

# TOWN OF PLAINFIELD PLAN COMMISSION REPORT

**DATE:** 07-07-2025

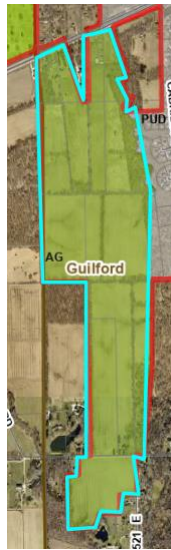
**CASE NO.:** [PUD-25-015](#) and [PP-25-015](#)

**PETITIONER:** Melissa Garrard, Pulte Homes of Indiana

**REQUESTED ACTIONS:** [PUD-25-015](#): Requesting a Zone Map Amendment of 237.738 +/- acres from AG: Agriculture to Westlyn Planned Unit Development  
[PP-25-015](#): Requesting a primary plat to create 473 lots on 237.738 +/- acres that have been requested for rezone from AG: Agriculture to Westlyn Planned Unit Development.

**LOCATION:** South of E US Highway 40 (4991-5165 E US Highway 40) to Hadley Road/CR 600 South (5128 E CR 600 S) and one parcel on the south side of CR 600 South.

**PARCEL SIZE:** 237.738 +/- acres (proposed)



EXISTING ZONING AND LAND USE		2016 COMPREHENSIVE PLAN	
<b>Site:</b>	AG Agriculture	<b>Site:</b>	SMR <a href="#">Suburban Mixed Residential</a> SR <a href="#">Suburban Residential</a>
<b>North:</b>	PUD <a href="#">Vandalia PUD</a> RB <i>Single Family Residential (Hendricks County)</i>	<b>North:</b>	SR <a href="#">Suburban Residential</a> CC <a href="#">Commercial Corridor</a>
<b>South:</b>	AGR Agricultural Residential (Hendricks County)	<b>South:</b>	SMR <a href="#">Suburban Mixed Residential</a> SR <a href="#">Suburban Residential</a>
<b>East:</b>	PUD <a href="#">Sugar Grove Farms PUD</a> AGR Agricultural Residential (Hendricks County)	<b>East:</b>	OS <a href="#">Open Space</a> SMR <a href="#">Suburban Mixed Residential</a>
<b>West:</b>	AGR Agricultural Residential (Hendricks County)	<b>West:</b>	SMR <a href="#">Suburban Mixed Residential</a>

## PROJECT DESCRIPTION

Requested Action: • Requesting a Zone Map Amendment of 237.738 +/- acres from AG:

# TOWN OF PLAINFIELD PLAN COMMISSION REPORT

Agriculture to Westlyn Planned Unit Development

- Requesting a primary plat to create 473 lots on 237.738 +/- acres that have been requested for rezone from AG: Agriculture to Westlyn Planned Unit Development.

Concurrent Actions:

- None Required

Future Action(s):

- Secondary Plat (*Administrative*)
- Improvement Location Permit and other required permits (*Administrative*).



## STAFF COMMENTS

<b>PLANNING:</b>	<p>Staff’s interpretation of the Plainfield Zoning Ordinance’s Planned Unit Development Regulations is that these types of developments are to be innovative and creative. Similarly, Planned Unit Developments should create developments that cannot be created through conventional zoning.</p> <p>The proposed development is neither innovative nor creative. Single-family housing developments can be created <i>by right</i> in over 1/3 of the non-Master Planned Districts and by right in nearly 80% of the residential districts.</p> <p>Therefore, Staff asserts that <b>a Planned Unit Development is not appropriate</b> and that a conventional zone district should be used.</p>
<b>PUBLIC UTILITIES:</b>	<p>Water for this proposed project is planned to come from an existing 12-inch water main on Main Street. Progression of the project south from Main Street would eventually require looping of the water main within Westlyn back to the east, likely along the future roadway shown at about the midpoint of the project. The loop would connect into existing water mains in Sugar Grove Farms and to an existing main along Moon Road. Full build out of this project to Hadley Road would then require looping of water main east along Hadley to Moon. Timing of each phase and loop would be determined based upon the Town water system demands. Water capacity has not yet been allocated to this project.</p> <p>Sanitary sewer route planning, depth and size, has been coordinated with the Town of Plainfield sewer master plan. A large interceptor sewer is planned to pass through the development along the west and south. Space has been reserved for the planned sewer. Phasing of the proposed development project anticipates relocation and reuse of an existing pump station and extension of an existing force main from Sugar Grove Farms. The relocated pump station is not capable of serving the entire build out of the proposed project. Full build out will require construction of a gravity interceptor sewer extension south of the project to reach an existing sewer, or construction of a new pumping station and force main as an interim solution. Sewer treatment capacity has not yet been allocated to this project.</p> <p>Storm sewers are planned with detention throughout the project. Outlet from these</p>

