

PLAN COMMISSION STAFF REPORT

APPLICATION NO: PUD-01-2022

HEARING DATE: January 9, 2023 NEXT HEARING DATE: February 13, 2023

NEWSPAPER NOTICE PUBLISHED ON: November 26, 2022 NOTICES MAILED ON: November 22, 2022

SUBJECT: Westfall Place Planned Unit Development. Preliminary Development Plan.

LOCATION: Southwest of SR 47 and Oak Street and some parcels south of SR 47: 200 Oak St., 201 Oak St., 203 Oak St., 204 Oak St., 8201 W SR 47, 8205 W SR 47, 8401 W SR 47, and 8405 W SR 47.

PETITIONER(S): Arbor Homes, LLC

SUMMARY: Commission to consider an application for a) rezoning the subject property from Residential or no zoning to a Residential/Planned Unit Development zoning district; b) review of a Preliminary Development Plan and Ordinance for approximately 67 acres to be developed as a residential single-family detached development containing approximately 172 units to be known as the Westfall Place.

WAIVERS REQUESTED: See Staff Report for a full list of waivers

RECOMMENDATION: Recommend approval to the Council with conditions

PREPARED BY Oksana Polhuy, Planning Administrator

EXHIBITS
Exhibit 1. Vicinity Map
Exhibit 2. Concept Plan
Exhibit 3. PUD Ordinance
Exhibit 4. Application
Exhibit 5. Thorntown Comprehensive Plan. Proposed Land Use.
Exhibit 6. Boone County Comprehensive Plan. Proposed Land Use around Thorntown.
Exhibit 7. Responses to TAC Comments

PROCEDURE

The application was filed on September 28, 2022 for a public hearing at the December 12, 2022 Plan Commission meeting. The applicant requested continuance of the public hearing to January 9, 2023 Plan Commission meeting and the continuance request was granted.

The Plan Commission hears the evidence presented by Staff, petitioner/owner, and any individuals in the audience wishing to speak for or against the proposed project or to just ask questions. The Plan Commission then holds a discussion among themselves and makes a recommendation to the Common Council to either allow the request, deny the request, and/or amend the applicants' proposal. The Plan Commission has the authority to modify the proposal and/or attach conditions to the recommendation.

The Council then hears the proposal, including the Plan Commission's recommendation at the Council meeting(s). At the final Council meeting, the proposal as presented in an Ordinance format is either adopted, denied, or modified by the Council. Prior to the public hearing before the Commission, a published legal notice is advertised in the newspapers and public hearing notices are sent to the surrounding property owners per the adopted Rules of Procedure and have satisfactorily been completed.

Standards for Amendments per Thorntown Zoning Ordinance §152.11.D:

The wisdom of amending the text of this Ordinance or the Zoning Map is a matter committed to the sound legislative discretion of the Town Council and is not controlled by any one standard. In making their determination, however, the Town Council should, in determining whether to adopt or deny, or to adopt some modification of the Plan Commission's recommendation, pay reasonable regard to the following:

1. Whether the proposed amendment is consistent with the goals, objectives, and policies of the Comprehensive Plan, as adopted and amended from time to time by the Town Council;
2. Whether the proposed amendment is compatible with current conditions and the overall character of existing development in the immediate vicinity of the subject property;
3. Whether the proposed amendment is the most desirable use for which the land in the subject property is adapted;
4. Whether the proposed amendment will have an adverse effect on the value of properties throughout the jurisdiction; and
5. Whether the proposed amendment reflects responsible standards for development and growth.

USEFUL TERMS AND DEFINITIONS

PLANNED UNIT DEVELOPMENT (PUD). A large and integrated development consisting of a parcel or parcels of land to be developed as a single entity according to the adopted preliminary development plans and approved detailed plans, with different use and development standards than the standards that would normally apply in a non-PUD zoning district.

PLANNED UNIT DEVELOPMENT DISTRICT. A zoning district for which a PUD district Ordinance must be adopted under the regulations of this Zoning Ordinance.

REZONING. An amendment to a zoning map and/or text of a Zoning Ordinance.

TECHNICAL ADVISORY COMMITTEE. A committee established to assist in the evaluation of development applications and to make advisory recommendations to the applicable reviewing authority. The membership of the Committee shall include, but not be limited to, persons that are engaged in either private or public work with specific knowledge in road design and construction; sewer and water facility design and construction; solid waste; health requirements for water and sewer facilities; recreation and open space; environmental planning criteria related to geology, vegetation, noise, and water systems; and urban design.

WAIVER. A specific modification or lessening of the regulations of this Ordinance granted by the Plan Commission and Town Council for a specific development such as a Planned Unit Development in response to unique site characteristics or development patterns that justify relief from the otherwise applicable regulations or by the Plan Commission for relief from the Subdivision Control standards.

