



Petition Number:	1611-SPP-11 & 1611-ODP-11
Subject Site Address:	West side of Moontown Road between 191 st Street and 196 th Street
Petitioner:	M/I Homes of Indiana, L.P.
Representative:	Jon Dobosiewicz, Nelson & Frankenberger
Request:	Overall Development Plan and Primary Plat approval for 232 single-family residential lots on approximately 143 acres+/- in the pending Scofield Farms PUD District
Current Zoning:	AG-SF1 Scofield Farms PUD (Ordinance 16-42, Pending) Proposed underlying Zoning is SF-4
Current Land Use:	Agricultural
Approximate Acreage:	143 acres+/-
Exhibits:	1. Staff Report 2. Location Map 3. Primary Plat 4. Overall Development Plan 5. Landscape Plan
Property History:	1611-PUD-22 (Scofield Farms PUD Ord. 16-42, Pending)
Staff Reviewer:	Pam Howard, Associate Planner

PROCEDURAL

Approval of a Primary Plat and 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.

PROJECT OVERVIEW

The 143-acre site is located on the west side of Moontown Road between 191st Street and 196th Street (see **Exhibit 2**). The Property is currently in the process of being rezoned to the Scofield Farms PUD District (Ordinance 16-42, pending). The request is for approval of a Primary Plat and Overall Development Plan (see **Exhibit 3**) (collectively, the “plans”) for the Scofield Farms Subdivision to create 232 Single-family residential lot.



The petitioner is requesting a subdivision waiver to limit the requirement for a perimeter path along 196th Street to the west half of the property.

The petition was reviewed by the Technical Advisory Committee at its September 20, 2016, meeting. This petition has been properly noticed for a public hearing at the Plan Commission's October 3, 2016, meeting.

The applicable zoning district is the Spring Mill Station SWC PUD (the "PUD"). To the extent provisions established within the UDO conflict with the provisions of the PUD, then the provisions of the PUD shall supersede and apply.

Primary Plat Standards (Article 10.12, J of UDO)

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

- 1) Primary Plat Documentation and Supporting Information: A Primary Plat application shall include the following information:
 - a) Location Map: (which may be prepared by indicating the data by notations on available maps) showing: (i) Subdivision name and location; (ii) Any street related to the subdivision; (iii) Title, scale, north point and date; (iv) Adjacent property land uses and Property Owners' names.
 - b) Scale: A Primary Plat shall be drawn to a scale of fifty (50) feet to one (1) inch, or one hundred (100) feet to one (1) inch; provided, however, that if the resulting drawing would be over thirty-six (36) inches in shortest dimension, then a scale as determined by the Director may be used.
 - c) Primary Plat: The following basic information shall be shown on the Primary Plat (unless otherwise provided on an accompanying Overall Development Plan (see also Article 10.7 Development Plan Review)), which shall be prepared by a land surveyor or planner:
 - i) Proposed name of the subdivision.
 - ii) Names and addresses of the owner, owners, land surveyor or land planner.
 - iii) Title, scale, north point and date.
 - iv) 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.

Comment: The Department is working with petitioner to ensure compliance.



- v) Easements (locations, widths and purposes).

Comment: Petitioner is coordinating with WPWD, HCSO, and utility companies.

- vi) Statement concerning the location and approximate size or capacity of utilities to be installed.

Comment: Petitioner is coordinating with WPWD and utility companies.

- vii) Layout of Lots (showing dimensions, numbers and square footage);

- viii) Parcels of land proposed to be dedicated or reserved for schools, parks, playgrounds or other public, semi-public or community purposes.

- ix) 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%).

- x) Tract boundary lines showing dimensions, bearings, angles, and references to section, township and range lines or corners.

- xi) Building setback lines.

- xii) Legend and notes.

- xiii) Drawing indicating the proposed method of drainage for storm sewers and other surface water drainage.

Comment: Petitioner is coordinating with WPWD and HCSO.

- xiv) Other features or conditions which would affect the subdivision favorable or adversely.

- xv) A National Cooperative Soil Survey Map showing the soil limitations based upon the intended usage of the development land.

- xvi) 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: Petitioner is coordinating with WPWD.