# TOWN OF PLAINFIELD PLAN COMMISSION REPORT

	proposed ponds is to the existing stream along the east side of the project. A detailed drainage plan will be required should the project advance.
<b>FLOODPLAIN:</b>	Portions of at least three lots are within FEMA’s AE flood zone, which it describes as “ <a href="#">considered to have a high risk. Those areas have at least a one-in-four chance of flooding during a 30-year mortgage.</a> ” The encroaching areas are scaled from a FIRM map, so the amount of actual encroachment may be greater or lesser.
<b>TRANSPORTATION:</b>	See <a href="#">traffic memo</a> from Scott Singleton

## PLANNED UNIT DEVELOPMENT

The Westlyn Planned Unit Development (PUD) text is a lengthier document than what the Commission may have been used to in the past. The main reason for this is that a PUD should provide the standards that are to be used, not reference back to past standards. For instance, the Saratoga Planned Unit Development references Hendricks County and Town of Plainfield zoning districts that no longer exist, which adds a degree of difficulty for those who live or wish to develop/redevelop within that PUD.

The Plainfield Zoning Ordinance provides an intent for Planned Unit Developments.

1. The Planned Unit Development (PUD) District is intended to:	
a. Achieve a higher quality of project design than could be accomplished through the strict application of a general use district or set of general use districts;	While the term “higher quality” is a subjective measure, the planned unit text has sought only to reduce the standards below that of similar residential zone classifications
b. Provide for more efficient use of land including the reduction of land area disturbed for utility lines and motor vehicle access;	No analysis or evidence has been provided.
c. Permit special consideration of property with outstanding natural or topographical features;	No analysis or evidence has been provided.
d. Facilitate use of the most appropriate construction techniques in the development of land;	No analysis or evidence has been provided.
e. Provide for any individual land use not otherwise specified elsewhere in this ordinance.	Single Family Detached is permitted by right in 7 of the 20 non-Master Planned Districts and 78% of the Residential Districts.
f. Encourage imaginative uses of open space, promote high standards in design and construction, and further the purposes of the Comprehensive Plan.	The applicant has not proposed anything beyond the typical uses of open space.
g. Provide for greater flexibility in applying the ordinances to mixed zoning classifications;	This development does not require mixed zoning classifications.
h. Provide for innovative approaches to meet the demands of the residential and non-residential markets;	The proposed subdivision has no innovative approaches.
i. Provide for the recognition of the interdependency of the residential and non-residential markets;	The proposed subdivision is directly across a divided highway from the commercial portion of the Vandalia Planned Unit Development, but shows no way to utilize the potential interdependency.
j. Provide for the establishment of creative and unique developments that would not otherwise be able to be developed under the provisions of the Town’s standard zoning district regulations;	The proposed subdivision is neither creative nor unique.  The prior proposal on this site

# TOWN OF PLAINFIELD PLAN COMMISSION REPORT

(Mongan/Montgomery), as well as other conventionally zoned subdivisions such as, Bridlewood Estates, Bridlewood Reserve, Trescott, Grey Hawk, Whitmore Place, Williamsburg, Northfield, Oak Park, and Ridge Line Estates have been able to “*aggregate substantial common areas, maximize the preservation of wooded areas*” while “*(a)adequate streets, utilities and services*” were provided. Improvements such as “*new roads and streetscapes, sidewalks, landscaping, hardscaping, storm water detention and retention and utility extensions*” were created by these conventionally zoned subdivision as well.

The applicant’s narrative refers to improvements that were required by the Plainfield Thoroughfare Plan. These improvements would be required from a conventionally zoned subdivision as well.

**2. The Planned Unit Development (PUD) District is not intended to:**

- a. Create developments which are provided for as a matter of right within any individual district of this ordinance.
  
- a. Adversely impact the adequate facilities required to serve the property and surrounding area.

The proposed land uses are allowed by right in 7 of the 20 non-Master Planned zoning classifications.

Non-motorized transportation will be forced to use the shoulder of U.S. Highway 40 or East County Road 600 South as the applicant has not provided interconnectivity to adjacent developments. This will adversely impact both motorized and non-motorized transportation users and diminish safety in the public rights-of-way.

