



Petition Number: 1912-ODP-23, 1912-SPP-23

Project Name: Atwater

Subject Site Address: North of the intersection of 193rd Street and Casey Road

Petitioner: Olthof Homes, LLC

Representative: Nelson & Frankenberger

Request: Olthof Homes, LLC by Nelson & Frankenberger requests a Primary Plat and Overall Development Plan review of 275 Lots on approximately 100 acres +/- in the Atwater PUD District.

Current Zoning: Atwater PUD

Current Land Use: Agricultural / Vacant

Approximate Acreage: 100 +/-

Property History: Atwater PUD Ord. 19-32 (October 14, 2019)

Exhibits:

1. Staff Report
2. Location Map
3. Overall Development Plan & Primary Plat

Staff Reviewer: Jonathan Dorsey, Associate Planner

BACKGROUND

The Property is currently zoned the Atwater PUD District established by Ordinance 19-32.

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.

The comments contained herein were in review of the filed Overall Development Plan and Primary Plat (the "plans") scheduled for the November 19, 2019, Technical Advisory Committee meeting.

PROCEDURAL

Approval of an Overall Development Plan and Primary Plat 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.



The petition was reviewed by the Technical Advisory Committee at its November 19, 2019, meeting. This petition has been properly noticed for a public hearing at the Plan Commission's December 2, 2019, meeting.

PROJECT OVERVIEW

Location: The Property encompasses approximately 100 acres +/- and is located west of Six Points Road, North and adjacent to the intersection of 193rd Street and Casey road (see **Exhibit 2**). The Property is currently zoned the Atwater PUD District. The Adjacent properties to the north and west are zoned within the AG-SF1: Agricultural / Single-Family Rural. Adjacent properties to the east are zoned Osborne Trails PUD. Adjacent properties to the south are zoned AG-SF1 and the Spring Mill Trails PUD District.

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

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

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

Comment: Please coordinate with WPWD, HCSO, and utility companies.

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



Comment: Please coordinate 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: Please coordinate 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: Please coordinate with applicable departments.

- 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: Please coordinate 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.

- b) 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 if applicable.

Development Plan Review (Article 10.7 of UDO)

The plans comply, as applicable to an Overall Development Plan, 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.

- 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.

Comment: Please coordinate with WFD.

- 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.

Comment: Please coordinate with WPWD on any potentially necessary improvements regarding the proposed trail.

- 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.
- 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.

Comment: Please double check the square footage of lots.

- 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: Please coordinate 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 Standards UDO and Atwater PUD (Ord. 19-32)

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

5) Concept Plan and Illustrative Plan (Section 3 of Ord. 19-32):

- a) The Concept Plan and Illustrative 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 and Illustrative Plan.

Zoning Districts (Chapter 4 of UDO and Section 4 of Ord. 19-32)

6) Permitted Uses (Section 5 of Ord. 19-32):

7) Standard Lot Regulations (Section 6 of Ord. 19-32 and UDO Article 4.6)

a) Minimum Lot Area:

Area A:	6,850 sq ft
Area B:	8,700 sq ft
Area C:	5,600 sq ft



b) Minimum Lot Width:

Area A:	55 ft
Area B:	70 ft
Area C:	45 ft

c) Minimum Lot Frontage:

All Areas:	35 ft
------------	-------

d) Minimum Building Setback Lines:

i) Front Yard:

Area A:	25 ft
Area B:	25 ft
Area C:	25 ft

ii) Side Yard:

Area A:	5 ft
Area B:	6 ft
Area C:	5 ft

iii) Rear Yard:

Area A:	20 ft
Area B:	20 ft
Area C:	20 ft

e) Maximum Building Height:

Area A:	1 ½ Stories
Area B:	2 ½ Stories
Area C:	1 Story

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

Development Standards (Chapter 6 and Section 7 of Ord. 19-32)

8) Accessory Use and Building Standards (Article 6.1): Shall apply with following modifications.

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

9) Architectural Standards (UDO Article 6.3)



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

10) Building Standards (Article 6.4)

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

11) Height Standards (Article 6.6)

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

12) Landscaping Standards (UDO Article 6.8 and Section 7.2 of Ord. 19-32): UDO shall apply, except as otherwise modified or enhanced below.

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

a) Foundation Plantings (Article 6.8(L))

b) External Street Frontage Landscaping Requirements (Article 6.8(M))

c) Buffer Yard Article 6.8(N).

d) Perimeter Drainage and Utility Easements.

e) Sign Standards (Article 6.17)

Design Standards (Chapter 8 and Section 9 of Ord. 19-32)

24) Block Standards (Article 8.1)

25) Easement Standards (Article 8.3)

Comment: Please coordinate with WPWD, HCSO, and the utility companies.

26) Monument and Marker Standards (Article 8.5)

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

27) Open Space and Amenity Standards (Article 8.6)

28) 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: Please coordinate 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: Please coordinate 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: Please coordinate 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.
 - i. Sidewalks shall be required on both sides of internal Streets and internal Private Streets in all developments.
 - ii. 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.
 - iii. 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.



- e) 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.
 - 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: Please coordinate with WPWD.

- ii. 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: Please coordinate with WPWD.

29) Storm Water Standards (Article 8.8) - **Please coordinate with WPWD.**

30) Streets and Right-of-Way Standards (Article 8.9) – **Please coordinate with WPWD.**

31) Street Light Standards (Article 8.10) – **Please coordinate with WPWD.**

32) Street Sign Standards (Article 8.11) – **Please coordinate with WPWD.**

Surety Standards (Article 8.12) – **Please coordinate with WPWD.**

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

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

- 1) Compliance with all applicable development and design standards of the Zoning District in which the real estate is located.
- 2) Compliance with all applicable provisions of any Overlay District in which the real estate is located.



- 3) 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.
 - b) The capacity of adjacent streets and highways is sufficient to safely and efficiently accept traffic that will be generated by the new development.
 - c) The entrances, streets and internal traffic circulation facilities in the proposed development are compatible with existing and planned streets and adjacent development.
- 4) 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.

DEPARTMENT COMMENTS

- 1) **Action: Hold a public hearing at the December 2, 2019, Plan Commission meeting.**
- 2) The Petitioner will make any necessary revisions to the plans, as noted in this report as outstanding. The 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 hearings, then please contact Jonathan Dorsey at 463-221-8375 or jdorsey@westfield.in.gov.