



**CITY OF COLUMBUS
BOARD OF ZONING APPEALS
(November 26th, 2013 Meeting)**

STAFF REPORT

Docket No. / Project Title: C/CU-13-20 (Westside Community Church)
Staff: Leanne Wells
Applicant: Westside Community Church
Property Size: 31.1 Acres
Zoning: RS2 (Residential Single Family 2)
Location: 124 Tipton Lakes Boulevard, Columbus, IN

Background Summary:

The applicant has indicated that the proposed conditional use will allow relief from planting a required buffer along the southern property line boundary. In August 2010, the Board of Zoning Appeals approved the applicant's Conditional Use (C/CU-10-11) to develop a worship facility that must comply with "P" (Public/Semi-Public). At that time, a landscape buffer was required according to Section 8.2 (E) of the Zoning Ordinance because the property to the south of the applicant's was intended for residential development. The southern property has since been purchased by Bartholomew Consolidated School Corporation as a potential school site.

Key Issue Summary:

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

Should the applicant be relieved from planting a landscape buffer along the southern property line due to the Bartholomew Consolidated School District's purchase of the parcel to the south?

Preliminary Staff Recommendation:

Approved: The applicant has met Criteria 1, 2 3 and 4. The applicant should be subject to the following commitment: The owner of the subject property shall install and maintain a Type B landscape buffer along the south property line as specified by Zoning Ordinance Section 8.2 (E), should the property directly to the south be developed for residential use.

Zoning District Intent:

The intent of the RS2 (Residential Single Family 2) zoning district is as follows:

To provide areas for moderate density single-family residences in areas with compatible infrastructure and services. Development in this zoning district should generally be served by sewer and water utilities. Such development should also provide residents with convenient access to Collector and Arterial streets, parks and open space, employment, and convenience goods.

Current Property Information:	
Land Use:	Proposed worship facility
Site Features:	Large parcel with wooded interior to provide buffer to the west for future residential if needed.
Flood Hazards:	None
Vehicle Access:	Tipton Lakes Blvd. (Collector, Residential, Suburban)

Surrounding Zoning and Land Use:		
	Zoning:	Land Use:
North:	AP (Agriculture: Preferred)	Agriculture, Single Family Residential, Farm Market
South:	RS2 (Residential Single Family 2)	Undeveloped
East:	RT (Residential: Residential Two Family)	Single Family residential
West:	AP (Agriculture: Preferred)	Agriculture, Single Family Residential

Interdepartmental Review:	
City Engineering:	No comments provided.
City Utilities:	No comments provided.

Planning Consideration(s):

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

1. The petitioners received a one-time approval for a three-phase worship facility in August 2010. They are proposing to construct a 34,600 sq. ft. worship facility in Phase I with 257 parking spaces, a 31,200 sq. ft. sanctuary in Phase II with 432 parking spaces and a 27,500 sq. ft. sanctuary addition in Phase III with a grand total of 1,366 parking spaces. The maximum seating capacity once all three phases are complete will be 2,800 seats. In addition to a 103,300 sq. ft. worship facility they are wishing to construct a 7,000 sq. ft. Youth Center, a 576 sq. ft. storage building, a pavilion, gazebo, chapel, pond, baseball diamond, volleyball court and a basketball court that is incorporated into the parking lot. Along the southern property line, a road is proposed that connects the parking lot containing 191 spaces to a parking lot containing 48 spaces for use by the proposed baseball field. The drive and ball park parking lot are approximately 60 feet from the southernmost property line.
2. Conditional Use CU-10-11 Finding of Fact, Criteria #4 is instrumental when discussing planning considerations for this case. In this original approval, the Board of Zoning Appeals found that this church is an appropriate use in residential zoning district because the existing infrastructure is present to support the needs of the church without causing problems for adjacent homes.

3. The original approval was contingent on the church's development meeting the standards of the P (Public/Semi-Public) Zoning District. The property to the south is zoned RS2, therefore a buffer yard Type B would be required along the south property line. A Type B landscape buffer consists of a minimum width of 15 feet, 65 landscaping points to be provided per every 50 linear feet. At least 50% of the points required must be evergreen trees and shrubs. The southern property line is approximately 1200 feet long. The petitioner's original intent was to provide the required buffer because of differing uses—the church vs. single family residential.
4. The parcel to the south was purchased by Bartholomew Consolidated School Corporation in January 2013. In a letter dated Oct. 22, 2013 to the City of Columbus Planning Department, Superintendent John Quick stated that *"It is neither the desire of BCSC nor of Westside Community Church to have such a significant division between our properties. Inasmuch as each of our organizations desire to be visually open and accessible to each other, as well as our community, BCSC would support the relief of Westside Community Church from having to construct this berm."*
5. The applicants have indicated their intent to install the appropriate landscape buffer should the property to the south be developed for residential use.

Comprehensive Plan Consideration(s):

The Comprehensive Plan designates the future land use of properties in this area as Estate/Cluster Development.

The Comprehensive Plan includes this property in the Western Hills character area. The following planning principles for that character area apply to this application: None

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

1. Policy I-2-1: Encourage new public facilities to be constructed in locations where adequate infrastructure and services are in place.
2. Policy I-2-4: Promote design excellence in public buildings.

