

TOWN OF WESTFIELD

COMMUNITY DEVELOPMENT DEPARTMENT

WESTFIELD-WASHINGTON TOWNSHIP
ADVISORY PLAN COMMISSION
BOARD OF ZONING APPEALS
ZONING ENFORCEMENT
BUILDING PERMITS

October 18, 2007

Brian Cross
Civil Site Group
643 Massachusetts Ave. Ste. 200
Indianapolis, IN 46204

Re: 0708-DP-12 19720 Tomlinson Road

Civil Site Group and P. C. Wright & Company requests Development Plan and Subdivision Preliminary Plat review of a new subdivision, approximately 61 lots on approximately 41.7 acres, in the SF-2 District.

Associated Files:

0705-SIT-05 Site Plan Review
0602-REZ-01 Rezoning

Mr. Cross,

Below are comments from staff's review of the plans filed for Tomlinson Terrace (0708-DP-12 and 0705-SIT-05). This letter identifies deficiencies and notes general comments pertaining to specific and applicable sections of the zoning ordinance.

Petition History:

Tomlinson Terrace was rezoned with commitments April 10, 2006 (Ordinance 06-19). This petition was submitted on August 27, 2007 for Technical Advisory Review. Plans were resubmitted on October 3, 2007 for review.

Analysis:

This development plan review is for a proposed subdivision, Tomlinson Terrace. This development plan would provide for the subdivision of approximately 41.7 acres into 62 lots in the SF-2 District.

The subject site is comprised of one (1) parcel consisting of approximately 41.7 acres. The site has no improvements and is currently being farmed on the cleared portions of the property. The subject site abuts the right of way of Tomlinson Road on the East and dedicated right of way for the future extension of 196th Street on the south.

The property is zoned SF-2. Abutting properties to the north, east, and west are zoned AG-SF1 and are improved with residential dwellings and associated agriculture accessory structures. To the south, the property is zoned AG-SF1; however, approved plans for that site indicate that it will be improved with an elementary school and library.

Development Plan Review:

Development Requirements – General:

The development plan does not comply with the applicable SF-2 zoning standards. Submitted plans do not document side and rear yard setbacks on all of the 62 lots. Information regarding off-street parking was also not included in the submittal (the plans need to show that each lot will be able to accommodate two cars off-street).

Subdivision Control Ordinance – Preliminary Plat for Subdivision

Under section 16.04.230 Principal and Standards of Design within the Subdivision Control Ordinance, the following standards have not been met:

1. Section 16.04.230 2 d and e, the required right-of-way for 196th Street is shown on the Preliminary Plat in two different locations. The Tree Preservation area along 196th Street can not also be within the right-of-way.
2. Section 16.04.230 2 h, with the removal of the roundabout, the resulting change has made the intersection of Gander Avenue and Newton Circle non-compliant. All streets should intersect at 90 degree angles for a minimum distance of 100 feet measure from the right-of-way lines. In no instance shall they intersect at less than 70 degree angles onto local roads or streets.
3. Section 16.04.230 3, residential blocks are not to exceed 1250 feet in length. The block running along the north side of the property is approximately 1621.15 in length. A break must be provided (see definitions (16.04.210) for “block”). As discussed in the meeting on September 20, this must be a functional space for the neighborhood or a road or railroad right-of-way. A ten-foot wide area with a path that does not connect to some kind of common area along the rear of the properties is not suitable. A passive park is acceptable; however, it must be designed in a manner that encourages use.

Additionally, since the right-of-way for the future 196th Street is still in the ownership of the schools, a letter of consent must be provided from the Westfield-Washington Township School District to ensure their knowledge of how their property is being represented on the submitted plans.

Site Access and Circulation:

On-site circulation does not meet the standards of the Subdivision Control Ordinance and must be corrected. Please see item two under Subdivision Control Ordinance above.

An 8-foot wide asphalt multi-use path is required within the right-of-way of 196th Street and Tomlinson Road, as per the recommendations of the Thoroughfare Plan. The submitted plans show the required path along Tomlinson Road, but not along 196th Street. This must be corrected.

All right-of-way issues must be resolved with Westfield Public Works prior to going before the Advisory Plan Commission.

Landscaping:

Landscape plans must include and clearly label all rights-of-way, easements, and street lights. Landscape plans must also include the location of barriers (at or beyond the drip line of the preserved trees), the type of barrier/protective material, and the types of grading measures that will be used to preserve and protect the trees in identified conservation area and tree preservation areas. Planting details are also required per the ordinance.

