



Certification of Recommendation

Whitestown Plan Commission

August 18, 2023

RE: AMENDMENT TO ZONING MAPS OF THE WHITESTOWN UNIFIED DEVELOPMENT ORDINANCE (PC23-029-ZA).

In accordance with IC 36-7-4-608, the Whitestown Plan Commission hereby certifies their recommendation to the Whitestown Town Council as described below.

- At their public hearing on August 14, 2023, the Whitestown Plan Commission gave a favorable recommendation under section IC 36-7-4-608 with a 6-0 vote to approve a zoning amendment to the Whitestown Unified Development Ordinance. The zoning amendment includes Petitioner Gradison Land Development, Inc., per Adam Mears on behalf of Owners Candace McCormick & Mary Nell Weaver, Bryce & Patricia Pennington Trust seeking to rezone approximately 160 acres, more or less, in the Town of Whitestown, Indiana, from the Low-density Single-family Residential (R1) Zone and Low-density Single-family and Two-family Residential (R2) Zone to the Medium-density Single-family Residential (R3).

The property described in the legal descriptions are contained in the attached **Exhibit A** and shown in **Exhibit B**. In order to entice the rezone, the petitioner made a set of commitments, a copy of which is attached hereto as **Exhibit C**.

If you have any questions, please contact me at your earliest convenience.

Respectfully,

X *Desire Irakoze*

Desire Irakoze
Planning Staff

Exhibit A

Legal Description

The Land referred to herein below is situated in the County of Boone, State of Indiana, and is described as follows:

Parcels 1 and 2:

The Northeastern Quarter of the Southeast Quarter of Section 30, Township 18 North, Range 2 East of the Second Principal Meridian, containing 40 acres, more or less.

Parcel 3:

The South half of the Southeast Quarter of the Northeast Quarter of Section 30, Township 18 North, Range 2 East of the Second Principal Meridian, containing 20 acres, more or less.

Parcel 4:

The South half of the Southwest Quarter of the Northwest Quarter of Section 29, Township 18 North, Range 2 East of the Second Principal Meridian, containing 20 acres, more or less.

Parcel 5:

The North half of the Southeast Quarter of the Northeast Quarter of Section 30, Township 18 North, Range 2 East of the Second Principal Meridian, containing 20 acres, more or less.

Parcel 6:

The North half of the Southwest Quarter of the Northwest Quarter of Section 29, Township 18 North, Range 2 East of the Second Principal Meridian, containing 20 acres, more or less.

Parcel 7:

The South half of the Northeast Quarter of the Northeast Quarter of Section 30, Township 18 North, Range 2 East of the Second Principal Meridian, containing 20 acres, more or less.

Parcel 8:

The South half of the Northwest Quarter of the Northwest Quarter of Section 29, Township 18 North, Range 2 East of the Second Principal Meridian, containing 20 acres, more or less.

