

DPR 18-05 Regency Estates Section 2
Planning & Building Department Staff Report
May 21, 2018
Advisory Plan Commission, Public Hearing
Desire Irakoze

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|-------------------------|---|
| A. Petition Number: | DPR 18-05, Regency Estates Section 2 , Development Plan Review |
| B. Applicant: | Robert Staton, Banning Engineering, PC |
| C. Location: | The subject property is located at the intersection of County Road 200 North and County Road 900 East |
| D. Parcel Size: | The subject parcel is 47.04 acres. |
| E. Land Use and Zoning: | Current parcel is zoned PUD Regency
To the North the property is zoned R-1 (low density residential) and is vacant land. To the East the property is zoned R-1a (low density residential with agricultural underlay) and is vacant land. To the South. The property is zoned R-1a (low density residential with agricultural underlay) and is vacant land. To the West the property is zoned R-1a (low density residential with agricultural underlay) and is Winton Meadows subdivision. |
| F. Action Requested: | Approve a Development Plan to build 65 Single-family |
| G. History | <p>The final plat for Regency Estates Section 2 was submitted along with this DPR.</p> <p>PUD 04-03 (The Foudray): a mixed use of residential and office, it was never development and reverted back to R1-a</p> <p>PUD 14-02 (Regency): a 202-acre residential project split into three areas. Area A consist of a maximum of 191 single-family homes. Area B consist of a maximum of 100 age restricted paired patio homes, and Area C consist of a maximum of 286 duplex homes This project went to the February 2015 Plan Commission.</p> <p>DPR 16-03 Regency Section 1: To approve the development of 62 single-family lots, and 72 duplex homes on 67.01 acres. This project was approved at the December 28, 2015 Plan Commission</p> <p>DPR 16-20 Regency Section 2: To approve the development of 48 paired patio homes on 15.99 Acres. This project was approved at the December 19th ,2016 Plan Commission</p> |

H. Staff
Comments:

The petitioner is proposing to construct 65 single family homes to be developed on 47.45 acres of land.

DPR RELEVANT ORDINANCES

Development Standards, Zoning Ordinance Sec. 4-8(7)

A. A Development Plan under this Section shall be required to meet:

(a) the development standards set forth in the zoning district in which the use is or is proposed to be located.
This plan meets the standards set in the Regency PUD for site, setback, and bulk standards.

(b) All applicable Overlay Districts- The site is not within any overlay districts.

(c) the standards of the Subdivision Control Ordinance-
The standards of the subdivision Control Ordinance are being followed with this petition.

(d) Chapter 14 (Performance Standards) –The petitioner is compliant with this section of the Zoning Ordinance.

(e) Chapter 15 (Off-Street Parking and Loading) – The petitioner has provided site parking in compliance with the Town of Avon Zoning Ordinance. Plans are compliant.

(f) Chapter 16 (Landscaping and Screening) –Plans submitted comply with the standards contained in the Regency PUD and general landscaping requirements contained in the zoning ordinance. Note that a landscape bond will still need to be posted. The petitioner is aware of this requirement.

(g) Chapter 18 (Signs) – The petitioner has submitted subdivision signage for this development. The sign complies with the Zoning Ordinance standards. Signage details will be reviewed and approved by Staff through the permitting process.

(h) All storm water management, erosion control and soil conservation, and technical specifications of the Town of Avon –.

The plans submitted by the petitioner have been through TAC review and received comments by the Town's engineering Consultants and Public works department. The plans are compliant.

(i) (?)All applicable recommendations of the Town of Avon Comprehensive Plan and all associated components of the Comprehensive Plan (ex. Thoroughfare Plan, Gateway Plan, etc.). –

The Comprehensive Plan shows this area as Regency

PUD. The Proposed plans line up with the proposed concept plans when the PUD was passed.

