

#### Danville Plan Commission October 12, 2021 7:00 PM

#### **AGENDA**

- I. Call Meeting to Order
  - Pledge of Allegiance
  - Establish Quorum
  - Approve Minutes
- II. Old Business: None
- III. New Business:
  - A. Site Plan Review, Kensington, Section 3, Amenity Area, Common Area #3-1, located on the south side of Kensington Drive, east of the main entrance, 1.47 acres.

(Kimley-Horn Associates, Inc.)

- B. The Bevy, Final plat approval for a 66 lot major subdivision located on the north side of 10<sup>th</sup> Street, west of County Road 200 East, 20.88 acres. (Nathan White, Benchmark Consulting)
- C. Public Hearing: Preliminary Plat approval for a major subdivision to be known as Miles Farm, located on the north side of West Main and east side of County Road 200 West, 958 lots, 387.85 acres.

(American Structurepoint, Inc.)

- D. Quail West, Final plat approval for a 168 lot major subdivision, located on the east side of County Road 200 East, north of East Main Street, 59.70 acres. (American Structurepoint, Inc.)
- IV. Other Business:

Seeking Consensus to move Plan Commission Meetings to Wednesday's

V. Report of Officers, Committees and Staff

**Discussion of Comprehensive Plan Joint Meeting** 

VI. Adjourn

**Next Meeting:** 

November 8, 2021

#### **DANVILLE PLAN COMMISSION MINUTES September 13, 2021** 7:00 p.m.

Members Present:

Barry Lofton, Loris Thompson, Sue Rempert, and Jill Howard, Greg Vanlaere, and

Members Absent

Adam Harvey, Chris Gearld

Staff Present:

Lesa Ternet and Mark Morgan

Guests:

Matt Ellison, Kent Elliott, Bubba Stultz, & Scott Walker

A quorum was established, the meeting was called to order by President Loris Thompson. The minutes from the July 12, 2021, minutes were approved with corrections.

Old Business: NONE

#### **New Business:**

Public Hearing: Text Amendment (Ordinance 28-2021) to Remove Section 3.7.b.i an Amend Section 3.3.7b., b.ii, and Figure 3-2, Final Procedure (Secondary Approval) of the Subdivision Control Ordinance.

L. Ternet explained the purpose for the amendment to the Subdivision Control Ordinance is to require all final approvals of plats or site plan reviews to be heard by the Plan Commission. This will a more structured schedule for granting final approvals and allow the Plan Commission to see the final design of projects.

Loris Thompson opened the public hearing, and no one came forward to speak. L. Thompson closed the public hearing.

S. Rempert made a motion to send a favorable recommendation on the ordinance amendment to the Town Council. B. Lofton seconded the motion.

#### **Roll Call Vote**

Loris Thompson – Aye Jill Howard - Aye Greg VanLaere - Aye Barry Lofton - Aye S. Rempert - Aye

L. Ternet stated the next item on the agenda was a brief presentation on the proposal for the installation of the new Water Treatment Plant and Inground Water Storage Tank to be located at the north end of Ellis Park.

- M. Ellison approached the Commission and briefly described the plant location and facility operations of the proposed water treatment plant. K. Elliott stated that utilities are exempt from zoning for construction and the project has been bid for next March or April.
- M. Morgan discussed the possibility of moving all of the Towns Board and Commission meeting to Wednesdays in order to provide consistency for the citizens of Danville. M. Morgan further stated staff would be asking for approval to move the Plan Commission meetings to Wednesdays in October.
- M. Morgan further stated the staff is currently working on preparing a Request for Proposal for the development of a Unified Development Ordinance which combines the Zoning and Subdivision Control Ordinances into one document.

There being no further business, the meeting	ng was adjourned at 8:20 p.m.
Loris L. Thompson, President	Barry Lofton, Secretary

# **Meeting Briefing**

October 12, 2021

Final Site Plan Approval for a Kensington Section 3, Amenity Area
This is a request to approve the amenity area for the Kensington Subdivision.
This is not a public hearing and the plans are included in your packet of information. This requires a vote.

Final Plat & PUD Approval for a major subdivision to be known as The Bevy This project is requesting a continuance in order to allow additional time to seek a waiver the Stormwater Technical Standards. This requires a vote.

# <u>Preliminary Plat & PUD Approval for a major subdivision to be known as</u> Miles Farm

This is a request to approve a mixed use Planned Unit Development. This is a public hearing, and a copy of the PUD ordinance is included in your packet of information. A letter from Greg Black is also included in the packet. This requires a vote.

# <u>Final Plat & PUD Approval for a major subdivision to be known as Quail</u> West

This is a request to approve a 92 single family units and 76 two family units plat and PUD. This is not a public hearing. This requires a vote.

## **CASE SUMMARY**

#### Site Plan Review

Case:

#2021-2078

Kensington, Section 3, Amenity Area, Lennar Homes, petitioner

Kimley-Horn & Associates, Inc.

Request:

Site plan approval

Location:

Kensington Drive, Common Area #3-1

Acreage:

1.47 acres

Zoning:

Planned Unit Development (PUD)

#### Staff Summary:

#### **Zoning:**

 This is a request to construct an amenity area consisting of a pool, pool house, playground area and parking facilities for the Kensington residential PUD development. The plat and construction plans have been approved for this section of Kensington; however, the details of the amenity area were not provided at that time.

#### **Utilities:**

- Water will be provided as part of this section of Kensington. A separate water meter will be provided for the pool facility.
- Sanitary sewer will be provided by West Central Conservancy District.

#### **Public Streets/Public ROW:**

No new public streets will be constructed as a result of this project.

#### Stormwater/Drainage:

• The Town's engineer reviewed the drainage plans during approval of the construction plans for this section.

#### Landscaping/Screening:

The applicant has provided landscaping for the parking lot as required by the Danville Zoning Ordinance.

#### Lighting:

The applicant has stated that building lighting is the only lighting proposed for this
area. The proposed building lighting should be full cutoff to eliminate any light
spillage onto the residents.

#### Signage:

• The applicant has not indicated there will be any signage on this site. If a sign is

proposed in the future, a permit will be required prior to installation.

#### **Additional comments:**

The plans do not show a staging area for construction equipment. The petitioner must address this in order to avoid blocking any public rights of way during construction.

Staff recommends approval of the site plan based on comments by staff.

#### Plan Commission Action on Site Plan:

Approve Site Plan
Deny Site Plan
Approve Site Plan with conditions



Sheet List Table Sheet Number Sheet 7
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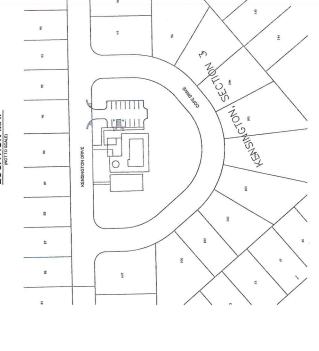






# AMENITY AREA DANVILLE, INDIANA

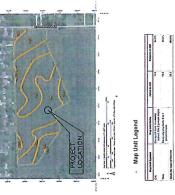
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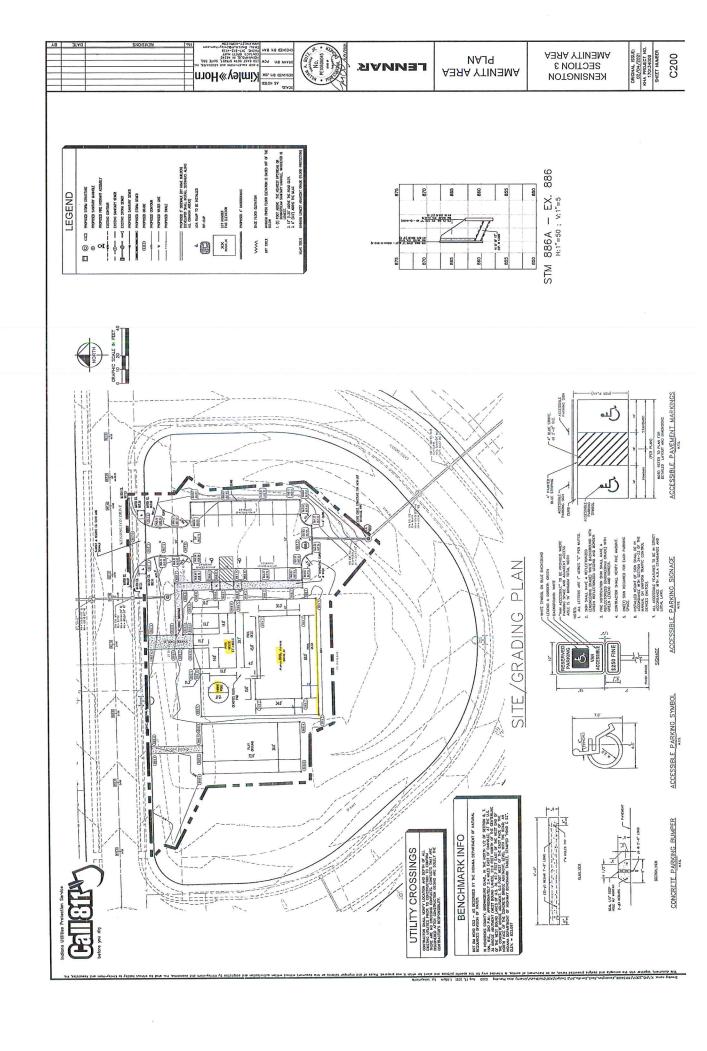