Exhibit B

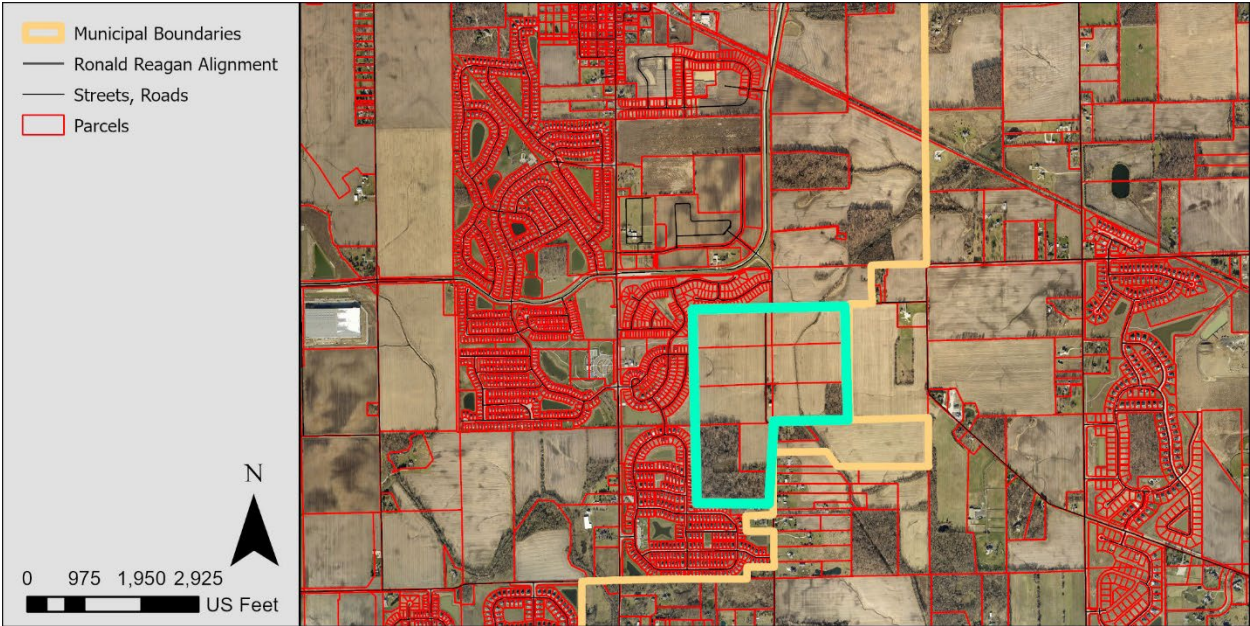


Exhibit C

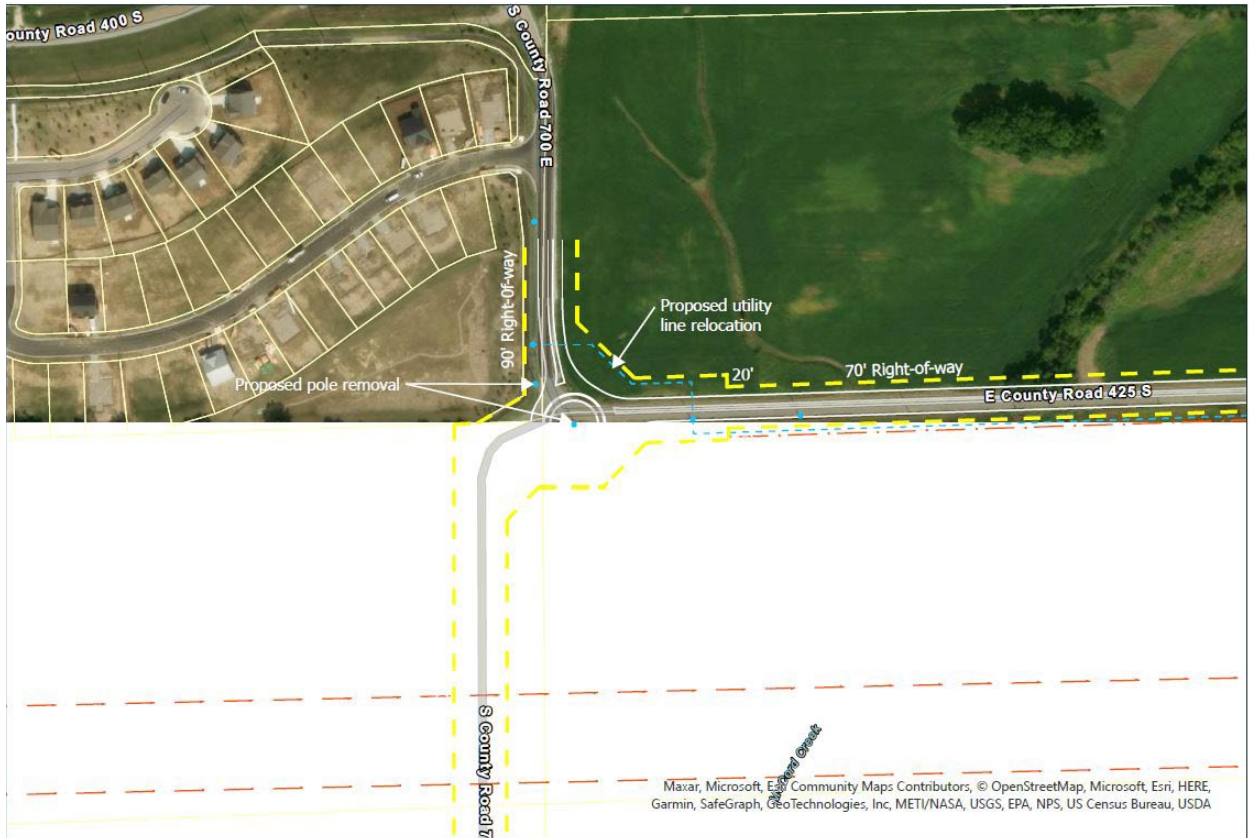
Commitments

1. As depicted in Attachment X, the round-about will be shown in the Primary Plat
2. Resurface/ full depth repair where required /2' gravel Shoulders/ striping for Co. Rd. 700E and Co. Rd. 425 S
3. The developer shall be responsible for all costs associated with extending sewer and water facilities for the development to and on the property, including any oversizing of facilities requested by Public Works (up to a maximum of 12" sewer line, a 2" water line, and a maximum 10' diameter lift state that is a maximum 25' deep).
4. The developer shall smoothen or straighten the road section as illustrated in Exhibit A.
5. The developer shall work with the Planning Staff to provide a pedestrian trail similar or equivalent to what is shown in the concept exhibit.
6. The eastern side of Co. Rd. S 700 E shall adhere to R-2 lot requirements, with the exception of 41 lots. The 41 lots shall have minimum dimensions of 61' x 130' and 61' x 140'.
7. All lots within the development shall adhere to the residential standards outlined in UDO Section 9.5.A.3.
8. Vinyl materials are not permitted.
9. The number of dwelling units shall not exceed 305 lots or a development density of 2.0 du/acre, whichever is less.
10. All homes shall have 30-year dimensional shingles.
11. The wooded areas generally depicted in Exhibit A shall be preserved as wooded common areas, and the developer shall record preservation easements on said property to ensure they are maintained primarily as wooded areas. The preservation easements shall be subject to rights to place trails in the woods for common enjoyment.
12. The following uses shall be prohibited on the site: Manufactured Homes, Colleges and Universities, Churches, Elementary & Secondary Schools, Group Residential Facilities.
13. The developer shall develop the property for residential development and offer the homes there in for sale, not for rent. Developer agrees and covenants that it shall not sell, transfer, and/or convey title to more than one home per individual or legal entity controlled by the individual. Developer shall be required to record Covenants, Conditions, and Restrictions governing the use