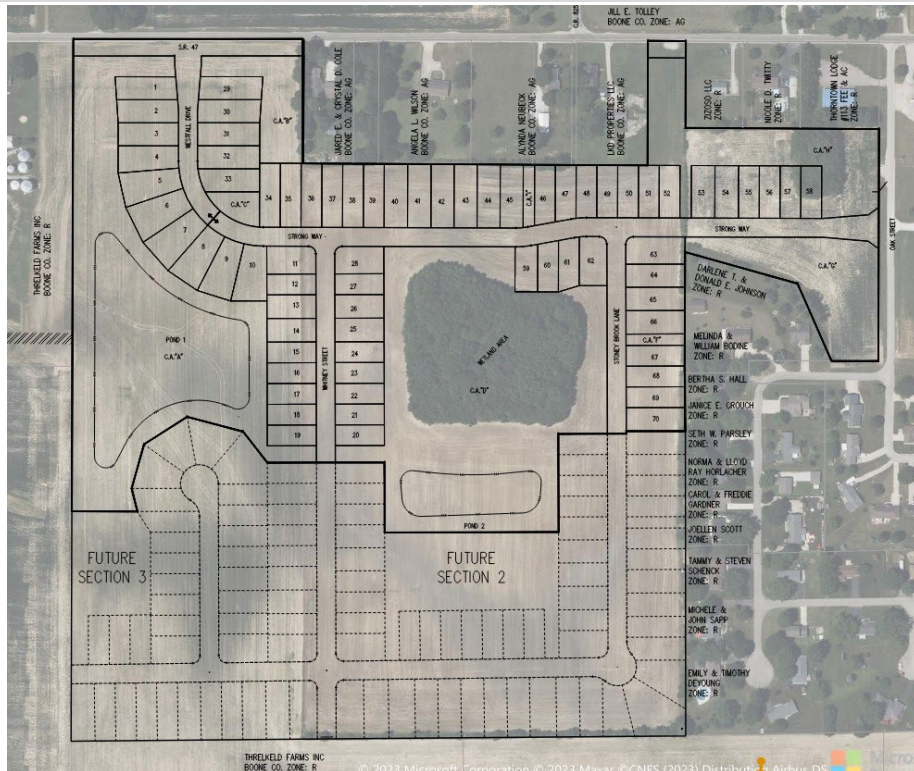


STAFF REPORT

APPLICATION NO:	FDP-01-2024		
HEARING DATE:	October 14, 2024	NEXT HEARING DATE:	November 18, 2024
NEWSPAPER NOTICE PUBLISHED ON:	August 22, 2024	NOTICES MAILED ON:	August 21, 2024
SUBJECT:	Review of the Detailed (Final) Development Plan for Westfall Place PUD		
LOCATION:	Westfall Place PUD (residential single-family subdivision)		
PETITIONER(S):	Arbor Homes, Inc.; Innovative Engineering & Consulting, Inc.		
SUMMARY:	Commission to consider a Detailed Development Plan for Phase 1 of Westfall Place subdivision containing 41.35 acres and proposing 70 single family residential lots.		
WAIVERS REQUESTED:	None		
RECOMMENDATION:	Approval w/Conditions and Commitments		
PREPARED BY:	Oksana Polhuy, Planning Administrator		
EXHIBITS:	Exhibit 1. Application Process Steps Exhibit 2. Adopted Preliminary PUD Plan (Concept Plan) Exhibit 3. Adopted Primary Plat Exhibit 4. Detailed Development Plan (excerpt)		



PROCEDURE

What is Detailed (or Final) Development Plan?

Detailed Development Plan is related to PUDs only. It's defined as following, "The construction drawings incorporating all amendments and plans adopted at the Preliminary Development Plan hearing that sets the stage for approval of the Secondary Plat(s) as evidenced in a development plan." In a PUD process, it's the last step to approving a more detailed design of the development, particularly the design of the development features to be installed in the "public" or "common" areas. At this stage, a concept plan that was approved with the ordinance for Westfall Place PUD (Exhibit 2) is turned into a more detailed design.

The approval of the Detailed Development Plan doesn't permit any construction activities yet. The approval of this detailed plan is required before a Subdivision construction permit (or Subdivision Improvement Location Permit (ILP)) is issued and before a Secondary Plat may be approved (see Exhibit 1). Approval of the Subdivision Improvement Location Permit (ILP) permits construction activities, and it's currently under review.

