



Docket Number: 1510-PUD-19 (Ordinance No. 15-28)

Petitioner: Chatham Hills, LLP

Representative: Jon Dobosiewicz, Nelson & Frankenberger

Request: An amendment to add an additional 21.3 acres+/- to the Chatham Hills PUD. The amendment includes development standards for one lot which will remain agricultural in use.

Current Zoning: Chatham Hills PUD District (Ordinance 13-24)

Current Land Use: Residential / Agricultural

Zoning History: 1311-PUD-11, Rezoning to Chatham Hills PUD

Exhibits:

1. Staff Report
2. Location Map
3. Zoning Map
4. Amendment Ordinance
5. Neighborhood Meeting Summary

Staff Reviewer: Pam Howard, Associate Planner

PETITION HISTORY

This petition was introduced at the September 14, 2015, City Council meeting. The petition will receive a public hearing at the October 5, 2015, Advisory Plan Commission (the "APC") meeting.

PROCEDURAL

Public Hearing:

Amendments to a Planned Unit Development District are required to be considered at a public hearing by the APC. The public hearing for this petition is scheduled for the October 5, 2015, APC meeting. Notice of the public hearing was provided in accordance with Indiana law.

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 Petitioner is requesting an amendment to the Chatham Hills PUD (the “PUD Ordinance”), which is located generally at the northwest corner of 199th St. and Tomlinson Road (see **Exhibit 2**).

Amendment Request: The Petitioner is requesting an amendment to incorporate additional land, as well as modify the development standards for a single parcel, as further described below.

1. **Changes to the Real Estate:** The proposed amendment incorporates 4 parcels, totaling 21.3 acres+/- into the PUD District (see **Exhibit 2**).
2. **Changes Specific to Parcel 3:** Parcel 3 is being incorporated into the PUD District but will continue to be used for agricultural purposes. The following standards only apply to Parcel 3 and are intended to allow the parcel to retain its current use.
 - a) **Underlying Zoning:** The underlying zoning for Parcel 3 will be AG-SF1.
 - b) **Minimum Lot Area:** The proposed amendment reduces the minimum lot area to two (2) acres from three (3) acres.
 - c) **Setbacks:** The proposed amendment reduces the front and side yard setbacks to twenty (20) feet and fifteen (15) feet from eighty (80) feet and thirty (30) feet.
 - d) **Subdivisions:** The UDO does not permit Major Subdivisions in the AG-SF1 District. The proposed amendment permits both Major and Minor Subdivisions.
 - e) **Architectural Standards:** The UDO contains architectural standards that apply to all new Single-family Dwellings located in a Major Subdivisions. Parcel 3 is not currently located in a Major Subdivision, but will be upon approval of the Plat. The proposed amendment does not require Parcel 3 to comply with the architectural standards of the UDO.
 - f) **Landscaping Standards:** The UDO contains landscaping standards that apply to all zoning districts, except for detached Single-family Dwellings not located within a Major Subdivision. Parcel 3 is not currently located in a Major Subdivision, but will be upon approval of the Plat. The proposed amendment does not require Parcel 3 to comply with the landscaping standards of the UDO.
 - g) **Access Points:** The proposed amendment allows Parcel 3 to continue to be accessed directly from 206th Street. The UDO does not permit lots in subdivisions to have direct access by driveway to an Arterial or Collector.

Comprehensive Plan: The Future Land Use Plan in the Westfield-Washington Township Comprehensive Plan (the “Comprehensive Plan”) identifies the Property as “New Suburban.” The Comprehensive Plan is not law; rather, it is intended to serve as a guide in making land use decisions; however, as proposed, Chatham Hills is consistent with the goals and objectives of the Comprehensive Plan as generally summarized below.

The development policies for “New Suburban” include: (i) design developments such that backyards are not adjacent to collector or arterial streets unless uniform attractive screening is provided; (ii) prevent monotony of design and color that applies to the collective impact of an

entire development; (iii) encourage compatible and high quality “life span” housing; (iv) ensure proper land use transitions between dissimilar types of residential development; (v) ensure appropriate transitions of businesses located along US31 and SR38 and from adjoining large subdivisions; (vi) preserve existing older structures where possible; (vii) promote flexible design that maximizes open space preservation by regulating density rather than lot size; (viii) encourage development of bicycle and pedestrian facilities; (ix) encourage attractive streetscapes that minimizes front-loading garages, provides garage setbacks from front facades of homes, and minimizes design and material repetition; and (x) locate roadways and house lots to respect natural features and to maximize exposure of lots to open space.

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.

DEPARTMENTS COMMENTS

Action:

1. Hold a public hearing at the October 5, 2015, APC meeting.

Recommendation:

2. Subject to comments as a result of the public hearing, the Department recommends forwarding this petition to the Council with a favorable recommendation if the Plan Commission is satisfied with the proposed amendment ordinance.
3. If any APC member has questions prior to the public hearing, then please contact Pam Howard at 317.531.3751 or poward@westfield.in.gov.