



STAFF REPORT

CITY OF COLUMBUS PLAN COMMISSION (March 13, 2012 Meeting)

Docket No. / Project Title: RZ-13-03 (Willow Glen)
Staff: Thom Weintraut

Applicant: Joel Spoon
Property Size: 7.22 Acres
Current Zoning: RS3 (Residential: Single-Family 3)
Proposed Zoning: RT (Residential: Two-Family)
Location: The property is located on the east side of Carr Hill Road approximately 1100 feet southwest of the intersection of Terrace Lake Road and Carr Hill Road, in the City of Columbus.

Background Summary:

The applicant has indicated that the proposed rezoning is for the purpose of reducing the square footage of the building lots in order to provide a common area and buffer along the Opossum Creek stream channel. The petitioner has presented a Major Subdivision Preliminary Plat that creates 17 single-family home lots and a common area of 3.19 acres.

Key Issue Summary:

The following key issue(s) should be resolved through the consideration of this application: The RS3 zoning district allows for a gross density of 5 dwelling units per acre for a total of 36 units, while the RT zoning district allows for a gross density of 8 dwelling units per acre for a total of 57 units. Will the increase in density create any issues for this area?

Preliminary Staff Recommendation:

Favorable recommendation to the City Council.

Plan Commission Options:

In reviewing a request for rezoning the Plan Commission may (1) forward a favorable recommendation to the City Council, (2) forward an unfavorable recommendation to the City Council, (3) forward the application to City Council with no recommendation, or (4) continue the review to the next Plan Commission meeting. The Plan Commission may attach conditions to any recommendation which are to become written commitments of the applicant. The City Council makes all final decisions regarding rezoning applications.

Decision Criteria:

Indiana law and the Columbus Zoning Ordinance require that the Plan Commission and City Council pay reasonable regard to the following when considering a rezoning:

The Comprehensive Plan.

Preliminary Staff Comments: The Comprehensive Plan encourages infill development where the City's infrastructure and services have the capacity to accommodate the growth. In addition, the Plan

encourages clustering of residential development to conserve open space and to protected natural features such as river and stream corridors, water quality, and wildlife habitat.

The current conditions and the character of current structures and uses in each district.

Preliminary Staff Comments: The current site proposed for the rezoning contains wooded areas as well as a stream channel. The adjacent property to the east and south of the site are zoned for RS3 Single-Family Residential and the property to the south is currently being developed as Deer Creek Major Subdivision. The adjacent properties to the north and west are wooded with sparse single family residences.

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

Preliminary Staff Comments: The site is within the limits of the City of Columbus and is located in an area surrounded by residential development and woodlands. The most desirable use for the land is residential.

The conservation of property values throughout the jurisdiction of the City of Columbus.

Preliminary Staff Comments: The property is currently zoned residential and there are properties in the area that are zoning R-T (Residential: Two-Family). The zoning change will provide additional residential options within the community and therefore should not affect property values.

Responsible growth and development.

Preliminary Staff Comments: The rezoning represents responsible growth and development. The parcel is located within the city limits in an area with adequate infrastructure include access to a collector street. There are commercial services within the area to support the development.

Current Property Information:	
Land Use:	Undeveloped
Site Features:	Woods, field, stream
Flood Hazards:	The property contains Flood Zone AE, 100-year flood zone with floodway/ flood fringe areas delineated and base flood elevations determined.
Special Circumstances: (Airport Hazard Area, Wellfield Protection Area, etc.)	none
Vehicle Access:	The property has access from Carr Hill Road (Collector, Residential, Suburban) and Deer Creek Way (Local, Residential, Suburban).

Surrounding Zoning and Land Use:		
	Zoning:	Land Use:
North:	RS3 (Residential: Single-Family 3) RT (Residential: Two-Family) AP (Agriculture: Preferred)	Single-family residential Storage building for Tipton Lakes Wooded, Undeveloped, and cemetery

South:	RS3 (Residential: Single-Family 3) AP (Agriculture: Preferred) RS2 (Residential: Single-Family 2)	Deer Creek Major Subdivision Single-family residential Single-family residential
East:	RS2 (Residential: Single-Family 2) RS3 (Residential: Single-Family 3)	Undeveloped woods and field Brookfield Place Major Subdivision
West:	RT (Residential: Two-Family) AP (Agriculture: Preferred)	Undeveloped woods Single-family residential

