

AUGUST 10, 2021



RIVERVIEW

PLANNED UNIT DEVELOPMENT



CAITLIN DOPHER
ARBOR HOMES

9225 Harrison Park Court Indianapolis, IN 46216

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Statement of Intent:

Arbor Homes (“Petitioner”) seeks to rezone approximately 41 acres of land located in the City of Shelbyville, Indiana. The property is zoned by Shelbyville as partially IS-Institutional and R1-Residential. Arbor is proposing to rezone the property to Planned Development (PD). The proposed development, Riverview, will include no more than 115 detached single-family homes.

The property is located north of Blue River Park on the north side of Morris Avenue and is adjacent to Interstate 74 to the east. Surrounding uses include single-family residential to the west, parks and open space to the south, and I-74 and agriculture to the east and north.

Two entrances will be located off of Morris Avenue. Per the Transportation Plan, a trail will be installed along Morris Avenue and will extend into Blue River Park to provide pedestrian connectivity and promote walkability.

Riverview is consistent with the goals and objectives of the City of Shelbyville Comprehensive Plan and is listed as single-family residential in the Future Land Use Map. As stated in the Comprehensive Plan, Shelbyville’s primary gateways into the community hold a great opportunity to make a positive impact on those coming to the city and those passing by. To address the Comprehensive Plan’s desire for gateway beautification, Riverview provides for a 50’+ landscape buffer along I-74 that will create a visual barrier for the neighborhood’s residents and a manicured landscaped view from the interstate.

The site’s unique shape presents development challenges that have been addressed through the PD District and with a unique partnership with the Blue River Memorial Park across the street. To help accommodate drainage needs, a pond will be placed in Blue River Memorial Park. In addition to on site improvements, off site improvements will include the new park pond, boardwalk, and extended trail system allowing for additional walkability into the park.

The 115 homes will provide much needed housing inventory to ensure steady growth for the city. Additionally, the homes will provide housing options for current residents and those currently commuting into Shelby County for work. At an expected average sales price of \$250k, Riverview will provide quality housing that is in the top 20% of listings today.

Development of this property will allow for infill that prevents piecemeal development and helps with the responsible use of city services. The proximity to the city, existing infrastructure and existing services are key objectives to the growth and annexation plans.

ORDINANCE NO.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHELBYVILLE, SHELBY
COUNTY, INDIANA AMENDING ORDINANCE NO. _____, THE UNIFIED
DEVELOPMENT ORDINANCE FOR THE CITY OF SHELBYVILLE, INDIANA**

WHEREAS, the City Council of the City of Shelbyville, Indiana (the “City Council”), has heretofore adopted Ordinance No. _____ as the City of Shelbyville, Indiana Unified Development Ordinance (the “Unified Development Ordinance”) pursuant to its authority under the laws of the State of Indiana, Indiana Code § 36-7-4 *et seq.*, as amended; and

WHEREAS, the City of Shelbyville, Indiana (the “City”) is subject to the Unified Development Ordinance; and

WHEREAS, the City Advisory Plan Commission (the “Commission”) considered a petition (“The Riverview Crossing PD”), filed with the Commission requesting an amendment to the Unified Development Ordinance and to the Zoning Map with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the “Real Estate”);

WHEREAS, the Commission forwarded Docket _____, after a public hearing held on the ____ day of _____, 2021, to the City Council with a favorable recommendation by a vote of ____ in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on the ____ day of _____, 20____; and

WHEREAS, the City Council is subject to the provisions of Indiana Code § 36-7-4-1507 and Indiana Code § 36-7-4-1512 concerning any action of this request.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shelbyville, Shelby County, Indiana, meeting in regular session, that the Ordinance and Zoning Map are hereby amended as follows:

Section 1. Applicability of Ordinance.

1. The Unified Development Ordinance and Zoning Map are hereby changed to designate the Real Estate as a Planned Development District to be known as the “The Riverview District” (the “District”).
2. Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its Exhibits, and (ii) the provisions of the Unified Development Ordinance, as amended and applicable to the Underlying Zoning District (as defined herein) or Planned Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance.
3. Sections (“Section”) cross-references of this Ordinance shall hereafter refer to the Articles as specified and referenced in the Unified Development Ordinance.
4. All provisions and representations of the Unified Development Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

Section 2. Definitions. All terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Zoning and/or Unified Development Ordinance.

Section 3. Preliminary Development Plan. The Conceptual Development Plan, attached hereto as **Exhibit B**, is hereby incorporated in accordance with Article 4: Planned Developments (PD) District. The Real Estate shall be developed in substantial compliance with the Conceptual Development Plan. Changes in use, increase in lots, or an amendment to the objective standards defined by the ordinance are not considered substantial compliance.

