

PLANNING COMMISSION
TOWN OF EDINBURGH
107 S. Holland St.
Edinburgh, IN 46124

STAFF REPORT
PC 2021 – 02
October 19, 2021
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STAFF REPORT

CASE NUMBER: PC 2021-02
CASE NAME: Timbergate Subdivision PUD Renewal & Amendment of Development Statement

GENERAL INFORMATION

Applicant: Gradison Land Development, Inc.
6330 E 75th Street, Suite 156
Indianapolis, IN 46250
(859) 475-3931

Property Owner: Amos Investment Corporation, DBA Timbergate
PO Box 875
Elk Rapids, MI 49629

Acreage: 91.87 Acres (276 Lots, 181 Undeveloped Lots)

Zoning District: R3- Medium Density Residential

Current Land Use: Residential Golf Course Community and Undeveloped acreage

PROPERTY DESCRIPTION

Timbergate is located on the east side of Edinburgh, west of Interstate Highway 65 and south of State Road 252. The property is a residential golf course community and is comprised of approximately 91.87 acres. This subdivision was developed having four (4) Sections in the original PUD as follows: (See exhibit A)

- A. Timbergate Section 1
 - I. Section 1 A
 - II. Section 1 B
- B. Timbergate Section 2
- C. Timbergate Section 3
- D. Timbergate Section 4

LEGAL NOTIFICATIONS

Petitioner has satisfied all documentation requirements, legal and public notifications specified in the Town of Edinburgh Plan Commission Application Packet.

CASE DESCRIPTION

This case comes before the Plan Commission to consider the application of Gradison Land Development, Inc. to Restate and Amend Development Statements for Amos' Timbergate Subdivision. Petitioner is requesting modifications to the Declaration of Conditions and Restrictions of Section 3 and Section 4 to accommodate changes to architectural design specifications and reductions in lot widths.

CASE HISTORY

§156.230(2) of the Zoning Ordinance for the Town of Edinburgh provides for the expiration of a planned unit development ("PUD") when abandonment (no improvements have been made to the PUD per detailed plans of the PUD for twenty-four (24) consecutive months) of the PUD occurs and/or the PUD has not been completed after five (5) years from the date of its approval.

The Timbergate Planned Unit Development ("Timbergate PUD") was originally approved on the 1st day of September 1997.

At the regularly scheduled meeting on the 20th day of December 2011, the Town of Edinburgh Planning Commission considered and approved an Application for Continuation, by the applicant, Amos Investment Corporation for a ten (10) year extension of the Timbergate PUD, in order to complete the same. In accordance with the Findings of Fact issued by Edinburgh Plan Commission dated the 20th day of December 2011, the Timbergate PUD shall expire on the 20th day of December 2021.

From the date of its original approval, Timbergate PUD is now in its 24th year of development. To date, paved streets improvements have been installed in Section 1 and Section 2. There are no paved streets in Section 3 or Section 4 in the Timbergate PUD.

Approximately sixty-seven (67) residential homes have been constructed in Section 1 and Section 2 of the Timbergate PUD, however there are no residential homes constructed in Section 3 or Section 4 as of this date in the Timbergate PUD.

CONSIDERATIONS & STAFF ANALYSIS

1. Gradison Land Development, Inc. is in process of acquiring the undeveloped acreage of Section 3 and Section 4 of the Timbergate PUD.
2. Gradison Land Development, Inc. is proposing the following amendments to the Timbergate PUD for Section 3 and Section 4
 - Reduce lot sizes to 70' (excluding existing platted lots in Kennedy Park)
 - Reduce lot square footage from current minimum of 9,600 to 8,400,
 - Reduce the minimum square footage for single-story from current minimum of 1,500 to 1,150

3. Gradison Land Development, Inc. is proposing the following amendments to the Covenants, Conditions and Restrictions of the Timbergate Subdivision for Section 3 and Section 4: (referenced in Section 4.6 Developmental Standards)

- A Home Owner's Association shall be established and enforce the Covenants, Conditions and Restrictions of the subdivision
- All residence shall have a minimum of 25% masonry
- All residence shall have a porch or bump out gables on the rear elevations
- Minimum landscape standards shall be required in the rear yards and which shall be determined by the Architectural Review Committee
- Anti-monotony code shall apply to one residence on either side of each residence and three residences across the street
- All residences shall have irrigation systems connected to water meter at the time of construction
- No fences will be allowed on any lot in Section 3 and Section 4
- Vinyl Siding shall not be allowed
- Fiber cement siding (also known as HardiPlank) shall be allowed in Section 3 and Section 4
- Yard maintenance program shall be provided
- The minimum floor area exclusive of open porches and attached garages shall be twelve hundred fifty (1250) square feet for a single-story residence; except that 10% of the homes in Section 3 and Sections 4 may be eleven hundred fifty (1150) square feet and sixteen hundred (1600) for a two-story residence.

