PETITION NUMBERS:	0805-PUD-01
APPROXIMATE ADDRESS:	547 East 161st Street
PETITIONER:	Uptown Partners, LLC
REQUESTED ACTION:	A change in zoning for approximately forty (40) acres from the AG-SF-1 District to the "The Villas at Timber Ridge" PUD District.
CURRENT ZONING:	AG-SF-1
REQUESTED ZONING:	Villas at Timber Ridge PUD
CURRENT LAND USE:	Agricultural, Single-Family Dwelling
ASSOCIATED PETITIONS:	None
EXHIBITS:	1. Staff Report, WCD,06/16/08 2. Technical Advisory Committee Letters, 06/16/08 3. Petitioner's Submittal, 06/11/08

PETITION HISTORY

- The June 16, 2008 APC meeting represents the second regular-meeting appearance for this petition.
- This item previously appeared before the APC at the June 2, 2008 Workshop Meeting. That meeting represented the second workshop meeting appearance for this petition.
- This item underwent public hearing at the May 19, 2008 Advisory Plan Commission meeting.
- This item appeared before the APC at the May 5, 2008 Workshop Meeting.

PROCEDURAL

- Notification of the June 16, 2008 regular meeting was not provided to abutting property owners, as the notice requirement only applies to the initial Public Hearing appearance – in this case, the May 19, 2008 Public Hearing meeting. The appearance of this item at the June 16, 2008 meeting was announced at the Workshop Meeting for this item on June 2, 2008.
- Notice of the June 16, 2008 meeting was posted to the City web site and at City Hall.
- The Advisory Plan Commission issues a recommendation to the City Council in regard to proposed changes in zoning.

AMENDED REQUEST

No new or amended information has been submitted to the petition file since amended information was provided on May 27, 2008 for the June 2, 2008 Workshop Meeting.

The modified submittal, provided to WD on May 27, 2008, included several revisions in response to APC and citizen concerns. The submittal included a "red-line" copy of the

proposed PUD ordinance, which highlighted where the revisions had occurred.

Among the revisions were a cap on the number of dwelling units per structure (three), a cap on overall project density (3.6 units per acre) and an overall project unit cap (144 total units). The submitted revisions also included additional commitments relative to building heights, setbacks, minimum dwelling square footage, building materials and architectural controls, and landscaping. The amended submittal further offered revisions to the PUD ordinance that would allow for an amenity building within the project.

Other physical characteristics of the subject site (ex. location, natural features) and public policies (Comprehensive Plan, Thoroughfare Plan) are unchanged, and are re-stated below for reference.

Tables within this report reflecting procedural aspects have been updated to reflect receipt of amended information as well.

STAFF INTRODUCTION

The request concerns property located at the southwest corner of the intersection of 161st Street and Oak Ridge Road. The subject site is comprised of two separate parcels, and consists of approximately forty (40) acres. One of the two parcels is improved with a single-family detached dwelling and agricultural outbuildings. The other parcel is unimproved. The southern quarter of the subject site is wooded with mature trees, and has some topographic relief. The William Knight legal drain crosses the southern portion of the subject site, and separates the portion of the site used agriculturally from the existing mature trees to the south.

Properties abutting the subject site to the north are located within the SF-3 (Cluster) District, and are improved with single-family detached dwellings in the Countryside Subdivision. Properties abutting the subject site to the south and west are located within the AG-SF-1 District, and are improved with single-family dwellings or used agriculturally. Properties abutting the subject site to the east are located within the Viking Meadows PUD District, and are undergoing development with single-family detached dwellings.

The subject site abuts the public rights-of-way of 161st Street to the north and Oak Ridge Road to the east. The subject site has approximately 1,328 feet of road frontage along 161st Street and approximately 1,316 feet of road frontage along Oak Ridge Road.

PUBLIC POLICIES

Comprehensive Plan

The Land Use Concept Map of the Amended Westfield-Washington Township 2020 Plan identifies the subject site as located in an "Existing Suburban" area (pg. 23). The Comprehensive Plan recommends that any change in land use "...preserve and protect the

stability and integrity of the area as it fills in" (pg. 37), and identifies single-family dwellings as the primary land use of this area. The recommendations of Existing Suburban areas identify attached and detached dwellings, institutional uses, and recreational uses as appropriate uses for the subject site.