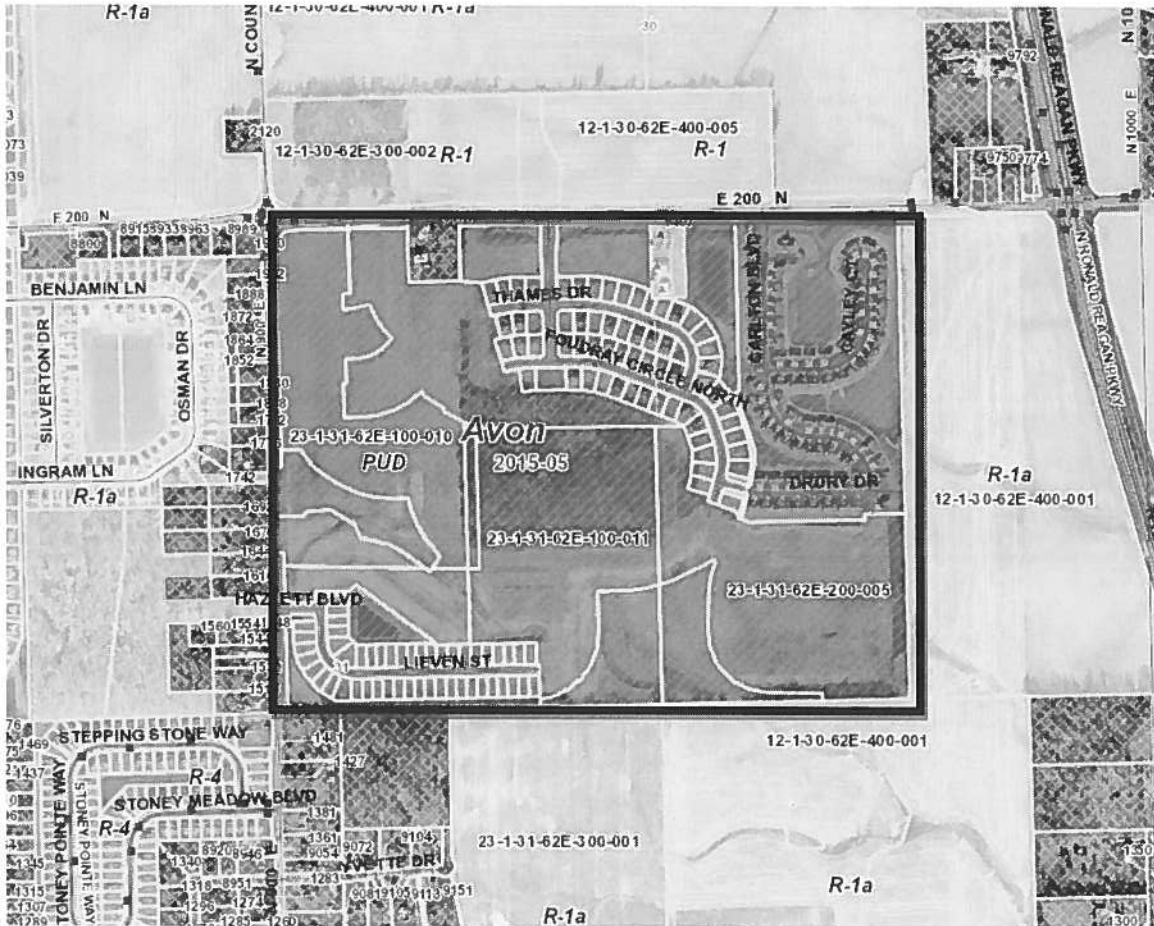
I. Action:

The Plan Commission may choose to approve, approve with conditions, deny, or continue this petition.

Staff recommends **approval** of DPR 18-05 Regency Estates Section 2 Staff Report with the following conditions:

1. Any revised plans must comply with all commitments and conditions noted as part of any approval granted;
2. The petitioner must post a landscape bond prior to issuance of a Certificate of Occupancy; and,
3. The development shall comply with all relevant portions of Town Code, and comments by Public Works, Fire Department, CRE, and NRCS at the preconstruction meeting.

DPR 18-05 Regency Estates Section 2 Location Map



Sample Plan Commission Motion

AVON ADVISORY PLAN COMMISSION

Motion for approval of a Development Plan

Case Number: DPR 18-05, Regency Estates Section 2

The Avon Plan Commission Staff has considered the proposed Development Plan on the subject property and has found that the plan will meet all the standards of the Subdivision Control Ordinance and the Zoning Ordinance, under the conditions of this approval.

I move that we **approve** DPR 18-05, Regency Estates Section 2, subject to the following conditions:

4. Any revised plans must comply with all commitments and conditions noted as part of any approval granted;
5. The petitioner must post a landscape bond prior to issuance of a Certificate of Occupancy; and,
6. The development shall comply with all relevant portions of Town Code, and comments by Public Works, Fire Department, CRE, and NRCS at the preconstruction meeting.

