



CITY COUNCIL STAFF REPORT

DEPARTMENT CONTACT:

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DOCKET NUMBER:

Ord. No. 012120A (TA-19-16)

PETITIONER/PROPERTY OWNER:

Joe Calderon with Barnes & Thornburg, LLP on behalf of TWG Development, LLC and the City of Fishers

PUBLIC HEARING DATE:

Wednesday, February 5th, 2020

PROPERTY ADDRESS/LOCATION:

Parkside PUD/ Development; Generally located north of 126th Street, South of 131st Street, and East of State Road 37

SPECIFIC REQUEST: Consideration of a Text Amendment to the Parkside PUD Ordinance amending the Parkside PUD commitments concerning the use and development of real estate along State Road 37. Petitioner is Joe Calderon with Barnes & Thornburg, LLP on behalf of TWG Development, LLC and the City of Fishers.

SIZE OF PROPERTY: 90 acres

EXISTING ZONING: PUD-C

EXISTING LAND USE: Commercial/
Vacant Land

PROJECT SUMMARY: Consideration of a Text Amendment to the Parkside PUD Ordinance amending the Parkside PUD commitments concerning the use and development of real estate along State Road 37. Petitioner is Joe Calderon with Barnes & Thornburg, LLP on behalf of TWG Development, LLC and the City of Fishers.

LOCATION MAP:



STAFF RECOMMENDATION

<input checked="" type="checkbox"/> APPROVE	<input type="checkbox"/> APPROVE WITH CONDITIONS	<input type="checkbox"/> DENY	<input type="checkbox"/> CONTINUE
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ATTACHMENTS

- SUBMITTED PLANS
- PUBLIC COMMENTS
- OTHER

- LEGAL NOTICE
- AGENCY COMMENTS
- LEGAL DESCRIPTION

ADVISORY PLAN COMMISSION RECOMMENDATION:

Case number TA-19-16 was heard before the Plan Commission on February 5th, 2020 and was unanimously sent to Council for third and final reading.

PETITION HISTORY:

The subject site is located north of 126th Street, south of 131st Street, and east of State Road 37. As part of the State Road 37 improvements, the overall ROW increased leading to a decrease in the overall front setback for numerous properties along State Road 37. The Parkside PUD is one of those developments that was affected by the ROW increase, and as such has made the majority of properties that front 37 in the PUD legally non-conforming making it difficult to redevelop or develop the properties.

PETITION OVERVIEW:

Petitioner is seeking approval of a text amendment to the Parkside PUD ordinance to decrease the required front setback of 50 feet along State Road 37 to 25 feet. Text amendment is being sought as the increase in ROW needed for the State Road 37 improvements has made most of the properties along State Road 37 in the Parkside PUD now Legal Non-Conforming. As such, the proposed text amendment would bring those properties into compliance and would allow for future development to occur along State Road 37 in the Parkside PUD.

PUBLIC COMMENTS:

No comments have been received from the public at this time.

STAFF COMMENTS:

Staff is supportive of the text amendment as it will bring the properties along State Road 37 in the Parkside PUD into compliance and they will no longer be legally non-conforming. The text amendment will also allow for future development to occur along State Road 37 without the potential of property constraints that otherwise would make the sites hard to develop and redevelop.

ATTACHMENTS:

- 1) Ordinance
- 2) Council Action Form