

AGENDA RESERVATION REQUEST

CITY OF FRANKLIN COMMON COUNCIL

Please type or print

Date Submitted:	February 25, 2014	Meeting Date:	March 3, 2014
Contact Information:			
Requested by:	Joanna Myers, Senior Planner		
On Behalf of Organization or Individual:			
		Plan Commission	
Telephone:	317-736-3631		
Email address:	jmyers@franklin.in.gov		
Mailing Address:	70 E. Monroe St., Franklin, IN 46131		
Describe Request:			
Approval of Ordinance 2014-03: Rezoning to PUD to be known as Homesteads At Hillview PUD			
List Supporting Documentation Provided:			
1. City Council memo			
2. Plan Commission Staff Report (PC 2014-01)			
3. PC Resolution 2014-01			
4. Ordinance 2014-03			
5. Detailed PUD – Homesteads at Hillview			
Who will present the request?			
Name:	Joanna Myers	Telephone:	317-736-3631

The Franklin City Council meets on the 1st and 3rd Monday of each month at 6:30 p.m. in the Council Chambers of City Hall located at 70 E. Monroe Street. In order for an individual and/or agency to be considered for new business on the agenda, this reservation form and supporting documents must be received in the Mayor's office no later than 12:00 p.m. on the Wednesday before the meeting.



CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ENGINEERING

70 E. MONROE STREET › FRANKLIN, INDIANA 46131 › 877.736.3631 › FAX 317.736.5310 › www.franklin.in.gov/planning

City Council - Memorandum

To: City Council Members
CC: Joe McGuinness, Mayor
From: Joanna Myers, Senior Planner
Date: February 21, 2014
Re: **Homesteads at Hillview PUD (Ordinance 2014-03)**

On February 18, 2014 the Franklin Plan Commission forwarded to the City Council a favorable recommendation on the above referenced rezoning petition from Homestead Developers, LLC (Plan Commission Resolution #2014-01). The Plan Commission voted 6-1 for a favorable recommendation to be forwarded with the development standards outlined within.

The petitioner is requesting that approximately 80 acres of property located at the southeast corner of Eastview Drive and Upper Shelbyville Road be rezoned from Residential: Suburban One (RS-1) to Planned Unit Development (PUD). The attached staff report prepared for the Plan Commission meeting further describes this request.

The petition was properly advertised for the Plan Commission meeting. A copy of the rezoning ordinance is included. The proposed timeline for the petition is as follows:

Introduction:	March 3, 2014
Public Hearing:	March 17, 2014

If you have any questions regarding this petition please feel free to contact me directly at 736-3631.



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Plan Commission Staff Report

To: Plan Commission Members

From: Joanna Myers, Senior Planner

Date: February 13, 2014

Re: Case PC 2014-01 (PUD – Detailed Plan): Homesteads at Hillview

REQUEST:

Case PC 2014-01 (PUD – Detailed Plan)...Homesteads at Hillview. A request by Homestead Developers, LLC to approve the PUD Detailed Plan for 79.55 acres. The subject property is located at the southeast corner of Eastview Drive and Upper Shelbyville Road. The property is currently zoned RS-1 (Residential: Suburban One).

CURRENT ZONING:

Residential: Suburban One (RS-1) - Lot Standards

Min. lot area: 15,000 sq.ft.

Maximum lot area: not applicable

Min. lot width (at front setback): 100 feet

Maximum lot coverage: 50%

Minimum living area: 1,800 sq.ft.

Min. front yard setback: 20 ft (local) 30 ft (collector)
50 ft (arterial)

Min. side yard setback: 10 feet

Min. rear yard setback: 25 feet

Surrounding Zoning:

North: IBD (Industrial: Business Development)
RR (Residential: Rural)
RSN (Residential: Suburban Neighborhood)
South: RM (Residential: Multi-Family)
RS-1 (Residential: Suburban One)
East: RS-1 (Residential: Suburban One)
RSN (Residential: Suburban Neighborhood)
West: IN (Institutional)

Surrounding Land Use:

North: Agricultural
Single-family residential
South: Multi-family residential
Agricultural
East: Single-family residential
Golf course
West: Needham & Webb Elementary

PROPOSED ZONING:

Planned Unit Development (PUD)

1. The intent of the PUD zoning district is to provide greater design flexibility in the development of land when consistent with the Comprehensive Plan and intent of the Zoning and Subdivision Control Ordinance. Planned Unit Development regulations are intended to encourage innovations in land development techniques so that unique opportunities and circumstances may be met with greater flexibility. Planned Unit Developments should be used to address unique environmental concerns,

provide a unique mix of land uses, and implement the Comprehensive Plan in way not considered by the established zoning districts. A PUD should not be used if the proposed development can be created using established zoning districts.

2. In this proposal, PUD development standards would be defined for the development of a variety of housing options and the integration of the golf course within a portion of the development.