**The Planned Unit Development should be equal parts “innovation laboratory” and “canary in the coal mine”.**

A Planned Unit Development should be innovative and creative. It should bring a mix of uses that could not be brought together, either due to the fact the ordinance does not contemplate mixing them or that the use is so innovative that full standards may not have yet been established. Westlyn, a collection of single-family homes, does not meet any of those characteristics.

A Planned Unit Development that meets those characteristics should be a call to the elected officials, appointed officials, and staff that there is an opportunity to create “by right” districts that allow these creative and innovative developments to occur. As Planned Unit Developments are meant to function as Articles in the zoning ordinance, their review can be very time-intensive for staff to ensure that they will be enforceable and not create unmitigable negative impact, often involving hundreds and occasionally thousands of hours of staff time.

The Council and Commission have recognized both the “innovation laboratory” and “canary in the coal mine” nature of

# TOWN OF PLAINFIELD PLAN COMMISSION REPORT

Planned Unit Developments and have encouraged staff to find resolutions that can be applied by-right.

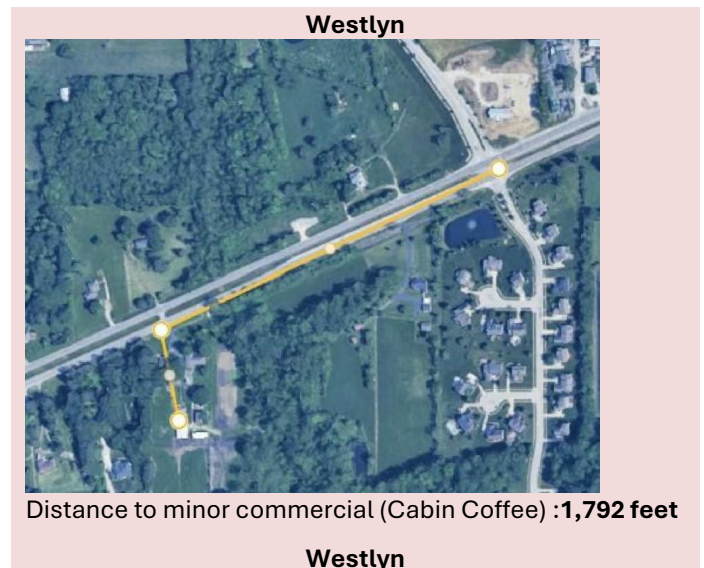
Project(s)	Issue	Resolution
Encore Glasswater Creek Haven Homes Winding Way Stanley Terrace	R-6: High Density District is designed to create a multiple-building, sprawling, suburban-style multi-family development, not a compact or single building development.	Creation of RI: Residential Infill
Project(s)	Issue	Resolution
Barlow ( <i>not a PUD, but an example of a project requiring a large amount of staff time</i> )	The project required multiple variances, development incentives, and waivers—despite complying with the intent of the Downtown Conceptual Redevelopment and the Town Council seeking a public/private partnership.	Creation of RI: Residential Infill
Project(s)	Issue	Resolution
Hobbs Station Bo-Mar	The projects sought to create an integrated mixed-use urban village. Additionally, some uses did not have specific standards (e.g. <i>alley loaded homes</i> ), so standards would need to be created.	Creation of RF: Residential Flex
Project(s)	Issue	Resolution
Village at Plank Road Saratoga Vandalia Legacy Farms	The projects sought to create an integrated mixed use suburban style community	Creation of RF: Residential Flex

A collection of single-family homes is developable by right in over 1/3 of the non-Master Plan districts and nearly 4/5 of the Residential Districts. A Planned Unit Development is not required and there are no creative or innovative concepts to apply.

### Applicant rejection of innovative concepts.

#### Product mix

When initially submitted, staff stated that the proposed project did not meet the criteria of a Planned Unit Development, suggesting that it either follow conventional zoning or that elements such as townhomes, alley loaded homes, or “missing middle” homes be added to allow it to use the Residential Flex classification. The applicant rejected these ideas, feeling that the area was not walkable enough for townhomes or alley loaded homes. Interestingly, Pulte put townhomes and alley loaded homes in Ambleside, in the north metro.



