



**Petition Number:** 1506-SPP-13 & 1506-ODP-14

**Subject Site Address:** NWC of Wendover Avenue and Cayuga Drive

**Petitioner:** Maple Knoll Developer, LLC by

**Representative:** Stoepelwerth & Associates, Inc.

**Request:** Primary Plat and Overall Development Plan review for Maple Villas, consisting of 56 two-family units on 28 lots on 16.33 acres+/- and associated waiver

**Current Zoning:** Maple Knoll (Ordinance 04-02)

**Current Land Use:** Undeveloped / Agriculture

**Approximate Acreage:** 16.33 acres+/-

**Exhibits:**

1. Staff Report
2. Location Map
3. Overall Development Plan & Primary Plat

**Zoning History:** Original PUD Zoning  
0304-PUD-02 Maple Knoll PUD District (Ordinance 04-02) (02/09/04)

**Staff Reviewer:** Amanda Rubadue, Associate Planner

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### **PROCEDURAL**

Approval of a Primary Plan and Development Plan must be granted if the submitted plans demonstrate compliance with the terms of the underlying zoning district, subdivision control ordinance and/or applicable PUD District Ordinance, any variances associated with the site, and any commitments associated with the site.

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### **PROJECT OVERVIEW**

The 16.33 acres+/- is located on the northwest corner of Wendover Avenue and Cayuga Drive (see **Exhibit 2**). The request is for Primary Plat and Overall Development Plan approval for 56 single-family (two-family) homes on 28 lots.

The petition was reviewed by the Technical Advisory Committee at its May 19, 2015 meeting. The public hearing for this petition was held at the Plan Commission's June 1, 2015 meeting.

The applicable zoning district is the Maple Knoll PUD District Ordinance No. 04-02 (the "PUD Ordinance"). The subject property is within the Mixed Use District of the PUD Ordinance. Applicable underlying zoning district is Special Business.



### **TRAIL CONSTRUCTION/TRAIL CONNECTION**

The City of Westfield (the “City”) and the Petitioner are working together to provide for trail construction and trail connectivity within and around the subject property. As a result, the Department recommends approval of this petition with the condition that the City and the Petitioner finalize and execute an agreement to require such improvement, as referenced under the Staff Comments section of this report.

### **SUBDIVISION CONTROL WAIVER**

As further noted herein, the Petitioner is requesting a subdivision control waiver for the following standard:

Street Standards (WC 16.04.230 Section 2.w.) No driveway shall be located within 75 feet of the intersection of two street lines.

The Petitioner has requested a waiver to reduce the driveway separation requirement from 75 feet to 40 feet, as measured from the edge of the driveway pavement to the edge of the intersecting right-of-way line at the lot line (not the street centerline).

Pursuant to WC 16.04.165, Section G., the Plan Commission, may approve a waiver of Development Requirements only upon finding that:

1. The proposed development represents an innovative use of site design/site access design/site circulation design/building orientation/building materials/landscaping which will enhance the use or value of the area properties;
2. The proposed development will not be injurious to the public health, safety, morals or general welfare of Westfield-Washington Township;
3. The strict application of the Development Requirements of the Westfield Washington Township Zoning Ordinance will result in a development of the real estate which is undesirable when compared with the proposed development;
4. The proposed development is consistent with and compatible with other development located in the area; and,
5. The proposed development is consistent with the intent and purpose of the Westfield-Washington Township Comprehensive Plan.

### **DEVELOPMENT PLAN REVIEW COMMENTS**

#### **Development Plan Review (WC 16.04.165)**

**The plans comply.**

- 1) Maple Knoll PUD District Standards (WC 16.04.165.C.1):
  1. Total Number of Residences: may not exceed 733 in the Mixed Use District, total of 1,800 within all of the Real Estate (Section 10 of the PUD Ordinance)
  2. Development Standards: (Exhibit 14 of the PUD Ordinance):



- A. All lots shall have frontage along a Public Street or a Private Street and may be accessed from the front, side or rear yard
- B. Minimum Lot Width at building line: 20 feet
- C. Minimum Lot Width at Street: 20 feet
- D. Minimum Lot Depth: 60 feet
- E. Minimum Lot Area: 1,000 sq. ft.
- F. Front Setback: 0-80 feet\*
- G. Minimum Side Setback: 0 feet; provided however, that the minimum separation between buildings shall be 10 feet\*
- H. Minimum Rear Setback: 0 feet\*

**\*These standards will be further reviewed by the Department for compliance at the time of the building permit review for each individual lot.**

3. Landscaping: (Section 13, Exhibit 17 of the PUD Ordinance)

A. General Landscape Design Standards: (WC 16.06.040):

(1) Standard: Detention/retention basins and ponds shall be landscaped in a manner that replicates the natural form of ponds. Such landscaping shall include shade trees, ornamental trees, evergreens, shrubbery, hedges, and/or other plant material.

