



Docket Number: 1611-PUD-42 (Ordinance No. 16-27)

Petitioner: M/I Homes of Indiana, L.P. by Nelson & Frankenberger (the “Petitioner”)

Request: A change of zoning of 143 acres +/- from the AG-SF1: Agriculture / Single-Family Rural District to the Scofield Farms Planned Unit Development (PUD) District to allow for the development of 232 single-family residential lots.

Current Zoning: AG-SF1: Agriculture / Single-Family Rural District

Current Land Use: Undeveloped / Agriculture

Acreage: 143 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Concept Plan and Character Exhibits
4. Proposed Ord. 16-27 (Scofield Farms PUD)
5. Petitioner’s Neighbor Meeting Summary

Staff Reviewer: Pam Howard, Associate Planner

PETITION HISTORY

This petition was introduced at the October 10, 2016, City Council meeting. The petition will receive a public hearing at the November 9, 2016, Advisory Plan Commission (the “Plan Commission”) meeting.

The petitioner hosted an informational meeting on October 26, 2016, at City Hall for neighbors and other interested parties. A summary of the meeting is included at **Exhibit 7** (in accordance with Article 10.9(C)(1)(f)).

PROJECT OVERVIEW

Location: This subject properties (collectively, the “property”) encompass approximately one hundred and forty-three (143) acres and includes real estate extending from 191st Street north to 196th Street, on the west side of Moontown Road (see **Exhibit 2**). The property is currently zoned the AG-SF1: Agriculture / Single-Family Rural District and has been primarily used for agricultural purposes. Other properties in the area include agriculture and large lot residential, as well as single-family subdivisions and planned unit development districts to the south (Andover North, Andover, Sheffield Park, Lakes at Grassy Branch, Lakes at Shady Nook).

Property Description: The petitioner is requesting a change of zoning to a Planned Unit Development (PUD) District to be known as “Scofield Farms”, that would allow 232 single-family homes. The proposed ordinance defaults to the SF4: Single-Family High Density District as the underlying zoning district for both areas.

The proposed ordinance establishes two (2) areas for the development of the property, as generally illustrated on the Concept Plan at **Exhibit 3:**

Area A: Proposed to include all single-story homes.

Area B: Proposed to include a mix of single-story and two-story homes.

Bulk and Density Standards: The proposed ordinance establishes a maximum of 232 single-family dwellings (1.6 units per acre). The minimum lot size is 10,000 square feet for Area A, and 8,500 square feet for Area B.

Development Standards: As proposed, the PUD Ordinance establishes alternative development standards from the Underlying Zoning District. The development standards of note are briefly highlighted below:

Architectural Standards: The UDO’s architectural standards for lots abutting perimeter streets would apply. The proposed ordinance establishes an alternative streetscape diversity standard and incorporates general architectural standards such as prohibiting vinyl siding, varying garage door designs, minimum roof overhangs, and incorporating minimum requirements for front and side facades through a point system.

Landscaping Standards: The proposed ordinance reduces the UDO’s individual lot landscaping standards by defaulting to the minimum plantings that would apply to lots under 8,000 sq. ft.

Design Standards: As proposed, the PUD Ordinance establishes alternative development standards from the Underlying Zoning Districts. The design standards of note are briefly highlighted below:

Minimum Open Space: The proposed ordinance requires a minimum open space of thirty percent (30%), an increase from the fifteen percent (15%) required by the UDO for the SF4 Zoning District. Additionally, the proposed ordinance requires certain amenities, including a playground, pool, and pool house. Character exhibits for these amenities have been incorporated into the proposed ordinance (see **Exhibit 4**).

PLANNED UNIT DEVELOPMENT (PUD) DISTRICT:

In accordance with Article 10.9 of the UDO, a petition for a Planned Unit Development (PUD) District is required to include the following:

Concept Plan Article 10.9(F)(2): The Concept Plan is required to show in general terms the following: major circulation; generalized location and dimensions of buildings, structures, and Parking Areas; Open Space areas; recreation facilities; and other details to indicate the character of the proposed development. In addition, the Concept Plan is required to show in detailed terms the following:

- 1) A site location map showing the project location and other development projects in the vicinity.
- 2) The name of the development, with the words "Concept Plan".
- 3) Boundary lines and acreage of each land use component.
- 4) Existing easements, including location, width and purpose.
- 5) Existing land use on abutting properties.
- 6) Other conditions on the site and adjoining land: topography (at 10-foot contours) including any embankments or retaining walls; use and location of buildings, railroads, power lines, towers and other influences; name of any adjoining subdivision.
- 7) Existing Streets on and adjacent to the tract, including Street name, Right-of-way width, walks, pathways and bridges and other drainage structures.
- 8) Proposed public improvements: collector and arterial Streets and other major improvements planned by the public for future construction on or adjacent to the tract.
- 9) Existing utilities on the tract.
- 10) Any land on the tract within the floodplain as depicted on the Flood Insurance Rate Maps dated March 11, 1983, and as subsequently amended.
- 11) Other conditions on the tract, including water courses, wetlands, sinkholes, wooded areas, existing structures and other significant features such as significant isolated trees.
- 12) Existing vegetation to be preserved and the locations, nature, and purpose of proposed landscaping.
- 13) Map data such as north point, graphic scale and date of preparation.

