



Westfield City Council Report

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| Ordinance Number: | 14-51 |
| APC Petition Number: | 1412-PUD-17 |
| Petitioner: | Langston Development, LLC by Faegre Baker Daniels, LLP |
| Requested Action: | A change of zoning from the AG-SF1: Agriculture / Single-Family Rural District to the Sheffield Park Planned Unit Development (PUD) District. |
| Current Zoning: | AG-SF1: Agriculture / Single-Family Rural District |
| Current Land Use: | Residential / Agricultural |
| Exhibits: | <ol style="list-style-type: none">1. Staff Report2. Location Map3. Concept Plan Exhibit4. PUD District Ordinance5. Neighbor Meeting Summary6. APC Certification |
| Prepared by: | Jeffrey M. Lauer, Associate Planner |

PETITION HISTORY

This petition was introduced at the November 10, 2014, City Council meeting. The petition received a public hearing at the December 1, 2014, Advisory Plan Commission (the "APC") meeting. The APC forwarded this petition with a unanimous favorable recommendation at its December 15, 2014, meeting. This petition is eligible for adoption consideration at the January 12, 2015, Council meeting.

PROCEDURAL

Public Hearing: Changes in zoning are required to be considered at a public hearing by the APC. The public hearing for this petition was held on December 1, 2014, at the APC meeting. Notice of the public hearing was provided in accordance with Indiana law and the APC's Rules of Procedure.

Neighbors' Meeting: The Petitioner hosted a meeting for adjoining property owners on November 13, 2014, as required by Article 10.9(C)(1)(f) of the UDO for proposed PUD Districts. The Petitioner has provided a summary of that meeting, which is included at **Exhibit 6**.

Statutory Considerations:

Indiana Code 36-7-4-603 states that in the consideration of zoning ordinance amendments and zone map changes that reasonable regard shall be paid to:

1. The Comprehensive Plan.
2. Current conditions and the character of current structures and uses.
3. The most desirable use for which the land is adapted.
4. The conservation of property values throughout the jurisdiction.
5. Responsible growth and development.

PROJECT OVERVIEW

Project Location: The subject property (the “Property”) is approximately fifty three (53) acres located north of State Road 32, between Grassy Branch Road and Shady Nook Road (see **Exhibit 2**). The Property is currently zoned AG-SF1: Agriculture / Single-Family Rural District.

Project Description: The Petitioner is requesting a change of zoning to a Planned Unit Development (PUD) District to be known as “Sheffield Park”, that would allow for a single-family residential neighborhood, as illustrated on the revised Concept Plan (see **Exhibit 3**).

Default Standards: The proposed PUD District Ordinance (the “PUD Ordinance”) (see **Exhibit 5**), defaults to the recently adopted Westfield – Washington Township Unified Development Ordinance (the “UDO”), with the **SF4: Single Family High Density District** as the Underlying Zoning District.

Permitted Uses: The PUD Ordinance permits those uses permitted by the Underlying Zoning District.

Development Standards: As proposed, the PUD Ordinance establishes enhanced or alternative development standards from the Underlying Zoning District (Chapter 6 of the UDO). These modifications are intended to accommodate the unique environmental characteristics of the Property and the Petitioner’s vision for the development. The development standards of note are briefly highlighted below:

1. Side Yard Setback: The PUD Ordinance modifies the eight (8) foot side yard setback required by the UDO to five (5) feet.
2. Architectural Standards (Article 6.3): The PUD Ordinance incorporates enhanced architectural standards, including the incorporation of Character Exhibits to establish the benchmark for the quality and character of the development. The PUD Ordinance also increases the Minimum Living Area square footage requirements and prohibits vinyl siding as a Building Material. The Petitioner has modified the PUD Ordinance and referenced the Character Exhibits.
3. Amenities: In response to comments during the public hearing, the Petitioner has incorporated standards in the PUD Ordinance to require a minimum of two (2) amenities from the list of amenities incorporated into the proposed PUD Ordinance.
4. Landscaping Standards (Article 6.8): The PUD Ordinance: (a) defaults to the landscaping standards required by the UDO and (b) establishes that “Tree Preservation Easement(s)” shall serve as the required buffer yard for those areas shown on the Concept Plan.
5. South Property Line: In response to comments made during the public hearing and in working with the Department, the petitioner has added language to the PUD Ordinance that requires at least one of the following:

