



Petition Number: 1506-SPP-15 & 1506-ODP-16

Subject Site Address: *NWC 159th Street and Towne Road*

Petitioner: Langston Residential Development, LLC by Nelson & Frankenberger, P.C.

Request: Primary Plat and Overall Development Plan review for **Bent Creek** consisting of 158 single-family lots.

Current Zoning: SF2: Single-Family Low Density District with Zoning Commitments

Current Land Use: Vacant

Approximate Acreage: 129.74 acres+/-

Property History: 0407-REZ-05 Change of Zoning, Ordinance 04-43 (12/13/04)

Associated Cases: 1506-ZC-02, Zoning Commitment modification (pending)

Exhibits:

1. Staff Report
2. Location Map
3. Primary Plat
4. Overall Development Plan
5. Landscape Plan
6. Neighbor Meeting Summary; February 4, 2016
7. Site Plan Comparison (May 2015 vs. Feb. 2016 versions)

Staff Reviewer: Kevin M. Todd, AICP

PROCEDURAL

Approval of a Primary Plat and an Overall Development Plan must be granted if the submitted plans demonstrate compliance with the terms of the underlying zoning district, subdivision control ordinance and/or applicable PUD District Ordinance, any variances associated with the site, and any commitments associated with the site.

This petition received a public hearing at the Advisory Plan Commission's (the "APC") June 1, 2015 meeting. Since that time, the petitioner has worked to resolve items that were raised during the June 1, 2015 public hearing. Because the petition did not have any action within six (6) months of its initial hearing, the Department has required this petition to receive an additional public hearing at the February 16, 2016 APC meeting, in accordance with the APC Rules of Procedure.

PROJECT OVERVIEW

The 129.74-acre+/- site is located on the north side of 159th Street and the west side of Towne Road (see **Exhibit 2**). The property is zoned Single-Family 2 and is also bound by commitments that were made when



the property was zoned to SF-2 in 2004 (Ordinance 04-43). The request is for approval of a Primary Plat and Overall Development Plan (see **Exhibit 3**) for the development and subdivision of the property into 162 single-family residential lots.

A neighborhood meeting was held on February 4, 2016. A summary of that meeting has been provided for reference (see **Exhibit 6**).

The petition was reviewed by the Technical Advisory Committee at its May 19, 2015 meeting. This petition has been properly noticed for a public hearing at the Advisory Plan Commission's February 4, 2016 meeting.

MODIFICATIONS SINCE JUNE 1, 2015

In response to public comments raised during the June 1, 2015 public hearing, the Overall Development Plan and Primary Plat were modified as follows:

1. Entrance on 159th Street moved to the west, across from a field instead of homes.
2. North/south internal street moved to be more centrally-located within the project.
3. Amenity area moved to be more centrally-located within the project.
4. Right-of-way stubs added to property to the west and north(east).
5. Pavement within the right-of-way stub to the north(west) was shortened, per neighbor request.
6. Internal pedestrian pathways extended.
7. 4 residential lots have been added (158 lots to 162 lots).

PRIMARY PLAT STANDARDS (Article 10.12(J) of UDO)

The plans comply except for those items identified as outstanding below in bold text:

- 1) Proposed name of subdivision.
- 2) Names and addresses of the owner, owners, land surveyor or land planner.
- 3) Title, scale, north arrow and date.
- 4) Streets on and adjoining the site of the proposed subdivision, showing the names (which shall not duplicate other names of streets in the community, unless extensions of such streets) and including roadway widths, approximate gradients, types and widths of pavement, curbs, sidewalks, cross-walks, tree plantings and other pertinent data.
- 5) Easements (locations, widths and purposes). (Article 8.3)
- 6) Statement concerning the location and approximate size or capacity of utilities to be installed.

Comment: Staff is working with petitioner to ensure compliance.

- 7) Layout of Lots (showing dimensions, numbers and square footage). (Article 4.5)
- 8) Parcels of land proposed to be dedicated or reserved for schools, parks, playgrounds or other public, semi-public or community purposes.