Application Process

Per Thorntown ZO § 152.15.C and 152.15.H, a Development Plan shall be submitted to and reviewed by the Planning Administrator, reviewed by the Technical Advisory Committee, and reviewed and approved by the Plan Commission in a *Public Hearing*. The Detailed Development Plan application was received on July 19, 2024, TAC committee met on August 20, 2024, and the public hearing was scheduled for September 9, 2024. The hearing was rescheduled to October 14th to allow time for the developer to respond to all requests made by the TAC committee members. The applicant submitted revised plans on September 20, 2024. This staff report is prepared for the most recent version of the revised plans.

NOTE: One more application should have been approved before approving the Detailed Development Plan, specific to this project. It's a *partial* Plat Vacation for Royal Crossing subdivision. A portion of Westfall Place PUD contains 4 platted lots in Royal Crossing subdivision. These four lots need to be vacated (or removed) from the plat. Plat Vacations require a public hearing in the case when not all property owners apply for the plat vacation. The applicant applied for the plat vacation on September 20, 2024, and will be scheduled for a public hearing on November 18, 2024. If the Plan Commission was to approve this Detailed Development Plan at October's meeting, it would need to be conditioned upon approval of this plat vacation.

Application Decision

Per Thorntown ZO §152.15.C, the Planning Commission makes final decisions on Development Plans. Plan Commission shall review the Development Plans using the following criteria to base their findings on:

1. Compliance with all applicable development and design regulations of the zoning and any overlay zoning districts (e.g., Westfall Place PUD) where the development is proposed.
2. Compliance with all applicable site design and improvement regulations in subchapters 152.70-89 of this Ordinance.
3. The proposed development shall be compatible with the surrounding land uses.
4. 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.

5. 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.

This staff report summarizes whether the applicant met the standards. If the applicant meets all standards, then the Detailed Development Plan shall be approved.

Conditions

Per Thorntown ZO §152.15.L, *“Plan Commission may impose conditions on the approval of a Development Plan if the conditions are reasonably necessary to satisfy the development requirements specified in the zoning ordinance for approval of the Development Plan.”*

Commitments

Per Thorntown ZO §152.15.M, *“An applicant may be required or allowed to make a commitment to the Plan Commission as a condition to the use or development of real estate in connection with the approval of Development Plan. Such commitments shall be provided in accordance with IC 36-7-4-1015.”*

PROPOSAL

The proposal is for a detailed development plan for phase 1 of the Westfall Place PUD (Exhibit 4), a zoning district, approved by the Thorntown Town Council on March 3, 2023 (ord. 03-2023; case # PUD-01-2022) (Exhibit 2). The primary plat was approved by the Thorntown Plan Commission on September 11, 2023 (Exhibit 3).

ANALYSIS

The table below summarizes standards that were reviewed and staff’s conclusion as to whether the standards were met.

Topic	Code Citation	Staff’s Review Summary	Standard Met?
Block and Lot Layout	§152.72 Westfall Place PUD Ordinance, Sec 5.4.3	Common area blocks A, D and I are required to include 2 deciduous trees to break the block length. They have been provided. The lot sizes, design and building setback lines meet the requirements. Lot numbering has changed from the primary plat so that all lots in Phase 1 have consecutive numbering 1-70.	Yes
Transportation	§152.73	ROW width, curves, sidewalk and trail widths meet the standards. The review of the specific construction details of the streets, sidewalks, ADA ramps is conducted by the engineer during the Subdivision ILP review.	Yes
Streetlights	§152.73	Streetlights have been provided at each intersection close to a “Stop” sign, at each entrance to the trail or park, and in a few spots along the streets.	Yes
Street Signs	§152.73	The subdivider has provided signage plan for the following signs: <ul style="list-style-type: none"> • Traffic signs: speed limit, stop signs, street names signs. • “End of roadway” signs: these are provided at the south end of Whitney Street and Stony Brook Lane to block traffic from going into an undeveloped portion of phases 2 and 3 of the subdivision. • Warning signs: a) “no mow” signs for the wetland area; b) “no swimming / skating” signs for the retention ponds. The locations for the subdivision entrance signs have been marked. A separate building permit will be required for each structure.	Yes
Preservation of existing natural areas and historic features	§152.78	The wetland in the middle of the project is placed into a Common Area. The applicant marks its preservation and provides signage to ensure continued preservation of the wetland. A portion of the natural woods at the northeast corner of the subdivision (C.A. H) will be cleared to create space for the lots 57 and 58. Another portion of the woods will be preserved.	Yes
Street landscaping	§152.79 Westfall Place PUD Ordinance	The requirements for the number and spacing of the street trees have been met. No species, listed as prohibited in Westfall Place PUD, were proposed.	Yes
Landscape buffer	§152.27.8 Westfall Place PUD Ordinance	PUDs are required to provide a 25-ft landscape buffer around the perimeter of the project. Per Westfall Place PUD’s preliminary plan, such buffer shall be provided along the streets: Oak Street and SR 47. A landscape plan has been provided for these areas.	Yes
Park and Wetland Wooded Area Design	Preliminary Plan, Westfall Place PUD	A more detailed plan for developing the park and structures to be placed along the trail around the wooded wetland was supposed to be part of this submittal. The applicant reported that there are shortages of the park’s equipment like shelters, benches, and such	No

on the market. Due to that, the applicant doesn't want to commit to build specific equipment until they get closer to the time to install park equipment.

