



Staff Report PC22-071-PP

Habitat for Humanity Primary Plat and Waiver

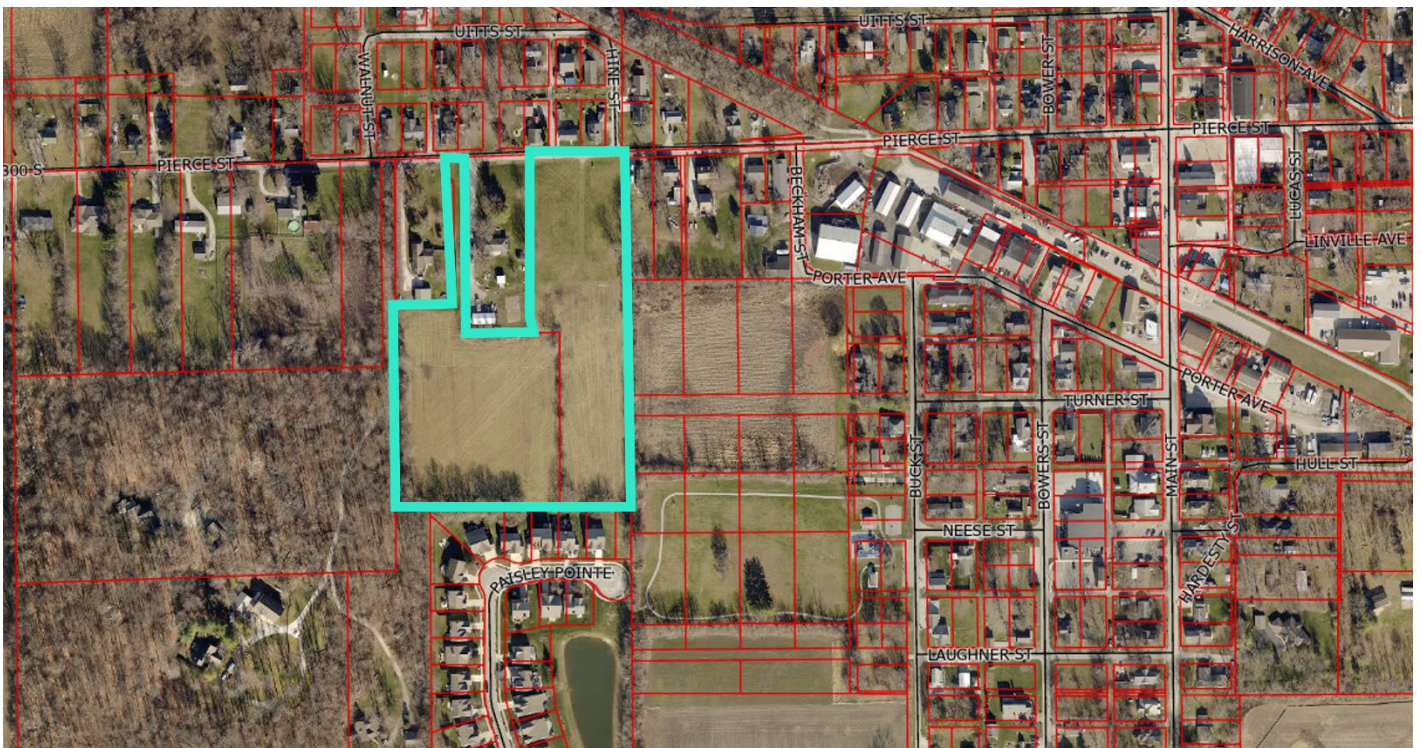
Meeting Date: November 14, 2022

Docket PC22-071-PP – Primary Plat and Waiver – Habitat for Humanity

The petitioner is requesting review of a Primary Plat and a Waiver to be known as the Habitat for Humanity Primary Plat. The site in question is approximately 8.35 acres and is located on the south side of Pierce Street in Whitestown. The site is zoned Medium-density Single-family and Two-family Residential (R-3). The petitioner is proposing to subdivide the property into 25 detached single-family lots, common area, and right-of-way. The applicant and owner is Habitat for Humanity of Boone County.

Location

The site in question is located on Pierce Street approximately 1,299 feet west of the intersection of Pierce Street and Main Street. The site in question is currently composed of multiple parcels that will be combined and re-split as part of this plat. The surrounding area is characterized by various densities of residential uses. Walker Farms subdivision is located to the south of the site, Panther Park is located to the southeast, and the Legacy Core area is to the east.