Proposed planting graphics are not labeled and in some cases located on top of one-another making it impossible to verify the counts against the plant schedule. Buffer yards are to be located adjacent to property lines. Buffer yards have not been identified on the plans and it appears that the proposed plantings on the west property line will not be within the buffer yard when it is called out on the plans.

Many of the trees proposed are ornamental. Those plantings must be doubled to meet the shade tree requirements.

None of the counts on the following tables have been adjusted. Landscaping plans that meet the above standards must be submitted before a review of proposed plant counts can be completed.

The inventory of preserved trees does not include species type in either the Latin or common form as required per the ordinance. The table should be provided in a similar format as the following, showing totals for trees and size preserved at the bottom:

	Tag Number	Species Abbr.	Species Name (Latin)	Species Name (common)	Size (caliper inches)	Status
	1	Abi-c	Abies concolor	White Fir	12	Preserve
	2	Abi-c	Abies concolor	White Fir	10	Remove
	3	Abi-c	Abies concolor	White Fir	8	
Totals (preserved trees only)	2				20	

*On-Site Requirements**

	Required	Shown	Preservation Credit	+ / -
Shade Trees (4 per dwelling unit)	244	0	0	-244
Ornamental or Evergreen Trees (2 per dwelling unit)	122	0	0	-122
Shrubs (4 per dwelling unit)	244	0	0	-244

* Preservation credits can not be calculated until the inventory table is more clearly defined.

*Road Frontage Requirements**

Proposed trees include ornamentals, which may be substituted for shade trees along road frontages; however, these are counted at a ratio of 2:1 (two ornamentals for every one shade tree). More ornamentals must be planted to meet the shade tree standard.

	<u>Distance</u>	<u>Required</u>	<u>Shown</u>	<u>+ / -</u>
Tomlinson Road	497.47'	17	0	-17
196 th Street	1231.4'	42	0	-42

*Ornamental trees may be substituted for shade trees; however, the substitution ratio is 2:1 (two ornamental for every one shade).

*Buffer Requirements**

North Property Line Buffer

	<u>Distance</u>	<u>Required</u>	<u>Shown</u>	<u>+ / -</u>
Evergreen Trees (1/30')	2145'	72	0	-72
Evergreen Shrubs (5/30')	2145'	360	0	-360

South Property Line Buffer

	<u>Distance</u>	<u>Required</u>	<u>Shown</u>	<u>+ / -</u>
Evergreen Trees (1/30')	1231.4'	42	0	-42
Evergreen Shrubs (5/30')	1231.4'	210	0	-210

East Property Line Buffer

	<u>Distance</u>	<u>Required</u>	<u>Shown</u>	<u>+ / -</u>
Evergreen Trees (1/30')	1106.7'	37	0	-37
Evergreen Shrubs (5/30')	1106.7'	185	0	-185

West Property Line Buffer**

	<u>Distance</u>	<u>Required</u>	<u>Shown</u>	<u>+ / -</u>
Evergreen Trees (1/30')	1106.7'	37	0	-37
Evergreen Shrubs (5/30')	1106.7'	185	0	-185

*Twenty (20) foot buffer yards are required between the SF-2 zoning district and AG-SF1. Since all adjoining properties are zoned AG-SF1, a twenty (20) foot buffer is required on all property lines. Buffer yards must be identified on plans. Portions of the property adjoining the AG-SF1 district are showing a tree preservation easement. Preserved evergreen trees within the twenty (20) foot buffer yard may count toward the buffer yard requirement, but must be inventoried and shown on the landscaping plan. Trees may also be substituted for shrubs according to section 16.06.060 C.

**Buffer yards are to be located adjacent to the property lines. The proposed plantings along the west property line are not located in a buffer yard.

Lighting:

The Lighting requirements of Development Plan Review would apply to the proposed subdivision. The filed documents include a compliant lighting plan showing placement of street lights and fixture details.

Building Orientation:

The Building Orientation requirements of Development Plan Review would apply to the proposed subdivision. The submitted plans do not show compliance with any of the design objectives defined in section 16.04.165 D 5e. Rear and side yard setbacks are not provided on a lot-by-lot basis; therefore, the buildable area for each lot and variable setback lines have not been provided.

Building Materials:

The Building Materials requirements of Development Plan Review would apply to the proposed subdivision. This petition is not compliant with the Building Materials ordinance. No documents were submitted with the plans and application showing the types of building materials that are intended for the homes in the subdivision.

Comprehensive Plan

The Westfield-Washington Comprehensive Plan adopted in February of 2007, recommends that this area be developed for suburban residential uses. The proposal is compliant with the Comprehensive Plan. The Westfield Thoroughfare Plan adopted in April of 2007 requires a 60 foot half right-of-way on 196th Street. The proposal is not compliant with the Thoroughfare Plan. The currently submitted plans do not show any right-of-way dedication in regard to 196th Street.

