



Petition Number: 1506-PUD-09

Petitioner: M/I Homes of Indiana, LP by Nelson & Frankenberger, also by Weihe Engineers

Request: A change of zoning from the SF2: Single-family Low Density District to the **Tamarack Planned Unit Development (PUD) District** to accommodate fifty-three (53) single-family residential Lots.

Current Zoning: SF2: Single-Family Low Density District

Current Land Use: Residential / Agricultural

Approximate Acreage: 34.4-acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Concept Plan and Character Exhibits
4. Tamarack PUD District Ordinance
5. Neighbor Meeting Summary
6. Petitioner’s Narrative
7. Public Comments

Staff Reviewer: Jeffrey M. Lauer, Associate Planner

PETITION HISTORY

This petition was introduced at the May 11, 2015, City Council meeting. The petition will receive a public hearing at the June 1, 2015, Advisory Plan Commission (the “APC”) meeting.

PROCEDURAL

Changes in zoning are required to be considered at a public hearing by the APC. The public hearing for this petition will be held on June 1, 2015, at the APC meeting. Notice of the June 1, 2015, public hearing was provided in accordance with Indiana law and the APC’s Rules of Procedure.

The Petitioner hosted a meeting for adjoining property owners on May 21, 2015, 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 5**.

PROJECT OVERVIEW

Project Location: The subject property (collectively, the “Property”) is approximately thirty-four (34) acres located at the northeast corner of Oak Road and 161st Street (see **Exhibit 2**). The Property is currently zoned SF2: Single-Family Low Density District.



Project Description: The Petitioner is requesting a change of zoning to a Planned Unit Development (PUD) District to be known as “Tamarack”, that would allow for a single-family residential neighborhood, as illustrated on the Concept Plan (see **Exhibit 3**), consisting of fifty-three (53) single-family residential Lots. The Petitioner’s Narrative is incorporated at **Exhibit 6**.

Default Standards: The proposed PUD District Ordinance (the “PUD Ordinance”) (see **Exhibit 4**) 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 (i.e., the Pipeline Easements) and the Petitioner’s vision for the development. The development standards of note are briefly highlighted below:

1. **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. In addition, the PUD Ordinance increases the Minimum Living Area square footage requirements from both the existing SF2: Single-Family Low Density District and the Underlying Zoning District proposed in the PUD. The PUD Ordinance prohibits vinyl siding.
2. **Landscaping Standards (Article 6.8):** The PUD Ordinance: (a) modifies the required number of per Lot landscaping and (b) addresses planting restrictions of the pipeline easement where it conflicts with perimeter External Street Frontage Landscaping and Buffer Yard Landscaping. The Department is continuing to work with the petitioner to provide the landscaping that conflicts with the pipeline easement restrictions elsewhere on the site.
3. **Sign Standards (Article 6.17):** The PUD Ordinance modifies the Residential Sign standards by a provision adding brick columns a maximum of eight (8) feet high with a maximum Sign Area of six (6) square feet at the subdivision entrances. The Department is continuing to work with the petitioner regarding this standard and the residential signage already permitted in the UDO (Article 6.17(G)).

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):** Due to the constraints of the pipeline easements, the Petitioner is proposing modifications to accommodate the street design depicted in the Concept Plan (see **Exhibit 3**). The Department is continuing to work with the Petitioner, the Public Works Department, and Fire Department regarding a design that balances the City’s public safety and connectivity interests with those of the Petitioner and the restrictions of the pipeline easements grantee.



2. Open Space (Article 8.6): The PUD Ordinance increases the minimum required amount of open space from 15% (for SF2 Districts) to 35%. The Petitioner has provided pedestrian facilities and connectivity throughout the proposed Open Space, connecting Oak Road and 161st Street perimeter paths. The Department is continuing to work with the petitioner regarding further connectivity internal to the District (see comment above).

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.

STATUTORY CONSIDERATIONS

Indiana Code 36-7-4-603 states 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.
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STAFF COMMENTS

1. Hold a public hearing at the June 1, 2015, APC meeting. No action is required at this time.
2. Prior to the final deposition, the petitioner will make any necessary revisions to the proposal based on APC comments, public comments and any additional staff comments.
3. If any APC member has questions prior to the public hearing, then please contact Jeffrey M. Lauer at (317) 910.2927 or jlauer@westfield.in.gov.