History

1. There is no history on file for the site in question.

Proposed Development

The proposed plat is located on approximately 8.35 acres. The site is currently vacant.

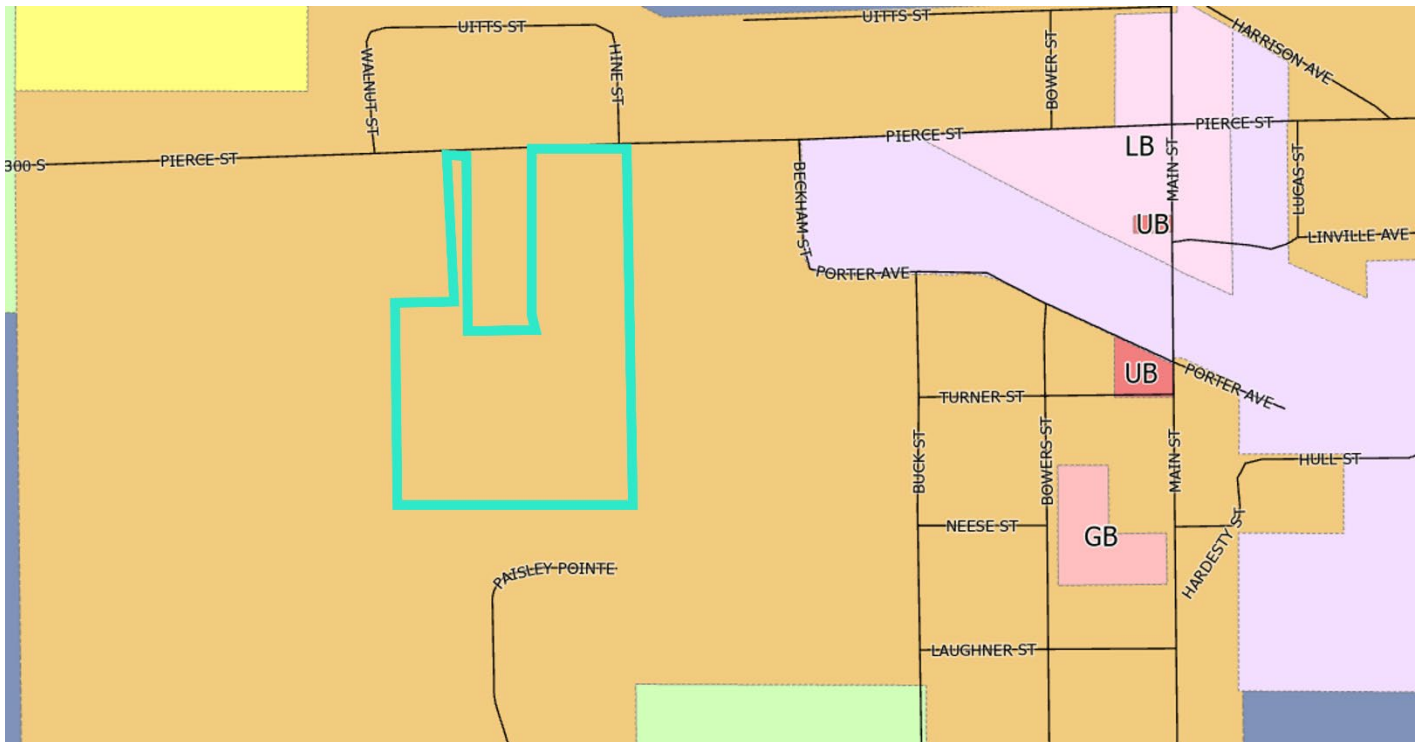
The submitted plans and materials indicate the following:

- 25 parcels for single family use;
- Proposed density of 2.99 dwelling units per net acre;

- Common area located on the northwest side of the site and along the eastern property line;
- Right-of-way allocation in accordance with the Thoroughfare Plan:
 - o Along Pierce Street
 - o Internal for one street intersecting with Pierce Street ending in a cul-de-sac
 - o A stub street to Turner Street right-of-way to the east
- Pedestrian facilities:
 - o Sidewalk provided along Pierce Street
 - o Internal sidewalk along one side of the street
 - Applicant is requesting a waiver from the east sidewalk requirement
 - o A path connection towards Panther Park
- Provisions for easements.