ZONING DISTRICT. A specific district within the jurisdiction which has uniform regulations governing the use, height, area, size, and intensity of use of buildings and land, and open spaces.

ZONING DISTRICT, BASE. In the case of an overlay district, the standard zoning district in which the parcel or tract is located, and the standards of which apply when the overlay district regulations are silent on any given point.

ZONING DISTRICT, OVERLAY. That zoning district that is superimposed on a base zoning district, which adds additional regulations regarding the use of and development standards for the property.

DEVELOPMENT PLAN, PRELIMINARY. The initial development plans for a Planned Unit Development following approval by the Plan Commission and adoption by the Common

Council of said drawings and Planned Unit Development (PUD) Ordinance including any waivers and commitments by the developer for said real property.

COMMITMENT. A covenant concerning the use or development of a parcel of real property made in writing by the owner of that parcel, either voluntarily or by an order or request of the Plan Commission, the Board of Zoning Appeals, or the Town Council, pursuant to IC 36-7-4-1015.

COMMON AREA. An area held in common by an owners' association, not located in rights-of-way, and not located on individually owned private property.

COMPREHENSIVE PLAN. The complete plan, or any of its parts, for the development of the planning jurisdiction of the Town of Thorntown prepared by the Advisory Plan Commission of the town and adopted in accordance with I.C. 36-7-4-500.

CONCEPT PLAN. A plan for a subdivision or development of land that shows in general terms the proposed land use, density, circulation, natural characteristics, and typical development of the area to be developed, as well as adjacent affected properties, and traffic.

LOT COVERAGE. The total ground area within the lot or project covered by the primary structure, accessory structure(s), and impervious surfaces (e.g. driveways, sidewalks, parking lots, patios, swimming pools, garages, carports, storage sheds, etc.).

OPEN SPACE. Common area providing light and air designed for environmental, scenic, or recreational purposes. Cropland, forested areas, or pastureland qualifies as open space. Open space may include turf areas, decorative plantings, walkways, active and passive recreation areas, playgrounds, and wooded areas. Open space does not include areas devoted to public or private streets or rights-of-way.

SETBACK, REQUIRED. The minimum and/or maximum required distance between a property line and a setback line, as established by this Ordinance.

BUILDING MASSING. This is an effect of bulky homogenous monotonous mass of buildings created by placing similarly-sized and designed buildings close to each other at a similar distance.

ALLEY. A right-of-way, other than a street, road, crosswalk, or easement, designed to provide a secondary means of vehicular access to the side and rear of the lots.

FRONTAGE. Property connected directly with a street or highway. For the purpose of determining frontage, an alley is not considered to be a street or highway.

ABOUT PROJECT

Location

The subject site is comprised of several parcels located generally to the southwest of the intersection of Oak Street and State Road 47 (see Figure 1 here and Exhibit 1. Vicinity Map). The base zoning is “Residential” on the properties that are already within Thorntown corporate limits (Lots 1-4, Royal Crossing subdivision) and no zoning of the parcels within the subject project area that are undergoing the annexation (Parcel IDs: 06-13-34-000-001.001-014, 06-09-03-000-012.000-014, 06-13-34-000-033.000-014, 06-09-03-000-013.000-014).

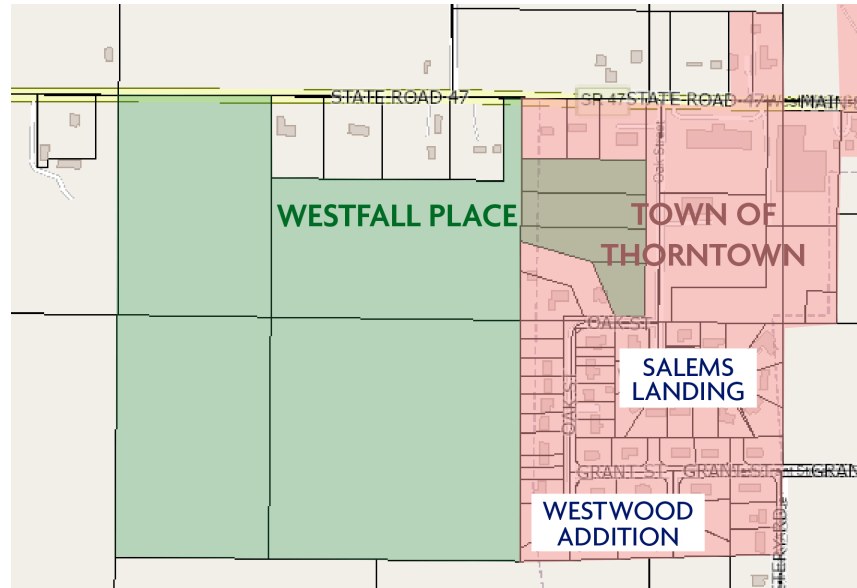


Figure 1. Project Site Location

Proposal

The petitioner proposes to develop the project site as a single-family detached residential subdivision. The proposed development will include approximately 172 single-family homes on individual lots with a mix of the Arbor and Genesis home lines (see Exhibit 5. Architectural Character). There are two entrances to the subdivision: one off of SR 47 and one off of Oak Street (see Exhibit 2. Concept Plan).

