



STAFF REPORT

CITY OF COLUMBUS PLAN COMMISSION (July 8, 2015 Meeting)

Docket No. / Project Title: RZ-15-05 (Columbus Crossing Rezoning)
Staff: Jeff Bergman

Applicant: City of Columbus Plan Commission
Property Size: +/- 156.39 Acres
Current Zoning: Columbus Crossing PUD (Planned Unit Development)
Proposed Zoning: CR (Commercial: Regional Center)
Location: Generally, on the south side of Jonathan Moore Pike (SR 46) between Morgan Willow Trace and I-65, in the City of Columbus

Background Summary:

The Columbus Crossing development was granted final approval as a Planned Unit Development in 2003. This PUD provides specific standards primarily related to the aesthetics of this large commercial site, primarily out of concern for the appearance of multiple “big box” stores located at Columbus’ “front door”. This proposed rezoning has been initiated by the Columbus City Council (consistent with Indiana Code Section 36-7-4-602(c)). In initiating the rezoning, the Council discussed establishing zoning requirements for Columbus Crossing that are consistent with what is required elsewhere, at similar locations in the City’s jurisdiction. The decision to initiate the rezoning occurred as part of a discussion with Chevrolet of Columbus, a proposed Columbus Crossing business, regarding the perception that the PUD standards resulted in higher development costs in Columbus Crossing and have unnecessarily slowed the overall build-out of the area.

Key Issue Summary:

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

1. Are higher standards for site and building design and aesthetics (such as building materials, landscaping, mechanical equipment screening, signs, etc.) appropriate at Columbus’ “front door” (the I-65 / SR 46 interchange area)?
2. Is greater Plan Commission discretion in the review of new development appropriate at Columbus’ “front door” (the I-65 / SR 46 interchange area)?
3. If higher standards and/or greater review discretion are appropriate in this area is the Columbus Crossing PUD the most appropriate way to provide them? Other options for providing higher standards and/or greater discretion would be an overlay zone, a site development plan zone, and/or changes to the City’s overall zoning requirements.

Preliminary Staff Recommendation:

The Planning Department would recommend that this rezoning be forwarded to the City Council as soon as possible, potentially with no recommendation, if necessary. The Plan Commission may also wish to consider recommending variations on the request, such as retaining the PUD for the large “big box” sites but rezoning the smaller out lots to CR. The Planning Department would further recommend that the Plan Commission establish a small working group to determine the applicability of the Comprehensive Plan’s policies suggesting higher design standards for this “Western Gateway” area of Columbus and the most appropriate approach to their implementation.

Plan Commission Options:

In reviewing a request for rezoning the Plan Commission may (1) forward a favorable recommendation to the City Council, (2) forward an unfavorable recommendation to the City Council, (3) forward the application to City Council with no recommendation, or (4) continue the review to the next Plan Commission meeting. The Plan Commission may recommend that conditions or commitments be attached to the rezoning request. The City Council makes all final decisions regarding rezoning applications.

Decision Criteria:

Indiana law and the Columbus Zoning Ordinance require that the Plan Commission and City Council pay reasonable regard to the following when considering a rezoning:

The Comprehensive Plan.

Preliminary Staff Comments: The Comprehensive Plan Land Use Plan Element indicates the future use of this area as "commercial". Applicable content from the Comprehensive Plan Goals & Policies Element includes policies A-2-16, E-2-1, E-2-3, E-2-10, J-2-2, and J-10-1. The first five policies listed collectively encourage the community to be "visually appealing". The last encourages "a positive business climate characterized by flexibility". The policies advocating for a visually appealing community are supported by a planning principle for the "Western Gateway" Land Use Plan character area in which Columbus Crossing is located. It indicates that design standards should be adopted for layout, buildings, landscaping, signs, and lighting.

The current conditions and the character of current structures and uses in each district.

Preliminary Staff Comments: The conditions and character of current structures found in the Columbus Crossing PUD are similar to those found in the CR zoning districts elsewhere in the City. Both zoning districts are intended for regional serving development, including large stores, and both are found in highly visible locations with direct access to state highways and other high-volume roads.

The most desirable use for which the land in each district is adapted.

Preliminary Staff Comments: The land currently included in the Columbus Crossing PUD is best used for regional-scale commercial development, due to its location at the intersection of I-65 and SR 46 and the availability of a full range of City infrastructure.

The conservation of property values throughout the jurisdiction of the City of Columbus.

Preliminary Staff Comments: Property values in the area of the Columbus Crossing PUD are high and would be anticipated to remain so following a zoning change to CR due to the prime commercial location, the abundant vehicle access, the high visibility of the site, and the availability of infrastructure needed for significant commercial development.

Responsible growth and development.

Preliminary Staff Comments: The high development costs of the property (and therefore lot sales prices) combined with the requirements of the Columbus Crossing PUD create the potential for this valuable commercial area to develop at a slow pace. The CR zoning has proven to provide adequate standards for the new development on adjacent parcels. However, at the same time, the City has made a considerable financial investment in the bridges and other streetscape elements of the I-65 / SR 46 "front door". This implies a potential responsibility to ensure that private development along this corridor supports the intent of this past public effort.

Current Property Information:	
Land Use:	Commercial – Sam’s Club, Wal-Mart, Menards, Wendy’s, Centra Credit Union, Goodwill (under construction), and a strip commercial center.
Site Features:	Vacant (for sale) lots, drainage ponds, and other typical commercial development features.
Flood Hazards:	100-year floodway fringe (Flood Zone AE) and 500-year floodway fringe (Flood Zone X shaded)
Special Circumstances: (Airport Hazard Area, Wellfield Protection Area, etc.)	Approximately the eastern 1/3 of the area is located in a wellfield protection area.
Vehicle Access:	Jonathan Moore Pike / SR 46 (Arterial, Commercial, Suburban), Carr Hill Road (Collector, Commercial, Suburban), Merchants Mile (Local, Commercial, Suburban), Morgan Willow Trace (Collector/ Local, Commercial, Suburban) and Johnson Boulevard (Local, Commercial, Suburban).

Surrounding Zoning and Land Use:		
	Zoning:	Land Use:
North:	CR (Commercial, Regional Center) AP (Agriculture: Preferred)	Commercial Businesses – Sleep Inn, McDonalds, Walgreens, etc. Agricultural Field
South:	AP (Agriculture: Preferred) Charwood PUD (Planned Unit Development) RS1 (Residential: Single-family)	Agricultural Field Multi-family Residential / Extended Stay Hotel Single-family Homes (The Orchard Subdivision)
East:	AP (Agriculture: Preferred)	Agricultural Field
West:	I-65	I-65 (with Commercial Businesses, an INDOT garage facility, and the Riverstone Apartments beyond).

Zoning District Comparison:

Following is a comparison of the regulations applicable to the existing and proposed zoning. Instances in which the regulations in one district or the other are clearly less restrictive are highlighted in grey.

Lot Standards		
Regulation Type	Columbus Crossing PUD	CR Zoning District
Minimum Lot Area:	Plan Commission Discretion	15,000 square feet
Minimum Lot Width:	Plan Commission Discretion	50 feet
Minimum Lot Frontage:	Plan Commission Discretion	50 feet
Maximum Lot Coverage:	Plan Commission Discretion	75%
Minimum Front Setback:	Plan Commission Discretion	<u>Arterial Street:</u> 10 feet* <u>Collector Street:</u> 10 feet* <u>Local Street:</u> 10 feet* *25 feet for any auto service bay, auto fuel canopy, or other similar vehicle access points to structures.
Minimum Side Setback:	Plan Commission Discretion	<u>Primary Structure:</u> 10 feet <u>Accessory Structure:</u> 10 feet
Minimum Rear Setback:	Plan Commission Discretion	<u>Primary Structure:</u> 10 feet <u>Accessory Structure:</u> 10 feet
Minimum Living Area per Dwelling:	Plan Commission Discretion	<u>Secondary:</u> 500 square feet <u>Multi-Family:</u> 500 square feet
Minimum Ground Floor Living Area:	Plan Commission Discretion	Not applicable.
Maximum Primary Structures per Lot:	Plan Commission Discretion	1* *shopping centers, office complexes, and multi-family residential developments with coordinated parking areas and pedestrian systems may have unlimited primary structures on any one lot.
Maximum Height:	Plan Commission Discretion	<u>Primary Structure:</u> None <u>Accessory Structure:</u> 25 feet

Parking & Circulation Standards		
Regulation Type	Columbus Crossing PUD	CR Zoning District
Required Onsite Parking:	Plan Commission Discretion	The number of required parking space is determined by the use of the property, which is specified in Zoning Ordinance Section 7.1(Table 7.2). <i>Generally, retail uses require 1 parking space per 250 square feet of usable floor area.</i>
Parking Lot Setbacks:	Plan Commission Discretion	<u>Front:</u> 10 feet <u>Side & Rear:</u> 5 feet
Curbing:	Plan Commission Discretion	All entrances and driveways shall be curbed, with that curbing extending around the perimeter of any landscaped areas located adjacent to the entrance. All required landscaped areas which are bordered on at least 2 sides by parking areas shall be curbed.
Wheel Stops:	Plan Commission Discretion	All required landscaped areas and pedestrian walkways (less than 7 feet wide) which are perpendicular to parked vehicles shall be protected with wheel stops located in each parking space.
Driveway Separation:	Plan Commission Discretion	No two entrances from a public street shall be permitted within the distances specified below: <u>Arterial Street:</u> 400 feet <u>Collector Street:</u> 200 feet <u>Local Street:</u> 100 feet
Bicycle Parking:	Plan Commission Discretion <i><u>Typically Required and Approved by the Plan Commission:</u> All lots shall provide bicycle parking spaces. Bicycle parking facilities shall be located in a high visibility area that provides convenient and safe pedestrian access to main entrances or activity areas.</i>	All commercial uses shall provide parking facilities for bicycles, consistent with Zoning Ordinance Section 7.1(Table 7.4). <i>Bicycle parking is based on the number of motor vehicle spaces - parking lots of 26-250 spaces require 2 bike spaces, lots over 250 spaces require 4 bike spaces.</i>
Sidewalks:	Sidewalks exist on one side of all public streets. <u>Typically Required and Approved by the Plan Commission:</u> Sidewalks shall link the public sidewalk to the entrance of the building and shall be a minimum of 5 feet in width. When a sidewalk link passes through a parking lot pavement markings shall be used to delineate the sidewalk.	Public sidewalks are required in all adjoining street and road rights-of-ways, consistent with the design requirements of the Subdivision Control Ordinance.

