

# CITY OF SHELBYVILLE

Adam M. Rude  
Director



Allan Henderson  
Deputy Director

## PLAN COMMISSION

**MEETING DATE: 5/28/2019**

Case Number & Name:	PC 2019-08: Twin Lakes PUD Revision			
Petitioner's Name:	DR Horton d/b/a Westport Homes			
Owner's Name:	Twin Lakes, LLC c/o Landco Inc.			
Petitioner's Representative:	Brian Tuohy			
Address of Property:	North of Twin Lake Boulevard and east of Amos Road			
Subject Property Zoning Classification:	PD _ Planned Development			
Comprehensive Future Land use:	R1 – Single Family Residential			
	<b>North</b>	<b>East</b>	<b>South</b>	<b>West</b>
Surrounding Properties' Zoning Classifications:	R1 – Single Family Residential	BG – Business General	R1 – Single Family Residential	Intelliplex PUD Medical Campus
Surrounding Properties' Comprehensive Future Land Use	Single Family Residential	Commercial	Single Family Residential	Multi-family Residential
History:	The Twin Lakes Planned Unit Development has a long history in Shelbyville dating back to 2006 (PC2006-2) when the Plan Commission approved the rezoning of 102 acres to create the PUD and PC2006-3 approving the major subdivision plat. In 2008 (PC.2008-16) and 2009 (PC2009-6) the original PUD detail plans were amended to allow for the multi-family section. And finally in 2013 (PC2013-12) a site development plan approval for apartments. The proposed revision is to build out the rest of the property with single family residential homes.			
Vicinity Map:				
Action Requested:	A formal recommendation on a request to revise the Planned Unit Development for Twin Lakes.			

1. Twin Lakes is a 102 acre property located in the southeast corner of Shelbyville; along Amos Road and McKay Road. Landco started developing the property in 2006 with the approval of their rezone to the Planned Unit Development and major subdivision plat. Since 2006, around 40 single family residential homes, 16 duplexes (with 32 units) and 20 apartment buildings (with 160 units) have been constructed. The current proposal is to build-out the remaining 37 acres with 88 single family residential homes and 2 common areas.
2. The Unified Development Ordinance requires the Plan Commission pay reasonable regard to the following decision criteria:

**a. Relation to the Comprehensive Plan:**

The planning staff has determined that the proposed revision of the Twin Lakes Planned Unit Development aligns with the City's Comprehensive Plan. The future land use map shows the areas as single family residential and the proposed revisions to the planned unit development are to construct single family residential properties.

**b. Current Conditions:**

The planning staff has determined that the proposed revision of the Twin Lakes Planned Unit Development would not adversely affect the surrounding area. There are currently single family residential properties to the south of the proposed site and a combination of multifamily housing; apartments and duplexes to the west of the site. There is another large single family neighborhood, Central Park to the east of the site.

**c. Desired Use:**

The planning staff has determined that utilizing the parcel for single family residences would be a good complimentary use to the surrounding properties. Again, the site is surrounded by complimentary residential development.

**d. Property Values:**

The planning staff has determined that the proposed zoning classification should not have any adverse affect on the property values of the surrounding area. The proposed development will need to, at a minimum, meet the standards prescribed in the planned unit development detailed plan.

**e. Responsible Growth:**

The planning staff has determined that due to the fact that this type of development has been planned for in this area through the City's Comprehensive Plan, and the public infrastructure has been designed for this scale of development, this is a responsible growth and development pattern.

**STAFF RECOMMENDATION: Favorable recommendation on the proposed revision of the Twin Lakes Planned United Development.**

## Rezone (Zoning Map Amendment): PC 2019-08: Twin Lakes PUD Revision

### FINDINGS OF FACT BY THE SHELBYVILLE PLAN COMMISSION

Motion:

(I) would like to make a motion to approve the revision to the Twin Lakes Planned Unit Development as presented to this board, pursuant to the planning staff's report and Findings of Fact.