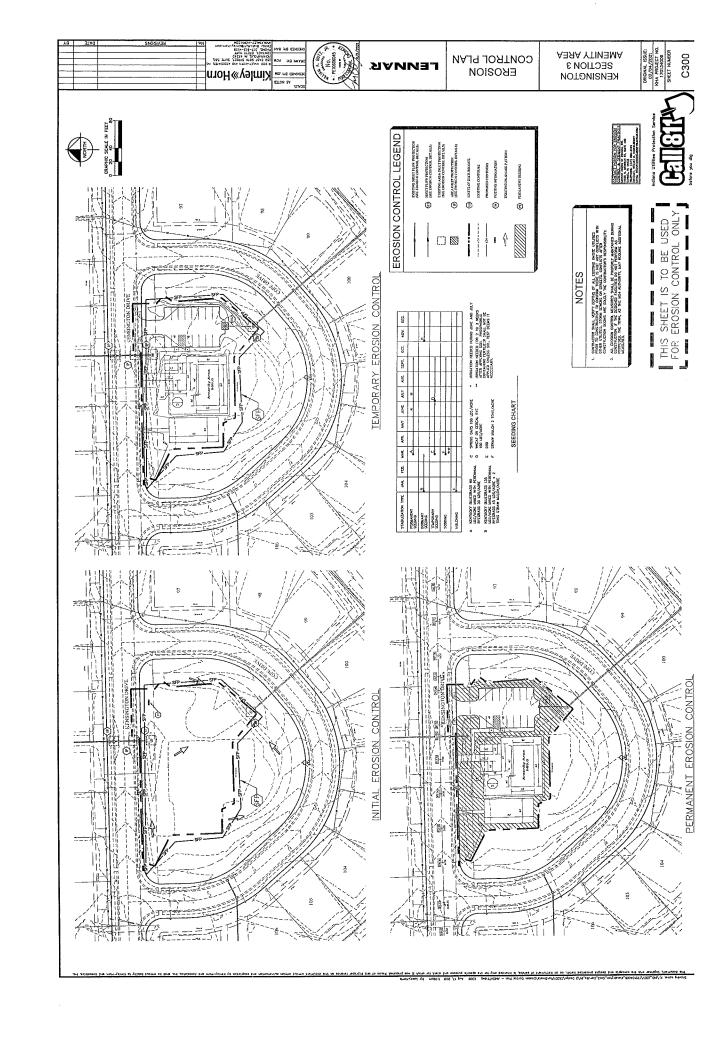


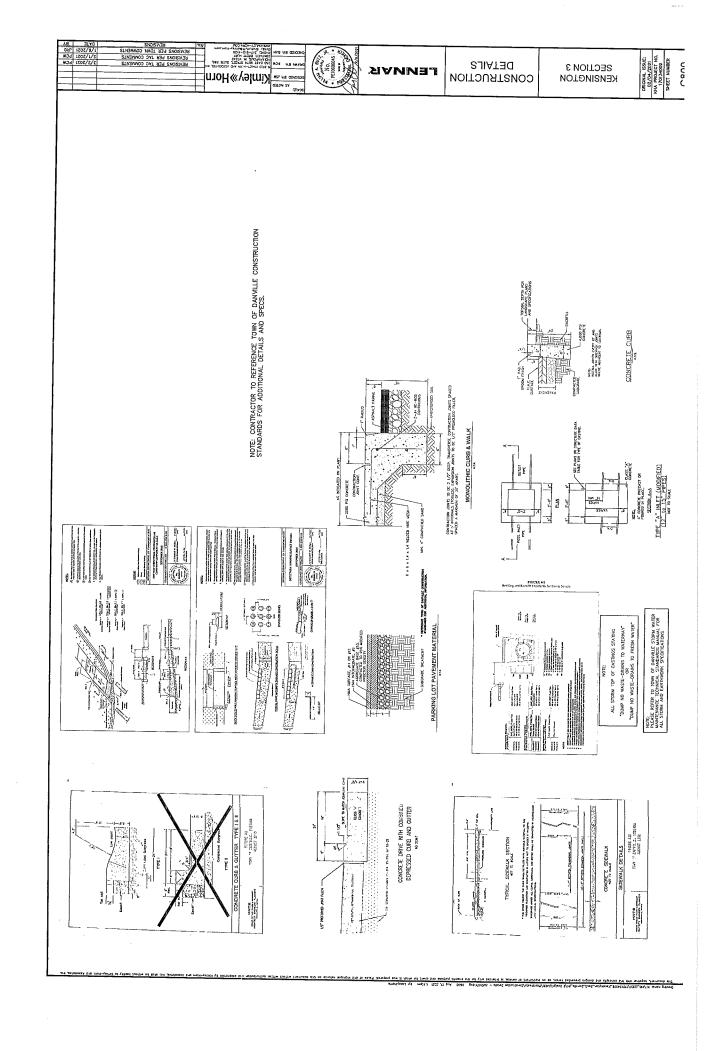


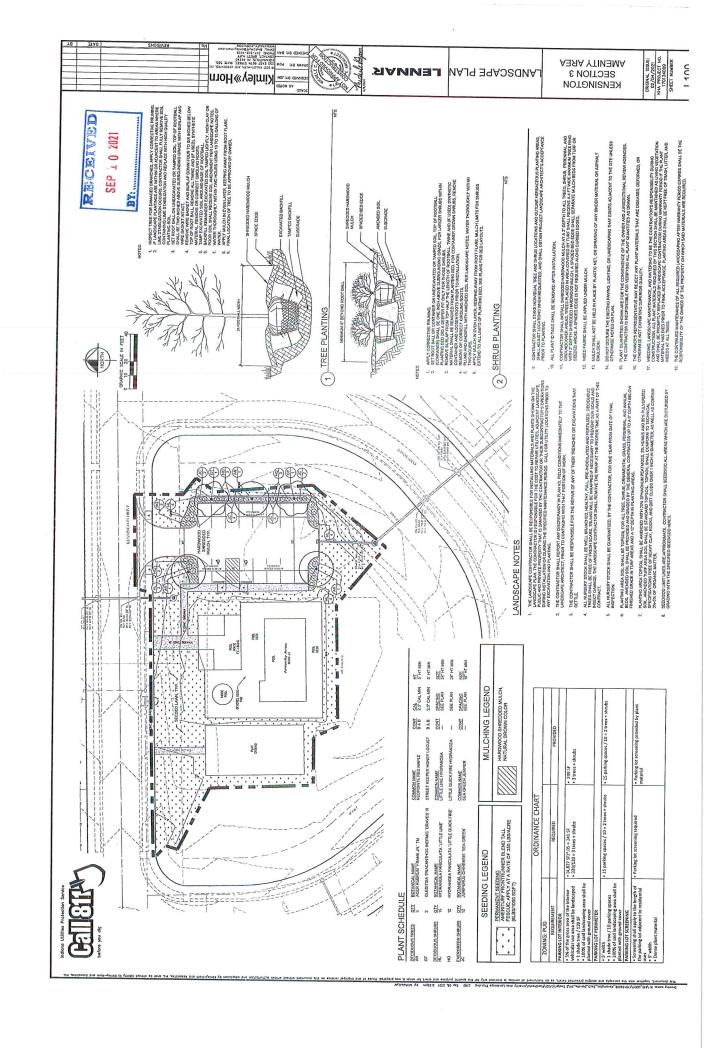


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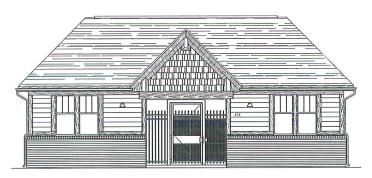
#### A NEW POOL HOUSE FOR

# **KENSINGTON POOL HOUSE**

**SECTION 3 AMENITY AREA** 

DANVILLE, INDIANA



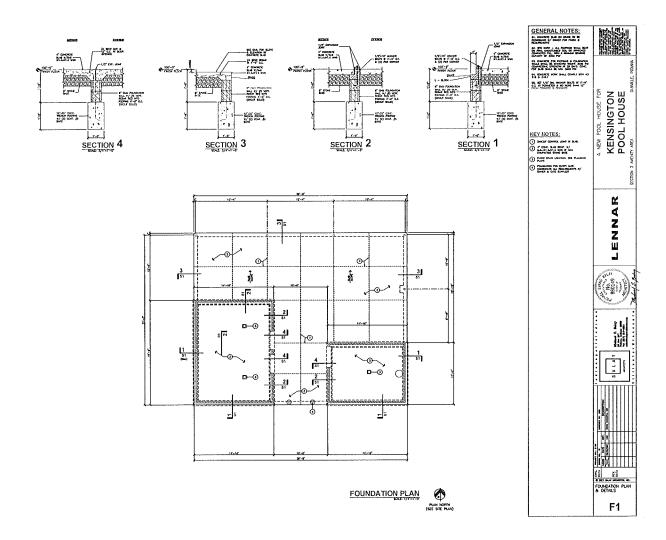


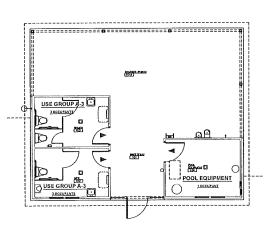
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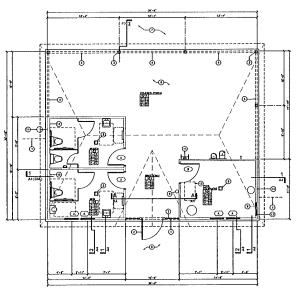


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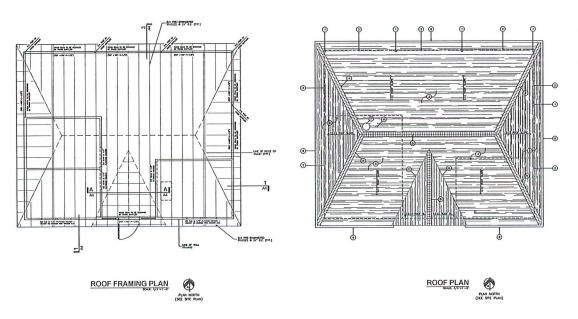


FIRE & LIFE SAFETY PLAN

FLOOR PLAN

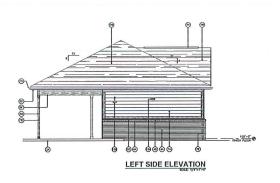
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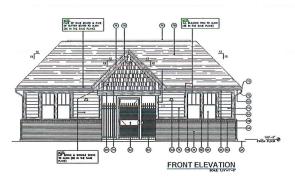


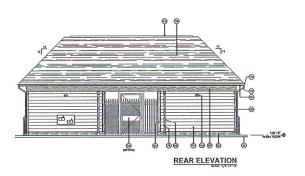


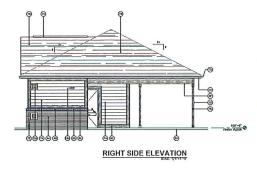


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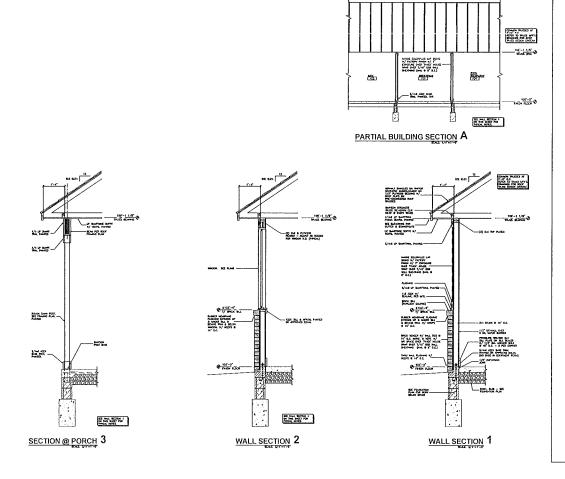






