City of Columbus – Bartholomew County
Planning Department

123 Washington Street
Columbus, Indiana 47201
Phone: (812) 376-2550
Fax: (812) 376-2643

STAFF REPORT

CITY OF COLUMBUS PLAN COMMISSION
(May 9, 2012 Meeting)

Docket No. / Project Title:	RZ-12-02 (Nusun, Inc.)
Staff:	Derek Naber
Applicant:	Nusun Solar, Inc.
Property Size:	3.68 Acres
Current Zoning:	CC (Commercial: Community Center)
Proposed Zoning:	I-3 (Industrial: Heavy)
Location:	7440 South International Drive, in the City of Columbus

Background Summary:
The applicant has indicated that the proposed rezoning is for the purpose of allowing future expansion(s) for general industrial production.

Key Issue Summary:
The following key issue(s) should be resolved through the consideration of this application: Is an industrial zoning district appropriate at this location?

Preliminary Staff Recommendation:
Favorable Recommendation to City Council

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 attach conditions to any recommendation which are to become written commitments of the applicant. 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 recommends that commercial development should be located along highway corridors. The Comprehensive Plan also encourages industrial development in the Woodside / Walesboro area which has adequate resources and is compatible to its surroundings. Further, the Comprehensive Plan recommends that industrial uses should be clustered in the same area.

The current conditions and the character of current structures and uses in each district.
Preliminary Staff Comments: The subject property currently features an existing industrial structure suitable for general industrial production. There is also a screened outdoor storage area and loading zone which are appropriate in industrial areas and zoning districts.

The most desirable use for which the land in each district is adapted.
Preliminary Staff Comments: The subject property is located at the entrance of the Woodside South Industrial Park which is an area with other industrial developed properties. The property is also located along SR 58, where other commercial properties in the Woodside / Walesboro area are located.

The conservation of property values throughout the jurisdiction of the City of Columbus.
Preliminary Staff Comments: The continued expansion of the Woodside South Industrial Park would further enhance and add to the surrounding industrial area. The property however is adjacent to residential homes to the west where no buffer would be required because of the agriculture zoning of these properties and the separation provided by County Road 300 West.

Responsible growth and development.
Preliminary Staff Comments: All new expansions and additions on the subject property would occur where there is adequate vehicular access and utilities. The existing property is located within the current city limits and is currently served by local water and wastewater infrastructure.

Current Property Information:	
Land Use:	General Industrial Production
Site Features:	The site features an industrial building, parking lot, outdoor storage area, and landscaping.
Flood Hazards:	No flood hazards exist at this location.
Special Circumstances: **(Airport Hazard Area, Wellfield Protection Area, etc.)**	No special circumstances exist at this location.
Vehicle Access:	The property gains access from International Drive (Local, Industrial, Suburban).

Surrounding Zoning and Land Use:		
	Zoning:	**Land Use:**
North:	I-1 (Industrial: Light)	Farmland
South:	I-3 (Industrial: Heavy)	General Industrial Production
East:	CC (Commercial: Community Center)	Vacant Land (Undeveloped)
West:	AP (Agriculture: Preferred)	Single-Family Residential

Zoning District Summary (Existing / Proposed):		
	Existing Zoning: CC – Commercial: Community Center	**Proposed Zoning: I-3 – Industrial: Heavy**
Zoning District Intent:	The CC zoning district is intended to establish appropriate locations for a variety of businesses providing a variety of goods and services to (1) community-wide consumers and (2) those who travel through or visit the area. This zoning district is not intended for use along traffic corridors, but should instead be applied at significant intersections along major transportation routes. This zoning district should be applied only to areas with adequate infrastructure and road access to accommodate moderately high traffic volumes.	The I-3 zoning district is intended to provide locations for industrial manufacturing, production, assembly, warehousing, research & development facilities, and similar land uses. This district is intended to accommodate a variety of high intensity industrial uses in locations that minimize land use conflicts and provide the necessary supporting infrastructure.