1. ☐ The Plan Commission has paid reasonable regard to, and finds that the proposed PUD revision is consistent with The City of Shelbyville Comprehensive Plan and all other applicable, adopted planning studies or reports.  
☐ The Plan Commission has paid reasonable regard to, and finds that the proposed PUD revision **is not** consistent with The City of Shelbyville Comprehensive Plan and all other applicable, adopted planning studies or reports.
2. ☐ The Plan Commission has paid reasonable regard to, and finds that the proposed PUD revision is complimentary to the current conditions and the character of current structures and uses in this zoning district.  
☐ The Plan Commission has paid reasonable regard to, and finds that the proposed PUD revision **is not** complimentary to the current conditions and the character of current structures and uses in this zoning district.
3. ☐ The Plan Commission has paid reasonable regard to, and finds that the proposed PUD revision will allow for the most desirable use of the subject land, pursuant to the planning staff's report.  
☐ The Plan Commission has paid reasonable regard to, and finds that the proposed PUD revision **will not** allow for the most desirable use of the subject land, pursuant to the planning staff's report.
4. ☐ The Plan Commission has paid reasonable regard to, and finds that the proposed PUD revision will not have an adverse negative affect on the conservation of property values throughout the City of Shelbyville's planning jurisdiction, pursuant to the planning staff's report.  
☐ The Plan Commission has paid reasonable regard to, and finds that the proposed PUD revision **will** have an adverse negative affect on the conservation of property values throughout the City of Shelbyville's planning jurisdiction, pursuant to the planning staff's report.
5. ☐ The Plan Commission has paid reasonable regard to, and finds that the proposed PUD revision is a responsible growth and development strategy for the City of Shelbyville's planning jurisdiction, pursuant to the planning staff's report.  
☐ The Plan Commission has paid reasonable regard to, and finds that the proposed PUD revision is not a responsible growth and development strategy for the City of Shelbyville's planning jurisdiction, pursuant to the planning staff's report.

Shelbyville Plan Commission

By: \_\_\_\_\_

Attest: \_\_\_\_\_

Chairperson

Secretary



## PUD CONCEPTUAL PLAN APPLICATION

Shelbyville Planning & Building Department  
44 West Washington Street  
Shelbyville, IN 46176  
P: 317.392.5102

### For Office Use Only:

Case #: PC \_\_\_\_\_ - \_\_\_\_\_

Hearing Date: \_\_\_\_\_

Fees Paid: \$ \_\_\_\_\_

Final Decision:

Approved

Denied

1.

#### Applicant

Name: D.R. Horton - Indiana, LLC d/b/a Westport Homes

Address: 9210 North Meridian Street

Indianapolis, IN 46260

Phone Number: 317-844-0433

Fax Number: 317-844-0622

Email: matt.dunn@westport-home.com; cmckinney@westport-home.com

#### Property Owners Information (if different than Applicant)

Name: Twin Lakes, LLC c/o Landco, Inc.

Address: 818 Elson Drive, Suite B, Shelbyville, IN 46176

Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Email: \_\_\_\_\_

2.

#### Applicant's Attorney/Representative

Name: Brian J. Tuohy, Attorney

Address: 50 S. Meridian Street, Suite 700

Indianapolis, IN 46204

Phone Number: 317-638-2400

Fax Number: 317-633-6618

Email: btuohy@dtblegal.com

#### Project Engineer

Name: Maurer Surveying, Inc.

Address: 4800 W. Smith Valley Road, Suite P

Greenwood, IN 46142

Phone Number: 317-881-3898

Fax Number: \_\_\_\_\_

Email: \_\_\_\_\_

#### 3. Project Information:

General Location of Property (and address is applicable): an approximately 37-acre parcel located north of Twin Lakes Blvd and east of Amos Road

Current Zoning: PUD

Proposed Zoning: PUD

Proposed Name of Development: Twin Lakes PUD

Existing Use of Property: Unimproved / Agricultural

Proposed Use: Single-Family Residential

Proposed No. of Lots/Density: \_\_\_\_\_

#### 4. Attachments

☒ Affidavit and Consent of Property Owner (if applicable)