Zoning District Summary (Existing / Proposed):		
	Existing Zoning: RS3	Proposed Zoning: RT
Zoning District Intent:	The intent of the RS3, Single-Family Residential zoning district is to provide areas for moderate to high density single-family residences in an area with compatible infrastructure and services. Development in this zoning district should generally be served by sewer and water utilities. Such development should also provide residents with convenient access to Collector and Arterial streets, parks, and open space, employment, and convenience goods.	The intent of the RT, Two-Family Residential zoning district is to provide areas for moderate density single, two and multi-family residences in areas with compatible infrastructure and services. These residences are most likely arranged as multiple detached units on a single lot or multiple attached units separated by lot lines at a common wall. Development in this zoning district should be served by sewer and water utilities. Such development should also provide residents with convenient access to Collector and Arterial streets, parks, and open space, employment, and convenience goods.
Permitted Uses:	<ul style="list-style-type: none"> • Dwelling, single-family • Nature preserves/conservation area 	<ul style="list-style-type: none"> • Dwelling, single-family • Dwelling, two-family • Nature preserve/conservation area
Water and Sewer Service:	Required	Required
Lot and/or Density Requirements:	Minimum Lot Area: 7,200 sq. ft. Minimum Lot Width: 60 feet	Minimum Lot Area: 3,000 sq. ft. per dwelling unit Minimum Lot Width: <ul style="list-style-type: none"> • Single-Family Structure: 35 feet • Two-Family Structure: 40 feet

Zoning District Summary (Existing / Proposed):		
	Existing Zoning: RS3	Proposed Zoning: RT
Lot and/or Density Requirements: (continued)	Maximum Gross Density: 5 dwelling units per acre.	Maximum Gross Density: 8 dwelling units per acre.
Setbacks Required: Front setbacks are determined by the Thoroughfare Plan Classification of the adjacent street and are the same regardless of zoning.	Side Yard Setback: Primary Structure: 5 feet Accessory Structure: 5 feet Rear Yard Setback: Primary Structure: 5 feet Accessory Structure: 5 feet. Front Yard Setback: Collector Street: 15 feet.* Local Street: 10 feet.* *25 feet for any garage with a vehicle entrance facing the street.	Side Yard Setback: <ul style="list-style-type: none"> • Single-Family Structure: 0 feet minimum per side, 10 feet aggregate.* • Two-Family Structure: 5 feet *the aggregate side setback for single family may be reduced to 0 feet for the center units in multiple attached unit designs. Rear Yard Setback: Residential Structure: 5 feet Accessory Structure: 5 feet. Front Yard Setback: Collector Street: 15 feet.* Local Street: 10 feet.* *25 feet for any garage with a vehicle entrance facing the street.
Height Restrictions:	Primary Structure: 40 feet Accessory Structure: 25 feet (or the height of the primary structure on the property, whichever is less)	Primary Structure: 50 feet. Accessory Structure: 25 feet (or the height of the primary structure on the property, whichever is less)
Floor Area Requirements:	Minimum Living Area per Dwelling: 1000 sq. ft.	Minimum Living Area per Dwelling: Single-Family Structure: 1000 sq. ft. Two-Family Structure: 1000 sq. ft.
Signs:	Two development entry signs at a maximum height of 6 feet and 32 sq. ft. in area are permitted per public street access point.	Two development entry signs at a maximum height of 6 feet and 32 sq. ft. in area are permitted per public street access point.

Interdepartmental Review:	
City Engineering:	No comments received
City Utilities:	No comments received
Parks Department:	No comments received
MPO:	No comments received

History of this Location:

The relevant history of this property includes the following:

1. On May 7, 2008, The Columbus City Council approved RZ-08-05 (Coronado Development Corp) a request to rezone 10.5 acres from AG (Agriculture District) to RS3 Single-Family 3 Residential.
2. On September 2, 2008, PP-08-04 (Terrace Park Major Subdivision Preliminary Plat) was filed. The request was for the creation of a 14 lot subdivision. On December 3, 2008 the Plan Commission granted a request from the petitioner, Coronado Development Corp, to withdraw the subdivision request.
3. On Wednesday, September 12, 2012, Plan Commission approved MI/P-12-04 (Martin Ahlbrand Minor Subdivision 2nd Replat) a request to divide a 10.5 acre lot into two lots; Lot 3 of which contained a dwelling and accessory building, and Lot 4, the 7.22 acre parcel that is the subject of this rezoning request. As part of the approval, Plan Commission granted a modification from Subdivision Control Ordinance Section 16.24.010(B)(1), the requirement to construct sidewalks along the frontages of Terrace Lake and Carr Hill Roads. The approval was subject to the following three conditions:
 - 1) The petitioner shall provide a subdivision improvement agreement and post a financial guarantee in the amount to 125% of the construction costs of the sidewalks.
 - 2) The petitioner shall either have an approved major subdivision final plat or completed the installation of the sidewalks within 1 year of the primary approval of the Martin Ahlbrand Minor Subdivision 2nd Replat (September 12, 2013).
 - 3) The 20 foot agriculture access easement shall be removed from lot 3 and no access placed along the entire Terrace Lake Road Frontage of Lots 3 & 4.
4. The petitioner has filed PP-13-01 (Willow Glen Major Subdivision Preliminary Plat) along with this rezoning request.

Comprehensive Plan Consideration(s):

The Future Land Use Map indicates the future use of this property as Residential.

The following Comprehensive Plan goal(s) and/or policy(ies) apply to this application:

1. **Goal A-4:** Promote wise and efficient use of limited resources and nonrenewable resources, including but not limited to capital and land.
2. **Policy A-4-2:** Encourage infill development, and or use of vacant parcels for projects such as parks and other amenities which complement the neighborhoods in which they are located.
3. **Policy A-4-4:** Encourage residential clustering and other development types that conserve open space and natural resources and reduce infrastructure costs.
Regulations should encourage development which saves trees, wetlands, flood plains, natural topography, and other natural features and development which includes open space. The city's ordinances need to provide flexibility and incentives for developers to use creative subdivision layouts.
4. **Goal B-1:** Maintain excellent water, air, land quality and protect the natural environment.
5. **Policy B-1-1:** Protect floodway areas from development to prevent runoff which could pollute streams and rivers.

6. **Goal B-2:** Enhance open space to create sustainable recreational environments and wildlife environments and wildlife habitats.
7. **Policy B-3-4:** Encourage green space preservation, particularly trees, in all new development.
8. **Policy B-4-1:** Encourage creative subdivision design which avoids placement of houses in the floodway fringe.

This property is located in the Western Hills character area. The following Planning Principle(s) apply to this application: Ensure that new development takes place in a manner that preserves natural features such as topography and wooded area. Clustering should be encouraged.

Planning Consideration(s):

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. The property is located adjacent to residential developments and the zoning in the area is a mixture of medium for higher density residential.
2. The area surrounding the property is a mixture of hills, wooded parcels, and residential developments that have been sensitive to natural features onsite, such as trees and woodlands.
3. The property is currently zoned RS3, Single-Family Residential, which would allow a density of 5 dwelling unit per acre for a total of 36 units. The requested zoning is RT, Two-Family Residential, which would allow 8 dwelling units per acre for a total of 57 units.
4. The property has access to Carr Hill Road which is a collector street. The role of a collector street is to connect local streets with arterial streets and therefore provide connections between neighborhoods and commercial service areas. Collectors provide both mobility and access and are designed to carry up to 8,000 vehicles a day.
5. Higher density development allows for smaller lots sizes and therefore there may be more reliance on public parks for recreation. The nearest park is Harrison Ridge Park which is a half of a mile north of the property via Coles Drive. The park contains basketball and tennis courts as well as other recreation equipment.
6. Higher density development should be located in areas with availability to community services, one of which is public transit. There is no transit service available west of downtown.
7. The applicant has indicated that this request for the RT, Two-Family Residential is for the purpose to allow the developer to create small lots in order to preserve the floodplain areas on the site. The developer is proposing only 17 building lots, which is fewer than the number allowed under the current RS3 zoning or the proposed RT zoning.
8. The property contains both floodway and flood fringe area in the amount of approximately 1.3 acres. The Section 4.7 of the Zoning Ordinance restricts development in a floodway, but allows development to take place in the flood fringe. The major subdivision preliminary plat the developer has file PP-13-01 (Willow Glen Major Subdivision Preliminary Plat) shows the lots being located outside of the floodplain. The Columbus Comprehensive Plan Goal B-1 and Policies B-1-1 and B-4-1 encourage protecting the environment, particularly water quality and floodplains from the effects of development.

