



Staff Report BZA23-002-VA

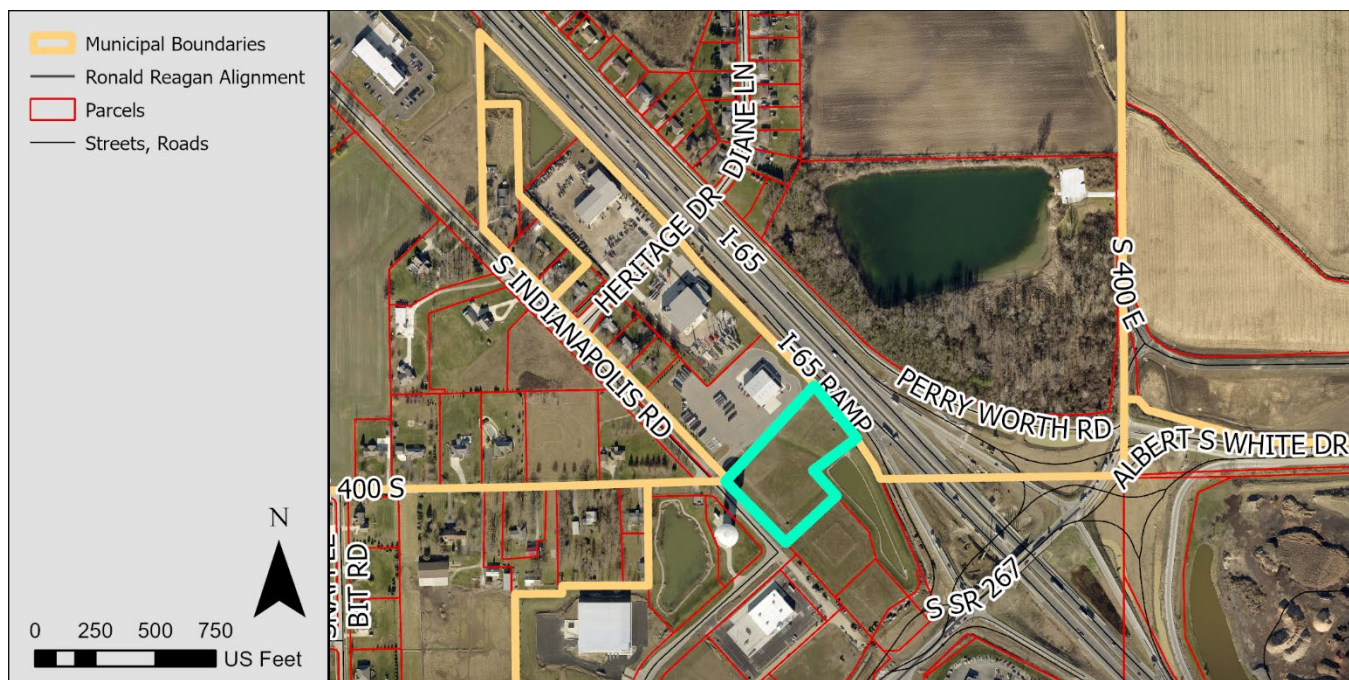
Blue Beacon Parking | Color | Landscaping

Meeting Date: May 4, 2023

Docket BZA23-002-VA Blue Beacon Parking, Color, and Landscaping Variances. The applicant is requesting four Variances to construct an approximate 14,871 square foot truck wash use on the northeast side of Indianapolis Road. The applicant is proposing (1) 42 parking stalls where the maximum is 14.8; (2) using a bright color as a primary façade color rather than an accent; (3) plantings street trees further than 25 feet from the right-of-way; and, (4) relocating bufferyard plantings to other locations on site. The applicant is Blue Beacon International, Inc. on behalf of the owner Whitestown Crossing, LLC.

Site Location

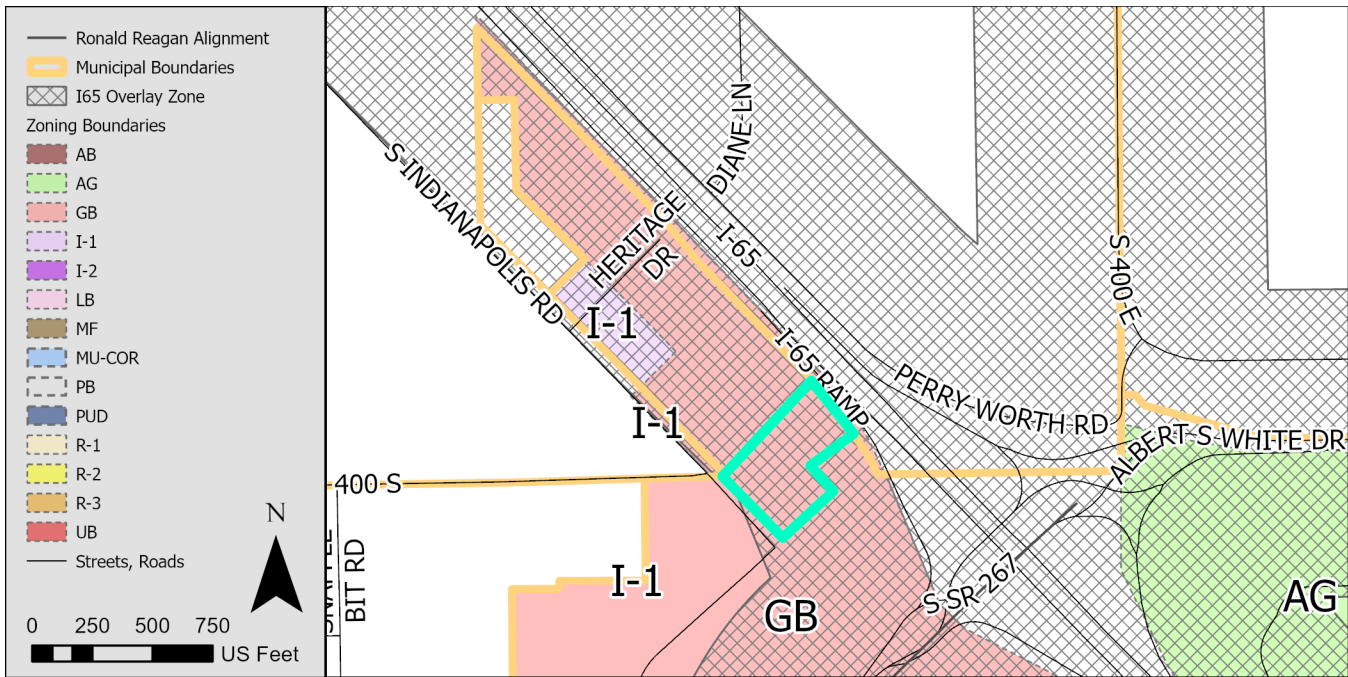
The site is located on the northeast side of Indianapolis Road, north of the State Road 267 and I-65 interchange. The site has right-of-way frontage on Indianapolis Road and Interstate-65. The area is surrounded by industrial and commercial uses including businesses such as Tractor Supply, Timpote Trailer, and Ram Tool. The site is directly across the street from a Whitestown water tower.



