

CITY OF SHELBYVILLE

Adam M. Rude
Director



Allan Henderson
Deputy Director

PLAN COMMISSION

MEETING DATE: 12/15/2021

Case Number & Name:	PC 2021-24: Lewis Creek, PUD Detailed Plan			
Petitioner's Name:	M/I Homes of Indiana, LP			
Owner's Name:	Scott and Andrew Summerford			
Petitioner's Representative:	Jason Coyle, Banning Engineering			
Address of Property:	Progress Parkway; Parcel #73-11-09-400-031.000-001, 73-11-09-400-143.000-002, and 73-11-09-300-210.000-002			
Subject Property Zoning Classification:	Current: BN – Business Neighborhood (City of Shelbyville), IS – Institutional (City of Shelbyville), A1 – Conservation Agriculture (Shelby County) Proposed: Planned Development			
Comprehensive Future Land use:	Single Family Residential			
	North	East	South	West
Surrounding Properties' Zoning Classifications:	IS – Institutional/ PD – Planned Development	A1 – Conservation Agricultural	A2 – Agricultural (Shelby County)	R1 – Single-family Residential
Surrounding Properties' Future Land Use	Single-family Residential	Single-family Residential	Single-family Residential	Single-family Residential
History:	The site consists of three (3) parcels totaling approximately 60-acres. The area had originally been planned as a mixed-use district with commercial, institutional and residential.			
Vicinity Map:				
Action Requested:	A request for approval of a Planned Unit Development Detailed Plan for the development of Lewis Creek.			

In reviewing the Planned Development Detailed Plan petition, the Plan Commission and Common Council shall pay reasonable regard to the following, consistent with IC 36-7-4-603:

- A. Requirements and Intent: The extent to which the proposal fulfills the requirements and intent of Section 9.06: Planned Development, and the subdivision control regulation in the Unified Development Ordinance.

There are three steps for a Planned Development approval. These steps include:

1. Conceptual Plan approval – the applicant shall submit a Conceptual Plan review application and supporting documentation. These application materials are then reviewed by the Technical Review Committee. Any revisions to the application materials shall either be addressed during the review meeting or through revised application materials submitted prior to the Plan Commission hearing. The Plan Commission will, in a public hearing, review the application and supporting documentation. The Technical Review Committee meeting was held August 24, 2021. The public hearing with the Plan Commission was held September 28, 2021.
2. Detailed Plan and Rezone approval – the applicant shall submit a Detailed Plan review application. These application materials are then reviewed by the Technical Review Committee. Any revisions to the application materials shall either be addressed during the review meeting or through revised application materials submitted prior to the second Plan Commission hearing. The Plan Commission will, in a public hearing, review the application and supporting documentation. The second Technical Review Committee meeting was held November 23, 2021. The second public hearing for the Plan Commission is scheduled for December 15, 2021. The first reading of the ordinance by City Council was on November 15, 2021, and a second reading by the City Council will be held following a “formal recommendation” by the Plan Commission.
3. Preliminary Plat and Final Plat approval – the applicant shall submit a Preliminary Plat application for review by the Zoning Administrator. The Zoning Administrator shall place the application for Preliminary Plat review on the agenda of the Technical Review Committee. The Technical Review Committee shall make a recommendation to forward the application to the Plan Commission and the Plan Commission shall vote to “approve, continue or deny” the application. The Technical Review Committee recommended forwarding the Preliminary Plat to the Plan Commission on November 23, 2021. The Plan Commission will review and vote on the Preliminary Plat on December 15, 2021. After Preliminary Plat approval, the petitioner shall prepare a Final Plat Drawing and the Zoning Administrator shall provide the application to the Technical Review Committee for approval.

Planned Developments shall be required to comply with the subdivision control regulations within the Unified Development Ordinance, the Lewis Creek PUD must meet the standards set forth in Article 6: Design Standards. In no instance shall the approval of a Planned Development be interpreted as waiving or modifying any subdivision control regulations requirements or processes. The project still must go through the Subdivision and Platting process. These standards ensure the development:

1. Promotes the proper arrangement of streets and other infrastructure.
2. Secures adequate public spaces.
3. Provides adequate public improvements.

Lewis Creek is proposing the following architectural and anti-monotony standards

1. The homes located adjacent to and directly across the street from each other, as well as each home adjacent to the home directly across the street, shall not be of the same front elevation.
2. The development shall use no less than five (5) unique floor plans, and fifteen (15) unique architectural front elevations.
3. The roof pitch shall be no less than 5/12 on the primary structure and no less than 4/12 on any shed roofs, porch roofs, roofs above porches or in areas above masonry exteriors.
4. The exterior façade material shall be masonry (brick, stone, textures and colored concrete masonry units), wood, fiber cement board siding, stucco, composite lap siding, decorative precast panels, or vinyl. Front facades shall contain one of the following at a minimum:
 - A minimum of 3 different materials shall be included on the front façade of the home.; or
 - A masonry chair rail a minimum of 24" high shall be included on the front façade of the home; or
 - A 40% masonry minimum exclusive of windows and doors.
5. Windows are required on all sides of the dwelling that are adjacent to a street. A minimum of two windows shall be required on each side of the home. Additionally, a minimum of 1" x 4" wood or vinyl trim shall be used on windows which are not adjacent to masonry or on which decorative shutters are installed.
6. Roof materials shall be dimensional asphalt shingles on all homes.