Section 4. Land Uses. The land uses, as defined by the City of Shelbyville Unified Development Ordinances, for the Real Estate are described below, all uses not listed below, shall be considered prohibited.

1. Single-Family Dwellings (permitted)
2. Model Home (permitted). A permit shall be required for temporary home sales models and trailers. A temporary home sales trailer shall be permitted in each development until the model home is built, but for a maximum of nine (9) months.
3. Fair Housing Facility (small) (permitted)
4. Fair Housing Facility (large) (special exception)
5. Farmstead (permitted)
6. Water Tower (special exception)
7. Day Care Center (special exception)
8. Nature Preserve/Center (permitted)
9. Public Park (permitted)

10. Solar Energy Production, as an accessory use (permitted)

Section 5. Zoning District Standards. The following Standards for this District shall be applied to the area as depicted in **Exhibit B, Conceptual Development Plan**. The number of individual residential platted Lots shall not exceed 115.

Table 5.1 Lot Standards	Riverview PUD	R-1 Zoning Comparison
Minimum Lot Area	7,150 square feet	10,000 square feet
Maximum Lot Area	None	None
Minimum Lot Width	55'	80'
Minimum Lot Frontage	40% of lot width	45% of lot width
Maximum Lot Depth	None	None
Minimum Front Yard Setback	25'	20'
Minimum Side Yard Setback	6'	10'
Minimum Rear Yard Setback	20'	20'
Maximum Lot Coverage	50%	45%
Minimum Living Area Single Story Two Story	1,200 square feet 1,600 square feet total; 800 square feet minimum ground floor area	1,400 square feet per dwelling; 800 square feet minimum ground floor area
Maximum Structure Height	35' for primary structure 15' for accessory structure	35' for primary structure 15' for accessory structure
Maximum Primary Structure	1	1
Minimum Open Space	25%	15%

Section 6. Article 5 Development Standards. The standards of Article 5: Development Standards in the Unified Development Ordinance shall apply to the development of the Real Estate, except as otherwise modified or enhanced by this Ordinance.

1. Roof. All Dwellings shall have a roof pitch of five vertical units to twelve horizontal units (5:12 pitch) for the main roof planes. All Dwellings shall have a minimum of a twelve (12") inch gable overhang on Dwellings where the side consists of siding at the eave, and a minimum of an eight (8") inch gable overhang on Dwellings where the side consists of brick at the eave.
2. Front Elevation. All Dwellings shall have a minimum of 40% masonry on the front façade, however, historical architectural styles such as craftsman, tudor, and farmhouse may have a minimum of 20% masonry on the front façade.
3. Siding. All siding shall be brick, stone, wood, cement fiber board, vinyl, or stucco. Standing seam metal and concrete masonry units are prohibited.
4. Anti-Monotony. A single Dwelling Elevation shall not be repeated unless it is separated by at least three (3) different front Elevations along either side of the same street frontage. So far as to ensure that significant architectural features shall differentiate Dwellings within the District.
5. Windows. Unless adjacent to masonry, all windows and openings shall have a nominal 1-inch by 4-inch (1"x4") wood or vinyl surround. All ranch homes shall contain a minimum of 1 window on each façade. All two-story homes shall contain a minimum of two (2) windows on the front façade and rear, and one (1) window on the side facades.
6. Sod and Seedings. All Dwellings shall have sod installed for the Front Yard to the corner of the front Elevation. Dwellings built on Corner Lots shall have sod installed on sides having street frontage to the corner of the street side elevation.
7. Landscaping. All Dwellings shall be landscaped with a minimum of one (1) ornamental and one (1) deciduous tree. Location of trees may be anywhere on the lot.
8. Garages. All Dwellings shall have a minimum two-car garage.
9. Driveways. A driveway shall not be permitted to be installed: (b.). Within forty (40') feet of an intersecting street if access is along a local street. (*see illustration in UDO, page 5-19. Reference "A" measurement.*) Unless a shared driveway is established, two (2) or more driveways shall not be permitted: (b.) Within twelve (12') feet of one another if access is along a local street (*see illustration in UDO, page 5-19. Reference "B" measurement.*) Cul-de-sacs and corner lots shall be exempt from this requirement. Driveways shall be setback at least three (3') feet from the side property lines unless a shared driveway is established. Cul-de-sacs and corner lots shall be exempt from this requirement.
10. Fences. Fences shall not exceed six (6) feet in height in any side or rear yard or three (3) feet in height in any front yard. For purposes of this requirement, the front yard shall be defined as all areas located between any adjacent streets and the walls of the primary structure that face them. Chain link fences on corner lots shall be prohibited. Permitted Materials shall include wood, composite wood, wrought iron, decorative metal, and PVC, vinyl, and powder coated chain link shall be permitted for fence materials. Stone and masonry walls, zinc and galvanized chain link fences, and fences incorporating chicken wire or mesh wire shall not be permitted. In no instance shall this be interpreted as prohibiting the use of invisible fences.

