

AGENDA RESERVATION REQUEST

CITY OF FRANKLIN COMMON COUNCIL

Please type or print

Date Submitted:	May 25, 2021	Meeting Date:	June 7, 2021
Contact Information:			
Requested by:	Joanna Myers, Senior Planner		
On Behalf of Organization or Individual:			
		Hillview Properties, LLC & JP Real Estate I, LLC	
Telephone:	317-736-3631		
Email address:	jmyers@franklin.in.gov		
Mailing Address:	70 E. Monroe St., Franklin, IN 46131		
Describe Request:			
Approval of Ordinance 2021-11: Rezoning to be known as Homesteads at Hillview PUD Updated - 2021			
(Public Hearing & Adoption)			
List Supporting Documentation Provided:			
1. City Council memo			
2. Plan Commission Staff Report (PC 2021-13)			
3. Plan Commission Minutes 04-20-21			
4. PC Resolution 2021-13			
5. Ordinance 2021-11			
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 6:00 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: Steve Barnett, Mayor and Jayne Rhoades, Clerk-Treasurer
From: Joanna Myers, Senior Planner
Date: May 5, 2021
Re: **Homesteads at Hillview PUD Updated - 2021 (Ordinance 2021-11)**

On April 20, 2021 the Franklin Plan Commission forwarded to the City Council a favorable recommendation on the above referenced rezoning petition from Hillview Properties, LLC & JP Real Estate I, LLC (Plan Commission Resolution #2021-13). The Plan Commission voted 8-0 for a favorable recommendation to be forwarded.

The petitioner is requesting that approximately 65 acres of property located at the southeast corner of Eastview Drive and Upper Shelbyville Road be rezoned from Planned Unit Development (PUD) 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:	May 17, 2021
Public Hearing:	June 7, 2021

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: April 15, 2021

Re: Case PC 2021-13 (PUD – Detailed Plan): Homesteads at Hillview (Updated - 2021)

REQUEST:

Case PC 2021-13 (PUD – Detailed Plan)...Homesteads at Hillview (Updated – 2021). A request by Hillview Properties, LLC & JP Real Estate, LLC to amend the Homesteads at Hillview PUD Detailed Plan to modify certain design standards and lot standards for 3rd Section, to be named “Windsor” and to modify standards related to fencing/landscaping in common areas, and driveway widths. The subject property is located at the southeast corner of Eastview Drive and Upper Shelbyville Road. The property is currently zoned PUD (Planned Unit Development).

Surrounding Zoning:

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

Surrounding Land Use:

North: Agricultural
Single-family residential
South: Emmanuel Church
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, recreation/trail amenities within the common areas 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. The PUD is being amended to include development standards for a portion of the development to be known as “Windsor”. Windsor is proposed as Section 3 of Homesteads at Hillview (27+ acres) and is currently undeveloped. Section 3 previously was planned as a portion of “Homesteads”. The standards for “Village Green” are consistent with the previously approved PUD and only modification to “Homesteads” is the number of lots.
 - 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.
 - vi. Minimum side yard setback – 5 ft.
 - vii. Minimum rear yard setback – 15 ft.
 - viii. Minimum living area – 1,700 sq.ft.
 - b. Homesteads:
 - i. Lots – revised from 89 lots to 31 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.
 - vi. Minimum side yard setback – 10 ft.
 - vii. Minimum rear yard setback – 25 ft.
 - viii. Minimum living area – 1,800 sq.ft.
 - c. The proposed standards for Windsor are as follows:
 - i. Lots – 66 lots
 - ii. Minimum lot area – 9,100 sq.ft.
 - iii. Minimum lot width – 70 ft.

- iv. Maximum lot coverage – 67%
 - v. Minimum front yard setback (local) – 20 ft.
 - vi. Minimum side yard setback – 7.5 ft.
 - vii. Minimum rear yard setback – 20 ft.
 - viii. Minimum living area – 1,700 sq.ft.
3. The following additional standards are also proposed to be added/modified:
 - a. Primary roof pitch for modern architectural styles – 4/12 minimum and requires approval from Architecture Control Committee.
 - b. Landscape Screening – Common Areas
 - i. Plants and wooden panel fencing not to exceed 6 ft. and as approved by City of Franklin.
 - ii. Installed in Common Area at rear of lots 1-10 (Village Green), lot 34 (Homesteads), and lots 82-91 (Windsor).
 - c. Common Areas 8 & 9 Improvements
 - i. 25 ft. walking path between lots 77 & 78 connecting Windsor Section to the City of Franklin Greenway Trail
 - ii. A dock, benches, trellis, and bocce courts are permitted to be installed in an expanded Common Area 9 with appropriate landscaping as approved by the City of Franklin and to be installed by the time the Windsor lots are placed on the market for sale.
 - d. Maximum driveway width at the right-of-way may be twenty-two (22) ft. (Previously: 20 ft.)
 4. The previous modification to the PUD standards was completed in 2017 when the Emmanuel Church property was removed from the PUD in its entirety.
 5. The Technical Review Committee reviewed the petition at their March 25, 2021 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. Plan 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 revised 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 indicated that they will submit the primary plat concurrent with the PUD – Detailed Plan.
 - a. The applicant has submitted the primary plat and applicable waiver requests (PC 2021-14), concurrent with the PUD – Detailed Plan.
 - b. The Commission may wish to hear cases PC 2021-13 & PC 2021-14 simultaneously as the waiver requests regarding street trees are directly related to the proposed development standards regarding landscaping within the PUD standards.
 - c. Staff would recommend that the Commission take action on the three waiver requests from Article 6.15 prior to taking action on PC 2021-13 and then take action on the remaining waiver requests followed by the primary plat (PC 2021-14).

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 remaining PUD standards outline requirements consistent with Article 6 of the City of Franklin Zoning Ordinance and are the same as outlined in Ordinance 2017-02.

- 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.