(See Exhibit B)

4. The anticipated product offering for development in Section 3 and Section 4 is to be the Lifestyle design by Ryan Homes. The anticipated current market price range for these homes is between \$250,000 to \$325,000 plus options.
5. Lifestyle by Ryan Homes product line consists of five (5) floor plan designs, ranging in size between 1,153 to 1,696 square feet of living space. Each of the five floor plans have two distinct exterior design features including optional mirror/flipped floor plans, and several optional color schemes.
6. Both Gradison Land Development, Inc. and Ryan Homes have indicated that modifications to their product offering is not negotiable in relationship to floor plans, and exterior product components
7. **Table 2 District Standards §156.037** of the Zoning Ordinance for the Town of Edinburgh establishes the minimum standards for development in districts zoned as R3:

Minimum Lot Area	9,600 square feet
Dwelling Units per Arce	4
Minimum Lot Width	80 Feet
Minimum Width Side Yard Setback	10 feet
Minimum Width Side Yard Aggregate	20 feet
Minimum Ground Floor area (one-story)	1,260 square feet

8. The average square footage of the existing single-family detached homes (total of approximately +/- 67) in the Timbergate Subdivision is approximately 2,136 square feet of living space, the smallest being 1,519 square feet of living space.
9. Within the past twelve months there have been nine (9) new single-family permits issued for the Timbergate Subdivision. The average estimated construction costs of these nine (9) homes were \$335,333, having a construction cost range of \$310,000 to \$398,000, exclusive of the lot price.
10. The Town of Edinburgh could realize a significant increase in its assessed property values if the Timbergate Subdivision were fully developed with the additional 180 (+/-) new residential homes. This should create a positive impact on the Town's overall tax rate having the effect of lowering the tax rate for all Edinburgh property owners.
11. A random sample of ten (10) occupied residences in the Timbergate subdivision over a thirteen (13) month period, generated monthly revenue to the Town's Utility Office an approximate average of two-hundred fifteen (\$215.00) dollars per each residence per month. If this average amount were applied to 180 new residences in the Town' service area would provide an additional potential forty- five hundred (\$4,500) dollars of monthly revenue to the Town's utility services, or an annual revenue of fifty-four thousand dollars (\$54,000).
12. It could reasonably be assumed that some new property owners in Timbergate subdivision would also become members of the Timbergate Golf Course providing additional annual revenue for the municipally owned course.
13. The Town of Edinburgh owns and operates Timbergate Golf Course, therefore has a vested interest to promote and maintain appropriate development of the Timbergate Subdivision in order to sustain the integrity of a golf course community and the duty to honor commitments made to its citizens who have investment into property existing within the Timbergate subdivision.

STAFF RECOMMENDATIONS

Based on these findings, staff recommends the Plan Commission to **approve** the developmental plans as submitted with the following conditions:

1. That this decision is only granted to the Petitioner, and any waiver of requirements granted will not be transferable to any other development of this property not directly associated with this submittal,
2. Plan Commission approve a waiver of the requirements of the Town Subdivision Control Ordinance **Division 3 Table 2 District Standards §156.037** to allow the minimum standards for the Timbergate PUD for Section 3 and Section 4 to be amended to the following:

Minimum Lot Area	8,400 square feet
Minimum Lot Width	70 Feet
Minimum Width Side Yard Setback	10 feet
Minimum Width Side Yard Aggregate	20 feet
Minimum Ground Floor area (one-story)	1,260 square feet

3. That residence having less than 1,260 square feet not be permitted in Section 3 and Section 4 for consistence within other Districts zoned as R3 Residential
4. A Utility Easement shall be provided between County Line Road and the interior street for utility services in a location and size as specified by the Edinburgh Utility Departments to meet the requirements of the development.
5. An identification monument sign shall be erected for the new development, similar to the Reagan Park sign. The design for the same shall be approved by Town Planning Department prior to erection.
6. All developmental standards for Sections 1, Section 1 A, Section 1 B, and Section 2 shall remain unchanged for all remaining undeveloped lots in these sections as declared in the Restated Declaration of Covenants, Conditions and Restrictions of Timbergate Subdivision date the 26th day of September 2012.
7. All construction traffic for development in Section 3 shall have accessed to the site using St Andrews Avenue. All construction traffic for development in Section 4 shall only be permitted access to the site by using the Lind Drive entrance into the Timbergate Subdivision
8. All corner lots shall only have one driveway from public street and be large enough to provide the required twenty-five (25) feet setback from both street fronts
9. Developer shall be responsible for the clearing rank vegetation from around the existing ponds in the new development areas
10. The names for each Section/Park and Street names shall follow established practice of using past President's name and street names with similar theme.
11. Water and Sewer taps shall be installed to each lot during utility infrastructure installation to eliminate under street borings for water and sewer laterals.
12. Requiring adherence to all other developmental standards established in the Edinburgh Zoning Ordinances for development for which a waiver is not specifically granted,
13. That all aspects of this project development be compliant with all applicable Building Codes adopted by the State of Indiana for construction and all developmental requirements of the Edinburgh Zoning Ordinances,

14. That prior to commencement of any site development on the subject parcel, the Developer shall submit all required construction plans to the Town of Edinburgh Planning Department for plan review, approval and issuance of a local improvement permit by the Edinburgh Building & Zoning Department.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Wade Watson", followed by a horizontal line.

Wade Watson
Planning Director
Town of Edinburgh