The lots are split into two categories: lots in Area A and Area B (Exhibit C inside of the Exhibit 3. PUD Ordinance shows the map with the area designations). The PUD ordinance proposes development standards separately for Area A and B. Area A contains typical lots and houses and contains more than 80 % of all lots. Area B contains smaller lots and houses at a more attainable price point and contains less than 20 % of all lots.

In Area A, the developer proposes twelve traditional floorplans with six variations of elevations for each floorplan. The size of houses will vary between 1,200 sf and 3,280 sf. In Area B, the developer proposes five Genesis floorplans with a few variations in elevations. The size of the houses in Area B will vary between 1,100 sf and 1,922 sf (more details in Exhibit 3. PUD Ordinance. Project Narrative).

The development will include approximately 17.9 acres of open space: a community park, 0.27 miles of trails, an amenity area, and several preserved wooded areas. 27 % of the project site is open space, which is well above the required minimum 20 % open space requirement for residential PUDs (§152.27.A.8.d.ii.A). Some of those green areas serve as the areas to collect stormwater and move it into the pond that would move the stormwater further out of the subdivision.

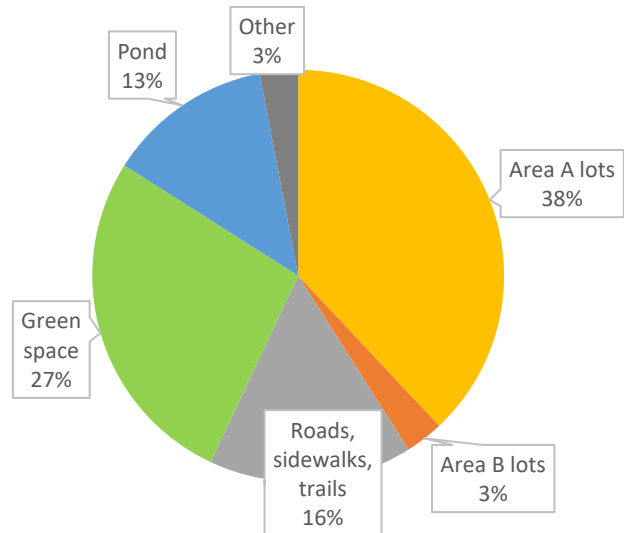
ANALYSIS

Compatibility with Surrounding Area

	USE	ZONING	ANALYSIS
NORTH	Institutional, Residential, Agricultural	Residential and None	Proposed residential use is compatible with the surrounding uses and existing zoning districts.
EAST	Commercial, Industrial, Residential	Residential	
SOUTH	Agricultural	None	
WEST	Agricultural	None	

Land use breakdown within the development

Project site size	66.5 ac	100 %
Area A lots	25.3 ac	38 %
Area B lots	2.1 ac	3 %
Roads, sidewalks, trails	10.4 ac	16 %
Green space	17.9 ac	27 %
Pond	8.9 ac	13 %
Other	1.9 ac	3 %



Consistency with Plans

Consistency with Thorntown’s Comprehensive Plan

The community vision for Thorntown stated in the Comprehensive Plan is to “...retain its peaceful character... while planning, preparing and working toward the goal of making the community more economically stable and self-sufficient by attracting and retaining families, both young and old, and businesses...” This residential development that would be

marketed to the young families and other people who prefer the proposed house and property size would add a new product that could attract new people to live in Thorntown.

The land use section of the Comprehensive Plan states that the suggested land use development policy is the development and redevelopment of land in and outside of Thorntown's corporate limits within a Compact Form. *"Compact form describes a pattern of land use which stresses the best use and the efficient, considered and responsible development of land. The opposite of compact form is sprawl. Communities which put into practice compact form planning and development are ultimately more walkable, have a higher quality of life, stable economic conditions, and have better, more efficient public services with lower tax rates."*

The Thorntown Comprehensive Plan's Proposed Land Use Map (see Exhibit 6) designates the eastern part of the project site that is already within the town limits as high density residential, defined as 3.1 du/ac or more. Thorntown Comprehensive Plan does not give a recommendation for the use or density for the rest of the project. Westfall Place has a gross density of 2.76 units/acre¹ which per Thorntown's Zoning Ordinance is considered medium residential density and is consistent with the intended intensity and residential use.

Consistency with Boone County's Comprehensive Plan

The Boone County Comprehensive Plan's Future Land Use Map (see Exhibit 7) shows the area to the west of Thorntown to remain general agriculture.