# TOWN OF PLAINFIELD PLAN COMMISSION REPORT



Distance to more substantial commercial: **9,752 feet**  
(CVS, Ace Hardware, Chase Bank, West Clay Wine and Spirits )



Distance to more substantial commercial: **6,073 feet**  
(CVS, Walmart Neighborhood Market, Home Bank, Anytime Fitness)

Despite having a greater walking distance and having a similar mix of walkable amenities, Ambleside was deemed more walkable by the applicant and suitable for a more varied mix of products beyond front loaded single family detached.

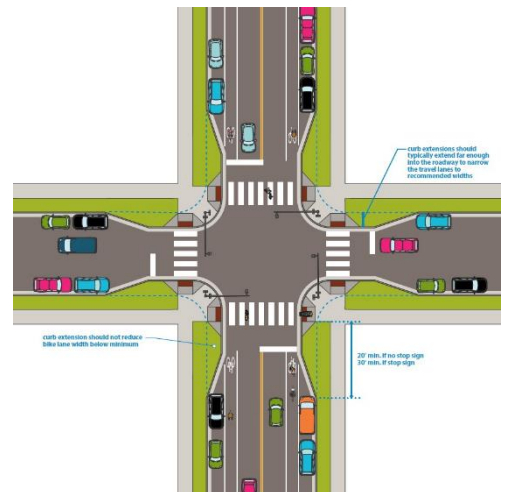
### Speed Control Designs

In recent years, the Town has received multiple complaints about speeding in residential subdivisions. While it is neither financially nor technically feasible to have a sworn officer on every section of residential streets within the Town of Plainfield, there are roadway design elements that can be put into place to convince people to slow down.

Staff suggested that the applicant consider shorter block lengths. While there is a debate about whether shorter block lengths make a significant difference in speed control, with most state departments of transportation answering in the affirmative and the National Association of City Transportation Officials believing that it is less effective than speed tables, shorter blocks do result in better walkability.

Additionally, staff suggested bump outs/curb extensions at intersections. Narrowing the roadway induces drivers to slow down. This also aids in walkability for all ages by shortening the walk distance at the intersection. It provides a clear indication of areas in which parking is not allowed and, in doing so, provides a better line of vision for motorists, pedestrians, and cyclists at the intersection, increasing safety. The applicant declared that painting lines on the ground would be equally effective. Staff disagrees.

Staff suggested, and the applicant agreed that streets with lesser width could be explored in some areas. As with the bump outs/curb extensions, narrowing of the travel area induces drivers to slow down. Additionally, narrower roads are less costly to construct and maintain per lineal foot. The Design Review Committee, citing concerns about street blockages from parking, recommended a wider street and rights-of-way and the applicant concurred.



**Example of Bump Outs/Curb Extensions**

# TOWN OF PLAINFIELD PLAN COMMISSION REPORT

## Signage

The applicant's sign package (see Exhibits F-1 and F-2 in the [Westlyn Planned Unit Development Text](#)) seeks to expand the allowed signage far beyond what is permitted by the Plainfield Zoning Ordinance, with temporary entry signage that exceeds the number and size allowed, gonfalon signs that are not permitted in any residential districts, and residential lot signs that exceed the size and number allowed.

The rationale provided to staff is that "as a new business, it should be in the Town's best interest to ensure that it is well promoted." However, other new businesses are not afforded such excess. Staff is concerned that approving this sign package could similarly encourage others to request Planned Unit Development approvals solely to sidestep the regulations.

The Plainfield sign code ([PZO Article 7](#)) was created in response to the U.S. Supreme Court ruling *Reed v. Town of Gilbert* (2015) which required content neutral regulation and interpretation of signs. It was tailored not to impinge upon free speech and to accomplish the intents shown on the right.

### 7.1 Intent and Application

**A. Intent.** This Article shall hereinafter be known and cited as the "Sign Regulations." The *Sign Regulations* are intended to:

1. Ensure that *Signs* may be used to exercise the constitutional right to free speech;
2. Encourage *Signs* that are integrated with and harmonious with their environment;
3. Eliminate *Signs* that are excessive, cluttered, and confusing;
4. Eliminate *Signs* that are hazardous to motorists and pedestrians;
5. Support land use objectives of the Town of Plainfield;
6. Preserve and improve the aesthetic appearance of, property values within, and public and private economic investment in the Town of Plainfield; and
7. Otherwise protect and promote the public health, safety, morals, and general welfare of the visitors and residents of the Town of Plainfield.
8. The *Sign Regulations* apply to the location, installation, and maintenance of *Signs* in any zoning *District* regulated by this Ordinance.

**B. Examples Shown.** Examples shown in the ordinance are only an illustration of type, not an exhaustive list. They are meant to convey a concept and may not be fully compliant with the ordinance.