CONSIDERATIONS:

1. The PUD Detailed Plan application includes the following documentation: (1) site description; (2) common holdings map; (3) sewerage verification (4) existing site conditions– including built features, easements, topography, natural features (including floodplain), and historic features; (5) proposed development – including street systems, land uses, open space, landscaping, natural features, historic features, development requirements, written commitments, covenants, drainage with supporting exhibits, and project phasing.
2. As explained in depth by the Homesteads at Hillview Detailed PUD Plan – Supporting Information (attached), the proposed development is to include 145 single-family homes. In addition, a portion of the Hillview Country Club Golf Course is proposed to be integrated within a portion of the development. The development is proposed to include three (3) communities with differing lots sizes and densities.
 - a. Village Green:
 - i. Lots – 33 lots
 - ii. Minimum lot area – 8,420 sq.ft.
 - iii. Minimum lot width – 57 ft.
 - iv. Maximum lot coverage – 67%
 - v. Minimum front yard setback (local) – 20 ft.
 - b. Homesteads:
 - i. Lots – 89 lots
 - ii. Minimum lot area – 13,000 sq.ft.
 - iii. Minimum lot width – 63 ft.
 - iv. Maximum lot coverage – 60%
 - v. Minimum front yard setback (local) – 20 ft.
 - c. Preserve:
 - i. Lots – 23 lots
 - ii. Minimum lot area – 14,500 sq.ft.
 - iii. Minimum lot width – 63 ft.
 - iv. Maximum lot coverage – 60%
 - v. Minimum front yard setback (local) – 20 ft.

3. The attached Homesteads at Hillview PUD Standards outlines the specific development requirements proposed for the project and would be attached to the rezoning ordinance forwarded to City Council for adoption.
4. The Technical Review Committee reviewed the petition at their January 30, 2014 meeting. Revised plans were received February 10, 2014 and reviewed with the following comments being provided:
 - a. Lot numbers need to be consecutive within each phase. Please revise.
5. The Homesteads at Hillview – Conceptual Plan (PC 2013-32) was reviewed and approved by the Plan Commission at the December 17, 2013 meeting.
6. The 2013 Franklin Comprehensive Plan, Land Use Plan, identifies this area as Large-Lot Suburban Residential. “Large-lot suburban residential areas are intended to include primarily single family detached residences. Other uses in small-lot suburban neighborhoods may include neighborhood and community parks and neighborhood-scale churches and schools. These neighborhoods are distinguished from small-lot suburban residential areas by their comparatively larger lot size and setbacks and lower density. A diversity of home sizes and designs is encouraged in these areas. Also encouraged is the occasional incorporation of accessory residences. In all cases, the design features of each home should provide materials, a scale, and other design elements that promote consistency in the neighborhood.”

PUD PROCESS:

1. The purpose of the PUD Detailed Plan and Rezoning stage of the PUD process is to finalize the details of the proposed PUD, document those details, and obtain final PUD approval from the Plan Commission and Common Council.
2. The PUD Detailed Plan application materials are reviewed by staff, followed by the Technical Review Committee. The Plan Commission will then hold a public hearing for the PUD Detailed Plan and will forward the Detailed Plan to City Council with either a favorable recommendation or unfavorable recommendation. The Plan Commission can also continue the application. The City Council will hold a public hearing and vote on the proposed PUD Detailed Plan.
3. Planned Unit Developments are required to comply with the City of Franklin Subdivision Control. The Zoning Ordinance states that “In no instance shall the approval of a PUD be interpreted as waiving or modifying any Subdivision Control Ordinance or Site Development Plan processes.”
4. The primary plat for the subdivision can be submitted and reviewed concurrent with the PUD – Detailed Plan. Any waiver requests from the Subdivision Control Ordinance would be filed at this time. The applicant has submitted the primary plat and applicable waiver requests (PC 2014-02) concurrent with the PUD – Detailed Plan.
 - a. The Commission may wish to hear cases PC 2014-01 & PC 2014-02 simultaneously as the waiver requests regarding street trees are directly related to the proposed development standards regarding landscaping within the PUD standards.
 - b. Staff would recommend that the Commission take action on the three waiver requests from Article 6.15 prior to taking action on PC 2014-01 and then take action on the remaining waiver requests followed by the primary plat (PC 2014-02).

CRITERIA FOR DECISIONS :

In taking action on the PUD Detailed Plan and Rezoning request, the Plan Commission shall pay reasonable regard to the decision criteria outlined in Article 6.4 (H) of the City of Franklin Zoning Ordinance.

1. Requirements and Intent: The extent to which the proposal fulfills the requirements and intent of Article 6 of the City of Franklin Zoning Ordinance.

Staff Finding:

The proposed PUD standards outline requirements consistent with Article 6 of the City of Franklin Zoning Ordinance.

2. Planning Documents: The City of Franklin Comprehensive Plan and any other applicable, adopted planning studies or reports.

Staff Finding:

The long term land use plan of the 2013 Comprehensive Plan identifies the subject property as Large-Lot Suburban Residential and also indicates that Franklin should expand its executive housing inventory.

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

Staff Finding:

The proposal is an expansion of the existing uses within the area. The golf course is immediately adjacent to the subject property and will be encompassing a portion of the subject site. Paris Estates, Hillview Village, and Brookfield Townhouses are also located nearby and are similar in nature to the types of housing proposed to be constructed in Homesteads at Hillview.

4. Desired Use: The most desirable use for which the land in each district is adapted.

Staff Finding:

The property is immediately adjacent to other residential properties, the golf course and two elementary schools are located on the west side of Eastview Drive. The current zoning and Comprehensive Plan has indicated that the subject area be developed in a residential manner. The proposal is consistent with these plans.

5. Property Values: The conservation of collective property values throughout the City of Franklin's jurisdiction as a whole.