- xvii) If private sewage systems, then a statement from the County Health Officer whether private septic system can be used on the property.

- xviii) 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: Petitioner is coordinating with HCSO.

xix) 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: Petitioner is coordinating with IDNR.

xx) Misc.

Comment: The Department is working with petitioner to ensure compliance.

d) **Covenants and Restrictions:** The Plan Commission or Director may request a description of the proposed or recorded protective covenants or private restrictions if they are to be cross-referenced or incorporated on the plat of the subdivision or if they otherwise establish or grant rights related to the plat (e.g., easements). Covenants and restrictions may not independently lessen any requirement of this Ordinance or revise, alter, or change in any way any aspect of an approved plat without approval of the Director of Plan Commission.

Comment: Please provide a copy when available.

Development Plan Review (Article 10.7 of UDO)

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

2) **Overall Development Plan:** The purpose of the Overall Development Plan is to preliminarily divide property into Lots, Blocks or Common Area and to ensure compliance with the standards of this Ordinance with regard to Lots (e.g., size, access, general building envelopes), common areas (e.g., perimeter landscaping, shared signage) and shared infrastructure (e.g., drives, streets, cross-access, utilities, drainage). An Overall Development Plan does not include the review of the site layout or building design of individual building Lots; rather, it is intended to generally review Lots, common areas, public spaces and shared infrastructure so that adequate consideration is given to ensure a coordinated development prior to subdividing the property.

Comment: Acknowledged.

3) **Development Plan Review Criteria:** 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:



- a. Compliance with all applicable development and design standards of the Zoning District in which the real estate is located.
 - b. Compliance with all applicable provisions of any Overlay District in which the real estate is located.
 - c. 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:
 - i. The design and location of proposed street and highway access points shall minimize safety hazards and congestion.
 - ii. The capacity of adjacent streets and highways is sufficient to safely and efficiently accept traffic that will be generated by the new development.
 - iii. The entrances, streets and internal traffic circulation facilities in the proposed development are compatible with existing and planned streets and adjacent development.
 - d. 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.
- 4) Application Documentation and Supporting Information
- e. Development Plan Scope: An Overall Development Plan shall include those details applicable to the overall development, shared or common areas, shared infrastructure, and other areas deemed appropriate by the Director or Plan Commission in order that adequate consideration is given to ensure a coordinated development prior to subdividing the property. A Detailed Development Plan shall include all details specific to the individual Lot that is the subject of the application
 - f. General Plan Requirements
 - i. Scale not more than 1"=100'
 - ii. Title, scale, north arrow and date.
 - iii. Proposed name of the development.
 - iv. 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;
 - v. Address and legal description of the property.
 - vi. Boundary lines of the property including all dimensions.



- vii. Alleys, access easements and alternative transportation plan system improvements that are existing or proposed to be located within or adjacent to the property.
- viii. 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.
- ix. 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.
- x. All proposed Street and Driveway improvements, both on and offsite, including measurement of curb radius and/or taper.

Comment: The Department is working with petitioner to ensure compliance.

- xi. Location and dimensions of existing and proposed sidewalks, pathways, trails or other alternate transportation plan improvements;
- xii. Layout, number, dimension and area (in square feet and acres) of all Lots and Outlots with Building Setback Lines.
- xiii. Location and dimensions of all existing structures and paved areas.
- xiv. Location and dimensions of all proposed structures and paved areas (indicated by cross-hatching).
- xv. Location of all Floodplain areas within the boundaries of the property.
- xvi. Names of legal ditches and streams on or adjacent to the site.
- xvii. 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: Petitioner is coordinating with WPWD and utility companies.

- xviii. Identify buildings proposed for demolition.
- xix. Areas of the property reserved for Development Amenities, Open Space and other similar uses.
- xx. 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).



- xxi. Label Building Separation and/or Building Setback Lines in relation to Front, Rear and Side Lot Lines

DEVELOPMENT PLAN REVIEW: Scofield Farms PUD (Ordinance 15-46, pending)

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

5) Concept Plan (Section 3):

- a) The Concept Plan, attached hereto as **Exhibit B**, is hereby incorporated in accordance with Article 10.9(F)(2) Planned Unit Development Districts; PUD District Ordinance Requirements; Concept Plan. The Real Estate shall be developed in substantial compliance with the Concept Plan.