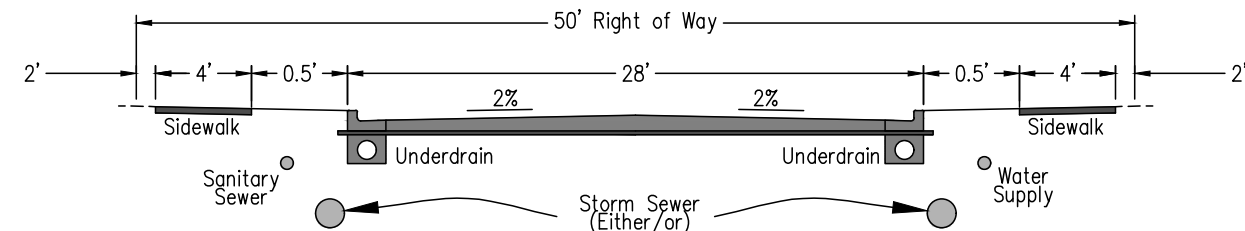
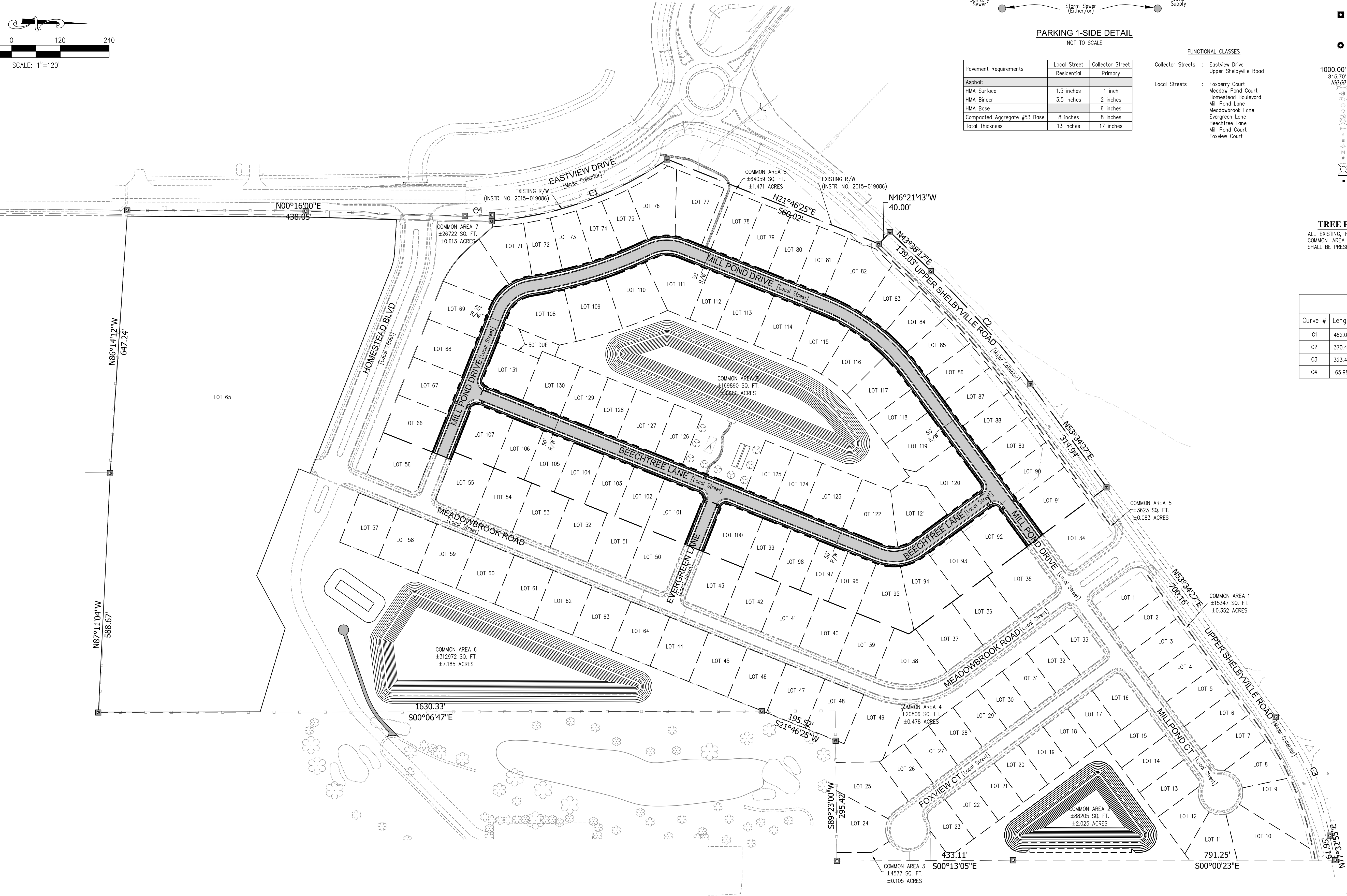
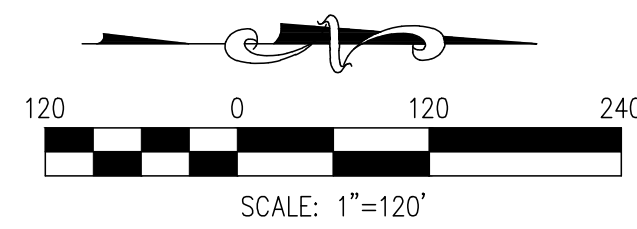
PLAN COMMISSION ACTION:

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.

DETAILED PUD PLAN
WINDSOR AT HILLVIEW



PARKING 1-SIDE DETAIL
NOT TO SCALE

Pavement Requirements	Local Street Residential	Collector Street Primary
Asphalt		
HMA Surface	1.5 inches	1 inch
HMA Binder	3.5 inches	2 inches
HMA Base		6 inches
Compacted Aggregate #53 Base	8 inches	8 inches
Total Thickness	13 inches	17 inches

FUNCTIONAL CLASSES

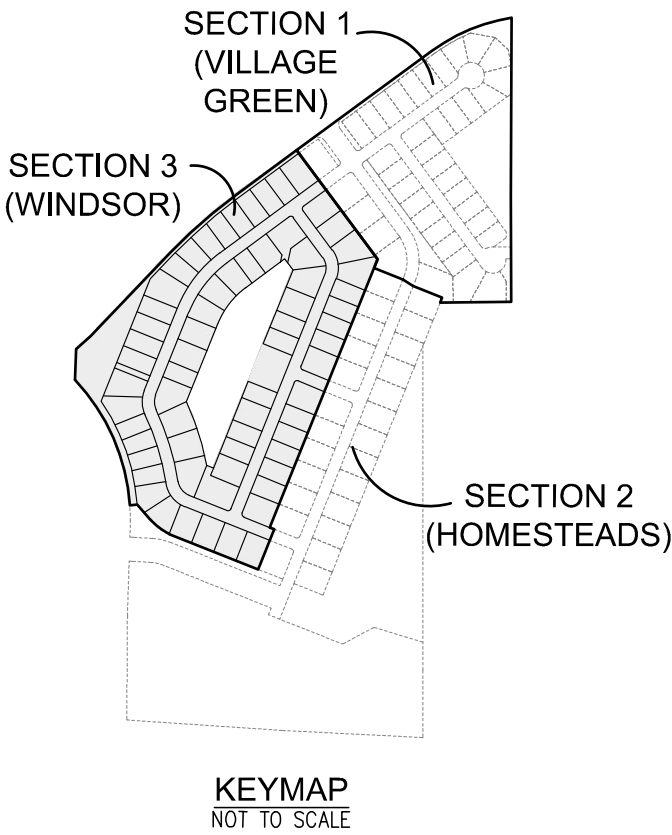
- Collector Streets : Eastview Drive
Upper Shelbyville Road
- Local Streets : Foxberry Court
Meadow Pond Court
Homestead Boulevard
Mill Pond Lane
Meadowbrook Lane
Evergreen Lane
Beechtree Lane
Mill Pond Court
Foxview Court