Staff Finding:

The rezoning request should increase the property values in the area as the city continues to grow towards the east and the proposed PUD standards are similar in nature, and in some cases more extensive, to the current requirements outlined in the Zoning Ordinance.

6. Growth Management: Responsible growth and development.

Staff Finding:

The City's current inventory of executive housing needs to be expanded to promote additional growth and expansion of the tax base. In addition, the proposed standards are consistent with the existing neighborhoods in the area and should ensure that the development would be complementary to other properties developed nearby.

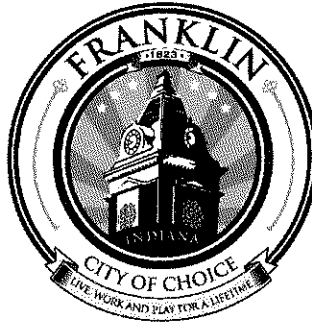
PLAN COMMISSION ACTION:

The Plan Commission may forward a *favorable recommendation or unfavorable recommendation to the Common Council* or *continue* the PUD – Detailed Plan and Rezoning.

STAFF RECOMMENDATION:

Based on the criteria for decisions above, staff recommends a *Favorable Recommendation be forwarded to the Common Council with the following modification:*

- a. Lot numbers to be consecutive within each phase.



**CITY OF FRANKLIN, PLAN COMMISSION RESOLUTION # 2014-01
TO THE FRANKLIN COMMON COUNCIL FOR CONSIDERATION**

NAME OF PETITIONER:

Homestead Developers, LLC

PLAN COMMISSION DOCKET NUMBER:

PC 2014-01

RESOLUTION

WHEREAS, the Plan Commission of the City of Franklin has given careful study to the requirements of the City and all of the area within the jurisdiction of the Plan Commission relative to the enactment of an amendment to the Zoning Ordinance; and

WHEREAS, the above Petitioner has filed a petition for rezoning, wherein the Petitioner requests a rezoning and a change to the Zoning Map of certain property located within the City of Franklin, Indiana to PUD (Planned Unit Development) more particularly described in "Exhibit A" attached subject to the development standards described in "Exhibit B"; and

WHEREAS, after proper notice, as outlined in the City of Franklin Rules and Procedures and Indiana Code, a public hearing was held in the Council Chambers of Franklin City Hall, 70 E. Monroe Street, Franklin, Indiana on the 18th day of February, 2014, with the Commission having heard all objections and criticisms and having given careful study and consideration to said petition.

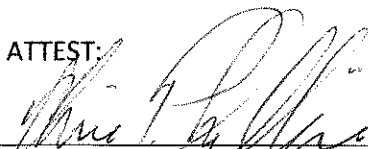
NOW THEREFORE BE IT RESOLVED, THAT THE FRANKLIN PLAN COMMISSION HEREBY FORWARDS A FAVORABLE RECOMMENDATION TO THE FRANKLIN COMMON COUNCIL THAT:

1. The property described herein, attached hereto, made part hereof, and marked as Exhibit "A" be rezoned to PUD (Planned Unit Development).
2. The development standards of the PUD for the real estate are described herein, attached hereto, made part hereof, and marked as Exhibit "B" – Homesteads at Hillview PUD Standards.
3. On behalf of the secretary, the staff of the Plan Commission is hereby directed to forward a copy of this resolution to the petitioner and the City of Franklin Common Council.
4. A copy of this Resolution forwarded to the Common Council shall be accompanied by the proposed Ordinance amending the Zoning Map for the consideration of the Common Council at its meeting.

Resolved by the City of Franklin, Indiana Plan Commission this 18th day of February, 2014.

PLAN COMMISSION OF THE CITY OF FRANKLIN, INDIANA

ATTEST:


Secretary - CHRIS PHILLIPS

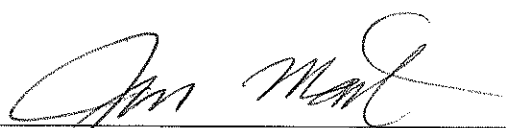

President - JIM MARTIN

EXHIBIT "A"

A part of the Southeast Quarter of Section 12, and part of the Northeast Quarter of Section 13, all in Township 12 North, Range 4 East of the Second Principal Meridian, in Johnson County, Indiana, more particularly described as follows:

Commencing at a stone found at the Northeast corner of the Northeast Quarter of the said Section 13; thence South 00 degrees 07 minutes 53 seconds East on and along the East line thereof 432.04 feet; thence South 89 degrees 23 minutes 00 seconds West 107.32 feet to an iron rod found at the Point of Beginning of this described tract; thence continuing South 89 degrees 23 minutes 00 seconds West 368.31; thence South 00 degrees 06 minutes 47 seconds East 1811.1 feet to an iron rod found; thence North 87 degrees 11 minutes 04 seconds West 588.67 feet to an iron rod found; thence North 86 degrees 14 minutes 12 seconds West 647.24 feet to an iron rod found at the East right-of-way of Eastview Drive; thence North 00 degrees 16 minutes 00 seconds East on and along the said East right-of-way line 438.05 feet to a right-of-way fence post; thence North 01 degrees 43 minutes 40 seconds East on and along the said right-of-way line 391.75 feet to an iron rod set; thence Northwesterly on and along the said right-of-way on a curve to the left which has a radius of 850.00 feet a curved distance of 646.40 feet, said arc being subtended by a chord bearing North 21 degrees 31 minutes 10 seconds West 630.94 feet to an iron rod set; thence North 01 degrees 40 minutes 58 seconds East on and along the said right-of-way line 181.00 feet to a "P-K" nail set in the centerline of Upper Shelbyville Road; thence Northeasterly on and along the said centerline on a curve to the left which has a radius of 450.00 feet a curved distance of 40.32 feet, said arc being subtended by a chord bearing North 46 degrees 12 minutes 19 seconds East 40.31 feet; thence North 43 degrees 38 minutes 17 seconds East on and along the said centerline 482.28 feet to the beginning of a tangent curve; thence Northeasterly on and along the said centerline on a curve to the right which has a radius of 2136.39 feet a curved distance of 370.49 feet, said arc being subtended by a chord bearing North 48 degrees 36 minutes 22 seconds East 370.02 feet; thence North 53 degrees 34 minutes 27 seconds East on and along the said centerline 343.77 feet to a "P-K" nail set; thence South 30 degrees 18 minutes 33 seconds East 200.00 feet; thence North 53 degrees 34 minutes 27 seconds East 218.13 feet; thence North 30 degrees 18 minutes 33 seconds West 200.00 feet to a "P-K" nail set in the centerline of Upper Shelbyville Road; thence North 53 degrees 34 minutes 27 seconds East on and along said centerline 453.20 feet to the beginning point of a tangent curve; thence Northeasterly on and along the said centerline on a curve to the right which has a radius of 772.90 feet a curved distance of 323.41 feet, said arc being subtended by a chord bearing North 65 degrees 33 minutes 41 seconds East 321.05 feet; thence North 77 degrees 32 minutes 55 seconds East on and along the said centerline 63.16 feet; thence South 00 degrees 04 minutes 54 seconds West 791.25; thence South 00 degrees 13 minutes 11 seconds East 433.11 feet to the Point of Beginning.

CONTAINING 79.38 ACRES, MORE OR LESS, and being subject to all legal easements, rights of way or restrictions of record or observable.

ALSO;

BEING PART THE NORTHEAST QUARTER OF SECTION 13, ALL IN TOWNSHIP 12 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN, IN JOHNSON COUNTY, INDIANA, more particularly described as follows:

Commencing at a stone found at the Northeast corner of the Northeast Quarter of the said Section 13; Thence South 00 degrees 07 minutes 53 seconds East on and along the East line thereof 432.04 feet;

Thence South 89 degrees 23 minutes 00 seconds West 107.81 feet to an iron rod found at the Southeast corner of a tract of land owned by Franklin Community School as shown on an A.L.T.A./A.C.S.M. Survey prepared by CKW Land Surveying, Inc. performed by Jeffery Kondy, Indiana Land Surveyor No.

LS20100068 and dated June 7, 2013; Thence continuing South 89 degrees 23 minutes 00 seconds West, 295.42 feet to the PLACE OF BEGINNING; Thence South 21 degrees 46 minutes 25 seconds West, 195.52 feet to a place on a East line of said lands; Thence North 00 degree 06 minutes 47 seconds West, along a East line of said lands, 180.78 feet to a corner of said lands; Thence North 89 degrees 23 minutes 00 seconds East, along a South line of said lands, 72.89 feet to the PLACE OF BEGINNING.

CONTAINING 0.151 ACRES OR (6588 SQUARE FEET), more or less, and being subject to all legal easements, rights of way or restrictions of record or observable.

EXHIBIT “B”**HOMESTEADS AT HILLVIEW
PUD STANDARDS**

DEVELOPMENT STANDARD	VILLAGE GREEN	HOMESTEADS	PRESERVE
No. of Lots	33	89	23
Minimum Lot Area	8,420 sf	13,000 sf	14,500 sf
Maximum Lot Coverage	67%	60%	60%
Minimum Lot Width (measured at front setback)	57 ft.	63 ft.	63 ft.
Front yard setback (adjacent to local street)	20 ft.	20 ft.	20 ft.
Side yard setback	5 ft. - primary structure 5 ft. - accessory structure	10 ft. - primary structure 5 ft. - accessory structure	10 ft. - primary structure 5 ft. - accessory structure
Rear yard setback	15 ft. - primary structure 5 ft. - accessory structure	25 ft. - primary structure 5 ft. - accessory structure	25 ft. - primary structure 5 ft. - accessory structure
Minimum Living Area	1 story - 1,700 sf 2 story – 2,000 sf (min. 1,200 sf – ground floor)	1 story – 1,800 sf 2 story – 2,200 sf (min. 1,400 sf – ground floor)	1 story – 1,800 sf 2 story – 2,200 sf (min. 1,400 sf – ground floor)
Maximum Primary Structures	1	1	1
Maximum Height	48 ft. - primary structure 25 ft. - accessory structure	48 ft. - primary structure 25 ft. - accessory structure	48 ft. - primary structure 25 ft. - accessory structure
Accessory Structures	No detached accessory structures permitted, including garages, storage structures, and in-law quarters. Exceptions include: inground pool, hot tubs, spas, Jacuzzis or similar apparatus, pool house, and landscaping features such as a trellis.		

PERMITTED LAND USES:

1. Single family residential
2. Golf course
3. Home Occupations in accordance with Article 7.7 of the City of Franklin Zoning Ordinance.
4. Accessory dwellings (also known as in-law quarters) shall be attached to, and designed and constructed as part of the primary structure. In no case may any accessory dwelling exceed 1,000 sf in living area.
5. Temporary Home Sales Facilities in accordance with Article 7.4 of the City of Franklin Zoning Ordinance.

