



CITY COUNCIL STAFF REPORT

DEPARTMENT CONTACT:

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DOCKET NUMBER:

RZ-21-10

PETITIONER/PROPERTY OWNER:

Faegre Drinker LLP on behalf of Epcom Community, Inc.

PUBLIC HEARING DATE:

Monday, Feb 21, 2022

PROPERTY ADDRESS/LOCATION:

16000 E 113th St, Fishers, 46038

SPECIFIC REQUEST: Consideration of a rezone from R2 to PUD-Residential for a 50 unit single-family age-targeted development, known as the Courtyards of Fishers PUD.

SIZE OF PROPERTY:

22.1 acres

EXISTING ZONING:

R2

EXISTING LAND USE:

Vacant

LOCATION MAP:



STAFF RECOMMENDATION

<input checked="" type="checkbox"/> APPROVE	<input type="checkbox"/> NO RECOMMENDATION	<input type="checkbox"/> DENY	<input type="checkbox"/> CONTINUE
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ATTACHMENTS

- PETITIONER'S PACKET
- PUBLIC COMMENTS

- AGENCY COMMENTS
- OTHER

PETITION OVERVIEW:

Faegre Drinker, LLP is requesting approval of a rezone from R2 to PUD-R for the Courtyards of Fishers PUD. This petition seeks to rezone 22.1 acres of vacant R2 land to PUD-R to permit construction of a 50-lot single-family age-targeted residential subdivision. Please reference the Petitioner's Packet for the proposed Concept Plan and Illustrative Architectural Exhibit for the proposed homes to be built.

As this development is age-targeted, the developer predicts an average community member age of 55 years. As such, the homes are to be constructed with Universal Design Features in mind.

Development Standards

The underlying zoning district for this PUD will incorporate the R5 – Residential District development standards found within the City's Unified Development Ordinance (UDO), except as modified by the proposed ordinance identified below in red.

Courtyards of Fishers		UDO R5 Residential
1a. Lot area	6,000 sf	7,500 sf
1b. Lot width at building line	52'	70'
1d. Lot frontage	35'	50'
2. Minimum Building Setbacks		
2a. Front - local street / other street	10'	25' / 40'
2b. Side, primary structure	5'	10'
2c. Rear, primary structure	10'	25'
3. Maximum Building Height		
3a. Primary structure	35'	35'
4. Building Floor Area		
4a. Living unit area, 1-story (min)	1,400 sf	1,000 sf
4b. Living unit area, 2-story (min)	-	1,200 sf
5. Other		
5b. Impervious area of lot (max)	65%	50%
6. Maximum Lots Permitted		
6a. Maximum Number of Lots	50	N/A

Architectural Exhibits

The Illustrative Architectural Exhibit will be incorporated into the PUD Ordinance to illustrate conceptually the elements and anticipated character of and to establish a benchmark for the architecture and design of the residential dwellings on the Real Estate. The final dwelling designs may vary from the Illustrative Architectural Exhibit; however, the dwellings shall be substantially similar in quality and character to the dwellings shown in the Illustrative Architectural Exhibit. The Illustrative Architectural Exhibits were approved at the February 9, 2022, PUD Committee Meeting, with a 4-0 vote.

All homes will be required to meet the following additional architectural standards, in addition to the minimum established in the UDO:

- All residential structures shall include masonry on the front façade
- Front loaded garages shall be setback a minimum of two (2) feet from the façade plane
- Aluminum, heavy-gauge vinyl, and vinyl shall not be permitted
- Side facades on corner lots shall be additional architectural features as identified
- Rear facades on perimeter lots, marked with an asterisk, shall include additional architectural features as identified
- Horizontal lap siding, shake siding, and vertical board-and-batten siding may be used on the
- balance of the front façade
- The side and rear elevations of each home may use horizontal lap siding and vertical board-and-batten siding; however, the courtyard side of the homes shall only use horizontal lap siding

The floor plans and elevations reflect an interior courtyard building form that replaces resident's backyards with landscaped and furnished side yards. Please refer to Tab 8 for renderings and examples of the courtyard feature. This feature can be found in the Anderson Hall subdivision (located south of 141st St and west of Promise Rd) as well.

