

- A. Item Number: 06EA-16-485
- B. Applicant: Shaffer Land, Inc.
- C. Location: The location of this petition is south of State Road 334, across from Stonegate Residential Subdivision.
- D. Acreage: The parcel size for the request zoning amendment is 40 acres.
- E. Land Use and Zoning: Current Zoning of Property:
The current zoning classification of this property is (R-1) Low Density Residential.
- Boone County Comprehensive Plan Designation:
The Boone County Comprehensive Plan designation for this property is Residential with Services.
- F. Action Requested: Amend the zoning classification of this parcel from R-1 Low Density to R-3
- Formal Commitment
The applicant is requesting a R-3 zoning classification with a formal commitment to limit the number of single family residential lots at 82.
- G. History: Review of Application Submittal
Originally, this item was heard on the October 4, 2006 Area Plan Commission hearing. The plan commission members discussed the proposed density, which poses future issues, due to the fact the property is zoned R-3, but provides a density which emulates an R-2 zoning classification. In light of the discussion and requested traffic study, the applicant continued the item to resolve the issues.
- H. Transportation System: 1999 Boone County Thoroughfare Plan
- State Road 334
This road is classified as a major collector which produces an ADT of 4,000. It is anticipated the ADT for this road will increase to be over 12,000 in 2008.
- Traffic Study
Performed by Traffic Engineering Incorporated
(December 18, 2006)
- Summary Results of Traffic Study
The analysis herein considered existing traffic, background growth, and other "non-site" development having an impact on State Road 334. In consideration of these elements plus the proposed development, the following can be said:

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- 1) State Road 334 should be planned for a 5-lane section along the commercial portion of the development. The dual through lanes facilitates the proposed layout for site access by reducing queue lengths along State Road 334 and facilitating driveways in this area.
- 2) A traffic signal will be required for the intersection at County Road 700 East. This intersection is currently being reconstructed to provide north/south alignment of County Road 700 East. As development occurs in this area, this intersection should be monitored to determine when a signal is appropriate. In the interim, any improvements in this area should take into account the eventual signal installation and associated underground and right of way requirements.
- 3) The church under construction along County Road 700 East will have negligible impact on the weekday AM and PM peak hour conditions analyzed herein.
- 4) The proposed driveway aligning with existing Stonegate may potentially warrant signalization. This intersection should be monitored as the area develops and because the signal is approximately ¼ mile from County Road 700 East, interconnection between the two signals should be considered.
- 5) Turn lanes should be planned as discussed in the level of service portion of this report (also depicted graphically on the following page). The design for these improvements must be consistent with INDOT criteria for lane shift tapers and queuing requirements.

Boone County Highway Department

In the event, the proposed zoning amendment would be approved, the applicant would need to submit improvement plans to INDOT, in order to achieve the abovementioned recommendations.

I. Utilities:

Whitestown Utility Letter

A letter from the Whitestown Utility Superintendent was received on September 15, 2006 which states the following:

Whitestown Municipal Utility has reviewed the 82 lot subdivision south of State Road 334 across from Stonegate.

Currently, Whitestown Municipal Utility has available capacity for the proposed site which will include 82 residential properties. This response applies to both sewer and water availability at the present time.

However, please understand that capacity is allocated on a first come first serve basis. If an allocation request and associated capacity fees are received from another development prior to your request, capacity may not be available for your use.

J. Technical Advisory Committee Comments: This item was reviewed by the (TAC) Technical Advisory Committee on August 9, 2006 and had the following comments:

Boone County Surveyor's Office

This property would need to complete a drainage plan for the property.

Boone County Highway Department

Since, this property proposes a point of ingress/egress on State Road 334, the applicant will need to submit a set of plans to (INDOT) Indiana Department of Transportation for approval of the entrance.

Boone County Soil and Erosion Control

As part of the Rule 5 requirement, the applicant would need to conduct a soil and erosion control plan for the property.

Boone County Health Department

No Comments

Boone County Area Plan Commission

In review of the proposed zoning amendment, Area Plan staff is recommending the following commitment be a condition of approval:

All residential lots which line-up along State Road 334 would be required to orient the front façade of the residential dwellings to face State Road 334.

In the future, APC staff will not be supportive of any design which does not orient the front façade of the residential dwellings to face State Road 334.

K. Statutory Guidelines for Zoning Amendment:

In accordance with Indiana Code Sections 36-7-4-603, in considering a proposal for rezoning, the plan commission must "pay reasonable regard" to the following:

Criteria 1. The Comprehensive Plan:

Relevant Comprehensive Plan Designations, Goals and Objectives with staff comments:

1. Area Designation

The Boone County Comprehensive Plan designation for this property is Residential with Services. The proposed zoning amendment to R-3 is consistent with the Comprehensive Plan Map Designation.

2. Goal 3

Ensure that all development, including residential and commercial, occurs in a manner compatible with surrounding land uses. The proposed residential project is compatible to the northern property which includes Stonegate Subdivision.

Although this project is seeking R-3 zoning classification, the proposed density of 2 units an acre is similar to the density of the adjacent R-2 zoning within Stonegate subdivision.

Objective 3.1 (page 57)

Facilitate good transitions and buffering between land uses of differing densities and type.

The proposed project represents a good influx and transition into residential development. A zoning amendment to R-3, at a lower density of 2 units an acre, is consistent with the above Boone County Comprehensive Plan goals and objectives.

Criteria 2. Current Conditions and the character of the current structures and uses in each district:

The current zoning and land use of the adjacent properties are the following:

North of the property:	R-2 Zoning District Stonegate Subdivision
East of the property:	R-1 Zoning District Rural Residences
South of the property:	Rural Equestrian Zoning District Rural Residences
West of the property:	R-1 Zoning District Rural Residences

The proposed residential subdivision would continue development at a level of density which is consistent to the neighboring properties.

Criteria 3. The most desirable use for which the land in each district is adapted:

Current Zoning Designation (Page 6)

R-1 Zoning District- Low Density Single Family Residential.
This is a low-density suburban residential district. The lot area and minimum floor area requirements are larger than the other residential districts. Development in this district is typically at a density of less than one home per two acres.

Requested Zoning Designation (Page 6)

R-3 Medium Density Single Family and Two-Family Residential

This is a medium density single-family district, which may include two family dwellings by Development Plan approval. Development in this district typically ranges from 1.75 homes per acre to 3.00 homes per acre. In this district, residential development at these densities requires connection to public water and public sewer utilities.

Density of Existing Area

This residential subdivision is proposed at 2.05 dwelling units per acre, which is within the desirable density range of 1.75 to 3 units per acre for the R-3 zoning district. Based on the proposed density and availability of utility services, APC staff feels this project represents a desirable land use for the R-3 zoning district.

Criteria 4. The Conservation of Property Values through the Jurisdiction

Zionsville Community Schools Report

The applicant has provided a Zionsville Community Schools, which summarizes the projected impacts. (Please see the enclosed report.)

Criteria 5. Responsible Development and Growth

Due to the fact, the proposed project is within an area which is planned for Residential with Services, APC staff feels this project is consistent to the Comprehensive plan and would establish a lower density development pattern which is an appropriate residential transition in the area.

**L. Staff
Recommendation:**

Based upon provided information submitted for this petition, APC staff feels this petition meets zoning amendment criteria 1,2,3, and 5. Area Plan Staff recommends approval of this zoning amendment with the following condition:

- 1) The front façade of all single family dwellings shall line up to face State Road 334.