department at 812.376.2550 to schedule that meeting.

Applicant Information (the person or entity that will own and/or execute what is proposed):

Name: PREMIER AG CO-OP INC. (MIKE CARSON)

Address PO BOX 304 SEYMOUR IN 47274
(number) (street) (city) (state) (zip)

Phone No.: 812.373.5542 Fax No.: 812.373.5557 E-mail Address: mcarson@premierag.com

Property Owner Information (the "owner" does not include tenants or contract buyers):

Name: PREMIER AG CO-OP INC.

Address PO BOX 304 SEYMOUR IN 47274
(number) (street) (city) (state) (zip)

Phone No.: 812.373.5542 Fax No.: 812.373.5557 E-mail Address: mcarson@premierag.com

Notification Information (list the person to whom all correspondence regarding this application should be directed):

Name: TED DARNALL, CROWDER & DARNALL, INC.

Address 826 THIRD ST. COLUMBUS IN 47201
(number) (street) (city) (state) (zip)

Phone No.: 812.376.3391 Fax No.: 812.376.9190 E-mail Address: ted@crowderanddarnall.com

How would you prefer to receive official documentation regarding this request (please check one)? If no or multiple selections are made e-mail will be used.

Email Fax Mail

Property Information:

Address 2840 Roadway Dr. Columbus IN 47201
(number) (street) (city) (state) (zip)

or General Location (if no address has been assigned provide a street corner, subdivision lot number, or attach a legal description):

Conditional Use Requested:

I am requesting a conditional use as listed by Section 3.25 (B) of the Zoning Ordinance to allow the following:

To expand an existing bulk fuel depot. The expansion will consist of a 5,400 square foot warehouse/storage building. The building will be used to store existing equipment and products used in the daily operation and support of this and other facilities operated by Premier Ag. The building will not expand the fueling capacity of the depot.

Conditional Use Criteria:

The Columbus & Bartholomew County Zoning Ordinance establishes specific criteria that must be met in order for a conditional use to be approved. Describe how the conditional use requested meets each of the following criteria.

- 1. **The approval of the conditional use will not be injurious to the public health, safety, and general welfare of the community.**

The building will be constructed in accordance with all state and local building and safety codes. The site currently has sufficient areas of existing pavement that will be utilized for onsite traffic circulation and employee parking. The building will not add any additional employees at this site. The additional amount of traffic generated will be minimal. Roadway drive and Marr road are designed and maintained to handle this type of truck traffic. This additional building will not adversely affect the public infrastructure or services.

- 2. **The development of the property will be consistent with the intent of the development standards established by the Zoning Ordinance for similar uses.**

The property is located in the I3 zoning district. The property has already been developed for several years and contains existing structures, bulk fueling tanks and equipment. The new building and existing site features will comply with the developmental standards of the I3 zoning district for use as a truck stop.

- 3. **Granting the conditional use will not be contrary to the general purposes served by the Zoning Ordinance, and will not permanently injure other property or uses in the same zoning district and vicinity.**

The I3 zoning district is intended to accommodate high intensity industrial uses that require a high amount of truck traffic and large warehouse type buildings. The use of this site will be consistent with the intent of the ordinance. Additionally this use will be consistent with the current use of this site as well as the use and character of the surrounding properties

- 4. **The conditional use will be consistent with the character of the zoning district in which it is located and the recommendations of the Comprehensive Plan.**

The site expansion is within a large existing industrial area and is in accordance with the comprehensive plan policy to encourage infill within existing industrial areas and to expand such development within industrial parks such as this property is located.

Applicant's Signature:

The information included in and with this application is completely true and correct to the best of my knowledge and belief.

Michael L. Carson
(Applicant's Signature)

10/17/16
(Date)

Owner's Signature (the "owner" does not include tenants or contract buyers):

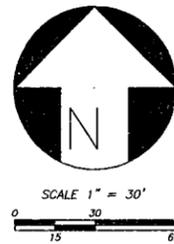
I authorize the filing of this application and will allow the Planning Department staff to enter this property for the purpose of analyzing this request. Further, I will allow a public notice sign to be placed and remain on the property until the processing of the request is complete.

Michael L. Carson
(Owner's Signature)

10/17/16
(Date)

MICHAEL L. CARSON
(Owner's Printed Name)

If the person signing as the "owner" is not specifically listed as such in the records of Bartholomew County please indicate their relationship to that officially listed person, corporation or other entity.



