

PETITION NUMBER:	0903-PUD-03
SUBJECT SITE ADDRESS:	411 South Union Street
PETITIONER:	The J.C. Hart Company, Inc.
REPRESENTATIVE:	Jon Dobosiewicz, <i>Nelson & Frankenger</i>
REQUEST:	A change in zoning from the MF-1 and EI districts to the Union Street Flats PUD District
CURRENT ZONING:	MF-1 and EI
CURRENT LAND USE:	Agricultural and Single-Family Residential
APPROXIMATE ACREAGE:	19
STAFF REVIEWER:	Kevin M. Todd, AICP

ZONING HISTORY: None

PETITION HISTORY

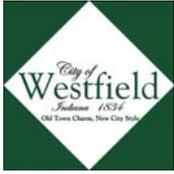
The March 2, 2009 APC Workshop Meeting represents the first APC Workshop appearance of this petition. This petition was before the Technical Advisory Committee on February 17, 2009.

PROCEDURAL

- Requests for changes in zoning to PUD Districts are required to undergo public hearing. The public hearing for this petition is scheduled for the March 16, 2009 meeting of the APC.
- The purpose of the workshop meeting is to allow the APC to direct comments and questions to the petitioner. No action will be taken on this petition at the March 2, 2009 Workshop Meeting.
- Notification of the March 2, 2009 Workshop Meeting was provided to abutting property owners in accordance with the APC Rules of Procedure.
- Notice of the March 2, 2009 Workshop Meeting was posted to the City website and at City Hall.

PROJECT DESCRIPTION

The requested change in zoning of the subject property would allow the development of up to 250 multi-family dwelling units, a clubhouse and swimming pool, and the associated accessory structures. The proposal includes a minimum of 25% open space, an integrated trail and sidewalk system, a constructed portion of the Monon-Midland Loop, and an extension of South Street which will ultimately serve as a frontage road to US 31 and connect to Lantern Commons to the south. The proposal requires architectural features and materials that enhance the current



Westfield standards.

PUD STANDARDS

A planned unit development shall:

1. Address the policies included in the Comprehensive Plan specific to the neighborhood in which the PUD is to be located so as to encourage consistency with the community development vision as presented in the Comprehensive Plan.

The Future Land Use Map in the 2007 Comprehensive Plan is a concept map that generally assigns areas of the community to a specific land use classification. The land use categories are not parcel-specific and those places where the “boundary lines” of differing classifications meet are intended to offer flexibility in planning. The Plan identifies the subject area as being on the fringe of the “Downtown” and “Employment Corridor” (p. 23). The Plan does not contemplate residential uses in the Employment Corridor (pp. 52-53). It does recommend high-density residential in the downtown area.

Further, a master plan for Downtown is currently being created and will be presented to the City for consideration in late February 2009. The draft plan, the Grand Junction Master Plan, includes the subject property in its entirety, and it considers high-density multi-family residential for the site.

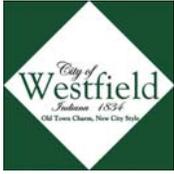
The proposal is generally consistent with the existing recommendations for downtown in the Comp Plan, and it is consistent with the recommendations in the draft Grand Junction Master Plan for Downtown Westfield.

2. Use design to provide compatibility between areas of different land uses and development intensities within the PUD.

The PUD proposal contemplates a single land use district, which primary use is multi-family residential. Secondary uses, accessory uses, and amenity uses would be subordinate to the primary use and would follow the same design standards that would be required for the primary use.

3. Buffer different types of land uses and development intensities outside of the PUD from those within the PUD so as to minimize any adverse impact which new development may have on existing or zoned development.

The subject property abuts single-family residential, institutional, agricultural uses, and wooded areas. The PUD requires buffering on all but the west perimeter of the property. The western portion of the property is within a floodplain and is separated from the developable portion of the project by a regulated drain and associated easement.



4. Enhance the appearance of neighborhoods by conserving areas of natural beauty, and natural green spaces.

The concept plan identifies an area for possible storm water detention and an easement for the Ana Kendall Drain. The drain is protected and maintained by the Hamilton County Surveyor's Office (HCSO). The largest area of existing trees is within the regulated drain easement, and is maintained by the HCSO.

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.

The concept plan identifies the flood zone and an easement for the Ana Kendall Drain. A letter from the Hamilton County Surveyor's Office (dated February 19, 2009, Exhibit 2) unofficially indicates that a significant portion of the site is within the floodplain, and that variances from the Hamilton County Drainage Board would be necessary to construct within this area.

6. Promote architecture that complements the surroundings.

The proposal includes building elevations and architectural standards that are compatible with the surrounding area. The elevations depict two and three-story buildings with varying roof lines, balconies, multiple materials, and other architectural treatments. The neighboring residential structures are largely finished with siding and have varying roof lines and other architectural treatments. The neighboring institutional structures are largely finished with brick and other architectural treatments.

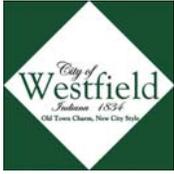
7. Counteract urban monotony and congestion on streets.

The PUD proposes a portion of the South Street extension. If constructed, and linked to Union Street, a portion of the US 31 frontage road will be complete. The frontage road will ultimately connect to Lantern Commons, to the south. The continuation of the existing grid system and the extension of new roads will alleviate congestion and provide a more navigatable street network.