It can be argued that, even in a "post-Reed world", a Planned Unit Development could have different sign regulations than the Town of Plainfield sign code, but it is appropriate for the Plan Commission and Town Council to question whether there is a rational reason why one development should be favored over another by allowing extra signage. Given that the proposed Planned Unit Development does not meet the criteria of creative and innovative noted early in this report, it is difficult to determine a reason why the Town's sign regulations should not be followed.

## History of the site


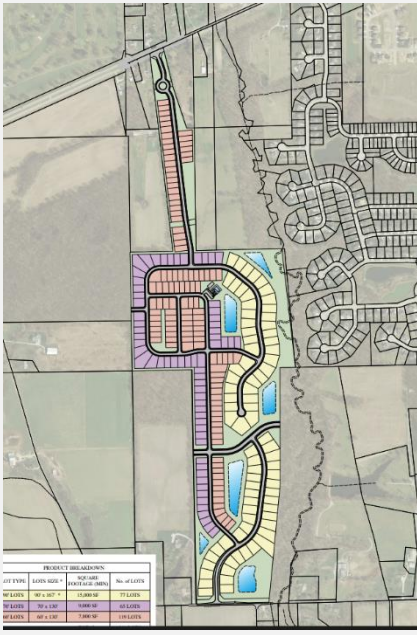
This is not the first development approval requested for this site. In 2018, [Lennar proposed a development](#) for a portion of the current site. Unlike the Westlyn proposal, this used conventional R-2: Low Density Residential and R-4: Medium Density Residential instead of a Planned Unit Development.

The Town held a public hearing in December, 2018 and the applicant requested a continuance. On February 22, 2019, Lennar contacted the Plan Commission secretary to [withdraw the zone map amendment request](#).

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# TOWN OF PLAINFIELD PLAN COMMISSION REPORT

## Comparison

	<u>Westlyn</u>	<u>Mongan/Montgomery</u>
<b>Plan View</b>		 <small>PROJECT BREAKDOWN: LOT TYPE   LOT SIZE (SQ FT)   # OF UNITS (EST. PER ACRE)   No. of LOTS --- M LOTS   90 x 167   27   27 LOTS M LOTS   80 x 150   24   24 LOTS M LOTS   60 x 130   24   24 LOTS</small>

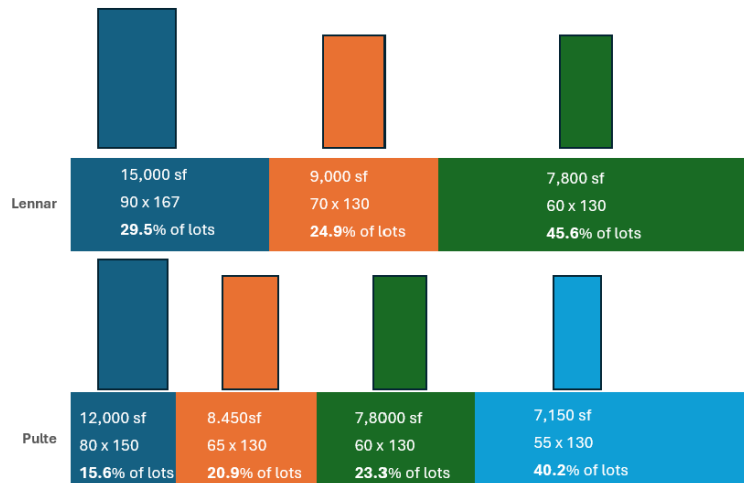
<b>Size (Acres)</b>	237.074	126.181
<b>Units</b>	473	261
<b>Units / Acre</b>	2.00	2.07

	<u>Westlyn</u>	<u>Mongan/Montgomery</u>
<b>Amenity Area</b>	Yes	Yes
<b>Thoroughfare Plan</b>	Meets	Meets
<b>Vinyl Siding</b>	Prohibited	Prohibited
<b>Bump Outs / Curb Extensions</b>	No	Yes
<b>Side Load Garages</b>	Optional	<a href="#">Required for 54% of the lots</a>
<b>Sod</b>	Front Yard	Front Yard
<b>School Impact</b>	<a href="#">243 Students</a>	<a href="#">201-261 Students</a>

**Lot Size and Composition Comparison.** A comparison of the lot sizes and composition shows that the Pulte lot sizes are smaller than the prior proposal and that those smaller lots are more numerous than the withdrawn Lennar proposal.