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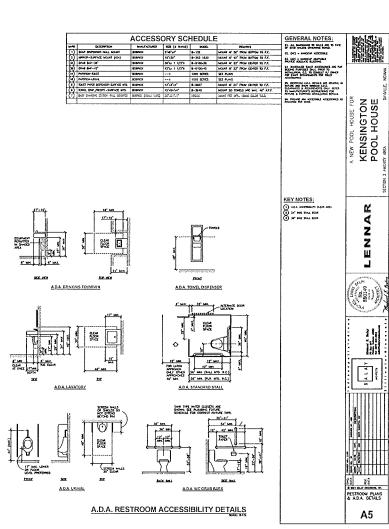
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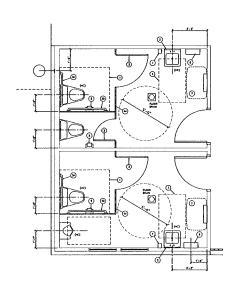
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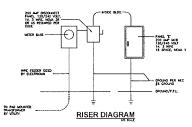
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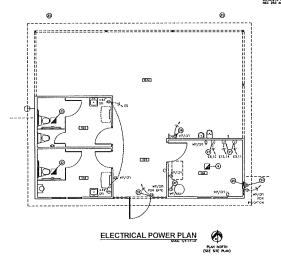
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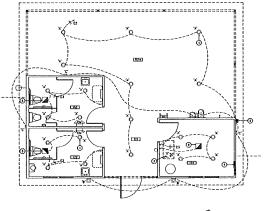
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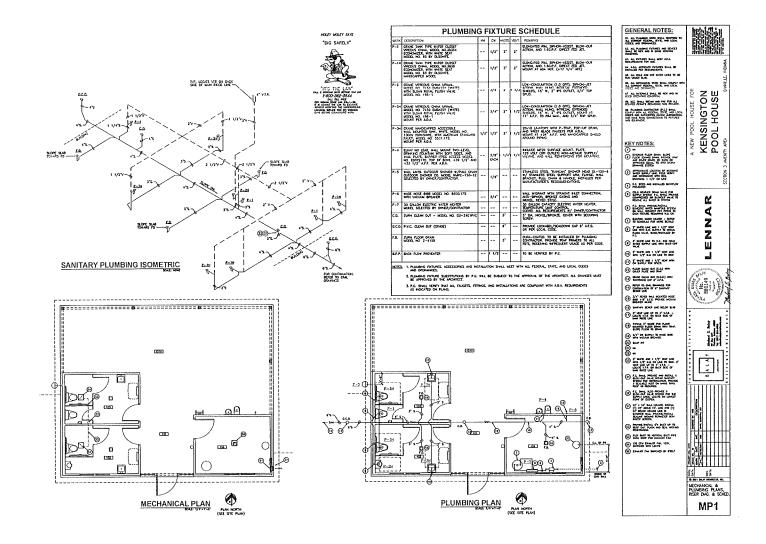


ELECTRICAL LIGHTING PLAN





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# **CASE SUMMARY**

#### Final Plat & PUD Request

**Case:** #2021-2079

Pyatt Builders, LLC, Petitioners

Benchmark Consulting, Inc., Engineer

**Request:** Final Plat & PUD Approval of a 66-lot Major Subdivision (the Bevy)

**Location:** North Side of 10<sup>th</sup> Street, West of CR 200 East

Acreage: 20.88 acres

**Zoning:** Planned Unit Development (PUD)

#### **Staff Summary:**

The petitioners of the above referenced project have requested a 30-day continuance in order to apply for a waiver of the Stormwater Technical Standards requirements for the pond slopes and ledges.

Staff is not opposed to this request for additional time to submit a waiver request.

Plan Commission Action:

Approve Continuance Request Deny Continuance Request

## **CASE SUMMARY**

#### Preliminary Plat and PUD Request

Case:

2021-2080

D.R. Horton - Indiana, LLC, John Moore, Attorney

Request:

Preliminary Plat and PUD Approval (Miles Farm)

Location:

155 North County Road 200 West & 1322 West US Highway 36

(Approximate)

Acreage:

387.85 acres

Zoning:

Planned Unit Development (PUD)

#### **Staff Summary:**

This property was rezoned on May 19, 2021 and annexed into the Town of Danville on April 7, 2021. This project consists of 958 residential dwelling units with varying lot sizes and dwelling sizes. The development consists of two (2) commercial areas known as Miles Farm Business Park East & West consisting of approximately 31 acres for future development. There is a Southeast Development Area to be dedicated to the Town of Danville for a Community Park, Sports Field and Athletic Fieldhouse, Fire Station and a common area (P) set aside for construction of a water tower.

As part of the PUD rezone, the developer committed to contributing \$50,000 to assist the Town with an engineering study for a relief road extension to mitigate traffic through town. A Traffic Committee was formed, and the Indiana Department of Transportation (INDOT) requested there be additional right of way dedicated along the eastern boundary of the property for a future connector from Mackey Road to S.R. 39 North. The developer has agreed to the additional right way and the plans reflect those changes. Nothing else changed on the PUD.

#### **Staff Comments:**

- 1. The plans show what appears to be a building in the area of Block 1 that is not labeled. Clarification must be provided.
- 2. Street trees must be located outside of the grass area between the curb and sidewalk prior to final approval.
- 3. Joe Miller, Banning Engineering, the Town's engineer, has reviewed the preliminary plat and recommends approval based on the response to his letter dated September 27, 2021.

Following the public notice, staff received inquiries from adjoining property owners either by coming into the office or by letter. Any letters provided have been included in your packets.

Staff recommends approval of the preliminary plat request based on compliance with the PUD ordinance and petitioner's response to comments made by the Technical Advisory Committee on September 23, 2021.

#### Plan Commission Action:

Approve Final Plat & PUD Request Approve Final Plat & PUD Request with Conditions Deny Final Plat & PUD Request



September 24, 2021

Lesa Ternet, Planner Town of Danville 49 N. Wayne St. Danville, IN 46122

RE: Miles Farm Subdivision – Preliminary Plat Storm Review

Dear Ms. Ternet:

I have reviewed the construction plans received September 2021. I have the following comments:

- 1. Offsite basins need to be included in the drainage analysis.
- 2. Use the pond grading detail from Chapter 6 Page 10 within the stormwater ordinance.
- 3. One outlet appears to not meet the ordinance per the chart provided, please revise.
- 4. All pipes within ROW need to be concrete.

All the best,

Joseph L. Miller, P.E.





September 27, 2021

Mr. Joseph L. Miller Banning Engineering 853 Columbia Road, Suite 101 Plainfield, Indiana 46168



Re: Miles Farm Subdivision – Preliminary Plat Storm Review

Dear Mr. Miller:

Below is our response to your comments dated September 24, 2021, regarding the above-referenced project.

1. Offsite basins need to be included in the drainage analysis.

Offsite basin information has been added to the pond analysis.

2. Use the pond grading detail from Chapter 6 Page 10 within the stormwater ordinance.

The 6:1 requirement as well as the safety & maintenance ledge requirements are included in the pond grading.

3. One outlet appears to not meet the ordinance per the chart provided, please revise.

This has been revised.

4. All pipes within ROW need to be concrete.

This has been noted.

We feel we have satisfactorily addressed all of the above comments and respectfully request your approval. If you have any questions, please e-mail me at dzimmerman@structurepoint.com or contact our office at (317) 547-5580.

Very truly yours,

American Structurepoint, Inc.

Drew P. Zimmerman, EI

DPZ:dls





September 24, 2021

Ms. Lesa Ternet Town of Danville 49 North Wayne Street Danville, Indiana 46122



Re: Miles Farms, Preliminary, D.R. Horton

Ms. Tenet:

Attached is our response to your comments dated September 23, 2021, regarding the above-referenced project.

• 10" pipe must be upsized to 30" through Wildwood Estates.

This is noted. Upon recieveing the terminating point for improvements being done by the town from Banning Engineering, we will show the upsize 30" into our development.

• Need 24" from the SE corner to the north stub for future development.

This has been noted. 24" sanitary sewer main will run from the southeast to the northern stuf for future development.

• Town attorney is working to get easements for sanitary.

This is noted. .

• Dead ends need to be 6" for water.

All dead ends such as cul-de-sacs shall be 6" for water. This has been revised in the development plan.

• All ductile pipe, zinc coated for water.

This pipe material has been noted.

• Phase II will need to be 16" for water.

This has been noted.

Ms. Lesa Ternet September 24, 2021 Page 2

• Profile all water mains.

This has been noted. All water mains shall be profiled for construction documents.

• Utility contacts need revised by removing the names and the following corrections for Ext.: Storm, Ext. 3001 – Sanitary Sewer, Ext. 2001 – Streets, Ext. 4001 – Water, Ext. 8001.

Utility contacts have been revised.

• Local jurisdictional contacts: Building & Inspection contact is Barry Lofton, Ext. 3001 - Local Law Enforcement is Jim Hilton Ext. 6001 - Fire and Rescue is Rob Roberts Ext. 9000.

These additional contacts have been added to the title sheet for reference.

• Stub streets need temporary turnarounds.

Temporary turnarounds for stub streets will be addressed in construction documents. The guidance provided during TAC will be applied during that phase of the project.

• On cul de sac streets, layout drives so there is an area for snow removal.

This has been noted.

• Must meet standards for cul de sac radius.

All cul-de-sac street width, R-O-W width, and cul-de-sac transistion radii have been checked and confirm to meet the required radii specified in Table 4.1 of the subdivision control ordinance.

• Storm comments are forthcoming.

We have received storm comments from Joe Miller. A separate comment response letter has been prepared for his comments.

We feel we have satisfactorily addressed all of the above comments and respectfully request your approval. If you have any questions, please e-mail me at jcribelar@structurepoint.com or contact our office at (317) 547-5580.

Very truly yours,

American Structurepoint, Inc.