8. The area designated in the PUD map must be a tract of land under single ownership or control. Single control of property under multiple ownerships may be accomplished through the use of enforceable commitments.

Proof of ownership and consent has been provided for the petition file.

9. The concept plan shall indicate the land uses, development standards, and other applicable specifications which shall govern the development of the PUD site in lieu of the regulations for the non-planned unit development district. If the concept plan is silent on



a particular land use, development standard, or other applicable specification, then the standards of the non-planned unit development district or the applicable regulations shall apply.

The proposed amended concept plan identifies the location of all proposed uses.

10. The PUD concept plan map shall show the general location of all improvements.

The proposed amended concept plan identifies the general location of all proposed improvements.

11. The PUD must comply with all required improvements, construction standards, design standards, and all other engineering standards contained within the Zoning Ordinance, other pertinent regulations, and adopted standards and policies, except where modification is specifically authorized through the provisions of this Section of the Ordinance.

The PUD is currently under review by WPWD staff to determine compliance.

12. The PUD must include a statement of recreational amenities and how they benefit the PUD residents.

The PUD includes a requirement for a clubhouse, a swimming pool, and an integrated trail and sidewalk system for the project.

PUBLIC POLICIES

Comprehensive Plan-Feb 2007

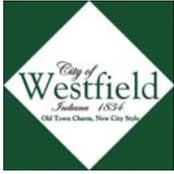
See above, "PUD STANDARDS, Item 1" for discussion.

Thoroughfare Plan-Feb 2007

The current Westfield-Washington Township Thoroughfare Plan roadway classification map identifies the impacted segment of Union Street as a "Secondary Arterial (p. 4-20)," and recommends a minimum dedication of a sixty (60) foot half right-of-way (p. 5-3). The Thoroughfare Plan further recommends the provision of an eight (8) foot asphalt path within the right-of-way of Union Street (p. 5-3).

The Thoroughfare Plan identifies the future frontage road as a "Collector (p. 4-20)," and recommends a minimum dedication of a one hundred (100) foot full right-of-way (p. 5-3). It further recommends the provision of an eight (8) foot asphalt path within the right-of-way of the new frontage road (p. 5-3).

The PUD is currently under review by WPWD staff to determine compliance.



Parks & Recreation Master Plan-Dec 2007

The Westfield Parks & Recreation Master Plan makes no specific recommendation for the subject site.

Water & Sewer System-Aug 2005

Water and sewer service run within and nearby the subject property. There were no issues discussed at the February 17, 2009 TAC meeting regarding water and sewer capacity and service to the subject property for the proposed use.

Annexation

The subject property is within the corporate boundaries of the City of Westfield.

Well Head Protection-Ord. 05-31

The subject property is not within a wellhead protection area.

INDIANA CODE

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

1. The Comprehensive Plan.

See above, "PUD STANDARDS, Item 1" for discussion.

2. Current conditions and the character of current structures and uses.

The subject property is currently improved with single-family detached dwellings and agricultural outbuildings. Neighboring properties are a mixture of single family residential, agricultural, wooded areas, and an institutional use (Union Friends Church).

3. The most desirable use for which the land is adapted.

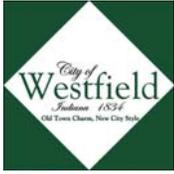
The Comprehensive Plan established that multi-family residential is an appropriate use in the downtown area of Westfield. The draft Grand Junction Master Plan for Downtown Westfield further defines that vision and identified the subject area as appropriate for multi-family residential redevelopment. The recent planning efforts of the City have recommended the proposed use for the subject property.

4. The conservation of property values throughout the jurisdiction.

As Downtown Westfield redevelops, this proposed change is expected to have neutral or positive impacts on property values within the vicinity and jurisdiction. The project would provide a higher density residential project which is important for downtown revitalization efforts.

5. Responsible growth and development.

The site is contiguous to other developments, and the redevelopment of the subject site would be consistent with the principle of contiguous growth. City services such as water, sewer, and emergency services already exist on or near the subject property.



APPLICABLE COMMITMENTS

None have been submitted as of the date of this letter.

<u>Required Submittals</u>	<u>Original</u>	<u>Amended</u>	<u>Status</u>
Application	02/03/09	-	Compliant
Fees	02/03/09	-	Compliant
Legal Description	02/03/09	-	Compliant
Consent Form	02/03/09	-	Compliant
PUD Ordinance	02/03/09	02/17/09	<i>Pending</i>
Traffic Impact Study	02/03/09	-	Compliant

<u>Required Procedure</u>	<u>Original</u>	<u>Status</u>
Pre-Filing Conference	01/27/09	Compliant
TAC	02/17/09	Compliant
Neighborhood Meeting	<i>Pending</i>	<i>Pending</i>
Notice - Sign on site	<i>Pending</i>	<i>Pending</i>
Notice- Newspaper	<i>Pending</i>	<i>Pending</i>
Notice -Mail	<i>Pending</i>	<i>Pending</i>

RECOMMENDATIONS

Forward this petition to the March 16, 2009 Advisory Plan Commission public hearing.

KMT