Zoning

The site in question is zoned Medium-density Single-family and Two-family Residential (R-3). The R-3 district “is a medium-density single-family district, which may include two-family dwellings with development plan approval. development in this district typically ranges from 1.75 to 3.00 dwelling units per acre.”



Waiver Request

Where the Plan Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with the regulations in the Subdivision Control Ordinance and/or the purpose and intent of these regulations may be served to a greater extent by an alternative proposal, it may approve waivers so that substantial justice may be done and the public interest secured. Waivers shall not have the effect of nullifying the intent and purpose of the regulations.

Ordinance Section: Petitioner requests a waiver of Section 9.11 C.2. Pedestrian Network Standards

Ordinance Language to be waived: Section 9.11 C.2. states as follows:

“Sidewalks are required on both sides of internal streets in all developments.”

Based on the subdivision regulations, the UDO requires sidewalks along all proposed streets as part of a development. The petitioner requests a waiver to construct sidewalks along the street side where homes are to be platted, and to not plat along the eastern side of the proposed street where no homes are to be platted. The petitioner's findings are attached below as Attachment H.

Staff Recommendation on Waiver

Staff is providing a favorable recommendation for the Habitat for Humanity Sidewalk Waiver Docket PC22-071-PP. The applicant is proposing to not construct sidewalk along one side of an internal development street.

1. *The proposed development will enhance the use or value of area properties.*
2. *The proposed development will not be injurious to the public health, safety, morals, or general welfare of the community.*
3. *The strict application of the Ordinance standard will result in a development that is undesirable when compared with the proposed development.*
4. *The proposed development is consistent and compatible with other development located in the area.*
5. *The proposed development is consistent with the intent and purpose of the Comprehensive Plan.*

There are site constraints that make constructing a sidewalk along the eastern side difficult, including existing easements. The Comprehensive Plan notes this area as Mixed Residential land use classification. The intent of the UDO is being met because the connection to Panther Park and Pierce Street are present. Future residents of the subdivision and other Town residents will have adequate access to utilize the sidewalks and get from Point A to Point B. Pedestrian circulation of the entire site will not suffer with the approval of this waiver. This is the first development under the UDO that has not met this criteria and requested a waiver. Trailside PUD has a similar situation where connections are provided to the trail network but do not have sidewalks on both sides of the street.

Staff Recommendation on Primary Plat

Staff is providing a favorable recommendation for the Habitat for Humanity Primary Plat Docket PC22-071-PP. The applicant is proposing to subdivide approximately 8.35 acres into 25 parcels, common area, and right-of-way. The proposed Primary Plat is in compliance with the Whitestown Unified Development Ordinance, with the exception of the requested waiver.