- 9) Contours at vertical intervals of two (2) feet if the general slope of the site is less than ten percent (10%) and at vertical intervals of five (5) feet if the general slope is greater than ten percent (10%).
- 10) Tract boundary lines showing dimensions, bearings, angles, and references to section, township and range lines or corners.
- 11) Building setback lines. (Article 4.5)
- 12) Legend and notes.
- 13) Drawing indicating the proposed method of drainage for storm sewers and other surface water drainage.

Comment: Staff is working with petitioner to ensure compliance.

- 14) Other features or conditions which would affect the subdivision favorable or adversely.
- 15) A National Cooperative Soil Survey Map showing the soil limitations based upon the intended usage of the development land.
- 16) A statement from County departments, State highway departments, or the Public Works Department concerning rights-of-way, road improvements, roadside improvements, roadside drainage, entrances, culvert pipes, and other specifications deemed necessary.

Comment: Staff is working with petitioner to ensure compliance.

- 17) If private sewage systems, then a statement from the County Health Officer whether private septic system can be used on the property.
- 18) If legal drain is involved, then a statement from the County Drainage Board or County Surveyor's Office concerning easements, right-of-way, permits, etc.

Comment: Staff is working with petitioner to ensure compliance.

- 19) If floodplain is involved, then a statement from the Indiana Department of Natural Resources, Division of Water, concerning construction in floodway, including floodplain high water marks, etc.

Comment: Staff is working with petitioner to ensure compliance.

DESIGN STANDARDS (Chapter 8 of UDO)

The Primary Plat complies except for those items identified as outstanding below, that need addressed prior to approval:

- 20) Block Standards (Article 8.1).
- 21) Easement Standards (Article 8.3).

Comment: Staff is working with petitioner to ensure compliance.



- 22) Monument and Marker Standards (Article 8.5).
- 23) Open Space and Amenity Standards (Article 8.6)

Comment: Staff is working with petitioner to ensure compliance.

- 24) Pedestrian Network Standards (Article 8.7)
- 25) Storm Water Standards (Article 8.8)

Comment: Staff is working with petitioner to ensure compliance.

- 26) Street and Right-of-Way Standards (Article 8.9)

Comment: Staff is working with petitioner to ensure compliance.

- 27) Street Light Standards (Article 8.10)
- 28) Street Sign Standards (Article 8.11)
- 29) Surety Standards (Article 8.12)
- 30) Utility Standards (Article 8.13)

Comment: Staff is working with petitioner to ensure compliance.

DEVELOPMENT PLAN (Article 10.7(G) of the UDO):

The plans comply except for those items identified as outstanding below:

- 31) Area map insert showing the general location of the site referenced to Streets, section lines and alternative transportation plan system, as well as the Zoning District and use of adjacent property.

Comment: Staff is working with petitioner to ensure compliance.

- 32) Address and legal description of the property.
- 33) Boundary lines of the property including all dimensions.
- 34) Location, name, centerline and width of all Streets, Private Streets, Alleys, access easements and alternative transportation plan system improvements that are existing or proposed to be located within or adjacent to the property.
- 35) Location, centerline and width (at the Lot Line) measurements of any proposed or existing Driveways within two hundred (200) feet of the property, and any connection to an Alley must be indicated.
- 36) Location and dimensions of primary vehicular ways in and around the proposed development, including depictions of all travel lanes, turning movements, vehicle storage areas and tapers.
- 37) All proposed Street and Driveway improvements, both on and offsite, including measurement of curb radius and/or taper.
- 38) Location and dimensions of existing and proposed sidewalks, pathways, trails or other alternate transportation plan improvements.
- 39) Layout, number, dimension and area (in square feet and acres) of all Lots and Outlots with Building Setback Lines.



- 40) Location and dimensions of all existing structures and paved areas.
- 41) Location and dimensions of all proposed structures and paved areas (indicated by cross-hatching).
- 42) Location of all Floodplain areas within the boundaries of the property.
- 43) Names of legal ditches and streams on or adjacent to the site.
- 44) Location and feasibility statement of all existing and proposed utility facilities and easements, including, but not limited to: sanitary sewer, water, storm water management, electric, gas, telephone and cable.

Comment: Staff is working with petitioner to ensure compliance.

- 45) Identify buildings proposed for demolition.
- 46) Areas of the property reserved for Development Amenities, Open Space and other similar uses.
- 47) Use of each Lot and/or building by labeling, including approximate density or size of proposed uses and buildings (e.g., number of parking spaces, Dwelling Units, Gross Floor Area, Living Area).
- 48) Traffic Impact Study.