Landscaping Standards		
Regulation Type	Columbus Crossing PUD	CR Zoning District
<p>Landscaping:</p>	<p>The Preliminary PUD requires all buildings on the north side of Merchants Mile to include landscaping treatment along both north and south sides of the buildings.</p> <p><i>Typically Required and Approved by the Plan Commission: Landscaping shall be based on the requirements for the CR zoning district, but should exceed those requirements to present a quality design, including the following considerations:</i></p> <p>(1) <i>Specific focus should be paid to the landscaping provided around the base of the building.</i></p> <p>(2) <i>In addition to providing landscaping and architectural treatment on the north and south sides of buildings placed along Merchants Mile, each building's entrance should be oriented towards Merchants Mile.</i></p>	<p><u>Area #1 – Parking Lot Public Street Frontage:</u> For every 50 linear feet of parking lot frontage a minimum of 1 large tree or 1.25 medium trees (excluding ornamental trees), plus 7.5 ornamental trees or shrubs shall be provided.</p> <p><u>Area #2 – Parking Lot Interior:</u> Within parking lots containing 25 spaces or more, landscaped islands and peninsulas with a surface area equal to 5% of the area of the paved surface shall be provided. All required landscape islands must be a minimum of 300 square feet in area and all peninsulas shall be a minimum of 150 square feet in area. A minimum of 1 large or medium tree and 6 shrubs shall be provided in the parking lot interior for every 300 feet of landscaped area required.</p> <p><u>Area #3 – Front Setback:</u> Any portion of a front yard setback which is not also parking lot frontage shall be landscaped based on the linear footage of lot frontage along the adjacent street.</p> <p><u>Area #4 – Lot Interior:</u> Required landscaping shall be determined by achieving a minimum number of points, based on the linear footage of the building perimeter.</p> <p><u>Area #5 – Freestanding Signs Exceeding 6 feet in Height:</u> All permanent freestanding signs exceeding 6 feet in height shall have landscaping planted in an area radiating a minimum of 5 feet from the base of the sign.</p>
<p>Street Trees:</p>	<p>The Preliminary PUD includes a landscaping plan that has trees provided along the frontages of all public streets, which was approved by the Landscape Review Committee.</p> <p><i>Typically Required and Approved by the Plan Commission: As each lot develops all missing/dying street trees established with the Preliminary PUD shall be replaced.</i></p>	<p>Not Required.</p>

Sign Standards		
Regulation Type	Columbus Crossing PUD	CR Zoning District
Development Entry Signs:	Development entry signs, each showing 4 businesses - (1) off of I-65 and (2) at Carr Hill Road from SR 46. The square footage for these signs shall count toward the total square footage allowed for each business.	One entry sign per development, showing a maximum of 5 businesses. Businesses making use of the joint sign may not have freestanding signs on their individual lots.
Wall Signs:	<p><u>Maximum Number:</u> 2 per building façade, up to 5 total signs per establishment.</p> <p><u>Total Maximum Area:</u> Limited to 5% of the building façade, with the following limits: 200 sq. ft. for a building less than 20,000 sq. ft.; 265 sq. ft. for a building between 20,000 and 90,000 sq. ft.; and 330 sq. ft. for a building over 90,000 sq. ft. Limits may increase by 50% for businesses that forego a permitted freestanding sign.</p> <p><u>Typically Required and Approved by the Plan Commission:</u> Multi-tenant centers have been permitted one wall sign per tenant not exceeding 15% of that tenant's exterior wall.</p>	<p><u>Maximum Number:</u> 3 per public street frontage.</p> <p><u>Total Maximum Area:</u> 350 square feet or equal to 15% of the area of the front walls, whichever is less.</p>
Freestanding Signs:	<p><u>Maximum Number:</u> 1 per lot. At least 200 feet of frontage shall be required for a freestanding sign. No freestanding signs shall be allowed along SR 46.</p> <p><u>Maximum Area:</u> 150 square feet</p> <p><u>Maximum Height:</u> 6 feet</p>	<p><u>Maximum Number:</u> 1 per public street frontage per lot.</p> <p><u>Maximum Area (per sign):</u> 150 square feet</p> <p><u>Maximum Height:</u> 25 feet</p>
Interstate Oriented Signs:	Not Permitted.	<p><u>Maximum Number:</u> 1 per lot, if within 2,500 feet of the I-65 interchange.</p> <p><u>Maximum Area:</u> 200 square feet</p> <p><u>Maximum Height:</u> 90 feet</p>
Window Signs:	Window Signs shall only contain incidental information such as hours of operation, etc.	<u>Maximum Area (for all window signs per use):</u> 20 square feet or equal to 25% of the window area, whichever is less.
Temporary Signs:	Permitted 1 temporary sign per lot (as specified in the pre-2008 Zoning Ordinance Section 17.46).	<p><u>Banner Sign:</u> 1 per use, maximum area of 32 square feet, allowed for a maximum of 90 days per calendar year.</p> <p><u>Inflatable Sign:</u> 1 per use, maximum height of 25 square feet, allowed for a maximum of 12 days per calendar year.</p> <p><u>Beacon Sign (Searchlight):</u> 1 per use, allowed for a maximum of 12 days per calendar year.</p>

Miscellaneous Standards		
Regulation Type	Columbus Crossing PUD	CR Zoning District
Lighting:	<p>Plan Commission Discretion</p> <p>Per the Preliminary PUD, lighting plans, including fixture design details and a photometric layout, shall be provided as a part of the Detailed PUD submittal for each lot. Light fixtures shall be of similar architectural design as each building. The amount of illumination projected onto adjacent property outside the PUD boundaries shall not exceed 0.1 foot candle at the property line.</p> <p><i>Typically Required and Approved by the Plan Commission: Exterior lighting has been limited to 90 degree cut-off fixtures with fully recessed lens covers and no more than 0.1 foot candles at the PUD property lines.</i></p>	<p>Building Façades: Building facades may be illuminated using either up-lighting or down-lighting, or a combination of both. All lighting fixtures shall be located, aimed, and shielded so that light is directed only onto the building façade. Lighting should not be directed toward adjacent streets, roads, or adjoining properties.</p> <p>Free-Standing Light Fixtures: Fixtures shall be limited to a maximum total height of 25 feet. All freestanding and general parking area/yard lighting shall make use of 90 degree cut-off fixtures with fully recessed lens covers.</p>
Trash Enclosures:	<p>Plan Commission Discretion</p> <p><i>Typically Required and Approved by the Plan Commission: 100% opaque screening 6 feet in height. Also, the enclosure should use similar architectural materials used on the building.</i></p>	<p>Screening shall consist of a 6 foot tall, 100% opaque fence made of wood, stone, masonry, architectural metal, or other similar construction.</p>
Building Materials:	<p>Plan Commission Discretion</p> <p>Per the Preliminary PUD, architectural elevations for each building shall be provided for Plan Commission review. Final PUD plans for all buildings on the north side of Merchant's Mile shall include architectural treatment along both north and south sides of the building. The front sides of all retail buildings over 50,000 square feet shall be brick, or an equivalent material. Other facades of these buildings shall be designed with appearance in mind.</p> <p><i>Typically Required and Approved by the Plan Commission: Buildings of all sizes have been required to use quality building materials such as brick, Quik Brik, stone, EIFS (stucco), architectural metal, and split face CMU on all sides. All building sides should be designed to a consistent level of quality. Buildings on lots with frontage on Merchants Mile should be oriented towards Merchants Mile.</i></p>	<p>Not required.</p>

Miscellaneous Standards Continued		
Regulation Type	Columbus Crossing PUD	CR Zoning District
Loading Docks:	Plan Commission Discretion <i>Typically Required and Approved by the Plan Commission: 100% percent opaque screening for all loading docks and outdoor storage areas.</i>	All loading areas shall be screened from view of all public streets with a 100% opaque screening that is a minimum 6 feet in height.
Rooftop Equipment Screening:	Plan Commission Discretion Per the Preliminary PUD, all rooftop HVAC, plumbing, and other equipment for each building shall be screened. <i>Typically Required and Approved by the Plan Commission: Building elevations must show that all rooftop units are screened from view.</i>	Not Required.
Additional Architectural Drawings:	Per the Preliminary PUD, an architectural perspective illustration of the proposed building(s) on each lot shall be provided to aid the Plan Commission in their review.	Not Required.
Outdoor Sales & Display	Plan Commission Discretion <i>Typically Required and Approved by the Plan Commission: Screening that is 100% opaque shall be provided around all areas of outdoor storage, including product sales and display areas.</i>	<u>Temporary Outdoor Sales & Display:</u> Shall be moved inside at the end of each business day or left outside for no more than 60 days per year. <u>Permanent Outdoor Sales & Display:</u> Is limited to 10% of the allowed lot coverage, must be enclosed on 3 sides, and must be paved. Certain exemptions are provided for vehicles and large items.

Permitted Uses (Business / Commercial Uses)		
Use Type	Columbus Crossing PUD	CR Zoning District
Auto-Oriented Uses (small, medium, and large scale)		
Gas Station	No	Yes
Car Wash	No	Yes
Drive-up Bank Machine	Yes	Yes
Oil Change Shop	Yes	Yes
Tire Store	No	Yes
Auto Repair & Body Shop	No	Yes
Auto / RV Sales & Service	Yes	Yes

Permitted Uses (Business / Commercial Uses) Continued		
Use Type	Columbus Crossing PUD	CR Zoning District
Auto Rental (truck, RV, etc.)	No	Yes
Builder's Supply Store	Yes	Yes
Catering Establishment	Yes	No
Data Processing / Call Center	No	Yes
Equipment Rental	No	Yes
Farm Equip. Sales & Service	No	Yes
Funeral Home	Yes	No
Health Spa	Yes	Yes
Hotel / Motel	Yes	Yes
Instructional Center (Dance Studio, Etc.)	Yes	Yes
Liquor Store	Yes	Yes
Manufactured Home Sales	Yes	Conditional Use
Model Home Displays	Yes	No
Office Uses		
<i>Admin. / Professional Office</i>	Yes	Yes
<i>Financial Institution</i>	Yes	Yes
<i>Medical / Dental Office</i>	Yes	Yes
<i>Radio / TV Station</i>	Yes	Yes
<i>Veterinarian / Animal Clinic</i>	No	Yes
<i>Print Shop / Copy Center</i>	Yes	Yes
<i>Business / Financial Office</i>	Yes	Yes
<i>Investment Firm</i>	Yes	Yes
<i>Employment Service</i>	Yes	Yes
Personal Service Uses		
<i>Barber / Beauty Shop</i>	Yes	Yes
<i>Dry Cleaners (Retail)</i>	Yes	Yes
<i>Photographic Studio</i>	Yes	Yes
<i>Self-Service Laundry</i>	Yes	Yes
<i>Shoe Repair / Tailor Shop</i>	Yes	Yes
<i>Tanning Salon</i>	No	Yes
Recreation Uses (small and medium scale)		
<i>Billiard Room / Arcade</i>	Yes	Yes
<i>Night Club / Bar</i>	Yes	Yes
<i>Microbrewery / Brew Pub</i>	No	Yes
<i>Fitness Center</i>	Yes	Yes