6) Permitted Uses (Section 5):

- a) All uses permitted in the Underlying Zoning District, as set forth in Chapter 4 and Chapter 13 of the UDO, shall be permitted.
- b) All dwellings in Area A shall be One Story Dwellings.

Comment: Not Applicable to DPR. To be reviewed at building permit stage.

- c) Maximum Dwellings. The total number of Dwellings permitted in the District shall not exceed two hundred and thirty-two (232).

7) General Regulations (Section 6):

- a) Area A:
 - i) Minimum Lot area: 10,000 SF
 - ii) Minimum Lot Frontage: 40'
 - iii) Minimum Building Setback Lines:
 - (1) Front Yard: 20'
 - (2) Side Yard: 6'
 - (3) Rear Yard: 20'
 - iv) Minimum Lot Width: 72'
 - v) Maximum Building Height: 2 ½ stories

Comment: Not Applicable to DPR. To be reviewed at building permit stage.

- vi) Minimum Living Area (Total):



(1) One Story Dwellings: 1,400 SF

Comment: Not Applicable to DPR. To be reviewed at building permit stage.

b) Area B:

i) Minimum Lot area: 8,500 SF

ii) Minimum Lot Frontage: 40'

iii) Minimum Building Setback Lines:

(1) Front Yard: 20'

(2) Side Yard: 6'

(3) Rear Yard: 20'

iv) Minimum Lot Width: 63'

Comment: The Department is working with petitioner to ensure compliance.

v) Maximum Building Height: 2 ½ stories

Comment: Not Applicable to DPR. To be reviewed at building permit stage.

vi) Minimum Living Area (Total):

(1) One Story Dwellings: 1,600 SF

(2) Two Story Dwellings: 2,000 SF

Comment: Not Applicable to DPR. To be reviewed at building permit stage.

8) Development Standards (Section 7):

a) Architectural Standards

Comment: Not Applicable to DPR. To be reviewed at building permit stage.

b) Landscaping Standards

i) All lots shall be subject to the Single-family Residential (per Lot under 8,000 sq. ft.) Plant Materials provisions.

Comment: The Department is working with petitioner to ensure compliance.

ii) At a minimum the Lot's Established Front Yard shall be sodded and the remainder of the Lot shall be seeded.

Comment: Not Applicable to DPR. To be reviewed at building permit stage.



9) Design Standards (Section 9):

a) Open Space and Amenity Standards:

- i) Minimum Open Space: 30% as generally shown on the Concept Plan
- ii) Common Areas shall not be subject to the minimum Lot frontage provisions of the underlying Zoning District; however, Article 8.6(c) shall apply.
- iii) Amenities: The following amenities shall be provided:
 - (1) Passive Amenities: A central open space including trails shall be provided for passive recreation opportunities, as generally depicted on the Concept Plan. Trails, including an eight-foot (8') wide multi-use path shall be installed in substantial compliance with the locations depicted on the Concept Plan. The final locations are subject to existing easements and final engineering. If trails are prevented from being installed as generally shown, then alternative trail locations may be approved by the Director that still provide access and connectivity to the District's Open Space.
 - (2) Playground. Playground equipment, as generally depicted on Exhibit D shall be provided within the area depicted on the Concept Plan.
 - (3) Pool & Pool House. A swimming pool, pool house and parking lot shall be constructed within the Open Space area, as generally depicted on Exhibit D shall be provided within the area depicted on the Concept Plan. An alternative pool and pool house location within the Open Space area may be approved by the Director.

WESTFIELD UNIFIED DEVELOPMENT ORDINANCE

The following underlying zoning standards of the UDO, as amended, apply to the Wilshire PUD District.

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

Zoning Districts (Chapter 4)

10) SF-4 District (Article 4.7)

Comment: All standards superseded by Scofield Farms PUD

Overlay Districts (Chapter 5)

11) Floodplain Overlay District (Article 5.5)



Comment: This project does not fall within a Floodplain.

12) Wellhead Protection District Overlay (Article 5.7)

Comment: This project does not fall within a Wellhead Protection Zone.

