



Westfield City Council Report

Ordinance Number:	12-24
APC Petition Number:	1208-PUD-07
Petitioner:	Two PL, LLC
Requested Action:	Change in zoning from the AG-SF1 District to the Towne West PUD District
Current Zoning District:	AG-SF1
Requested Zoning District:	Towne West PUD
Referral Date to APC:	August 13, 2012
APC Public Hearing:	September 4, 2012
APC Recommendation:	January 22, 2013
Adoption Consideration:	February 11, 2013
Exhibits:	<ol style="list-style-type: none">1. Staff Report2. APC Certification3. Aerial Location Map4. Concept Plan5. Ord. 12-24
Prepared By:	Andrew P. Murray, Associate Planner

Petition History

This petition was introduced at the August 13, 2012 City Council meeting and received a public hearing at the September 4, 2012 Advisory Plan Commission (the "APC") meeting. The item received a favorable recommendation for approval at the February 4, 2013 APC meeting.

Procedural

- Requests for a change in zoning are required to be considered at a public hearing, in accordance with Ind. Code 36-7-4-1511.
- The Advisory Plan Commission held a public hearing on September 4, 2012 and issued a favorable recommendation (8-0) to the City Council in support of the proposed rezone request at its February 4, 2013 meeting.
- Notification of the September 4, 2012 public hearing was provided in accordance with the APC Rules of Procedure.

- The Westfield City Council may take action on this item at its February 11, 2013 meeting.
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Project Overview

Location

The subject property is approximately 120 acres in size and is located on the east side of Towne Road, between 146th Street and 151st Street (the “Property”). The Property is primarily vacant/agricultural in use.

Project Description

The proposed Towne West PUD Ordinance (the “PUD Ordinance”) establishes two (2) areas: a Retail Area and a Multi-Family Area. Each area will be limited to no more than 70 acres in size.

The Retail Area defaults to the General Business District (the “GB District”) standards and uses, as identified in the Westfield-Washington Township Zoning Ordinance (the “Zoning Ordinance”). Uses permitted in the Retail Area in addition to permitted uses in the GB District include: general and medical offices, dental facilities, banks/financial institutions, restaurants, drug stores, gasoline service stations (not more than one stand-alone), grocery stores, skilled nursing care, and medical-related research facilities. Uses prohibited from the GB District are self-service wash, tattoo parlor, tobacco shop, billiard parlor, cemetery monument sales and truck and trailer sales/rental. All development standards proposed in the PUD Ordinance for the Retail Area are more restrictive than the GB District. The GB District has a maximum building height requirement of sixty (60) feet. The PUD Ordinance proposes a forty-five (45) feet restriction for office uses and thirty-five (35) feet restrict for all other retail uses.

The Multi-Family Area will default to the Multi-Family 2 District (the “MF-2 District”) standards and uses, as identified in the Zoning Ordinance. Uses permitted in the Multi-Family Area in addition to permitted uses in the MF-2 District include: apartments, attached senior living garden homes, assisted living facilities, skilled nursing care or office uses. Standard, non-age restricted apartments shall be limited to a maximum of 480 units. The sub area, identified as B1 on the Concept Plan, shall be limited to attached senior garden home development.

The PUD Ordinance includes additional architectural standards for both the Retail and Multi-Family Areas (located in Exhibit 4 and 5 of the PUD Ordinance). These standards regulate items such as building materials, building orientation, building treatment, building color and roof articulation.

The Towne West PUD proposal is within the New Suburban Residential and Local Commercial land use classification, and is consistent with the Westfield-Washington Township Comprehensive Plan (the “Comprehensive Plan”) in that:

- 1) the Multi-Family Area aims to provide a variety of housing types to serve different family styles and life situations from entry level to retirement; and
- 2) the Retail Area aims to provide goods and services to nearby residents on a day-to-day basis, as opposed to attracting customers or clients from a large geographic area. Example

uses include but are not limited to banks, beauty salons, drug stores, convenience stores, restaurants and supermarkets.