LEGEND (EXISTING)

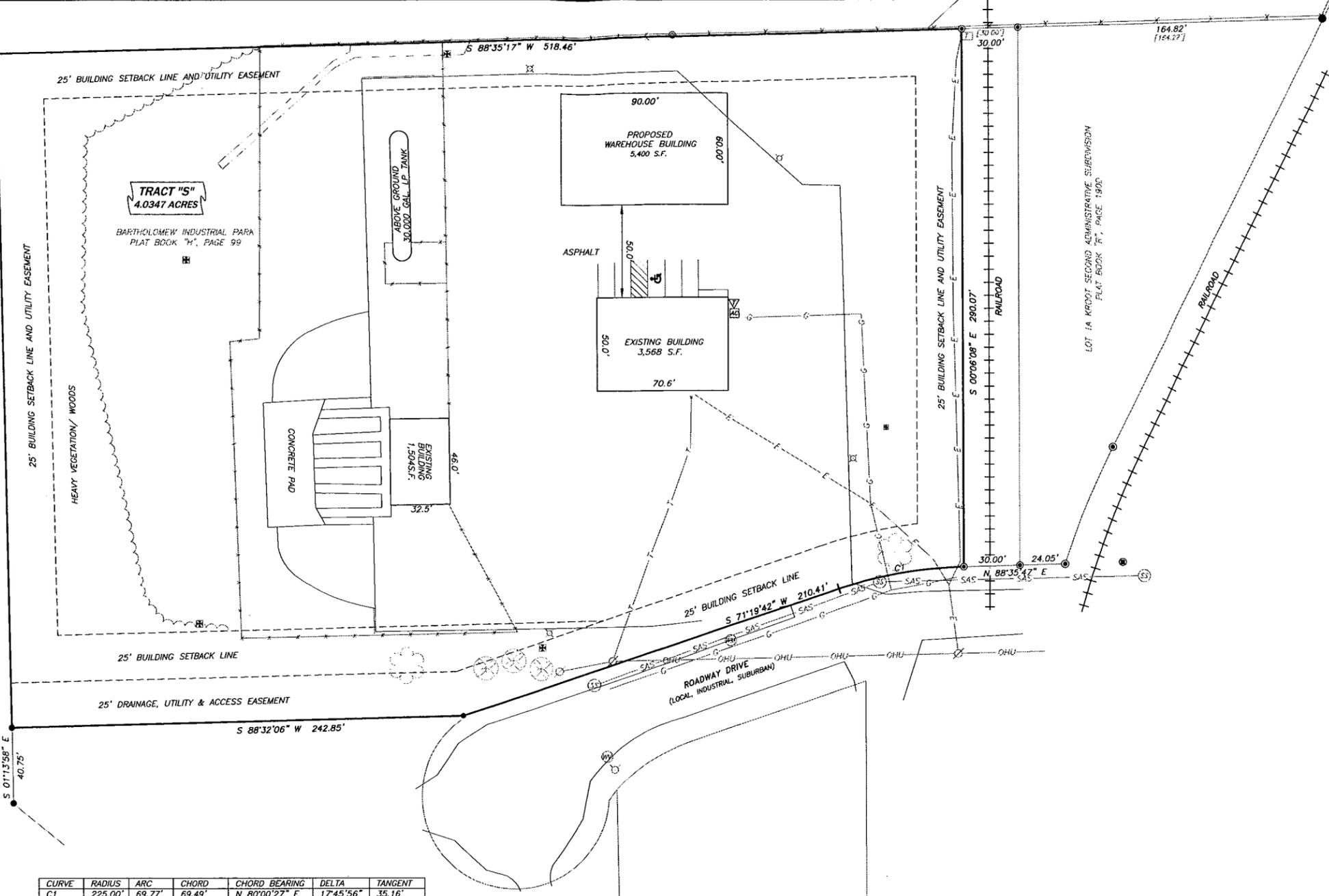
- = CAPPED REBAR FOUND (C&D FIRM 0031)
- = 5/8" REBAR FOUND.
- = IRON PIPE FOUND
- = CONIFER TREE
- = DECIDUOUS TREE
- = LIGHT POST
- = UTILITY POLE
- = TRANSFORMER
- = FIRE HYDRANT
- = A/C UNIT
- ▽ = ANTENNA TOWER
- = DRY WELL
- = MANHOLE SANITARY
- = WATER METER
- = WATER VALVE
- +—+—+— = RAILROAD
- E— = ELECTRIC LINE
- SAS— = SANITARY SEWER
- X— = FENCE
- G— = GAS LINE
- OHU— = OVER HEAD UTILITIES
- T— = TELEPHONE LINE

CURVE	RADIUS	ARC	CHORD	CHORD BEARING	DELTA	TANGENT
C1	225.00'	69.77'	69.49'	N 80°00'27" E	17°45'56"	35.16'

LEGAL DESCRIPTION
 TRACT "S" IN BARTHOLOMEW INDUSTRIAL PARK, RECORDED IN THE OFFICE OF THE RECORDER BARTHOLOMEW COUNTY IN PLAT BOOK "H", PAGE 99.