and development of the Real Estate as part of establishing a Homeowners' Association ("HOA") for the entire development. As part of such Covenants, developer shall include a covenant that no homeowner may rent any home for a period of twelve (12) months after the home's purchase from the developer, except to the extent necessary as a result of a hardship (for example, military deployment, illness, or job assignment). Air BNB and/or any other similar short-term rentals shall be strictly prohibited by the Covenants and shall be strictly enforced by the HOA.

Proposed Zone District Map



PER AGREED UPON COMMITMENTS: Attachment X



PER AGREED UPON COMMITMENTS: Exhibit A

EXHIBIT A



West side
 Local Street
 50' right-of-way / 31'-b / 5' sidewalk
 8,510 sq. ft. street
 17,010 sq. ft. curb
 235,500 sq. ft. pavement
 18,000 sq. ft. 5' sidewalk
 3,810 sq. ft. 8' internal trail
 3,210 sq. ft. 5' sidewalk along CR700
 8,110 8" sanitary main
 42 manholes
 8,010 sq. ft. water main
 30 hydrants
 3,450 sq. ft. 12" RCP
 3,450 sq. ft. 18" RCP
 2,550 sq. ft. 18" RCP
 1,650 sq. ft. 24" RCP
 1,000 sq. ft. 30" RCP
 1,000 sq. ft. 36" RCP
 32 curb inlets
 10 curb inlets/manholes
 12 end sections
 4.4 wet pond

East side
 Local Street
 50' right-of-way / 31'-b / 5' sidewalk
 5,000 sq. ft. street
 10,000 sq. ft. curb
 145,000 sq. ft. pavement
 9,200 sq. ft. 5' sidewalk
 4,000 sq. ft. 8' internal trail
 3,100 sq. ft. 10' trail along CR700/CR422
 4,700 8" sanitary main
 22 manholes
 4,800 sq. ft. water main
 15 hydrants
 1,320 sq. ft. 12" RCP
 3,250 sq. ft. 15" RCP
 2,250 sq. ft. 18" RCP
 1,200 sq. ft. 24" RCP
 600 sq. ft. 30" RCP
 800 sq. ft. 36" RCP
 25 curb inlets
 38 curb inlets/manholes
 10 end sections
 3.3 wet pond

Windswept Farms
 Potomac Property
 Whitehouse, IN
 Open 03
 R-3 Zoning
 West side CR 700 East
 94.5 ac
 52% 120'-130' -201 lots
 density -2.32 lots
 open space -45.2ac (47.8%)
 wetland impact
 - non-jurisdictional -1.48ac
 - jurisdictional -1.67ac

R-2 Zoning
 East side CR 700 East
 65.5 ac
 61% 130'-140' -41 lots
 70% 130'-140' -52 lots
 density -1.42 lots
 open space -31.5ac (51.5%)
 5,010 sq. ft. street

Light Green : Wooded Area to be protected.
Red Circle : Area to be straightened.



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