Staff's Land Use Suggestion

It appears that when Boone County's Comprehensive Plan was adopted in 2009 and Thorntown's Comprehensive Plan was adopted in 2010, there was no vision or expectation of the town developing to the west, so there is no exact land use recommendation from either plan. However, the overall logic of the proposed density of residential development in the Thorntown Comprehensive Plan can give an idea of what density can be recommended for the subject site.

The overall land use policy is to develop land within a Compact Form. The proposed land use map recommends high density residential development within the town limits and within approximately 2,000 feet south of town limits, medium residential development is recommended next, and low density residential development is recommended for an area

¹ Gross density is measured by dividing the number of units by the developable area. Developable area in this project excludes the wetland (3.65 ac) and the wooded natural area at the northeast of the project (0.6 ac) leaving 62.25 acres for development ($66.5 - 3.65 - 0.6 = 62.25$). $172 \text{ lots} / 62.25 \text{ acres} = 2.76 \text{ units/acre}$.

between the medium density area and county road W 500 N. This could be used to argue that if development happens within the town limits (high density residential use recommended) and to the west of it, a high and medium density residential development adjacent to the town limits can be recommended just like it’s recommended for the development to the south of Thorntown.

Compliance with Regulations

The tables below compare proposed PUD development standards to Thorntown’s Zoning Ordinance standards:

- Standards in BLACK font: meet Thorntown’s standards.
- Standards in RED font: do not meet Thorntown’s standards.
- Standards in GREEN: additional standards that are not required by the Thorntown Zoning Ordinance.

General Bulk Standards

Ordinance standard	Ordinance requirement	Proposal per plan
Area A – 81 % of all lots (38% of total project site)		
Minimum lot area	6,000 sf	7,150 sf
Minimum lot width	50 feet	55 feet
Maximum building height	35 feet	35 feet
Minimum front yard setback	20 feet	25 feet (or 23, 25, 27 in some areas)
Minimum side yard setback	5 feet	7 feet (or 5 feet if the house comes with a third-car garage or other garage extension)
Minimum rear yard setback	20 feet	15 feet (coincides with drainage easement size).
Maximum lot coverage	45 %	50 %
Minimum finished floor area	1,200 sf	1,200 sf
Minimum ground floor finished floor area	1,200 sf for one-story 900 sf for two-story	1,200 sf for one-story 800 sf for two-story
Area B – 19 % of all lots (3 % of total project site)		
Minimum lot area	6,000 sf	3,200 sf
Minimum lot width	50 feet	40 feet
Maximum building height	35 feet	35 feet

Minimum front yard setback	20 feet	20 feet
Minimum side yard setback	5 feet	5 feet
Minimum rear yard setback	20 feet	10 feet (coincides with drainage easement size).
Maximum lot coverage	45 %	55 %
Minimum finished floor area	1,200 sf	1,100 sf
Minimum ground floor finished floor area	1,200 sf for one-story 900 sf for two-story	530 sf (no one-story plans)

Parking Standards

Ordinance standard	Ordinance requirement	Proposal per plan
Minimum required number of parking spaces	2 per dwelling unit	2 per dwelling unit

Landscaping Standards

Ordinance standard	Ordinance requirement	Proposal per plan
Lot landscaping	None	Front yard: Area A: 1 tree and 4 shrubs; and an additional tree on corner lots. Area B: 1 tree and 3 shrubs. Sod required.
Peripheral buffer yard for a planned development.	25-ft-wide landscape buffer between residential and non-residential uses	25-ft-wide landscape buffer proposed on the east side along Oak Street and on the north side along SR 47, but no landscape buffer along the southern and western border of the project site.
Street trees	1 canopy tree / 50 feet	1 canopy tree / 50 feet, except for no trees along the alley serving Area B.
Prohibited species	None	Table 1 of the PUD ordinance lists prohibited species of trees and shrubs.

Other Natural Features

Natural areas preserved: the wetland in the middle of the project site and the wooded area at the northeast corner of the project site by the Oak Street.

Additional features:

1. A community park by the Oak Street. This feature is not required by the regulations, but is provided by the developer.
2. Trails throughout the project site. Trails are not required by the ordinance. However, they allow for residents in Area B to walk to other areas of the subdivision.

PUD Standards

Ordinance standard	Ordinance requirement	Proposal per plan
Minimum open space	Min 20 % required	27 % provided
Residential density	0.51 – 3.0 units/acre (medium density) 3.1 units/acre or more (high density)	2.7 units/acre

Site Design and Improvement Standards

Ordinance standard	Ordinance requirement	Proposal per plan
Block max length	800 feet	Some blocks over 800 feet, but the developer proposes some amended regulations of what is considered a break of continuity.
Building Massing Anti-Monotony	Chapter 152.70-89, Section 152.72.C.2.C	This section shall not apply to this PUD.
Minimum Street ROW	50 feet	50 feet
Minimum Alley ROW	16 feet	16 feet
Minimum sidewalk width	5 feet	5 feet