Zoning

The site in question is zoned General Business (GB). The GB “district is designed to include central business districts in established urban places. This district would be used for most types of business and service uses.” Permitted uses in this zone include but are not limited to government buildings, restaurants, hotels, and offices.

The site is also zoned I-65 Corridor Overlay. The Overlay “is established to provide consistent and coordinated treatment of the properties along I-65 within Whitestown. The I-65 Corridor is a premier office and industrial business location and employment center whose vitality, quality, and character are important to adjacent residents, employees, business owners, taxing districts, and the community as a whole.”



Unified Development Ordinance

Variance Request 1. UDO Section 7.10 G. Parking Requirements Table

COMMERCIAL SALES, SERVICES, AND REPAIR PRIMARY USES	Vehicle Min	Vehicle Max	Bicycle Min
Vehicle/Equipment Sales, Service & Repair			
Service Station, Local	3.5/1,000 of GFA; parking spaces at pumps may be included in count up to 75% of required	No requirement	1/30 vehicle stalls up to 15
All Other Types	0.5/1,000 of GFA	1/1,000 of GFA	1/30 vehicle stalls up to 15

The maximum number of standard parking stalls based on the square footage of the structure is 14.8 stalls. The applicant is proposing 42 parking stalls.

Variance Request 2. UDO Section 2.7 E. 8. E.

Colors. Colors used on building facades must be complementary. Natural, muted colors (earth tones or neutral colors) should serve as the primary façade color, with brighter colors used only as accents.

The applicant is using a bright color known as 'BBI green' as a primary façade color rather than an accent.

Variance Request 3. UDO Section 5.4 A. Street Frontage Landscaping

The front yard must be landscaped with at least 1 shade tree per 35 feet of street frontage (see Figure 5-1). If overhead electric distribution lines are present, ornamental trees with a maximum mature height of 15 feet must be planted and the number of trees planted must be at least 1 ornamental tree per 20 feet of street frontage.

- *Trees fulfilling this requirement must be planted within 25 feet of the right-of-way (see Figure 5-2).*
- *Trees located within the right-of-way between the sidewalk and the street should have a minimum of 5 foot wide road verge within residential subdivisions.*

The applicant is proposing to plant the required street trees along Indianapolis Road a distance of greater than 25

feet from the right-of-way.

Variance Request 4. UDO Section 5.6 D. Landscape Buffer Areas

Industrial Abutting Commercial. Where an industrial district, building, or project abuts a commercial district, building, or project a landscape buffer must be provided by using either Option 1 or Option 2 below.

Option 1. A landscape buffer area at least 10 feet wide must be provided by the proposed development along the shared border. The buffer area must consist of natural landscape materials such as grasses, ground cover, shrubs and trees. Parking or impervious surface areas are prohibited in the buffer area. One shade or evergreen tree and 4 large shrubs must be provided for every 30 linear feet of lot line. Plant spacing should be designed to minimize sound, light and noise impacts.

The applicant is required to provide the buffer to the north adjacent to Timpte. The applicant is proposing to relocate some of the required plantings to other locations on site.

Proposed Development

The site received a Use Variance from the Board of Zoning Appeals in January 2023 to allow this truck wash use in the General Business zoning district (BZA22-011-UV). There were additional conditions with the approval of the Use Variance. At this time the applicant is in compliance with those conditions. The applicant has submitted Concept Plan, Development Plan, and Waiver applications to the Plan Commission (PC23-014-CP/PC23-015-DP).

The submitted materials and staff review indicate the following:

- The proposed structure is approximately 14,871 square feet of building footprint;
 - If a third bay is added in the future the overall building square footage will increase;
 - Proposed building height of approximately 36 feet.
- Proposed on site parking including 42 parking stalls;
- Proposed pedestrian sidewalks along Indianapolis Road and internal to the site;
- Bicycle rack located on site;
- Awnings over all windows and doors;
- Parapet roof structure and metal roof on the tower;
- Proposed exterior building materials including:
 - Pre-cast concrete, Indiana limestone, and ornamental metal.
- Proposed percentages of BBI Green on the four wall facades include 37%, 27%, 33%, and 33%.
- A dumpster and wash out bed on site.

Staff Recommendation

Variance Request 1. UDO Section 7.10 G. Parking Requirements Table

Staff is providing a favorable recommendation for the Blue Beacon parking Variance docket BZA23-002-VA.