After discussion with staff, the applicant proposed a commitment to apply for a minor amendment to this Detailed Development Plan within three months of recording a Secondary Plat for Phase 1 Westfall Place PUD to propose a detailed design to be reviewed by staff.

Note that *the approval* of the secondary plat is different from *releasing it for record*. Approval of a secondary plat may be done before major infrastructure installations are accomplished with posting performance bonds. Then, a secondary plat can be later released by the town to be recorded after the developer accomplishes all major installations that allow the building permits to be issued for the construction of the houses (at a minimum: drainage infrastructure and utilities are in, roads are paved except for the last paving coat). The Town Council needs to approve public infrastructure that it accepts before the secondary plat is recorded.

So, the developer proposes to submit park plans around the time when the secondary plat reaches the stage when it may be recorded.

REVIEW OF UTILITIES

Drainage

Boone County Surveyor conducts drainage and stormwater plans review. The review of the specific construction details is conducted by the engineer during the Subdivision ILP review.

Electricity

The review of the specific construction details is conducted by the IMPA staff during the Subdivision ILP review.

Water, Sewer, Transportation

The review of the specific construction details is conducted by the engineer during the Subdivision ILP review.

Capacity

During the review of the Subdivision ILP construction details, some new questions about water and electric infrastructure capacity have come to surface that need further investigation. Engineering staff has been working to clarify the situation.

Typically, the capacity of all town utilities should have been investigated and cleared during the primary plat stage. The information coming to us at this stage is late, but it's better to understand whether there would be any capacity issues before approving the development.

FINDINGS

Per Thorntown ZO §152.15.I, the Plan Commission shall review the Development Plans using the following criteria to base their findings on:

1. Compliance with all applicable development and design regulations of the zoning and any overlay zoning districts (e.g., Westfall Place PUD) where the development is proposed.

Staff's finding: the proposal meets this standard, except for not providing the detailed plan for the parks and common area improvements along the trail around the wetland area. The applicant proposed a commitment to apply for an amendment to this detailed development plan within three (3) months of recording a Secondary Plat for Westfall Place PUD, Phase 1.

2. Compliance with all applicable site design and improvement regulations in subchapters 152.70-89 of this Ordinance.

Staff's finding: the development meets site design and improvement regulations applicable to the scope of the detailed development plan application.

3. The proposed development shall be compatible with the surrounding land uses.

Staff's finding: the development is compatible with the surrounding land uses.

4. 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.

Staff's finding: the development proposes the street layout that creates conditions favorable to health, safety, convenience and the harmonious development of the community. The applicant has been working with INDOT on the permit to develop subdivision entrance at SR 47 and conducted a Traffic Impact Study as part of the state permit process.

5. 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.

Staff's finding: it isn't clear at the moment of writing this staff report whether the town has water and electric capacity to handle the addition of 70 houses.

CORRESPONDENCE

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

RECOMMENDATIONS

Staff recommends **CONTINUANCE** of application FDP-01-2024 because more time is needed to investigate whether the town would be able to handle the addition of Phase 1, Westfall Place subdivision and ensure that the 5th criteria for review of the Development Plan is met.

* * *

Should the Plan Commission decide to APPROVE this application, staff recommends adding these conditions and commitments.

Conditions:

- The approval of this Detailed Development Plan is conditional upon approval of the Plat Vacation for Royal Crossing, lots 1-4.

Commitments:

- The applicant shall apply for a Detailed Development Plan amendment to provide design for the park on the east side of Westfall Place PUD and provide specific design and construction details for the improvements along the trail around the wetland area within three (3) months of recording a Secondary Plat for Phase 1 Westfall Place PUD.

MOTION OPTIONS

1. Motion to *approve* application FDP-01-2024.
2. Motion to *deny* application FDP-01-2024. (**List reasons**)
3. Motion to *continue* the review of the application FDP-01-2024 until the next regular meeting on November 18, 2024, because... (**list reasons**).

Next Plan Commission meeting date(s): November 18, 2024.

Exhibit 1. APPLICATION PROCESS