- a. Enhanced architectural treatment to the rear of future Dwellings (pursuant to Article 6.3(C)(b)) which shall apply to the ten (10) lots shown with asterisks on the Concept Plan; or,
- b. Landscape screening which shall apply to the lots shown with asterisks on the Concept Plan which shall include:
 - i. Three (3) shade trees and three (3) evergreen trees per lot within thirty (30) feet of the Rear Lot Line

Design Standards: As proposed, the PUD Ordinance establishes enhanced or alternative design standards from the Underlying Zoning District (Chapter 8 of the UDO). These modifications are intended to accommodate the unique environmental characteristics of the Property and the Petitioner’s vision for the development. The design standards of note are briefly highlighted below:

1. Street and Right-of-Way Standards (Article 8.9): The UDO requires that “[s]treets shall align and connect with existing or planned streets and provide for connections with adjacent property. Proposed streets, where appropriate, shall be extended to the boundary line of the tract to be developed so as to provide for normal circulation of traffic within the vicinity. Regard shall be given to the Thoroughfare Plan and Comprehensive Plan. Cul-de-sacs are discouraged and shall only be permitted where such street continuation is prevented due to topography or other physical condition, or unless such extension is found by the Plan Commission to be unnecessary for the coordination of development within the development or between the development and adjoining property.”

In working with the Department and pursuant to the above cited requirement, the Petitioner has provided connectivity between the Lakes of Westfield subdivision to the north of the Property and the proposed Sheffield Park PUD District.

2. Open Space (Article 8.6): The PUD Ordinance increases the minimum required amount of open space from 16% (for SF4 Districts) to 20%. The Petitioner has incorporated a requirement into the PUD Ordinance for preserved Natural Areas and Open Space as an amenity.

Comprehensive Plan: The Future Land Use Plan in the Westfield-Washington Township Comprehensive Plan (the “Comprehensive Plan”) identifies the Property as “Suburban Residential”. The Comprehensive Plan is not law; rather, it is intended to serve as a guide in making land use decisions; however, below is a general summary of the goals and objectives of the Comprehensive Plan for this Property:

The development policies for “Suburban Residential” include: (i) promote the protection of the existing suburban character of the area; (ii) ensure that new development adjacent to existing suburban is properly buffered; (iii) ensure development occurs in a way that is contiguous with existing development; (iv) design developments such that back yards are not adjacent to collector or arterial streets unless uniform attractive screening is provided; (v) prevent monotony of design and color that applies to the collective impact of an entire development; (vi) emphasize connectivity between subdivisions, and avoid creating isolated islands of development; (vii) encourage quality and useable open space; (viii) encourage development of bicycle and pedestrian facilities in new development to improve connectivity; and (ix) land that is characterized by steep slopes or other natural limitations should be left natural or developed at rural, rather than suburban densities.

The development policies for “residential design standards” include: (i) encourage neighborhoods that do not have the appearance of “production” housing; (ii) evaluate new residential development on the basis of overall density and the relationship that density to effective and usable open space preservation, rather than on lot sizes; and (iii) encourage variety and diversity in housing while maintaining a distinct style or character and avoiding the appearance of “cookie cutter” subdivisions.

The development policies for “open space and recreation” include: (i) design open space to form an interconnected network, with provisions or linkages to existing or potential open space; (ii) maintain and preserve stream corridors, woodlands, hedge rows, or other valuable natural and historic resources; (iii) provide parks and recreational facilities in new development to accommodate the needs of the community as it grows; and (iv) recognize that in addition to the amount of open space, that the location and configuration of open space is of importance and should not be an afterthought based on a determination of unusable land.

PUBLIC HEARING COMMENTS

The public comments presented at the public hearing are summarized in the APC’s minutes of the December 1, 2014, meeting ([linked here](#)). The Petitioner’s summary of their revisions in response to those comments received from the Department, the Plan Commission, and neighbors is included in the Petitioner’s Update, attached hereto as **Exhibit 7**.

