



Petition Number: 1512-PUD-25

Petitioner: M/I Homes of Indiana, LP by Nelson & Frankenberger

Request: A change of zoning from the SF2: Single-family Low Density District to the **Tamarack Planned Unit Development (PUD) District** to accommodate fifty-three (53) single-family residential Lots.

Current Zoning: SF2: Single-Family Low Density District

Current Land Use: Residential / Agriculture

Approximate Acreage: 34.9 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Concept Plan
4. Concept Plan Comparison
5. Character Exhibits
6. Tamarack PUD District Ordinance
7. Neighbor Meeting Summary
8. Petitioner's Narrative
9. Public Comments

Staff Reviewer: Jeffrey M. Lauer, Associate Planner

PETITION HISTORY

This petition was introduced at the November 9, 2015, City Council meeting. The petition is scheduled to receive a public hearing at the December 7, 2015, Advisory Plan Commission (the "APC") meeting.

PROCEDURAL

Changes in zoning are required to be considered at a public hearing by the APC. The public hearing for this petition is scheduled to be held on December 7, 2015, at the APC meeting. Notice of the December 7, 2015, public hearing was provided in accordance with Indiana law and the APC's Rules of Procedure.

Neighbor's Meeting: The Petitioner hosted a meeting for adjoining property owners on November 30, 2015, as required by Article 10.9(C)(1)(f) of the Westfield-Washington Township Unified Development Ordinance (the "UDO") for proposed PUD Districts. The Petitioner has provided a summary of that meeting, which is included at **Exhibit 7**.

PROJECT OVERVIEW

Project Location: The subject properties are approximately thirty-five (35) total acres, located at the northeast corner of Oak Road and 161st Street (see **Exhibit 2**) (the “Property”). The Property is currently zoned SF2: Single-Family Low Density District.

Recent Property History: On May 1, 2015 a petition was filed, called the Tamarack PUD District (Petition No. 1506-PUD-09) (the “Original Tamarack PUD”). The Original Tamarack PUD received a public hearing at the June 1, 2015 APC meeting and was forwarded to the City Council with an unfavorable recommendation (by a vote of 5-2) at the July 6, 2015 APC meeting. Since July 6, 2015, and prior to action by the City Council, the Petitioner withdrew the Original Tamarack PUD. The Petitioner subsequently filed a new petition (Petition No. 1512-PUD-25) on October 30, 2015. The new petition includes an additional 0.496 acres +/- and an additional three (3) lots from the Original Tamarack PUD proposal. The Petitioner held a neighbor’s meeting on November 30, 2015, a summary is provided at **Exhibit 7**.

Project Description: The Petitioner is requesting a change of zoning to a Planned Unit Development (PUD) District to be known as “Tamarack,” that would allow for a single-family residential neighborhood, as illustrated on the Concept Plan (see **Exhibit 3**), consisting of fifty-three (53) single-family residential Lots. The Petitioner’s Narrative is incorporated at **Exhibit 8**.

Concept Plan: A comparison of the conceptual plans from the Original Tamarack PUD and the current petition is included at **Exhibit 4**.

Default Standards: The proposed PUD District Ordinance (the “PUD Ordinance”) (see **Exhibit 6**) defaults to the Westfield – Washington Township Unified Development Ordinance (the “UDO”), with the **SF4: Single-Family High Density District** (“SF4”) as the Underlying Zoning District.

Permitted Uses: The PUD Ordinance permits those uses permitted by the Underlying Zoning District.

Development Standards: As proposed, the Ordinance modifies development standards from the Underlying Zoning District (*Chapter 6*). These modifications are intended to accommodate the unique environmental characteristics of the Property (i.e., the Pipeline Easements) and the Petitioner’s vision for the development. The development standard modifications of note are briefly highlighted below:

1. **Architectural Standards** (*Article 6.3*): The Ordinance incorporates enhanced architectural standards, including the incorporation of character exhibits to establish the benchmark for the quality and character of the development.
 - a. **Minimum Living Area:** The Ordinance increases the minimum living area square footage of the SF4 District from 1,000 square feet to 1,900 square feet.

Design Standards: The Ordinance establishes enhanced or alternative design standards from the Underlying Zoning District (*Chapter 8*). These modifications are intended to accommodate the unique environmental characteristics of the Property and the Petitioner’s vision for the development. The design standards of note are briefly highlighted below:

1. Street and Right-of-Way Standards (Article 8.9): Due to the constraints of the pipeline easements, the Ordinance allows the Plan Commission or Director the authority to modify infrastructure standards in consideration of the Pipeline Easements (i.e., locations of roads, trails and other infrastructure).
2. Street Lighting: The Ordinance prohibits street lights at the end of the cul-de-sacs.
3. Open Space (Article 8.6): The Ordinance increases the minimum required amount of open space from fifteen (15) percent (for SF2 Districts) to thirty-five (35) percent. The Petitioner has provided pedestrian facilities and connectivity throughout the proposed Open Space. The Property does not include the parcels at the corner of Oak Road and 161st Street (see **Exhibit 2**), so the Ordinance provides internal pedestrian connectivity from Oak Road to 161st Street perimeter paths.
4. Amenities: The Ordinance has incorporated character exhibits to establish a benchmark for the quality of amenities required within the District (see **Exhibit 5**).

Comprehensive Plan: The Future Land Use Plan in the Westfield-Washington Township Comprehensive Plan (the “Comprehensive Plan”) identifies the Property as “Suburban Residential”. 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 “Suburban Residential” include: (i) promote the protection of the existing suburban character of the area; (ii) ensure that new development adjacent to existing suburban is properly buffered; (iii) ensure development occurs in a way that is contiguous with existing development; (iv) design developments such that back yards are not adjacent to collector or arterial streets unless uniform attractive screening is provided; (v) prevent monotony of design and color that applies to the collective impact of an entire development; (vi) emphasize connectivity between subdivisions, and avoid creating isolated islands of development; (vii) encourage quality and useable open space; (viii) encourage development of bicycle and pedestrian facilities in new development to improve connectivity; and (ix) land that is characterized by steep slopes or other natural limitations should be left natural or developed at rural, rather than suburban densities.

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.

Thoroughfare Plan: The Westfield-Washington Township Thoroughfare Plan (the “Thoroughfare Plan”) is designed to support and facilitate the City’s efforts to provide for a safe and effective transportation system within the Township. As such, each major roadway in the Township is classified, based upon anticipated future growth. The roadways adjacent to the Property bare different classifications. Oak Road is identified as a “Collector,” which is one of the lowest classifications for public right-of-way (i.e. fifty (50) foot half right-of-way). 161st Street is identified as a “Primary Arterial,” which is the highest classification for public right-of-way (i.e. seventy-five (75) foot half right-of-way). All proposed improvements on the Property are located outside the existing and anticipated future rights-of-way.

STATUTORY CONSIDERATIONS

Indiana Code 36-7-4-603 states 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.

STAFF COMMENTS

1. Hold a public hearing at the December 7, 2015, APC meeting.
2. Prior to the final deposition, the petitioner will make any necessary revisions to the proposal based on APC comments, public comments and any additional staff comments.
3. If any APC member has questions prior to the public hearing, then please contact Jeffrey M. Lauer at (317) 910.2927 or jlauer@westfield.in.gov.