Development Standards (Chapter 6)

13) Accessory Use and Building Standards (Article 6.1)

Comment: Not Applicable to DPR. To be reviewed at building permit stage.

14) Architectural Standards (Article 6.3)

Comment: Not Applicable to DPR. To be reviewed at building permit stage.

15) Building Standards (Article 6.4)

Comment: Not Applicable to DPR. To be reviewed at building permit stage.

16) Height Standards (Article 6.6)

Comment: Not Applicable to DPR. To be reviewed at building permit stage.

17) Landscaping Standards (Article 6.8)

a) Placement: Installed plantings shall comply with the following:

- i. Clearance with Structures: Trees shall be planted so that when they reach maturity, there will be a minimum of five (5) feet of clearance between tree trunks and structures, building overhangs, walls, fences, and other trees.
- ii. Vision Clearance: Plantings and mounds shall also comply with Article 6.19 Vision Clearance Standards.

Comment: See section 6.19 below

- iii. Right-of-way: With the exception of Street Trees, as required herein, or trees as may otherwise be approved by the Plan Commission or Public Works Department, landscape material shall not be planted or placed in Rights-of-way or easements without permission from the City or the easement holder.
- iv. Minimum Distance from Sidewalk and Curb: Trees shall be planted a minimum distance of four (4) feet from the edge of a Street curb or pedestrian pathway or sidewalk.
- v. Minimum Distance from Stormwater Structures: Trees shall be planted a minimum distance of ten (10) feet from any storm sewer or subsurface drain, unless otherwise



- permitted in accordance with the City's Construction Standards or approved in writing by the Public Works Department.
- vi. Easements: Required landscaping should be located in landscape easements or designated common areas that are exclusive of utility or drainage easements that would otherwise prohibit the required landscaping.
 - vii. Arrangement: A natural or irregular row and spacing of plantings is preferred. Trees and shrubs should be grouped or clustered where possible to simulate natural tree stands.
- b) Detention and Retention Areas:
- i. Natural Appearance:
 - (1) Detention and Retention Areas shall be landscaped in a manner that replicates the natural form of ponds and shall include shade trees, ornamental trees, evergreens, shrubs, hedges, and/or other plantings (see also Minimum Lot Landscaping Requirements and Article 8.6 Open Space and Amenity Standards).
 - (2) Wetlands/aquatic vegetation planted around the wet perimeter of such areas should be utilized to further this design objective; however, if such plantings are utilized for water quality control, then landscape plans shall be prepared and stamped by a licensed landscape architect.
 - (3) Detention and Retention Areas shall be designed to be natural in appearance, with meandering edges.

Comment: The Department is working with petitioner to ensure compliance.
 - ii. Location: Detention and Retention Areas should be located to enhance view sheds and incorporated as amenities to the development (see also Article 8.6 Open Space and Amenity Standards).
 - iii. Side Slopes: Side slopes above the water line for Retention Areas and water features shall not exceed 4:1. Side slopes above the water line for Detention Areas shall not exceed 4:1 and shall be graded to harmonize with the overall Open Space design of the site.

Comment: Petitioner is coordinating with WPWD.
- c) Street Trees: Street Trees shall be required in accordance with the following, and the placement standards set forth herein:
- i. Requirement: Street Trees shall be required with all new or re-developed Local Streets (public or private) within Residential Districts. Street Trees shall only be required on one side of a Residential Frontage Road.



- ii. Location: Street Trees located within the Right-of-way shall be installed in accordance with the City's Construction Standards (see also Article 7.3 Principles and Standards of Design).
- iii. Spacing: Street Trees shall be required an average of every fifty (50) feet; however, the Street Trees may be spaced at a maximum spacing of sixty (60) feet but at a minimum spacing of twenty (20) feet.

Comment: The Department is working with petitioner to ensure compliance.

d) Minimum Lot Landscaping Requirements

- i. Single Family Residential (per Lot under 8,000 SF) (Valid for all lots per PUD)

Comment: The Department is working with petitioner to ensure compliance.