RECOMMENDATIONS / ACTIONS

APC Recommendation

At its December 15, 2014, meeting, the APC forwarded a unanimous favorable recommendation of this petition to the Council (Vote of: 7 in favor, 0 opposed) (see **Exhibit 8**).

City Council

Introduction: November 10, 2014

Eligible for Adoption: January 12, 2015

Submitted by: Jeffrey M. Lauer, Associate Planner
Economic and Community Development Department

Location Map

Sheffield Park Planned Unit Development District 1412-PUD-17 (Ordinance No. 14-51)



Location Map

Site



Zoning Map



Zoning

- | | |
|--|---|
| AG-SF1 (Agriculture - Single Family - 1) | LB (Local Business) |
| GB (General Business) | SF-2 (Single Family - 2) |
| GB-PD (General Business - Planned Development) | SF-4 (Single Family - 4) |
| GO (General Office) | PUD (Planned Unit Development) |

PRIOR CONCEPT PLAN

12.01.2014



REVISED CONCEPT PLAN

12.15.2014



ORDINANCE NUMBER 14-51

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AN AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE

This is a Planned Unit Development District Ordinance (to be known as the “**SHEFFIELD PARK PUD DISTRICT**”) to amend the Unified Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Unified Development Ordinance"), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended.

WHEREAS, the City of Westfield, Indiana (the "City") and the Township of Washington, both of Hamilton County, Indiana are subject to the Unified Development Ordinance;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 1412-PUD-17**), requesting an amendment to the Unified Development Ordinance and to the Zoning Map with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate");

WHEREAS, the Commission forwarded **Petition No. 1412-PUD-17** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a favorable recommendation (7-0) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on _____, 2014;

WHEREAS, the Common Council is subject to the provisions of the Indiana Code §36-7-4-1507 and Indiana Code § 36-7-4-1512 concerning any action on this request; and

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in regular session, that the Unified Development Ordinance and Zoning Map are hereby amended as follows:

Section 1. Applicability of Ordinance.

- 1.1 The Unified Development Ordinance and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the “**Sheffield Park PUD District**” (the “District”).
- 1.2 Development of the Real Estate shall be governed by: (i) the provisions of this Ordinance and its exhibits; and (ii) the provisions of the Unified Development

Ordinance, as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance.

- 1.3 Chapter (“*Chapter*”) and Article (“*Article*”) cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance.
- 1.4 All provisions and representations of the Unified Development Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

Section 2. Definitions. Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Unified Development Ordinance.

- 2.1 Underlying Zoning District: The Zoning District of the Unified Development Ordinance that shall govern the development of this District and its various subareas, as set forth in Section 4 of this Ordinance.
- 2.2 Trail: Any pedestrian or nature trail internal to the District that is used by pedestrians, hikers, or pets. A trail may be paved or maintained in a natural state (e.g., gravel, rock, grass or mulch).

Section 3. Concept Plan. The Concept Plan, attached hereto as **Exhibit B**, is hereby incorporated in accordance with *Article 10.9(F)(2) Planned Unit Development Districts; PUD District Ordinance Requirements; Concept Plan*. The Real Estate shall be developed in substantial compliance with the Concept Plan.

Section 4. Underlying Zoning District(s). The Underlying Zoning District of this District shall be the **SF-4: Single Family High Density District**. Except as modified, revised, supplemented or expressly made inapplicable by this Ordinance, the standards of the Underlying Zoning District, as set forth above, shall apply.

Section 5. Permitted Uses. All uses permitted in the Underlying Zoning District, as set forth in *Chapter 4* and *Chapter 13* shall be permitted.

Section 6. General Regulations. The standards of *Chapter 4: Zoning Districts*, as applicable to the Underlying Zoning District, shall apply to the development of the District, except as otherwise modified below.

- 6.1 Minimum Building Setback Line for a Side Yard: 5 feet
- 6.2 Minimum Lot Width: 65 feet.

6.3 Maximum Building Height: Two and one-half (2 ½) stories.

6.4 Minimum Living Area:

1. Single Story: 1,500 square feet.
2. Two Story: 1,700 square feet.

Section 7. Development Standards. The standards of *Chapter 6: Development Standards* shall apply to the development of the District, except as otherwise modified below.

