



ADVISORY PLAN COMMISSION STAFF REPORT

Application No: 2022-APC-07

Meeting Date: June 28, 2022

Subject: Secondary Plat

Summary: Petitioner requests secondary plat approval for the subdivision of approximately 128.4 acres into 220 lots, associated common areas and rights-of-way. This is Section 2 of the development. They will be constructing 43 lots on approximately 25 acres.

Petitioner: Pyatt Builders

Location: 1101 E Wall Street, Pittsboro, IN 46167

Parcel Size: 25 of 128.4 acres (approximate)

Existing Zoning: Hidden Hills Planned Unit Development District

Recommendation: Approve

Prepared By: Cynthia Bowen, FAICP
cbowen@reosite.com
317-263-0127

Procedure

The process of dividing land into smaller, developable lots is accomplished with a subdivision plat. While this is most thought of regarding a residential subdivision, land is also subdivided for commercial or industrial purposes. The subdivision process is controlled by Indiana Code § 36-7-4-700. Per statute, the subdivision review process is broken into two parts: Primary Plat and Secondary Plat. The Plan Commission has exclusive authority in the review and approval of all subdivisions covered by the Unified Development Ordinance (UDO).

The primary plat is the initial plat and supporting documentation showing the proposed layout of the subdivision given the standards of the UDO. Before approving or denying a primary plat, the Plan Commission must advertise and hold a public hearing. If the primary plat meets the requirements of the UDO, it should be approved. As part of the application, the applicant may request a waiver(s) from standards fixed in the UDO. As a condition of granting a waiver, the Plan Commission may allow or require a commitment to be made.

Following approval of the primary plat, the applicant may request approval of the secondary plat. The secondary plat includes the final layout and dimensions of the lots that will be created. Construction plans for proposed improvements including site grading, streets and sidewalks, sanitary sewers, storm sewers, and water infrastructure are also submitted with the secondary plat. The Plan Commission approves all secondary plats, but no public hearing is held.

Background

The property was annexed into the Town after petition by the property owner and adoption of a fiscal plan and annexation ordinance by the Town Council in February 2021. Pyatt Builders applied for rezone to and approval of a Planned Unit Development (PUD) district ordinance and concept plan in late June. It was approved by the Town Council on August 17, 2021.

The primary plat petition was filed on September 1, 2021. The primary plat was approved on September 28, 2021 by the Plan Commission.

Pyatt Builders submitted the application for the secondary plat on June 1, 2022. There was a Technical Advisory Committee meeting on June 8, 2022. Meeting notes are attached. Pyatt Builders provided revised drawings by June 17, 2022.

Correspondence

Secondary plat applications do not require a public hearing and as such, public notice is not published or sent to neighboring property owners.

Summary

Technical Advisory Committee:

- The TAC Report is included as Attachment 3.
- All comments have been addressed in the updated plat dated June 17, 2022.

Waivers:

None requested.

Secondary Plat Standards:

Plans comply.

Zoning District Standards:

Plans comply.

Attachments

1. Secondary Plat Application
2. Secondary Plat
3. Technical Advisory Committee Report

Recommendation

Staff recommends **approval** of the secondary plat for Hidden Hills Section 2 Final Plat. Before the plat is signed by the President and Secretary of the Plan Commission and recorded, the applicant shall:

1. File a performance bond or irrevocable letter of credit with the Town Council in accordance with the provisions of Section 9.13 of the Unified Development Ordinance if the required improvements of the subdivision have not been completed; or
2. Submit a final inspection report identifying improvements as approved and ready for acceptance by the Town.
3. Work with the Town's Planning and Zoning Department to discuss the removal of mature trees from the property prior to their removal.

Motions

1. Motion to approve the secondary plat for Hidden Hills Section 2 Final Plat, subject to the aforementioned conditions.
2. Motion to deny the secondary plat for Hidden Hills Section 2 Final Plat (specify deficiencies).
3. Motion to continue Application 2022-APC-07 to the July 26, 2022 Advisory Plan Commission Meeting.

Pittsboro Plan Commission

PLAT APPLICATION

Please Select One:

- Major Primary Plat** – This Plat lays out the overall development in its entirety. *All commercial and industrial development requires a Major Primary Plat.*
- Major Secondary Plat** – This follows the Primary Plat and is the actual division of the land for sale and development. *This is for developments pursued in phases.*
- Minor Residential Plat** – This is for the division of a single tract of land into four (4) or less residential tracts.
- Minor Agricultural Plat** – This is for the division of an agricultural tract into two agricultural tracts. *Minor Agricultural Plats do NOT require a hearing of the Plan Commission.*
- Plat Amendment** – This is to modify an existing, recorded plat.