LEGEND

- PERMANENT OUTSIDE BOUNDARY CORNER (4"x4" PRECAST CONCRETE, SCORED ON TOP WITH A DEEP CROSS, SET FLUSH)
- PERMANENT PROPERTY LOT CORNER (3/4" PIPE OR 2" MAG NAIL SET FLUSH)
- PROPERTY BOUNDARY TEXT
- LOT BOUNDARY TEXT
- EASEMENT TEXT
- EXISTING POWERPOLE WITH LIGHT
- EXISTING POWERPOLE GROUND
- EXISTING POWERPOLE UTILITY
- EXISTING LIGHTPOLE
- EXISTING ELECTRIC MANHOLE
- EXISTING ELECTRIC CABINET
- EXISTING GUYWIRE
- EXISTING TELEPHONE RISER
- EXISTING WATER METER
- EXISTING HYDRANT
- EXISTING WATER VALVE
- EXISTING SANITARY MANHOLE
- EXISTING SIGN
- PROPOSED LIGHT POLE
- PROPOSED ENTRY SIGNS
- PROPOSED NEIGHBORHOOD MARKER POST
- RIGHT-OF-WAY SETBACKS
- SECTION LINE
- EASEMENT
- PROPOSED LOT LINE
- EXISTING ADJOINERS
- EXISTING ADJUNCTION
- EXISTING EASEMENT FLOODPLAIN
- PROPOSED EASEMENT
- PROPOSED RIGHT-OF-WAY
- PROPERTY LINE
- EXISTING DITCH
- PROPOSED DITCH
- EXISTING TREE LINE
- EXISTING FARM FIELD FENCE
- EXISTING GUARDRAIL
- EXISTING ELECTRIC LINE
- EXISTING WATER LINE
- EXISTING STORM SEWER
- EXISTING SANITARY SEWER
- PROPOSED ASPHALT
- PROPOSED CONCRETE

TREE PRESERVATION NOTE
ALL EXISTING, HEALTHY, MATURE TREES LOCATED WITHIN ANY COMMON AREA THAT CAN BE PRESERVED BY THE PROJECT SHALL BE PRESERVED.

Boundary Curve Table				
Curve #	Length	Radius	Chord Direction	Chord Length
C1	482.02'	865.00'	N19°24'35"W	456.55'
C2	370.48'	2136.39'	N48°36'22"E	370.02'
C3	323.40'	772.90'	N65°33'41"E	321.05'
C4	65.98'	850.00'	N01°57'25"W	65.96'



PREPARED BY:

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MARCH 11, 2021



CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ENGINEERING
DEPARTMENT OF COMMUNITY DEVELOPMENT

MINUTES

FRANKLIN CITY PLAN COMMISSION

April 20, 2021

Members Present:

Suzanne Findley
Janice Giles
Georganna Haltom
Jim Martin
Irene Nalley
Chris Rynerson
Charlotte Sullivan
Debbie Swinehamer

Secretary
Member
Member
President
Member
Member
Vice President
Member

Others Present:

Lynn Gray
Joanna Myers

Legal Counsel
Senior Planner II

Members Not Present:

Pam Ault
Diane Gragg
Mark Richards

Member
Member
Member

Call to Order:

Jim Martin called the meeting to order at 6:00 p.m.

Roll Call & Determination of Quorum

Pledge of Allegiance

Approval of Minutes

Charlotte Sullivan made a motion to approve the March 16, 2021 minutes. Suzanne Findley seconded. Passed unanimously 8-0.

Swearing In

Ms. Gray swore en masse all intending to speak during the proceedings.

Report of Officers and Committees: March 25, 2021 – Ms. Myers reported on five agenda items. The first was G & H Orthodontics for site development plan review at 40 Linville Way (Franklin Shell Building). They will be expanding the parking lot and completing the interior remodel. Kingsbridge Annexation and PUD – Concept Plan were reviewed. This request is for the annexation of 33 acres and rezoning to PUD for 150

acres. The property is located south of Knollwood Farms and Park Forest and west of US 31. Both cases have been continued to the May 18th meeting by request of the petitioner. Homesteads at Hillview PUD and primary plat were also on the agenda and will be heard this evening.

Old Business

New Business

PC 2021-11 (A): Kingsbridge Annexation – CONTINUED to May 18, 2021

PC 2021-12 (PUD Conceptual Plan): Kingsbridge PUD – CONTINUED to May 18, 2021

These two cases were continued by request of the petitioner.

PC 2021-13 (PUD Detailed Plan): Homesteads at Hillview PUD (Updated – 2021)

PC 2021-14 (PP): Homesteads at Hillview Primary Plat (Updated – 2021)

Ms. Myers introduced the two cases together. This is the third time both cases have come before the Plan Commission. The original case came in 2014 and was modified in 2017 when Emmanuel Church purchased the property at the south end of Homesteads at Hillview. That section had to be removed from the PUD standards and platted as a single lot. The case this evening is for the third section to be called Windsor. The primary plat needs to be modified in order to modify the lot lines and add some of the common area and aesthetic features being provided in the proposed PUD. The PUD modification includes mostly updates directly related to the Windsor section. There are a couple of areas that affect the entire property which are specific to changing the primary roof pitch, landscaping standards for the common areas and maximum driveway width. Currently the maximum driveway width is 20 feet and the petitioner is proposing an increase to 22 feet throughout the entire subdivision. Included with the primary plat are nine waiver requests.

Attorney Jim Admire and CrossRoad Engineers representative Greg Ilko presented. Mr. Admire explained that the plan, as modified in 2014, did not have good marketing attributes. The new proposed common area would include bocce ball courts, a dock, a trellis and benches. Their building partner is Old Town Design Group. Along Upper Shelbyville Road they wish to augment the plan with more landscaping trees and landscape fence panels. This would run from lots one through 10 in the Village Green section, heading west past lot 34 in the Homesteads section and continuing west towards the schools by lots 82 through 91. A walking path connecting to the Franklin Greenway Trail between lots 77 and 78 is also a proposed addition within a 25-foot easement. They believe the proposal coincides with the comprehensive plan and is consistent with the surrounding neighborhood.