Comment: The Department is coordinating with the petitioner to incorporate more of these items into the concept plan. Many of the items can be seen in more detail on the Overall Development Plan that was submitted concurrently with this petition.

Written Character Statement (Article 10.9(F)(3): A written statement of character of the PUD District shall provide an explanation of the character of the PUD District and the reasons why it has been planned to take advantage of the flexibility of these regulations. The written statement shall include:

- 1) (*) A specific explanation of how the proposed PUD District meets the objectives of all adopted land use policies which affect the land in question.
- 2) (*) Development phasing indicating:

- a. Phases in which the project will be built, including the area, density, use, public facilities, and Open Space to be developed with each phase. Each phase shall be described and mapped.
 - b. Projected dates for beginning and completion of each phase.
 - c. General details of the proposed uses:
- 3) (*) Residential Uses: gross area, architectural concepts (narrative, sketch, or representative photo), number of units for each residential component; ii. Nonresidential Uses: specific nonresidential uses, including gross areas, architectural concepts (narrative, sketch, or representative photo), and Building Heights.
- 4) (*) Preliminary feasibility reports for the infrastructure and facilities, including:
- a. Streets
 - b. Street lighting
 - c. Sidewalks and pathways
 - d. Sanitary sewers
 - e. Water supply system
 - f. Other utilities
 - g. Storm water management
 - h. Schools

Comment: The Department is coordinating with the petitioner to identify additionally required information, as noted above (*).

Development Amenities and Open Space (Article 10.9(F)(4): The PUD District Ordinance must include a statement of recreational amenities and open space. Such statements shall designate and convey active and/or passive recreational areas in accordance with the following:

- 1) Recreational amenities and open space shall be allocated to the property in proportion to the uses assigned in the PUD District and shall be located within reasonable walking distance to those uses; however, the recreational amenities need not be located in proximity to the use in the case of preservation of existing features.
- 2) If the PUD District Ordinance provides for development in stages, then amenities and open space shall be provided in each stage of the PUD District in proportion to that stage, unless otherwise indicated and approved in the PUD District Ordinance.
- 3) Amenities shall be conveyed in one of the following forms:
 - a. To a municipal or public corporation;
 - b. To a not-for-profit corporation or entity established for the purpose of benefiting the owners and tenants of the PUD District. All conveyances hereunder shall be structured to insure that the grantee has the obligation and the right to effect maintenance and improvement of the amenities and that such duty of maintenance and improvement is enforced by the owners and tenants of the PUD District; or
 - c. To owners other than those specified in subsections (i) and (ii) above, and subject to restrictive covenants describing and guaranteeing the amenities and its maintenance and improvement, running with the land for the benefit of residents

of the PUD District or adjoining property owners or the community, or any combination of these.

Traffic Impact Study (Article 10.9(F)(5): A Traffic Impact Study may be required to be conducted at the discretion of the Director, the Department of Public Works Director, or the Plan Commission. If a Traffic Impact Study is required, then it shall be prepared by a registered professional engineer and shall evaluate the impact of present and future traffic generated by the proposed development on the adjacent roadway system. Prior to commencement, an Applicant shall meet with the Department to determine the appropriate scope for the study.

Comment: A traffic impact study is being required by the Department and the Department of Public Works. The Department of Public Works has been in contact with the petitioner regarding this matter.

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, below is a general summary of the goals and objectives of the Comprehensive Plan for this Property:

The development policies for “New Suburban” include: (i) ensure development occurs in a way that is contiguous with existing development; (ii) design developments such that back yards are not adjacent to collector or arterial streets unless uniform attractive screening is provided; (iii) prevent monotony of design and color that applies to the collective impact of an entire development; (iv) encourage compatible and high quality “life span” housing; (v) emphasize connectivity between subdivisions, and avoid creating isolated islands of development; (vi) permit new development only where the transportation network is sufficient to the added traffic volume, based on traffic studies developers should make appropriate improvements to mitigate traffic impacts resulting from the new development; (vii) encourage quality and useable open space; (viii) encourage development of bicycle and pedestrian facilities in new development to improve connectivity; (ix) land that is characterized by steep slopes or other natural limitations should be left natural or developed at rural, rather than suburban densities; (x) locate roadways and house lots to respect natural features and to maximize exposure of lots to open space, and (xi) encourage attractive streetscapes that minimize front-loading garages, provide garage setbacks from front facades of houses, minimize design and material repetition, and avoid house orientations where the back sides face the public right of way.