B. On-Site and Road Frontage Requirements: (WC 16.06.050):

(1) On-Site Standard: Single family attached residential shall have one (1) shade trees, one (1) evergreen or ornamental trees and four (4) shrubs per dwelling unit.

(2) Road Frontage Standard (Residential): In residential developments, where property abuts primary arterials, secondary arterials, or collector roads not internal to subdivisions, at least one shade tree per thirty (30) linear feet of road frontage shall be planted adjacent to road rights-of-way. Shade trees shall be located outside drainage and utility easements, shall be located in a manner that mitigates interference with infrastructure located within such easements and may be clustered or grouped in order to attain creative site design.

**Comment: Not applicable, property does not abut primary arterials, secondary arterials, or collector roads.**

C. Buffer Yard Requirements:

(1) Standard: (WC 16.06.060) Buffer sizes shall be determined by adjacent zoning districts and/or land uses in accordance with Table 16.06.060-01 of the Zoning Ordinance and shall include at least one (1) evergreen tree per thirty (30) linear feet.

(2) Development Standards: (Section 13.1) Shrubs are not required to be planted within woodlands located within buffer yards

4. Street Standards: (Section 17, Exhibit 21 of the PUD Ordinance)

5. Architectural Standards: (Exhibit 14 of the PUD Ordinance):

**Comment: Not applicable to the overall development plan. The standards of Exhibit 14 consist of architectural standards that will be reviewed for compliance at the time of the building permit review for each individual home.**

6. Common Areas and Amenities:

A. Open Space/Trails: Section 18 of the PUD Ordinance establishes Open Space within the Mixed Use District shall be greater than or equal to 10% of the Mixed Used District and Developer



shall install a trail system internal to the Real Estate, providing interconnectivity to parks and school sites.

**Comment: Development Plan complies (Open Space calculated at 32.3%). Petitioner has identified the 30 ft. wide area identified as part of the Midland Trace Trail System along the north edge of the Real Estate as a separate block and labeled *To Be Dedicated to the City of Westfield*. This area counts towards the developments open space and buffer areas.**

- 2) Overlay District Standards: (WC 16.04.165.C.2): **This property is not subject to an Overlay District.**
- 3) Subdivision Control Ordinance: (WC 16.04.165.C.3): **Please see Primary Plat comments herein.**
  1. Street and Highway Access: (WC 16.04.165.C.6): The design and location of proposed street and highway access points shall minimize safety and hazards and congestion.
  2. Street and Highway Capacity: (WC 16.04.165.C.7): The capacity of adjacent streets and highways is sufficient to safely and efficiently accept traffic that will be generated by the new development.
  3. Utility Capacity: (WC 16.04.165.C.8): The applicable utilities have sufficient capacity to provide potable water, sanitary sewer facilities, electricity, telephone, natural gas, and cable service at a satisfactory level of service to meet the needs of the proposed development.
  4. Traffic Circulation Compatibility: (WC 16.04.165.C.9): The entrances, streets and internal traffic circulation facilities in the proposed development are compatible with existing and planned streets and adjacent development.
- 4) Development Plan Review Standards: (WC 16.04.165.C.4 and WC 16.04.165.D.3):
  1. Site Access and Circulation:
    - A. Standard: All proposed site access locations shall comply with the requirements of the Indiana Department of Transportation, Driveway Permit Manual (1996 Version) and any amendments thereto, which is hereby incorporated into and made a part of this Ordinance by this reference.
    - B. Standard: All proposed site access locations shall provide for the safe and efficient movement of vehicular and pedestrian movement to and from the proposed development.
    - C. Standard: Site circulation patterns shall be designed to minimize conflicts between vehicular and pedestrian traffic, and create a safe and efficient movement of both vehicular and pedestrian traffic in and around the project.
    - D. Sidewalks, Pedestrian Paths, Jogging Paths, and Bicycle Paths (WC 16.04.240(G)):
      - (1) Standard: The Plan Commission shall require sidewalks to be installed on each side of the street in all subdivisions.
      - (2) Standard: Where a proposed subdivision abuts an existing street right-of-way, the Plan Commission shall require the developer to construct sidewalks parallel to the existing street.
      - (3) Standard: The Plan Commission may require developers to construct off-site sidewalks adjacent to the developers' project to respond to infrastructure demands created by said project.
      - (4) Standard: When a proposed subdivision lies between or adjacent to existing subdivisions which have been provided with sidewalks, the Plan Commission shall require connecting sidewalks (which are extensions of the existing sidewalks) to be constructed.
      - (5) Standard: If a sidewalk, pedestrian path, jogging path and/or bicycle way is to be installed, then a plan shall be submitted to the Plan Commission with the Primary Plat and Secondary Plat drawings.