- (1) Shade Trees – 2
- (2) Ornamental or Evergreen Trees – 1
- (3) Shrubs – 4

- ii. Open Space/Common Area (per acre) (57.68 acres)

- (1) Shade Trees, Ornamental, or Evergreen Trees – 10 (577 required)
- (2) Shrubs – 0

e) Foundation Plantings

Comment: Not Applicable to DPR. To be reviewed at building permit stage.

- f) External Street Frontage Landscaping Requirements: The landscaping in this section shall be required where any portion of a development abuts an External Street.

- g) Residential Uses: A landscaping area with a minimum depth of thirty (30) feet shall be required abutting an External Street along any residential development. The landscaping area shall include a minimum of four (4) evergreen trees, three (3) shade trees, three (3) ornamental trees and twenty-five (25) shrubs per one hundred (100) lineal feet. In addition, a minimum three-foot (3') tall undulating mound shall be required along the entire External Street frontage. Meandering mounds are encouraged.

Comment: The Department is working with petitioner to ensure compliance.

- h) Non-residential Uses: A landscaping area with a minimum depth of ten (10) feet shall be required abutting an External Street along any non-residential development. The landscaping area shall include a minimum of three (3) shade or evergreen trees, two (2) ornamental trees and twenty-five (25) shrubs per one hundred (100) lineal feet.



This requirement may be credited toward required Parking Area Landscaping requirements if the required Parking Area Landscaping is located within twenty (20) feet of the Right-of-way. In addition, for Industrial Districts, a minimum three-foot (3') tall undulating mound shall be required along the entire External Street frontage.

- i) Easements: Trees required to be planted along External Streets should be located outside drainage and utility easements that would otherwise prohibit the required landscaping and shall be located in a manner that mitigates interference with infrastructure located within such easements. Trees may be clustered or grouped in order to attain creative site design and/or to accommodate utility infrastructure.

Comment: Petitioner is coordinating with WPWD and the utility companies.

j) Buffer Yard Requirements

- i. 30' buffer with 3 shade trees, 3 evergreen trees, and 10 shrubs per 100' is required abutting existing SF-2 Zoning district

Comment The Department is working with petitioner to ensure compliance

- ii. 40' buffer with 4 shade trees, 4 evergreen trees, and 10 shrubs per 100', with a 4' undulating mound for at least 60% of the length of the shared lot line is required abutting existing AG-SF-1 Zoning district

Comment The Department is working with petitioner to ensure compliance.

k) Parking Area Landscaping

21) Lighting Standards (Article 6.9)

Comment: No lighting depicted/submitted. Please submit fixture cut-sheet information and a photometric plan, if lighting is planned.

- a) All Light Fixtures, with the exception of internally-illuminated signs or Electronic Signage, shall be Fully Shielded and direct light downward toward the earth's surface.
- b) All lighting sources shall be directed away from reflective surfaces to minimize glare upon adjacent Lots and Rights-of-way.
- c) All lighting sources, with the exception of internally-illuminated signage or Electronic Signage, shall be positioned in such a manner as to direct light away from adjacent Lots and Rights-of-way.
- d) Light pole height shall not exceed twenty-five (25) feet. All Light Fixtures in Parking Areas shall be designed and located to confine emitted light to the Parking Area.



- e) All Light Fixtures shall meet City Building Code requirements for their appropriate construction class.

22) Lot Standards (Article 6.10)

- a) All Lots shall abut on a Street or Private Street and shall have a minimum Lot Frontage as set forth by the Zoning District or Overlay District.

Comment: See PUD section

- b) Residential Corner Lots shall be of sufficient width to permit appropriate Building Setback Lines and driveway setbacks from both Streets.

Comment: See PUD section

23) Outdoor Storage and Display (Article 6.21)

- a) Residential Districts (regarding Recreational Vehicles)

Comment: Will be monitored by Code Enforcement for compliance.

24) Outdoor Café and Eating Areas (Article 6.13)

Comment: Not Applicable

25) Parking Standards (Article 6.14)

Comment: Not Applicable to DPR. To be reviewed at building permit stage.

26) Setback Standards (Article 6.16)

Comment: See PUD section regarding setbacks.