Permitted Uses (Business / Commercial Uses) Continued		
Use Type	Columbus Crossing PUD	CR Zoning District
<i>Bowling Alley</i>	Yes	Yes
<i>Theater (Indoor)</i>	Yes	Yes
<i>Banquet / Assembly Facility</i>	Yes	Yes
<i>Mini-Golf Course</i>	No	Yes
<i>Shooting / Archery Range (Indoor)</i>	No	Yes
<i>Skate Rink / Swimming Pool</i>	No	Yes
Plant Nursery / Greenhouse	Yes	Conditional Use
Restaurant	Yes	Yes
Retail Uses (small, medium, and large scale)		
<i>Video / Music Store</i>	Yes	Yes
<i>Art / Photo Gallery</i>	Yes	Yes
<i>Bakery (Retail)</i>	Yes	Yes
<i>Flower Shop</i>	Yes	Yes
<i>Gift Shop</i>	Yes	Yes
<i>News Dealer / Bookstore</i>	Yes	Yes
<i>Stationary Shop</i>	No	Yes
<i>Ice Cream Shop</i>	Yes	Yes
<i>Convenience Store (Without Gas)</i>	No	Yes
<i>Jewelry Store</i>	Yes	Yes
<i>Antique Shop</i>	No	Yes
<i>Meat Market</i>	Yes	Yes
<i>Apparel / Footwear Store</i>	Yes	Yes
<i>Craft / Fabric Store</i>	Yes	Yes
<i>Sporting Goods Store</i>	Yes	Yes
<i>Pharmacy</i>	Yes	Yes
<i>Grocery Store</i>	Yes	Yes
<i>Garden Shop</i>	Yes	Yes
<i>Variety Store</i>	Yes	Yes
<i>Auto Parts Sales (Without Repair)</i>	Yes	Yes
<i>Building Finished Shop (Paint, Carpet, Etc.)</i>	Yes	Yes
<i>Pet Store</i>	No	Yes
<i>Repair Services (Appliances, Etc.)</i>	Yes	Yes
<i>Department Store</i>	Yes	Yes

Permitted Uses (Business / Commercial Uses) Continued		
Use Type	Columbus Crossing PUD	CR Zoning District
<i>Hardware Store</i>	Yes	Yes
<i>Home Electronics / Appliance Store</i>	Yes	Yes
<i>Office Supply Store</i>	Yes	Yes
<i>Auction Facility (No Livestock)</i>	Yes	Yes
<i>Supermarket</i>	Yes	Yes
<i>Shopping Mall</i>	No	Yes
<i>Home Improvement Store</i>	Yes	Yes
<i>Vending Preparation</i>	Yes	No

Permitted Uses (Public / Service Uses)		
Use Type	Columbus Crossing PUD	CR Zoning District
Bus / Transportation Station	Yes	Conditional Use
Clinic	Yes	Yes
Community Center	Yes	Yes
Day-Care Center	Yes	Yes
Government Office	Yes	Yes
Hospital	Yes	Yes
Kindergarten	Yes	No
Museum	Yes	Yes
Library	Yes	Conditional Use
Parking Lot / Garage	Yes	Yes
Police, Fire, or Rescue Station	Yes	Yes
Post Office	Yes	Yes
Private Club / Lodge	Yes	No
Trade or Business School	Yes	Yes
Water Works	Yes	No
Worship Facility	Yes	Yes

Permitted Uses (Other Uses)		
Use Type	Columbus Crossing PUD	CR Zoning District
Amusement Facility	Yes	No
Comm. Service Exchange	Yes	Yes
Drive-in Movies	Yes	Conditional Use
Dwelling, Accessory (to a business)	Yes	Conditional Use
Dwelling, Multi-Family	Yes	Conditional Use
Dwelling, Single-Family	Yes	No
Dwelling, Two-Family	Yes	No
Food Locker Plants	Yes	Conditional Use
Golf	Yes	No
Group Home / Children's Home	Yes	No
Nature / Conservation Area	No	Yes
Nursing Home	Yes	No
Park / Playground	No	Yes
Permanent Carnival	Yes	No
Riding Stable	Yes	No
Rooming Units / Apartment Hotels	Yes	No
Utility Substation	Yes	Yes
Water Tower	Yes	Yes
Wholesale Facility	Yes	Yes

History of this Location:

The relevant history of this property includes the following:

1. 2001-2003 - Preliminary PUD Plan Approval: A portion of Columbus Crossing (116.61 acres) received Preliminary PUD Plan and rezoning approval in 2001 (PUD-01-02). This approval excluded certain components, such as the sign standards, which were to be considered later. The Preliminary PUD Plan for the adjacent Menard/Brex Park East PUD (PUD-02-01) consisting of 53.34 acres received approval in April 2002, again with certain components excluded. In January of 2003, the Columbus Crossing PUD and the Menard/Brex Park East PUD were combined into one PUD (PUD-02-11) for the purpose of completing all elements of approval for both. The last component of the Preliminary PUD Plan for the consolidated PUD, the sign standards, was favorable recommended to the City Council by the Plan Commission on May 7, 2003.
2. 2002 - Menards: The Menards store Final PUD Plan (PUD-02-02) received approval from the Plan Commission in 2002. That Final PUD Plan has been modified four times since the original approval as follows: in 2002 for a garden center addition (PUD-02-08), in 2003 for sign changes (PUD-03-02), in 2008 for a new driveway and relocated lumber yard gate (PUD-07-08), and in 2010 for the installation of a MainSource Bank ATM (PUD-10-04). A 2012 Final PUD Plan modification request, for outdoor trailer sales, was denied (PUD-12-01).
3. 2004 - Sam's Club: The Sam's Club Final PUD Plan (PUD-04-03) received Plan Commission approval in 2004. That Final PUD Plan has been modified three times since the original approval as follows: in 2006 for the addition of a car wash (PUD-05-06), in 2010 for paint color changes (PUD-10-03), and in 2011 for new cart corrals.

4. 2005 - Wal-Mart: The Wal-Mart store Final PUD Plan (PUD-05-02) received approval from the Plan Commission in 2005. This Final PUD Plan was modified in 2014 (PUD-14-01) to allow for sign and paint color changes.
5. 2005 - Centra Credit Union: The Centra Credit Union Final PUD Plan (PUD-04-07) received approval from the Plan Commission in 2005.
6. 2005 - Columbus Crossing Shops: The Columbus Crossing Shops (Buffalo Wild Wings, Etc.) Final PUD Plan (PUD-05-07) received approval from the Plan Commission in 2005. It was modified in 2014 (PUD-14-04) to provide additional parking. The approved changes have not been constructed.
7. 2008 - Wendy's: The Wendy's Final PUD Plan (PUD-08-03) received approval from the Plan Commission in 2008.
8. 2013 – Unnamed Shopping Center (Not Constructed): A commercial strip center proposed for Lots 10 & 11 but not yet constructed (PUD-13-03) received Final PUD Plan approval from the Plan Commission in 2013.
9. 2014 – Goodwill: The currently under construction Goodwill store Final PUD Plan (PUD-14-12) received approval from the Plan Commission in 2014.
10. 2015 – Chevrolet of Columbus: A Chevrolet dealership proposed for Lot 3 but not yet constructed (PUD-15-02) received Final PUD Plan approval from the Plan Commission in February 2015.
11. 2015 – White River Dental: A Final PUD Plan for White River Dental proposed for Lot 9D is currently pending before the Plan Commission (PUD-15-08).

Comprehensive Plan Consideration(s):

The Future Land Use Map indicates the future use of this property as Commercial.

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

1. Policy A-2-16: Promote simple, objective design standards (not an architectural review committee) for commercial, industrial, and institutional development. *Because the appearance of the community is important, the City needs to promote design standards that will lead to attractive development. These standards might include such things as variations in roof lines or building facades, requirements for windows, or standards for the placement of buildings on their lots.*
2. Policy E-2-1: Encourage development of these (highway) corridors in a manner that is visually appealing. Highway corridors greatly impact the appearance of a community. *Because community appearance is important to local residents, the City should encourage these corridors to be developed in a manner that enhances community appearance. Elements to be considered include landscaping, screening of outdoor storage and display, appearance of buildings, design of parking areas, and others.*
3. Policy E-2-3: Establish objective design standards (not an architectural review committee) to encourage development with appropriate landscaping, parking, setbacks, visually appealing buildings, and attractive and effective signage. *Design standards could include such things as requirements for variations in building facades, roof lines, materials, colors, and limitations on outside storage.*
4. Policy E-2-10: Encourage businesses along these (highway) corridors to add landscaping. *Landscaping adds greatly to the appearance of the community, and it offers environmental, economic, and psychological benefits. Highway corridors are the most visible areas to visitors and local residents alike; therefore, landscaping is particularly important in these areas.*
5. Policy J-2-2: Maintain and enhance the vitality, cleanliness, and appearance of all areas of the City. One of the traditional strengths of Columbus is its attractive appearance. *This attractiveness, particularly of the downtown, helps to attract businesses and workers to the community.*
6. Policy J-10-1: Create a positive business climate characterized by flexibility. *The needs of businesses are continuously changing, and the City needs to have sufficient flexibility in its regulatory system to respond to these changes and to encourage and nurture new businesses.*

This property is located in the Western Gateway character area. The following Planning Principle(s) apply to this application: In order to reflect the importance of this area as the City's primary entry, design standards should be adopted for layout, buildings, landscaping, signs, and lighting.