Joshua H. Cribelar, PE

Hochra H. Cibelan

JHC:dls

# CONCEPT PLAN FOR MILES FARM

Planned Unit Development Danville, IN

Developer:
D.R. Horton – Indiana, LLC
9210 N. Meridian Street

Indianapolis, IN 46260

Attorney for Developer:
John J. Moore
Tuohy Bailey & Moore LLP
50 South Meridian Street, Suite 700
Indianapolis, IN 46204

### **Table of Contents**

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Miles Farm Business Park East and Miles Farm Business Park West Districts	7
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Parks at Miles Farm Single-Family Residential District	14
Miles Farm Villas Two-Family Residential District	17
Community Park District	20
Sports Field and Athletic Fieldhouse District	21
Fire Station District	22

Exhibit "A" – Legal Description Exhibit "B" – Concept Plan

Exhibit "C" – Renderings of Proposed Detached Single-Family Homes

Exhibit "D" – Renderings of Proposed Two-Family Homes

#### **Overview of Miles Farm Planned Unit Development**

#### **General Location and Surrounding Properties**

The proposed Miles Farm Planned Unit Development ("PUD") is generally located on the north side of U.S. Highway 36, between Mackey Road and North County Road 200 West, Danville, Hendricks County, Indiana. There is a mix of residential, commercial, industrial and agricultural zoning districts surrounding the site. Access to the Miles Farm development will be obtained via four entrances on U.S. Highway 36, two entrances on North County Road 200 West, and several stub street connections will be made to the North and East of the development for future connectivity, including a stub street into the North Elementary property.

#### **Conceptual Planning**

The PUD is situated on approximately 388.21 acres and is currently zoned RB in Hendricks County. The legal description for the property is attached as Exhibit A. The property is currently used for single-family residential and agricultural purposes. The proposed Miles Farm development aims to provide a dynamic multi-use development that will include a variety of residential uses, commercial uses, neighborhood businesses, public park land, and other public uses aimed at improving the Town's infrastructure and public safety capabilities. A strong emphasis on open space, amenities, walkability and connectivity will be consistent throughout the development. By emphasizing walkability and connectivity and by providing a variety of residential uses, the PUD addresses the following two objectives of the Town of Danville Strategic Plan: to "[i]mprove physical and social connectivity among businesses, residences, schools, and institutions to downtown and throughout Danville"; and to "[i]mprove access to a broad range of quality housing that is accessible, affordable, and appropriate for all levels of income." *Town of Danville Strategic Plan, pp. 24-25*.

#### Purpose of the PUD

The districts in the PUD are designed and established to encourage flexibility in the development and use of the land within the PUD. Adequate streets, utilities and services will be provided, and the layout of improvements within the PUD aims to preserve desirable features within the site. Buffers between different land uses and densities within the PUD will be provided and large areas of green space will be preserved through the dedication of approximately 30.6 acres to the Town of Danville for use as a sports field, athletic fieldhouse, public park and fire station, an approximately 25 acre Amenity Center and an approximately 22 acre West Park.

#### **General Project Development Standards**

#### 1. General.

The PUD shall be developed with distinct districts aimed at providing a variety of residential, commercial, and public uses that will be compatible with the Town's Strategic Plan and surrounding uses.

- 2. <u>Districts.</u> There shall be the following districts within the PUD:
  - a. Neighborhood Business Park East ("Miles Farm Business Park East") shall be located near the Southeast portion of the PUD with access directly to US 36. Miles Farm Business Park East shall consist of approximately 6.8 acres as shown on Conceptual Plan attached as Exhibit B.
  - b. Neighborhood Business Park West ("Miles Farm Business Park West") shall be located at the Southwest portion of the PUD with access directly to US 36 and County Road 200 W. Miles Farm Business Park West shall consist of approximately 24.65 acres as shown on Conceptual Plan attached as Exhibit B.
  - c. <u>Estates Single-Family Residential District</u> ("Miles Farm Estates") shall be located in the Northeast portion of the PUD and consist of detached single-family homes on individual deeded lots with a minimum size of 8,750 square feet. The Estates District shall consist of approximately 48.1 acres as shown on the Conceptual Plan attached as Exhibit B.
  - d. Reserve Single-Family Residential District ("Miles Farm Reserve") shall be located in the North / Northeast portion of the PUD and consist of detached single-family homes on individual deeded lots with a minimum size of 7,500 square feet. The Reserve District shall consist of approximately 44.7 acres as shown on the Conceptual Plan attached as Exhibit B.
  - e. <u>Preserve Single-Family Residential District</u> ("Miles Farm Preserve") shall be located in the central portion of the PUD and consist of detached single-family homes on individual deeded lots with a minimum size of 6,250 square feet. The Preserve District shall consist of approximately 87.3 acres as shown on the Conceptual Plan attached as Exhibit B.
  - f. Parks Single-Family Residential District ("Parks at Miles Farm") shall be located in the Northwest portion of the PUD and consist of detached single-family homes for rent with a minimum lot size of 6,250 square feet. The Parks District shall consist of approximately 52.9 acres as shown on the Conceptual Plan attached as Exhibit B.

- g. <u>Villas Two-Family Residential District</u> ("Miles Farm Villas") shall be located in the Northern portion of the PUD and consist of attached two-family homes on individual deeded lots with a minimum size of 5,625 square feet. The Villas District shall consist of approximately 46.1 acres as shown on the Conceptual Plan attached as Exhibit B.
- h. <u>Southeast Development Area.</u> The Southeast Development Area consists of approximately 30.6 acres to be dedicated to the Town of Danville. The Southeast Development Area consists of three districts, the Community Park District, the Sports Field and Athletics Fieldhouse District and the Fire Station District:
  - 1. <u>Community Park District</u> ("Community Park") shall be permanent open space conveyed to the Town of Danville at no cost for use as a public park. The Community Park District shall consist of approximately 18.7 acres\* as shown on the Conceptual Plan attached as Exhibit B.
  - 2. Sports Field and Athletic Fieldhouse District shall be real estate conveyed to the Town of Danville for use as sports fields and an athletic fieldhouse. The Sports Field and Athletic Fieldhouse District shall consist of approximately 10.8 acres\* as shown on the Conceptual Plan attached as Exhibit B.
  - 3. <u>Fire Station District</u> shall be real estate conveyed to the Town of Danville for the construction of a fire station. The Fire Station District shall consist of approximately 1.1 acres\* as shown on the Conceptual Plan attached as Exhibit B.
    - \* Acreages in the Community Park, Sports Field and Athletic Fieldhouse District, and Fire Station Districts are subject to modification by the Town of Danville.

#### 3. Streets and Parking

The streets within the PUD shall be public streets and built to the standards of the Town of Danville. Off street parking and loading shall be provided in accordance with Section 11 of the Zoning Ordinance of Danville, Indiana (the "Danville Zoning Ordinance") in effect at the time this Concept Plan for the PUD is approved by the Danville Town Council. Street signage shall be in accordance with the Danville Zoning Ordinance and shall be consistent with the Town's specifications and standards. The initial installation of street signage shall be the responsibility of the Developer.

#### 4. Signs

The use and placement of signs throughout the PUD shall be subject to the regulations set forth in Section 12 of the Danville Zoning Ordinance.

#### 5. Screening, buffering, fences and landscaping

Except as modified within this Concept Plan, screening, buffering, fences and landscaping throughout the PUD shall be subject to the regulations set forth in Section 13 of the Danville Zoning Ordinance.

#### 6. Temporary Structures

Temporary Structures within the PUD shall be subject to the regulations set forth in Section 4.5 of the Danville Zoning Ordinance.

#### 7. Street Lights

If street lighting is installed by Developer that does not match the standards or specifications of the Town of Danville, or is installed inconsistent with the Danville Zoning Ordinance, the maintenance of such street lights shall be the responsibility of the Miles Farm HOA or owners of property in such District.

#### 8. Open Space

There shall be a total of approximately 134.4 acres of open space within the PUD for an overall open space percentage of 34.6%.

#### 9. Asphalt Path along US 36

Developer shall install an eight foot (8') wide asphalt path along the entirety of the frontage of the development along US 36.

#### Miles Farm Business Park East & Miles Farm Business Park West

#### I. District Intent:

The purpose of Miles Farm Business Park East and Miles Farm Business Park West Districts (collectively, "Business Park Districts") is to provide commercial areas in close proximity to residential districts in order to provide retail and service uses appropriate for meeting the convenience shopping and service needs of neighboring residents.

# II. Permitted Uses, Accessory Uses, Special Exceptions and Underlying Zoning District:

All permitted uses, accessory uses and special exceptions permitted in the Local Business District and General Business District (GB) zoning districts set forth in the Danville Zoning Ordinance shall be allowed within the Business Park Districts, except those listed below. The underlying zoning district for the Business Park Districts shall be the General Business District (GB). If any development standard is not set forth in this Concept Plan, the GB standards shall apply.

Non-permitted uses:

Lumber yard

Night Club

Public or Commercial Parking Lot or Parking Garage

Recycling Center

Tree Nursery

With respect the Miles Farm Business Park East, package liquor store shall also be a non-permitted use

#### III. Development Standards

- a. Minimum Lot Size: 5,000 square feet
- b. Maximum Lot Size: None
- c. Minimum Lot Width: None
- d. Minimum Depth of Front Yard
  - i. The following minimum front yard depths apply:
    - 1. Abutting a local street: twenty-five (25) feet
    - 2. Abutting a collector street: thirty (30) feet
    - 3. Abutting a secondary arterial: forty (40) feet
    - 4. Abutting a primary arterial: sixty (60) feet
  - ii. For double frontage and corner lots which have more than one yard abutting a street, minimum front yard depth requirements shall apply to each yard which abuts a street.
  - iii. For a lot which does not abut a public street, the minimum depth of front yard shall be twenty-five (25) feet, measured from the front lot line.

- e. Minimum Depth of Rear Yard: Fifteen (15) feet; except where the rear yard abuts a residential district, in which case the minimum rear yard depth shall be thirty (30) feet.
- **f.** Minimum Depth of Side Yard: None; except where the lot line of a non-residential use abuts a residential district, in which case the minimum side yard depth shall be ten (10) feet.
- g. Intensity: The total floor area shall not exceed 40% of the lot area.
- **h.** Maximum Building Height: Forty (40) feet, except that chimneys, cooling towers, elevator bulkheads, fire towers, water towers, transmission towers, or essential mechanical appurtenances may be erected to any height not prohibited by any other law.
- **i.** Accessory Uses shall be regulated by the provisions of Section 4.3 of the Danville Zoning Ordinance.
- **j.** All uses allowed by special exception shall be subject to the same development controls that apply to permitted uses. These regulations are set forth in subsection 8.3.E of the Danville Zoning Ordinance.
- **k.** Merchandise may be displayed on sidewalks in the Business Park Districts in accordance with the following restrictions:
  - i. Only merchandise for sale shall be displayed.
  - **ii.** Such displays shall be limited to directly in front of the commercial establishment offering the items for sale.
  - iii. No merchandise display shall be permitted within six (6) feet of the edge of the sidewalk nearest the curb, and there must remain a clear walking path of at least six (6) feet in width.
  - iv. No stacks shall be greater than five (5) feet high.
  - v. No displays using electricity, animation, lights, or noise making devices will be permitted.
  - vi. Displaying multiple copies of the same piece of merchandise shall not be considered to be outdoor display, and is not permitted.
  - vii. Before displaying merchandise on a public sidewalk, the merchant must obtain a temporary use permit allowing the merchant to display merchandise for no more than three (3) consecutive days.
- **l.** A site plan, as regulated by Section 17 of the Danville Zoning Ordinance, shall be required for any development permitted in the Business Park Districts.