Thoroughfare Plan

The current Westfield Thoroughfare Plan roadway classification map (page 4-20, figure 4-7) identifies both 161st Street and Oak Ridge Road as "Secondary Arterials," and recommends a minimum dedication of a sixty (60) foot half right-of-way. Dedication of right-of-way in accordance with the recommendations of the Thoroughfare Plan should be required should the requested change in zoning be approved.

The Westfield Corridors Master Plan identifies Oak Ridge Road as a thoroughfare that may be subject to future alternative traffic controls, such as traffic calming and round-about intersections. Should the requested change in zoning be approved, provision of rights-of-way for such alternative traffic controls should be considered.

The current Westfield Thoroughfare Plan identifies both 161st Street and Oak Ridge Road as providing bicycle and pedestrian accommodation within the public right-of-way. Should the requested change in zoning be approved, an eight-foot wide asphalt path should be required within the rights-of-way of both 161st Street and Oak Ridge Road.

Water and Sewer

The Westfield Water Master Plan depicts the subject site as served by existing water mains on the south side of 161st Street and the east side of Oak Ridge Road. Preliminary utility plans provided at the April 22, 2008 TAC meeting did not depict which main the project would potentially connect to in the event the proposed development would be approved. Should the requested change in zoning be approved, detailed construction documents for the proposed connection would be provided at the Development Plan Review stage.

The Westfield Sewer Master Plan does not depict any existing sanitary sewer service to the subject site. The Westfield Sewer Master Plan does not make any recommendation as to provision of sanitary sewer facilities at or adjacent to the subject site. Westfield Public Works has provided a preliminary comment letter stating that the proposed development would need to extend sanitary sewers east to meet the Viking Meadows lift station to serve the proposed development. Should the requested change in zoning be approved, detailed construction documents for the proposed gravity main and lift station would be provided at the Development Plan Review stage.

Annexation

The subject site is entirely within the corporate limits.

TECHNICAL REVIEW

This petition was reviewed by the Technical Advisory Committee at the April 22, 2008 TAC meeting. Comments received from agencies in attendance will be provided as a component of any future report.

INDIANA CODE

IC 36-7-4-603 states that reasonable regard shall be paid to:

1. The Comprehensive Plan.
The Amended Westfield-Washington Township 2020 Plan identifies the subject site as included in an "Existing Suburban" area. The recommendations of Existing Suburban areas identify attached and detached dwellings, institutional uses, and recreational uses as appropriate uses for the subject site.

2. Current conditions and the character of current structures and uses.
The majority of the subject site is unimproved, and portions of the site are wooded and inaccessible due to the presence of a regulated drain. The remaining portion of the subject site is improved with an occupied dwelling and agricultural outbuildings.

3. The most desirable use for which the land is adapted.
The topography, natural features and limited size of the parcel make ongoing agricultural use of the subject site less likely. The site abuts two secondary arterial roads which are likely to be expanded and convey additional traffic in the near future. Most surrounding properties are already developed with single-family subdivisions, or are undergoing development with single-family subdivisions.

4. The conservation of property values throughout the jurisdiction.
This proposed change is expected to have neutral or positive impacts on property values within the vicinity and jurisdiction.

5. Responsible growth and development.
The subject site is located within the corporate limits, and public services are available at the subject site. The subject site is adjacent to existing major thoroughfares, and anticipated improvements to the subject site would accommodate future improvements to those thoroughfares. Development of the subject site would be consistent with the principle of contiguous growth.

PUD Documentation
Pending compliance with any conditions, the petitioner will have provided the required documents.

Required Document	Original	Amended	Status
PUD Ordinance	04/01/08	05/27/08	Compliant
Concept Plan	04/01/08	05/27/08	Compliant
Landscape Plan	04/01/08	05/27/08	Compliant
Sample Elevations	04/01/08	05/27/08	Compliant

Required Procedure	Original	Status
Pre-Filing Conference	03/28/08	Compliant
Fees	04/01/08	Compliant
Legal Description	04/01/08	Compliant
Consent Form	04/01/08	Compliant
Contact Sheet	04/01/08	Compliant
TAC	04/22/08	Compliant
Workshop Notice	04/25/08	Compliant
Workshop Meeting	05/05/08	Compliant
Neighborhood Meeting	05/01/08	Compliant
Notice - Sign on site	05/09/08	Compliant
Notice- Newspaper	05/09/08	Compliant
Notice -Mail	05/09/08	Compliant
Submit Revisions	05/27/08	Compliant

RECOMMENDATION

Forward this petition to the City Council for consideration at the July 14, 2008 City Council meeting with a positive recommendation.

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AFS