Planning Consideration(s):

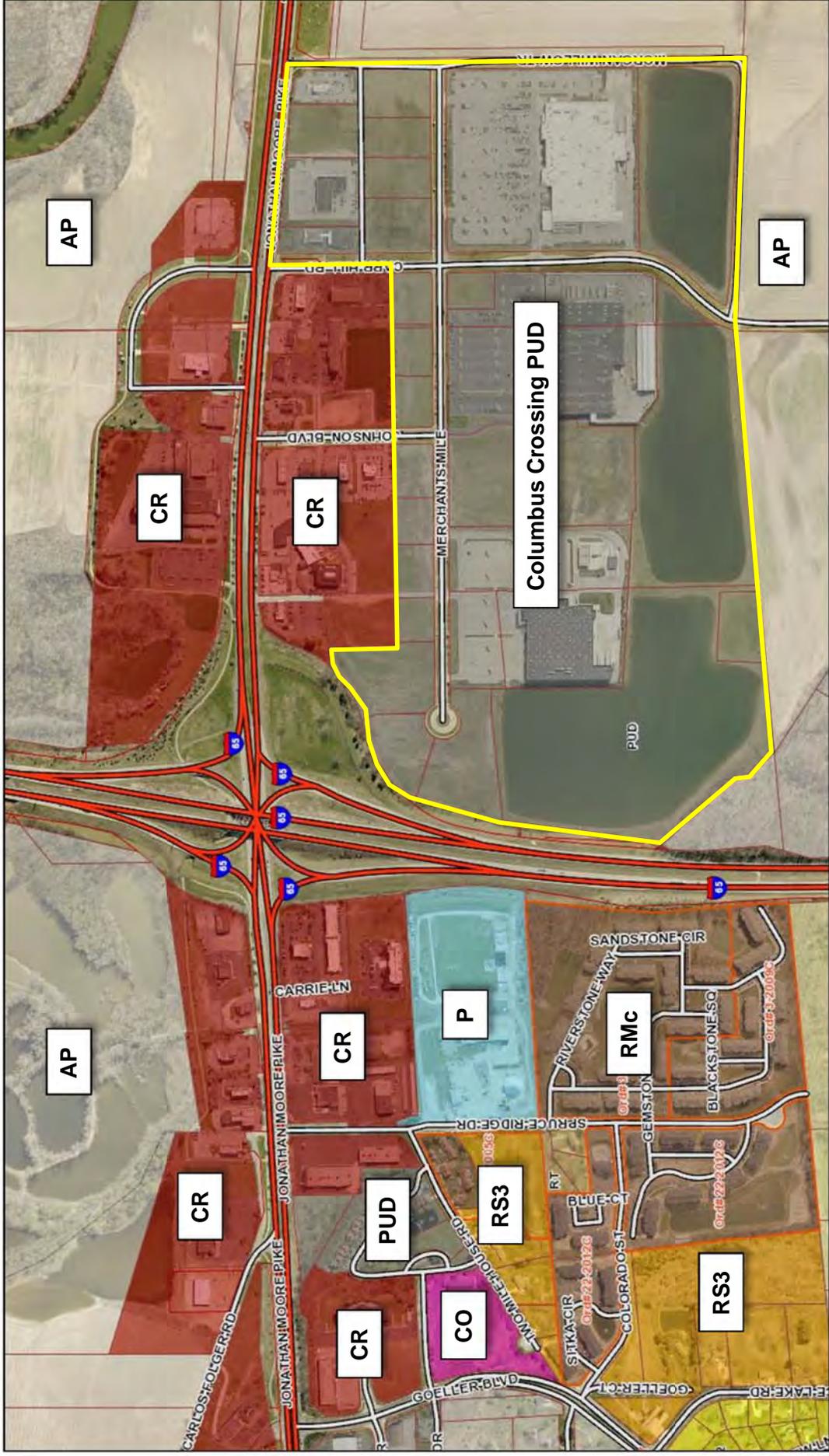
The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. The establishment of the Columbus Crossing Planned Unit development (PUD) was first considered by the Plan Commission at its July 5, 2001 meeting. The approval process for the Preliminary PUD Plan, which established the basic parameters for the development extended over almost the next two years. The final element of the Preliminary PUD Plan, the sign standards was favorably recommended to the City Council by the Plan Commission at its May 7, 2003 meeting. The Preliminary PUD Plan was an agenda item at the July 5, 2001, August 1, 2001, September 5, 2001, October 3, 2001, October 24, 2001 (a special meeting to consider the PUD only), April 3, 2002, December 2, 2002, January 2, 2003, February 5, 2003, and May 7, 2003 Plan Commission meetings.
2. The review of the Columbus Crossing development was significantly influenced by (1) the then recently completed "Front Door" project and (2) the then ongoing revision of the City of Columbus Comprehensive Plan.
3. The Front Door project resulted in highly stylized infrastructure improvements along Jonathan Moore Pike / SR 46, including the I-65 Bridge and Robert N. Stewart Bridge, street trees, street lighting, etc. It focused the community's attention on the aesthetics of the SR 46 corridor and the role this area plays in establishing a first impression for Columbus. The Front Door Committee, the citizen group that had guided the Front Door project, was involved in the review and consideration of the Columbus Crossing development. This group was particularly interested in landscaping and overall aesthetics.
4. The City's Comprehensive Plan process involved hundreds of residents and various sub-committees examining all aspects of land use and development in the community and charting a course for the future. The Comprehensive Plan Goals & Policies Element, adopted in 1999, was just over 2 years old at the time that Columbus Crossing was first proposed. This Plan Element includes several policies suggesting design standards for development along the City's highway corridors. The Comprehensive Plan Land Use Plan Element was being drafted at the same time that Columbus Crossing was considered by the Plan Commission. This Element was adopted in 2002 and includes Columbus Crossing in the "Western Gateway" area. The Plan recommends design standards for this area.
5. The lengthy Columbus Crossing review process by the Plan Commission included extensive discussion of drainage, the floodplain, traffic and circulation, the impacts of the development on downtown Columbus businesses, and aesthetics. The aesthetics discussion focused primarily on Columbus Crossing as the future site of multiple "big box" retailers. At the time the Commission expressed concerns about the large parking lots and large, nondescript buildings that could dominate the initial view of the City from I-65. The Commission was also concerned about the visibility of roof-top mechanical equipment, primarily as would be seen from the interstate. As a result, the PUD came to include design standards regulating building materials (especially for the larger structures), landscaping, signs, etc. The approval process also emphasized the Plan Commission's discretion and ability to approve Final PUD Plans on a lot-by-lot basis as each develops.
6. The site plan (Final PUD Plan) review process for the first lots to be developed (the Menard's store, Sam's Club, Wal-Mart, and Centra Credit Union, etc.) involved review by the Plan Commission, the Front Door Committee, and the City's Landscape Review Committee. The Front Door Committee later disbanded and the Landscape Review Committee was dissolved with the adoption of the 2008 Zoning Ordinance. Subsequent projects (Wendy's, Goodwill, Chevrolet of Columbus, etc.) have therefore been reviewed only by the Plan Commission.
7. The Columbus Crossing Preliminary PUD Plan provides minimum standards for the development, including uses, building design standards, sign limitations, and the others described by the comparison tables provided above. These minimum standards cannot be waived by the Plan Commission during lot-by-lot Final PUD Plan reviews, but could be modified for the PUD as a whole if approved by the City Council. During the lot-by-lot reviews the Plan Commission does have discretion to increase the requirements or impose additional requirements. In evaluating construction on each lot the Plan Commission has used the B-4 zoning district (prior to 2008) and the CR zoning district (after 2008) as a baseline. In some cases the Commission has allowed specific site details to be reduced from that B-4/CR baseline (for example, the separation of the Goodwill driveway from others on Merchants Mile). However, for the most part the Plan Commission has used the B-4/CR baseline to ensure that the development is at least consistent with the requirements applicable

elsewhere in the City. In some cases the Plan Commission has also requested landscaping or other site features to exceed the baseline in order to address specific issues on each site and/or comply with the intent of the PUD.

8. The 2008 Zoning Ordinance revision modified City-wide standards for landscaping, exterior lighting, and outdoor storage. As a result of those changes and the use of the CR zoning district as the baseline for development in the PUD, the primary impact of the Columbus Crossing PUD since then has been on building architecture and signs.
9. The use of the B-4 and now CR zoning district requirements as a baseline for the review of Columbus Crossing Final PUD Plans will likely minimize the creation of legal nonconformities as a result of the proposed rezoning. Legal non-conformities are created when new standards are adopted that differ from those present when a property is initially developed, especially if the new standards are more restrictive. Certain site features, such as building setbacks, signs, landscaping, etc. that were installed legally may no longer be compliant.
10. Zoning Ordinances in most communities are replaced and/or updated periodically to reflect changes in development trends, state and federal law, and community priorities. Therefore, legal nonconformities are common. The Columbus Zoning Ordinance, like most others, contains a chapter devoted to nonconformities and how they are to be treated. Generally, the Zoning Ordinance provides that any legal nonconforming feature may continue in perpetuity as long as the extent of the nonconformity is not increased (for example, a sign that exceeds the height limits can remain, but cannot be made taller). Legal nonconforming features are only required to be brought into compliance if (1) the site is completely redeveloped or (2) the use of or structure present on a property is doubled or more in size. Any legal nonconforming feature that is unintentionally altered or removed (by fire, flood, criminal activity, etc.) is allowed to be replaced to its original condition. Legal nonconforming signs are allowed to be removed temporarily for maintenance and replaced without having to comply with the current requirements. These provisions for legal nonconformities are rooted in Indiana case law and are therefore unlikely to change significantly in the future.
11. The Menard's store site was the first lot developed at Columbus Crossing and the therefore also the first Final PUD Plan to be approved by the Plan Commission. As the Plan Commission was still developing its review process at that time, and therefore relying less on the B-4 zoning district as a baseline, this lot would likely have the highest number of legal nonconformities resulting from a change to CR zoning. An analysis of the site in comparison with the CR zoning district identified the following inconsistencies: (1) the site would be deficient 1 handicap parking space, (2) the site would be deficient 4 bicycle parking spaces, (3) the site lacks sidewalks along its public street frontages, (4) the site would be deficient 3 trees and 82 shrubs in the parking lot frontage landscape area, (5) the site would be deficient 164 shrubs in the parking lot interior landscape area, (6) the site would be deficient 93 "points" of landscaping in the lot interior landscape area, (7) the landscaping currently on site may include plants that would be considered "non-qualifying", and (8) the 14 foot tall fence surrounding the lumber yard portion of the site would exceed the height limit for outdoor storage areas by 8 feet. The site would be compliant in the other 16 zoning regulation topic areas that were reviewed, including signs, parking spaces, setbacks, building height, lot coverage, etc.
12. The practice of local communities adopting design standards for highway corridors and other entryways is common nationwide and in Indiana. In most cases these standard cover the same topics that are addressed by the Columbus Crossing PUD – building materials and design, landscaping, signs, lighting, outdoor storage, loading areas, etc. In many cases these standards are provided as an overlay of a specific geographic area along the highway or community entrance, regardless of the underlying zoning district.
13. The "Western Gateway" area, as identified by the Comprehensive Plan Land Use Element is largely developed at this time. The remaining lots at Columbus Crossing provide the best opportunity to affect the overall aesthetic of the I-65 / SR 46 "front door" to Columbus. Other lesser opportunities may arise through the redevelopment of individual properties (such as the former Wendy's site on the west side of I-65). It should also be noted that few of the Columbus Crossing lots have frontage on SR 46 and therefore they have a limited impact on the aesthetic of that corridor, as viewed by travelers.

RZ-15-05 (Columbus Crossing) Location & Surrounding Zoning



July 5, 2001
Plan Commission
Meeting Minutes Excerpt

He also suggested that the parking on the lower east side be connected to the dead end of Grissom Street; this would allow for access to the lift station and provide another access for students. He stated that the dumpster would be placed close to the southern corner of the auditorium, garbage trucks would need to drive through the plaza where it is intended for people to gather. This is not a good match for what is trying to be achieved.