The Westfield Thoroughfare Plan (the “Thoroughfare Plan”) classifies Towne Road and 146th Street as a Primary Arterial. The recommended right-of-way width for a Primary Arterial is 150 feet. Hamilton County is planning an expansion of 146th Street to become a limited access thoroughfare from Springmill Road to the county line (the “146th Street Project”). Hamilton County has committed to a minimum of three access points along 146th Street between Ditch Road and Towne Road. The approval of this PUD is contingent upon Hamilton County’s approval of at least one right in/right out access to the development along 146th Street.

Statutory Considerations

Indiana Code 36-7-4-603 states that reasonable regard shall be paid to:

1. The Comprehensive Plan.

The Future Land Use Map in the Westfield-Washington Township Comprehensive Plan (the The Future Land Use Map in the Westfield-Washington Township Comprehensive Plan (the “Comprehensive Plan”) identifies the Property as “Local Commercial” and “New Suburban”. The commercial and residential components of the Proposal are consistent with the vision of the Comprehensive Plan.

2. Current conditions and the character of current structures and uses.

The Property is largely vacant or is being used for agricultural purposes.

3. The most desirable use for which the land is adapted.

The Comprehensive Plan establishes a vision and desirable land use policies for the future growth of Westfield-Washington Township. See the Comprehensive Plan section above for additional discussion.

4. The conservation of property values throughout the jurisdiction.

It is anticipated that the proposed uses would have a neutral or positive impact on surrounding property values and throughout the jurisdiction.

5. Responsible growth and development.

City services such as water, sewer, and emergency services are near the Property and are adequate to serve future development of the Property. The proposed development accommodates future right-of-way needs for Towne Road, in accordance with the Thoroughfare Plan.

Recommendations/Actions

- **Economic and Community Development Department [February 4, 2013]**

The Westfield Economic and Community Development Staff reported to the APC that the Towne West PUD Ordinance is in good form. Staff recommended that the proposal be forwarded to

the City Council with a favorable recommendation, if the APC was satisfied with the substantive contents of the proposal.

- Advisory Plan Commission [February 4, 2013]

The Westfield-Washington Advisory Plan Commission has forwarded a favorable recommendation to the City Council (Vote of: 8-0) with the following conditions:

1. That the land uses and development standards applicable to the Towne West PUD are recommended for approval contingent upon Hamilton County's approval of at least one right in/right out access to the development along 146th Street; and
2. In addition to 146th Street, the drive-thru and fueling station standards, as identified in Exhibit 4 of the Towne West PUD ordinance, shall also be applicable to Towne Road; and
3. Where vinyl siding is prohibited, aluminum side shall also be prohibited; and
4. The maximum building height shall be thirty-five (35) feet for all uses in the Retail Area, with exception to office uses. The maximum building height for office uses shall be forty-five (45) feet.

- City Council

- Introduction: [August 13, 2012]
- Eligible for Adoption: [February 11, 2013]

Submitted by: Andrew P. Murray, *Associated Planner*

**WESTFIELD-WASHINGTON ADVISORY PLAN COMMISSION
CERTIFICATION**

The Westfield-Washington Advisory Plan Commission held a public hearing on Monday, September 4, 2012, to consider the Towne West PUD. Notice of the public hearing was advertised and noticed and presented to the Advisory Plan Commission. Notice was shown to have been published in a newspaper of general circulation in Hamilton County, Indiana. The proposal is as follows:

Case No.	1208-PUD-07
Petitioner	Two PL, LLC
Description	Change in zoning from the AG-SF1 District to the Towne West PUD District.

On February 4, 2013, a motion was made and passed to send a favorable recommendation to the City Council to approve 1208-PUD-07 (Vote of: 8-0) with the following conditions:

1. That the land uses and development standards applicable to the Towne West PUD are recommended for approval contingent upon Hamilton County's approval of at least one right in/ right out access to the development along 146th Street; and
2. In addition to 146th Street, the drive-thru and fueling station standards, as identified in Exhibit 4, shall be applicable to Towne Road; and
3. Where vinyl siding is prohibited, aluminum siding shall also be prohibited; and
4. The maximum building height shall be thirty-five (35) feet for all uses in the Retail Area, with exception to office uses. The maximum building height for office uses shall be forty-five (45) feet.