7.1 *Article 6.3 Architectural Standards:* Shall apply. In addition, the following shall also apply:

- A. Character Exhibit. The Character Exhibit, attached hereto as **Exhibit C**, is hereby incorporated as a compilation of images designed to capture the intended quality of structures to be constructed in the District. Although the exhibits do not necessarily represent the final design or specify a required architectural style or element, they do hereby establish a benchmark for the quality and appearance of structures that are permitted to be constructed and that contribute to the District’s intent and vision. It is not the intent to limit the architectural styles shown in Exhibit C, but to encourage diversity in architectural styles of Dwellings within the District. The Department shall determine whether a structure is consistent with the established benchmark and complies with the standards of this Ordinance. The Department’s decision may be appealed to the Plan Commission.
- B. Building Materials: In addition to *Article 6.3(C)(3) Building Materials*, the following shall apply: Vinyl and aluminum siding shall be prohibited.
- C. Garages: All Dwellings shall have a minimum of a two (2) car attached garage.

7.2 *Article 6.8 Landscaping Standards:* Shall apply, except as otherwise modified below.

- A. *Article 6.8(N) Buffer Yard Requirements* shall only apply in the areas labelled “Buffer Yard” on the Concept Plan. Additionally, the existing vegetation, labeled as “Preserved Natural Buffer Yard” on the Concept Plan, shall be preserved pursuant to *Article 6.8(E)* and satisfy the required Buffer Yard planting materials in these areas. A tree preservation easement shall be established within the Preserved Natural Buffer Yard. Within this tree preservation easement, no trees with a diameter at breast height (“DBH”) in excess of four inches (4”) or more (the “Protected Trees”) shall be removed unless the tree is damaged, diseased, dead, or is to be removed in order to: (1) comply with safety requirements of any

governmental agency; or (2) to accommodate the installation of drainage, utilities, street connections or other infrastructure. If a Protected Tree is damaged or otherwise removed by the developer or builder, except as permitted to be removed as listed above, then the developer or builder shall reestablish the Protected Tree with a tree or trees of combined equal or greater DBH subject to the availability of space for their healthy growth in the tree preservation area.

- B. Lots marked with an asterisk (*) on the Concept Plan shall provide at least one of the following:
 - i. Three (3) shade trees and three (3) evergreen trees per lot within 30' of the Rear Lot Line. The trees shall be located either on the Real Estate or on the property directly south of the Real Estate. If the trees are located on the property directly south of the Real Estate, then a recorded landscape easement shall be established, and the trees shall be planted within the easement; or
 - ii. Rear Building Façade Enhancements, as prescribed in *Article 6.3(C)(b)(i)(b)*.

Section 8. Infrastructure Standards. The District's infrastructure shall comply with the Unified Development Ordinance and the City's Construction Standards (see *Chapter 7: Subdivision Regulations*), unless otherwise approved by the Plan Commission or Department of Public Works in consideration of the preservation of the natural topography and environment and in consideration to the unique design intent of the District.

Section 9. Design Standards. The standards of *Chapter 8: Design Standards* shall apply to the development of the District, except as otherwise modified below.

- 9.1 *Article 8.6 Open Space and Amenity Standards* shall apply; however, the Minimum Open Space for the District shall be enhanced to require a minimum of twenty percent (20%). All Open Space shall be common area and deeded to and maintained by a homeowners' association.

Section 10. Amenities. Amenities shall be provided in accordance with this section.

- 10.1 At least two (2) of the following shall be included within the District:
 - A. Clubhouse (minimum of 650 square feet);
 - B. Swimming pool;
 - C. Playground;
 - D. Open Space or park (minimum of 5,000 square feet);

- E. Trail;
 - F. Basketball court;
 - G. Volleyball court;
 - H. Picnic area.
- 10.2 In the event the construction of the District is phased, at least one (1) amenity shall be constructed in each of the first two (2) phases.
- 10.3 The Overall Development Plan shall identify the area(s) to be set aside for amenities. The specific details of the amenity areas (Detailed Development Plans) shall be reviewed by the Department for further compliance at the time of the Improvement Location Permit review.