Mr. Hayward opened the meeting to the public.

Michael Gravens stated his concerns about investing public monies so close to the airport.

Mr. Hayward closed the meeting to the public.

Mr. Fee said the easement for the people trail was added to the drawing today.

Discussion was held regarding the advisability of hooking up to Grissom Street. Mr. Hayward stated he did not think it was necessary at this point, but it may be necessary in the near future if expansion occurs.

Motion: Mr. Hawes made a motion to approve SU-01-08 with staff recommendations. Mr. Thomasson seconded the motion and it passed 9-0 with 2 abstaining.

Motion: Mr. Hawes made a motion to approve MP-01-10 to approve with staff comments. Mr. Heaton seconded the motion and it passed with a vote of 9-0 with 2 abstaining.

Mr. Thomasson and Mr. Nienaber abstained from voting on these requests.

PUD-01-02 Menard Inc./ Columbus Crossing Rezoning: A petition by Menard Inc., on behalf of O'Connor Farms LLP, Marie L. Weber, Linda A. O'Connor, Trustee, and Donald and Sharon Voelz to rezone four property tract totaling approximately 116.61 acres, located immediately south of Jonathan Moore Pike, west of Carr Hill road, and east of Interstate 65, from AG (Agricultural), B-4 (Highway Business), and I-1 (Restricted Industrial to PUD (Planned United Development), for the purpose of developing a multi-tenant shopping center with related services and infrastructure, to include a home-improvement retail business of approximately 162, 340 square feet on a parcel of approximately 14 acres therein.

ANX-01-02 Menard Inc./Columbus Crossing Annexation: A petition by Menard Inc., on behalf of O'Connor Farms LLP, Marie L. Weber, Linda A. O'Connor, Trustee, and Donald and Sharon Voelz, to annex to the City of Columbus, Indiana, two areas contiguous to each other and to the current city boundary, totaling approximately 68.38 acres, for purpose of commercial development and provision of related services and infrastructure. The properties are located south of Jonathan Moore Pike, west of Carr Hill Road, and east of Interstate 65.

PP-01-03 Menard, Inc./Columbus Crossing: A proposal by Thomas O'Neil and Menard Inc., to create 25 lots and 3 blocks totaling 172 acres. The property is located on the north and west side of Carr Hill Road and on the south side of Brex Park Road in Columbus Township.

Mr. Hunt presented the background information on this request.

The planning staff and other city departments have had discussions with Menard Inc. since late 2000 regarding this property. Initially the property in play encompassed only the eastern portion (i.e. the O'Connor properties); however, Menard Inc. eventually determined that their plans required acquisition of the western Voelz property as well, due partly to the need to obtain fill dirt from nearby.

The proposal is to rezone part of this entire 170 acre tract to PUD: the section east of Brex Park Drive extended (about 30 percent of the entire property) is already zoned B-5 (General Business) and would not be changed by the proposed rezoning. This means that although the PUD plan submitted indicates a layout concept for the entire development, it would legally be binding only on the western 70 percent. There is no reason why the B-5 property cannot be rezoned to PUD at a later time. The staff has strongly encouraged the petitioners to rezone the remainder to PUD at the appropriate time. Staff fully expects that the entire property will be developed as shown.

Menards Inc. also is requesting annexation of that portion of the property not already in the Columbus city limits. A preliminary subdivision plat for the property is also before the Commission, which would divide the property into 25 lots and 3 blocks. A detailed discussion of the subdivision plat is provided in a separate staff report.

Several new streets or street extensions would be developed here. Brex Park Drive would be the principal entrance. It is to be extended southward to connect to Carr Hill Road at the 90 degree turn toward the south. Carr Hill Road east and north of this point would remain open, with additional right-of-way and pavement as required, but would be designed as a distinctly secondary access.

A new street cul-de-sac street parallel to SR 46, named Merchants Mile, would be the principal frontage access to all lots west of Brex Park Drive. This would be a public street designed according to city standards, except that the length of the cul-de-sac would be greater than the Subdivision Control Ordinance's upper limit of 1000 feet. The street would be at least 2300 feet long west of the Brex Park intersection. Staff has serious concerns about this excessive length.

There has been community speculation about a new street from SR 46 southward, somewhere between Brex Park and the I-65 interchange. Another possibility is a continuous dedicated access easement through the parking lots south of Merchants Mile. Staff does not consider the cul-de-sac problem an insurmountable obstacle; however, a solution should be at hand before permission to develop is granted.

A traffic signal on SR 46 at Brex Park Drive is already programmed by INDOT for next year. Details of traffic management will be handled through a traffic study that is now underway by A&F Engineering. This completed study will need to be reviewed and approved by the City Engineer before approval is final.

Applicants propose to build sidewalks along one side of each public street, including existing Brex Park and Carr Hill and SR 46, as part of the subdivision process. A Plan Commission-approved modification to the subdivision control ordinance would be required in order to eliminate the requirement for sidewalks on both sides of each street. Staff has no objection to this request.

Menard Inc. proposes to submit detailed landscaping plans for each final PUD Plan.

Signs are preliminarily addressed in the accompanying letter from Menard Inc. The company requests two multi-tenant pylon signs; one visible from the I-65 right-of-way at 110 feet high, and another at the Brex Park/Merchants Mile intersection 60 feet high. Both pylon signs' dimensions would be determined later. The maximum size and height of the signs needs to be determined early. Staff does not object to waiting until the first final PUD plan for the Menard store is filed to determine this, but sign plans must be complete.

Concern has been expressed by the planning staff and by citizens about the appearance of the development from afar, especially from I-65. The plan shows a long row of big boxes, relatively unvarying in setback, accessed by a straight-line street, with a big linear expanse of asphalt in between. If the project were built literally to plan, the first view of Columbus by northbound travelers on the interstate would be the sight described above. This doesn't appear to the picture evoked by the city's architectural reputation. The community has spent a lot of money, time and effort on the Front Door project to beautify the area from the interchange into downtown. Care must be taken to avoid spoiling it.

Staff proposes that architectural rendering of the project accompany each final PUD design plan, and that these be made part of the review and approval process by Plan Commission. Of particular interest is the view from I-65; therefore, staff proposes that a perspective illustration of each successive phase from that vantage point be included in each phase's review.

Mr. Tom O'Neil of Menard Inc. represented the petitioner.

Mr. O'Neil noted that Menard is a privately owned corporation in the home improvement industry. They are based in nine states in the Midwest with 158 stores presently open. Menard Inc. is in favor of the PUD planning concept. Concerning the cul-de-sac, Mr. O'Neil said that he didn't see this as a real issue, because Menard is willing to specify guaranteed access through the parking lots and/or elsewhere on the property. Mr. O'Neil stated they are not sure about a second access to 46 or the ability to acquire one at this time. The retention ponds have been given a fair degree of shape, much more so than the existing one. This is only a conceptual plan, not a preliminary plat. On the conceptual plan because of the scope of the development it is a rather ambitious project, being 170 acres. Plan Commission will have the final PUD approval as each plan comes in for review. This will insure most concerns are addressed adequately.

Mr. Ryan opened the meeting to the public.

Mr. Dick Knoblock stated that the staff report was incorrect and that this development was in contrast to what was proposed in Phase 2 of the Comprehensive Plan. He expressed concern about the front door being so close to a large shopping center.

Mr. Michael Gravens stated that it was not in keeping with the architectural tradition of Columbus. He said he was concerned about the impact the development would have on the community.

Ms. Stephanie Pierret stated that this development was in contrast to what was proposed in the draft of Phase 2 of the Comprehensive Plan. She also expressed concern about the front door appearance and flooding in the area.

Ms. Mary Goen said she was concerned about the expansion of larger stores that would leave the current spaces vacant.

Mr. Ed Stawicki said he was concerned about the size of the development and how it would affect the residential area. He would like some kind of buffer there to shield the neighborhood from lighting and heavy traffic flow.

Ms. Nancy Kirksman objected because of the front door project. She expressed concern about the view from I-65.

Mr. Robert Dalmbert who owns property in the neighborhood spoke in favor of the project. He stated that the interchange was the right place for a commercial development such as this.

Ms. Linda O'Connor, one of the property owners of the site, spoke on behalf of her family. This ground was purchased by her family five generations ago. She said that Menard had been very professional in their planning on their behalf. She spoke in favor of the development.

Mr. David Wade would like restrictions placed on zoning, specifically alcohol and video stores.

Mr. Terry Whitaker stated that many small businesses cannot compete with the large chain owners on a level playing field.

Mr. John Steinker who is with the building trades said he would like for local contractors to be used in construction of this project.

Mr. Dennis Tibbets asked if any studies had been done in regards to flooding.

Mr. Tim Grimm stated he thought this development has a tremendous impact the character of the community and would affect the town negatively.

Mr. Peter DeSantis said he was concerned about just the one exit and the trailers that would be delivering supplies to Menard.

Mr. Ryan closed the public meeting.

Mr. O'Neil pointed out the area east of Carr Hill Road as it goes south go around the bend, and stated that property above that line currently has B-5 zoning already in place and is already in the city. This would allow Menard's to locate there now without rezoning. He said they embarked upon the PUD development process to try and work with staff to receive as much input as possible, to try to make this a workable situation.

Mr. O'Neil said that one of the reason they were attracted to this site was its proximity to I-65 and the fact it was on SR 46. Those are the kind of things Menard's looks for in commercial development and to make it a regional draw not only to attract people from Columbus but to get them coming north and south on the interstate as well.

He stated there are still some areas to explore with a traffic study being done in regards to Brex Park Drive. There will be some widening of Brex Park. He said they are proposing to widen Carr Hill

Road to make it a secondary access further east into the site. In this conceptual plan, Menard placed those borrow-retention areas on the southern property line to act as a buffer between residential to the south detention basin and the builtup property where the actual stores would be located.

He said the lighting would be in compliance with what the city requires. There would be no spillover onto neighboring property owners. Outside sales is a large selling point for Menard's. There would be a treated lumber fence surrounding the area. He stated they would be hiring 180 to 200 employees. There is about a 50-50 split between full time and part time jobs. Mr. O'Neil stated his thought that Menard will make a positive impact in the community and that the development itself will make a positive development in Columbus.

Mr. Hawes shared his concerns about traffic and public safety in the area. He said the access is not adequate and would like to see the study when it is completed.

Ms. Zeigler asked what Menard's policy is in the community involvement. Mr. O'Neil stated they would be bringing in new jobs and it is their intention is to pull from the community for the work force.