Permitted Uses:	**Communications / Utilities Uses:** • Communication Service Exchange • Utility Substation • Water Tower **Public / Semi-Public Uses:** • Clinic • Community Center • Day-Care Center (Adult or Child) • Funeral Home • Government Office • Police, Fire or Rescue Station • Post Office • Trade or Business School • Worship Facility **Park Uses:** • Nature Preserve / Conservation Area • Park / Playground **Commercial Uses:** • Auto-Oriented Uses (Small Scale) • Auto-Oriented Uses (Medium Scale) • Auto-Oriented Uses (Large Scale)	**Agriculture Uses:** • Farm (General) **Communications / Utilities Uses:** • Communication Service Exchange • Sewage Treatment Plant • Utility Substation • Water Tower **Public / Semi-Public Uses:** • Parking Lot / Garage (as a primary use) • Police, Fire , or Rescue Station **Park Uses:** • Nature Preserve / Conservation Area **Commercial Uses:** • Conference Center **Industrial Uses:** • Agriculture Products Processing • Agri-Industrial Facility • Concrete / Asphalt Production Facility • Contractor's Office / Workshop • Dry Cleaners (Commercial) • Food & Beverage Production • General Industrial Production

	Commercial Uses (cont.): • Auto Rental (included Truck, RV, etc.) • Builder's Supply Store • Equipment Rental • Health Spa • Hotel / Motel • Instructional Center • Liquor Store • Office Uses • Personal Service Uses • Recreation Uses (Small Scale) • Recreation Uses (Medium Scale) • Restaurant • Retail Uses (Small Scale) • Retail Uses (Medium Scale) • Retail Uses (Large Scale)	**Industrial Uses (cont.):** • Light Industrial Assembly & Distribution • Light Industrial Processing & Distribution • Research & Development Facility • Truck Freight Terminal • Warehouse & Distribution Facility
Water and Sewer Service:	**Required**	**Required**
Lot and/or Density Requirements:	**Minimum Lot Area:** 10,000 sq. ft. **Maximum Lot Area:** 10 Acres **Minimum Lot Width:** 50 feet **Minimum Lot Frontage:** 50 feet **Maximum Lot Coverage:** 65%	**Minimum Lot Area:** 1 Acre **Minimum Lot Width:** 100 feet **Minimum Lot Frontage:** 50 feet **Maximum Lot Coverage:** 75%

Setbacks Required: Front setbacks are determined by the Thoroughfare Plan Classification of the adjacent street and are the same regardless of zoning.	**Side Yard Setback:** Primary Structure: 10 feet Accessory Structure: 10 feet **Rear Yard Setback:** Primary Structure: 10 feet Accessory Structure: 10 feet **Front Yard Setback:** Arterial Road: 50 feet Arterial Street: 10 feet* Collector Road: 35 feet Collector Street: 10 feet* Local Road: 25 feet Local Street: 10 feet* *25 feet for any auto service bay, auto fuel pump canopy, or other similar vehicle access points to structures.	**Side Yard Setback:** Primary Structure: 20 feet Accessory Structure: 20 feet **Rear Yard Setback:** Primary Structure: 20 feet Accessory Structure: 20 feet **Front Yard Setback:** Arterial Road: 50 feet Arterial Street: 50 feet Collector Road: 35 feet Collector Street: 35 feet Local Road: 25 feet Local Street: 25 feet
Height Restrictions:	**Primary Structure:** 40 feet **Accessory Structure:** 25 feet	**Primary Structure:** 60 feet **Accessory Structure:** 40 feet
Floor Area Requirements:	Not Applicable	Not Applicable
Signs:	**Wall Signs:** 3 wall signs per public street frontage with a maximum square footage of 15% of the front walls or 350 square feet, whichever is less. **Freestanding Signs:** 1 freestanding sign per public street frontage with a maximum size of 100 square feet and a maximum height of 20 feet.	**Wall Signs:** 2 wall signs per public street frontage with a maximum square footage of 15% of the front walls or 350 square feet, whichever is less. **Freestanding Signs:** 1 freestanding sign per public street frontage with a maximum size of 75 square feet and a maximum height of 10 feet.