Staff's recommendation to the Board of Zoning Appeals finds the variance complies with the following requirements in accordance with UDO Section 11.14 F. 2. And is consistent with Indiana Code IC36-7-4-918.5 and approval be granted upon:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because:
Approval of the variance will not be injurious to the public health, safety, morals, and the general welfare because the proposed use needs to be able to provide parking on site for its employees. It would be unsafe to park along Indianapolis Road or State Road 267 if sufficient parking is not provided on site. The proposed parking offers proper circulation, pedestrian connectivity, and a bicycle rack.
2. The use or value of the area adjacent to the property included in the variances will not be affected in a substantially adverse manner because:

The use or value of the surrounding area to the property will not be negatively affected if the variance is approved because the surrounding area is generally commercial and industrial in nature. Timpte Trailer, adjacent to the site has a similar number of standard parking stalls and Tractor Supply across the street has almost double the number of standard parking stalls proposed. The applicant's proposal to exceed the parking maximum is not out of character with the surrounding area.

3. The strict application of the terms of the Ordinance will result in practical difficulties as applied to the property for which the variance is sought because:
The ordinance's maximum parking standard would limit the applicant's ability to staff the business for practical operations. The business has been operating in other markets for many years and has an understanding of what its employee parking needs are, their analysis is more fine-tuned than the UDO parking table. Truck washes are not an explicit use in the UDO table and may require more parking stalls than the broad Vehicle/Equipment Sales, Service & Repair - All Others category.

Variance Request 2. UDO Section 2.7 E. 8. E.

Staff is providing an unfavorable recommendation for the Blue Beacon bright color being used as a primary color Variance docket BZA23-002-VA.

Staff's recommendation to the Board of Zoning Appeals finds the variance does not comply with the following requirements in accordance with UDO Section 11.14 F. 2. And is not consistent with Indiana Code IC36-7-4-918.5 and denial be based upon:

1. The approval will be injurious to the public health, safety, morals, and general welfare of the community because:
Approval of the variance will be injurious to the public health, safety, morals, and the general welfare because the quantity of bright color may be an unsafe distraction to drivers traversing through the community. The intent is to capture truck driver's attention but it may also distract truck and non-truck drivers because it is not a muted color.
2. The use or value of the area adjacent to the property included in the variances will be affected in a substantially adverse manner because:
The use or value of the surrounding area to the property will be negatively affected if the variance is approved because the intent of the I-65 Corridor Overlay is to foster development that creates a sense of identity. Although adjacent properties are not complicit with the I-65 Corridor Overlay, it does not preclude this site or future site developments from complying with the regulations and contributing to the desired identity. The UDO further states, "Preexisting buildings on adjoining parcels are not a factor in the design of new buildings unless they are consistent with the architectural objectives of this Overlay."
3. The strict application of the terms of the Ordinance does not result in practical difficulties as applied to the property for which the variance is sought because:
The strict application of the ordinance does not result in practical difficulties because the desire for the BBI Green color is a desire of the applicant. The site faces no physical or peculiar conditions that would require the building to utilize an accent color as a primary color. While the UDO does not define what an accent color is, under the Legacy Core District an accent color is noted as a maximum of 10% of the building façade.

Variance Request 3. UDO Section 5.4 A. Street Frontage Landscaping

Staff is providing a favorable recommendation for the Blue Beacon street frontage tree planting Variance docket BZA23-002-VA.

Staff's recommendation to the Board of Zoning Appeals finds the variance complies with the following requirements in accordance with UDO Section 11.14 F. 2. And is consistent with Indiana Code IC36-7-4-918.5 and approval be granted

upon:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because:
Approval of the variance will not be injurious to the public health, safety, morals, and the general welfare because the required landscaping is being relocated to other locations on site. The applicant is proposing a quantity of overall plantings greater than is otherwise required.
2. The use or value of the area adjacent to the property included in the variances will not be affected in a substantially adverse manner because:
The use or value of the surrounding area will not be negatively affected if the variance is approved because the area is generally commercial and industrial in nature. The required quantity of trees are still being placed on site and generally towards the front of the site. The site which would be most impacted by lack of street frontage trees is the Town water tower which is directly across the street.
3. The strict application of the terms of the Ordinance will result in practical difficulties as applied to the property for which the variance is sought because:
The strict application of the ordinance makes results in difficulties due to site constraints. There is an existing utility easement that runs the length of the front of the property. The site faces a physical hardship making it practically difficult to comply with the ordinance. The site has two street frontages and multiple easements throughout the property creating a need for the variance request.

Variance Request 4. UDO Section 5.6 D. Landscape Buffer Areas

Staff is providing a favorable recommendation for the Blue Beacon northern landscape buffer Variance docket BZA23-002-VA.

Staff's recommendation to the Board of Zoning Appeals finds the variance complies with the following requirements in accordance with UDO Section 11.14 F. 2. And is consistent with Indiana Code IC36-7-4-918.5 and approval be granted upon:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because:
Approval of the variance will not be injurious to the public health, safety, morals, and the general welfare because the required landscaping is being relocated to other locations on site. The applicant is proposing as many plantings along the buffer as feasible given the site constraints without over planting and causing detriment to the plants.
2. The use or value of the area adjacent to the property included in the variances will not be affected in a substantially adverse manner because:
The use or value of the surrounding area to the property will not be negatively affected if the variance is approved because there presently is no buffer between the site to the north and the site in question. The proposed plantings should generally shield Timpte from any nuisance of the proposed site.
3. The strict application of the terms of the Ordinance will result in practical difficulties as applied to the property for which the variance is sought because:
The strict application of the ordinance results in difficulties due to site constraints. There is an existing electrical and telecommunications easement that runs the length of the north side of the property. The site faces a physical hardship making it practically difficult to comply with the ordinance.

If the Board of Zoning Appeals approves Variance Request 2, staff recommends either placing a maximum percentage of BBI Green color that is permitted on each façade or the Board can approve the elevations as presented.

