

Town of Whitestown

Board of Zoning Appeals



Meeting Date: June 5, 2025

(317) 769-6557 

6210 Veterans Drive 

Whitestown, IN 46075 

BZA25-007-SE

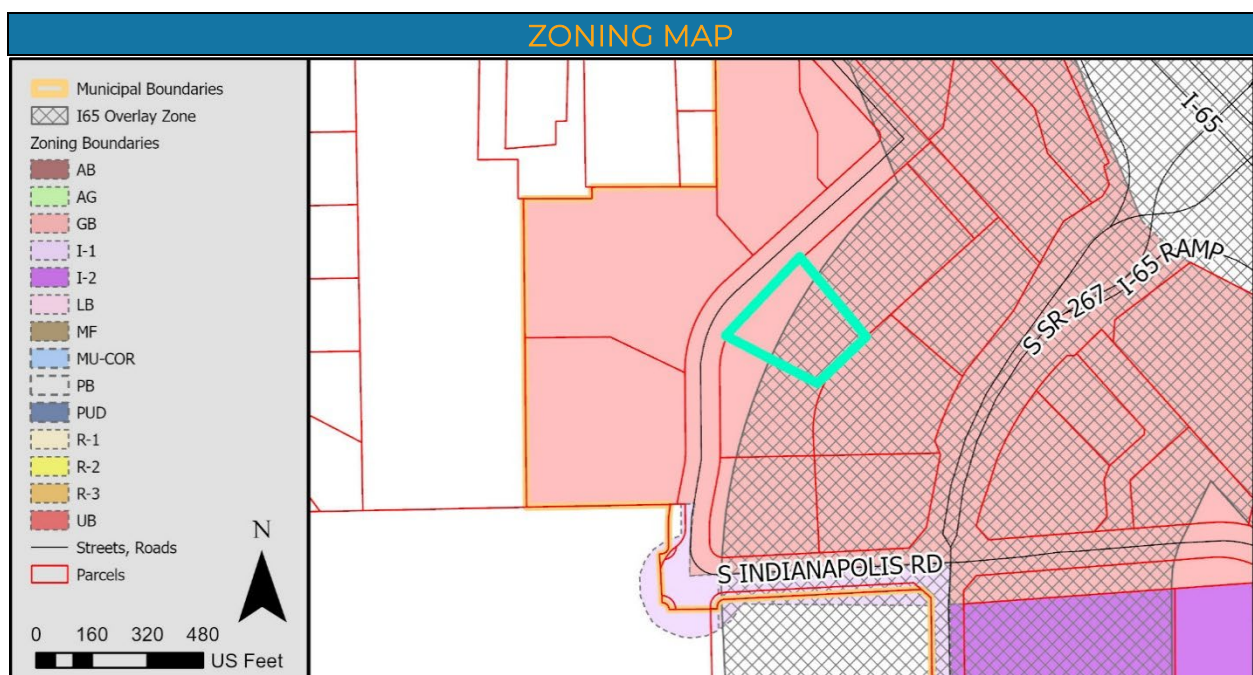
Request	A Special Exception request from UDO 11.13 to allow for a Automobile Services, Heavy use, specifically a collision and glass repair facility, in the GB - General Business District.			
Location	4167 South Indianapolis Road			
Applicant	Gemini CRE			
Property Owner(s)	Whitestown Crossing LLC			
Land Area (Size)	1.71 acres			
Applicable Ordinance	Whitestown Unified Development Ordinance Section 11.13 Special Exception			
Property Zoning	GB	General Business + I-65 Corridor Overlay		
Adjacent Zoning	North	East	South	West
	GB	GB	GB	GB
Adjacent Land Use	Detention	Business	Business	Business
Staff Reviewer	Noah Pappas; npappas@whitestown.in.gov			
Staff Recommendation	Staff believes all criteria for granting a Special Exception have been met.			

SITE HISTORY

The site is currently a vacant lot, number 13, in the Whitestown Crossing Phase 2 subdivision.