ALL OF WHICH IS ORDAINED/RESOLVED THIS ## DAY OF _____, 2014.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Charles Lehman

Charles Lehman

Charles Lehman

Robert J. Smith

Robert J. Smith

Robert J. Smith

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

Robert W. Stokes

Robert W. Stokes

Robert W. Stokes

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 14-51** was delivered to the Mayor of Westfield
on the _____ day of _____, 2014, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 14-51**
this _____ day of _____, 2014.

J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 14-51**
this _____ day of _____, 2014.

J. Andrew Cook, Mayor

I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Jeffrey M. Lauer, Associate Planner, City of Westfield.

This document prepared by: Jim Langston, Langston Residential Development, LLC., 1132 S. Rangeline Road, Carmel, IN 46032 (317) 846-7017.

SCHEDULE OF EXHIBITS

- Exhibit A Real Estate (Legal Description)
- Exhibit B Concept Plan
- Exhibit C Character Exhibit

EXHIBIT A
REAL ESTATE

ZONING DESCRIPTION

A part of the Southwest Quarter of Section 32, Township 19 North, Range 4 East, in Washington Township, Hamilton County, Indiana, more particularly described as follows:

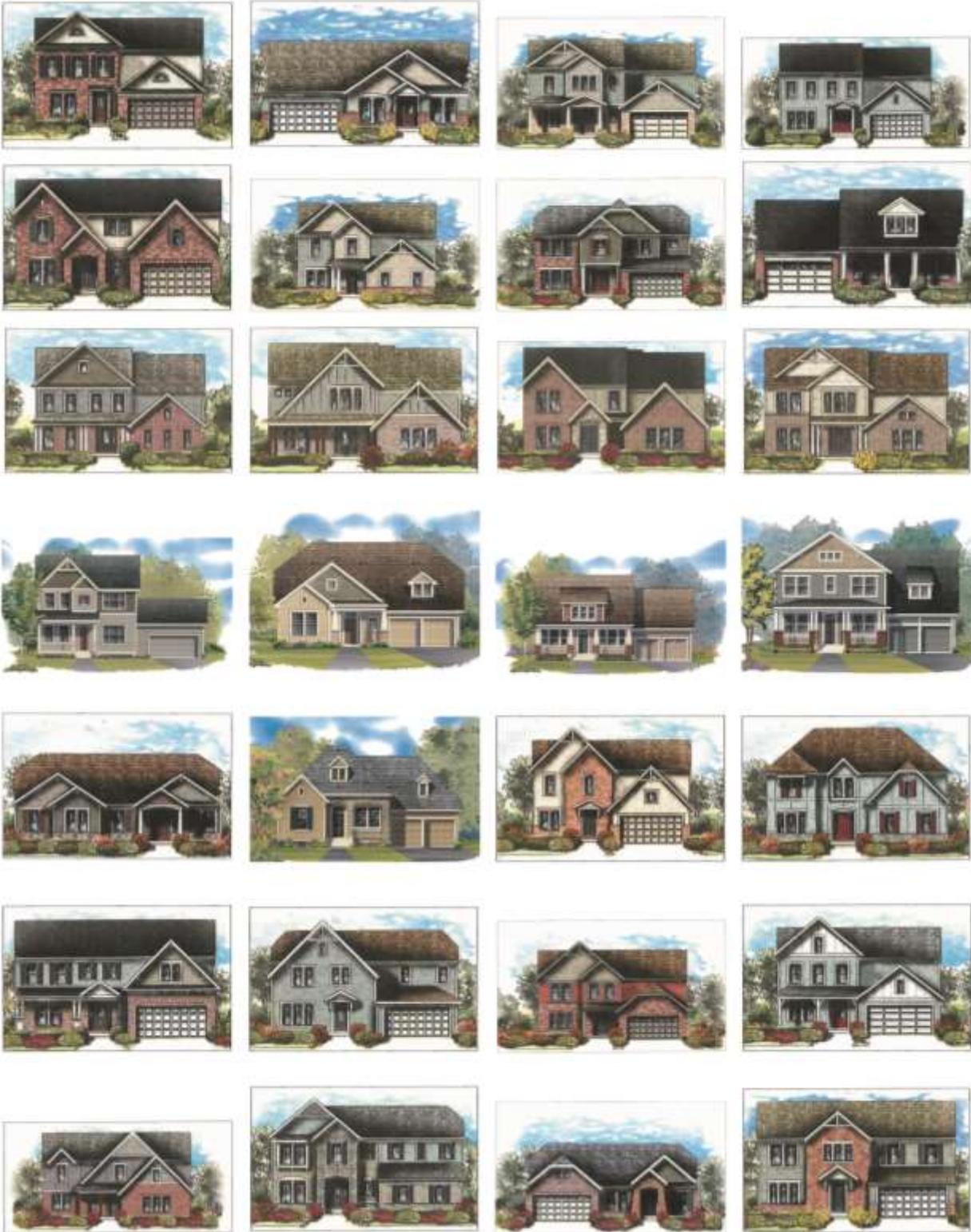
Beginning at the Northeast corner of said Quarter Section; thence South along the East line thereof a distance of 1,190 feet; thence West a distance of 1,940 feet to a point on the East property line of Grassy Knoll Subdivision; thence North along said East line of Grassy Knoll Subdivision a distance of 1,190 feet to a point on the North line of said Quarter Section; thence East along said North line a distance of 1,940 feet to the place of beginning, containing 53.0 acres more or less.