- (6) Standard: Curb ramps for handicapped accessibility shall be provided at all intersections of streets, alleys, and drives.
- (7) Standard: When a sidewalk, pedestrian path, jogging path, and/or bicycle way crosses a street intersection within or adjacent to a subdivision (where one of the streets is a primary arterial a secondary arterial), necessary safety devices, such as painted crosswalks, signs, or other traffic control devices shall be installed at the developer's expense.
- (8) Standard: When sidewalks, pedestrian paths, jogging paths, and/or bicycle ways are to be installed, they shall be constructed in accordance with the Hamilton County Alternative Transportation Plan and the Construction Standards for the City of Westfield, which have both been adopted by the City of Westfield.

**Comment: Please see other comments herein regarding Midland Trace Trail.**

2. Landscaping Standards: **Please see PUD District standards.**
3. Lighting Standards: (WC 16.07 et seq.):
4. Sign Standards: (WC 16.08 et seq. and Section 10 of Ord. 03-40):

**Comment: Any proposed sign(s) will require a sign permit and will be reviewed by the Department for compliance at that time.**

- 5) Street and Highway Access: (WC 16.04.165.C.6): The design and location of proposed street and highway access points shall minimize safety and hazards and congestion.
- 6) Street and Highway Capacity: (WC 16.04.165.C.7): The capacity of adjacent streets and highways is sufficient to safely and efficiently accept traffic that will be generated by the new development.
- 7) Utility Capacity: (WC 16.04.165.C.8): The applicable utilities have sufficient capacity to provide potable water, sanitary sewer facilities, electricity, telephone, natural gas, and cable service at a satisfactory level of service to meet the needs of the proposed development.
- 8) Traffic Circulation Compatibility: (WC 16.04.165.C.9): The entrances, streets and internal traffic circulation facilities in the proposed development are compatible with existing and planned streets and adjacent development.

#### **PRIMARY PLAT REVIEW COMMENTS**

##### **Primary Plat Standards (WC 16.04.220)**

**The plans comply.**

The following basic information shall be shown [on the Primary Plat] (WC 16.04.220):

- 9) Location map showing:
  1. Subdivision name and location
  2. Any street related to the subdivision
  3. Existing elementary and high schools, parks and playgrounds, available for serving the area proposed to be subdivided, and other community facilities
  4. Title, scale, north point and date
  5. Land use adjacent to proposed subdivision and owners names
- 10) A primary plat prepared by a land surveyor or land planner showing:
  1. Proposed name of the subdivision
  2. Names and addresses of the owner, owners, land surveyor or land planner



3. Streets on and adjoining the site of the proposed subdivision, showing the names (which shall not duplicate other names of streets in the community, unless extensions of such streets) and including roadway widths, approximate gradients, types and widths of pavement, curbs, sidewalks, cross-walks, tree plantings and other pertinent data.
4. Easements (locations, widths and purposes).
5. Statement concerning the location and approximate size or capacity of utilities to be installed.
6. Layout of lots, showing dimensions and numbers and square footage.
7. Parcels of land proposed to be dedicated or reserved for schools, parks, playgrounds or other public, semi-public or community purposes.
8. Contours at vertical intervals of two (2) feet if the general slope of the site is less than 10% and at vertical intervals of five (5) feet if the general slope is greater than 10%.
9. Tract boundary lines showing dimensions, bearings, angles, and references to section, township and range lines or corners.
10. Building setback lines.
11. Legend and notes.
12. Drawing indicating the proposed method of drainage for storm sewers and other surface water drainage.
13. Other features or conditions which would affect the subdivision favorable or adversely.
14. Scale, north point and date: Primary Plat shall be drawn to a scale of 50' to 1", or 100' to 1"; provided, however, that if the resulting drawing would be over 36" in shortest dimension, a scale as recommended by the commission may be used.
15. A national cooperative soil survey showing the soil limitations based upon the intended usage of the development land.
16. A statement from the County and State Highway Departments or Westfield Department of Public Works concerning rights-of-way, road improvements, roadside improvements, roadside drainage, entrances, culvert pipes, and other specifications deemed necessary.
17. If legal drain is involved, then a statement from the County Drainage Board concerning easements, right-of-way, permits, etc.
18. If floodplain is involved, then a statement from the Indiana Department of Natural Resources concerning construction in floodway (floodplain high water marks, etc.)

