



ADVISORY PLAN COMMISSION STAFF REPORT

Application No: 2022-APC-04

Meeting Date: October 25, 2022

Subject: Zoning Map Amendment (Rezone)

Summary: Rezone of 18.54 acres to the R-1 Residential District for the purpose of dividing the subject lot into 2 estate parcels which are approximately 9 +/- acres in lot size.

Petitioner: Millennium Force, LLC (Brian Scholz)
Land Owners: Trinity Horizons Incorporated

Location: The property is on the east side of Waters Way East, South of Perry Lane and Penny Court.

Parcel Size: 18.54 acres

Tax Identification: (32-02-31-100-001.000-019)

Recommendation: Approval

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Procedure

Proposed zoning map amendments (rezones) are considered by the Plan Commission and ultimately approved or rejected by the Town Council. Before making a recommendation to the Town Council, the Plan Commission must hold a publicly advertised hearing. The public hearing is advertised in *The Republican* one time, at least 10 days before the hearing. Public notice must also be sent to surrounding property owners to a depth of 660 feet or two ownerships, whichever is less. After the Plan Commission conducts the hearing and makes a recommendation, the proposed zoning map amendment is placed on the agenda for the next Town Council meeting. If the Town Council approves the proposal, it immediately becomes effective. If the Town Council rejects the proposal, the proposal cannot be reconsidered within a period of one year from the date of such disapproval, unless the Commission finds that there is a substantial change in the petition or circumstances affecting the petition.

Indiana Code 36-7-4-603 requires that in the consideration of zoning map amendments, reasonable regard shall be paid to:

1. Whether the proposed amendment is consistent with the goals, objectives, and policies of the Comprehensive Plan, as adopted and amended from time to time by the Town Council;
2. Whether the proposed amendment is compatible with current conditions and the overall character of existing development in the immediate vicinity of the subject property;
3. Whether the proposed amendment is the most desirable use for which the land in the subject property is adapted;
4. Whether the proposed amendment will have an adverse effect on the value of properties throughout the jurisdiction; and
5. Whether the proposed amendment reflects responsible standards for development and growth.

Background

The petitioner approached the Town earlier this year regarding a potential division for rural estate lots on the subject property.

The applicant filed the rezone application on August 22, 2022. Notice of the public hearing was published in *The Republican* on Thursday, October 13, 2022 and mailed to nearby property owners on Wednesday, October 12, 2022.

Correspondence

As of writing this report, staff hasn't received any comments from the public.

Standards for Evaluating Zoning Amendments

1. The proposed amendment is consistent with the goals, objectives, and policies of the Comprehensive Plan, as adopted and amended from time to time by the Town Council:

The Town of Pittsboro Comprehensive Plan, most recently amended in late 2021, recommends "Medium Density Residential" development for the subject property. This land use classification is described as:

Medium Density Residential District-This district is established to promote the development of traditional single family detached subdivisions. Small amounts of single family attached dwellings or duplexes may be included as a component of a larger development where overall density reflects adjacent development. Limited public and institutional uses are also appropriate. These neighborhoods should include coordinated open spaces and amenities,

have adequate access to transportation systems, and must be served by public utilities. Gross densities will generally be between 1.5 and 2.5 units per acre.

The proposed development is reflective and consistent to the following Objectives of the Pittsboro Comprehensive Plan:

- A. Promote redevelopment infill, and reconfiguration of underutilized properties already within the Town.
 - B. Encourage residential development that reflects surrounding residential character and intensity to maintain the image representative of Pittsboro.
2. The proposed amendment is compatible with current conditions and the overall character of existing development in the immediate vicinity of the subject property:

Current conditions surrounding the subject property are defined by established residential and agricultural land uses. The area immediately north of the subject property, is North Park Subdivision, an established single-family residential use, but is zoned to the Planned Unit District Zoning District. Immediately west of the subject property is zoned "A" Agricultural and currently in cultivation of crops. East of the property contains the Pittsboro Maintenance Facility, zoned Pittsboro Public Works "PPW", and south of the property contains individual single-family residences, zoned R-2.

3. The proposed amendment is the most desirable use for which the land in the subject property is adapted because:

The intended use of the R-1 property would develop 2 units on 18.54 acres which provides a low-intensity use of the planned Medium Density Land Use Classification.

4. The proposed amendment will not have an adverse effect on the value of properties throughout the jurisdiction because:

Surrounding agriculture uses will not be adversely affected. The proposed 2 lots on 18.54 acres will not impair or impede surrounding lands from operating. The additional assessed value of the property will not impact or create diminution of adjacent property values.

5. The proposed amendment reflects responsible standards for development and growth:

The zoning amendment to R-1 would facilitate responsible growth as the property is benefitted by nearby supportive roadway and utility infrastructure. This area has been planned for moderately density residential uses and the proposed allowance of 2 lots would represent a less intensive use of R-1 zoning district.

Attachments

1. Zoning Amendment Application

Recommendation

Staff recommends that the Plan Commission forward a favorable recommendation with the following Voluntary Commitments to the Town Council for the rezone of 18.54 acres from the R-1 Zoning District based on the ability to meet the Statutory Criteria of Indiana Code 36-7-4-603:

The applicant voluntarily commits to restrict the density in the subject R-1 Zoning District to 2 units on 18.54 acres.