Mr. DeLap expressed concerns about the dual entrance issue, the cul-de-sac, safety issues and a number of outstanding questions regarding aesthetics before he could support this request.

Mr. Hayward said they do have two entrances off SR 46. One is the Brex Park Drive and the other is Carr Hill Road. The one at Brex would be a signal and the one at Carr Hill would have left turn lane. Secondly in regards to the front door, Mr. Hayward commented that the front door committee including himself put forth the vision for that whole area, to make the road safe and plan for future development in this area. There is an underdeveloped interchange; the city knows there is going to be development taking place. There was some planning and thought given to future development. This proposal is not contrary to the front door project; the primary purpose of the project was public safety and building capacity on SR 46, not the aesthetics that became the lightning rod that everyone has targeted. That was an important part, but not the primary focus.

Mr. Hayward stated that he had attended many Comprehensive Plan meetings. Phase 2 that everyone in the audience referred to, has not been adopted by the Commission or Council. He stated he did not recall anything in Phase 1 that was approved that specifically addressed banning big box retail anywhere in the city. It is his opinion that an area adjacent to an interchange is as appropriate for a big box retail as anywhere in the community.

Mr. Hayward said the development here would have an impact on the community and will change the landscape of the community. It will have ripple effects if this is approved. For this Commission it is a land use issue. The Commission and Council are being asked to rezone this from Industrial and Business to a PUD where the Commission has more control over how this develops. Some modifications are needed and some conditions placed, but overall this use is more appropriate.

Discussion was held regarding changing the current B-5 to another zoning.

Mr. Hunt read what was allowed in the B-5 zoning at the request of Mr. Hawes.

Mr. Ryan asked what the chances were that local contractors would be used in this project.

Mr. O'Neil stated that he would put Mr. Steinker in contact with their general manager of construction. He said they encourage local contractors to bid on the project. This is on a competitive bid system.

Motion: Mr. DeLap made a motion to continue for a month of these requests PUD-01-02, ANX-01-02, PP-01-03 Menard Inc./Columbus Crossing. Mr. Gifford seconded the motion and it passed with a vote of 8-0.

ADJOURNED AT 8:00 P.M.

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Mike Ryan, President



David Hayward, Secretary

October 3, 2001
Plan Commission
Meeting Minutes Excerpt

**COLUMBUS PLAN COMMISSION
OCTOBER 3, 2001 AT 4:00 P.M.
FIRST FLOOR MEETING HALL, CITY HALL
123 WASHINGTON STREET
COLUMBUS, INDIANA**

Members Present: John DeLap president, Craig Hawes, John Hatter, Shirley Todd, Page Gifford Jack Heaton, Patricia Zeigler and Dave Bonnell.

Members Absent: Mike Thomasson, Dave Hayward and Gary Nienaber.

Staff Present: Roger Hunt, Executive Planning Director, Tiffany Strait, Laura Thayer and Sondra Bohn, Planning Department; and Alan Whitted, Deputy City Attorney.

LIAISON REPORTS

Written reports were received and discussed.

CONSENT AGENDA

Minutes of September 5, 2001.

A public hearing for Phase II of the comprehensive Plan was set for November 7, 2001 at 4:00 p.m. in Conference Room 3 at City Hall.

AD-01-33 Replat of Lots 2 & 5 in Gateway Subdivision, by Angela Nienaber, is a request to administratively plat 2 lots totaling 0.37 acres. This property is located on the east side of Azelea Street, approximately 150 feet north of 14th Street, or more specifically 1415 Azelea Street, Columbus.

Mr. Bonnell made a motion to approve the consent agenda. Ms. Zeigler seconded the motion and it passed unanimously.

OLD BUSINESS REQUIRING COMMISSION ACTION

PUD-01-02 Menard Inc. / Columbus Crossing Rezoning: A petition by Menard Inc., on behalf of O'Connor Farms LLP, Marie L Weber, Linda A O'Connor, Trustee, and Donald and Sharon Voelz, to rezone four property tracts totaling approximately 116.61 acres, located immediately south of Jonathan Moore Pike, west of Carr Hill road, and east of Interstate 65, from AG (Agricultural), B-4 (Highway Business), and I-1 (Restricted Industrial) to PUD (Planned Unit Development), for the purpose of developing a multi-tenant shopping center with related services and infrastructure, to include a home-improvement retail business of approximately 162,340 square feet on a parcel of approximately 14 acres therein.

ANX-01-02 Menard Inc. / Columbus Crossing Annexation: A petition by Menard Inc., on behalf of O'Connor Farms LLP, Marie L Weber, Linda A O'Connor, Trustee, and Donald and Sharon Voelz, to annex to the City of Columbus, Indiana, two areas contiguous to each other and to the current city boundary, totaling approximately 68.38 acres, for purpose of commercial development and provision of related services and infrastructure. The properties are located generally south of Jonathan Moore Pike, west of Carr Hill Road, and east of Interstate 65.

PP-01-03 Menard Inc. / Columbus Crossings: A proposal by Thomas O'Neil and Menard Inc., to create 25 lots and 3 blocks totaling 172 acres. The property is located on the north and west side of Carr Hill Road and on the south side of Brexpark Road in Columbus Township.

Mr. Hunt presented the background information of this request.

There is the additional street access from SR 46 west of Brex Park Drive that would cause a major change, not only for the Menard project itself, but the SR 46 corridor. It would require the Ramada Inn to be mostly removed (all but the new westernmost wing), and would require filing in at last half of the pond behind the Ramada Inn. A traffic signal would be installed at the SR 46 intersection. (another signal is slated for Brex Park/SR 46 intersection).

A traffic study has now been completed and submitted to the city. There is an agreement between city engineering and the traffic consultants on nearly all changes needed. Dave Hayward advises that all intersections must perform at Level of Service "D" or better at peak hours taking into account existing SR 46 traffic as well as the new development at full buildout.

Engineering and planning staff are satisfied that drainage can be handled adequately with the applicant's plans, and that the project will not measurably affect flooding.

Menards Inc. has commissioned Paris Bingham Architects to prepare exhibits showing the project's appearance from several vantage points along the SR 46 and I-65 corridors. Paris Bingham have also created an animated "fly-by" rendering of the project. Mr. Hunt stated that the board also received elevations and detailed site layout plans for the proposed Menard's store itself (which would be the first building constructed).

The Menards's store elevation's most notable features are an all-brick facade and a number of details to break up the front plane, such as windows (real and faux) and a roof line of varying height.

The planning and engineering staff have reviewed these exhibits. While appearance and design are in large part subjective judgments, they believe the designers have made considerable efforts to incorporate a better design than was planned in their original submission.

With a project of this size and scale, the landscaping plans are necessarily conceptual. More detail is shown on the close-up of Menard's store exhibits and on those prepared by Paris Bingham. More detail will be needed for each building's final PUD plan, but it would also be a good ideal to see and approve a master landscaping plan, so that each final PUD plan can fit into an overall unified design. It is probably wise to approve the current plans as a conceptual framework, and require detailed

master plans at the first final PUD (i.e., Menard's store) plan stage. Staff recommends this master plan be reviewed and approved by the Landscape Review Committee at that time.

The Front Door Committee has met several times to discuss the Menard proposal and its potential effects on the SR 46 corridor, including one meeting with Tom O'Neil representing Menard Inc.. Included is a memo from the committee, outlining its stance on the proposal and recommending some stipulations they would like to see added to the PUD approval. The planning and engineering staff participated in these discussions and staff would concur with the Committee's recommendations.

Several Front Door recommendations deal with property outside the area proposed for PUD rezoning specifically, the first and fourth bullet points under item (4), and item (5)- and hence cannot be part of any formally adopted rezoning commitments. However, if Menard Inc. is willing to publicly state their support for those items, we believe the community will have sufficient assurance that they will be addressed in development of the project east of Brex Park.

There are few if any issues regarding annexation that haven't been addressed previously in the report. Indiana law requires that a fiscal plan - i.e., benefits and cost of annexation - be considered for each request. Staff sent information to all city department heads and asked for comments on benefits and costs. Not all departments responded, but of those that did, the net impact was seen as negligible. Staff concludes that there appears to be no fiscal impact as defined by the state Code.

Although Menard Inc. has revised the preliminary PUD plan, we have not received an revised preliminary subdivision plat. This is understandable and expected, given the subdivision of property in a PUD is logically subordinate to the PUD zoning. It is reasonable to provide the applicants with an answer on the zoning questions before they received approval of the subdivision.

Menard Inc. could submit a revised plat by the fourth week of October in time for the November Plan Commission meeting. This timing would still allow plat approval within the rezoning time frame, assuming favorable Plan Commission recommendation at today's meeting and subsequent progression at the City Council level.

Mr. Hunt also read into the record a memo from David Hayward, City Engineer on the Traffic Impact Analysis which was passed out to board members.

Also a memo from the Front Door Committee was given to board members. Mr. Hunt read the letter into the record.

A copy of the Columbus Crossings Site Development Agreement Letter of Intent executed by and between Linden Hotel Corp. and Menard, Inc. was passed out to the board members. The same establishes the framework for a more inclusive agreement to follow which will contain a number of standard contract provision, such as severability, amendment, time frames, etc.

Mr. Gifford stated that the Park Department was concerned about people trails in the development. He asked if they would be incorporated into the plans. Mr. Hunt said that would be for future

discussion.

Ms. Zeigler asked if each parcel as it is developed would come before the board for review. Mr. Hunt stated that there would be final PUD for each lot.

The land that is zoned B-5 cannot become part of the conditions of a PUD, stated Mr. Hunt, unless it is rezoned.

Ms. Zeigler asked if the stop light at the Ramada Inn crossing would have a pedestrian cross over as well as the one at Brex Park. Mr. Hunt stated that was on the final recommendation of staff.

Mr. Hawes asked about what was proposed for Carr Hill Road and the new intersection. Mr. Hunt stated that Carr Hill will continue on the current line, Brex Park comes down and angles where Carr Hill goes south and Brex Park will be a full road through where Carr Hill Road goes now. (Roger I am not sure this is correct.) Mr. Hunt stated he was not sure exactly how the intersection would be installed whether there would be a stop sign or what would happen. Mr. Hawes asked if sidewalks would be extended throughout the project. Mr. Hunt stated that the decision of sidewalk would be made through the subdivision process as a rule. The proposal from July stated there would be sidewalks on one side of Brex Park Drive. There will be a pedestrian access across from the people trail that comes from Speedway and would go into the project. (I am not sure this is correct). Mr. Hawes asked if lighting had been addressed at this time. Mr. Hunt said it had not been reviewed at this stage it would come in as a final PUD. It would be reviewed at the final site plan stage.

Mr. Thomas O'Neil represented the petitioners.