The Planning Staff has determined that the required process and the applicable standards have been satisfied by the proposed PUD Detailed Plan.

- B. Planning Documents: The Comprehensive Plan and any other applicable, adopted planning studies or reports:

The 2019 Comprehensive Plan Update supports the Lewis Creek PUD development by:

1. The focused goal of the plan in the Built Environment section to "transform the City's current Housing Stock and Neighborhoods" (Page – 89). The city needs a good mix of housing types, architectural styles, and price points to make sure they can supply the needs of a broader cross section of residents. Action steps for this focus goal include:
 - Invest in critical infrastructure for build ready sites. (Page – 150)
 - Market areas of the city prime for desired residential development. (Page – 150)
2. The focused goal of the plan in the Built Environment section to "guide healthy development patterns using the future land use mapping" (Page – 89). The Future Land Use in the Comprehensive Plan shows this area as being single family residential.

The Planning Staff has determined that the proposed PUD Detailed Plan is in conformance with the adopted planning documents of the City of Shelbyville.

- C. Characteristics: The current conditions and the character of current structures and uses in each zoning district:

The proposed project site is a "greenfield site" surrounded by single family residential along Progress Parkway, south Amos Road. The surrounding single-family residential

neighborhoods are similar in scale to the proposed Lewis Creek. The lots in Lewis Creek vary in size allowing for a variety of home styles, home size, and price points. In addition, Lewis Creek is increasing the architectural character requirements to blend with surrounding neighborhoods and maintain home value.

The Planning Staff has determined that the proposed PUD Detailed Plan is taking into consideration and promoting the existing character of the area.

- D. Desired Use: The most desirable use of which the land in each district is adapted: The proposed project is single family residential in what is a primarily residential neighborhood. After much public input and outreach for the drafting of the 2019 update to the Comprehensive Plan, it was determined that this area would be best served as residential that compliments the architectural character that already exists in the surrounding neighborhoods.

The Planning Staff has determined that the proposed PUD Detailed Plan is furthering the desired use of this area, by adding single family residences to an area of the city in need of housing and that is complimentary to the existing urban context and architectural character of the area.

- E. Property Values: While developing the standards that make up this PUD Detailed Plan, maintaining and even improving the property values of the area was a top priority. Most of the homes in the area incorporate architectural details that give them a unique character, which is the main reason they have maintained their property value so well over time. The development standards being proposed in this Detailed Plan replicate these design elements that are present throughout the adjacent residential areas. While the project has an increased density, it also has increased open space and common areas and increased architectural and anti-monotony standards. For example, requiring a minimum number of materials on the front façade or requiring a masonry wrap or requiring a minimum 40% masonry on the front façade and anti-monotony standards that do not allow a single dwelling elevation to be repeated unless separated by at least two (2) different elevations.

The Planning Staff has determined that the proposed PUD Detailed Plan is conserving the collective property values throughout the City of Shelbyville.

- F. Growth Management: Responsible growth and development: Do to the fact existing development (including residential) development surrounds the proposed site, all utilities are in place to service the proposed PUD. Improvements are also being made by the petitioner to improve safe access to their proposed development.

The Planning Staff has determined that the proposed PUD Detailed Plan is a responsible growth and development strategy that allows the community to continue to grow while minimizing the need for additional infrastructure or utility facilities.

STAFF RECOMMENDATION: APPROVAL

PUD Conceptual Plan: PC 2021-24: Lewis Creek, PUD Detailed Plan

FINDINGS OF FACT BY THE SHELBYVILLE PLAN COMMISSION

Staff Prepared

Motion:

(I) would like to make a motion to make a favorable recommendation on the Lewis Creek PUD Detailed Plan as presented to this body 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 Conceptual Plan **does ensure** a development that exceeds the quality that would have resulted from the traditional application of the Unified Development Ordinance.

☐ The Plan Commission has paid reasonable regard to and finds that the proposed PUD Conceptual Plan **does not ensure** a development that exceeds the quality that would have resulted from the traditional application of the Unified Development Ordinance.
2. ☐ The Plan Commission has paid reasonable regard to and finds that the proposed PUD Conceptual Plan **is necessary** for the development of the land.

☐ The Plan Commission has paid reasonable regard to and finds that the proposed PUD Conceptual Plan **is not necessary for** the development of the land.
3. ☐ The Plan Commission has paid reasonable regard to and finds that the proposed PUD Conceptual Plan **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 Conceptual Plan **is not consistent** with The City of Shelbyville Comprehensive Plan and all other applicable, adopted planning studies or reports.

Additional Conditions Imposed by the Shelbyville Plan Commission:

- 1.
- 2.
- 3.