Interdepartmental Review:	
City Engineering:	The site is located at 7440 S. International Drive, the southwest corner of SR 58 and International Drive; and is Lot 7B in Woodside South Subdivision. SR 58 is an arterial street and International Drive is a local street. Existing access to the site does comply with the current zoning ordinance. The current use on the site appears to be industrial in nature. Actual traffic generating potential for uses in the CC and I-3 districts can vary widely, depending on the size and intensity of the use. A large CC use, retail and auto oriented businesses, can potentially generate large numbers of trips per day to and from the site. A small I-3 use, similar to the current use on the site, typically generates a lower number of trips per day. The proposed zoning change will not significantly impact access to this site or traffic volume on adjacent streets.
Fire Department	No issues with the rezoning.
City Utilities	No comments received.
Parks Department	No comments received.
MPO	I have no issues with the rezoning of this area to industrial. There have been requests that this industrial area be served by transit, and we will be considering that in our future study. For transit efficiency, a stop in a central location works best with riders dispersing on foot. However, the area's infrastructure is not very accommodating for pedestrians. Providing sidewalks and/or connector paths would be helpful. Business expansion can trigger sidewalk construction via ordinance or agreement. A successful pedestrian network would encourage transit success, reduce parking needs, provide employee travel options, among other community benefits.

History of this Location:

The relevant history of this property includes the following:

1. In 2000, the property was developed for an industrial manufacturing facility for TST products (C/ZC-11-00-02). The new construction included a 12,500 square foot building with a new parking lot, outdoor storage area, and landscaping.
2. Prior to 2008, the property was zoned B-5 which permitted a variety of commercial and industrial uses. When the 2008 Zoning Ordinance revisions occurred, the B-5 zoning district was replaced with the CC zoning district which did not permit any industrial uses.
3. In 2011, Nusun Solar, Inc., a solar panel manufacturer, relocated to the existing facility. Since the previous use at this location was general industrial production, no further approval was needed. Nusun Solar, Inc. was approved for a new wall sign (C/ZC-11-112-July). The approval included a commitment to replace required missing landscaping by June 30, 2012 and the removal of a trailer on existing parking spaces. The missing landscaping has not been replaced at this time.

Comprehensive Plan Consideration(s):

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

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

1. **GOAL E-2:** Promote the use of designated highway corridors as areas for commercial development.
2. **POLICY E-2-1:** Encourage development of highway corridors in a manner that is visually appealing.
3. **POLICY J-2-3:** Encourage industrial development to be integrated with its surroundings, providing smooth transitions between differing land uses.
4. **GOAL J-3:** Provide for continued industrial growth while protecting the agricultural sector of the economy by retaining expanses of productive agricultural land.
5. **POLICY J-3-1:** Limit the growth of industrial activity to the areas suited for this use, minimizing the impact of this type of development on agricultural businesses.
6. **POLICY J-3-2:** Promote infill development in existing industrial areas.
7. **GOAL J-4:** Promote continued economic development in the Woodside / Walesboro area to provide jobs which will improve the standard of living and provide upward mobility for local residents.
8. **POLICY J-4-1:** Encourage new industrial development to be similar to that experienced in the Woodside / Walesboro area in the past.
9. **POLICY J-4-2:** Encourage the growth in the Woodside / Walesboro area to take place in an orderly manner. Where possible, this growth should be contiguous or in close proximity to the existing development in order to facilitate provision of infrastructure and services.
10. **POLICY J-8-2:** Encourage economic growth to take place in areas where appropriate infrastructure and services are available or can be provided at a reasonable cost.
11. **POLICY J-9-2:** Encourage similar uses to locate in clusters, to facilitate provision of appropriate infrastructure and services.
12. **POLICY J-10-3:** Promote the growth of local companies.

This property is located in the Woodside / Walesboro character area. The following Planning Principle(s) apply to this application: New nonresidential development should be in industrial parks or commercial centers to complement the existing development.

Planning Consideration(s):