Architectural features of note to be included are as follows:

- Reverse gables
- Varied corner molding
- Varied decorative entryways
- Multiple roof planes
- Decorative window casings
- Roof line brackets

Open Space and Landscaping

The concept plan depicts the area to be incorporated into the PUD-R. The Real Estate's Development Plan shall be substantially consistent with the Concept Plan and shall be reviewed and approved based upon compliance with the development and design standards set forth in the PUD.

The concept plan includes a perimeter path around the drainage pond located in the SW corner of the development for pedestrian use that provides connection to the adjacent Grantham subdivision as well as a pavilion/pond overlook. The City's acquirement of ROW for future road improvements, per the Transportation Plan, along 113th and Southeastern Parkway is depicted as well.

Rain barrels are available to be included to roof downspouts through Fishers DPW, and all homes shall be constructed with LED lights.

Of further note is the inclusion of certain sustainability standards within the ordinance. Specifically, Article 6.7 is amended to promote drought-tolerant native species as follows:

Article 6.7. Landscaping Standards: Shall apply, except as modified below:

- (1) The required landscaping in all common areas/open spaces shall be native species selected from the City of Fishers Planting Guide list of Approved Species, and emphasis shall be given to selecting drought tolerant varieties,

at the discretion of the developer and/or property owner. All required plantings initially installed on the individual lots shall be native species. Non-native species may be installed with prior approval by City staff.

Modifications to the original draft ordinance includes the following after having one-on-one meetings with neighbors:

Article 8.4. Open Space, Common Area & Amenity Standards

(2) *Section 8.4.5.B. Perimeter Landscaping, Number of Trees and Shrubs Required:* Shall not apply; instead, perimeter landscaping shall include the following:

- (i) A black, four-rail horse fence and/or a black, cross buck fence shall be installed along the right-of-way of Southeastern Parkway and E. 113th Street,
- (ii) A minimum of ~~four (4)~~ **eight (8)** evergreen trees **and** three (3) shade trees, ~~and three (3) ornamental trees~~ per one hundred (100) feet of external street frontage, and
- (iii) No shrubs nor berms shall be required.

Site Access and ROW

A local road will be constructed off Southeastern Parkway. It is important to highlight that all access and ROW improvements will need to be reviewed by the City's Engineering Department through the Technical Advisory Committee (TAC) and are subject to additional comments by staff. A pedestrian path is proposed along E 113th Street and Southeastern Parkway to provide pedestrian connection to the Grantham subdivision future connections.

PUBLIC COMMENTS:

Councilor DeReamer provided a Public Comment to the Plan Commission that highlighted the property is zoned R2-Residential and they can build R2 - Residential under our current UDO standards and if they want to rezone to R5-Residential they could built R5 - Residential. He does not believe the proposed PUD is close to the underlying R5-Residential.

STAFF COMMENTS:

Fishers 2040

Per the Comprehensive Plan this area is identified as "Low Density Suburban Residential" which is defined as single-family detached residential at low densities ranging from one to two dwelling units per acre. A variety of densities within the permitted range is encouraged to allow for more diversity in housing type. Staff feels this project is consistent with this policy prescription and is of a high architectural and material quality and a housing type that currently limited within our community.

Furthermore, the area in the SE corner of Southeastern Parkway is identified as an area to be considered for (commercial) Neighborhood Services, such as low-intensity retail, restaurants, etc. Staff feels this development would amply serve such a commercial development if/when proposed, thus achieving the intent of the prescriptions of the Comprehensive Plan.

Current Conditions

The proposed development is surrounded by Estate Residential to the north and south, R2 residential to the east, and PUDR (Grantham) to the west.

City Council

This item was given First Reading at City Council on December 20, 2021. No comments were provided.

PUD Committee

During the February 9, 2022 meeting the PUD Committee reviewed the site plan and the home elevations provided in the PUD Document. PUD Committee **APPROVED** the Site plan and building elevation by a vote of 4 to 0.

Plan Commission

During the February 9, 2022 meeting the Fishers Advisory Plan Commission held a public hearing. Two (2) residents spoke at the public hearing. Concerns that the area is no longer estate residential in nature and that the development does not match the Future Land Use Plan. The Future Land Use Map shows this parcel as “Low Density Suburban Residential”. Plan Commission sends a **FAVORABLE RECOMMENDATION** to City Council by a vote of 9 to 0.

Staff Recommendation

Therefore, staff recommends **APPROVAL** of the petition as presented.