Materials Submitted by the Applicant



BLUE BEACON OF SALINA
SITE IMPROVEMENT PLAN
2003 N. NINTH ST., SALINA, KS 67401

C1.2
SHEET 3 OF 12

LEGEND

- Existing Storm Sewer
- New Storm Sewer
- Existing Sanitary Sewer
- New Sanitary Sewer
- Existing Curbside
- New Curbside
- Existing Sidewalk
- New Sidewalk
- Other: Flagpole
- Other: Flagpole
- Top of Catch Basin
- Storm Structure Minimum
- Number of All Sizing Spaces
- Surface Flow Arrow
- Grade Break
- Existing Gas Main
- Existing Underground Telephone
- Existing Overhead Electric
- Existing Water Main
- Existing Fire Line
- Proposed Fire Line
- Future Development

AutoCAD SHX Text
G

GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE KANSAS CONSTRUCTION CODES AND THE KANSAS ELECTRICAL CODE.
2. ALL MATERIALS SHALL BE APPROVED BY THE CITY ENGINEER AND THE KANSAS DEPARTMENT OF TRANSPORTATION AND HIGHWAYS.
3. ALL MATERIALS SHALL BE APPROVED BY THE CITY ENGINEER AND THE KANSAS DEPARTMENT OF TRANSPORTATION AND HIGHWAYS.
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21. ALL MATERIALS SHALL BE APPROVED BY THE CITY ENGINEER AND THE KANSAS DEPARTMENT OF TRANSPORTATION AND HIGHWAYS.
22. ALL MATERIALS SHALL BE APPROVED BY THE CITY ENGINEER AND THE KANSAS DEPARTMENT OF TRANSPORTATION AND HIGHWAYS.

IMPEDIMENT AREA

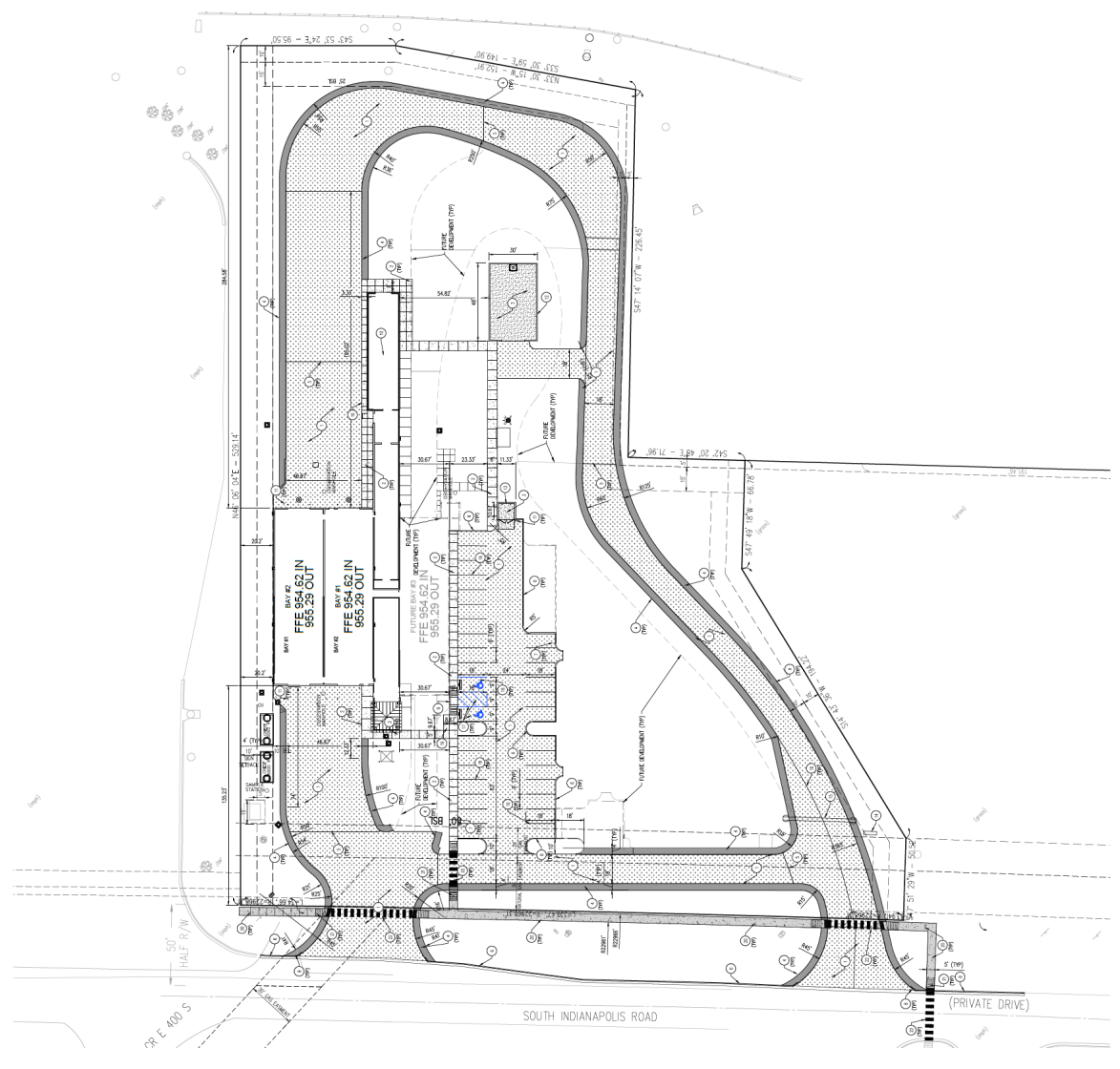
Item	Quantity	Unit
1. Heavy Duty 4-in. Concrete Pavement	10.07	Sq. Yd.
2. Standard Duty 4-in. Concrete Pavement/Shoulder	10.07	Sq. Yd.
3. Standard Asphalt Pavement/Shoulder	10.07	Sq. Yd.
4. Concrete Walk-off	10.07	Sq. Yd.
5. Spill Containment Mat	10.07	Sq. Yd.
6. Concrete Mat	10.07	Sq. Yd.
7. Topsoil	10.07	Cu. Yd.
8. ADA Ramp Type 1	10.07	Sq. Yd.
9. ADA Ramp Type 2	10.07	Sq. Yd.
10. Ramp area with Rough Brown Finish	10.07	Sq. Yd.
11. 4-in. Concrete (Red Steel) Island	10.07	Sq. Yd.
12. Sidewalk Drip Edge Area with wooden fence by others	10.07	Sq. Yd.
13. Memory/Impervious Enclosure by others	10.07	Sq. Yd.
14. Concrete Island	10.07	Sq. Yd.
15. Memory/Impervious Enclosure by others	10.07	Sq. Yd.
16. ADA Blue Pavement Strip, 4-in. x 4-in.	10.07	Sq. Yd.
17. ADA Blue Pavement Strip, 4-in. x 4-in.	10.07	Sq. Yd.
18. ADA Paving Strip	10.07	Sq. Yd.
19. Single Rock	10.07	Sq. Yd.
20. 5" Min. Slope per Wisconsin Standards	10.07	Sq. Yd.
21. ADA Ramp per Wisconsin Standards	10.07	Sq. Yd.
22. Concrete Mat per Wisconsin Standards	10.07	Sq. Yd.