He stated they had been working with the Columbus City staff throughout the whole process and thought they had come up with a plan that was acceptable with most everyone. He said it was the purpose of Menard to develop the 170 acres as a shopping mall. The most logical thing was to go forward with a PUD zoning, annexation and a subdivision. This was done at the July 2001 meeting and received comments, plan commission recommendations for additional information that deemed to be important to members. He stated that they have tried to address those issues and some of the public comments raised at that time. He said they are bringing before the Board a plan that puts Menard's best foot forward and will try to answer some the public's concern at this meeting.

Mr. O'Neil gave a brief background of the Menard family business. He explained that the yard area would be enclosed with a fourteen foot high treated lumber fence which has benefits for Menard's as well as the City. You cannot see through the fence. There would be in excess of 495 parking spaces in front of the Menard's store. Since he last came to the plan commission in July some of the concerns which were raised at that time related to storm water and flood fringe area. At this point they have hired George Lukas as an engineer to answer any questions the public might have. There were questions raised regarding landscaping. Mr. O'Neil stated when he first came to the City, things were in the original concept stage, and they did not detail the landscaping plans as such. It has been the intent of Menard's to address this at the appropriate time and put together a very extensive landscaping plan, which is shown on the Menard's site plan this evening. Another concern at the July meeting was access to the site, particularly the western portion, and the length of the cul- de- sac.

He stated that there were safety issues raised because of these two factors. He stated that they had been working with Dick Johnson, who owns the Ramada Inn, to come together with a mutual plan to develop a portion of that property for access into the site. In the interim he stated they had met with the Front Door Committee. He stated that Menard's had revised their plans and were willing to meet their requirements for approval of the project.

Paris Bingham Architect showed an animation of the project and how the property could be impacted from different points and locations. The landscaping was depicted in this animation and the Menard's building itself was shown.

Mr. O'Neil also showed still pictures of the project to the Board of the animation which depicts the first PUD plan which is Menard's. He expressed that would like to move forward as quickly as possible. The remainder of the development would be phased in at different times as the need arises.

He stated that the photos were taken from the over pass from I-65, under neath the by pass , from in front of Burger King and also from the property east of this area. Mr. O'Neil stated that they have attempted to show by super imposing into these photos as to what the property would look like from the different vantage points. Mr. O'Neil showed several still pictures of the surrounding area to the board.

Ms. Zeigler stated she would like to see a picture from I-65 going north on the interstate.

Mr. O'Neil stated at this point, Menard, Inc. believes they have done their best to address the questions that were raised in July.

Mr. Hawes asked if parking would be developed at the time Menard's was built. Mr. O'Neil stated that would be accomplished on a user by user basis.

Mr. O'Neil said that all the site work would be done at one time as they would need to build up the Menard site to meet the required flood elevation for construction. All areas would be built to the minimum flood elevations areas. The entirety of Brex Park would be constructed at that time and Merchant's Mile to the west cul- de- sac would also be constructed at the same time. Also the connection through the Ramada Inn would be done at that time.

Mr. DeLap asked if grass would be maintained. Mr. O'Neil stated that it would be. Mr. DeLap asked Mr. O'Neil to express his feeling on the items that the Front Door Committee had recommended. He stated that they would be willing to work and try to meet all their all their requirements or requests in the memo.

Mr. DeLap said Mr. Thomasson left the meeting immediately after he realized there was a conflict of interest. Please note that this was at the very beginning of the Menard's case.

Mr. DeLap opened the public hearing.

Ms. Stephanie Pierret spoke in opposition to the project. She also expressed concern that the entire property was not being developed as PUD.

Mr. Michael Graven expressed concern about not being notified of the meeting and the impact Menard's would have on the community.

Mr. Dennis Tibbets stated there would be flooding in the area.

Mr. Hutch Schumaker a representative from The Front Door Committee stated that they were appreciative that Menard had agreed to meet with them three times. He stated that if this subdivision was allowed, the committee was concerned with what the visual impact it would have on the community. He stated that Menard's has agreed to almost everything that they suggested in the memo. Some issues will be addressed at a later date when the PUD's are filed in the future.

Ms. Natalie Roll expressed opposition to the Menard's project.

Mr. Dick Knobloch asked if Jack Heaton would be allowed to vote as he arrived at the meeting late. Mr. Whitted legal council replied yes.

Mr. Terry Whittker expressed opposition to the Menard's project. He stated he had not heard one word about Columbus from Menard's.

Mr. Peter Desanto asked Mr. Hunt about the traffic lane in the area if they would be two or three lanes. He also expressed concern about the height of the fence. Mr. Steve Rucker replied that between Carr Hill Road and I-65 there will be four lanes.
(Roger I don't know if this is right or not.)

Mr. Ray Gibson spoke in favor of the development of Menard's in the community. He stated that the competition would be good for existing businesses.

Mr. Bob Dalmbert owner of Charwood Development spoke in favor of the development. He stated that he could find no objection to this project locating at this site. He stated that he thought that the overwhelming part of the community also supported this development.

Ms. Elaine DeClue expressed concern about all the empty big box building that already exist in Columbus.

Mr. DeLap closed the public meeting.

George and Marty Lukas put together the hydraulics for both the store mart as well as the flooding. Mr. Lukas stated that the flood plain has been studied by FEMA. The flood is divided into two parts one is floodway fringe, which can be filled in its entirety and does not cause an increase in flooding. He stated that filling in floodway fringe will not have an impact on flood levels. Mr. Hawes asked if the parking lots would be filled with water. Mr. Lukas stated that it would be filled to the correct elevation and that would not happen in this case. He stated it was in the 100 year flood plain.

Mr. O'Neil stated that the fencing has a roof area on top and would not exceed the top. There will be no visible sight of pallets or material for sale that exceed the height of the roof top.

Mr. O'Neil stated that what Menard's would offer to Columbus is two fold. He stated they have attempted to come to the City, give the City some control over the development and as part of the architectural awareness of the community have tried to cooperate with all those concerns.

Mr. O'Neil stated that in answer to the question of why this was not all being developed as PUD as Menard does not yet own the property that is zone B-5. He stated the O'Connor's did not want to rezone and in conversation with Mr. Hunt he stated that if Menard goes forward they would come back and voluntarily request that it be rezoned to PUD.

Mr. O'Neil stated they would be bringing a detailed sign plan before the Board.

Mr. O'Neil said that lighting standard Menard uses adhered to in all instances is referred to cut off illuminating lighting. It is downward reflecting and free of glare. There is not a lot of spill over into other areas.

Mr. O'Neil stated that the visual site from I-65 North would be minimal.

Mr. Hawes asked Mr. O'Neil if INDOT had already agreed to the stop light at Brex Park. Mr. O'Neil stated that Menard has talked to the city engineer and Mr. Hayward stated that based on the scope of the development that a signal would be needed. Menard made contact with Bill Fairbock a traffic engineer and met at the Seymour district office. The traffic engineers from INDOT were present and they set up the scope of a traffic study that needed to be conducted, they indicated they wanted to study the Carr Hill Road entrance on SR 46 , the Brex Park Drive entrance on SR 46 as well as the on and off ramp of the interstate to the east. Based on subsequent scope set forward by the DOT Menard's engineer went forward with a traffic impact analysis which judged the existing traffic there, the projected traffic volume based on the additional square feet of retail development which could potentially be there and the percent increase over a ten year period of traffic which would occur. Based on those three things and the final traffic impact study Menard had in place that addresses all three of those entrances on SR 46 and stated that potentially the level of service would be acceptable to Dave Hayward and then it is subsequently submitted to the INDOT office. The traffic study indicated a number of turning lanes would be necessary and that signalization is warranted.

Mr. Hawes asked if the State had responded in a written letter to this. Mr. Rucker said he was not aware if they had or not. Mr. Rucker stated that they are timely in their response.

Mr. Hawes also expressed concern about the lighting on SR 46. Mr. Rucker stated that would the State that would address this issue. Mr. Schumaker stated that the lightening plan is in the front door plan and that was approved three years ago by the front door committee. He also stated that the lighting plan Menard is proposing is compatible and also the landscaping plan will be reviewed by LRC staff. That will be in accordance with the front door plan. Mr. Schumaker stated that all of the concerns of the front door had been met by Menard's.

Mr. O'Neil stated a report was submitted to Department of Indiana Transportation three weeks ago. However since that time we have had to submit supplement reports based on a third access road being the Ramada Inn site. That has been studied and submitted to the DOT.

Mr. DeLap asked about the roof top screening. He suggested that they be painted with non reflective material that would allow them to blend into the buildings. Mr. O'Neil stated that typically there is a screen that goes around them and he stated that they could agree to that.

Mr. Hawes stated that he was aware that Menard's sponsors race cars, he wanted to know what else Menard's does. He stated he wanted to specifically what their intent has been in other communities. Mr. Hawes said this has nothing to do with planning but "give me some tummy comfort". He also expressed dissatisfaction with the height of the fence. He also asked what Menard's would do for the community if they locate here. He asked if they would donating to the United Way, help the Boys and Girls Club, Foundation for Youth, etc. He asked for assurance that they would be a good corporate citizen. Mr. O'Neil stated that Menard's as a rule does participate in the United Way. He stated that their requests for monies are normally directly to the general corporate offices and the decisions are made there. He stated that the owner himself was directly involved and made hands on decisions himself that he is interested in.

Ms. Zeigler asked about the roof tops. She wants to see screening of the development site that is coming closest to the highway going north and coming off I-65 ramp. She wanted to go on record that those closest to the interstate should have the best screening. She also wants curb lines and stated it would be much more eye pleasing. She stated she was also concerned about how many businesses that would be put in this area. She also stated that she would like more landscaping along the fences. Mr. O'Neil stated they were trying to comply with the landscaping and it would be going before the Landscape Review Committee for approval for each PUD.

Mr. Hatter asked Mr. O'Neil who is responsible for facility maintenance at the Menard stores.

Mr. O'Neil stated that Menards will be responsible for the maintenance of their property; i.e. parking area, landscaping, facade, etc. He stated that once the streets in this development are built and meet City standards, the streets will be dedicated to the City of Columbus. He added that any retailers adjoining or adjacent to this property will sign a reciprocal easement agreement. This agreement gives the uses cross access to use our parking area and drive isle. In this agreement it states that Menard Inc. is responsible for maintenance. Depending on the users size they will pay Menard Inc. for maintenance.

Mr. Gifford stated that the plan commission did not receive a substantial amount of information regarding this case until about two hours ago. Therefore, he does not feel that without further review, he can make an informed vote. Additionally, he would like for the City Engineer to be part of this voting process and to draw on his expertise.

Motion: Mr. Gifford made a motion to continue PUD-01-02, ANX-01-02 and PP-01-03 until the plan commission has had adequate-time to review the newly presented material and the City Engineer can be present. Ms. Zeigler seconded the motion, and the motion failed due to a tie vote of 4 yeas

and 4 nays. The dissenting votes were Mr. Bonnell, Mr. Hatter, Mr. DeLap, and Mr. Heaton.