This difference may be due to several factors:

- Lennar’s commitment to side load garages requiring wider lots
- Lennar’s utilization of conventional zoning classifications
- Pulte’s need to add more lots to achieve their pro-forma
- Differing consumer preferences



# TOWN OF PLAINFIELD PLAN COMMISSION REPORT

## RELATIONSHIP TO THE COMPREHENSIVE PLAN

As the proposed development began while the current *Thrive!* plan was in process, an analysis is shown below to both the 2016 Comprehensive Plan and the *Thrive!* plan.

### Type of Development

2016 Comprehensive Plan	Analysis	<i>Thrive!</i>
<p>While the 2016 Land Use plan does call for this area to be Single Family Detached, it also puts forth a growth strategy for the areas within the Town based upon proximity. This is meant to further refine and define specific areas within the 2016 Land Use plan.</p> <p>This area is within the Secondary Growth Area. This specifically states “<i>Growth within the secondary growth area will consist of single family detached land uses, but could also include areas of denser, single family attached and multi-family housing units. As residential development occurs, new streets and trails could be connected to the existing roadway network and existing neighborhoods.</i>”</p>	<p>Does not meet the intent or the spirit of the intent of either comprehensive plan.</p>	<p>The Thrive! plan calls out this majority of this area for <a href="#">Suburban Mixed Residential</a>, which, as the name implies, refers to the mixing of not only residential types, but also use types.</p> <p>While the secondary uses for this typology (office, commercial, specialty housing) may not be currently appropriate, the mixing of residential unit types is spelled out in the intent. This project has a single type of residential unit, single family detached.</p>

### Trail Connections

2016 Comprehensive Plan	Analysis	<i>Thrive!</i>
<p>Strategy/Objective: Create local bicycle and pedestrian connections to neighborhood commercial, civic, and recreational units.</p> <p>Strategy/Objective: Create and improve local pedestrian connections to community and recreational facilities to increase safety and accessibility.</p> <p>Strategy/Objective: Work closely with developers in the design phase to integrate trails and trail connections within emerging developments.</p>	<p>Despite the Town’s best efforts to keep connectivity at the forefront of the development, the applicant has chosen to move forward without a solid plan for connection.</p> <p>Additionally, the Sidewalk and Trail Master Plan calls for an uninterrupted connection between Main Street and Hadley Road.</p>	<p>Suburban Mixed Residential calls for “...connectivity between neighborhoods and other non-residential areas.” as well as seeking to “(e)ncourage integrated neighborhoods through shared open space amenities and vehicular/pedestrian connectivity.”</p> <p>Goal D.1.1. Align bike route initiatives and facilities with recommendations in the Sidewalk and Trail Master Plan Update (2021).</p> <p>Goal D.2.3: Continue to work closely with developers in the design phase to integrate trails and trail connections within emerging developments.</p>

### Vision Statement

2016 Comprehensive Plan	Analysis	<i>Thrive!</i>
<p>(The 2016 Comprehensive Plan has a three-page description of what Plainfield will be like in 2035, but no actual vision statement.)</p>	<p>The applicant has stated that they will need additional</p>	<p>“Through the creation and enhancement of places distinctive character, Plainfield will increase its desirability as a premier community in which to thrive.”</p>

# TOWN OF PLAINFIELD PLAN COMMISSION REPORT

temporary signage to distinguish the project from other projects in the area. This **does not** seem to reflect that a *place will have a distinctive character*.

## ORDINANCE REQUIREMENTS BASED REVIEW

### SUBDIVISION CONTROL ORDINANCE REQUIREMENTS

The following items are listed as requirements for a Primary Plat by the Plainfield Subdivision Control Ordinance. The Ordinance provides for certain elements at the discretion of the Commission to be deferred to the Secondary Plat either in full or for more detail.