LOT CONFERENCE RECORD

Item	Quantity	Unit
1. Lot Conference Record	10.07	Sq. Yd.
2. Lot Conference Record	10.07	Sq. Yd.
3. Lot Conference Record	10.07	Sq. Yd.
4. Lot Conference Record	10.07	Sq. Yd.
5. Lot Conference Record	10.07	Sq. Yd.
6. Lot Conference Record	10.07	Sq. Yd.
7. Lot Conference Record	10.07	Sq. Yd.
8. Lot Conference Record	10.07	Sq. Yd.
9. Lot Conference Record	10.07	Sq. Yd.
10. Lot Conference Record	10.07	Sq. Yd.
11. Lot Conference Record	10.07	Sq. Yd.
12. Lot Conference Record	10.07	Sq. Yd.
13. Lot Conference Record	10.07	Sq. Yd.
14. Lot Conference Record	10.07	Sq. Yd.
15. Lot Conference Record	10.07	Sq. Yd.
16. Lot Conference Record	10.07	Sq. Yd.
17. Lot Conference Record	10.07	Sq. Yd.
18. Lot Conference Record	10.07	Sq. Yd.
19. Lot Conference Record	10.07	Sq. Yd.
20. Lot Conference Record	10.07	Sq. Yd.
21. Lot Conference Record	10.07	Sq. Yd.
22. Lot Conference Record	10.07	Sq. Yd.