#### IV. Additional Commitments

- a. Along the Western property line of the Business Park West District there shall be a landscape buffer (minimum 100') built by the Developer that contains minimum landscaping of 2 shade trees, 2 evergreen trees, 1 ornamental tree and 5 native grass plants or hedges per 100 lineal feet of buffer along with an undulating earthen mound with maximum height of six feet.
- b. Any exterior lighting used with the Business Park West District shall be Dark Sky Approved (or similar certification) lighting to reduce light pollution.

- c. Walking trails and sidewalks shall be installed in substantial compliance with the Concept Plan. Walking trails shall be asphalt and have a minimum width of eight feet (8'). Concrete sidewalks shall have a minimum width of five feet (5').
- d. Exterior materials and elevations of buildings in the Business Park Districts (East and West) shall be subject to Plan Commission approval during site plan approval of the building.

# Miles Farm Estates, Reserve and Preserve Single-Family Residential Districts

#### I. District Intent:

The purpose of Miles Farm Estates, Reserve and Preserve Single-Family Residential Districts (collectively, "Single-Family Residential Districts") is to provide low to medium density single-family residences.

The maximum number of dwelling units in each of the Single-Family Residential Districts shall be as follows:

- a. Estates -156 dwelling units; Maximum density -3.2 units per acre
- b. Reserve -129 dwelling units; Maximum density -2.9 units per acre
- c. Preserve 297 dwelling units; Maximum density 3.4 units per acre

# II. Permitted Uses, Accessory Uses, Special Exceptions and Underlying Zoning District:

All Permitted Uses, Accessory Uses and Special Exceptions permitted in the Residential 2 (R2) zoning district set forth in the Danville Zoning Ordinance shall be allowed within the Single-Family Residential Districts. The underlying zoning district for the Single-Family Residential Districts shall be the Residential 2 District (R2). If any development standard is not set forth in this Concept Plan, the R2 standards shall apply.

#### III. Development Standards

- a. Minimum Lot Size
  - i. Estates -8,750 square feet
  - ii. Reserve -7,500 square feet
  - iii. Preserve 6,250 square feet
- b. Maximum Lot Size: None
- c. Minimum Lot Width
  - i. Estates -73 feet
  - ii. Reserve 63 feet
  - iii. Preserve 52 feet
- d. Minimum Depth of Front Yard
  - i. The following minimum front yard depths apply:
    - 1. Abutting a local street: twenty-five (25) feet
    - 2. Abutting a collector street: thirty (30) feet
    - 3. Abutting a secondary arterial: forty (40) feet
    - 4. Abutting a primary arterial: sixty (60) feet
  - ii. For double frontage and corner lots which have more than one yard abutting a street, minimum front yard depth requirements shall apply to each yard which abuts a street.

- e. Minimum Depth of Rear Yard: Twenty (20) feet;
- f. Minimum Depth of Side Yard
  - i. Estates -7.5 feet, 15' aggregate side yard
  - ii. Reserve 7.5 feet, 15' aggregate side yard
  - iii. Preserve 6 feet, 12' aggregate side yard
- g. Minimum Ground Floor Area None
- h. Minimum Livable Square Footage for Dwelling Units
  - i. Estates
    - 1. Ranch -1,750 square feet
    - 2. 2-story -2,250 square feet
  - ii. Reserve
    - 1. Ranch -1,500 square feet
    - 2. 2-story -2,000 square feet
  - iii. Preserve
    - 1. Ranch -1,400 square feet
    - 2. 2-story 1,800 square feet
- i. Maximum Building Height: Thirty-Five (35) feet
- j. Maximum Lot Coverage: Fifty percent (50%)
- k. Accessory Uses shall be regulated by the provisions of Section 4.3 of the Danville Zoning Ordinance.
- 1. All uses allowed by special exception shall be subject to the same development controls that apply to permitted uses. These regulations are set forth in subsection 7.6.F of the Danville Zoning Ordinance.

#### IV. Homeowners' Association/Covenants

The maintenance and upkeep of the Common Areas including detention ponds, open space, and amenities within the Single-Family Residential Districts shall be the responsibility of a mandatory homeowners' association ("Miles Farm HOA"), to be established pursuant to the terms of a Declaration of Covenants, Conditions and Restrictions ("Covenants") to be recorded prior to final plat approval for each section of each Single-Family Residential District of the PUD. The Covenants shall apply to all Real Estate within the Single-Family Residential Districts of Miles Farm.

#### V. Architectural Standards

All homes within the Single-Family Residential Districts of the PUD shall meet the following minimum requirements:

- a. All homes must have an attached garage with a minimum of two car capacity. An offset or separate bay shall be required for all homes with a three car garage.
- b. All homes must have roof overhangs with a minimum depth of 12", except for facades with brick construction which may have roof overhangs with minimum depth of 8".
- c. The main roof of all homes shall have a minimum roof pitch of 6" / 12"
- d. All homes shall have dimensional or architectural grade shingles.

- e. All homes shall have concrete driveways and be a minimum of sixteen feet (16') wide.
- f. Aluminum siding shall be prohibited.
- g. Homes of the same elevation shall not be permitted to be built adjacent to or directly across the street from each other.
- h. The garage door of the home shall not exceed 50% of the front façade width.
- i. All homes shall have dusk-to-dawn coach lights.
- j. At the time of initial construction all lots shall have sodded yards to the front corner of the home and seeded in the side and rear yards. Each lot shall be planted with a minimum of two (2) trees and twelve (12) shrubs.
- k. All homes shall have at least one (1) window on each side of the home. All windows shall contain a minimum 1"x4" decorative trim or decorative shutters, unless the window is set into a masonry plane.
- 1. Vinyl siding shall be prohibited in the Estates and Reserve Districts. Acceptable exterior building materials in the Estates and Reserve Districts shall be brick, stone, stucco, wood, composite wood or fiber cement siding.
- m. Exterior cladding materials for homes in the Preserve District may include brick, stone, EIFS, stucco, wood, composite wood, fiber cement, or vinyl siding. All vinyl siding must be a minimum of .044" and installed with backer board. If a home is built using vinyl siding, the home must also have a front elevation that is a minimum of 50% masonry (brick or stone) exclusive of doors, windows and areas above a roof line.
- n. The front elevation of all homes in the Estates, Reserve and Preserve Districts must contain at least five of the following features: (i) change in elevation of roof ridge, (ii) change in direction of roof ridge, (iii) dormer, (iv) covered front porch, (v) hip roof, (vi) gable accent, (vii) decorative gable vents, (viii) front door sidelight, (ix) front door transom, (x) window grids, (xi) masonry keystone, (xii) windows in garage door, (xiii) pent roof or pent roof returns, (xiv) at least 3 building materials (i.e. brick, stone, horizontal siding, shake, board & batten), and (xv) decorative brick accent.

#### VI. Additional Commitments

- a. All homes within the Estates District that are immediately adjacent to the North Elementary school property, Wildwood Estates, or the Southeast Development Area identified in the Concept Plan shall have a minimum square footage of 2,000 square feet for a Ranch home and 2,500 square feet for a 2-Story home. Furthermore, these homes must contain a rear façade architectural feature such as a sunroom, breakfast nook, covered porch or screened porch.
- b. Along the Eastern and Northern property line of the Estates District and Northern property line of the Reserve District there shall be a landscape buffer (minimum 50') built by the Developer and maintained by the Miles Farm HOA that contains a forty-eight inch (48") tall black vinyl-coated chain link fence and contains minimum landscaping of 2 shade trees, 2 evergreen trees, 1 ornamental tree and 5 native grass plants or hedges per 100 lineal feet of buffer. Developer shall use

best efforts to preserve any existing, healthy trees greater than 4" in diameter within this buffer.

- c. Walking trails and sidewalks shall be installed in substantial compliance with the Concept Plan. Walking trails shall be asphalt and have a minimum width of eight feet (8'). Concrete sidewalks shall have a minimum width of five feet (5').
- d. Above ground swimming pools shall not be permitted.
- e. Outdoor storage sheds shall not be permitted.
- f. All homes which rear elevation abuts US 36 must contain a rear façade architectural feature such as a sunroom, breakfast nook, covered porch or screened porch.

### Parks at Miles Farm Single-Family Residential District

#### I. District Intent:

The purpose of the Parks at Miles Farm Single-Family Residential District is to provide single-family residences for rent. The single-family residences within the Parks at Miles Farm District will be owned by one owner.

The maximum number of dwelling units in the Parks at Miles Farm District is 190 dwelling units. The maximum density shall be 3.6 units per acre.

# II. Permitted Uses, Accessory Uses, Special Exceptions and Underlying Zoning District:

All Permitted Uses, Accessory Uses and Special Exceptions permitted in the Residential 2 (R2) zoning district set forth in the Danville Zoning Ordinance shall be allowed within the Parks at Miles Farm District. The underlying zoning district for the Parks at Miles Farm District shall be the Residential 2 District (R2). If any development standard is not set forth in this Concept Plan, the R2 standards shall apply.

#### III. Development Standards

- a. Minimum Lot Size: 6,250 square feet
- b. Maximum Lot Size: None
- c. Minimum Lot Width: 50 feet
- d. Minimum Depth of Front Yard
  - i. The following minimum front yard depths apply:
    - 1. Abutting a local street: twenty-five (25) feet
    - 2. Abutting a collector street: thirty (30) feet
    - 3. Abutting a secondary arterial: forty (40) feet
    - 4. Abutting a primary arterial: sixty (60) feet
  - ii. For double frontage and corner lots which have more than one yard abutting a street, minimum front yard depth requirements shall apply to each yard which abuts a street.
- e. Minimum Depth of Rear Yard: Twenty (20) feet;
- f. Minimum Depth of Side Yard: 5 feet, 10' aggregate side yard
- g. Minimum Ground Floor Area None
- h. Minimum Livable Square Footage for Dwelling Units
  - i. Ranch -1,400 square feet
  - ii. 2-story -1,800 square feet
- i. Maximum Building Height: Thirty-Five (35) feet
- j. Maximum Lot Coverage: Fifty percent (50%)
- k. Accessory Uses shall be regulated by the provisions of Section 4.3 of the Danville Zoning Ordinance.