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.

PLANNED UNIT DEVELOPMENT (PUD) DISTRICT REVIEW CRITERIA:

In accordance with Article 5.6 of the Unified Development Ordinance:

Purpose and Intent (Article 5.6(C)): The PUD District is intended to:

- 1) Encourage flexibility and innovation in the development of land in order to promote its most appropriate use.
- 2) Improve the design, character and quality of new developments.
- 3) Encourage a harmonious and appropriate mix of uses.
- 4) Facilitate the adequate and economic provision of streets, utilities and municipal services.
- 5) Preserve the natural environmental and scenic features of the site.
- 6) Encourage and provide a mechanism for arranging improvements on sites so as to preserve desirable features.
- 7) Mitigate problems which may be presented by specific site conditions.

Standard Criteria (Article 5.6(D)): A PUD District shall comply with the provisions of the UDO. In addition, a proposed PUD District should include concepts and development and design standards that generally offer the following advantages over a standard Zoning District:

- 1) Address the policies included in the Comprehensive Plan specific to the neighborhood so as to encourage consistency with the community’s vision as presented in the Comprehensive Plan.
- 2) Use design to provide compatibility between areas of different land uses and development intensities within the PUD District.
- 3) Buffer different types of land uses and development intensities outside of the PUD District from those within the PUD District so as to increase compatibility or minimize any adverse impact which new development may have on existing or zoned development.
- 4) Enhance the appearance of neighborhoods by conserving areas of natural beauty, and natural green spaces and provide enhance amenities and open space.
- 5) Promote and protect the environmental integrity of the site and its surroundings and provide suitable design responses to the specific environmental constraints of the site and surrounding area.

- 6) Promote architecture that complements the surroundings.
- 7) Counteract urban monotony and congestion on streets.

Review Criteria (Article 5.6(J)): In their consideration of a PUD District, the Department in its report to the Plan Commission, the Plan Commission in its recommendation, and the Council in its decision, shall consider as many of the following as may be relevant to the specific proposal:

- 1) The extent to which the proposed PUD District meets this Ordinance's purposes and intent of a PUD District, the Comprehensive Plan, and any other adopted planning policies, objectives or regulations of the jurisdiction.
- 2) The extent to which the proposed PUD District departs from the underlying Zoning District(s) and other regulations that are otherwise applicable to the subject property, including but not limited to, the density, dimension, bulk, use, required improvements, and construction and design standards and the reasons, which such departures are or are not deemed to be in the public interest.
- 3) The proposal will not be injurious to the public health, safety, and general welfare.
- 4) The physical design proposed by the PUD District and the extent to which it makes adequate provision for:
 - a) Public services;
 - b) Adequate control over vehicular traffic;
 - c) Protection of designated permanent Open Space; and
 - d) Furthering the amenities of light, air, recreation and visual appeal.
- 5) The relationship and compatibility of the proposed PUD District to the adjacent properties and neighborhood.
- 6) The desirability of the proposed PUD District in relation to the community's physical development, tax base and economic well-being.
- 7) The development proposed by the PUD District will not cause undue traffic congestion, and can be adequately served by existing or programmed public facilities and services or improvements that are proposed by the developer as a part of the project approval.
- 8) The development proposed by the PUD District preserves significant ecological, natural, historical, and architectural resources to the extent possible.

PROCEDURAL

Public Hearing: A change of zoning request is required to be considered at a public hearing by the Plan Commission. The public hearing for this petition is scheduled for the November 9, 2016, Plan Commission meeting. Notice of the public hearing was provided in accordance with Indiana law and the Plan Commission's Rules of Procedure.

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.

Council Introduction: The petition was introduced at the October 10, 2016, Council meeting.

DEPARTMENT COMMENTS

1. **Action:** Hold a public hearing at the November 9, 2016, Plan Commission meeting.
2. The petitioner will make any necessary revisions to the proposal based on Plan Commission comments, public comments and any additional Department comments, prior to the Plan Commission's further consideration of this petition.
3. If any Plan Commission member has questions prior to the public hearing, then please contact Pam Howard at (317) 531-3751 or poward@westfield.in.gov.