EXTERIOR LIGHTING:

In accordance with Article 7.18 of the City of Franklin Zoning Ordinance.

ANIMALS:

No animals, livestock or poultry of any kind shall be raised, bred, or kept on any portion of the lot, except that dogs, cats or other usual and common household pets not to exceed a total of three (3) may be permitted on a lot.

ARCHITECTURAL DESIGN STANDARDS:

1. Minimum of a two-car attached garage shall be provided for each residence.
2. Primary roof pitch – 8/12 minimum
3. Exterior materials: brick, stone, cedar, EIFs, hardy plank and dimensional fiberglass shingles consistent in earthen tone coloration and otherwise with the project's interior theme of a custom themed community.

FENCE, HEDGE, & WALL STANDARDS:

1. Not to be located within sight visibility triangle as defined by Article 7.13 of the City of Franklin Zoning Ordinance.
2. Not to be located any closer to the front of the home than the front foundation line of the home.
3. Maximum height = 4 ft.
4. Prohibited: chain-link, wood, electrified, barbed wire, razor wire, and stockade fences. In no instance shall this be interpreted as prohibiting the use of invisible fences.
5. Permitted: wrought iron and walls above grade to be constructed of natural stone, masonry or attractive timber (railroad ties are prohibited).
6. Requires approval of Architectural Control Committee of the subdivision.

LANDSCAPING STANDARDS:

The two (2) deciduous tree selections shall be in conformance with the "Permitted Street Trees" as outlined in Article 6.15 of the Subdivision Control Ordinance. All other tree selections shall be in conformance with the "Qualifying Broad Leaf/Deciduous Trees List" and "Non-Qualifying Trees List" as outlined in Article 7.16 of the City of Franklin Zoning Ordinance.

Front and Side Yard for each Lot

- 2 Deciduous trees: 2-2 ½ inch caliper**
- 1 Flowering tree: 1-1 ½ inch caliper
- 3 Conifer trees: 6-8 ft. in height
- 6 Shrubs: 3-4 ft. in height
- 10 Shrubs: 18-24 inch spread

** Two (2) of the required deciduous tree plantings above shall be located within in the front yard of each lot, at a maximum distance of ten (10) feet from the right-of-way.

Bufferyards

1. 15 ft. buffer yard with Type 1 plantings (one (1) broad-leaf deciduous canopy tree per thirty (30) feet of boundary) will be provided in a common area behind the double frontage lots on the south side of Upper Shelbyville Road.
2. 15 ft. bufferyard with Type 2 plantings (one (1) broad-leaf deciduous canopy tree per twenty-five (25) feet of boundary) will be provided in a common area behind the double frontage lots on the east side of Eastview Drive.
3. 15 ft. bufferyard with Type 2 plantings (two (2) evergreen conifers per twenty-five (25) feet of boundary) will be provided in a common area along the south property line of the development.
4. 30 ft. bufferyard with a four (4) feet tall undulating earthen mound and a row of evergreen conifers at one (1) evergreen tree per ten (10) feet of boundary will be provided in common areas behind double frontage lots on both sides of Homestead Boulevard.

5. 20 ft. bufferyard with a three (3) feet tall undulating earthen mound and a row of evergreen conifers at one (1) evergreen tree per ten (10) feet of boundary will be provided in the common area behind the double frontage lots within the Village Green section of the development.
6. The medians of both boulevard entrances into the development will be landscaped with one (1) non-fruit bearing, ornamental canopy tree per fifty (50) feet of median.
7. Both entrances will also include additional landscaping around the proposed development signage.
8. Landscaping will also be provided by existing trees, as healthy, mature trees within common areas on both sides of the northern boulevard entrance from Upper Shelbyville Road, and within the common area at the southeast corner of the Eastview Drive and Upper Shelbyville Road intersection that can be preserved by the project, will be preserved.
9. All landscaping, including tree/shrub plantings and berms/mounding, will be installed in compliance with Article 7 of the City of Franklin Zoning Ordinance.

PARKING STANDARDS:

1. All driveways and vehicle parking areas shall be hard surfaced (concrete or another acceptable alternative) and shall be so surfaced from their point of connection with the abutting street to their point of connection with the garage apron.
2. Maximum driveway width at the right-of-way shall be twenty (20) feet.
3. Gravel and stone driveways shall be prohibited.
4. Parking of recreational vehicles and commercial vehicles shall be in accordance with Article 7.10 of the City of Franklin Zoning Ordinance.

SIGNAGE STANDARDS:

Entrance Signs

One (1) entry sign to be placed on both sides of Homestead Boulevard at the intersection of Eastview Drive and on both sides of Meadowbrook Lane at the intersection of Upper Shelbyville Road for a total of two (2) entry signs at each entrance.

Maximum height = 8 ft.

Maximum area of each sign = 48 sf

Setback = 2 ft. from right-of-way

Neighborhood Marker Posts

To be placed consistent with Detailed PUD Plan.

Maximum height = 8 ft.

Maximum area of each sign = 8 sf

Setback = 2 ft. from right-of-way

If not covered by the above, then the sign standards shall be in accordance with Article 8 of the City of Franklin Zoning Ordinance.