Mr. Hawes stated, as being the liaison from the City Council, that he does not want to forward these cases onto City Council without a recommendation from Plan Commission.

Parliamentary discussion took place among the plan commissioners.

Mr. O'Neil stated that he acknowledges that some of the information was not available until today for review. One of those items was reaching an agreement with the owners of The Ramada. Once this agreement was reached three weeks ago, at that point a new traffic study was done incorporating this new access point. Once these analysis were completed they were forwarded onto the City as quickly as possible. Mr. O'Neil added that Menard Inc. has done all that staff, plan commission, and the front door committee have asked of them. He stated that Menard Inc. is making a good faith effort.

Mr. Hawes requested a roll call vote along with the ballots.

Motion: Mr. Gifford made a motion to continue PUD-01-02, ANX-01-02 and PP-01-03 until the plan commission has had adequate time to review the newly presented material and the City Engineer can be present. Ms. Zeigler seconded the motion. And the motion carried as follows:

Mr. Hatter - nay
Mr. Hawes - yea
Mr. Bonnell - nay
Mr. DeLap - yea
Ms. Zeigler - yea
Ms. Todd - yea
Mr. Gifford - yea
Mr. Heaton - yea

Mr. DeLap reported that the motion to continue carries with the two nay votes being Mr. Bonnell and Mr. Hatter. Mr. DeLap asked that the commission members complete a separate ballot for each request; PUD-01-02, ANX-01-02, and PP-01-03.

Mr. O'Neil asked the commission members what he should supplement for the next meeting.

Mr. DeLap stated that he understood from the comments made by the commission that it is nothing that Menards Inc. can add. The continuance was more for the commission members to digest the newly presented information. Mr. DeLap thanked Mr. O'Neil for his patience.

Ms. Zeigler advised Mr. O'Neil to "go to that committee that allocates money for charity and find out what they really do, so that we have an understanding of what Medards does in communities."

Mr. Page Gifford had to leave at this time.

October 24, 2001
Plan Commission
Meeting Minutes Excerpt

**COLUMBUS PLAN COMMISSION
SPECIAL MEETING
OCTOBER 24, 2001 AT 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
123 WASHINGTON STREET
COLUMBUS, INDIANA**

Members Present: John DeLap President, Craig Hawes, David Hayward, Jack Heaton, John Hatter, Shirley Todd, Page Gifford, Patricia Zeigler and Dave Bonnell.

Members Absent: Mike Thomasson and Gary Nienaber

OLD BUSINESS REQUIRING COMMISSION ACTION

PUD-01-02 Menard Inc. / Columbus Crossing Rezoning: A petition by Menard Inc., on behalf of O'Connor Farms LLP, Marie L Weber, Linda A O'Connor, Trustee, and Donald and Sharon Voelz, to rezone four property tracts totaling approximately 116.61 acres, located immediately south of Jonathan Moore Pike, west of Carr Hill road, and east of Interstate 65, from AG (Agricultural), B-4 (Highway Business), and I-1 (Restricted Industrial) to PUD (Planned Unit Development), for the purpose of developing a multi-tenant shopping center with related services and infrastructure, to include a home-improvement retail business of approximately 162,340 square feet on a parcel of approximately 14 acres therein.

ANX-01-02 Menard Inc. / Columbus Crossing Annexation: A petition by Menard Inc., on behalf of O'Connor Farms LLP, Marie L Weber, Linda A O'Connor, Trustee, and Donald and Sharon Voelz, to annex to the City of Columbus, Indiana, two areas contiguous to each other and to the current city boundary, totaling approximately 68.38 acres, for purpose of commercial development and provision of related services and infrastructure. The properties are located generally south of Jonathan Moore Pike, west of Carr Hill Road, and east of Interstate 65.

Mr. Hunt presented the background information on this request.

Approve PUD rezoning, subject to the following commitments:

- 1. Permitted uses in the project shall be as specified for the B-4 zoning district, Sec. 17.32.020-040 of the Columbus Zoning Ordinance.**
- 2. The final PUD plan for the Menard Inc. store shall be the first final PUD plan submitted and approved for the property, and all references herein to the "first final PUD plan" shall mean the PUD plan for the Menard Inc. store.**
- 3. The "Columbus Crossings Site Development Agreement Letter of Intent", executed September 19, 2000, shall govern the arrangements for providing traffic access through the current Ramada Inn property to the Menard Inc. property, subject to any modifications in the traffic study.**
- 4. Traffic signals:**
 - a. The developer shall be responsible for its proportional share of the cost of designing and installing both of the traffic signals on SR 46 as indicated in the traffic study, according to city and INDOT policy.**

be designing capacity in the road system that serves this element to handle the projected traffic plus any other traffic that is anticipated in the area of development.

Mr. Tom O'Neil represented Menard's.

Mr. O'Neil stated that he hoped the commission had time to look over the material that had been presented at the last meeting.

Mr. O'Neil said that they had come to an arrangement with the Ramada Inn property ownership for the second access and have had to calculate into that there will be some additional fill necessary. He said Menard's would like to find some fill on site as it would be less expensive. Mr. O'Neil stated that after their engineers had determined how much fill would be needed, they would know how much they would be taking from the retention ponds.

Mr. O'Neil said that the site plan had not changed from the original, but have tried to implement the Front Door's suggestions into the plan including more landscaping, broken up some of the larger bunch of trees and spread them out to make smaller areas. He stated that in the Menard's site plan they have shown vertical landscaping islands that break up the facade of asphalt in that area. A sidewalk has been depicted in that area for pedestrian traffic.

Mr. O'Neil stated when the users come forward on final PUD plans in the future several landscape islands will be implemented in the gradual natural development of this area.

Mr. DeLap opened the public hearing with the following conditions: It will be 1) The first people that will be allowed to speak have not spoken before at a previous public hearing on this matter 2) After that, people who have previously spoken will be limited to three minutes per person.

Mr. Don Munger stated if Menard's was approved it would curtail the small mom and pop stores that are currently operating. He stated he wanted to live in Columbus as it was and how it should be.

Mr. Phil Pugsley stated he had lived here for fifty five years and stated that the only reason Menard's should not be built is because the land is farmland. He said that Columbus does need to grow.

Mr. Richard Finke stated he was in favor of Menard's locating here.

Mr. Terry Marbach talked about the development of the proposed Comprehensive Plan Phase II that has yet to be adopted. He also expressed concern about all the empty retail space in Columbus.

Ms. Pierret asked about landscaping on areas they do not own. She suggested that the remaining property be rezoned PUD by Menard's. She expressed concern about safety.

Mr. Ray Gibson expressed concern about Menard's locating on a highway that is intended to be widened. He also expressed concern about mom and pop stores not being able to compete with the larger developments. He spoke in favor of Menard's development and stated they deserved approval from the commission as they had complied with everything they requested.

Mr. Peter Desantis stated that he had observed people walking along the area. He said he asked them what they were looking for on the site. They told him that there were three locations on that site that perhaps that was an historical site and they were doing an archaeological study for that area.

Mr. DeLap closed the public meeting.

Mr. O'Neil stated that if Menard was approved they would be purchasing the total 170 acres and the landscaping would be part of the total plan. Mr. O'Neil stated that the people who were exploring the site had been contacted by Menard's to do this in case there was any historical or archaeological sites located there. Mr. O'Neil stated he did not know the results of this so in investigating they were attempting to meet the standards that had been set by the Historical Department of Natural Resources.

Mr. O'Neil stated that Menard's wants to be in Columbus, they have made that their intention from day one. He said he believed the true issue was whether it is orderly development or disorderly. He said there was land zoned B-5 that Menard could build on at the present time. He said it was their desire to develop this in an orderly fashion, unity and a planned unit development that would allow them to move in this direction. This will give the city additional review for the property as it is being developed.

Mr. DeLap stated he had three letters and one phone call regarding this matter. They were read into the record. Kathy Barr objected to the development. The phone call was from Mr. Lee Clemmons to express support for Menard's. Jerry Wasson expressed support for Menard's in a letter. Mr. Herb Hoover also expressed support for Menard's.

Mr. Hayward stated that he had reviewed the record about the discussion that took place at the last meeting. Mr. Hayward stated this is a land issue decision and that is what the State Law requires this Board to look at is land use. He stated this is not a vote on whether Menard's should be allowed to build a store as there is current zoning that would allow that now. This land is currently zoned a mixture of B-4, B-5, I-1 and Ag. This should not be a decision about how much money Menard or any other business going in there should contribute to the community. This should not even be considered. Mr. Hayward stated the vote should not be based on how it will effect other businesses in the community. State Law says the board should look at the current adopted Comp Plan, not plans that are in the discussion stages but what is currently in place and adopted. Mr. Hayward said to him it was a simple decision, do we leave the zoning as it is today, we won't see plans for approval or do we want to approve the request to change to PUD zoning which allows this Board to see plans, allows the Board to set some higher standards for the development and we would review this to ensure it meets the standards which have been set. Mr. Hayward stated to him this was a simple land issue.

Ms. Zeigler stated she appreciated the time frame for these two weeks which the statements from the staff report is much more clear. She stated that made a difference on how she understood the land use issues.

Mr. Gifford asked if Menard's would seek to rezone the entire project if this is approved. Mr. O'Neil said that as part of the plan commission review recommendation on the project and as part of our discussions with staff we specifically indicated that Menard Inc. would be unable to agree on the record that we rezone the entire project to PUD until Menard is the owner. He stated that once Menard Inc. owns the property they would come back and rezone it to PUD. But Mr. O'Neil stated at this time he could not commit to rezoning the B-5 to PUD until they are the owners of record.

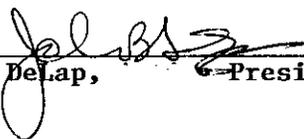
PUD-01-01 Menard Inc./Columbus Crossing Rezoning: Motion was made by Mr. Hayward to approve this request with 16 staff comments recommendation. Mr. Bonnell seconded the motion and it carried with a vote 8-1. Ms. Todd being the nay vote.

ANN-01-02 Menard Inc./Columbus Crossing Annexation: Motion was made by Mr. Gifford to approve this request. Mr. Heaton seconded the motion and it carried with a vote of 8-1. Ms. Todd being the nay vote.

PP-01-01 Menard Inc./Columbus Crossing: Motion was made by Mr. Hayward to continue this request. Mr. Bonnell seconded the motion and it carried with a vote of 8-1. Ms. Todd being the nay vote.

Mr. Hunt reminded the public that this will go to the City Council at the November meeting for the first reading.

ADJOURNMENT: 4:50 p.m.



John Delap, President



David Hayward, Secretary