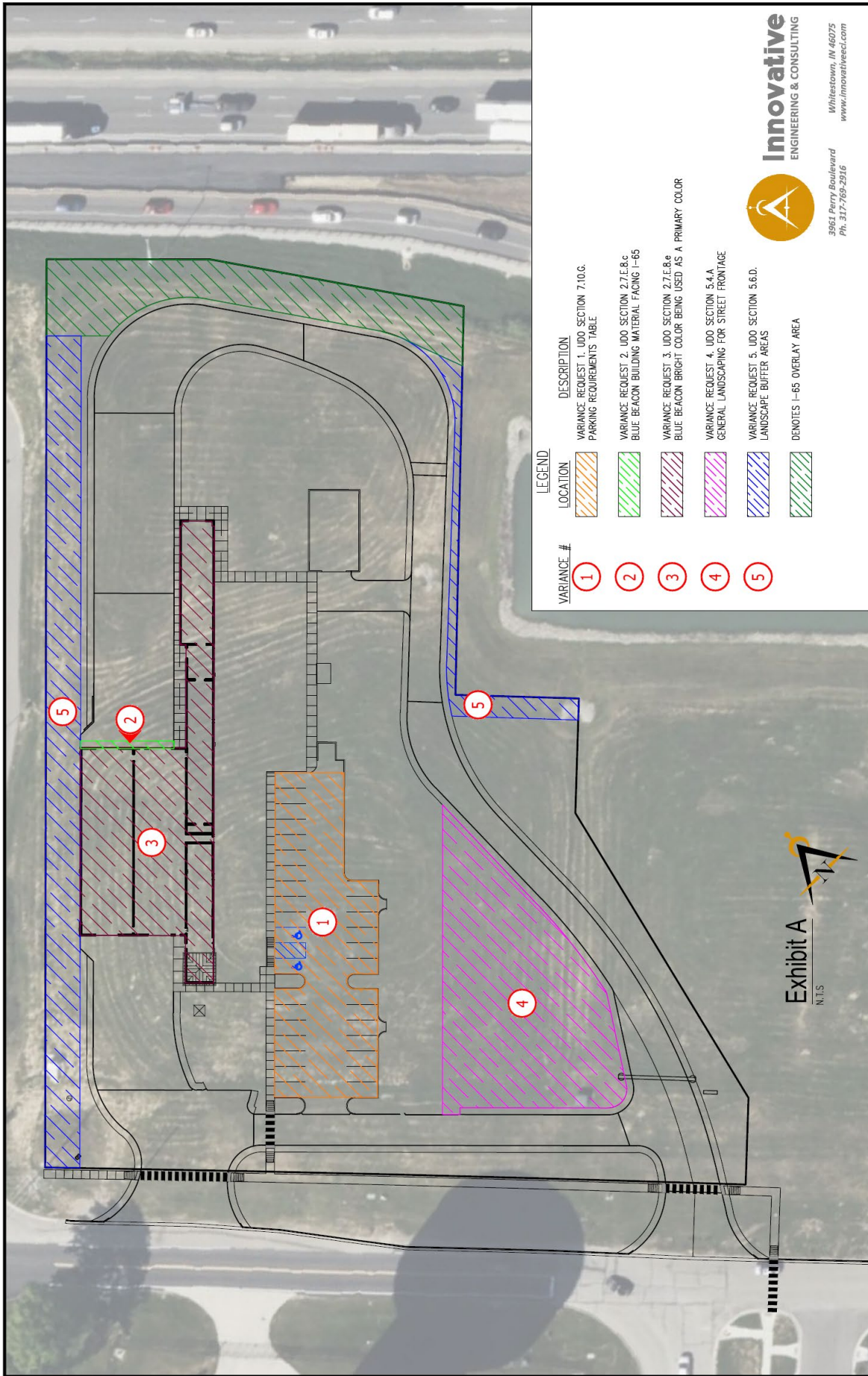
PARKING SUMMARY

Item	Quantity	Unit
1. Parking Summary	10.07	Sq. Yd.
2. Parking Summary	10.07	Sq. Yd.
3. Parking Summary	10.07	Sq. Yd.
4. Parking Summary	10.07	Sq. Yd.
5. Parking Summary	10.07	Sq. Yd.
6. Parking Summary	10.07	Sq. Yd.
7. Parking Summary	10.07	Sq. Yd.
8. Parking Summary	10.07	Sq. Yd.
9. Parking Summary	10.07	Sq. Yd.
10. Parking Summary	10.07	Sq. Yd.
11. Parking Summary	10.07	Sq. Yd.
12. Parking Summary	10.07	Sq. Yd.
13. Parking Summary	10.07	Sq. Yd.
14. Parking Summary	10.07	Sq. Yd.
15. Parking Summary	10.07	Sq. Yd.
16. Parking Summary	10.07	Sq. Yd.
17. Parking Summary	10.07	Sq. Yd.
18. Parking Summary	10.07	Sq. Yd.
19. Parking Summary	10.07	Sq. Yd.
20. Parking Summary	10.07	Sq. Yd.
21. Parking Summary	10.07	Sq. Yd.
22. Parking Summary	10.07	Sq. Yd.



SOUTH INDIANAPOLIS ROAD

(PRIVATE DRIVE)



LEGEND

VARIANCE #	LOCATION	DESCRIPTION
1	[Orange hatched box]	VARIANCE REQUEST 1, UDO SECTION 7.10.G. PARKING REQUIREMENTS TABLE
2	[Green hatched box]	VARIANCE REQUEST 2, UDO SECTION 2.7.E.8.c BLUE BEACON BUILDING MATERIAL FACING I-65
3	[Red hatched box]	VARIANCE REQUEST 3, UDO SECTION 2.7.E.8.e BLUE BEACON BRIGHT COLOR BEING USED AS A PRIMARY COLOR
4	[Purple hatched box]	VARIANCE REQUEST 4, UDO SECTION 5.4.A GENERAL LANDSCAPING FOR STREET FRONTAGE
5	[Blue hatched box]	VARIANCE REQUEST 5, UDO SECTION 5.6.D. LANDSCAPE BUFFER AREAS
	[Green hatched box]	NOTES I-65 OVERLAY AREA



Innovative
ENGINEERING & CONSULTING

39051 Perry Boulevard
Ph: 317-769-2916
www.innovativeec.com

Whitestown, IN 46075

Exhibit A
N.T.S.

BUILDING COLOR/MATERIAL AREAS - SOUTHWEST ELEVATION (CONT. ENCL)

SMOOTH PRECAST PANT (TAN)=	179 SF	(18%)
SMOOTH PRECAST PANT (WHITE)=	420 SF	(32%)
SMOOTH PRECAST PANT (BB GRN)=	158 SF	(14%)
METAL STRIPE (BLUE)=	41 SF	(4%)
TOTAL AREA PER SIDE=	1138 SF	(100%)

BUILDING COLOR/MATERIAL AREAS - SOUTHEAST ELEVATION (SHEL)

SMOOTH PRECAST PANT (TAN)=	415 SF	(34%)
SMOOTH PRECAST PANT (BB GRN)=	127 SF	(11%)
SMOOTH PRECAST PANT (WHITE)=	111 SF	(9%)
METAL STRIPE (BLUE)=	449 SF	(38%)
TOTAL AREA PER SIDE=	1102 SF	(100%)

BUILDING COLOR/MATERIAL AREAS - NORTHWEST ELEVATION (DOWNWELL)

SMOOTH PRECAST PANT (TAN)=	413 SF	(33%)
SMOOTH PRECAST PANT (BB GRN)=	409 SF	(33%)
SMOOTH PRECAST PANT (WHITE)=	156 SF	(13%)
METAL STRIPE (BLUE)=	52 SF	(4%)
TOTAL AREA PER SIDE=	1230 SF	(100%)

BUILDING COLOR/MATERIAL AREAS - NORTHWEST ELEVATION (SHEL)

