



Westfield City Council Report

Ordinance Number:	14-15
APC Petition Number:	1402-REZ-01
Petitioner:	Pedcor Investments, LLC
Requested Action:	A change in zoning with commitments of approximately 35.26 acres +/- from the AG-SF1 District to the SF-1 District.
Current Zoning District:	AG-SF1
Referral Date to APC:	January 13, 2014
APC Public Hearing:	April 21, 2014
APC Recommendation:	July 7, 2014
Adoption Consideration:	July 14, 2014
Prepared By:	Jennifer M. Miller, AICP

Petition History

This petition was introduced at the January 13, 2014 City Council meeting and received a public hearing at the April 21, 2014 Advisory Plan Commission (the "APC") meeting. The item received a favorable recommendation (8-0) for approval at the July 7, 2014 APC meeting.

Procedural

- Requests for a change in zoning are required to be considered at a public hearing, in accordance with Ind. Code 36-7-4-1505.
- The APC held a public hearing on April 21, 2014 and an additional public comment opportunity on July 7, 2014. The APC issued a favorable recommendation (8-0) to the City Council in support of the proposed request at its July 7, 2014 meeting.
- Notification of the April 21, 2014 public hearing was provided in accordance with the APC Rules of Procedure.
- The Westfield City Council may take action on this item at its July 14, 2014 meeting.

Project Overview

Project Location

The subject property is approximately 35.26 acres +/- in size and is generally located on the southeast corner of 161st Street and Oak Road, fronting on Oak Park Circle and Oak Road (the "Property").

Project Description

The proposal is to rezone the Property from AG-SF 1 to SF-1 with commitments. The project has been modified since the introduction to City Council on January 13, 2014 and the public hearing on April 20, 2014. The commitments and referenced exhibits are available through the online agenda for Council. A redline of changes to the commitments since the petition was before the APC for public hearing are also available through the online agenda.

The proposed lots along Oak Road have been added back into the project and Oak Park Circle now connects through the development from Oak Park Court to Oak Road. The petitioner has also supplied a fiscal analysis of the project which is also included with the petition information online.

Statutory Considerations

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

1. The Comprehensive Plan.

The Comprehensive Plan is not law, but rather, intended to serve as a guide in making land use decisions. The Future Land Use Concept Map in the Westfield-Washington Township Comprehensive Plan (the "Comprehensive Plan") identifies the Property as "Suburban Residential". Comprehensive Plan policies for this area state that infill development should be compatible in mass, scale, density, materials and architectural style; and, should not alter the character of the area.

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

This addition to the Oak Park Subdivision will be compatible in mass, scale, materials, and architectural style. The change in density was supported by the residents who spoke during the public comment held on July 7, 2014. The character of the proposed addition to the Oak Park Subdivision will not alter the character of the area.

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

The use of the land will change from agriculture to single family residential.

4. The conservation of property values throughout the jurisdiction.

Property values are not expected to be impacted.

5. Responsible growth and development.

The proposed project shows improved connectivity within the Oak Park Subdivision.

RECOMMENDATIONS/ACTIONS

- Community Development Department [July 7, 2014]
The Westfield Economic and Community Development Staff, made a recommendation that the APC forward a recommendation to the City Council if the APC members were satisfied with the way the petitioner addressed the concerns raised during the public meetings.

- Advisory Plan Commission [July 7, 2014]
The Westfield-Washington Advisory Plan Commission has forwarded a favorable recommendation to the City Council (8-0).

- City Council
 - Introduction: [January 13, 2014]
 - Eligible for Adoption: [July 14, 2014]

Submitted by: Jennifer M. Miller, AICP