Comment: Staff is working with petitioner to ensure compliance.

DEVELOPMENT PLAN REVIEW (Article 10.7(E) of the UDO):

Development Plans shall comply with and be reviewed by the Plan Commission upon finding that the Development Plan is in compliance with the following requirements:

- 49) Compliance with all applicable development and design standards of the Zoning District in which the real estate is located.
- 50) Compliance with all applicable provisions of any Overlay District in which the real estate is located.
- 51) Management of traffic will be in a manner that creates conditions favorable to health, safety, convenience, and the harmonious development of the community such that:
 - a) The design and location of proposed street and highway access points shall minimize safety hazards and congestion.

Comment: Staff is working with petitioner to ensure compliance.

- b) The capacity of adjacent streets and highways is sufficient to safely and efficiently accept traffic that will be generated by the new development.

Comment: Staff is working with petitioner to ensure compliance.

- c) The entrances, streets and internal traffic circulation facilities in the proposed development are compatible with existing and planned streets and adjacent development.

Comment: Staff is working with petitioner to ensure compliance.



52) The applicable utilities have sufficient capacity to provide potable water, sanitary sewer facilities, electricity, telephone, natural gas, and cable service at a satisfactory level of service to meet the needs of the proposed development.

Comment: Staff is working with petitioner to ensure compliance.

DISTRICT STANDARDS

The plans comply with **Article 4.5 (SF2 District)**, as applicable to a Primary Plat and Overall Development Plan.

53) Minimum Lot Area: 15,000 square feet (may be reduced by 3 x the lot width if utilizing a 59' street cross-section to accommodate street trees).

54) Minimum Lot Frontage: 50 feet

Comment: Staff is working with petitioner to ensure compliance.

55) Minimum Building Setback Lines:

a) Front Yard: 30 feet (may be reduced by 3 feet if utilizing a 59' street cross-section to accommodate street trees).

b) Side Yard: 12 feet

c) Rear Yard: 30 feet

56) Minimum Lot Width: 100 feet

DEVELOPMENT STANDARDS (Chapter 6 of UDO)

The plans comply, as applicable to a Primary Plat and Overall Development Plan, except for those items identified as outstanding below:

57) Architectural Standards (Article 6.3)

a) Perimeter Lots (Article 6.3(C)(1))

b) Streetscape Diversity (Article 6.3(C)(2)). At minimum of two (2) of the following three (3) design objectives shall be met:

Comment: Staff is working with petitioner to ensure compliance.

i) The front façade of a front-load garage shall be recessed from the Front Building Facade by at least five (5) feet. A rear-load garage or a side-load garage, with a minimum of twenty-five (25) square feet of windows in the Building Facade oriented toward the Street, shall also meet this objective.



- ii) Building Setback Lines shall vary within each Block to eliminate monotonous building placement. Front Yard Building Setback Lines should be staggered to allow a range of six (6) feet offset within the Block and have a minimum variation of two (2) feet increments from adjacent Lots. Staggered Building Setback Lines may not be required to meet this standard where winding streets or a similar development design achieve the same effect.
- iii) Single-Family Dwellings located on adjacent Lots with a Front Lot Line abutting the same Street shall, at the time of the issuance of the Certificate of Occupancy:
 - (1) Be a significantly different front Building Facade (i.e. architectural style, roof lines, window placement, proportion of siding materials) than the adjacent Lot. Minor variations in architectural features or materials (i.e. shutters, door styles, siding patterns) shall not qualify as significantly different if the Dwelling on the adjacent Lot is of a similar floorplan;
 - (2) Have a different primary siding color than the adjacent Lot; and
 - (3) Have a different color from the adjacent Lot for at least one (1) of the following exterior elements: Masonry Material, the trim, any accent siding (e.g., board and batten, shake).

c) Building Materials (Article 6.3(C)(3))

Comment: This will be reviewed for compliance by the Department at the time of the building permit review for each individual home.

58) Building Standards (Article 6.4)

59) Landscaping Standards (Article 6.8)

a) Detention and Retention Areas

Comment: Staff is working with petitioner to ensure compliance.

b) Street Trees

Comment: Staff is working with petitioner to ensure compliance.

c) Minimum Lot Landscaping Requirements

Comment: Staff is working with petitioner to ensure compliance.

