



# PLAN COMMISSION STAFF REPORT

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**ITEM NO:** 5 **APPLICATION NO. - 0225-2022**

**MEETING DATE:** November 21, 2022

**SUBJECT:** Primary Plat

**PETITIONER(S):** Jaymie Gatewood (Owner/Applicant)

**SUMMARY:** Creation of a single-lot residential subdivision

**LOCATION:** 16864 Union Chapel Road

**WAIVERS REQUESTED:** None

**RECOMMENDATION:** Approval

**PREPARED BY:** Joyceann Yelton, Development Services Manager  
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### Planning Terms

*Primary Plat* – A drawing that shows the division of land on which the approval of a proposed secondary plat is based.

*Subdivision* – The division of a parent tract or other piece of land into at smaller lots or the combination of smaller lots into a single-tract or the transfer of ownership of a portion of a parent tract to construct buildings or create new building sites.

*R1 Zoning District* – The R1 zoning district was adopted to permit the establishment of moderate low density single-family residential areas that shall meet the minimum bulk standards of said district.

*FH Flood Hazard District* – This district is for those lands that are within the City's jurisdiction subject to a one percent or greater chance of flooding in any given year. These areas are designated by the Federal Emergency Management Agency (FEMA). This particular district helps to guide development in the flood hazard areas.

### Procedure

The original application was filed during June, 2021 for a public hearing at the August 2021 Plan Commission meeting. The original item was presented to the Technical Advisory Committee (TAC) and some of the TAC members had comments. The applicant was for a short time not actively pursuing this approval. The item has been revised and reviewed by Staff and is ready to move forward to the November 21, 2022 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 primary plat. The Plan Commission then makes a determination, if the proposed subdivision plat meets the bulk standards for the specific zoning districts, and is consistent with the comprehensive master plan. The legal advertisements were published in the newspapers and public hearing notices were sent to the surrounding property owners by certificate of mailing.

### Correspondence

Staff has had one inquiry from the property owner in Nenni Woods (located north).

### Summary

The property is located adjacent to Union Chapel Road at its intersection with Town and Country Boulevard. (Exhibit 1 – Aerial Photograph) The property is vacant/undeveloped and most of it is located in a 'special flood hazard area'. The acreage of the total site is 5.94 acres. Of the 5.94 acres approximately one acre is available for development. It is further restricted by the required trail easement and odd shape of the buildable area that further reduces the buildable area to approximately .56 of an acre. Most of the property is currently zoned "FH –Hazard District" with a much smaller portion zoned "R1 Single-Family Residential". (Exhibit 2 – Zoning Map)

The original parcel contained the 21 acres of Stony Bluffs that is located south and east of this remaining portion of the original parcel. The original parcel was actually shaped like the number "7". When Stony Bluffs was subdivided it left this parcel as a parcel that was not recognized for zoning purposes. So in simpler terms, we did not recognize it as a buildable lot based on our definitions within the Unified Development Ordinance. The applicant, at one time, had an interested party that would build a residential structure on the 5.94 acres. One of the requirements regarding this plat is the dedication of a trail easement along the northern property line for a trail identified in the Noblesville Alternative Transportation Plan. This dedication of the trail easement will extend approximately 382-FT from the right-of-way easterly ultimately connecting to the dedicated trail easement within Nenni Woods (north of this parcel). (Exhibit 3 – Primary Plat for Whistlethwait Subdivision), (Exhibit 4 – Nenni Woods Subdivision).

As previously stated, Staff has had conversation with the adjacent property owner to the north and his real estate broker. There were many questions regarding the dedication of the trail easement and its' location. (Exhibit 5 – Email response to adjacent property owner and broker).

The Comprehensive Plan shows the area as being "Residential" and "Preservation/Natural Area". The "Residential" land use is a low-scale one to two-unit single-family dwelling that could include townhomes, live/work units, accessory dwelling units and traditional single-family homes. The "Preservation/Natural Area" are those areas that the intent is to preserve the natural features and protect the wildlife and waterway systems.

History            2019 - The creation of Stony Bluff's subdivision which was a part of the original parcel

**Analysis Table**

Item	Description	Analysis
<i>Surrounding Land Uses</i>	<i>North –Nenni Woods – Single- Family Subdivision South – Large Parcel Single-Family East – Stony Bluffs – Single-Family Subdivision, Stony Creek Golf Course West – Agricultural Land</i>	<i>The surrounding land uses include mostly single family dwellings, agricultural, and a golf course which are all compatible with the proposed use.</i>
<i>Comprehensive Master Plan and Future Land Use</i>	<i>"Residential" and "Preservation/Natural Area"</i>	<i>Reference body of Staff Report</i>
<i>Traffic Circulations and Thoroughfare Plan</i>	<i>Union Chapel Road (Arteria) and Town and Country Boulevard (Collector)</i>	<i>A major road that is a traffic movement corridor that is indicative of interstate travel or connects major population centers and serves major center of activity with the highest traffic volumes. A "Collector" roadway generally serves intra-area and intra-county travel.</i>
<i>Environmental and Utility Considerations</i>		<i>Preserving the Floodplain area</i>
<i>TAC Comments</i>		<i>Minor</i>

UDO BULK STANDARDS FOR AN R1 DISTRICT	PROPOSED ON PRIMARY PLAT
Minimum lot area – 30,000-SF on sanitary sewer	5.94 acres
Minimum lot width – 200-FT	314-FT +/-
Maximum building height – 35-FT	35-FT
Minimum front yard setback – 40-FT	40-FT
Minimum side yard setback – 10-FT each	44-FT, 202-FT
Minimum rear yard setback – 20-FT	800-FT +
Maximum Floor Area Ratio – 30%	2% +/-
Minimum Floor Area – 2,400-SF	2,400-SF +
Maximum Lot Coverage – 45%	2% +/-

*Standards for Review of a Primary Plat*

1. Consistency with the goals and objectives of the Comprehensive Plan
2. Consistency with the purpose of the zoning district in which it is located
3. Consistency of covenants with the subdivision standards of the UDO
4. Any exceptions to the bulk standards
5. Meets criteria for Site Plan Review

Attachments

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| <b>Exhibit 1</b> | Aerial Photograph                        |
| <b>Exhibit 2</b> | Zoning Map                               |
| <b>Exhibit 3</b> | Primary Plat (Whistlethwait Subdivision) |
| <b>Exhibit 4</b> | Nenni Woods Subdivision                  |
| <b>Exhibit 5</b> | Email to adjacent property owner         |

Recommendation

Staff believes based in the comprehensive master plan for the “residential” and “preservation/natural area” the intent of both of those land uses are being met by the development for a single-family dwelling and the protection of the floodplain from intrusion. The bulk standards as set forth are also being met and it was reviewed by the Technical Advisory Committee with minor comments that have been addressed on the primary plat.

Motions

1. Motion to approve the primary plat as per Application No. 0225-2022 for approximately 6 acres as per the presentation and staff report.
  
2. Motion to deny the creation of a primary plat as requested per Application No. 0225-2022.  
**(LIST REASONS)**
  
3. Motion to continue Application No. 0225-2022 until the December 12, 2022 meeting.