Materials Submitted by the Applicant

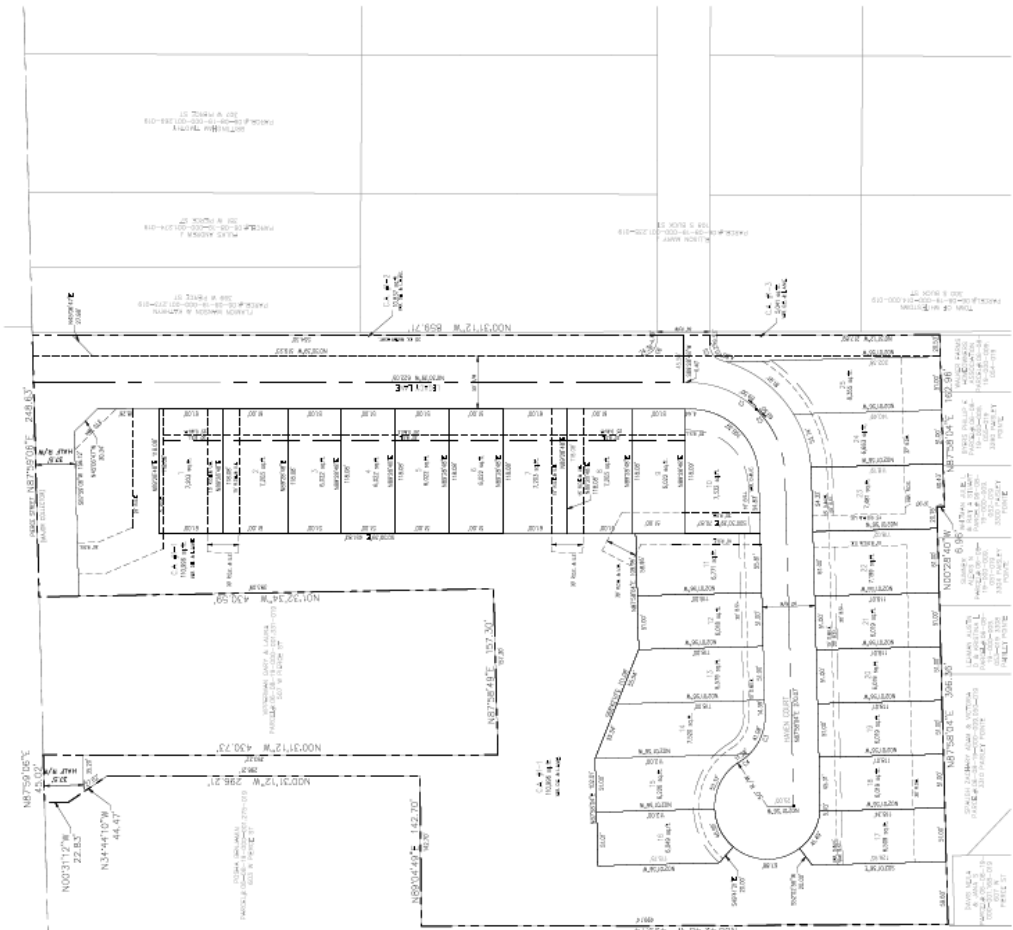
HABITAT FOR HUMANITY SUBDIVISION PRIMARY PLAT WHITESTOWN, INDIANA



GRAPHIC SCALE IN FEET
0 20 40 60 80 100

LEGEND

1	LOT NUMBER
2	RESERVED SPACE DIM
3	RESERVED SPACE DIM
4	RESERVED SPACE DIM
5	RESERVED SPACE DIM
6	RESERVED SPACE DIM
7	RESERVED SPACE DIM
8	RESERVED SPACE DIM
9	RESERVED SPACE DIM
10	RESERVED SPACE DIM
11	RESERVED SPACE DIM
12	RESERVED SPACE DIM
13	RESERVED SPACE DIM
14	RESERVED SPACE DIM
15	RESERVED SPACE DIM
16	RESERVED SPACE DIM
17	RESERVED SPACE DIM
18	RESERVED SPACE DIM
19	RESERVED SPACE DIM
20	RESERVED SPACE DIM
21	RESERVED SPACE DIM
22	RESERVED SPACE DIM
23	RESERVED SPACE DIM
24	RESERVED SPACE DIM
25	RESERVED SPACE DIM
26	RESERVED SPACE DIM
27	RESERVED SPACE DIM
28	RESERVED SPACE DIM
29	RESERVED SPACE DIM
30	RESERVED SPACE DIM
31	RESERVED SPACE DIM
32	RESERVED SPACE DIM
33	RESERVED SPACE DIM
34	RESERVED SPACE DIM
35	RESERVED SPACE DIM
36	RESERVED SPACE DIM
37	RESERVED SPACE DIM
38	RESERVED SPACE DIM
39	RESERVED SPACE DIM
40	RESERVED SPACE DIM
41	RESERVED SPACE DIM
42	RESERVED SPACE DIM
43	RESERVED SPACE DIM
44	RESERVED SPACE DIM
45	RESERVED SPACE DIM
46	RESERVED SPACE DIM
47	RESERVED SPACE DIM
48	RESERVED SPACE DIM
49	RESERVED SPACE DIM
50	RESERVED SPACE DIM
51	RESERVED SPACE DIM
52	RESERVED SPACE DIM
53	RESERVED SPACE DIM
54	RESERVED SPACE DIM
55	RESERVED SPACE DIM
56	RESERVED SPACE DIM
57	RESERVED SPACE DIM
58	RESERVED SPACE DIM
59	RESERVED SPACE DIM
60	RESERVED SPACE DIM
61	RESERVED SPACE DIM
62	RESERVED SPACE DIM
63	RESERVED SPACE DIM
64	RESERVED SPACE DIM
65	RESERVED SPACE DIM
66	RESERVED SPACE DIM
67	RESERVED SPACE DIM
68	RESERVED SPACE DIM
69	RESERVED SPACE DIM
70	RESERVED SPACE DIM
71	RESERVED SPACE DIM
72	RESERVED SPACE DIM
73	RESERVED SPACE DIM
74	RESERVED SPACE DIM
75	RESERVED SPACE DIM
76	RESERVED SPACE DIM
77	RESERVED SPACE DIM
78	RESERVED SPACE DIM
79	RESERVED SPACE DIM
80	RESERVED SPACE DIM
81	RESERVED SPACE DIM
82	RESERVED SPACE DIM
83	RESERVED SPACE DIM
84	RESERVED SPACE DIM
85	RESERVED SPACE DIM
86	RESERVED SPACE DIM
87	RESERVED SPACE DIM
88	RESERVED SPACE DIM
89	RESERVED SPACE DIM
90	RESERVED SPACE DIM
91	RESERVED SPACE DIM
92	RESERVED SPACE DIM
93	RESERVED SPACE DIM
94	RESERVED SPACE DIM
95	RESERVED SPACE DIM
96	RESERVED SPACE DIM
97	RESERVED SPACE DIM
98	RESERVED SPACE DIM
99	RESERVED SPACE DIM
100	RESERVED SPACE DIM