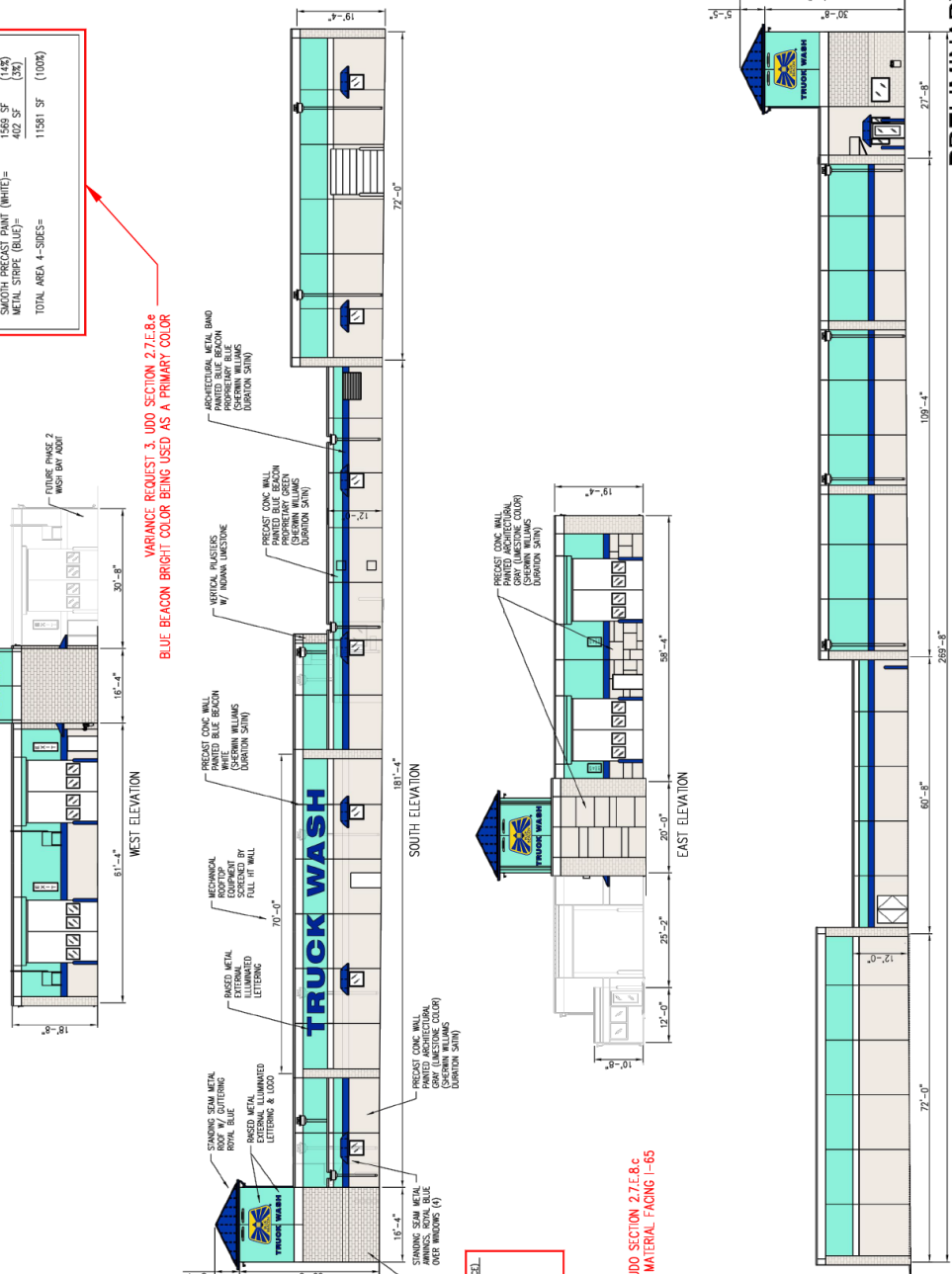
SMOOTH PRECAST PANT (TAN)=	199 SF	(42%)
SMOOTH PRECAST PANT (BB GRN)=	157 SF	(33%)
SMOOTH PRECAST PANT (WHITE)=	215 SF	(44%)
METAL STRIPE (BLUE)=	474 SF	(100%)

BUILDING COLOR/MATERIAL AREAS (TOTALS-4 SIDES)

SMOOTH PRECAST PANT (TAN)=	4562 SF	(39%)
SMOOTH PRECAST PANT (BB GRN)=	472 SF	(4%)
SMOOTH PRECAST PANT (WHITE)=	1569 SF	(14%)
METAL STRIPE (BLUE)=	402 SF	(3%)
TOTAL AREA 4-SIDES=	11581 SF	(100%)

**VARIANCE REQUEST 3. UDO SECTION 2.7.E.8.c
BLUE BEACON BRIGHT COLOR BEING USED AS A PRIMARY COLOR**

**VARIANCE REQUEST 2. UDO SECTION 2.7.E.8.c
BLUE BEACON BUILDING MATERIAL FINING I-65**



PRELIMINARY

**NORTH ELEVATION
Exhibit B
N.T.S.**

Attachment D: Standards for Evaluating a Variance

Use the following form or attach a separate sheet(s) to explain the Variance request. The BZA's decision shall be based upon how each of the following statutory requirements is justified in the request.

Petition Information

Describe the proposed use of the property (type of use, hours of operation, access, necessary construction, employees, etc.):

The facility will operate 24 hours, offering washing services for semi-trucks, trailers, and more. It will provide easy access off of I-65 and convenience for truck drivers near the Love's Travel Stop. The construction will include three truck wash bays and employee parking. To support the facility, a general manager, one crew per wash bay, and additional service representatives will be hired.

Standards for Evaluation

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

ample parking will be provided for employees, minimize parking congestion, and eliminate the risk of employees parking offsite or along Indianapolis Road.

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

ample parking will be provided, and employees will not have to park offsite on or near adjacent properties. Additionally, the size of the proposed truck wash facility is smaller than other nearby commercial facilities, resulting in fewer parking spaces allowed under the Whitestown UDO. However, the number of proposed parking spaces is appropriate for the size of the facility and staff, and it is consistent with the parking requirements for other similar facilities in the area. Tractor Supply, located adjacent to the proposed truck wash facility, has a comparable number of parking spaces to the proposed truck wash facility. This indicates that the proposed parking arrangement is consistent with surrounding area and the needs of the community.

3. The strict application of the terms of the Ordinance will continue the unusual and unnecessary hardship as applied to the property for which the variance is sought because...

The current parking requirements in the ordinance are designed to accommodate larger commercial facilities and do not provide enough flexibility for smaller commercial facilities, such as the proposed truck wash facility. Strict application of the ordinance would not allow for enough parking during a shift changes. As a result, parking congestion will occur in the parking lot, and employees will resort to off-site and street parking.

Attachment D: Standards for Evaluating a Variance

Use the following form or attach a separate sheet(s) to explain the Variance request. The BZA's decision shall be based upon how each of the following statutory requirements is justified in the request.

Petition Information

Describe the proposed use of the property (type of use, hours of operation, access, necessary construction, employees, etc.):

The facility will operate 24 hours, offering washing services for semi-trucks, trailers, and more. It will provide easy access off of I-65 and convenience for truck drivers near the Love's Travel Stop. The construction will include three truck wash bays and employee parking. To support the facility, a general manager, one crew per wash bay, and additional service representatives will be hired.

Standards for Evaluation

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

the blue/green theme of the company does not conflict or detract from other nearby commercial buildings. The company branding color of blue/green complements the associated limestone coloring with the rest of the building.