**Principals and Standards of Design (WC 16.04.230), and Standards of Improvement (WC 16.04.240)**

**The plans comply.**

11) Street Standards

1. No driveway shall be located within 75' if the intersection of two street line.

**Comment: Petitioner has requested a waiver to permit a reduction of driveway separation from intersections to 40'.**

12) Block Standards:

1. Blocks not to exceed 1250' in length.
2. Blocks shall be of sufficient width to permit two tiers of appropriate depth, except where an interior street parallels an expressway, primary arterial, or secondary arterial.

13) Lot Standards:

1. All lots shall abut on a street.



2. Side lines of lots shall be at approximately right angles to straight streets and on radial lines on curved streets, some variation from this rule is permissible, but pointed or very irregular lots should be avoided.
  3. Corner residential lots shall be of sufficient width to permit appropriate setbacks from both streets.
- 14) **Easement Standards:** Easements for utilities shall be provided. Such easements shall have a minimum width of 20', and where located along lot lines, one-half of the width shall be taken from each lot. Before determining the location of easements the plan shall be discussed with the local public utility companies to assure their proper placing and the installation of such services.
- 15) **Green Belt Space:**
1. All subdivisions of more than five (5) acres shall set aside a minimum gross area for the purpose of development into green belt space.
  2. A public way, crosswalk or easement not less than 15' in width shall be provided for access to the required green belt space.
  3. Green belt space, where applicable, shall be placed adjacent to or connected to existing or proposed green belt space located on adjoining property.

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### **STAFF COMMENTS**

1. **Compliance:** The Primary Plat and Overall Development Plan comply with the applicable zoning ordinance, except as otherwise noted herein with regard to the petitioner's requested waiver, as further noted below:
  - a. Reduction in the driveway separation requirement from 75 feet to 40 feet, as measured from the edge of the driveway pavement to the edge of the intersecting right-of-way line at the lot line (not the street centerline).
2. **Waiver:** The Department recommends approval of the requested subdivision control waiver with the following findings (WC 16.04.165, Section G.):
  - a. The proposed development represents an innovative use of site design/site access design/site circulation design/building orientation/building materials/landscaping which will enhance the use or value of the area properties;
  - b. The proposed development will not be injurious to the public health, safety, morals or general welfare of Westfield-Washington Township;
  - c. The strict application of the Development Requirements of the Westfield Washington Township Zoning Ordinance will result in a development of the real estate which is undesirable when compared with the proposed development;
  - d. The proposed development is consistent with and compatible with other development located in the area; and
  - e. The proposed development is consistent with the intent and purpose of the Westfield-Washington Township Comprehensive Plan.
3. **Primary Plat / Development Plan Approval:** If the Plan Commission has approved the requested subdivision control waiver, then the Department recommends approving the petition with the following conditions:
  - a. All necessary approvals be obtained from the Westfield Public Works Department and the Hamilton County Surveyor's Office prior to the issuance of an improvement location permit.



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- b. The City and the Petitioner complete a trail connection and trail construction agreement prior to the approval of any Secondary Plat(s).
4. If the waiver request is not approved, then the plans do not comply with the applicable zoning ordinances. If this occurs, then the Department recommends continuing the petition to the next Plan Commission meeting to allow the petitioner an opportunity to revise their plans to bring them into compliance.
5. If any Plan Commission member has questions prior to the public hearing, then please contact Amanda Rubadue at 317.432.6663 or [arubadue@westfield.in.gov](mailto:arubadue@westfield.in.gov).