1. All uses allowed by special exception shall be subject to the same development controls that apply to permitted uses. These regulations are set forth in subsection 7.6.F of the Danville Zoning Ordinance.

#### IV. Homeowners' Association/Covenants

The maintenance and upkeep of the Common Areas including detention ponds, open space, and amenities within the Parks at Miles Farm District shall be the responsibility of the Miles Farm HOA to be established pursuant to the terms of the Covenants to be recorded prior to final plat approval for each section of the Parks at Miles Farm District. The Covenants shall apply to all Real Estate within the Parks at Miles Farm District. Snow removal, lawn maintenance and exterior maintenance of the homes within the Parks at Miles Farm District shall be the responsibility of the owner of the lots within the Parks at Miles Farm District, which shall be formed as a sub-association of the Miles Farm HOA.

#### V. Architectural Standards

All homes within the Parks at Miles Farm District shall meet the following minimum requirements:

- a. All homes must have an attached garage with a minimum of two car capacity. An offset or separate bay shall be required for all homes with a three car garage.
- b. All homes must have roof overhangs with a minimum depth of 12", except for facades with brick construction which may have roof overhangs with a minimum depth of 8".
- c. The main roof of all homes shall have a minimum roof pitch of 6" / 12".
- d. All homes shall have dimensional or architectural grade shingles.
- e. All homes shall have concrete driveways and be a minimum of sixteen feet (16') wide.
- f. Exterior cladding materials for homes may include brick, stone, EIFS, stucco, wood, composite wood, fiber cement, or vinyl siding. Aluminum siding shall be prohibited. All vinyl siding must be a minimum of .044" and installed with backer board. If a home is built using vinyl siding, the home must also have a front elevation that is a minimum of 50% masonry (brick or stone) exclusive of doors, windows and areas above a roof line.
- g. Homes of the same elevation shall not be permitted to be built adjacent to or directly across the street from each other.
- h. The garage door of the home shall not exceed 50% of the front façade width.
- i. All homes shall have dusk-to-dawn coach lights.
- j. At the time of initial construction all lots shall have sodded yards to the front corner of the home and seeded in the side and rear yards. Each lot shall be planted with a minimum of two (2) trees and twelve (12) shrubs.
- k. All homes shall have at least one (1) window on each side of the home. All windows shall contain a minimum 1"x4" decorative trim or decorative shutters, unless the window is set into a masonry plane.

1. The front elevation of all homes in the Parks District must contain at least five of the following features: (i) change in elevation of roof ridge, (ii) change in direction of roof ridge, (iii) dormer, (iv) covered front porch, (v) hip roof, (vi) gable accent, (vii) decorative gable vents, (viii) front door sidelight, (ix) front door transom, (x) window grids, (xi) masonry keystone, (xii) windows in garage door, (xiii) pent roof or pent roof returns, (xiv) at least 3 building materials (i.e. brick, stone, horizontal siding, shake, board & batten), and (xv) decorative brick accent.

#### VI. Additional Commitments

- a. Along the Northern property line of the Parks District there shall be a landscape buffer (minimum 50') built by the Developer and maintained by the Miles Farm HOA that contains a forty-eight inch (48") tall black vinyl-coated chain link fence and contains minimum landscaping of 2 shade trees, 2 evergreen trees, 1 ornamental tree and 5 native grass plants or hedges per 100 lineal feet of buffer. Developer shall use best efforts to preserve any existing, healthy trees greater than 4" in diameter within this buffer.
- b. Along the Western property line of the Parks District there shall be a landscape buffer (minimum 100°) built by the Developer that contains minimum landscaping of 2 shade trees, 2 evergreen trees, 1 ornamental tree and 5 native grass plants or hedges per 100 lineal feet of buffer along with an undulating earthen mound with maximum height of six feet.
- c. Walking trails and sidewalks shall be installed in substantial compliance with the Concept Plan. Walking trails shall be asphalt and have a minimum width of eight feet (8'). Concrete sidewalks shall have a minimum width of five feet (5').
- d. Above ground swimming pools shall not be permitted.
- e. Outdoor storage sheds shall not be permitted.
- f. All homes which rear elevation abuts County Road 200 W must contain a rear façade architectural feature such as a sunroom, breakfast nook, covered porch or screened porch.
- g. Homes in the Parks District shall be leased at market rate and shall not be eligible for federal or state subsidized housing programs, such as Section 8 and Section 42.

### Miles Farm Villas Two-Family Residential District

#### I. District Intent:

The purpose of the Miles Farm Villas Two-Family Residential District is to provide higher density two-family residences which will be individually owned.

The maximum number of dwelling units in the Miles Farm Villas District shall be 186. The maximum density shall be 4.0 units per acre.

# II. Permitted Uses, Accessory Uses, Special Exceptions and Underlying Zoning District:

All Permitted Uses, Accessory Uses and Special Exceptions permitted in the Residential 3 District (R3) set forth in the Danville Zoning Ordinance shall be allowed within the Miles Farm Villas District, except those listed below. The underlying zoning district for the Miles Farm Villas District shall be the Residential 3 District (R3). If any development standard is not set forth in this Concept Plan, the R3 standards shall apply.

Non-permitted uses:

Assisted Living Facility or Nursing Home Boarding House, including Bed and Breakfast School, Public or Parochial

#### III. Development Standards

- a. Minimum Lots Size: 7,900 square feet (3,950 square feet per dwelling unit)
- b. Maximum Lot Size: None
- c. Minimum Lot Width: Seventy (70) Feet
- d. Minimum Depth of Front Yard
  - i. The following minimum front yard depths apply:
    - 1. Abutting a local street: twenty-five (25) feet
    - 2. Abutting a collector street: thirty (30) feet
    - 3. Abutting a secondary arterial: forty (40) feet
    - 4. Abutting a primary arterial: sixty (60) feet
  - ii. For double frontage and corner lots which have more than one yard abutting a street, minimum front yard depth requirements shall apply to each yard which abuts a street.
- e. Minimum Depth of Rear Yard: Twenty (20) feet;
- f. Minimum Depth of Side Yard: 5 feet, 10 feet between buildings. There shall be no side yard required between two-family homes along the common lot line or party wall.
- g. Minimum Ground Floor Area None
- h. Minimum Livable Square Footage for Dwelling Units: 1,100 square feet
- i. Maximum Building Height: Thirty-Five (35) feet
- j. Maximum Lot Coverage: Fifty percent (50%)

- k. Accessory Uses shall be regulated by the provisions of Section 4.3 of the Danville Zoning Ordinance.
- 1. All uses allowed by special exception shall be subject to the same development controls that apply to permitted uses. These regulations are set forth in subsection 7.6.F of the Danville Zoning Ordinance.

#### IV. Homeowners' Association/Covenants

The maintenance and upkeep of the Common Areas including detention ponds, open space, and amenities within the Miles Farm Villas District shall be the responsibility of the Miles Farm HOA, to be established pursuant to the terms of the Covenants to be recorded prior to final plat approval for each section of the Miles Farm Villas District of the PUD. The Covenants shall apply to all Real Estate within Miles Farm Villas District. Snow removal and lawn maintenance within the Miles Farm Villas District shall be the responsibility of an association of the owners of the lots within the Miles Farm Villas District, which shall be formed as a sub-association of the Miles Farm HOA.

#### V. Architectural Standards

All homes within the Miles Farm Villas District of the PUD shall meet the following minimum requirements:

- a. All homes must have an attached garage with a minimum of two car capacity. An offset or separate bay shall be required for all homes with a three car garage.
- b. All homes must have roof overhangs with a minimum depth of 12", except for facades with brick construction which may have roof overhangs with a minimum depth of 8".
- c. The main roof of all homes shall have a minimum roof pitch of 6" / 12".
- d. All homes shall have dimensional or architectural grade shingles.
- e. All homes shall have concrete driveways and be a minimum of sixteen feet (16') wide.
- f. Exterior cladding materials for homes may include brick, stone, EIFS, stucco, wood, composite wood, fiber cement, or vinyl siding. Aluminum siding shall be prohibited. All vinyl siding must be a minimum of .044" and installed with backer board.
- g. Each home in the Villas District shall have a first-floor "masonry wrap" such that 100% of the first floor elevations are brick or stone, exclusive of doors, windows, garage doors, shutters and trim.
- h. All homes shall have at least one (1) window on each side of the home. All windows shall contain a minimum 1"x4" decorative trim or decorative shutters, unless the window is set into a masonry plane.
- i. All homes shall have dusk-to-dawn coach lights.
- j. At the time of initial construction all lots shall have sodded yards to the front corner of the home and seeded in the side and rear yards. Each lot shall be planted with a minimum of two (2) trees and twelve (12) shrubs.

k. The front elevation of all homes in the Villas District must contain at least five of the following features: (i) change in elevation of roof ridge, (ii) change in direction of roof ridge, (iii) dormer, (iv) covered front porch, (v) hip roof, (vi) gable accent, (vii) decorative gable vents, (viii) front door sidelight, (ix) front door transom, (x) window grids, (xi) masonry keystone, (xii) windows in garage door, (xiii) pent roof or pent roof returns, (xiv) at least 3 building materials (i.e. brick, stone, horizontal siding, shake, board & batten), and (xv) decorative brick accent.

#### VI. Additional Commitments

- a. Along the Northern property line of the Villas District there shall be a landscape buffer (minimum 50') built by the Developer that contains a forty-eight inch (48") tall black vinyl-coated chain link fence and minimum landscaping of 2 shade trees, 2 evergreen trees, 1 ornamental tree and 5 native grass plants or hedges per 100 lineal feet of buffer. Developer shall use best efforts to preserve any existing, healthy trees greater than 4" in diameter within this buffer.
- b. Walking trails and sidewalks shall be installed in substantial compliance with the Concept Plan. Walking trails shall be asphalt and have a minimum width of eight feet (8'). Concrete sidewalks shall have a minimum width of five feet (5').
- c. Above ground swimming pools shall not be permitted.
- d. Outdoor storage sheds shall not be permitted.
- e. The Villas shall be a 55+ age-restricted community pursuant to applicable rules and regulations of the Fair Housing Act.

## **Community Park District Development Standards**

#### I. District Intent:

The purpose of the Community Park District is to provide the Town of Danville with a means of setting aside land for preserved natural areas and active recreational amenities for the benefit of the residents of the Town of Danville.