Mr. Ilko outlined the history of the project by use of a PowerPoint presentation of the identified property and past appearances before the Plan Commission. He highlighted the zoning of other neighboring properties. He also pointed out the locations of the different sections of the development. The former Prestige section was removed and is where Emmanuel Church is currently located. Perimeter landscaping is comparable to the original PUD plan. Fencing and additional components are proposed for the common area along Upper Shelbyville Road. Mr. Ilko briefly reviewed the waiver requests. A couple were with regards to street trees in the PUD. They didn't want to place trees in the right-of-way, so they are being proposed to be located onsite. The Windsor section is 66 lots and located around the perimeter of the far western pond as Section Three of the development. Minimum lot size is 9,100 square feet. The lot width is a deviation in conjunction with the Old Town Design Group component and their product. They are proposing varying lot widths. Other lots are 95-100 feet wide. In Section Three 70 feet is the minimum width and approximately 100 feet is the maximum. Lot coverage is a maximum of 67%. Front yard setback is 20 feet, consistent with what is there now. Minimum side yard setback is seven and a half feet, a small variation. They have committed to a 20-foot rear yard setback, another small difference. The minimum living area is 1,700 square feet in this section. Common area addition will be developed east of the center pond. There will be connectivity from the sidewalks of the internal roads to the trail on Upper Shelbyville Road.

Mr. Ilko addressed the nine primary plat waiver requests, referencing the presentation (see attached) regarding the decision criteria.

A public hearing was held. Remonstrator Susan Weaver spoke. She is a homeowner in Homesteads at Hillview and was opposed to the 25-foot walking path between lots 77 and 78 of Windsor section connecting to Franklin's Greenway Trail. It will allow public access into the Windsor neighborhood and common area features such as bocce ball and the dock. She also asked where the public will park to use the proposed dock and bocce ball courts. She asked: Will there be designated hours of usage and who will police and maintain the property from trash, excessive noise and vandalism.

Remonstrator Al Smith is a resident across from the proposed Windsor development. He expressed concern over potential traffic, noise, trash, parking and increased foot traffic. He also expressed concern for liability issues with the dock. He asked about the monitoring of bocce ball court lighting. He is opposed to public access to the golf course through the development.

Remonstrator Jim Riggs is an area homeowner. He expressed concern regarding liability of the pond and dock. He also presented that the connection to the Greenway Trail is a two-way path, allowing for non-residents to come in to the subdivision.

The public hearing was closed. Attorney Admire responded. Signage will identify the 25-foot walking path area and all other common areas as private property. The HOA, incorporated through the Secretary of State as is required, is insured so there would be no personal liability. Common area ownership will eventually be turned over from the developer to the residents through the HOA, so changes can be made or entirely removed by vote of homeowners. There would be no extra parking as the common areas will not be open to the public. The public is not being invited to access the golf course through the subdivision.

Georganna Haltom asked for clarification on the location of the connection to the Greenway Trail. Mr. Admire explained the plan is for a path to be built between lots 77 and 78 that would connect with a path leading to the Greenway Trail. It will also have landscape barrier to give lots 77 and 78 privacy. Ms. Sullivan sought assurance that the home buyers of these lots would know prior to purchase that they are beside this easement. Ms. Myers compared it as similar to the trail connection in Windstar from the cul-de-sac at Stellar Drive which goes between two homes to the trail within Blue Heron Park.

Staff recommended Plan Commission take action initially on the three street tree waiver requests regarding placement as they affect the PUD modifications. Ms. Sullivan made a motion to approve. Chris Rynerson seconded. Passed unanimously, 8-0.

Staff recommended a favorable recommendation on the PUD - Detailed Plan be forwarded to City Council. Ms. Sullivan so moved. Mr. Rynerson seconded. Passed unanimously, 8-0.

Staff recommended approval of the remaining waiver requests as submitted. Ms. Gray called for a definition of double frontage lots. Ms. Myers explained it to be any lot with streets on both sides. Ms. Sullivan moved to approve. Ms. Findley seconded. Passed unanimously, 8-0.

Staff recommended approval of the primary plat with the following conditions:

1. Subject to City Council final adoption process of PC 2021-13.
2. A no access easement to be provided along Upper Shelbyville Road, Homestead Boulevard and Eastview Drive with the exception of:
 - a. Intersection of Meadowbrook Lane and Upper Shelbyville Road.
 - b. Intersection of Homestead Boulevard and Eastview Drive.

- c. Intersection of Meadowbrook Lane and Homestead Boulevard.
- d. A 30 ft. gap for the intersection of an interior drive for Lot 65 and Eastview Drive.
 - i. The thirty foot (30') gap in the no access easement along Eastview Drive, south of Homestead Boulevard, will be gated and closed at all times, except following the dismissal from services on Sundays and religious holidays.
 - 1. The restricted access to Eastview Drive will be exit only.
 - 2. Petitioner will provide a traffic control person to assist the exits onto Eastview Drive following services on Sundays and religious holidays.
 - 3. Prohibit exit from main entrance onto Homestead Boulevard after each service.

Ms. Sullivan made a motion to approve with the conditions noted by staff. Mr. Rynerson seconded. Passed unanimously, 8-0.

Ms. Gray suggested that Misters Admire and Ilko meet with those in attendance after exiting chambers. Ms. Myers reviewed the upcoming schedule. It will be introduced to City Council on May 17. Public hearing and adoption would be at the June 7th meeting.

PC 2020-30: Amendments to Zoning Ordinance & Subdivision Control Ordinance – Ms. Myers introduced 11 proposed amendments to the Zoning Ordinance and Subdivision Control Ordinance. There have been a number of Board of Zoning Appeals requests from the Zoning Ordinance and waiver requests on the Subdivision Control Ordinance. Industry standards have also changed and staff has received numerous questions. Ms. Myers reviewed the list of 11 amendments in their entirety as outlined in the staff report.

Deb Swinehamer moved to approve the amendments. Irene Nalley seconded. Passed unanimously, 8-0.

Other Business


Adjournment

There being no further business, the meeting was adjourned.

Respectfully submitted this 18th day of May, 2021.