1. Applicant(s)

Check One: <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Lessee <input type="checkbox"/> Contract Purchaser <input type="checkbox"/> Other: _____			
Name: Pyatt Builders			
Address: 630 3rd Avenue SW, Suite 200, Carmel, IN 46032			
Phone: 317-714-3346	Fax:	Email: paul@pyattbuilders.com	

2. Property Owner(s)

If Applicant is not the Owner, attach completed **Attachment A: Affidavit of Ownership**

<input type="checkbox"/> Check if owner and applicant are same party.		
Name: Fisher-Hill Family Farms, Inc.		
Address: 4455 E. County Road 750 N, Pittsboro, IN 46167		
Phone:	Fax:	Email:

3. Applicant's Contact Person, Attorney, and/or Project Engineer/Surveyor (if any)

Any persons identified within this section are authorized to act on behalf of the petitioner.

Check One: <input type="checkbox"/> Attorney <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Engineer <input type="checkbox"/> Surveyor <input type="checkbox"/> Other: _____			
Name: Paul Claire, Vice President of Land Acquisition and Development			
Address: 630 3rd Avenue SW, Suite 200, Carmel, IN 46032			
Phone: 317-714-3346	Fax:	Email: paul@pyattbuilders.com	

Check One: <input type="checkbox"/> Attorney <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Engineer <input type="checkbox"/> Surveyor <input type="checkbox"/> Other: _____		
Name: Robert Staton / Banning Engineering, P.C.		
Address: 853 Columbia Rd, Suite 101, Plainfield, IN 46168		
Phone: 317-707-3741	Fax: 317-707-3800	Email: rstaton@banning-eng.com

4. Site Information

If only part of a parcel is requested for the Zoning Amendment, then write "PART" after the Tax Parcel Identification Number(s).

Tax Parcel Identification Number(s): Part of 32-02-31-400-002.000-019
Address: (Number and Street): 1101 E. Wall Street
Address: (City, Zip Code, State): Pittsboro, IN 46167
If no address, please provide a general street location from the closest street intersection:

5. Plat Information

Current Use of Property: <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Other: _____	
Zoning District: PUD	Comprehensive Plan Designation: Medium Density Residential
Name of Subdivision (major plat only): Hidden Hills, Section 1	
Annexation Proposed: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Project Area (acres): 25 +/-
Proposed number of lots: 43	Proposed number of entrances/exits: 2 / 2
Public Utility upgrades proposed: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Overlay District (if applicable): _____

The undersigned states the above information is true and correct as (s)he is informed and believes.

Signature(s) of Applicant(s);

Date:

[Handwritten Signature]

5/12/22

Notary Statement

Sworn to and subscribed before me the

12th day of May, 2022

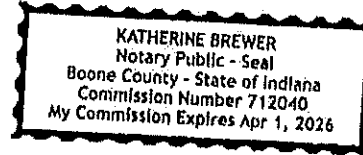
Notary Public in and for the State of Indiana.

[Handwritten Signature] / Katherine Brewer

Notary Public / Printed

Seal

My Commission expires: April 1, 2026



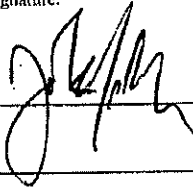
For Office Use Only			
Date Filed:	Public Notice:	Newspaper Ad:	
Date of PC Hearing:	Complete and Accepted on:		
Decision of PC	<input type="checkbox"/> Unfavorable	<input type="checkbox"/> Favorable	<input type="checkbox"/> Favorable with Conditions
Conditions:			

Attachment A: Affidavit of Ownership

Town of Pittsboro, Indiana

If the owner(s) of the subject property are giving authorization for someone else to apply for the petition, this Attachment is to be completed and submitted at the time of application.

I (WE), Fisher-Hill Family Farms, Inc. (Name(s) of owner(s) of subject property), do hereby certify that I (We) am (are) the owner(s) of the property legally described as 32-02-31-400-002.000-019 (Hendricks County Parcel Identification Number), and hereby certify that I (We) have given authorization to Pyatt Builders, LLC (Name of Petitioner/Representative), to apply for the PUD Concept Plan and Master Plan (application type) for My (Our) property.

Name of Owner(s):	Parcel Identification Number	Signature:	Date:
John T. Hill	32-02-31-400-002.000-019		6/29/2021

NOTARY STATEMENT

Sworn to and subscribed before me the 29 day of June, 2021
 Notary Public in and for the State of Indiana

Jennifer D. Dininger / Jennifer D. Dininger
 Notary Public / Printed

My Commission expires: 5-29-2027