FINDINGS OF FACT FOR A DEVELOPMENT PLAN

AVON ADVISORY PLAN COMMISSION

Case Number: DPR 18-05, Regency Estates Section 2

The Avon Plan Commission Staff has considered the proposed Development Plan Amendment on the subject site and has found that the plan will meet the criteria set forth in the Avon Zoning Ordinance. The Avon Plan Commission Staff further finds that the proposed development meets the requirements of the Town of Avon's Subdivision Control Ordinance, Storm Drainage, Erosion and Sediment Control Ordinance, and the land use policies and goals and objectives of the Comprehensive Plan, with the conditions listed below:

DECISION

IT IS THEREFORE THE DECISION OF THE AVON STAFF THAT DEVELOPMENT PLAN **APPROVAL** BE GRANTED TO PETITION DPR 18-05, Regency Estates Section 2, subject to the following conditions:

1. Any revised plans must comply with all commitments and conditions noted as part of any approval granted;
2. The petitioner must post a landscape bond prior to issuance of a Certificate of Occupancy; and,
3. The development shall comply with all relevant portions of Town Code, and comments by Public Works, Fire Department, CRE, and NRCS at the preconstruction meeting.

ADOPTED THIS 21th DAY OF May 2018

James Petrides, President

Jodi Dickey, Secretary

This instrument was prepared on May 16th, 2018 by:
Desire Irakoze
Assistant Planner, Planning & Building
Town of Avon, Indiana

DPR 18-07 Settlement West Section 1
 Planning & Building Department Staff Report
 May 21, 2018
 Advisory Plan Commission, Public Hearing
 Desire Irakoze

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|-------------------------|--|
| A. Petition Number: | DPR 18-07, Settlement West Section 1, Development Plan Review |
| B. Applicant: | Robert Staton, Banning Engineering, PC |
| C. Location: | The subject property is located at the intersection of Dan Jones Rd. and 300s (Township Line Rd.) |
| D. Parcel Size: | The subject parcel is 30 acres. |
| E. Land Use and Zoning: | Current parcel is zoned PUD Settlement West
To the north the property is zoned PUD Settlement and R1-a (Single family residential with agricultural underlay). To the east the property is zoned PUD Settlement and contains single family homes. To the south the property is located in Hendricks County and is zoned RB (Single-Family Residential) and LI (Light Industrial) and is vacant land except for one single family home. To the west the property is located in Plainfield and is zoned, R-2 (Low Density Residential), REL (Religious Use) Plainfield Christian Church and AG (Agricultural) also owned by Plainfield Christian Church. |
| F. Action Requested: | Approve a Development Plan to build 65 Single-family |
| G. History | <p>This property has had a couple of projects in the past. In 2001, Cedar Run Limited, Inc. (Cedar Run) began the process of developing a 362-acre site known as The Settlement. The Hendricks County Area Plan Commission and County Commissioners approved the PUD in March/April of 2003. The development was later annexed by the Town of Avon in the spring of 2004.</p> <p>Subsequent to the purchase of the properties that compromise The Settlement, Cedar Run purchased an additional 45 +/- acres from the Turner family. Annexation of this property occurred in the spring of 2006 and was rezoned to PUD on April 10, 2008 under Ordinance 2008-03. The subject property received approval from the Avon Town Council for a PUD called The Settlement West.</p> <p>Due to the downturn in the economy, the development did not move forward. On September 10, 2009 the Avon Town Council approved a rezone of the subject property back to the R-1a zoning classification.</p> <p>On March 22nd, 2018 PUD 17-04 Settlement West was approved by</p> |

Town Council. That approved the 68 acres, 45 acres for 124 single-family homes and 23.5 acres of open space for a park.

ON April 23, 2018, MAP(P) 18-05 Settlement West Primary Plat was approved with 4 Waivers. 1.) a Bicycle and Pedestrian Master Plan 2.) waiver request from the SCO to reduce the minimum 100' centerline radius 3.) waiver request from the SCO to reduce the right of way to 50' 4.) waiver request from the SCO to reduce the tangent between curves to 50' and allowed the platting of a 124-lot single family housing.

H. Staff
Comments:

This petition is a follow up the MAP(P) 18-05 and the recently approved PUD. The plan follows the concept plan. Because of the waivers granted this petition is compliant with the SCO and Zoning Ordinance. This is the first section and the staff believes the second section will follow.

DPR RELEVANT ORDINANCES

Development Standards, Zoning Ordinance Sec. 4-8(7)

A. A Development Plan under this Section shall be required to meet:

(a) the development standards set forth in the zoning district in which the use is or is proposed to be located.

This plan meets the standards set in the Settlement West PUD for site, setback, and bulk standards.