**Columbus – Bartholomew County Planning Department
Rezoning Application (Zoning Map Amendment)**

Planning Department Use Only:

Jurisdiction: Columbus Bartholomew County Joint District

Docket No.: R2-13-03

Rezoning Application:

Current Zoning: RS3 Requested Zoning: RT

Applicant Information:

Name: JOEL SPOON

Address: 1007 CENTRAL AVE. COLUMBUS IN 47201
(number) (street) (city) (state) (zip)

Phone No.: _____ Fax No.: _____ E-mail Address: _____

Property Owner Information: (the "owner does not include tenants or contract buyers):

Name: JOEL AND ROBYN SPOON

Address: 1007 CENTRAL AVE. COLUMBUS IN 47201
(number) (street) (city) (state) (zip)

Phone No.: _____ Fax No.: _____ E-mail Address: _____

Notification Information (list the person to whom all correspondence regarding this application should be directed):

Name: INDEPENDENT LAND SURVEYING

Address: 3640 COMMERCE DR. COLUMBUS IN 47201
(number) (street) (city) (state) (zip)

Phone No.: 812-372-0996 Fax No.: 812-372-6160 E-mail Address: ilsurveying@sbcglobal.com

Property Information:

Property Size: 7.22 acres or _____ square feet

Address: _____
(number) (street) (city) (state) (zip)

or General Location (if no address has been assigned provide a street corner, subdivision lot number, etc):

LOT 4 IN "MARTIN AHLBRAND MINOR SUBDIVISION 2ND REPLAT " AS RECORDED IN PLAT BOOK "R", PAGE 287D
IN THE BARTHOLOMEW COUNTY RECORDERS OFFICE

A legal description is attached (a legal description is required for the processing of all rezoning requests).

Rezoning Criteria:

The Indiana Code and the Columbus & Bartholomew County Zoning Ordinance establish specific criteria to which both the Plan Commission and legislative body (City Council, County Commissioners, Joint District Council) must "pay reasonable regard" when considering a rezoning request. Those criteria are listed below. Explain how this request addresses each criterion.

The Comprehensive Plan.

THE COMPREHENSIVE PLAN HAS THIS AREA AS BEING ZONED RESIDENTIAL. REZONING THE SUBJECT LAND FROM RS3 TO RT COMPLYS WITH THE COMPREHENSIVE PLAN.

The current conditions and the character of current structures and uses in each district (existing & proposed).

THE PROPERTY WILL BE USED FOR SIMILAR USES AS THE CURRENT ZONING.

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

THE SITE WOULD BE BEST USED FOR HOUSING, THIS WOULD BE CONSISTENT WITH THE SURROUNDING PROPERTIES AND COMPLY WITH THE COMPREHENSIVE PLAN.

The conservation of property values throughout the jurisdiction.

THIS REZONE IS CONSISTENT WITH THE COMPREHENSIVE PLAN AND SHOULD NOT HAVE EFFECT ON THE PROPERTY VALUES.

Responsible growth and development.

THE REZONE WOULD HELP THE GROWTH OF THE AREA BY PROVIDING HOUSING.

Rezoning Purpose:

Explain the reason(s) why the applicant has proposed this zoning change.

THIS REZONE HAS BEEN REQUESTED DUE TO THE DIFFICULTIES IN DEVELOPING THIS PROPERTY UNDER THE CURRENT ZONING DESIGNATION. THIS CHANGE IN ZONING WILL MAKE THE PROPERTY MORE DEVELOPABLE AND BE CONSISTENT WITH THE COMPREHENSIVE PLAN. THIS REZONE IS BEING REQUESTED DUE TO THE CURRENT ZONING DOES NOT ALLOW THE SMALLER LOTS THAT ARE PROPOSED IN THIS DEVELOPMENT DUE TO A MAJORITY OF THE PROPERTY BEING USED AS A COMMON AREA.

Applicant's Signature:

The information included in and with this application is completely true and correct to the best of my knowledge and belief.