#### II. Permitted Uses:

All Permitted Uses and Special Exceptions of the Park District (PD) set forth in the Danville Zoning Ordinance shall be allowed within the Community Park District. Additionally, other uses determined as appropriate by the Town of Danville Town Council shall also be permitted within the Community Park District

#### III. Park Areas Development

The Community Park District shall be located in the Southeast corner of the Miles Farm development. It is the intent of the Developer to deed, at no cost to the Town, the entirety of the acreage within the Community Park District to the Town of Danville. The dedication of this land shall be at time mutually agreed to by the Developer and the Town but no earlier than sixty (60) days after Developer's purchase of the property or final approval by the Danville Town Council of the Miles Farm PUD and annexation of the PUD real estate into the Town of Danville.

#### IV. Additional Commitments

- a. Except as shown on the Concept Plan for the interior road extending from the Mackey Road entrance, along the Eastern property line of the Community Park District there shall be a landscape buffer (minimum 50') that contains minimum landscaping of 2 shade trees, 2 evergreen trees, 1 ornamental tree and 5 native grass plants or hedges per 100 lineal feet of buffer along with an undulating earthen mound with maximum height of six feet.
- b. Any trails or pathways constructed within the Community Park District shall be no closer than fifty feet (50') to the Eastern property line of the District.
- c. A Tree Preservation Easement shall be established with the Community Park District to protect the removal of healthy, non-invasive trees.
- d. Walking trails and sidewalks shall be installed in substantial compliance with the Concept Plan. Walking trails shall be asphalt and have a minimum width of eight feet (8'). Concrete sidewalks shall have a minimum width of five feet (5').

# Sports Field and Athletic Fieldhouse District Development Standards

#### I. District Intent:

The purpose of the Sports Field and Athletic Fieldhouse District is to provide the Town of Danville with a means of setting aside land for sports fields, an athletic fieldhouse and active recreational amenities for the benefit of the residents of the Town of Danville.

#### II. Permitted Uses:

All Permitted Uses and Special Exceptions of the Park District (PD) set forth in the Danville Zoning Ordinance shall be allowed within the Sports Field and Athletic Fieldhouse District. Additionally, other uses determined as appropriate by the Town of Danville Town Council shall also be permitted within the Sports Field and Athletic Field District.

#### III. Sports Field and Athletic Fieldhouse Development

The Sports Field and Athletic Fieldhouse District shall be located in the Southeast corner of the Miles Farm development. It is the intent of the Developer to deed, at no cost to the Town, the entirety of the acreage within the Sports Field and Athletic Fieldhouse District to the Town of Danville. The dedication of this land shall be at time mutually agreed to by the Developer and the Town but no earlier than sixty (60) days after Developer's purchase of the property or final approval by the Danville Town Council of the Miles Farm PUD and annexation of the PUD real estate into the Town of Danville.

# Fire Station District Development Standards

#### I. District Intent:

The purpose of the Fire Station District is to provide the Town of Danville with a means of setting aside land for construction of fire station for the benefit and public safety of the residents of the Town of Danville.

#### II. Permitted Uses:

All uses determined as appropriate by the Town of Danville Town Council shall be permitted within the Fire Station District, provided the District is used for the benefit of the Public.

#### III. Fire Station Development

The Fire Station District shall be located in the Southeast corner of the Miles Farm development. It is the intent of the Developer to deed, at no cost to the Town, the entirety of the acreage within the Fire Station District to the Town of Danville. The dedication of this land shall be at time mutually agreed to by the Developer and the Town but no earlier than sixty (60) days after Developer's purchase of the property or final approval by the Danville Town Council of the Miles Farm PUD and annexation of the PUD real estate into the Town of Danville.

#### **EXHIBIT A**

# Legal Description Parcel ID 32-11-05-300-005.000-002, 32-11-05-400-001.000-002, 32-11-04-300-001.000-002, 32-11-04-300-002.000-002

Part of the Southwest and Southeast Quarters of Section 5 and part of the Southwest Quarter of Section 4, all in Township 15 North, Range 1 West of the Second Principal Meridian, Hendricks County, Indiana, being that 387.852-acre tract of land shown on the ALTA/NSPS Land Title Survey dated December 7, 2020, as last revised, by Michael J. Smith, PS #LS20500025 of American Structurepoint, Inc. under project number 2020.00220, more particularly described as follows:

BEGINNING at a Hendricks County Surveyor disk at the northwest corner of the Southwest Quarter of said Section 5; thence South 89 degrees 02 minutes 23 seconds East 2,587.26 feet along the north line of the Southwest Quarter of said Section 5 (basis of bearings per Indiana State Geospatial Coordinate System, Hendricks zone) to a 5/8-inch diameter rebar with a cap stamped "ASI FIRM #0094" set flush (hereafter referred to as "set rebar") at the northwest corner of said Southeast Quarter; thence South 89 degrees 22 minutes 44 seconds East 2,599.81 feet along the north line of said Southeast Quarter to a stone found at the northwest corner of the Southwest Quarter of said Section 4; thence North 89 degrees 51 minutes 26 seconds East 1,323.24 feet along the north line of the Southwest Quarter of said Section 4 to a one-inch diameter iron pipe with a "PCS" cap at the northeast corner of the West Half of the Southwest Quarter of said Section 4; thence South 00 degrees 28 minutes 47 seconds East 2,499.61 feet along the east line of said West Half to a set rebar on the north right-of-way line of U.S. 36 as defined by State Highway E.F.A. Project No. 211, Sec. C, Project No. STP-076-2 (7) and Project No. 129833300ST1 R/W, the following twenty-three (23) courses are along said north right-of-way line;

- 1) thence North 89 degrees 50 minutes 24 seconds West 24.16 feet to a concrete right-of-way monument;
- 2) thence South 00 degrees 09 minutes 36 seconds West 71.00 feet to a concrete right-of-way monument;
- 3) thence South 35 degrees 22 minutes 40 seconds West 41.62 feet to a concrete right-of-way monument;
- 4) thence North 89 degrees 50 minutes 24 seconds West 145.00 feet;
- 5) thence South 73 degrees 27 minutes 39 seconds West 52.20 feet to a set rebar;
- 6) thence North 89 degrees 50 minutes 24 seconds West 178.90 feet to a set rebar;
- 7) thence Westerly 206.01 feet along a non-tangent curve to the right having a radius of 83,812.48 feet and subtended by a long chord having a bearing of North 89 degrees 46 minutes 10 seconds West and a length of 206.01 feet;
- 8) thence North 31 degrees 40 minutes 44 seconds West 47.16 feet;
- 9) thence North 00 degrees 19 minutes 05 seconds East 65.00 feet;
- 10) thence North 89 degrees 39 minutes 53 seconds West 49.92 feet;
- 11) thence South 00 degrees 21 minutes 08 seconds West 65.00 feet;
- 12) thence North 89 degrees 37 minutes 50 seconds West 49.96 feet;
- 13) thence South 49 degrees 11 minutes 41 seconds West 53.13 feet;
- 14) thence Westerly 628.59 feet along a non-tangent curve to the right having a radius of 83,807.48 feet and subtended by a long chord having a bearing of North 89 degrees 22 minutes 17 seconds West and a length of 628.59 feet to a set rebar;
- 15) thence North 89 degrees 09 minutes 24 seconds West 170.82 feet to a concrete right-of-way monument;
- 16) thence North 00 degrees 50 minutes 39 seconds East 10.20 feet to a concrete right-of-way monument;
- 17) thence North 89 degrees 09 minutes 21 seconds West 206.50 feet to a concrete right-of-way monument;
- 18) thence North 00 degrees 50 minutes 39 seconds East 50.00 feet to a concrete right-of-way monument;
- 19) thence North 89 degrees 09 minutes 21 seconds West 60.00 feet to a concrete right-of-way monument;
- 20) thence South 42 degrees 49 minutes 53 seconds West 67.27 feet to a concrete right-of-way monument;
- 21) thence North 89 degrees 09 minutes 21 seconds West 190.00 feet to a concrete right-of-way monument;
- 22) thence South 00 degrees 50 minutes 39 seconds West 20.21 feet to a concrete right-of-way monument;
- 23) thence North 89 degrees 09 minutes 24 seconds West 713.98 feet to a set rebar on the east line of Exempt Subdivision #073/20, recorded as Instrument Number 202013237 in the Office of the Recorder of Hendricks County, Indiana,

the following three (3) courses are along the east, north and west lines of said Subdivision;

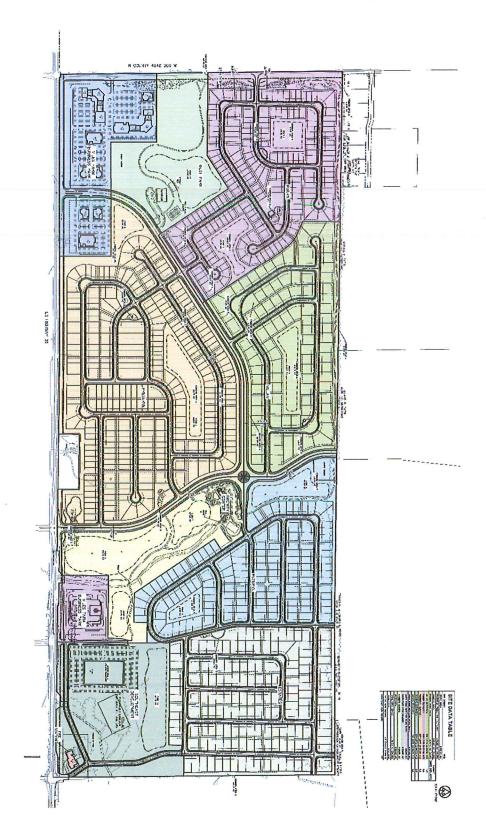
- 1) thence North 00 degrees 23 minutes 54 seconds East 263.59 feet to a "Kruse 78" capped rebar;
- 2) thence North 89 degrees 36 minutes 06 seconds West 355.00 feet to a "Kruse 78" capped rebar;
- 3) thence South 00 degrees 23 minutes 54 seconds West 260.83 feet to a set rebar on said north right-of-way line;

the following six (6) courses are along said north right-of-way line;

- 1) thence North 89 degrees 09 minutes 24 seconds West 229.78 feet to a set rebar;
- 2) thence Westerly 1,000.45 feet along a curve to the left having a radius of 66,140.52 feet and subtended by a long chord having a bearing of North 89 degrees 35 minutes 24 seconds West and a length of 1,000.44 feet to a set rebar;
- 3) thence South 89 degrees 58 minutes 36 seconds West 1,700.00 feet to a set rebar;
- 4) thence Westerly 375.24 feet along a curve to the left having a radius of 143,269.45 feet and subtended by a long chord having a bearing of South 89 degrees 54 minutes 06 seconds West and a length of 375.24 feet to a set rebar;
- 5) thence North 61 degrees 13 minutes 20 seconds West 20.66 feet to a mag nail;
- 6) thence South 89 degrees 48 minutes 58 seconds West 16.50 feet to a mag nail on the west line of the Southwest Quarter of said Section 5;

thence North 00 degrees 35 minutes 56 seconds West 2,638.24 feet along said west line to the POINT OF BEGINNING. Containing 387.852 acres, more or less.