The site is located on the south-east side of South Indianapolis Road west of SR 267. The site is Lot #13 of the Whitestown Crossing Phase 2 subdivision. Businesses in the area include Tractor Supply, White Cap Building Materials, and Marathon Gas Station. The site can gain access from South Indianapolis Road, a public street, or Tradition Drive, a private street. The provided concept plan shows access from Traditions Drive. The surrounding area is characterized by a mix of industrial and commercial ranging from 1-acre to 5-acre lots.



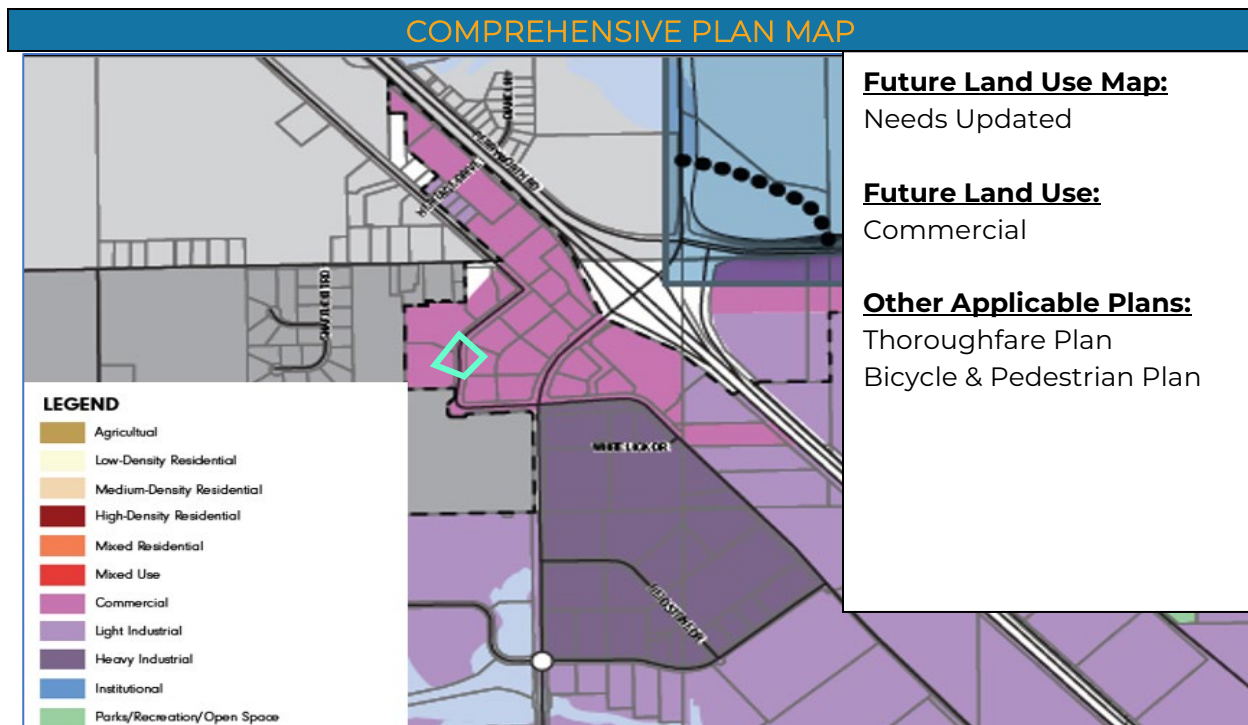
The site is zoned GB – General Business District and is also partially within the I-65 Corridor Overlay. Surrounding land uses are also in the GB – General Business District. Automobile Services, Heavy, is only permitted by Special Exception in the GB - General Business district.

Automobile Services, Heavy, is defined as Establishments providing major repairs to the servicing of automobiles, including engine over-haul or replacement, body work, upholstery work, glass replacement, transmission over-haul, brake repair with drum and disc grinding, replacement of electrical accessories such as starters and alternators, frame alignment, and rebuilding of wrecked auto-mobiles, excluding commercial wrecking, dismantling, junk yard, truck and tractor re-pair.