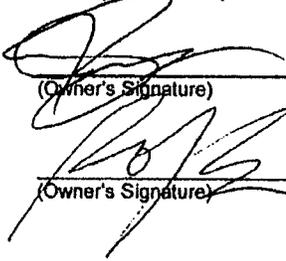
(Applicant's Signature)

2/11/13

(Date)

Owner's Signature (the "owner" does not include tenants or contract buyers):

I authorize the filing of this application and will allow the Planning Department staff to enter this property for the purpose of analyzing this request. Further, I will allow a public notice sign to be placed and remain on the property until the processing of the request is complete.



(Owner's Signature)

2/11/13

(Date)



(Owner's Signature)

2/11/13

(Date)

PROPERTY DESCRIPTION

LOT 4 IN "MARTIN AHLBRAND MINOR SUBDIVISION 2ND REPLAT" AS RECORDED IN PLAT BOOK "R", PAGE 287D IN THE OFFICE OF THE RECORDER OF BARTHOLOMEW COUNTY, INDIANA.

CONTAINING 7.22 ACRES MORE OR LESS.

(SECTION 33, TOWNSHIP 9 NORTH, RANGE 5 EAST)

CURRENT ZONING: RS3
PROPOSED ZONING: RT

BLOCK B
CARR HILL ROAD EXTENSION MINOR PLAT
(P.B. "Q", PG. 44D)

BLOCK C
CARR HILL ROAD EXTENSION MINOR PLAT
(P.B. "Q", PG. 44D)

TIPTON LAKES
COMMUNITY ASSOCIATION

ZONED RS3

TIPTON LAKES
COMMUNITY ASSOCIATION

ZONED RT

ZONED AP

MOUNT PLEASANT CT. (35' HALF R/W)

LOT 3
MARTIN AHLBRAND MINOR SUBDIVISION
2ND REPLAT
(P.B. "R", PG. 287D)

JASON V & AMY M
DUKES

ZONED RS3

ZONED AP

LOT 1A
AHLBRAND ADMINISTRATIVE SUBDIVISION
(P.B. "P", PG. 219A)

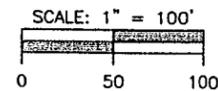
STEPHEN & FERRELL AHLBRAND

ZONED RT

LOT 4
7.22 Ac.

ZONED RS2

THOMPSON
DEVELOPMENT, LLC
(INST#2007-1999)



LOT 1B
AHLBRAND ADMINISTRATIVE SUBDIVISION
(P.B. "P", PG. 219A)

JOHN E & CAROL PARKER
AHLBRAND

ZONED AP

LOT 2B
MARTIN AHLBRAND MINOR SUBDIVISION
(P.B. "Q", PG. 181B)

ZONED AP

STEPHEN M & FERRELL & FABIS &
KATIE E. AHLBRAND

LOT 4
TIPTON LAKES - SOUTHEAST
ADMINISTRATIVE SUBDIVISION
(P.B. "R", PG. 207A)

VERNON H & ROBERTA PHILLIPS

ZONED AP

PHILLIPS
(INST.#90-7028)

LOT 8
DEER CREEK MAJOR
SUBDIVISION PHASE II
(P.B. "R", PG. 292A)

ZONED RS3

LOT 7
DEER CREEK MAJOR
SUBDIVISION PHASE II
(P.B. "R", PG. 292A)

ZONED RS3

LOT 1
DEER CREEK MAJOR SUBDIVISION PHASE I
(P.B. "R", PG. 289B)

ZONED RS3

JERRY D & TAMARA K
EDWARDS

JOB #12149

BLOCK B
BROOKFIELD PLACE MAJOR SUBDIVISION
(P.B. "R", PG. 184D)

ZONED RS3

	ZONED RM		TO BE ZONED RT
	ZONED RS2		ZONED AP
	ZONED RS3		ZONED RT

ZONING MAP
"WILLOW GLEN"
SEC. 33, T-9-N, R-5-E
BARTHOLOMEW COUNTY,
INDIANA

Independent
**Land
Surveying**
www.ilsurveying.com
414 South Main Street
Brownstown, Indiana 47220
Phone: 812-358-2882
Fax: 812-358-2605
3640 Commerce Drive
Columbus, Indiana 47201
Phone: 812-372-0996
Fax: 812-372-6160

SHEET: 1/1 SCALE: 1" = 100'
DWG REVISION DATES

DRAWN BY: TMA
DWG DATE: 2/6/13
DWG NAME: 12149 SPOON-REZONE.dwg

LOT 2 LOT 3