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

1. Nusun Solar, Inc. is proposing to rezone the property at 7440 South International Drive in the City of Columbus. The rezoning from the current CC zoning district to the I-3 zoning district is driven by the desire to expand their industrial use. The property was developed in 2000 for TST Products, an industrial manufacturing business, under the B-5 (Highway Business) zoning district. The B-5 zoning district allowed a variety of commercial and industrial uses. In 2008, when the new Zoning Ordinance revisions were adopted, the B-5 zoning district was replaced with the CC zoning district which did not permit any industrial uses. In 2010, Nusun Solar, Inc., a general industrial production use, moved to the subject property as a grandfathered industrial use.
2. The subject property currently features a 12,500 square foot industrial facility with a parking lot, and an outdoor storage area / loading zone. The applicant is intending to add a new 4,608 square foot building in addition to the existing building on-site. The proposed structure would provide necessary space for this industrial business. No Zoning Compliance Certificate for the approval of the expansion has been received at this time.
3. The subject property is located in the Woodside / Walesboro industrial area which is located around the interchange of SR 58 and Interstate 65 (I-65). The subject property is located at the intersection of International Drive and State Road 58 (SR 58) at the entrance to the Woodside South Industrial Park (Southwest quarter of the interchange). In the Woodside South Industrial Park area, majority of the property is zoned I-3.
4. There are single-family homes west of the subject property across from County Road 300 West which are zoned AP and according to Zoning Ordinance Section 8.2 (Table 8.3), no buffer is required as a result of the separation of the properties by a road and the zoning of the residential properties. The residential properties lie just outside of the city limits for the City of Columbus, but if the residential

properties were zoned residential and there was no road separating the properties, a Type A buffer yard would be required if the subject property were zoned commercial or industrial. Currently, other industrial properties to the south do not provide any official buffer, however there are some wooded areas which create a separation between the industrial and residential uses.

5. In 1989 (RZ-89-11), the City of Columbus Plan Commission approved of the rezoning of the Woodside South Industrial Park from AG (Agricultural District) to I-3 (Heavy Industrial District). The rezoning was approved with no additional buffer conditions, however the Zoning Ordinance in 1989, required a transitional landscaping buffer and setback area of 15 feet along all front property lines. In 2007, the City of Columbus Plan Commission approved of the rezoning of the Woodside Northwest Industrial Park from AG (Agricultural District) to I-3 (Heavy Industrial District). The rezoning was approved with the condition that a Type A buffer yard be provided on industrial properties along the County Road 300 West frontage.
6. All properties along SR 58 in the southwest quarter of the SR 58 / I-65 interchange are in the CC zoning district. All the properties with the exception of the subject property are all undeveloped. The properties which are zoned commercial along SR 58 were zoned commercial so that the development along this corridor would be complementary highway businesses such as gas stations or retail because of access to the SR 58 corridor and visibility along this thoroughfare. The commercial properties also provide an opportunity for complementary services for the industrial uses and employment centers in the area including services such as restaurants, dry cleaners, etc.

Columbus – Bartholomew County Planning Department

Rezoning Application (Zoning Map Amendment)

Planning Department Use Only:

Jurisdiction: ☐ Columbus ☐ Bartholomew County ☐ Joint District

Docket No.: _____

Rezoning Application:

Current Zoning: GC **Requested Zoning:** I3

Applicant Information:

Name: Nusun, INC.

Address: 7440 S. International Dr. Columbus, IN 47201
(number) (street) (city) (state) (zip)

Phone No.: 317-826-0000 Fax No.: _____ E-mail Address: rstout@nusunsolar.com

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

Name: Nusun, Inc.

Address: 7440 S. International Dr. Columbus, IN 47201
(number) (street) (city) (state) (zip)

Phone No.: 317-826-0000 Fax No.: _____ E-mail Address: rstout@nusunsolar.com

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

Name: Ryan Stout

Address: 7440 S. International Dr. Columbus IN 47201
(number) (street) (city) (state) (zip)

Phone No.: 317-826-0000 Fax No.: _____ E-mail Address: rstout@nusunsolar.com

How would you prefer to receive information (please check one): X E-mail X Phone ___ Fax ___ Mail

Property Information:

Property Size: 3.466 acres *or* _____ square feet

Address: 7440. S. International Dr. Columbus IN 47201
(number) (street) (city) (state) (zip)

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

_____

☒ A legal description is attached (a legal description is required for the processing of all rezoning requests).

Rezoning Criteria:

The Indiana Code and the Columbus & Bartholomew County Zoning Ordinance establish specific criteria to which both the Plan Commission and legislative body (City Council, County Commissioners, Joint District Council) must "pay reasonable regard" when considering a rezoning request. Those criteria are listed below. Explain how this request addresses each criterion.

The Comprehensive Plan.

The attached documents show the existing property and building as well as the proposed building additions the city has requested the property be rezoned to better fit the zoning of the rest of the properties in the industrial park.

The current conditions and the character of current structures and uses in each district (existing & proposed).