NOTES

- NO RELIANCE SHOULD BE MADE ON FILES IN ELECTRONIC MEDIA FORMAT OF GRAPHICS, DATA, TEXT, OR OTHER TYPES, UNLESS FIRST COMPARED TO THE ORIGINAL SIGNED AND SEALED DOCUMENT. THE AUTHOR OF ANY SUCH FILES MAKES NO WARRANTY AS TO THE COMPLETENESS OR CORRECTNESS THEREOF. ANY CONCLUSIONS, OR INFORMATION OBTAINED FROM SUCH FILES WILL BE AT THE USER'S SOLE RISK.
- THE LOCATIONS OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVEGROUND STRUCTURES AND MARKING PAINT PROVIDED BY VARIOUS COMPANIES CONTACTED BY INDIANA UNDERGROUND PLANT PROTECTION SERVICES (INDIANA 811) REFERENCE NO. 0812101388. NOT ALL UTILITIES RESPOND TO REQUESTS FOR LOCATES FOR SURVEYS. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY EXIST. LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. NO EXCAVATIONS WERE MADE DURING THE COURSE OF THIS SURVEY TO LOCATE UNDERGROUND UTILITIES/STRUCTURES. BEFORE DESIGN OR CONSTRUCTION IS BEGUN, MORE PRECISE LOCATIONS SHOULD BE OBTAINED FROM THE APPROPRIATE AGENCIES.
- SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF OVERHEAD OR UNDERGROUND CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THESE TRACTS.
- THE DATA REPRESENTED ON THIS DRAWING IS BASED ON A PREVIOUS ALTA SURVEY COMPLETED JANUARY 12, 2009 JOB NUMBER 08017F.
- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. ALL INFORMATION REGARDING RECORD EASEMENTS, AND OTHER DOCUMENTS THAT MIGHT AFFECT THE QUALITY OF TITLE TO THE TRACT SHOWN HEREON WAS GAINED FROM TITLE COMMITMENT NUMBER 418615, ISSUED BY CHICAGO TITLE INSURANCE COMPANY, DATED JANUARY 16, 2009. THE ITEMS REFERENCED IN SCHEDULE B, PARAGRAPH F, SPECIAL EXCEPTIONS, PARAGRAPH 4, "BUILDING SET BACK LINES AND DRAINAGE AND UTILITY EASEMENTS AS SHOWN ON THE PLAT" ARE PLOTTED ON THE SUBJECT SURVEY.
- THE SUBJECT PROPERTY DOES NOT FALL WITHIN THE 100 YEAR SPECIAL FLOOD HAZARD AREA DEPICTED ON THE FLOOD INSURANCE RATE MAP FOR CITY OF COLUMBUS, INDIANA, COMMUNITY-PANEL NUMBER 180007 00200. THE FLOOD HAZARD BOUNDARY LINES SHOWN HEREON ARE BASED ON SCALED MAP LOCATION, AND GRAPHIC PLOTTING ONLY.
- THE PROPERTY IS APPROVED FOR USE OF BULK FUEL DEPOT BY THE HEARING OFFICER FOR COLUMBUS BOARD OF ZONING APPEALS ON JANUARY 13, 2009 DOCKET C/GU-08-18.



LANDSCAPE ORDINANCE REQUIREMENTS

AREA	REQUIRED	PROPOSED
AREA#1 PARKING LOT STREET FRONTAGE NONE REQUIRED: PARKING DOES NOT FACE STREET		
AREA#2 PARKING LOT INTERIOR NONE REQUIRED: LESS THAN 25 SPACES		
AREA#3 FRONT SETBACK 280' 280'x.40=112 PTS. = 4 TREES + 2 SHRUBS	4 TREES 2 SHRUBS	4 EXISTING TREE 2 SHRUBS
AREA#4 LOT INTERIOR EXISTING PRIMARY STRUCTURE = 141' 141 x.15 = 21pts / 7.5 = 3 SHRUBS	3 SHRUBS	3 SHRUBS
AREA#5 FREESTANDING SIGN NO NEW SIGN IS PLANNED		

IT IS AGAINST THE LAW (IC 8-1-28) TO EXCAVATE WITHOUT NOTIFYING THE UNDERGROUND LOCATION SERVICE TWO WORKING DAYS BEFORE COMMENCING WORK.

DIAL 811
OR
1-800-382-5544

I.U.P.P.S.
P.O. Box 50392
Indianapolis, IN 46250

REVISIONS

DATE

NO.

CERTIFIED BY:

CROWDER & DARNALL
 LAND SURVEYING
 2760 20th Street, N. #200
 PH 812-378-1391
 FX 812-378-9190

PREMIER ENERGY
 2840 ROADWAY DRIVE
 COLUMBUS, INDIANA 47201

PREPARED FOR:
 PREMIER AG
 1075 2ND STREET
 COLUMBUS, INDIANA 47201

FILE NAME: G:\2008\08017F\SITE PLAN 2016.DWG
 DRAWN BY: T.P. DARNALL DATE: October 3, 2016

JOB NO.
 08017F

SHEET:
 1

SITE PLAN