☐ Proof of Ownership (copy of deed, recent property card)

☐ Letter of Intent

☐ Proposed Conceptual Plan

☒ Vicinity Map

☒ Application Fee

☐ Additional Supporting Materials (Optional)

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

Applicant: Brian J. Tuohy

Attorney for Applicant

Date: 5/14/19

State of Indiana  
County of Marion SS:

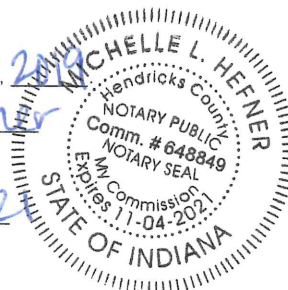
Subscribed and sworn to before me this 14th day of May, 2019

Michelle L. Heffner  
Notary Public

Michelle L. Heffner  
Printed

Residing in Hendricks County.

My Commission Expires: 11.04.2021









Previously Approved Plan

LEGAL DESCRIPTIONS

NOTE:  
PUD SINGLE FAMILY REQUIRED  
25% OPEN SPACE WAS REDUCED  
TO 15% OPEN SPACE AT THE  
FEBRUARY 14, 2017 BOARD OF  
ZONING APPEALS MEETING

SINGLE FAMILY DISTRICT

A part of the Northwest Quarter of Section 9, Township 13 North, Range 7 East of the Second Principal Meridian in Addison Township, Shelby County, Indiana, being more particularly described as follows:

COMMENCING at the Southwest corner of said Quarter Section; thence North 00 degrees 08 minutes 29 seconds East (assumed bearing) along the West line of said Quarter Section 1407.09 feet; thence South 89 degrees 51 minutes 31 seconds East 249.89 feet; thence North 00 degrees 08 minutes 29 seconds East parallel to the West line of said Quarter Section 401.83 feet to the POINT OF BEGINNING of the herein described parcel; thence continuing North 00 degrees 08 minutes 29 seconds East parallel with the West line of said Quarter Section 819.43 feet to the North line of said Quarter Section; thence South 89 degrees 51 minutes 31 seconds East on and along said North line 504.10 feet to the Right-of-Way of the CSX Railroad; thence South 49 degrees 19 minutes 54 seconds East on and along said Right-of-Way 3551.58 feet to the East line of said Quarter Section; thence South 00 degrees 13 minutes 53 seconds West along said East line 348.79 feet to a Point of Noncurvature of a curve concave Southwesterly whose Radius Point bears South 34 degrees 55 minutes 48 seconds East 1850.92 feet, the chord of said curve bears South 48 degrees 44 minutes 42 seconds West 534.03 feet, said point also being on the Westerly Right-of-Way of Progress Parkway; thence Southwesterly along said curve and said Right-of-Way 538.17 feet to a Point of Tangency; thence North 49 degrees 19 minutes 54 seconds West 167.84 feet to a Point of Noncurvature of a curve concave Northwesterly and Northerly whose Radius Point bears North 47 degrees 48 minutes 37 seconds West 175.00 feet, the chord of said curve bears South 66 degrees 30 minutes 48 seconds West 143.23 feet; thence Southwesterly and Westerly along said curve 147.87 feet to a Point of Tangency; thence North 59 degrees 29 minutes 46 seconds West 362.89 feet; thence North 00 degrees 08 minutes 29 seconds East 270.78 feet to a Point of Curvature of a curve concave Westerly and Southwesterly whose Radius Point bears North 89 degrees 51 minutes 31 seconds East 34 minutes 32 seconds West 334.61 feet; thence Northerly and Northwesterly along said curve 346.17 feet to a Point of Tangency; thence North 49 degrees 17 minutes 53 seconds West 1331.57 feet to a Point of Curvature of a curve concave Southerly and Southwesterly whose Radius Point bears South 40 degrees 42 minutes 27 seconds West 360.00 feet, the chord of said curve bears North 69 degrees 34 minutes 32 seconds West 342.65 feet; thence Southwesterly and Westerly along said curve 547.00 feet to a Point of Tangency; thence South 89 degrees 51 minutes 31 seconds East 80.98 feet to the POINT OF BEGINNING, containing 57.45 acres, more or less.