The current building is used for manufacturing of solar panels and the addition will be used for expanding the production capabilities. The proposed expansion will conform to the design criteria of the industrial park.

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

The best use of this land is for manufacturing and/or industrial use which better fits with the current use of the property.

The conservation of property values throughout the jurisdiction.

The addition to the building will add value to the property and rezoning will expidite future expansions, as well as, bring the property up to date with the other properties in the industrial park.

Responsible growth and development.

The proposed expansion will add a key component to the property that is currently missing which is the the ability to ship/receive products. The current building is not capable to handle proper shipping/receiving requirements.

Rezoning Purpose:

Explain the reason(s) why the applicant has proposed this zoning change.

The proposed zoning change is based on two requests. First, the city would like for this property to be zoned the same as other properties located in the park to be better suited for the building use and a zoning change will facilitate future expansions.

Applicant's Signature:

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

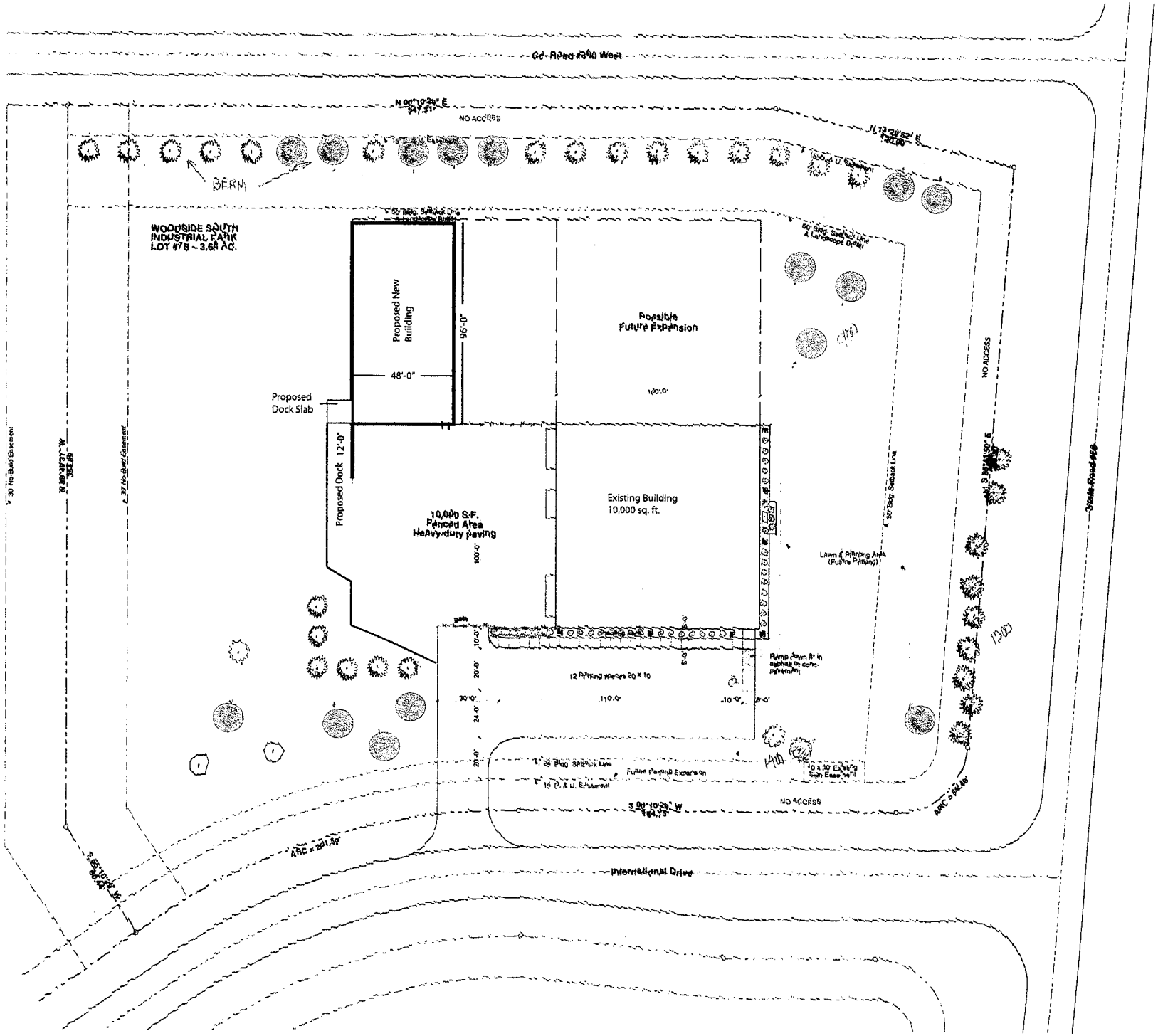
(Applicant's Signature) 4-3-12 (Date)