All Automobile Services, Heavy uses must provide some screening per Section 2.4(I)(17): It shall consist of a solid fence or wall and must be high enough that it conceals vehicles, equipment, or other parts located on the lot. Fences are allowed to be as much as 10 feet in height in all yards.

Section 5.4 Street Frontage Landscaping requires 1 shade tree per 35 feet of street frontage in the front yard, which is the portion of the yard between the building and the nearest public right of way.

Where a side or rear yard abuts an existing right of way for a non-residential use, Section 5.4(E)(2) states that a minimum 10 foot wide landscape area, consisting of 3 shade trees or ornamental trees, 4 evergreen trees, and 25 shrubs must be provided per 100 linear feet.



The 2022 Whitestown Comprehensive Plan identifies the site as commercial. The immediate area is mostly vacant, apart from nearby Tractor Supply Store to the northeast, White Cap Building materials to the west, and Marathon Gas station to the south. The recently approved Taco Bell will also be to the south. While the immediate area is designated as commercial, there is light industrial and heavy industrial in close proximity to the subject property.

Commercial is defined as “Intended as a broad land use category that includes commercial developments serving the surrounding neighborhoods and region. Commercial developments can include retail, offices, restaurants, and other service-oriented uses and are generally adjacent to roads that can accommodate greater volumes of vehicular traffic, such as Whitestown Parkway, Indianapolis Road, CR 575, and at the Interstate 65 interchanges” in the Comprehensive Plan.

The proposed special exception is also in agreement with the following components of the Whitestown Comprehensive Plan:

Guiding Policies

6. Future development should be encouraged to provide a mix of uses in appropriate areas in addition to high-quality and creative product design.

8. Where needed, the community needs to promote redevelopment and support those activities with the appropriate level of new development activity.
11. Continue to review, revise, and implement the Interstate 65 Land Use Overlay as part of managing development activities.

Land Use Goals

Sub-Goal 1: Manage community growth and mitigate conflicting land uses.

- a. Facilitate coordination efforts with adjacent municipalities on land use and utilities planning.

Sub-Goal 6: Promote the use of quality materials and aesthetic standards.

- a. Continue to enforce the adopted Whitestown UDO for development standards, including landscape requirements, building setbacks, screening, etc.

Economic Development Goals:

Sub-Goal 1: Become an economic development destination that possesses sites and assets that are unique to the region and attractive to high quality/high wage businesses.

PROPOSED PROJECT

The proposed project is to develop a Collision and Glass Center on +/- 1.71 acres of land.

The area of the building is proposed at 16,110 square feet, the height is unknown. There are 55 parking spaces as proposed, It is unknown how many of these may be used for outdoor storage of vehicles to be repaired / in-repair. Access is proposed off Traditions Drive, a private drive.

Posted hours are listed as 8:00am – 5:00pm on the application.

UNIFIED DEVELOPMENT ORDINANCE

Section 11.13 Special Exceptions

- A. Permitted. The WBZA may approve a use listed as a Special Exception in Chapter 2: Zoning Districts, and their accessory buildings and uses, according to the procedures in this article, and other regulations of the zoning district where the subject property is located.

Section 2.4 Business Development Standards and Uses

G. Use Table

ADM	Vehicle/Equipment Sales, Service & Repair					
	Automobile Services, Light		P	NP	NP	P NP
PROCESS	Automobile Services, Heavy	17	NP	NP	NP	L-SE NP
	Auto/Motorcycle/Boat/Light Truck Sales or Rentals	18	NP	NP	NP	L NP
	Service Station, Local	16	SE	NP	NP	SE L
IONS	Business Development Standards and Uses					

Chapter 2 - Zoning Districts

SUGGESTED FINDINGS OF FACT

The approval of a Special Exception is based on meeting all seven of the following evaluation criteria:

1. *The establishment, maintenance, or operation of the special exception will not be detrimental to or endanger the public health, safety, morals, or general welfare.*

Gerber will not be detrimental to or endanger the public health, safety, morals or general welfare of the public. Access is being obtained off of a private drive, and the applicant has indicated they intend to provide requisite screening. If the restrictions on usage are included, this criterion has been met.