No.	Requirement	Deferred/Provided
1.	Scale, date and north arrow;	Provided
2.	Legal description of the real estate to be subdivided;	Provided
3.	Area map insert showing the general location of the proposed subdivision with reference to major streets and section lines as well as all school district lines and zoning districts properly designated;	Provided
4.	Proposed name of the subdivision;	Provided
5.	Name, address, telephone number of the owner. If applicable, name address and telephone number of the agent representing the owner. Citation of last deed of record conveying title to each parcel involved in the proposed subdivision, including name of grantor, grantee, date and recording information;	Provided
6.	Accurate boundary lines of the proposed subdivision showing distance, bearings, angles and references to section corners, township and range lines;	Provided
7.	Names, centerlines and right-of-way widths of all existing streets, alleys and easements affecting or providing service to the proposed subdivision;	Deferred
8.	Layout, number and dimension of all lots with proposed setback lines;	Provided
9.	The complete text of any existing covenants on the property (if applicable);	No Known Existing Covenants
10.	Location, delineation and elevation of all floodway and floodway fringe areas within the boundaries of the subdivision;	Provided
11.	Location of all existing and proposed utility facilities and easements, including, but not limited to: sanitary sewer, water, storm water management, electric, gas, telephone and cable, if applicable;	Provided
12.	All improvements to the street system on-site and off-site, including measurement of curb radius and taper;	Provided

# TOWN OF PLAINFIELD PLAN COMMISSION REPORT

13.	Sidewalk plan (or alternate plan for pedestrian ways, when applicable);	Deferred
14.	The approximate location, dimensions and area of all parcels of land proposed to be reserved for park, conservation, wetland, common area, lake or other similar uses for the use of property owners within the proposed subdivision;	Provided
15.	Proposed covenants, commitments, conditions and restrictions for the subdivision;	Deferred
16.	A proposed address plan for the subdivision consistent with the address patterns established for the town and county; and	Deferred
17.	Any other information requested in writing by the Director, members of the Technical Advisory Committee or the Plan Commission deemed important to the development of the subdivision.	To Be Determined

The Director, in his or her sole discretion, may waive or relax any of the requirements listed above.

**Requested changes to the Plainfield Subdivision Control Ordinance.**

In Article 4.3. of the Westlyn Planned Unit Development, the applicant discusses compliance with Article 3.3, Section 4.a and that Article 4.3, Section 4.c not being applicable. Neither exist.

Additionally, Article 6.1 of the Plainfield Zoning Ordinance: Planned Unit Development District does not give authority to modify the Subdivision Control Ordinance. In the occasions where the Subdivision Control Ordinance is mentioned in that Article, it specifically defers to the provisions of the Subdivision Control Ordinance.

The Subdivision Control Ordinance (SCO) puts forth a means by which waivers to that ordinance can be granted. This is in Article 4 of the Plainfield Subdivision Control Ordinance shown below.

Plainfield Subdivision Control Ordinance	Analysis
<b>ARTICLE 4. WAIVERS</b>	
<b>§ 4.1 GENERAL.</b>	
<p>The Plan Commission may grant waivers to the requirements, standards and specifications of this ordinance as set forth below.</p> <p>(Ord. 22-97, passed - -1997)</p>	<p>The Subdivision Control Ordinance references only the text below for waivers, not the Plainfield Zoning Ordinance (PZO) in general nor PZO 6.1: Planned Unit Development District</p>
<b>§ 4.2 WAIVERS OF SUBDIVISION CONTROL ORDINANCE REGULATIONS.</b>	
<p>Where the Plan Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations or the purposes and intent of these regulations may be served to a greater extent by an alternative proposal, it may approve waivers to the standards and specifications set forth in this ordinance so that substantial justice may be done and the public interest served, provided that such waivers shall not have the effect of nullifying the intent and purpose of this ordinance.</p> <p>(Ord. 22-97, passed - -1997)</p>	
<b>§ 4.3 WAIVER GUIDELINES.</b>	
<p>The Plan Commission shall not approve waivers unless it shall make written findings based upon the</p>	<p>1. The guidelines treat the Plainfield Zoning Ordinance and the Comprehensive Plan as documents and rules independent of the</p>

# **TOWN OF PLAINFIELD PLAN COMMISSION REPORT**

evidence presented to it in each specific case that:

- (A) The granting of the waiver will not be detrimental to the public safety, health or welfare, or injurious to other property;
- (B) The conditions upon which the request for a waiver is based are unique to the property for which a waiver is sought and are not applicable generally to other property;
- (C) Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out;
- (D) The waiver will not contravene the provisions of the Town Zoning Ordinance or the Comprehensive Plan; and
- (E) Where the waiver impacts on the design, construction or maintenance obligations of public facilities, that the appropriate public agency has reviewed and approved the proposed development in writing to the Plan Commission.

(Ord. 22-97, passed - -1997)

#### **§ 4.4 PROCEDURES FOR REVIEW OF WAIVER REQUESTS.**

At the time of filing a petition for primary plat approval for consideration by the Plan Commission, the petitioner shall submit a detailed written statement of all waivers of this ordinance sought which shall fully state the grounds for the request and file proposed detailed written findings of fact in support of such waiver request. Only those standards and specifications specifically described in the request may be waived by the Plan Commission.