Proposed tan color of the brick is consistent with the blue theme of the company and other similar buildings in the area, such as the Walter Payton crane building, which has a similar blue and light color theme. Therefore, the proposed variance will not have any negative impact on the community.
- 2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because...**

the proposed use of limestone color is consistent with the commercial buildings in the surrounding area, such as the nearby Timpte and Tractor Supply. The proposed color of the brick will enhance the visual appeal of the area, and will not have any negative impact on the use or value of adjacent properties.
- 3. The strict application of the terms of the Ordinance will continue the unusual and unnecessary hardship as applied to the property for which the variance is sought because...**

the current ordinance requires the use of muted colors, which conflicts with the blue theme of the company. Strict adherence to the ordinance would remove company branding, resulting in the facility being less recognizable and visible to clientele.

Attachment D: Standards for Evaluating a Variance

Use the following form or attach a separate sheet(s) to explain the Variance request. The BZA's decision shall be based upon how each of the following statutory requirements is justified in the request.

Petition Information

Describe the proposed use of the property (type of use, hours of operation, access, necessary construction, employees, etc.):

The facility will operate 24 hours, offering washing services for semi-trucks, trailers, and more. It will provide easy access off of I-65 and convenience for truck drivers near the Love's Travel Stop. The construction will include three truck wash bays and employee parking. To support the facility, a general manager, one crew per wash bay, and additional service representatives will be hired.

Standards for Evaluation

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

We are requesting that the required street tree plant material be relocated to the green space north and east of the easements. The number of trees to be installed will meet the current UDO Article 5.4 section A. requirements.

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

There are site exclusive utility easement constraints running parallel to Indianapolis Road that prevents the required street tree planting within the required 25-foot limit of the Right-of-Way line along Indianapolis Road. These easements include a 30-foot-wide Vectern Natural Gas Mains and a 20-foot-wide Whitestown Utilities for sanitary sewer which is shared for electric transmission with Boone County REMC.

3. The strict application of the terms of the Ordinance will continue the unusual and unnecessary hardship as applied to the property for which the variance is sought because...

The current Whitestown UDO prohibits the planting of trees and shrubs within any easement. This creates a conflict between the easement and street tree location requirement. This requires that the required street trees be relocated north and east of the Right-of-Way line to the closest non-paved area suitable for the proper installation and growth of the landscape plant material.

Attachment D: Standards for Evaluating a Variance

Use the following form or attach a separate sheet(s) to explain the Variance request. The BZA's decision shall be based upon how each of the following statutory requirements is justified in the request.

Petition Information

Describe the proposed use of the property (type of use, hours of operation, access, necessary construction, employees, etc.):

The facility will operate 24 hours, offering washing service for semi-trucks, trailers, and more. It will provide easy access off of I-65 and convenience for truck drives near the Love's Travel Stop. The construction will include three truck wash bays and employee parking. To support the facility, a general manager, one crew per wash bay, and additional service representatives will be hired.

Standards for Evaluation

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

Staff requirement of a maximum of 3-Wash Bays of the approved Special Use Exception Variance has created a conflict between safe vehicular circulation and the placement of landscaping within the zone of required vehicular movement.

Safe and efficient heavy truck circulation and the screening buffer yard landscaping along the common property lines of the truck wash site and the existing retention pond site will create an unsafe vehicular impediment as the plant material matures. The required minimum turning radii and approaches will be compromised. This introduces the probability of damage to the surfaces of customer vehicles. This will result in an unusable site for the proposed use as a truck wash.

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

From Findings of Fact and Determination, January 9, 2022, Docket BZA22-011-UV Blue Beacon Truck Wash Variance, Item 2 as approved and signed by Desire Irakoze, Planning Staff and Andrew McGee, Board of Zoning Appeals President:

"2. The use and value of the area adjacent to the property included in this variance will not be affected in a substantially adverse manner because: The adjacent property has industrial uses that would benefit from the addition of a Truck Wash. Uses in the area are generally industrial and heavy business related. The Tractor Supply and Timpte business in the area also received Special exceptions to their uses, which are generally industrial in nature, in the GB District."

In addition, the Special Use Exception that was granted included a stipulation that "the site development comply with I-2 Zoning District lot standards, setbacks, building height, architectural standards, etc." This was understood and the applicant believes that the proposed development, in its revised condition, does comply with I-2 Zoning District lot standards, setbacks, building height and architectural standards. The Applicant believes that a "Buffer Yard" is a tool that is used to create separation and to soften the impact of a more intense use from an adjacent, less intense use. Clearly, if a commercial use is adjacent to a residential use, a buffer would be warranted. If an industrial use was adjacent to an office use, a buffer would be warranted. In the subject case, Blue Beacon, if approved, would be adjacent to Timpte, a truck trailer repair business. These uses both involve trucking, are similar, and would seem to operate at an equivalency with respect to business intensity. It does not appear that a buffer should be warranted. Blue Beacon will have the required I-65 Overlay District Buffer Yard and landscape as well as the I-2 level of landscape as required for the Indianapolis Road frontage.

3. The strict application of the terms of the Ordinance will continue the unusual and unnecessary hardship as applied to the property for which the variance is sought because...

The proposed Blue Beacon Truck Wash is a retail business. As with all retail businesses, visibility is critical. While in the initial years of operation, the landscape would not be a visual impediment, as the trees mature over time, the view corridors and overall visibility of the business will be significantly reduced. This would have a negative impact on the business, especially with respect to the portion of sales that could be classified as impulse driven.

The loss of the screening landscaping between the retention pond and truck wash sites will have a very minimal to no impact. The current retention pond site is a fully vegetated natural water feature to be seen. Creating a viewshed from the truck wash site to the retention pond site will only increase this benefit of the natural water feature. Adding the screening landscape will detract from this existing natural feature.

Therefore, we are requesting that a variance not to install the screening buffer yard landscape along the common property lines of the truck wash and retention pond sites. This will result in a long-term safe and efficient site for the proposed use of the truck wash site.