11. Character Exhibits. Elevations, attached hereto as **Exhibit E, Character Exhibits**, are incorporated as a compilation of images designed to capture the intended quality of Structures to be constructed in the District. Although the exhibits do not necessarily represent final design or specify a required architectural style or element, they do hereby establish a benchmark for the quality and appearance of Structures that are required to be constructed and that contribute to the District's intent and vision. It is not the intent to limit the architectural styles shown in Exhibit D, but to encourage diversity in architectural styles of Dwellings within the District.

Section 7. Article 6 Design Standards. The standards of Article 6.: Design Standards in the Unified Development Ordinance shall apply to the development of the Real Estate, except as otherwise modified or enhanced by this Ordinance.

1. Perimeter Landscape Standards.
 - a. Morris Avenue. The perimeter buffer along Morris Avenue shall, for the majority of the frontage, be thirty (30) feet or greater. Trees and shrubs shall be provided at a combined rate of ten (10) per 100 lineal feet of perimeter planting. Plantings should be fifty percent (50%) evergreen and grouping of the plantings is encouraged to imitate natural vegetation. Existing trees and vegetation, or trees planted to meet other landscaping standards shall count toward minimum perimeter landscaping requirements.
 - b. I-74. The perimeter buffer along I-74 shall be a minimum of fifty (50) feet from the rear property lines. Trees and shrubs shall be provided at a combined rate of ten (10) per 100 lineal feet of perimeter planting. Plantings should be fifty percent (50%) evergreen and grouping of the plantings is encouraged to imitate natural vegetation. Existing trees and vegetation, or trees planted to meet other landscaping standards shall count toward minimum perimeter landscaping requirements.
2. Landscape Plan. Landscaping shall be installed with general compliance to Exhibit D.
3. Street Geometric Standards.
 - a. Intersection Standards. Street intersections shall be designed to promote the maintenance of the sight visibility triangle requirements of the Unified Development Ordinance and shall be consistent with the following additional requirements.
 - b. Intersection Off-sets. Proposed new intersections along one (1) side of an existing street shall, whenever practicable, coincide with any existing or proposed intersections on the opposite side of such street. Street jogs with a center line offsets of less than 170 feet shall not be permitted. Where necessary to accommodate turning lanes and other features, longer off-sets may be required by the City Engineer.
 - c. Street Geometric Design Standards – Urban Cross - Section Table. Unless otherwise specified in **Exhibit B, Conceptual Development Plan**, all Streets within the District shall be designed for parking along one side. The Right-Of-Way shall be fifty-two (52') feet with a minimum Street width of thirty-two (32') feet from back of curb to back of curb. There shall be a five (5') feet wide planting strip from back of curb to front edge of sidewalk. The sidewalks shall be four (4') feet in width with a one (1') foot sidewalk Easement at the rear of the sidewalk.
4. Street Trees. One street tree shall be planted for every lot. Trees may be evenly spaced or grouped together. Street trees shall also meet the following requirements:

- a. Tree Size: All street trees shall be a minimum of two and one-half (2 ½) inch caliper as measured six (6) inches from the top of the root ball, at the time of planting.

PASSED AND ADOPTED THIS _____ day of _____, 20__.

SHELBYVILLE CITY COUNCIL

Voting For

Voting Against

Abstain

Rob Nolley

Rob Nolley

Rob Nolley

Joanne Bowen

Joanne Bowen

Joanne Bowen

Nathan Willis

Nathan Willis

Nathan Willis

Brad Ridgeway

Brad Ridgeway

Brad Ridgeway

Jeff Wright

Jeff Wright

Jeff Wright

Brian Asher

Brian Asher

Brian Asher

David Phares

David Phares

David Phares

ATTEST:

Frank Zerr, Clerk-Treasurer

EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION

TRACTS A & B in Betty Catherine Williams Minor Subdivision, an addition to the City of Shelbyville, Shelby County, State of Indiana, as per plat thereof recorded November 30, 2004 as Instrument No. 2004010081, in the Office of the Recorder of Shelby County, Indiana.

EXHIBIT B

CONCEPTUAL DEVELOPMENT PLAN



EXHIBIT C

ADJACENT ZONING MAP



Shelbyville Zoning	
Feature Name	
	AG- Agriculture
	BC- Business Central
	BG- Business General
	BH- Business Highway
	BN- Business Neighborhood
	HI- High Impact
	IG- General Industrial
	IL- Light Industrial
	IS- Institutional
	MP- Manufactured Home
	PD- Planned Development
	PK- Parks and Open Space
	R1- Single Family Residential
	R2- Two-Family Residential
	RM- Multiple-Family Residential

LANDSCAPE RENDERING