Architectural Standards

Ordinance standard	Ordinance requirement	Proposal per plan
Architectural anti-monotony	No two (2) dwellings with alike facades and exterior color package shall be permitted adjacent to, diagonally,	No two (2) dwellings with alike facades and exterior color package shall be permitted adjacent to, diagonally, or across from each other.

	or across from each other.	
Roof pitch	None	Minimum 6/12 of the primary roof ridge.
Overhangs	None	8"
Exterior materials	None	Dimensional shingles, various siding materials (masonry, wood, fiber cement board, stucco, shakes, board and batten, E.I.F.S.) with vinyl minimum thickness of 0.044 inches (above building code standard)
Windows	None	Minimum 2 windows on the front and rear with all elevations having eight windows cumulatively.
Lighting	None	A dwelling shall have at least 1 dawn-till-dusk coach light.

WAIVERS REQUESTED

1. Minimum rear yard: from 20 feet to 15 feet in Area A and 10 feet in Area B.
 - a. Reason: to match the rear drainage and utility easement with the rear yard setback.
 - b. Staff comment: houses are typically built at the front setback line leaving the rest of the rear yard open.
 - i. Area A: The shortest yard depth on the Concept Plan is 130 feet. About half of the lots are proposed to be 155-160-ft deep. With a 25-ft setback and a house about 40-60-ft-deep, the actual remaining rear yard will be 45-65-deep on 130-ft deep lots. On deeper yards, the effective rear will be even deeper. Figure 2 shows an example of lots depths and houses in a subdivision in Sheridan, IN.



Figure 2. Example SFR Lot Depths and Effective Rear Yard

- ii. Area B: The lots in Area B are meant to be smaller properties, so a smaller rear yard is expected. HOWEVER, the minimum *utility* easement required by the Zoning Ordinance §152.81 is 15 feet, or it can be split among the abutting rear yards resulting in a 7.5-ft-wide utility easement per lot. If the developer is requesting a reduction of the rear yard and thus, easement, to 10 feet, then the developer is expected to provide the utility easement in the front yards of the lots in Area B along the alleys, while the rear yard easement is going to be used as a drainage easement.
- iii. The most common structures that reach the rear yard are decks, patios, and detached structures (e.g., sheds, pergolas).

- iv. Keeping the rear yard at the same line as the drainage easement will still prevent structures being built in the easements, which is a regulation that protects properties from damage both inside and outside of the subdivision.
 2. Maximum lot coverage: from 45 % to 50% in Area A and to 55% in Area B.
 - a. Reason: to fit all improvements and allow the future residents additional space to add impervious structures, likes patios and decks.
 - b. Staff comment:
 - i. Lot coverage standard exists to ensure that the sites can handle stormwater drainage. Once the lot coverage standard is fixed, then the engineers can design the drainage of the subdivision as a whole according to the set standard.
 - ii. Lots in Area B are closer in their design to the duplexes, triplexes, and townhomes. Lot coverage requirement is typically higher for these kinds of units. In Thorntown’s zoning ordinance, the maximum lot coverage for two-family units is 55 %, and for multi-family units is 65 %. This higher lot coverage is counteracted by the presence of green space around the units in Area B and by an overall high open area provided in the Concept Plan.
 3. Minimum ground floor finished floor area: from 900 sf to 800 sf in Area A and 530 sf in Area B.
 - a. Reason: some of Arbor’s house designs might not have exactly 900 sf on the ground floor, and this amendment allows a bigger variety of house designs to be built within the subdivision.
 - b. Staff comments:
 - i. Thorntown has only one number for a minimum ground floor area that has existed for several decades and hasn’t been updated. It is not known what guided that standard. New housing products and tastes entered the market, but the ordinance doesn’t allow for this variety or demand for new housing choices. Varying this standard could allow new types of houses to be built in Thorntown.
 - ii. Variation for houses in Area A is small: 100 sf. The total finished floor area is still proposed to meet the zoning ordinance standard.
 - iii. Variation for houses in Area B is significant: 370 sf. However, the decrease in house’s ground floor area is compensated by the total finished floor area being very close to the minimum ordinance requirement.
 4. Minimum finished floor area: from 1,200 sf to 1,100 sf in Area B.
 - a. Reason: to allow for housing at a more attainable price and housing that would meet the needs of people that prefer a smaller house.