27) Sign Standards (Article 6.17)

Comment: The Sign Standards will be reviewed during a subsequent Sign Permit Application review. Any signs and/or sign locations depicted on an Overall Development Plan or Primary Plat shall not be deemed "Approved" by approval of the Overall Development Plan or Primary Plat.

28) Vision Clearance Standards (Article 6.19)

- a) No Sign, fence, wall, landscaping, Public Utility Installation or other Improvement which obstructs sight lines between three (3) and nine (9) feet above a Street shall be permitted on a Corner Lot, unless otherwise approved in writing by the Public Works Department, within the triangular area formed by the Right-of-way line and a line connecting points: Forty (40) feet from intersections of Collectors, Private or Local Street; Seventy-five (75)



feet from intersections of Expressways or Arterials; Ten (10) feet from intersections of Driveways or Alleys.

Comment: The Department is working with petitioner to ensure compliance.

29) Yard Standards (Article 6.21)

Comment: Not Applicable to DPR. To be reviewed at building permit stage.

Subdivision Regulations (Chapter 7)

30) Construction Standards (Article 7.3)

Comment: Petitioner is coordinating with WPWD.

Design Standards (Chapter 8)

31) Block Standards (Article 8.1)

- a) The maximum length of a block in a single-family residential Subdivision shall not exceed one thousand two hundred and fifty (1,250) feet; except where an Internal Street or Frontage Road parallels an Expressway or Arterial.

Comment: The Department is working with petitioner to ensure compliance.

32) Easement Standards (Article 8.3)

Comment: Petitioner is coordinating with WPWD, HCSO, and the utility companies.

33) Monument and Marker Standards (Article 8.5)

Comment: The Monument and Marker Standards will be reviewed at the subsequent Secondary Plat Review process for each section.

34) Open Space and Amenity Standards (Article 8.6)

- a) **Plantings:** Open Space shall be supplemented with tree plantings in accordance with the Minimum Lot Landscaping requirements of Article 6.8 Landscaping Standards.

Comment: See Open Space landscaping requirements above.

- b) **Access:** A public way, crosswalk or easement not less than fifteen (15) feet in width shall be provided for access to required Open Space.

- c) **Connectivity:** Open Space, where applicable, shall be placed adjacent to or connected to existing or proposed Open Space located within the development and/or on adjoining



properties. Open Space should be located within reasonable walking distance to those uses it serves, with the exception of preservation of existing features.

- d) **Open Space Ownership:** The ownership of Open Space, Common Areas, Development Amenities, how it will be protected from future development, and responsibility for future maintenance (e.g., homeowners' association) shall be documented and recorded.

Comment: Acknowledged. To be included in covenants document.

- e) Required Open Space and Development Amenity improvements (e.g., fencing, walls, mounds, paths, playgrounds, amenities) shall be improved in accordance with an approved Development Plan and shall require a Certificate of Compliance
- f) **Approval:** Open Space and Development Amenity areas shall be identified on the development's Overall Development Plan, in accordance with Article 10.7 Development Plan Review. Open Space and Development Amenity improvements shall require approval a Detailed Development Plan, which shall be reviewed and approved by the Department as part of an Improvement Location Permit (see also Article 10.8 Improvement Location Permit) or a Certificate of Compliance (see also Article 10.4 Certificate of Compliance), if an Improvement Location Permit is not otherwise required for the proposed improvements.
- g) **Timing of Installation:** Open Space and Development Amenity improvements shall be installed prior to the issuance of a subsequent Building Permit for more than fifty percent (50%) of the Lots within the Secondary Plat section in which the Common Area, Open Space or Development Amenity is located, or within twelve (12) months from when the first Building Permit in the Secondary Plat section was issued, whichever occurs first.
- h) A maximum of fifty percent (50%) of required Open Space may come from: wetlands, third party regulated utility easements, legal drains and equivalent land, as determined by the Plan Commission or Director.

Comment: The Department is working with petitioner to ensure compliance.

- i) Detention and Retention Areas may only qualify as Open Space if they comply with Article 6.8 Landscaping Standards and if such areas are located and designed for the use and benefit of the public as an amenity to the development.
- j) Required Buffer Yards, External Street Frontage landscaping areas, and tree preservation areas, as set forth in Article 6.8 Landscaping Standards, may qualify towards required Open Space if placed within common areas or recorded preservation or conservation easements.