(Ord. 22-97, passed - -1997)

#### **§ 4.5 JURISDICTION OF WAIVERS.**

(A) It is not within the powers or jurisdiction of the Board of Zoning Appeals to grant waivers of any of the regulations of this ordinance. Only the Plan Commission shall have the authority to waive any of the regulations in this ordinance.

(B) It is not within the powers or jurisdiction of the Plan Commission to grant a variance of use, a variance of development standards, or to approve a special exception use. Only the Board of Zoning Appeals shall have the authority to grant a variance of use, a variance of development standards, or to approve a special

Subdivision Control Ordinance

- 2. Having not submitted the required waivers as per the regulations, the applicant has prevented the Town of Plainfield, the Indiana Department of Transportation, and other public agencies to provide written comment.

The applicant did not follow the procedures required by the Subdivision Control Ordinance, preventing public agencies from reviewing the proposed modifications prior to the Plan Commission hearing.

# TOWN OF PLAINFIELD PLAN COMMISSION REPORT

exception use.

(Ord. 22-97, passed - -1997)

## POTENTIAL MOTIONS.

The following motions are provided to the Plan Commission for the possible decisions that can be made on each of the petitions: **favorable/approve**, **unfavorable/deny**, and **continue**.

Conditions and/or commitments can be added as the Commission deems appropriate, even if no conditions or commitments have been provided/proposed by the applicant or Town Staff.

### MOTION 1: Planned Unit Development

I move that the Plan Commission certify **PUD-25-015** with a(n) **favorable recommendation / unfavorable recommendation / no recommendation** subject to the following condition(s):

1. Tabling of PP-25-015 until the applicant has provided a constructable means for trail connectivity.
2. Article 4.3 of the Westlyn Planned Unit Development and any Articles, Sections, and/or Subsections of the Planned Unit Development that denote modifications, deletions, or amendments to the Plainfield Subdivision Control Ordinance shall be struck;
3. Section 5 of the Westlyn Planned Unit Development shall be struck and all signage shall follow the regulations of the Town of Plainfield sign ordinance applicable as of the date of permit filing.
4. The following language in Article 4.1.D shown as struck through shall be removed as this is not germane. This is a fiscal decision for the Town Council and has historically not been within the purview of the Plan Commission.

~~Future Segments of Local Residential Collectors. Right-of-way for future segments of the Local Residential Collector depicted in gray on Exhibit G attached hereto shall be dedicated to the Town as relevant sections of the Community are platted. Said right-of-way will be cleared and graded by the developer but need not be further improved by the developer. The developer shall receive a dollar-for-dollar credit against the Town of Plainfield Road Impact Fees for the amount of the actual costs incurred in planning, financing, and construction any improvements it may make with regard to the future road segments, including, without limitation, the clearing and grading required pursuant to this Section 4.1.G. The developer will post signage at the locations indicated by the red dots on Exhibit G that the right-of-way is intended for future road connections.~~

### MOTION 2: Primary Plat

I move that the Plan Commission **approve / deny / continue** **PP-25-015** requesting approval of a primary plat for the Westlyn subdivision, a 473 lot subdivision on 237.738 acres +/- proposed to be rezoned to the Westlyn Planned Unit Development finding that:

1. Adequate provisions **have / have not** been made for regulation of minimum lot width, minimum lot depth and minimum lot area;
2. Adequate provisions **have / have not** been made for the widths, grades, curves and coordination of subdivisions public ways with current and planned public ways; and
3. Adequate provisions **have / have not** been made for the extension of water, sewer, and other municipal services.

And that such approval shall be subject to the following conditions:

1. Compliance with the Town Standards, including but not limited to the following Chapters of the Plainfield Town Code;
  - Chapter 51: General Sewer Use and Wastewater Pretreatment

## ***TOWN OF PLAINFIELD*** **PLAN COMMISSION REPORT**

- Chapter 52: Water Regulations;
  - Chapter 55: Drainage;
  - Chapter 56: Storm Water;
  - Chapter 93.15: Access to Public Streets and Thoroughfares;
  - Chapter 152: Flood Hazard Reduction; and,
  - Chapter 153: Subdivision Control Ordinance
2. Substantial compliance with the primary plat submitted for approval.
  3. Approval is subject to the ratification of the Zone Map Amendment ordinance by the Town Council.