- b. Staff comment: this standard is not varied much and would only be applicable to 20 % of the lots.
5. Minimum lot area: from 6,000 sf to 3,200 sf in Area B only.
 - a. Reason: to allow for housing at a more attainable price and housing that would meet the needs of people that prefer a smaller property.
 - b. Staff comment: this standard would only be applicable to 20 % of the lots (and 3% of the project site) that are located inside of the project site and surrounded by green space and trails. Visually, this green space will give the feeling of bigger area to compensate for the smaller lot area.
6. Minimum lot width: from 50 feet to 40 feet in Area B only.
 - a. Reason: to allow for housing at a more attainable price and housing that would meet the needs of people would like a smaller property.
 - b. Staff comment: this standard is not varied much and would only be applicable to 20 % of the lots.
7. Removal of a landscape buffer yard in some areas between the agricultural (non-residential) surrounding uses and residential uses within the project as depicted on the Concept Plan (Exhibit 1).
 - a. Reason: providing such a buffer would require devoting additional 5 % of the project site to the green space. Considering that the project site contains a wetland and another green wooded area that needs to be preserved according to other regulations, the area left to be developed for lots and infrastructure to serve the lots (roads, ponds, utility easements) is smaller than at other sites.
 - b. Staff comment: the landscape buffer regulation exists to increase the welfare of the community as a way to visually create a softer transition from the residential to non-residential uses. New residential lots that abut an agricultural field without a landscaped buffer between the lots and the field may benefit from a view of the field that serves as the natural area/buffer.
8. Alleys that will serve Area B can be considered a “street” for the purposes of the definition of lot frontage and front yard setback.
 - a. Reason: Thorntown’s Zoning Ordinance states that *“For the purpose of determining frontage, an alley is not considered to be a street or highway”*. Lots in Area B will only be served by the alley and need the alley to be considered a street for other zoning and subdivision regulations.
 - b. Staff comment: Zoning ordinances have several regulations that act in tandem: a) lots have to be created in a way that they front a street to be able to drive in and out of the house and for the fire department to access them in case of fire; b) lot frontage determines where the front yard is, which determines where the house must face and how far from the street the house must be built. In Thorntown, many properties were developed on a traditional

grid system with roads/streets serving as the main entrances/exits to the properties and alleys being secondary access streets. If streets and alleys were considered streets for the purpose of determining lot frontage, then quite a few properties in Thorntown would have 3 front yards with a front yard restriction that could deem lots not buildable. To avoid such restrictive rules for development, alley is not considered a street for determining the lot frontage. In the proposed Area B, the alley serves as the only street that the lots front on, so it makes sense for the alley to be considered a “street” with all other consequent regulations: the yard along the alley is considered a front yard and the front setback is measured from the lot line bordering the alley.

9. Street trees are not required along the alley in Area B.
 - a. Reason: to allow for housing at a more attainable price and housing that would meet the needs of people that would like a smaller property.
 - b. Staff comment: in lieu of trees, the developer is providing a trail between the houses in Area B that connects to the rest of the sidewalk network as well as green areas around Area B houses.
10. Reduction of the width of the common area that constitutes a break in a block: from 100 feet to 30 feet.
 - a. Reason:
 - b. Staff comment:
 - i. The longest blocks in Thorntown are lower than 800 feet. Due to this, the recommended maximum block length is 800 feet in Thorntown’s Zoning Ordinance. The following features constitute a break in a block:
 - a) a green space/park/amenity at least 100-ft-wide;
 - b) a street intersection;
 - c) a t-street intersection if the common area abutting the “T” is as wide as the street ROW (minimum 50 feet in Thorntown); and
 - d) the right-of-way or easement for a public or private street.
 - ii. The developer proposes to amend the “100-ft-wide” rule to a “30-ft-wide” rule with two trees planted in the 30-ft easement area to show the break in continuity of the street block.
11. Building massing anti-monotony waiver.
 - a. Reason:
 - b. Staff comment:
 - i. This regulation exists to vary the building mass within a block to avoid a monotonous landscape of similar-looking buildings. The regulation proposes 4 ways to meet it and applies to houses built side-by-side: a) variation of house height by at least two feet; b) variation in the roof pitch of the main ridge line; c) variation of the orientation of the main roof ridge line; or d) variation in roof type (gable, hip, mansard, etc.)

- ii. In lieu of this regulation, the developer proposes to vary front setback lines in the blocks that will be longer than 800 feet. This would add a break in continuity viewing the houses along the streets.
- iii. Another regulation that the developer will follow that aids somewhat with breaking the monotony of the building mass is the architectural anti-monotony regulation: *“No two (2) dwellings with alike facade styles and/or exterior color packages shall be permitted adjacent to, diagonally, or across from each other.”* The part that can help with breaking the overall anti-monotony is the variation of the color packages among the houses. Figure 3 demonstrates how this regulation applies to the lots.

ARCHITECTURAL ANTI-MONOTONY REGULATION

No two (2) dwellings with alike facade styles and exterior color packages shall be permitted adjacent to, diagonally, or across from each other.