DEVELOPMENT STANDARDS:

All other development standards, not specifically identified above, shall conform to the residential standards outlined in Article 7 and Article 8 of the City of Franklin Zoning Ordinance.

City of Franklin Common Council

ORDINANCE NUMBER 2014-03

AN ORDINANCE APPROVING RESOLUTION NUMBER 2014-01
OF THE CITY OF FRANKLIN, INDIANA PLAN COMMISSION, REZONING CERTAIN PROPERTY TO
PUD (Planned Unit Development)
(To be known as Homesteads at Hillview PUD)

WHEREAS, the City of Franklin, Indiana Plan Commission (referred to hereafter as the “Plan Commission”) is an advisory Plan Commission to the City of Franklin, Indiana (referred to hereafter as the “City”), and has, by Resolution Number 2014-01 recommended that the City’s Common Council amend the Zoning Map and rezone the property described in “Exhibit A” attached hereto, to Planned Unit Development (PUD).

WHEREAS, pursuant to Indiana Code § 36-7-4-602, Resolution 2014-01 has been certified to the City’s Common Council; and

WHEREAS, the recommendation of the Plan Commission should be adopted, and the rezoning of the property described in “Exhibit A” should be approved with the development standards outlined in “Exhibit B”.

**NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF FRANKLIN, INDIANA,
ORDAINS AND ENACTS THE FOLLOWING:**

1. **Zoning Map Amended:** The subject property described in Exhibit “A” is hereby rezoned to Planned Unit Development (PUD), with the development standards set forth in Exhibit “B” attached hereto.
2. **Construction of Clause Headings.** The clause headings appearing in this ordinance have been provided for convenience and reference, and do not purport and will not be deemed to define, limit, or extend the scope or intent of the clauses to which the headings pertain.
3. **Repeal of Conflicting Ordinances.** The provisions of all other ordinances in conflict with the provisions of this ordinance are of no further force or effect upon the remaining provisions of this ordinance.
4. **Severability of Provisions.** If any part of this ordinance is held to be invalid, such part will be deemed severable and its validity will have no effect upon the remaining provisions of this ordinance.
5. **Duration and Effective Date.** The provisions set forth in this ordinance become and will remain in full force and effect (until their repeal by ordinance) on the day of passage and adoption of this ordinance by signature of the executive in the manner prescribed by Indiana Code § 36-4-16-4.

INTRODUCED on the ____ day of _____, 2014.

DULY PASSED on this ____ day of _____, 2014, by the Common Council of the City of Franklin, Johnson County, Indiana, having been passed by a vote of ____ in Favor and ____ Opposed.

City of Franklin, Indiana, by its Common Council:

Voting Affirmative:

Voting Opposed:

Steve Barnett, President

Steve Barnett, President

Joseph P. Abban

Joseph P. Abban

Joseph R. Ault

Joseph R. Ault

Kenneth Austin

Kenneth Austin

Robert Henderson

Robert Henderson

Richard Wertz

Richard Wertz

Stephen Hougland

Stephen Hougland

Attest:

Janet P. Alexander, Clerk-Treasurer

Presented by me to the Mayor of the City of Franklin for his approval or veto pursuant to Indiana Code § 36-4-6-15,16, this ____ day of _____, 2014 at ____ o'clock p.m.

Janet P. Alexander, Clerk-Treasurer

This Ordinance having been passed by the legislative body and presented to me was [Approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1)] [Vetoed, pursuant to Indiana Code § 36-4-6-16(a)(2)], this _____ day of _____, 2014 at _____ o'clock p.m.

Joe McGuinness, Mayor

Attest:

Janet P. Alexander, Clerk-Treasurer

Prepared by:
Joanna Myers, Senior Planner
Department of Planning & Engineering
70 E. Monroe Street
Franklin, IN 46131

EXHIBIT "A"

A part of the Southeast Quarter of Section 12, and part of the Northeast Quarter of Section 13, all in Township 12 North, Range 4 East of the Second Principal Meridian, in Johnson County, Indiana, more particularly described as follows:

Commencing at a stone found at the Northeast corner of the Northeast Quarter of the said Section 13; thence South 00 degrees 07 minutes 53 seconds East on and along the East line thereof 432.04 feet; thence South 89 degrees 23 minutes 00 seconds West 107.32 feet to an iron rod found at the Point of Beginning of this described tract; thence continuing South 89 degrees 23 minutes 00 seconds West 368.31; thence South 00 degrees 06 minutes 47 seconds East 1811.1 feet to an iron rod found; thence North 87 degrees 11 minutes 04 seconds West 588.67 feet to an iron rod found; thence North 86 degrees 14 minutes 12 seconds West 647.24 feet to an iron rod found at the East right-of-way of Eastview Drive; thence North 00 degrees 16 minutes 00 seconds East on and along the said East right-of-way line 438.05 feet to a right-of-way fence post; thence North 01 degrees 43 minutes 40 seconds East on and along the said right-of-way line 391.75 feet to an iron rod set; thence Northwesterly on and along the said right-of-way on a curve to the left which has a radius of 850.00 feet a curved distance of 646.40 feet, said arc being subtended by a cord bearing North 21 degrees 31 minutes 10 seconds West 630.94 feet to an iron rod set; thence North 01 degrees 40 minutes 58 seconds East on and along the said right-of-way line 181.00 feet to a "P-K" nail set in the centerline of Upper Shelbyville Road; thence Northeasterly on and along the said centerline on a curve to the left which has a radius of 450.00 feet a curved distance of 40.32 feet, said arc being subtended by a chord bearing North 46 degrees 12 minutes 19 seconds East 40.31 feet; thence North 43 degrees 38 minutes 17 seconds East on and along the said centerline 482.28 feet to the beginning of a tangent curve; thence Northeasterly on and along the said centerline on a curve to the right which has a radius of 2136.39 feet a curved distance of 370.49 feet, said arc being subtended by a chord bearing North 48 degrees 36 minutes 22 seconds East 370.02 feet; thence North 53 degrees 34 minutes 27 seconds East on and along the said centerline 343.77 feet to a "P-K" nail set; thence South 30 degrees 18 minutes 33 seconds East 200.00 feet; thence North 53 degrees 34 minutes 27 seconds East 218.13 feet; thence North 30 degrees 18 minutes 33 seconds West 200.00 feet to a "P-K" nail set in the centerline of Upper Shelbyville Road; thence North 53 degrees 34 minutes 27 seconds East on and along said centerline 453.20 feet to the beginning point of a tangent curve; thence Northeasterly on and along the said centerline on a curve to the right which has a radius of 772.90 feet a curved distance of 323.41 feet, said arc being subtended by a chord bearing North 65 degrees 33 minutes 41 seconds East 321.05 feet; thence North 77 degrees 32 minutes 55 seconds East on and along the said centerline 63.16 feet; thence South 00 degrees 04 minutes 54 seconds West 791.25; thence South 00 degrees 13 minutes 11 seconds East 433.11 feet to the Point of Beginning.

CONTAINING 79.38 ACRES, MORE OR LESS, and being subject to all legal easements, rights of way or restrictions of record or observable.

ALSO;

BEING PART THE NORTHEAST QUARTER OF SECTION 13, ALL IN TOWNSHIP 12 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN, IN JOHNSON COUNTY, INDIANA, more particularly described as follows:

Commencing at a stone found at the Northeast corner of the Northeast Quarter of the said Section 13; Thence South 00 degrees 07 minutes 53 seconds East on and along the East line thereof 432.04 feet;

Thence South 89 degrees 23 minutes 00 seconds West 107.81 feet to an iron rod found at the Southeast corner of a tract of land owned by Franklin Community School as shown on an A.L.T.A./A.C.S.M. Survey prepared by CKW Land Surveying, Inc. performed by Jeffery Kondy, Indiana Land Surveyor No. LS20100068 and dated June 7, 2013; Thence continuing South 89 degrees 23 minutes 00 seconds West, 295.42 feet to the PLACE OF BEGINNING; Thence South 21 degrees 46 minutes 25 seconds West, 195.52 feet to a place on a East line of said lands; Thence North 00 degree 06 minutes 47 seconds West, along a East line of said lands, 180.78 feet to a corner of said lands; Thence North 89 degrees 23 minutes 00 seconds East, along a South line of said lands, 72.89 feet to the PLACE OF BEGINNING.

CONTAINING 0.151 ACRES OR (6588 SQUARE FEET), more or less, and being subject to all legal easements, rights of way or restrictions of record or observable.

EXHIBIT “B”**HOMESTEADS AT HILLVIEW
PUD STANDARDS**

DEVELOPMENT STANDARD	VILLAGE GREEN	HOMESTEADS	PRESERVE
No. of Lots	33	89	23
Minimum Lot Area	8,420 sf	13,000 sf	14,500 sf
Maximum Lot Coverage	67%	60%	60%
Minimum Lot Width (measured at front setback)	57 ft.	63 ft.	63 ft.
Front yard setback (adjacent to local street)	20 ft.	20 ft.	20 ft.
Side yard setback	5 ft. - primary structure 5 ft. - accessory structure	10 ft. - primary structure 5 ft. - accessory structure	10 ft. - primary structure 5 ft. - accessory structure
Rear yard setback	15 ft. - primary structure 5 ft. - accessory structure	25 ft. - primary structure 5 ft. - accessory structure	25 ft. - primary structure 5 ft. - accessory structure
Minimum Living Area	1 story - 1,700 sf 2 story – 2,000 sf (min. 1,200 sf – ground floor)	1 story – 1,800 sf 2 story – 2,200 sf (min. 1,400 sf – ground floor)	1 story – 1,800 sf 2 story – 2,200 sf (min. 1,400 sf – ground floor)
Maximum Primary Structures	1	1	1
Maximum Height	48 ft. - primary structure 25 ft. - accessory structure	48 ft. - primary structure 25 ft. - accessory structure	48 ft. - primary structure 25 ft. - accessory structure
Accessory Structures	No detached accessory structures permitted, including garages, storage structures, and in-law quarters. Exceptions include: inground pool, hot tubs, spas, Jacuzzis or similar apparatus, pool house, and landscaping features such as a trellis.		

PERMITTED LAND USES:

1. Single family residential
2. Golf course
3. Home Occupations in accordance with Article 7.7 of the City of Franklin Zoning Ordinance.
4. Accessory dwellings (also known as in-law quarters) shall be attached to, and designed and constructed as part of the primary structure. In no case may any accessory dwelling exceed 1,000 sf in living area.
5. Temporary Home Sales Facilities in accordance with Article 7.4 of the City of Franklin Zoning Ordinance.