DUPLEX DISTRICTS

A part of the Northwest Quarter of Section 9, Township 13 North, Range 7 East of the Second Principal Meridian in Addison Township, Shelby County, Indiana, being more particularly described as follows:

COMMENCING at the Southwest corner of said Quarter Section; thence North 00 degrees 08 minutes 29 seconds East (assumed bearing) along the West line of said Quarter Section 627.00 feet; thence continuing North 00 degrees 08 minutes 29 seconds East along said West line 780.09 feet; thence South 89 degrees 51 minutes 31 seconds East 449.98 feet; thence South 89 degrees 56 minutes 54 seconds East parallel to the South line of said Quarter Section 971.31 feet to the POINT OF BEGINNING of the herein described parcel; thence North 00 degrees 24 minutes 06 seconds East 85.19 feet; thence North 40 degrees 31 minutes 55 seconds East 549.03 feet; thence South 49 degrees 17 minutes 53 seconds East 619.14 feet to a Point of Curvature of a curve concave Southwesterly and Westerly whose Radius Point bears South 40 degrees 42 minutes 27 seconds West 402.00 feet, the chord of said curve bears South 24 degrees 34 minutes 32 seconds East 334.61 feet; thence Southwesterly and Southerly along said curve 345.11 feet to a Point of Tangency; thence South 00 degrees 13 minutes 53 seconds West parallel with the West line of said Quarter Section 581.73 feet to the North Right-of-Way of McKay Road; thence South 86 degrees 07 minutes 14 seconds West along said Right-of-Way 390.80 feet; thence North 00 degrees 08 minutes 29 seconds East parallel with the West line of said Quarter Section 590.70 feet; thence North 89 degrees 35 minutes 55 seconds West parallel with the South line of said Quarter Section 348.69 feet to the POINT OF BEGINNING, containing 10.48 acres, more or less.

APARTMENTS

A part of the Northwest Quarter of Section 9, Township 13 North, Range 7 East of the Second Principal Meridian in Addison Township, Shelby County, Indiana, being more particularly described as follows:

COMMENCING at the Southwest corner of said Quarter Section; thence North 00 degrees 08 minutes 29 seconds East (assumed bearing) along the West line of said Quarter Section 627.00 feet to the POINT OF BEGINNING of the herein described parcel; thence continuing North 00 degrees 08 minutes 29 seconds East along said West line 780.09 feet; thence South 89 degrees 51 minutes 31 seconds East 449.98 feet; thence North 00 degrees 08 minutes 29 seconds East parallel with the West line of said Quarter Section 481.23 feet; thence South 89 degrees 51 minutes 31 seconds East 80.98 feet to a Point of Curvature of a curve concave Southerly and Southwesterly whose Radius Point bears South 00 degrees 08 minutes 29 seconds West 360.00 feet, the chord of said curve bears South 89 degrees 54 minutes 32 seconds East 342.65 feet; thence Southwesterly and Southerly along said curve 547.00 feet to a Point of Tangency; thence South 49 degrees 17 minutes 53 seconds East 1012.14 feet; thence South 40 degrees 31 minutes 55 seconds West 549.03 feet; thence North 00 degrees 24 minutes 06 seconds West 85.19 feet; thence North 89 degrees 35 minutes 55 seconds East parallel with the South line of said Quarter Section 971.31 feet to the POINT OF BEGINNING, containing 25.43 acres, more or less.