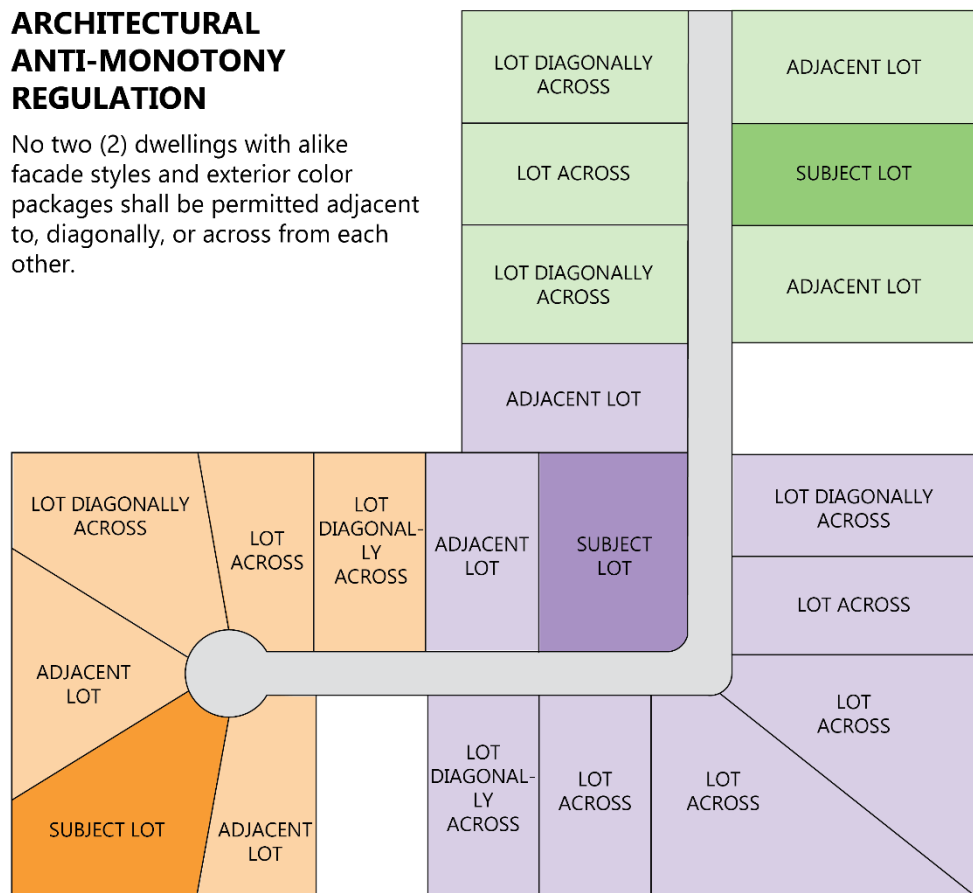


Figure 3. Illustration of how Architectural Anti-Monotony Regulation is Applied

TAC Comments

Below are comments from TAC members about the proposal. Applicant’s responses to these comments as well as to the comments from the Planning Administrator and Engineer are in Exhibit 7.

Western Boone School Superintendent, Rob Ramey

There is enough capacity in the school to welcome over 100 new students. With the recent school expansion and declining student numbers, the additional space is available. The superintendent also believes that building a new and different housing product might attract young families with kids that cannot find a house in the existing housing market in Thorntown.

Boone County Surveyor (Stormwater and Drainage review), Carol Cunningham

“The location where they show the pipe outlet from the detention pond may need to be extended downstream further. Also, they are showing a drainage outlet offsite easement in the southwest area which is to a waterway and not considered an adequate outlet. All water from the site is required to be routed through the detention pond and this pipe should be directed to pond before leaving the site.”

Utility company notes related to this submittal

Gas – CenterPoint Energy

“Our gas facilities stop right about where this site would start. We currently have a 2” Gas main that stops on the south side of the road at 8151 W Main St. If they go forward with this development we would have to make updates to our system to accommodate.”

Electricity – Thorntown Local Utility

The majority of the project site is located within Thorntown’s local electric utility jurisdiction. It has power lines along SR 47 and Oak St.

Electricity – Boone REMC

“It looks like in the S.E corner of the site is in our territory, but it will

depend on where the meter will be set on the property. More than likely Boone [REMC] will not have any involvement on the portion. Once you get the site plan, we can look it over. If