Rezoning Commitments:

1. *The Developer shall dedicate forty (40) ft half right-of-way along west Tomlinson Road.*

Submitted plans show the dedication of sixty (60) feet per the Town's Thoroughfare Plan.

2. *Developer shall purchase and dedicate 40 ft ½ right-of-way along north side of future 196th Street extension westward beyond Tomlinson Road prior to Final Plat recording. The right of way shall be contiguous to the project's southern property line.*

This is not a requirement until final plat approval. Town staff have been advised that the purchase is being negotiated between the school and developer.

3. *When the covenants are written, each lot shall have a minimum of \$6,000.00 in landscaping.*

A brief description of the covenants has been provided with the preliminary plat. The covenants do require a minimum of \$6000 in landscaping.

4. *Dedication of Tree Preservation Areas: 30 ft along the north property line and 40 ft along the south property line.*

The required tree preservation easements have been provided on the preliminary plat; however, the most recent submittal also identifies the south property line easement as right-of-way. This conflict must be resolved.

5. *The common area within the subdivision shall contain a Conservancy Area equal to one (1) acre to be maintained by the HOA. The maintenance program will be defined in the Covenants and Restrictions.*

A Conservation Area of approximately 1.03 acres is provided for on the preliminary plat. The maintenance program for the Conservancy Area was not found in the Covenants and Restrictions.

6. *Final construction plans shall include the following in the design of entry to the subdivision: masonry walls, lighted landscaping, and fountains in the entry ponds shall be included in the Final Construction Plans.*

This commitment will be confirmed during the Improvement Location Permit review.

7. *A walking path from subdivision to 196th Street right-of-way to access Westfield-Washington School Corporations intended 'trail head' at the southwest corner of the project shall be included in the Final Construction Plans.*

A walking path is included on the preliminary plat from Newton Circle to the already dedicated (dedicated by the Westfield Washington Schools, the developer has not met the right-of-way commitment at the time of this report) right-of-way of 196th Street.

8. *Developer to provide 8 ft wide asphalt path along west side of Tomlinson Road.*

The preliminary plat shows the eight (8) foot path along Tomlinson Road.

9. *Maximum number of lots on these 41.73 acres shall be 70.*

The preliminary plat shows 62 lots within the subdivision.

10. *All homes in the subdivision will be a minimum of 1800 sq. ft. of heated living space on the main level (not including basements, garages, porches, etc.) for two story homes with an overall heated minimum of 3000 sq. ft. and a minimum of 2400 sq. ft. of heated living space for ranch style homes.*

This commitment will be confirmed during the Improvement Location Permit review.

11. *Developer will act as the Architectural Review Committee to insure the exterior of the homes are uniquely created by all builders. All home exteriors will consist of a majority of brick stone, other masonry material, or wood siding, supplemented with fiber cement type siding. No vinyl or aluminum siding except for soffits, windows and exterior doors. No wood sheet products will be used as an exterior finish on any home.*

This commitment will be confirmed during the Improvement Location Permit review.

12. *All garages will be at least two car capacities and a minimum of 36 lots will be side/rear load as lot configuration and home footprint dictates.*

This commitment will be confirmed during the Improvement Location Permit review.

13. *A tree inventory will be made to identify the quantity and quality of trees to be preserved prior to obtaining an Improved Location Permit to construct houses.*

While the commitment is to provide this prior to the issuance of an Improvement Location Permit, landscape compliance, and therefore preliminary plat approval can not be granted until the inventory is provided.

14. There will be no trees within the dedicated right-of-way or utility easements. It is the responsibility of the Developer to remove trees, at Developer's expense, from the dedicated right of way of Tomlinson Road and replace those removed trees with 'Road Frontage Trees' per the Town of Westfield ordinances.

None of the submitted plans show compliance or provide a note for compliance with this commitment.

Remarks:

The petitioner must provide compliant plans by November 7, 2007 to be eligible for the November 26, 2007 Advisory Plan Commission. The Advisory Plan Commission does not meet in December. If compliant plan are not submitted on November 7th, the petition will be continued to the January Advisory Plan Commission meeting.

If you have any questions, please contact me.

Sincerely,

Jennifer M. Miller
Planner I
Town of Westfield



Looking down the future extension of 196th Street.



Taken from Tomlinson Road looking west into the property.



Taken from Tomlinson Road looking southwest into the property.



Taken from 199th Street looking south into the property. Property line is beyond the pines.