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

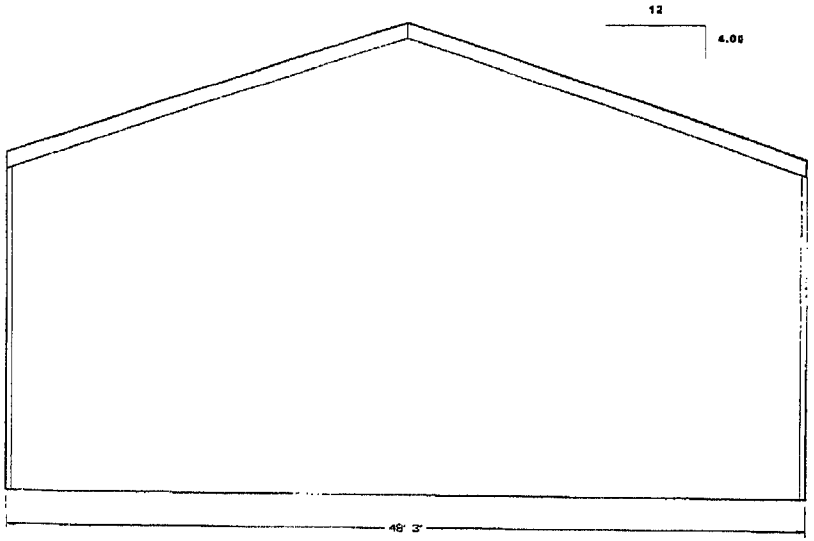
I authorize the filing of this application and will allow the Planning Department staff to enter this property for the purpose of analyzing this request. Further, I will allow a public notice sign to be placed and remain on the property until the processing of the request is complete.

(Owner's Signature) 4-3-12 (Date)

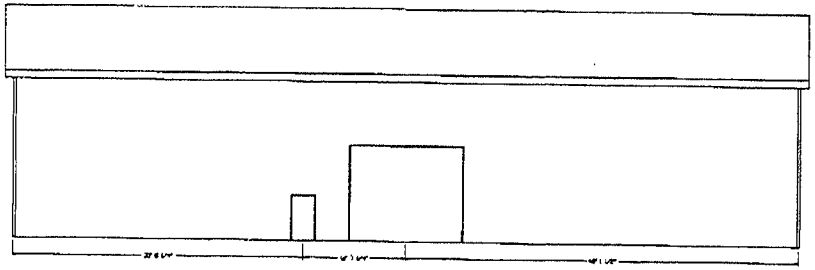
(Owner's Signature) (Date)



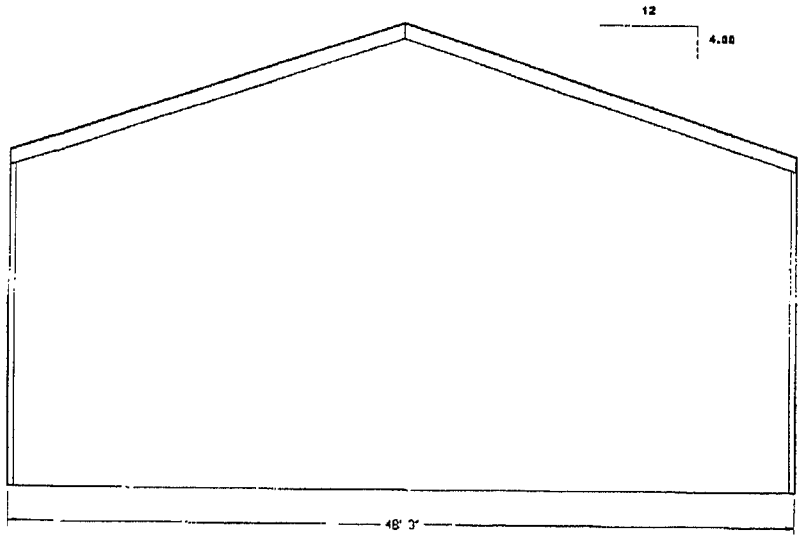
Co-Road #390 West
NO ACCESS
BERM
WOODSIDE SOUTH
INDUSTRIAL PARK
LOT #7B ~ 3.68 AC.
Proposed New Building
96'-0"
48'-0"
Proposed Dock Slab
Proposed Dock 12'-0"
Possible Future Expansion
100'-0"
Existing Building
10,000 sq. ft.
10,000 S.F. Fenced Area Heavy-duty paving
100'-0"
Lawn & Planting Area (Future Parking)
12 Parking spaces 20 x 10
110'-0"
Future Parking Expansion
NO ACCESS
International Drive
ARC = 201.59'