This legal description is for zoning purposes only and subject to change upon the completion of a boundary survey.

EXHIBIT B
CONCEPT PLAN



EXHIBIT C
CHARACTER EXHIBIT



Neighbor Meeting Summary

Project: Sheffield Park
Date: Thursday, November 13, 2014
Location: Brookside Clubhouse

1. In attendance: 2 neighbors, 1 City Councilor (Robert Stokes), Kevin Todd with the City of Westfield, representatives from Langston Development, LLC (“Langston”), Steve Hardin and Alyson Oliver of Faegre Baker Daniels.
2. Langston is proposing a single-family neighborhood consisting of 125 homesites on 53 acres +/- . Illustrative elevations showing the quality and character of the proposed homes (included in the proposed PUD Ordinance) were provided to the neighbors.
3. The neighbors in attendance at the meeting were interested in the proposed neighborhood and asked questions about the general plan for the neighborhood. Some of the questions included:
 - a. What are some examples of neighborhoods featuring the homes shown in the illustrative elevation exhibit?
 - i. Langston provided the following answer: Some of the homes are being built in Village at Brookside on Olio Road, which is just south of 86th Street in McCordsville, and in Reserve at Somerset on Smokey Row Road, which is west of SR 135 in Johnson County. The other homes are from Charlotte, and they have not been built in this market, yet.
 - b. Will there be a wall between Sheffield Park and Grassy Knoll? (the neighbor that asked this question did not want one)
 - i. Langston provided the following answer: No.
 - c. Can the City help construct a path in front of their neighborhood (Grassy Knoll) along Grassy Branch Road so that it would connect to the north and south paths?

**WESTFIELD-WASHINGTON TOWNSHIP ADVISORY
PLAN COMMISSION CERTIFICATION**

The Westfield-Washington Township Advisory Plan Commission held a public hearing on Monday, December 1, 2014, to consider an amendment to the Zoning Map and Westfield-Washington Township Unified Development Ordinance. Notice of the public hearing was advertised and noticed in accordance with Indiana law and the Advisory Plan Commission's Rules of Procedure. Notice was shown to have been published in a newspaper of general circulation in Hamilton County, Indiana. The petition is as follows:

| | |
|---------------|---|
| Docket No. | 1412-PUD-17 |
| Ordinance No. | 14-51 |
| Petitioner | Langston Development, LLC |
| Description | Langston Residential Development, LLC requests a change in zoning of approximately 53 acres+/-, generally located north of SR 32 between Grassy Branch Road and Shady Nook Road, from the AG-SF1: Agriculture/Single-Family Rural District to the Sheffield Park Planned Unit Development (PUD) District. |

On December 15, 2014, a motion was made and passed to send a unanimous favorable recommendation to the City Council regarding this petition (Vote: 7 in favor, 0 opposed).

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



Matthew S. Skelton, Secretary

December 16, 2014

Date