EXTERIOR LIGHTING:

In accordance with Article 7.18 of the City of Franklin Zoning Ordinance.

ANIMALS:

No animals, livestock or poultry of any kind shall be raised, bred, or kept on any portion of the lot, except that dogs, cats or other usual and common household pets not to exceed a total of three (3) may be permitted on a lot.

ARCHITECTURAL DESIGN STANDARDS:

1. Minimum of a two-car attached garage shall be provided for each residence.
2. Primary roof pitch – 8/12 minimum
3. Exterior materials: brick, stone, cedar, EIFs, hardy plank and dimensional fiberglass shingles consistent in earthen tone coloration and otherwise with the project's interior theme of a custom themed community.

FENCE, HEDGE, & WALL STANDARDS:

1. Not to be located within sight visibility triangle as defined by Article 7.13 of the City of Franklin Zoning Ordinance.
2. Not to be located any closer to the front of the home than the front foundation line of the home.
3. Maximum height = 4 ft.
4. Prohibited: chain-link, wood, electrified, barbed wire, razor wire, and stockade fences. In no instance shall this be interpreted as prohibiting the use of invisible fences.
5. Permitted: wrought iron and walls above grade to be constructed of natural stone, masonry or attractive timber (railroad ties are prohibited).
6. Requires approval of Architectural Control Committee of the subdivision.

LANDSCAPING STANDARDS:

The two (2) deciduous tree selections shall be in conformance with the "Permitted Street Trees" as outlined in Article 6.15 of the Subdivision Control Ordinance. All other tree selections shall be in conformance with the "Qualifying Broad Leaf/Deciduous Trees List" and "Non-Qualifying Trees List" as outlined in Article 7.16 of the City of Franklin Zoning Ordinance.

Front and Side Yard for each Lot

- 2 Deciduous trees: 2-2 ½ inch caliper**
- 1 Flowering tree: 1-1 ½ inch caliper
- 3 Conifer trees: 6-8 ft. in height
- 6 Shrubs: 3-4 ft. in height
- 10 Shrubs: 18-24 inch spread

** Two (2) of the required deciduous tree plantings above shall be located within in the front yard of each lot, at a maximum distance of ten (10) feet from the right-of-way.

Bufferyards

1. 15 ft. buffer yard with Type 1 plantings (one (1) broad-leaf deciduous canopy tree per thirty (30) feet of boundary) will be provided in a common area behind the double frontage lots on the south side of Upper Shelbyville Road.
2. 15 ft. bufferyard with Type 2 plantings (one (1) broad-leaf deciduous canopy tree per twenty-five (25) feet of boundary) will be provided in a common area behind the double frontage lots on the east side of Eastview Drive.
3. 15 ft. bufferyard with Type 2 plantings (two (2) evergreen conifers per twenty-five (25) feet of boundary) will be provided in a common area along the south property line of the development.
4. 30 ft. bufferyard with a four (4) feet tall undulating earthen mound and a row of evergreen conifers at one (1) evergreen tree per ten (10) feet of boundary will be provided in common areas behind double frontage lots on both sides of Homestead Boulevard.

5. 20 ft. bufferyard with a three (3) feet tall undulating earthen mound and a row of evergreen conifers at one (1) evergreen tree per ten (10) feet of boundary will be provided in the common area behind the double frontage lots within the Village Green section of the development.
6. The medians of both boulevard entrances into the development will be landscaped with one (1) non-fruit bearing, ornamental canopy tree per fifty (50) feet of median.
7. Both entrances will also include additional landscaping around the proposed development signage.
8. Landscaping will also be provided by existing trees, as healthy, mature trees within common areas on both sides of the northern boulevard entrance from Upper Shelbyville Road, and within the common area at the southeast corner of the Eastview Drive and Upper Shelbyville Road intersection that can be preserved by the project, will be preserved.
9. All landscaping, including tree/shrub plantings and berms/mounding, will be installed in compliance with Article 7 of the City of Franklin Zoning Ordinance.

PARKING STANDARDS:

1. All driveways and vehicle parking areas shall be hard surfaced (concrete or another acceptable alternative) and shall be so surfaced from their point of connection with the abutting street to their point of connection with the garage apron.
2. Maximum driveway width at the right-of-way shall be twenty (20) feet.
3. Gravel and stone driveways shall be prohibited.
4. Parking of recreational vehicles and commercial vehicles shall be in accordance with Article 7.10 of the City of Franklin Zoning Ordinance.

SIGNAGE STANDARDS:

Entrance Signs

One (1) entry sign to be placed on both sides of Homestead Boulevard at the intersection of Eastview Drive and on both sides of Meadowbrook Lane at the intersection of Upper Shelbyville Road for a total of two (2) entry signs at each entrance.

Maximum height = 8 ft.

Maximum area of each sign = 48 sf

Setback = 2 ft. from right-of-way

Neighborhood Marker Posts

To be placed consistent with Detailed PUD Plan.

Maximum height = 8 ft.

Maximum area of each sign = 8 sf

Setback = 2 ft. from right-of-way

If not covered by the above, then the sign standards shall be in accordance with Article 8 of the City of Franklin Zoning Ordinance.

DEVELOPMENT STANDARDS:

All other development standards, not specifically identified above, shall conform to the residential standards outlined in Article 7 and Article 8 of the City of Franklin Zoning Ordinance.