HABITAT FOR HUMANITY SUBDIVISION
NARRATIVE STATEMENT

The Habitat for Humanity subdivision at current address 503 W Pierce St Whitestown, IN 46075, is zoned R-3. The Habitat for Humanity Subdivision will consist of 8.35 acres and will have 26 single-family homes. This site will be serviced by the Town of Whitestown for Water and Sanitary service. Storm sewers will be regulated by Boone County Surveyor's Office. This site is owned and being developed by Habitat for Humanity of Boone County.

Contacts:

Habitat for Humanity of Boone County

Liz Qua

Phone: 317-379-9434

Email: lqua@boonehabitat.org

Engineering Firm

Kimley-Horn and Associates, Inc.

Bryan Sheward, P.E.

Phone: 317-409-6799

Email: bryan.sheward@kimley-horn.com

Attachment H: Waiver Request

Where the Plan Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with the regulations in the Subdivision Control Ordinance and/or the purpose and intent of these regulations may be served to a greater extent by an alternative proposal, it may approve waivers so that substantial justice may be done and the public interest secured. Waivers shall not have the effect of nullifying the intent and purpose of these regulations.

Use the form below for each waiver requested. Attach a separate sheet if necessary.

Ordinance Section: UDO Section 9.11 C.2. Internal Pedestrian Network Standards
Ordinance Language to be waived: Sidewalks are required on both sides of internal streets in all developments.
Alternative/Substitute to be offered: Sidewalks will be provided on both sides of street except where there are no homes along the east side of the entrance street.
<p>1. The proposed development will enhance the use or value of the area properties because... Since the entrance street is single loaded with homes on only the west side of the street, we feel a sidewalk on the east side of the street would not be utilized. In addition, with the street near the east property line of the site, eliminating the eastern sidewalk provides more privacy for the existing adjacent properties without pedestrians walking so close to eastern property limits. In addition, we did provide a sidewalk connection to our southeast boundary that could be extended to the trail within Panther Park for residents to have access there as well.</p>
<p>2. The proposed development will not be injurious to the public health, safety, morals, or general welfare because... By omitting the sidewalk on the east side of the entrance street we are only channeling pedestrian movement to one side of the street. I see this as a positive for benefit of safety with a couple less crosswalks at intersections for potential accidents.</p>
<p>3. The strict application of the Ordinance standard will result in a development that is undesirable when compared with the proposed development because... There is an existing water main that runs on this projects site along the eastern boundary. The town prefers to have no changes to the existing grade over this water main. We also have a legal drain that runs across the northern portion of this site that we need to reroute. In order to route this legal drain along the eastern side of the street, we plan to push some of the grading of this routing closer to the curb. If sidewalks are required here, this limits us on how much room we have between sidewalk and water main for grading. Will require some grade changes to happen <u>over the existing water main to get this designed correctly.</u></p>
<p>4. The proposed development is consistent and compatible with other development located in the area because... Most homes in this area do not have any sidewalk access along their streets. Having sidewalk only on one side of the entrance street helps give this development an improved pedestrian network from some of the surrounding area but still provides a good transition from older existing homes to newer development.</p>
<p>5. The proposed development is consistent with the intent and purpose of the Comprehensive Plan because... This project is still consistent with the zoning standards for R3 residential and the Comprehensive Plan. The omission of this sidewalk is only a waiver from the Unified Development Ordinance and not from the zoning ordinance.</p>