Jim Martin, President



Suzanne Findley, Secretary

Presented by:



SCHAFSTALL • ADMIRE^{LLP}

Jim Admire

98 N Jackson St
Franklin, IN 46131



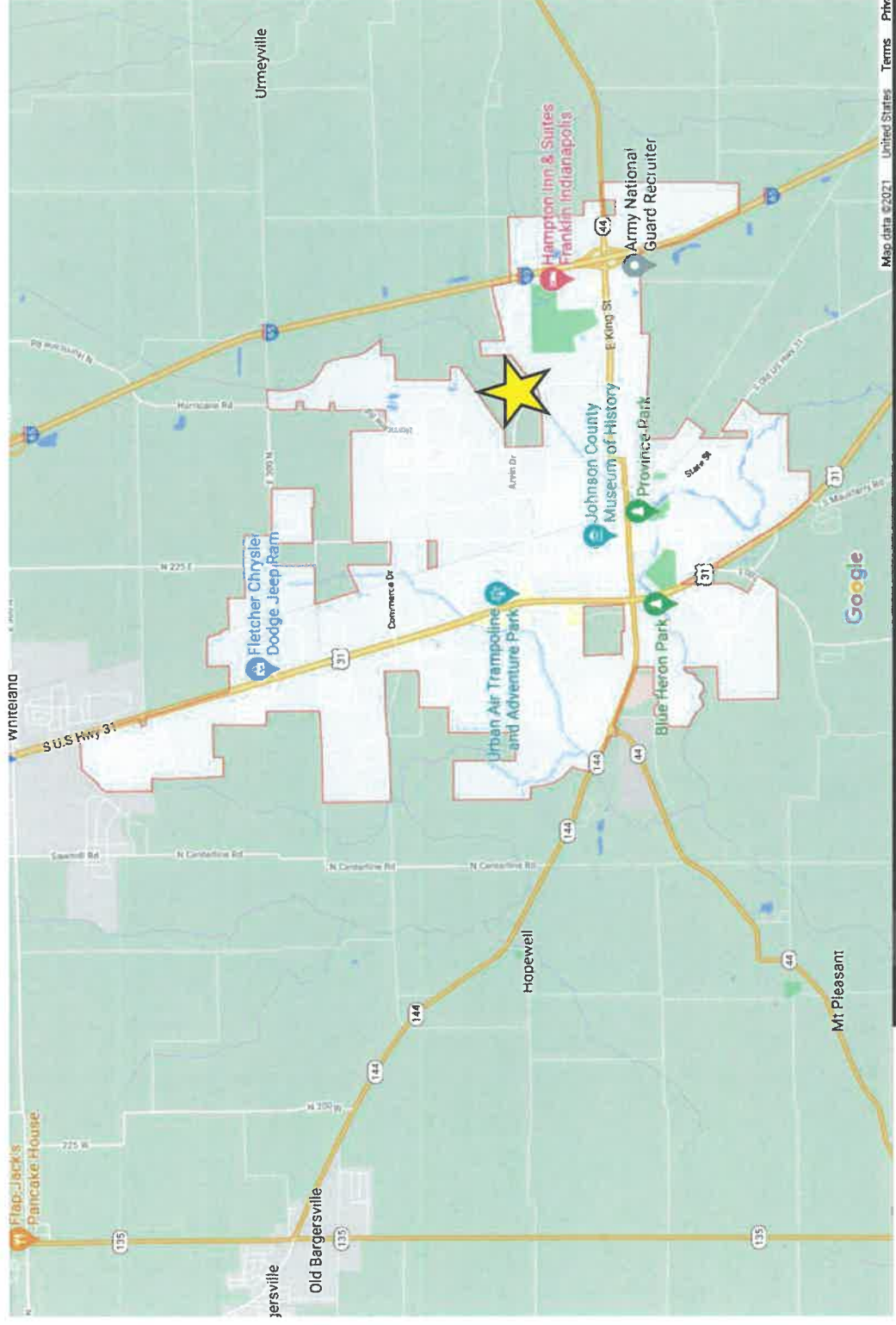
Gregory Ilko
3417 Sherman Dr
Beech Grove, IN 46107

HOMESTEADS AT HILLVIEW

Case PC 2021-13
(PUD – Detailed Plan)

Case PC 2021-14
(Primary Plat)/(Waivers)

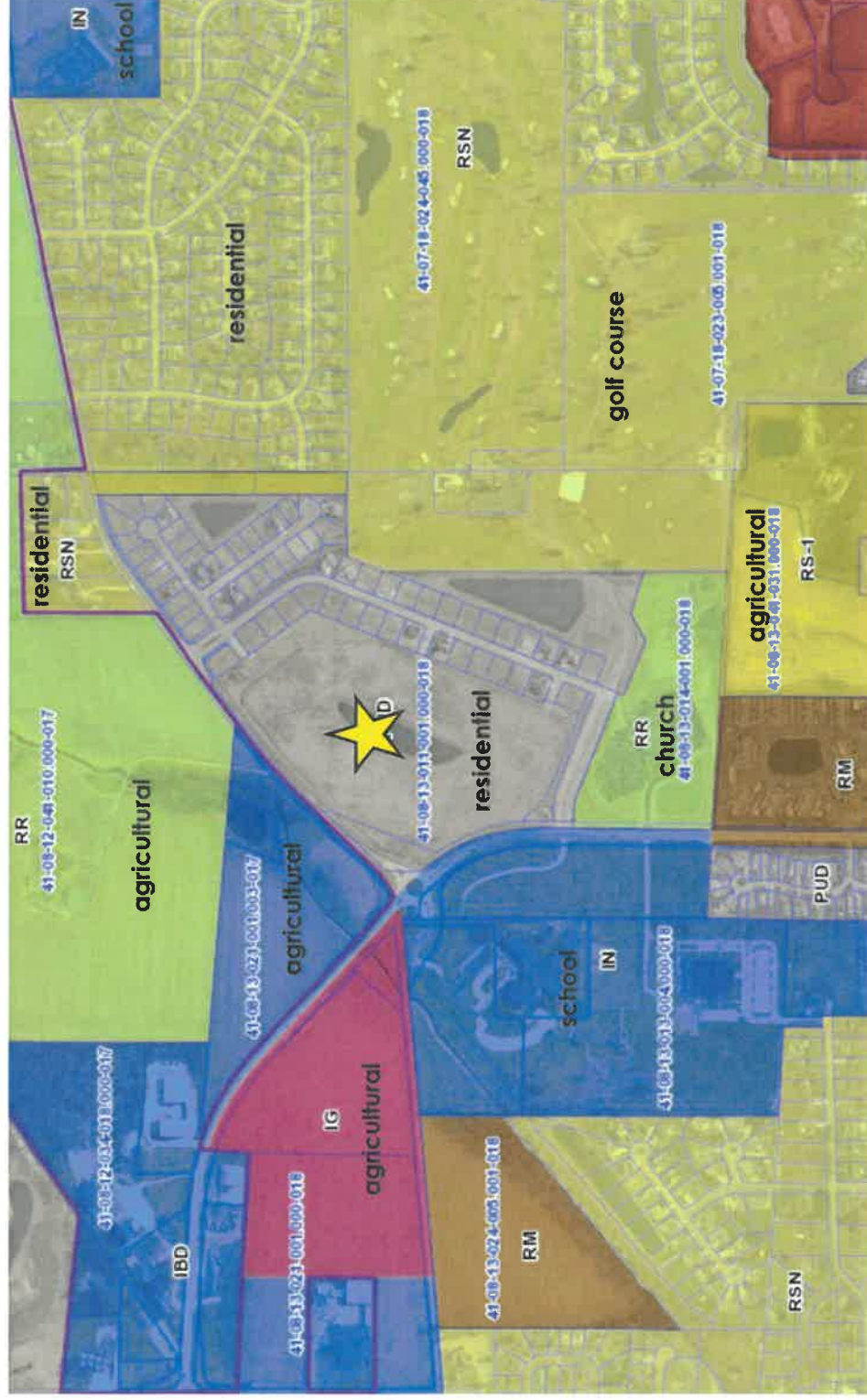
Vicinity Map



Location Map



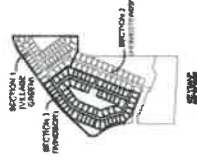
Zoning and Land Use Map



A PART OF THE SOUTHEAST CORNER OF SECTION 12
AND A PART OF THE NORTHEAST QUARTER OF
SECTION 13 ALL IN TOWNSHIP 23 NORTH RANGE 4
EAST OF THE SECOND PRINCIPAL MERIDIAN IN
JOHNSON COUNTY, INDIANA.