Provisional Findings of Fact/Decision Criteria:

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

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

Provisional Findings: The omission of the landscape buffer along the southern boundary of the property will not affect the health, safety or general welfare of the community due to the purchase of the property directly to the south by the Bartholomew Consolidated School Corporation. The use of the applicant's property for a worship facility and the schools use of the property are aligned in that both development's will follow similar guidelines. *This criterion has been met.*

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

Provisional Findings: By requiring the development standards of the "P" (Public/Semi-Public) Zoning District this would be consistent with the intent of the Zoning Ordinance for worship facilities. As long as development standards of the P District are met this criterion has been met. This provision is enhanced due to the purchase of the property to the south by the Bartholomew Consolidated School Corporation which for all practical purposes will either 1) rezone to P or 2) request a Conditional Use for school development in a residential zoning district. Considering the likelihood of a school rather than a residential neighborhood to the south, *this criterion has been met.*

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

Provisional Findings: The omission of the landscape buffer along the southern boundary of the property will not affect the health, safety or general welfare of the community due to the purchase of the property directly to the south by the Bartholomew Consolidated School Corporation. The use of the applicant's property for a worship facility and the schools use of the property are aligned in that both developments will follow similar guidelines. *This criterion has been met.*

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

Provisional Findings: Worship facilities are appropriate uses in residential zoning districts provided the streets are suitable to the increased traffic and adjacent properties are not burdened by the church's operations. The infrastructure is present and the property is located within the City's limits and has access to all of the City's services. The Comprehensive Plan encourages development to meet certain design standards such as landscaping, setbacks, parking, and signage. The church has provided a landscape plan that conforms to these requirements. In addition, the likelihood of a school rather than a single family housing developing to the south will align the two properties' development guidelines. *This criterion has been met.*

Board of Zoning Appeals Options:

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

BARTHOLOMEW CONSOLIDATED SCHOOL CORPORATION

ADMINISTRATION BUILDING
1200 CENTRAL AVENUE
COLUMBUS, INDIANA 47201

DR. JOHN B. QUICK
SUPERINTENDENT

PHONE: 812-376-4220
FAX: 812-376-4486

Board of Zoning Appeals
City of Columbus, Indiana

October 22, 2013

To Whom It May Concern:

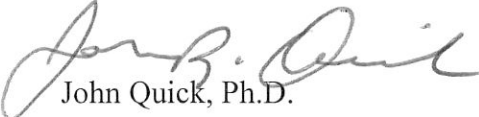
I am writing this letter in support of a request of variance in zoning regulations being submitted by Westside Community Church. I ask that you consider this appeal during your scheduled November meeting.

As you are aware, Bartholomew Consolidated School Corporation has recently acquired a section of property along the newest extension of Tipton Lakes Blvd, just south of the junction of Tipton Lakes Blvd and State Road 46. Our property borders the south property line of the 31.47 acres owned by Westside Community Church. Currently, BCSC has not yet applied for a change of zoning status of our newly-acquired property. At some point in the future, this would be our intention. However, given the current residential zoning of our property, Westside Community Church is required to construct a rather extensive berm dividing our two property lines. The design of this berm would be approximately 1,200 feet long, thirty feet wide, and three feet high. Also, a significant number of trees and shrubs would need to be densely planted in it as well. Its intended purpose is to create a visual barrier between potential residences and the more commercial look of the church building and parking areas.

It is neither the desire of BCSC nor of Westside Community Church to have such a significant division between our properties. Inasmuch as each of our organizations desires to be visually open and accessible to each other, as well as our community, BCSC would support the relief of Westside Community Church from having to construct this berm. Should the BCSC property ever be determined to be unsuitable for a school location and be re-purposed for residential use, as per their agreement, Westside Community Church has stated their willingness to construct this berm in the future.

Thank you for your consideration in this matter. Should you need to have a personal conversation with me, please do not hesitate to contact my office.

Kindest Regards,



John Quick, Ph.D.
Superintendent of Schools



Deeper Learning Works

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November 4, 2013

Columbus City Planning Department
123 Washington Street
Columbus, IN 47201
Attn: Ms. Leanne Wells

Re: Westside Community Church Conditional Use (Docket #C/CU -13-20)

Dear Ms. Wells,

In regard to the above referenced Conditional Use Application, it has come to my attention that, although unlikely, the Bartholomew Consolidated School Corporation could determine that the school property adjoining the church site to the south could be unsuitable for a school location and could be re-purposed for residential use.

Should the school property be re-purposed and developed for residential use, Westside Community Church will install the appropriate landscape yard buffer at that time.

With that said I would like to amend our request accordingly. i.e., changing the language from “*no landscape buffer yard shall be required along the south property line*” to “*delaying the installation of the required landscape buffer yard along the south property line until the time the property to the south is developed for residential use*”.

Thank you for your consideration in this matter and please feel free to contact me if you have any questions or need additional information.

Best regards,

A handwritten signature in black ink, appearing to read "George Lukas", is written over a light blue horizontal line. The signature is fluid and cursive.

George Lukas

cc: Doug Thomas, WCC