2. *The special exception will be designed, constructed, operated, and maintained to: (i) not injure the use and enjoyment of other property in the immediate vicinity for the purposes already permitted; (ii) not substantially diminish and impair property value within the neighborhood; (iii) be harmonious and appropriate in appearance with the existing or intended character of the immediate vicinity; and (iv) not change the essential character of the area.*

The proposed use will not negatively impact adjacent property owner's ability to access and utilize their properties. The use is allowed as a Special Exception in this district. The UDO identifies Special Exceptions to provide the opportunity to take a closer look at proposed projects to ensure they are a good fit for the location. The proposed use is in line with the other businesses in the area and can meet all the required Development Standards.

3. *The establishment of the special exception will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the zoning district.*

The proposed use will not impede the normal and orderly development and improvement of surrounding property uses. All of the proposed changes for the development are contained on the subject property and will not negatively impact adjacent properties from ability to access and utilize their properties.

4. *Adequate public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools have been or are being provided. The special exception will not result in excessive additional requirements at public expense for these public facilities and services.*

The proposed building is on a lot adjacent to the required infrastructure, fire protection, water, sewer and adequate roadways that are already in place.

5. *Adequate measures have been or will be taken to provide ingress and egress to minimize traffic congestion. Vehicular approaches are designed to minimize interference with traffic on surrounding rights-of-way.*

Access is being shown from Traditions Drive, a private drive, which connects to Indianapolis Road. This private road provides 2 outlets onto Indianapolis Road and adequately minimizes congestion and traffic conflicts.

6. *The special exception will be harmonious with the objectives of the Comprehensive Plan.*

The proposed use will be harmonious with the objectives of the Comprehensive Plan. The future land use map shows the area as commercial and, if the restrictions on use were included, the Collision Center is a commercial operation. Being directly adjacent to industrial provides this as a transitional use.

7. *The special exception will be in a zoning district where such use is permitted. All other requirements of the zoning district and this Ordinance will be met.*

The proposed Automobile Services, Heavy use (Collision Center) is being located in a zoning district that allows Automobile Services, Heavy uses by Special Exception. While there are no similar adjacent uses, all other UDO requirements will be met.

The Board could vote to "Approve" with these Findings, or "Suggest Alternative" Findings or "Deny" in which case the Planning Staff recommends tabling the

adoption of Findings of Fact until the Board's next meeting with direction to staff to prepare the Findings pursuant to comments from the Public Hearing and Board discussion.

Note: See Applicant's submission materials in the attachment.

SUGGESTED CONDITIONS

Condition 1: Uses permitted under this special exception for Automobile Services, Heavy, shall exclude the following uses: commercial wrecking, dismantling, junk yard, truck and tractor repair.

Condition 2: Revise the landscaping requirements as follows:

- a. For the purposes of calculating landscaping, since access is being obtained off of Traditions Drive, Indianapolis Road shall be considered a rear yard and provided with landscaping consistent with Section 5.4(E)(2). At 310 feet of frontage this would result in a total of 9 shade / ornamental trees, 12 evergreen trees, and 75 shrubs.
- b. The Traditions Drive frontage shall be considered a front yard and landscaped according to Section 5.4(A). At 196 feet of frontage this would result in a total of 6 shade trees.

SUGGESTED MOTION LANGUAGE

I move that Docket BZA25-007-SE a Special Exception for a Gerber Collision Center is consistent with UDO 11.13 and should be:

- ☐ Approved as presented and described based on:
 1. The Findings in the Staff report and staff recommendations
 2. Submitted Findings of Fact
 3. Substantial compliance with the submitted site plan(s)
- ☐ Approved subject to the following:
 1. *Conditions 1 & 2.*
 2. The Findings in the Staff report and staff recommendations
 3. Submitted findings of Fact
 4. Substantial compliance with the submitted site plan(s)
- ☐ Continued to the July 2025, BZA Meeting
- ☐ Denied as presented and described.