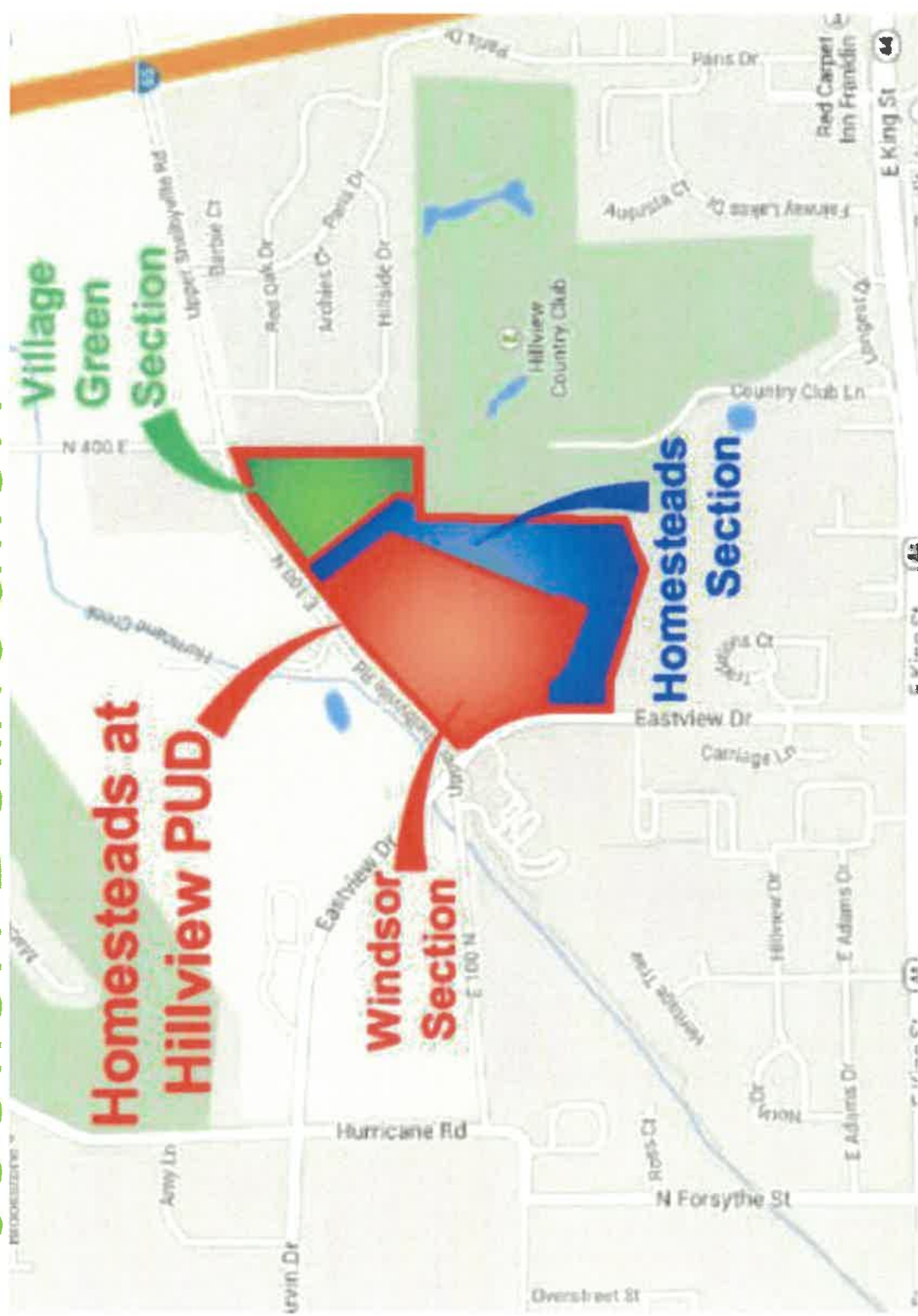


Inventory Cross Walk				
Cross #	Length	Index	Short Name	Short Length
a	year	year	month's	month
b	year	year	quarter	quarter
c	half	year	quarter's	quarter
d	month	month	month's	month