	Required	Provided	Difference
SF Residential (over 8,000 sq.ft.) 158 Lots			
Shade Trees	632	4 per Lot	Compliant
Evergreen/Ornamental Trees	316	2 per Lot	Compliant
Shrubs	632	4 per Lot	Compliant



Open Space/Common Area	Required	Provided	Difference
48 acres			
Shade/Evergreen/Ornamental Trees	480	522	+42

d) External Street Frontage Landscaping

Towne Road (1,500')	Required	Provided	Difference
Shade Trees	45	45	Compliant
Evergreen Trees	60	60	Compliant
Ornamental Trees	45	45	Compliant
Shrubs	375	375	Compliant
30' Landscaping Area		Yes	Compliant
3' Undulating Mound		Cannot determine height	Label mound height on detail

159 th Street (2,100')	Required	Provided	Difference
Shade Trees	63	60	Compliant
Evergreen Trees	84	84	Compliant
Ornamental Trees	63	63	Compliant
Shrubs	525	525	Compliant
30' Landscaping Area		Yes	Compliant
3' Undulating Mound		Cannot determine height	Label mound height on detail



e) Buffer Yard Requirements

West Buffer Yard (2,398 feet)	Required	Provided	Difference
Shade Trees	72	51	-21
Evergreen Trees	72	51	-21
Shrubs	240	170	-70
30' Buffer Yard		Yes	Compliant

North Buffer Yard (1,324 feet)	Required	Provided	Difference
Shade Trees	40	36	-4
Evergreen Trees	40	35	-5
Shrubs	133	120	-13
30' Buffer Yard		Yes	Compliant

Buffer Area One (1,969 feet)	Required	Provided	Difference
Shade Trees	60	0	-60
Evergreen Trees	60	182	+122
Shrubs	197	0	-197
30' Buffer Yard		Yes	Compliant

60) Lot Standards (Article 6.10)

Comment: Staff is working with petitioner to ensure compliance.

61) Setback Standards (Article 6.16)

62) Vision Clearance Standards (Article 6.19)

Comment: Staff is working with petitioner to ensure compliance.

63) Yard Standards (Article 6.21)



COMPLIANCE WITH COMMITMENTS: (pending 1506-ZC-02)

This report identifies all commitments that are applicable at the Primary Plat and Overall Development stage of the review process. All commitments concerning architectural design will be reviewed as building permits for individual buildings are submitted.

64) Density. No more than 168 single-family residences shall be constructed upon the Real Estate. – **COMPLIANT**

65) Buffer Area One. -- **COMPLIANT**

- a) The Developer shall install Buffer Area One consisting of fifty (50) feet in width, which shall be common area and shall not be part of any Lot or Lots.
- b) Within such Buffer Area One, the Developer shall plant two (2) rows of spruce evergreen trees, each row being twenty (20) feet on center with such spruce evergreen trees being at least five (5) feet in height at time of planting. Such trees shall be installed contemporaneously with the commencement of the development of the Real Estate and shall be completed prior to the initial paving of any roads.
- c) The Declaration of Covenants shall provide (i) for the establishment of such Buffer Area One, (ii) that such Buffer Area One shall be maintained by the Homeowner's Association and (iii) that any trees located in Buffer Area One that die or are damaged shall be replaced by the Homeowner's Association.

66) Front Landscaping.

- a) Front yard landscaping shall include sixteen (16) shrubs, eighteen (18) inches in height at the time of planting.
Comment: Staff is working with petitioner to ensure compliance.
- b) Front yard landscaping shall include at least one (1) yard tree (2" minimum caliper outside planting bed).
Comment: Staff is working with petitioner to ensure compliance.

STAFF COMMENTS

- 1) No action is required at this time except to hold the public hearing.
- 2) Prior to the final disposition, the Petitioner will make any necessary revisions to the plans, as noted in this staff report. The Economic and Community Development Department staff will confirm compliance prior to this item being placed on the next Plan Commission agenda.
- 3) If any Plan Commission member has questions prior to the public hearing, then please contact Kevin Todd at 317.379.6467 or ktodd@westfield.in.gov.