



## PLAN COMMISSION STAFF REPORT

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ITEM NO: 1

APPLICATION NO: PLAT-0037-2023

MEETING DATE: November 20, 2023

SUBJECT: Approval of Primary Plat

PETITIONER(S): Curtis and Angela Epp, Owner  
Citizens Water of Westfield, Applicant

SUMMARY: Commission to consider a Primary Plat for the creation of a two-lot residential subdivision to be known as Eppic Acres.

LOCATION: 16907 Gray Road (northeast corner of Gray Road and 169<sup>th</sup> Street)

RECOMMENDATION: Approval

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### Addendum for November 20, 2023

At the October 23, 2023 Plan Commission meeting, the Commission accepted staff and petitioner testimony and held the public hearing, regarding the above referenced petition. After discussion of the petitioner's request, the Commission requested that the applicant, as a commitment of project approval, install a sidewalk along the length of 169<sup>th</sup> Street and Gray Road. In order to allow the petitioner additional time to consider the Commission's commitment, the petition was continued to the November 20, 2023 meeting; no further public hearing is required.

### Planning Terms

*Primary Plat* – A preliminary drawing or drawings, described in these regulations which indicates the proposed manner or layout of the subdivision to be submitted to the Plan Commission for approval.

### Procedure

The primary plat application was filed in May, 2023 and was considered at the August 17, 2023 Technical Advisory Committee meeting. The Plan Commission hears the evidence presented by Staff, applicant/owner, and any individuals in the audience wishing to speak for or against the proposed plat or to just ask questions. The Plan Commission is the final authority over primary plats. As the platting process is ministerial, if the requirements of the Unified Development Ordinance are met, the Plan Commission is bound by State Statute to approve the primary plat. The Plan Commission has the authority to modify the proposal and/or attach conditions to their approval. 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. Beginning with the filing deadline date, the overall process is approximately 50 days provided there are no continuances.

### Correspondence

Staff has not received written or verbal opinion from residents regarding the plat application.

### Summary

The subject sites are three adjoining parcels of record, totaling 5.11 acres, zoned in the SR (low density single family) district, at the northeast corner of Gray Road and 169<sup>th</sup> Street. The parcels are improved with a single family dwelling and associated accessory structures. Residential uses, zoned SR, abut to the south; Slater Ridge subdivision, zoned R-1/PD (low density single family), abuts to the north and east; residential uses in the City of Westfield are located to the west.

The applicant proposes to create a two lot subdivision from the three parcels. Lot 1 would be 3.693 acres and would contain the existing dwelling and associated accessory structures; lot 2 would be 1.417 acres. The existing accessory structures on lot 2 are proposed to be demolished in order to construct a booster station for Citizens Water of Westfield. The proposed booster station is a public service facility, and per Section 9.K.1., *a public service facility shall be permitted in all zoning districts and must meet the UDO's development standards.*

Minimum lot area in the SR zoning district for lots served by sanitary sewers is 5 acres. At their October 6, 2023 meeting, the Board of Zoning Appeals granted variance of development standards approval to create the two lots that would not meet the minimum lot area per dwelling unit. Additional variance approvals were granted related to maximum permitted accessory structure square footage and maximum accessory structure height for the existing residential accessory structures for the structures that will remain on lot 1. Lot 2, on which the booster station would be constructed, contains an existing silo and barn. Because the UDO does not permit accessory structures without a primary structure, a condition of variance approval was that the secondary plat for the proposed subdivision will be recorded upon submission of a demolition permit application and issuance of a permit for the existing accessory structures on proposed lot 2.

The residential dwelling and accessory structures on lot 1 would meet the SR bulk standards for setbacks, floor area ratio, and lot coverage. The proposed booster station also complies with SR bulk standards. With the approval of the variance of development standards requests as described above, the plan meets Unified Development Ordinance standards and will have to incorporate all TAC requirements prior to approval of the secondary plat. The Noblesville Engineering Department indicates that additional right-of-way shall be dedicated at the southwest corner of the site.

## History

<i>Item</i>	<i>Description</i>	<i>Analysis</i>
<b><i>Surrounding Land Uses</i></b>	<b><i>North</i></b> – Single-family residential <b><i>South</i></b> – Single-family residential <b><i>East</i></b> - Single-family residential., Slater Ridge common area <b><i>West</i></b> – City of Westfield single-family residential	The surrounding land uses in all direction, with the exception of a portion of the Slater Ridge common area to the east, are single-family residential.
<b><i>Comprehensive Master Plan and Future Land Use</i></b>	<i>Residential</i>	Low-scale one to two-unit single-family residential is the predominant use. Small-scale institutional, public, and semi-public uses may be permitted.
<b><i>Traffic Circulations and Thoroughfare Plan</i></b>	169 <sup>th</sup> Street Gray Road	Collector street Secondary street under City of Westfield's jurisdiction
<b><i>Environmental and Utility Considerations</i></b>		There are no significant environmental considerations for the subject parcels. The site is served by Noblesville utilities.
<b><i>Technical Advisory Committee</i></b>		The Engineering Department has offered comments regarding drainage and has requested dedication of additional right-of-way along Gray Road and 169 <sup>th</sup> Street

### Attachments

Exhibit 1	Aerial photograph
Exhibit 2	Primary Plat

### Recommendation

Staff recommends approval of application for the primary plat known as Eppic Acres, PLAT-0037-2023, with the following stipulations:

1. All Technical Advisory Committee requirements shall be met prior to signature of the Secondary Plat for recording.
2. The October 2, 2023 Board of Zoning Appeals approval recordation number be included on the secondary plat.

### Motion Options

1. Motion to approve application for the primary plat known as Eppic Acres, PLAT-0037-2023. With the variance of development standards approval for minimum lot area in the SR zoning district, the application meets the terms of the Unified Development Ordinance. Approval is subject to the stipulations that all Technical Advisory Committee requirements shall be met and the October 2, 2023 Board of Zoning Appeals approval recordation number be noted on the plat prior to signature of the Secondary Plan for recording.
2. Motion to deny application PLAT-0037-2023 (*support with reasons*).
3. Motion to continue application PLAT-0037-2023 until (*date*).