(b) All applicable Overlay Districts- The site is not within any overlay districts.

(c) the standards of the Subdivision Control Ordinance-

The standards of the subdivision Control Ordinance are being followed with this petition.

(d) Chapter 14 (Performance Standards) –The petitioner meets the standards of Chapter 14.

(e) Chapter 15 (Off-Street Parking and Loading) – The petitioner has provided site parking in compliance with the Town of Avon Zoning Ordinance. Plans are compliant. The petitioner is showing bigger building setbacks to create longer driveways to limit on street parking.

(f) Chapter 16 (Landscaping and Screening) –Plans submitted comply with the standards contained in the Settlement West PUD and general landscaping requirements contained in the zoning ordinance. Note that a landscape bond will still need to be posted. The petitioner is aware of this requirement.

(g) Chapter 18 (Signs) – The petitioner has submitted subdivision signage for this development. The sign

complies with the Zoning Ordinance standards. Signage details will be reviewed and approved by Staff through the permitting process.

(h) All storm water management, erosion control and soil conservation, and technical specifications of the Town of Avon –.

The plans submitted by the petitioner have been through TAC review and received comments by the Town's engineering Consultants and Public works department. The plans are compliant.

(i) (?)All applicable recommendations of the Town of Avon Comprehensive Plan and all associated components of the Comprehensive Plan (ex. Thoroughfare Plan, Gateway Plan, etc.). –

The Comprehensive Plan shows this area as Settlement West PUD. The Proposed plans line up with the proposed concept plans when the PUD was passed.

Development Plan Reviews are ministerial, if plans are compliant the Plan Commission must approve.

I. Action:

The Plan Commission may choose to approve, approve with conditions, deny, or continue this petition.

Staff recommends **approval** of DPR 18-07 Settlement West Section 1 Staff Report with the following conditions:

1. Any revised plans must comply with all commitments and conditions noted as part of any approval granted;
2. The petitioner must post a landscape bond prior to issuance of a Certificate of Occupancy; and,
3. The development shall comply with all relevant portions of Town Code, and comments by Public Works, Fire Department, CRE, and NRCS at the preconstruction meeting.

DPR 18-07 SETTLEMENT WEST SECTION 1 Location Map



Sample Plan Commission Motion

AVON ADVISORY PLAN COMMISSION

Motion for approval of a Development Plan

Case Number: DPR 18-07, Settlement West Section 1

The Avon Plan Commission Staff has considered the proposed Development Plan on the subject property and has found that the plan will meet all the standards of the Subdivision Control Ordinance and the Zoning Ordinance, under the conditions of this approval.

I move that we **approve** DPR 18-07, Settlement West Section 1, subject to the following conditions:

4. Any revised plans must comply with all commitments and conditions noted as part of any approval granted;
5. The petitioner must post a landscape bond prior to issuance of a Certificate of Occupancy; and,
6. The development shall comply with all relevant portions of Town Code, and comments by Public Works, Fire Department, CRE, and NRCS at the preconstruction meeting.

FINDINGS OF FACT FOR A DEVELOPMENT PLAN

AVON ADVISORY PLAN COMMISSION

Case Number: DPR 18-07, Settlement West Section 1

The Avon Plan Commission Staff has considered the proposed Development Plan Amendment on the subject site and has found that the plan will meet the criteria set forth in the Avon Zoning Ordinance. The Avon Plan Commission Staff further finds that the proposed development meets the requirements of the Town of Avon's Subdivision Control Ordinance, Storm Drainage, Erosion and Sediment Control Ordinance, and the land use policies and goals and objectives of the Comprehensive Plan, with the conditions listed below:

DECISION

IT IS THEREFORE THE DECISION OF THE AVON STAFF THAT DEVELOPMENT PLAN **APPROVAL** BE GRANTED TO PETITION DPR 18-07, Settlement West Section 1, subject to the following conditions:

1. Any revised plans must comply with all commitments and conditions noted as part of any approval granted;
2. The petitioner must post a landscape bond prior to issuance of a Certificate of Occupancy; and,
3. The development shall comply with all relevant portions of Town Code, and comments by Public Works, Fire Department, CRE, and NRCS at the preconstruction meeting.

ADOPTED THIS 21th DAY OF May 2018

James Petrides, President

Jodi Dickey, Secretary

This instrument was prepared on May 16th, 2018 by:
Desire Irakoze
Assistant Planner, Planning & Building
Town of Avon, Indiana