35) Pedestrian Network Standards (Article 8.7)

- a) All concrete sidewalk, asphalt path, and crosswalk improvements shall be constructed per the City's Construction Standards (see Article 7.3 Principles and Standards of Design) and comply with requirements of the Americans with Disabilities Act (ADA), as amended.

Comment: Petitioner is coordinating with WPWD.

- b) Curb ramps for handicapped accessibility shall be provided at all intersections of Streets, Alleys, and drives (not including individual residential Driveways) and comply with ADA requirements. Curb ramps shall not be permitted in Driveways.

Comment: Petitioner is coordinating with WPWD.

- c) When a sidewalk, pedestrian path, jogging path, and/or bicycle way crosses a Street intersection with an Arterial within or adjacent to a development, then safety devices (i.e. painted crosswalks, signs, or other traffic control devices) shall be installed at the Developer's expense as deemed appropriate by the Public Works Department. The Director or Plan Commission may require crosswalks to be marked at other intersections or pedestrian-crossing points as may be deemed appropriate. All traffic control devices shall comply with guidelines and requirements of the current edition of the Indiana Manual on Uniform Traffic Control Devices.

Comment: Petitioner is coordinating with WPWD.

- d) Internal Pedestrian Network Standards: The minimum sidewalk width shall be as indicated in the Thoroughfare Plan or five (5) feet (six (6) feet if immediately abutting the curb), whichever is greater.
- e) Sidewalks shall be required on both sides of internal Streets and internal Private Streets in all developments.
- f) When a proposed development lies between or adjacent to existing developments which have been provided with sidewalks, connecting sidewalks or pathways (which are extensions of the existing sidewalks) shall be constructed.
- g) Connector sidewalks shall be provided from the sidewalk or path adjacent to the Street to the front entrance of all non-residential structures. Where the sidewalk intersects driving lanes or parking aisles within the Parking Area, then crosswalks and ramps shall be installed in accordance with ADA requirements and such areas shall be delineated (e.g., pavers, stamped, bricked), as determined by the Plan Commission or Director, to reinforce pedestrian safety.

Comment: Petitioner is coordinating with WPWD.



- h) **Perimeter/External Pedestrian Network Standards:** All developments shall participate in the establishment or improvement to the pedestrian network along Streets adjacent to its perimeter in accordance with the following: Where a proposed Development Plan or Subdivision abuts an existing Right-of-way, then pedestrian paths, jogging paths, and bicycle paths shall be provided along the perimeter Street(s) or Private Street(s) in accordance with the Thoroughfare Plan. The type of pedestrian facility required shall be as set forth in the Thoroughfare Plan.

Comment: Petitioner has submitted a request to waive this requirement for a portion of the 196th Street frontage.

- i) Generally, all required pedestrian facility improvements shall be located within the Right-of-way. Required improvements located outside of the Right-of-way shall be located within an easement approved by the Director or Public Works Department.

Comment: Petitioner is coordinating with WPWD.

- j) The Plan Commission or Director may require Developers, at their expense, to construct off-site pedestrian facilities adjacent to the proposed development to respond to the proposed development's impact and infrastructure demands (see also Article 8.9 Street and Right-of-Way Standards as it may apply).

Comment: Petitioner is coordinating with WPWD.

36) **Storm Water Standards (Article 8.8)** - Petitioner is coordinating with WPWD.

37) **Streets and Right-of-Way Standards (Article 8.9)** – Petitioner is coordinating with WPWD.

38) **Street Light Standards (Article 8.10)** – Petitioner is coordinating with WPWD.

39) **Street Sign Standards (Article 8.11)** – Petitioner is coordinating with WPWD.

40) **Surety Standards (Article 8.12)** – Petitioner is coordinating with WPWD.

DEPARTMENT COMMENTS

- 1) **Action:** Hold a public hearing at the October 3, 2016, Plan Commission meeting.
- 2) The Petitioner will make any necessary revisions to the plans, as noted in this report as outstanding. The Economic and Community Development Department 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 Pam Howard at 317-531-3751 or poward@westfield.in.gov.