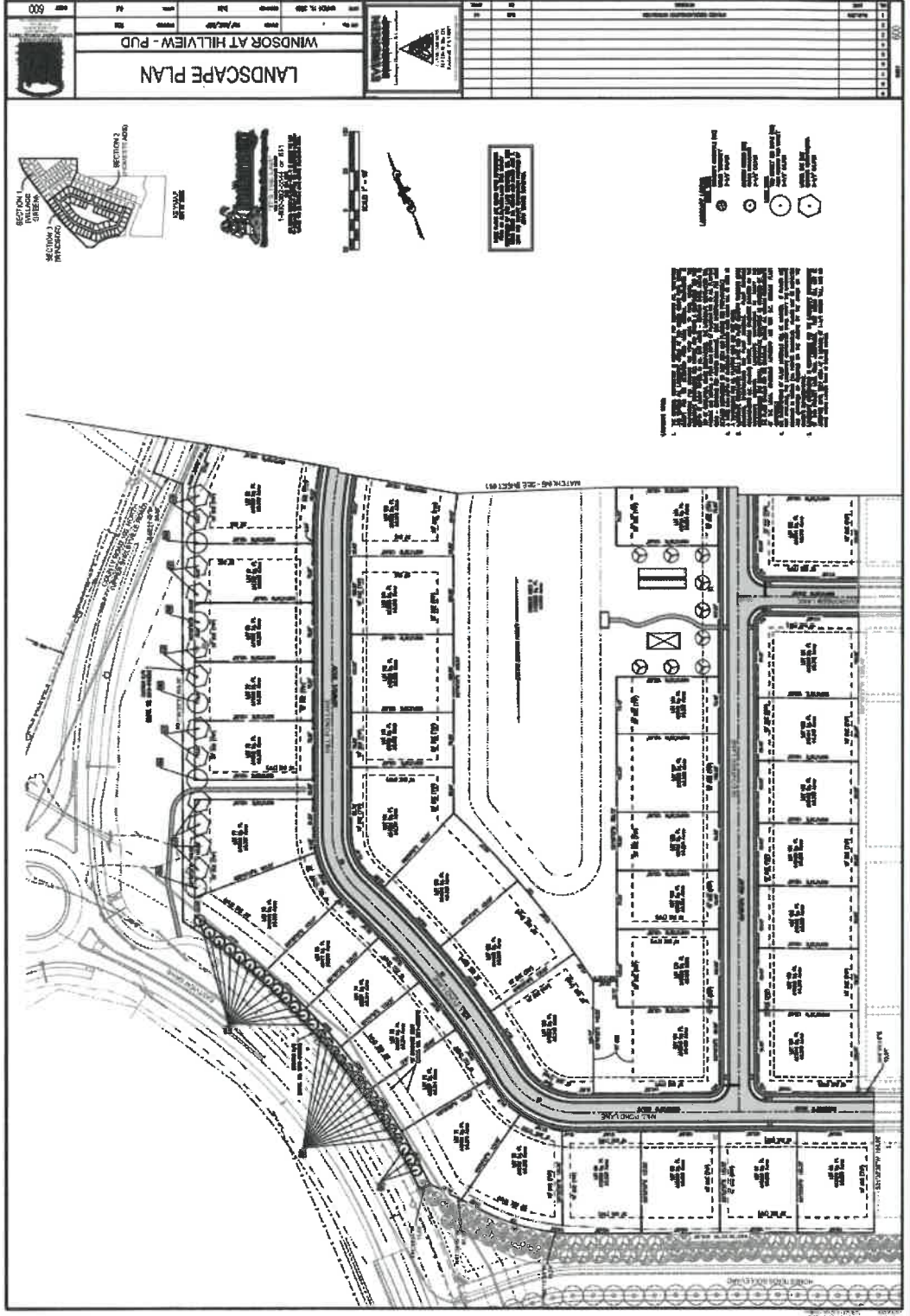


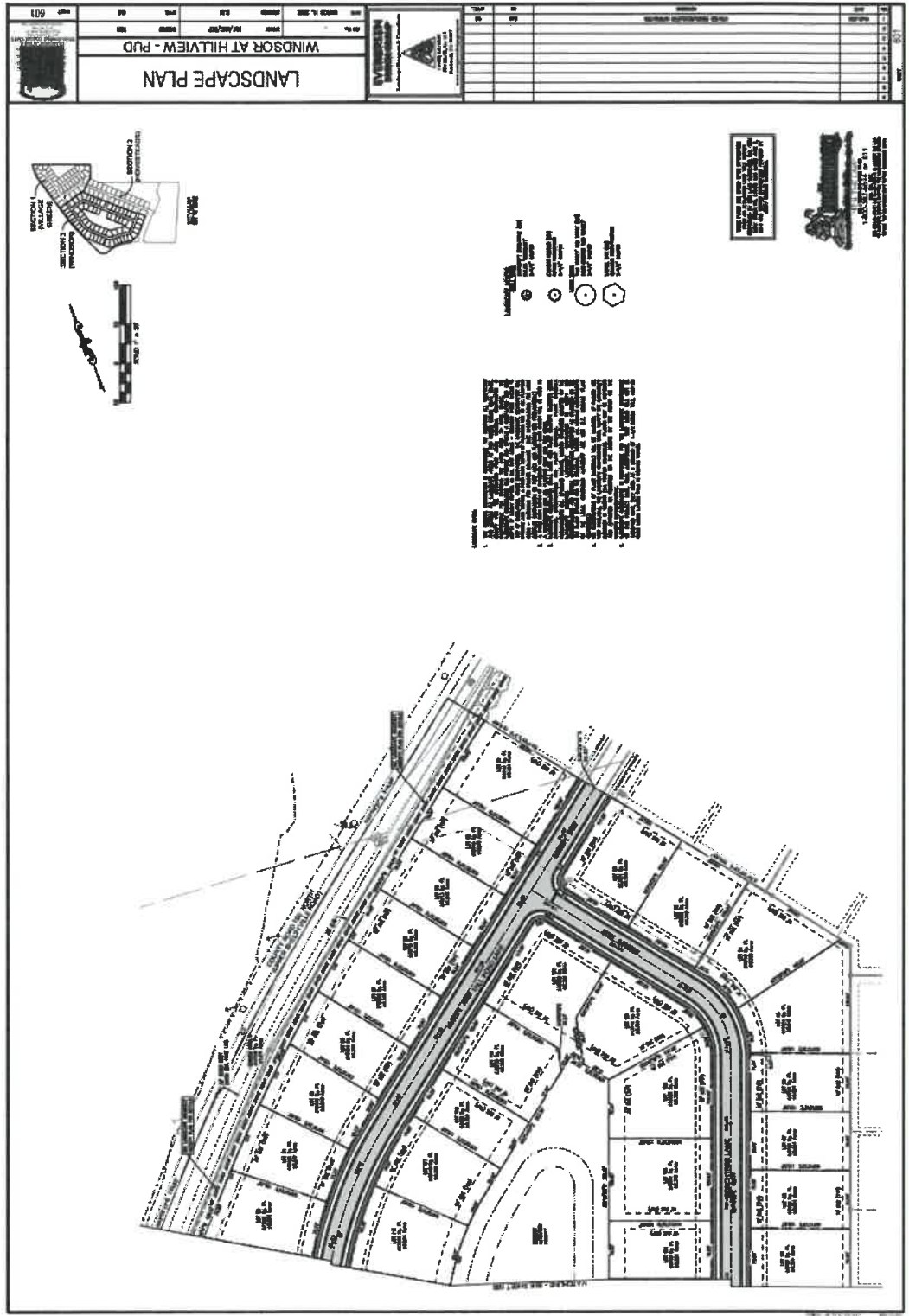
DEVELOPMENT CONSULTANTS
 1011 17th Street, N.W.
 Washington, D.C. 20036
 (202) 331-1000
 4-10-87