COMMERCIAL DISTRICTS

A part of the Northwest Quarter of Section 9, Township 13 North, Range 7 East of the Second Principal Meridian in Addison Township, Shelby County, Indiana, being more particularly described as follows:

COMMENCING at the Southwest corner of said Quarter Section; thence North 00 degrees 08 minutes 29 seconds East (assumed bearing) along the West line of said Quarter Section 1407.09 feet to the POINT OF BEGINNING of the herein described parcel; thence continuing North 00 degrees 08 minutes 29 seconds East along said West line 1007.63 feet; thence South 89 degrees 51 minutes 31 seconds East parallel with the North line of said Quarter Section 250.00 feet; thence South 00 degrees 08 minutes 29 seconds East parallel with the West line of said Quarter Section 1005.63 feet; thence North 89 degrees 51 minutes 31 seconds West 249.98 feet to the POINT OF BEGINNING, containing 5.78 acres, more or less.

ALSO:  
A part of the Northwest Quarter of Section 9, Township 13 North, Range 7 East of the Second Principal Meridian in Addison Township, Shelby County, Indiana, being more particularly described as follows:

COMMENCING at the Southwest corner of said Quarter Section; thence North 00 degrees 08 minutes 29 seconds East (assumed bearing) along the West line of said Quarter Section 627.00 feet; thence South 89 degrees 56 minutes 54 seconds East parallel with the South line of said Quarter Section 1320.00 feet; thence South 00 degrees 08 minutes 29 seconds West parallel with the West line of said Quarter Section 590.10 feet to the North Right-of-Way line of McKay Road; thence North 86 degrees 57 minutes 14 seconds East along said Right-of-Way line 390.80 feet to the POINT OF BEGINNING of the herein described parcel; thence North 00 degrees 08 minutes 29 seconds East parallel with the West line of said Quarter Section 284.55 feet; thence South 89 degrees 29 minutes 48 seconds East 362.89 feet to a Point of Noncurvature of a curve concave Northerly and Northwesterly whose Radius Point bears North 00 degrees 30 minutes 12 seconds East 143.23 feet; thence Southwesterly and Southerly along said curve 147.87 feet to a Point of Tangency; thence South 49 degrees 19 minutes 54 seconds East 167.84 feet to a Point of Noncurvature of a curve concave Southwesterly and Easterly whose Radius Point bears South 40 degrees 42 minutes 27 seconds West 1850.92 feet, the chord of said curve bears South 25 degrees 03 minutes 48 seconds East 534.03 feet, said point also being on the West Right-of-Way of Progress Parkway; thence Southwesterly and Southerly along said curve and along said Right-of-Way 534.23 feet to a Point of Tangency; said point also being on the North Right-of-Way of McKay Road; thence the curve being along said Right-of-Way; (1) South 88 degrees 22 minutes 68 seconds West 163.01 feet; (2) North 89 degrees 07 minutes 07 seconds West 200.00 feet; (3) South 88 degrees 57 minutes 12 seconds West 163.74 feet to the POINT OF BEGINNING, containing 3.70 acres, more or less.

SCALE	1" = 150'
DRAWN	AB
DESIGNED BY	PM
CHECKED	PM

MAURER SURVEYING, INC.

REGISTERED PROFESSIONAL SURVEYOR

NO. 88006

STATE OF INDIANA

3/2/17

DATE	REVISIONS	REVISED PER	TECH COMMENTS
11/20/16	3/2/17	REVISOR	REVISED COMMON AREAS & TRAIL PATHS

PROJECT	TWIN LAKES PUD
SHEET TITLE	AMENDED DETAILED PLAN ZONING BOUNDARIES/PHASING EXHIBIT

MAURER SURVEYING, INC.	4800 W. Smith Valley Road, Ste. 7, Greenwood, Indiana 46142 OFFICE: 317-881-5800 FAX: 317-881-5801 LAND SURVEYING, LAND DEVELOPMENT & BUILDERS SERVICES
LANDCO, INC.	4800 W. Smith Valley Road, Ste. 7, Greenwood, Indiana 46142 OFFICE: 317-881-5800 FAX: 317-881-5801 LAND SURVEYING, LAND DEVELOPMENT & BUILDERS SERVICES

SHEET	5
OF	13
DATE	November 4, 2016
DRWG. NO.	2041-DP-05