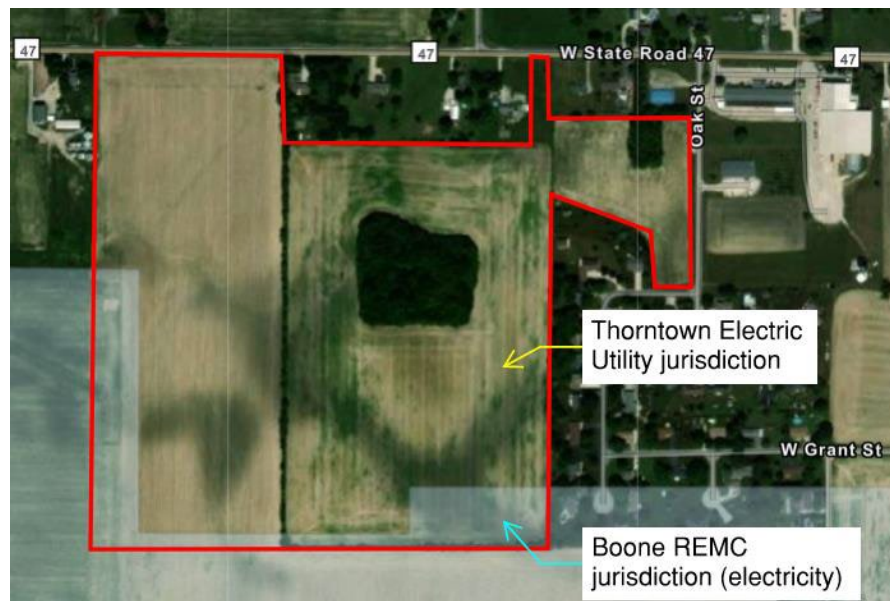


Figure 4. Jurisdictions of Electric Utilities around Thorntown

for some reason the meter will be in our territory, we can discuss what would need to be done at that time.”

CORRESPONDENCE

As of this writing, staff has not received written or verbal statements regarding this project from residents.

RECOMMENDATIONS

Staff recommends approval of application PUD-01-2022 because:

1. The proposed residential development meets the goal of Compact Form of land development, which is the land use policy stated in the Thorntown Comprehensive Plan;
2. The proposed residential development can provide a desirable residential use to attract new residents into town which meets the community vision stated in the Comprehensive Plan;
3. The proposed residential use is compatible with the surrounding residential uses and some active and vacant agricultural fields;
4. The proposed type of denser residential development in Area B and corresponding waivers of Thorntown Zoning Ordinance regulations are counteracted by the provision of additional green space, trail, and a community park. Area B takes up only 3 % of the project area and is surrounded by other traditional lots which provides a buffer between this dense area and medium density of the existing residential development in Thorntown to the east of the project site.
5. The developer proposes additional architectural standards to ensure a high quality house product and a variety of house designs.
6. The developer proposes additional landscaping standards for lots and for the entire subdivision (a list of prohibited species) that enhance the quality of the installed landscaping and protect the area from invasive species.

with the following conditions:

1. The Change of Zoning and PUD Ordinance becomes effective upon the recording of the annexation ordinance as per Indiana Statute.
2. The utility easement in Area B shall be located in the yards along the alley, while the rear yard easement shall be a drainage easement only.

MOTION OPTIONS

1. Motion to forward a *favorable* recommendation to the Council for a) adoption of the Change of Zoning from no zoning to Residential zoning district for approximately 62 acres; b) adoption of Change of Zoning from Residential to Residential/Planned Unit

Development for 67 acres to be developed as a residential single-family subdivision with about 172 lots to be known as Westfall Place, including adoption of the preliminary development plan and ordinance as per submitted application PUD-01-2022, the conditions of approval recommended in the Staff Report, and approval of the following waivers:

WAIVERS:

- §152.22.C.3.c Minimum rear yard: from 20 feet to 15 feet in Area A and 10 feet in Area B.
 - §152.22.C.4 Maximum lot coverage: from 45 % to 50% in Area A and to 55% in Area B.
 - §152.22.C.6.a Minimum ground floor finish floor area: from 900 sf to 800 sf in Area A and 530 sf in Area B.
 - §152.22.C.6.a Minimum finished floor area: from 1,200 sf to 1,100 sf in Area B.
 - §152.22.C.1.a Minimum lot area: from 6,000 sf to 3,200 sf in Area B only.
 - §152.22.C.2.a Minimum lot width: from 50 feet to 40 feet in Area B only.
 - §152.27.A.8.b Removal of a landscape buffer yard in some areas between the agricultural (non-residential) surrounding uses and residential uses within the project as depicted on the Concept Plan (Exhibit 1).
 - §152.09 Alley that will serve Area B can be considered a “street” for the purposes of the definition of lot frontage.
 - §152.79.A Street trees are not required along the alleys in Area B.
 - §152.72.C.2.a.i Reduction of the width of the common area that constitutes a break in a block: from 100 feet to 30 feet.
 - §152.72.C.3 Building massing anti-monotony waiver.
2. Motion to forward an *unfavorable* recommendation to the Council for a) adoption of the Change of Zoning from no zoning to Residential zoning district for approximately 62 acres; b) adoption of Change of Zoning from Residential to Residential/Planned Unit Development for 67 acres to be developed as a residential single-family subdivision with about 172 lots to be known as Westfall Place, including adoption of the preliminary development plan and ordinance as per submitted application PUD-01-2022 and all documentation presented in the Staff Report, applicant’s booklet, modifications, stipulations, and the waivers requested by the applicant. **(List reasons)**
3. Motion to *continue* the review of the application PUD-01-2022 until the next regular meeting on February 13, 2023.

Next Plan Commission meeting date(s): February 13, 2023.