The above-mentioned proposal and the Advisory Plan Commission's recommendation thereof are hereby certified.



Matthew S. Skelton, Secretary

February 6, 2013

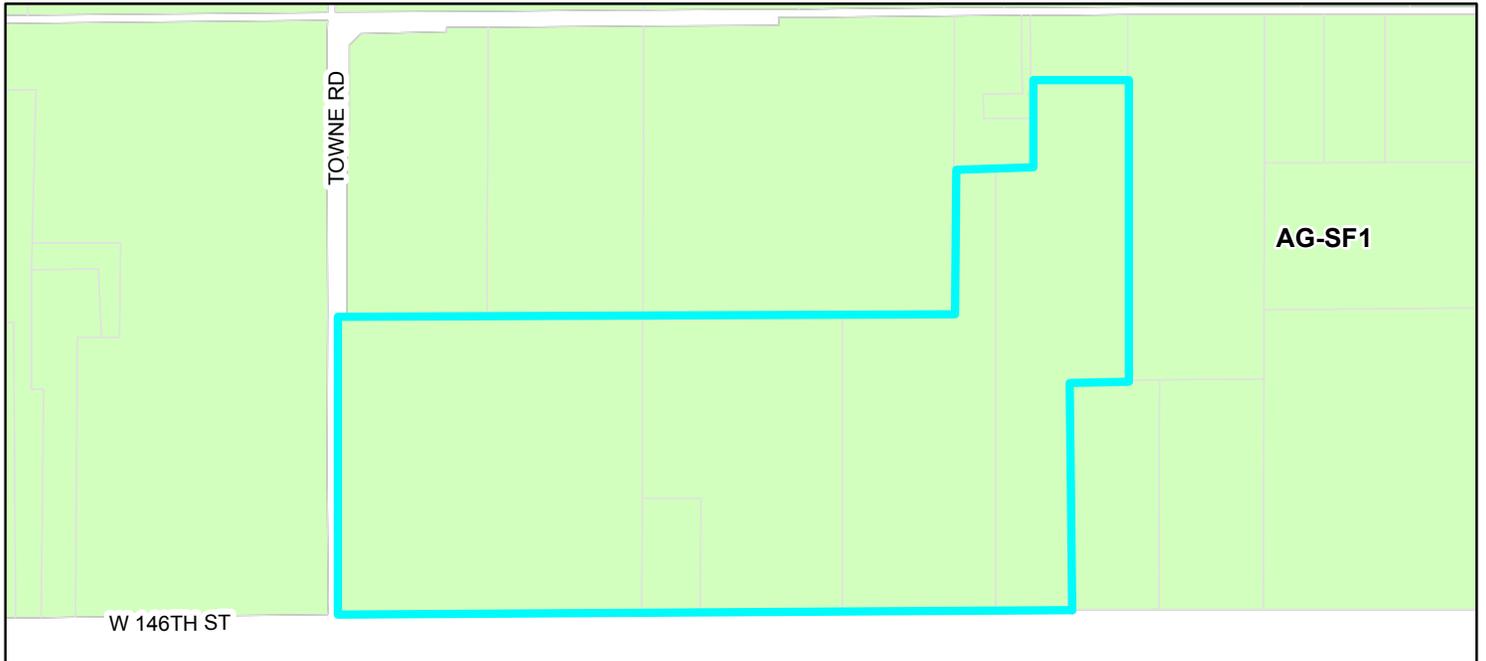
Date

Aerial Location Map

Site



Zoning Map



Zoning

- | | |
|--|---------------------------------|
| AG-SF1 (Agriculture - Single Family - 1) | MF-2 (Multiple Family - 2) |
| EI (Enclosed Industrial) | OI (Open Industrial) |
| GB (General Business) | PUD (Planned Unite Development) |
| LB (Local Business) | SF-3 (Single Family - 3) |
| MF-1 (Multiple Family - 1) | SF-4 (Single Family - 4) |

Exhibit 3 CONCEPT PLAN



Towne West PUD - Conceptual Plan
January 31, 2013