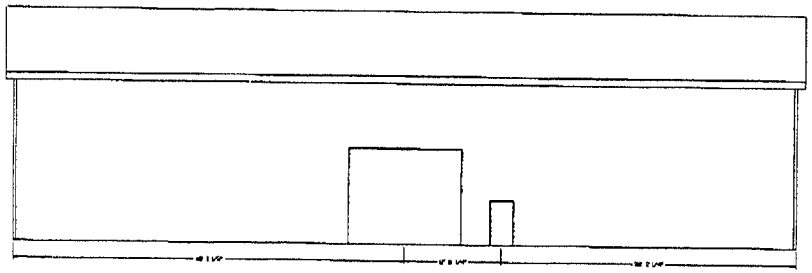
Rear Elevation



Left Elevation



Front Elevation



Right Elevation

4 Elevations	PROJECT:	Blitz Builders Inc	PROJECT NUMBER:
varies	CUSTOMER --	Po Box 468	
DATE: Wednesday, March 28, 2012		Shelbyville	SHEET NUMBER:
BY:		(800) 555 1212	

201100002470
Filed for Record in
BARTHOLOMEW COUNTY, IN
ANITA L HOLE, COUNTY RECORDER
03-10-2011 At 12:24 pm.
WARR DEED 16.00

WARRANTY DEED

THIS INDENTURE WITNESSETH THAT Mark Chapple and Regena L Chapple, husband and wife, **CONVEY(S) AND WARRANT(S) TO** Nusun, Inc., an Indiana corporation, for Ten Dollars and other valuable consideration the receipt whereof is hereby acknowledged, the following described REAL ESTATE in Bartholomew County, in the State of Indiana, to wit:

Lot Numbered Seven-B (7B) in Woodside South Industrial Park, A Replat of Lot 7A, recorded October 9, 1998 as Instrument #98-16045 in Plat Book "Q", page 2C, in the Office of the Recorder of Bartholomew County, Indiana.

Tax ID No. 03-85-15-320-000.101-021

Subject to taxes for the year 2010, due and payable in 2011; taxes for all subsequent years; and covenants, restrictions and easements of record.

IN WITNESS WHEREOF, the Grantor has executed this deed this 10th day of March, 2011.

Mark Chapple 3/10/11 — Mark Chapple

Regena L. Chapple — Regena L. Chapple

State of Indiana, County of Bartholomew ss:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Mark Chapple and Regena L Chapple, husband and wife who acknowledged the execution of the foregoing Deed and who, having been duly sworn, stated that the representations therein contained are true. WITNESS, my hand and seal this 10th day of March, 2011.

Commission expires:
County of residence:

NOTARY PUBLIC SEAL INDIANA

NOTARY PUBLIC
Leisa J. Boyd
Commission Expires: 3-16-2016
Resident-Johnson Co.

Leisa J. Boyd, Notary Public

Property address: 7440 S. International Drive, Columbus IN 47201

Grantee's address/mail tax statements to: 9001 Smith Street, Yorktown IN 47396

This instrument prepared by: Andrew R. Drake, Attorney-at-Law11711 N. Pennsylvania St., Suite 110, Carmel, IN 46032

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law. Andrew R. Drake

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

MAR 10 2011

Barbara J. Hackman
Auditor Bartholomew Co., Indiana