Shelbyville Plan Commission

By: _____
Chairperson

Attest: _____
Secretary



PUD DETAIL 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: M/I Homes of Indiana, LP
Address: 8425 Woodfield Crossing Blvd., Suite 100 W
Indianapolis, IN 46240
Phone Number: 317-475-3619
Fax Number: _____
Email: twesterfield@mihomes.com

Property Owners Information (if different than Applicant)

Name: See attached list
Address: _____
Phone Number: _____
Fax Number: _____
Email: _____

2.

Applicant's Attorney/Representative

Name: Brian J. Touhy, Attorney
Address: 50 S. Meridian Street, Suite 700
Indianapolis, IN 46204
Phone Number: 317-639-2400
Fax Number: 317-633-6618
Email: btouhy@tbmattorneys.com

Project Engineer

Name: R. Jason Coyle, Banning Engineering
Address: 853 Columbia Road, Suite 101
Plainfield, IN 46168
Phone Number: 317-707-3751
Fax Number: 317-707-3651
Email: jcoyle@banning-eng.com

3. Project Information:

General Location of Property (and address is applicable): Approx. 60 Acres, more or less, East of Progress Parkway between McKay Road and C.R. 225 South

Current Zoning: BN & A1 (County)
Proposed Zoning: PD
Proposed Name of Development: Lewis Creek

Existing Use of Property: _____
Proposed Use: Single Family Residential
Proposed No. of Lots/Density: 175 / 2.87 Units per Acre

4. Attachments

- ☐ Affidavit and Consent of Property Owner (if applicable)
☐ Proof of Ownership (copy of deed, recent property card)
☐ Letter of Intent
☐ Proposed Detail Plan

- ☐ Vicinity Map
☐ Additional Materials Described In UDO 9.06
☐ Application Fee

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

Applicant: Tim Westerfield Date: 11/09/2021

State of Indiana
County of Hamilton SS:

Subscribed and sworn to before me this 9th day of November 2021
Jodi S. Rana
Notary Public Printed

Residing in Hamilton County.

My Commission Expires: 9/24/2027

Jodi S Rana
Notary Public Seal State of Indiana
Hamilton County
Commission Number NP0722593
My Commission Expires 09/24/2027

Amended Statement of Intent

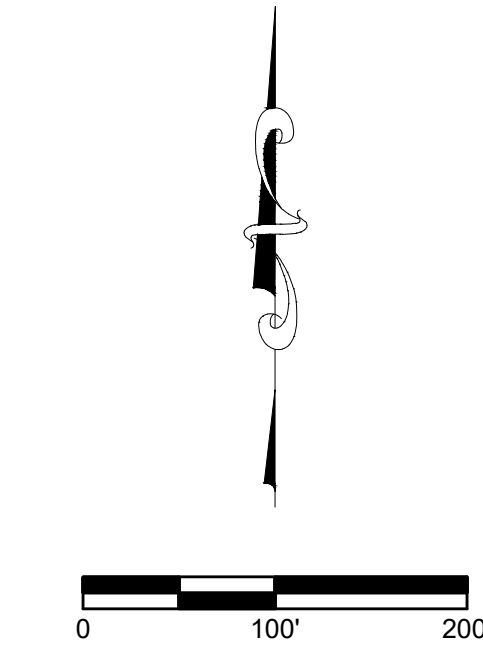
M/I Homes of Indiana, LP (“M/I” or “Petitioner”) seeks to annex and rezone approximately 60 +/- acres of land (“Property”) near the City of Shelbyville, Indiana. The Property is located on the east side of Progress Road, south of East McKay Road, and is zoned by Shelby County zoning as AG. M/I proposes to rezone the Property to Planned Development (PD). The proposed development will include a maximum of 176 detached single-family dwellings.

The proposed development is consistent with the Future Land Use Map of the City of Shelbyville Comprehensive Plan, which contemplates Single-Family Residential uses for the Property. The annexation and rezoning of the Property will allow for development of a residential neighborhood that will provide additional housing options for existing and future residents, which will be beneficial to the community. City services will also be extended to the Property.

The layout of the proposed development allows for greater greenspace and usable common areas for residents and allows for the preservation of woodlands and open areas at the southwest corner of the Property. The proposed development and homes built by M/I will provide quality housing options to the Shelbyville community. The proposed homes will range in size from approximately 1,500 +/- sf for one-story homes to approximately 2,300 for two-story homes.

SUMERFORD PROPERTY

CONCEPTUAL PLAN
PROGRESS ROAD
SHELBYVILLE, SHELBY COUNTY, INDIANA



CONCEPTUAL PLAN SUMMARY:
TOTAL AREA: 60.193 ACRES ± (SURVEYED)
TOTAL NUMBER OF LOTS: 176
DENSITY: 2.92 UNITS PER ACRE
TOTAL LOT AREA: 31.827 ACRES ± (52.9%)
TOTAL COMMON AREA: 19.611 ACRES ± (32.6%)
TOTAL RIGHT-OF-WAY AREA: 8.746 ACRES ± (14.5%)



PLANS PREPARED BY:



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M/I HOMES

Scale: 1" = 100'
Drawn by: RJC
Date: 09/20/2021
Project No: 21147
Drawing No: 21147-Prel-5