## Exhibit B



## EXHIBIT C Renderings of Proposed Single-Family Homes





































# EXHIBIT D Renderings of Proposed Two-Family Villas









# GREGORY W. BLACK



"Be on guard, stand firm in faith, be of good courage, be strong. Do all you do in love."

I Corinthians 16:13, 14

Gregory W. Black

member, Gideons International

2 Mark Manor Danville, Indiana 46122 Telephone: (317) 908-9027

Email: gblack.blacklaw@sbcglobal.net



September 28, 2021

Ms Lesa Ternet
Administrative Officer/Secretary To
The Town of Danville Plan Commission
Town Hall, 49 North Wayne
Danville, IN 46122

"Miles

"Miles Farm Oct '21 Plan Commission"

Re 12 Oct PC agenda, petition by DR Horton re Miles Farm Residential Subdivision approval

Dear Ms Ternet:

Enclosed are the letter my neighbors received appx 23-24 Sept with postmark re approval of Miles Farm subdivision. Addressees John Layne & Deborah Rushton object & authorize me to so state hereby. As you see our 10 days are not expired. Please present this to Plan Commission 12 Oct.

Approval should be postponed a decade or more to permit the bypass study & bypass construction to be completed. Otherwise Danville traffic will ensnare us into economic oblivion & physical danger. {Please note the plan says a *Bypass Corridor Feasibility Study* is a state prerequisite to any bypass built by The Indiana Department of Transportation.}

Our appx 2015 comprehensive plan urges that the study precede further subdivision approval. In recommending a study as to whether to build a bypass, for all its dithering the plan urges the study be done *post haste*. To my knowledge the study has yet to begin.

A chief purpose of the study is to detect whether the burgeoning traffic on 36 is intended predominately to terminate beyond or within Danville. If within, the study speculates, congestion may be alleviated by building "connector" roads using local roads other than U.S. 36 to provide escape

routes for the offending local traffic. If without, a bypass is suggested though the study equivocates even on that point. {The study says a bypass may go too far south, letting passers by view the landfill so often they get a negative view of us. If north the bypass will be so far away drivers may simply avoid it, figuring a slow ride on 36 is better than a long ride up north.)

- A) Either way something must be done. When nothing changes nothing changes. The plan says a bypass study will require 5-8 years to fund & plan *before* beginning. So we are at least seven years away from knowing more than we know now. All the while seeing more traffic & reading about Council permitting more subdivisions swelling our population.
- B) Respectfully a bypass obviously is essential. All you must do to grasp the traffic besieging us primarily is transient entering from out of town to leave town on the other side is stand alongside 36 west of Clear Creek in the morning & watch cars come from the west.
- C) "Connector roads" won't work but let us assume those will. Then please build those before permitting Miles Farms so we are not inundated with traffic! Common sense.

Please deny the petition. Thanks.

Sincerely,

Gregory W. Black

Encls

cc John Layne Deborah Rushton Mike Eaton Jessica Flohr The Republican Michael Andreoli John Moore others

gwb

# CASE SUMMARY

### Final Plat & PUD Approval

Case:

#2021-2081

Premier Land Company II, Petitioner Joshua Cribelar, American Structurepoint

Request:

Final plat and PUD approval (Quail West)

Location:

East side of County Road 200 East – approximately 500 feet north of Main Street

Acreage:

59.70 acres

Zoning:

Planned Unit Development

#### **Preliminary Plat Request:**

The petitioner is requesting final plat and PUD approval for the Quail West subdivision. This project received preliminary approval on June 14, 2021. This project consists of 92 single family units and 76 two-family units.

The following comments must be addressed prior to approval:

- 1. The plat shows a 30-foot building setback line on Lot 103 but actually measures 25 feet.
- 2. Addresses must be added to the plat prior to recording.
- 3. During TAC review it was requested that the project engineer provide gutter spread calculations and that has not been submitted.

Joe Miller, Banning Engineering, the Town's Engineer, has reviewed the final construction plans and provided a letter dated September 24, 2021, addressing his comments. Those comments must be addressed prior to receiving final approval.

Staff recommends approval of the final plat request based on compliance with the PUD ordinance and petitioner's response to comments made by the Technical Advisory Committee on September 23, 2021 and Joe Miller's comment letter dated September 24, 2021.

#### Plan Commission Action:

Approve Final Plat & PUD Request
Approve Final Plat & PUD Request with Conditions
Deny Final Plat & PUD Request



September 24, 2021

Lesa Ternet, Planner Town of Danville 49 N. Wayne St. Danville, IN 46122

RE: Quail West Subdivision – Secondary Plat Storm Review

Dear Ms. Ternet:

I have reviewed the construction plans received in September. I have the following comments:

- 1. The storm pipes within Hendricks County fairgrounds need to be evaluated.
  - a. Please provide an existing conditions flowrate comparison to these pipes as well.
- 2. The pond detail and plan contours provided to not match the required pond detail (Chapter 6 Page 10) within the Danville Stormwater Ordinance.
- 3. Show safety ramps and access points.
- 4. Label, calculate, and detail pond emergency overflows.
- 5. Hatch emergency flood routing ponded areas and provide overflow elevations.
- 6. Provide gutterspread calculations.
- 7. HGL calculations can be 10-year, they are labelled as 100-year. Please clarify.
- 8. The construction plans do not contain several pipe runs noted in the drainage report. Additionally, some slopes, pipe sizes and inverts / rim elevations do not match either. Pipe runs in the 5-100s and 6-100s are not shown in the drainage report calculations. Please have the plans and drainage report match.
- 9. Some of the profiles for storm runs do not match the profiles under. Please correct.
- 10. A9 The site no longer discharges north.
- 11. A10 Plan sheet C101 shows 3 wetlands, but this item says none are near the site. Please clarify or correct.
- 12. A11 Hurricane Creek is not the receiving water for the site.
- 13. A14 The preconstruction discharge noted does not appear accurate.
- 14. B13 Please use the provided text for the Town of Danville projects.
- 15. Provide a proposed legend for all erosion control sheets.
- 16. Where is the inlet protection from the details on sheet C521 being provided?

All the best,

Joseph d. Miller, P.E.





**RECEIVED**0CT 0 3 2021
BY:

September 24, 2021

Ms. Lesa Ternet Town of Danville 49 North Wayne Street Danville, Indiana 46122

Re: Quail West (2020.03004) – Final Plat Application

Ms. Ternet:

Attached is our response to your comments dated September 23, 2021, regarding the above-referenced project.

Label County Road 200 East on the plans.

#### Street name added to all sheets.

• Will need an Inspection Agreement prior to final approval on each section.

#### Noted.

• Will need GEO database shapefiles for GIS prior to recording the plat.

#### Noted.

No valves in the roadway or sidewalk for water.

#### Noted.

• Provide as many double meter pits as possible for water.

#### Noted. Plans updated to maximize double meter pits.

• Provide 10" sanitary to the west and north stub streets.

#### Noted. 10" Sanitary is currently shown on Quail West and Marble Wood Drive to the North.

• SS structure 12 & 13 shows below finished grade (manholes).

#### Sanitary Strs 12 & 13 Rim Elevations updated to proposed grade.

• Show SS easement across Auger property or provide lateral from Quail.

Main and laterals to existing homes on CR 200E have been updated and easements shown.

Ms. Lesa Ternet September 24, 2021 Page 2

• Label the existing sanitary manhole.

Existing sanitary information added to manhole.

• Property needs mowing.

Richard to schedule mowing of the property as soon as possible.

• Label the walking paths on the plans.

#### Paths labelled in plans.

• Plat must show the lot width at the building setback line to indicate compliance with the PUD.

Plat updated with lot widths at the BSL.

• Need street details for CR 200E across the frontage of the property.

Street details added to C600s.

• Provide spec. sheets for amenity area.

Richard will provide spec. sheets for playground, shelters, fire pit, etc. when options for area are closer to final product.

• Some type of raised pavement marker will be required for fire hydrants.

Added to plans and detail added to C600s.

• Provide waiver form to developer for the temporary turnaround at stub streets.

Waiver form will be provided once received from Planning.

• Need to evaluate flow downstream across the street at the Fairgrounds or evaluate existing conditions at that pipe.

Existing watershed and flow to county fairgrounds has been added to drainage report with a flowrate comparison for the pre and post development conditions.

• Pond detail does not match Stormwater ordinance Section 6.

Ponds updated to be meet detail in ordinance.

• Need safety ramps and access points.

Safety ramps added to all ponds and all safety ramps have access from the public right-of-way through common areas.

Ms. Lesa Ternet September 24, 2021 Page 3

• Label and detail emergency overflows and show paths.

#### Pond overflow paths shown in C320 series.

• Provide gutter spread calculations.

#### To be provided.

• One pipe is shown backwards.

#### Fixed. Also all storm runs

• Staff will send a copy of the SWPP and Spill prevention plan.

#### Noted.

• Need stop sign and cross bar at entrance.

#### Stop signs and cross bars added to entrances.

• Need street lighting specifications.

#### Typical Duke Energy residential street light to be proposed.

• Utility contacts need revised by removing the names and the following corrections for Ext.: Storm, Ext. 3001 – Sanitary Sewer, Ext. 2001 – Streets, Ext. 4001 – Water, Ext. 8001.

#### Updated on Title Sheet.

• Local jurisdictional contacts: Building & Inspection contact is Barry Lofton, Ext. 3001 - Local Law Enforcement is Jim Hilton Ext. 6001 - Fire and Rescue is Rob Roberts Ext. 9000.

#### Updated on Title Sheet.

We feel we have satisfactorily addressed all of the above comments and respectfully request your approval. If you have any questions, please e-mail me at jcribelar@structurepoint.com or contact our office at (317) 547-5580.

Very truly yours,

American Structurepoint, Inc.

H. Cibelan

Joshua H. Cribelar, PE

JHC:dls