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Proposed Landscaping

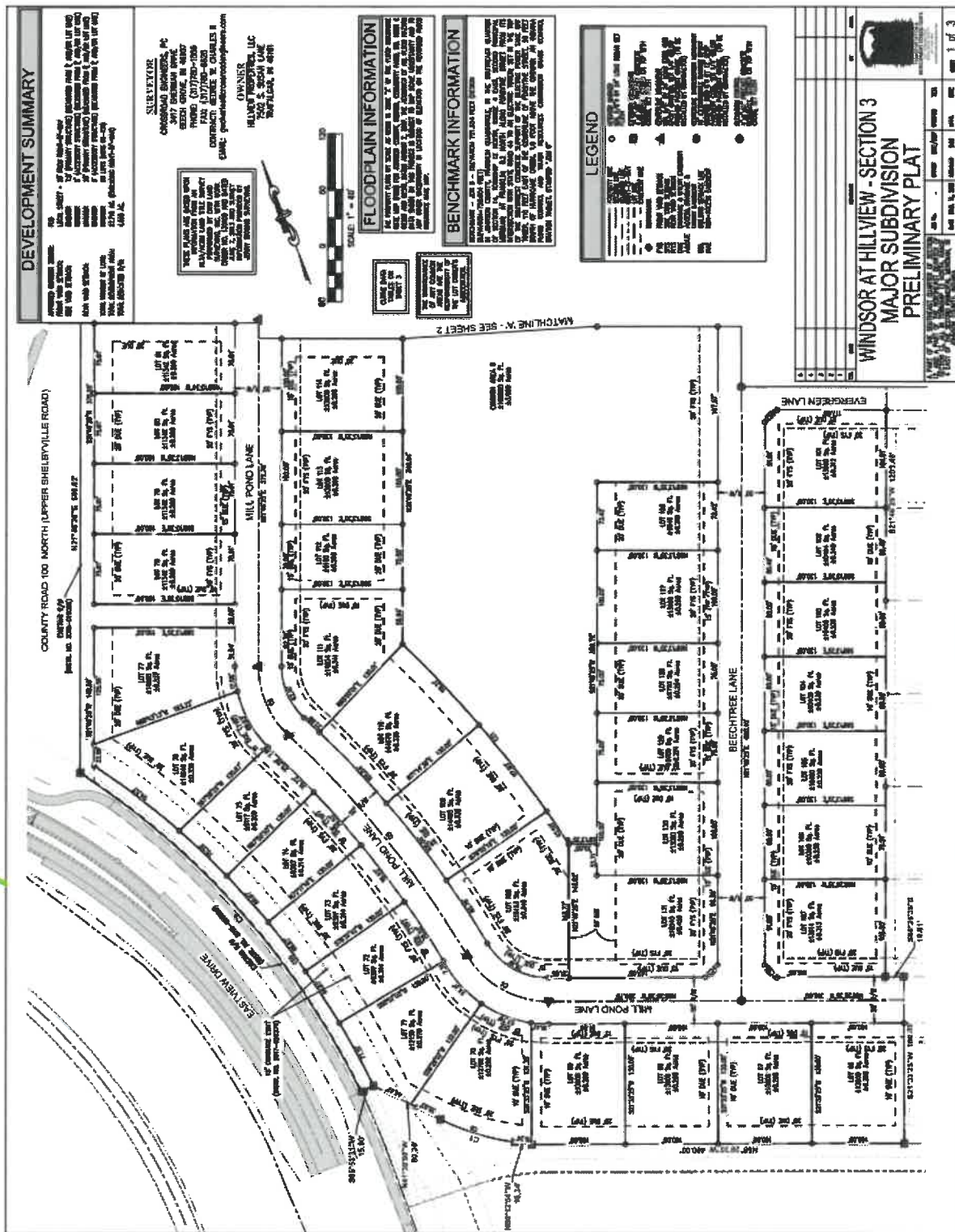


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Windsor Design Standards

- 66 Total Lots
 - Min. Lot Area = 9,100 sq.ft.
 - Min. Lot Width = 70 feet
 - Max. Lot Coverage = 67%
 - Min. Front Yard Setback = 20 feet
 - Min. Side Yard Setback = 7.5 feet
 - Min. Rear Yard Setback = 20 feet
 - Min. Living Area = 1,700 sq.ft.

Preliminary Plat



10



Criteria for Decisions (Waivers)

- Article 6.3 – Lot Standards, Section C – Double Frontage Lots – Item 2.b (**Art.6.3(C)(2)(b)**)
 - PUBLIC WELFARE – No relative impact to public safety, health, and/or welfare.
 - ADJACENT PROPERTY – Intent of the ordinance is being met. The proposed plantings are in accordance with bufferyard planting requirements.
 - UNIQUE CONDITIONS – Presence of double frontage lots, and 15 ft. wide common area.
 - PHYSICAL CONDITIONS – Creates a hardship due to the tree spacing being insufficient for large canopy trees.
 - COMPREHENSIVE PLAN – Does not affect the land use, public infrastructure or planning of any future adjacent areas.

Criteria for Decisions (Waivers)

- Article 6.4 – Block Standards, Section A – Block Dimensions – Item 1 and 2 **Art.6.4(A)(1)&(2)**
- PUBLIC WELFARE – Adequate resident and emergency vehicle access is provided.
- ADJACENT PROPERTY – The proposed block layout parallels the layout of similar adjacent developments.
- UNIQUE CONDITIONS – Location of the project, and nature of the development.
- PHYSICAL CONDITIONS – Creates a hardship due to the geometry of the property.
- COMPREHENSIVE PLAN – Allows a development that is consistent with Large-Lot Suburban Residential Developments that are identified for this area.

Criteria for Decisions (Waivers)

- Article 6.8 – Cul-de-Sac Standards, Section B – Design Req. – Item 3 and 5 **Art.6.8(B)(3)&(5)**
- PUBLIC WELFARE – Increased residential and emergency vehicle maneuverability. Possible future connection to Putter Drive.
- ADJACENT PROPERTY – Elimination of cul-de-sac islands is consistent with existing conditions within the City of Franklin.
- UNIQUE CONDITIONS – Existing location of Putter Drive termination.
- PHYSICAL CONDITIONS – Creates a hardship due to physical barrier caused by landscape island, and connectivity to Putter Drive.
- COMPREHENSIVE PLAN – No negative impact to the land use, public infrastructure or planning of any future adjacent areas.

Criteria for Decisions (Waivers)

- Article 6.10 – Sidewalk and Trail Standards, Section A – General Sidewalk Req. – Item 1 **Art.6.10(A)(1)**
 - PUBLIC WELFARE – No residences gaining access from the boulevard streets into the development. Localized points of pedestrian access.
 - ADJACENT PROPERTY – Pedestrian connectivity to adjacent properties is maintained.
 - UNIQUE CONDITIONS – Local streets, in which no residences gain access from the local street, is unique and generally does not apply to other developments.
 - PHYSICAL CONDITIONS – Increased green space at the entrance to the development.
 - COMPREHENSIVE PLAN – Pedestrian connectivity is maintained, and there are no negative impact to the land use, public infrastructure or planning of any future adjacent areas.

Criteria for Decisions (Waivers)

- Article 6.14 – Easement Standards, Section C.1.c – Perimeter Utility Easements – **Art.6.14(C)(1)(c)**
- PUBLIC WELFARE – Will allow ALL lots to be served with utilities from the rear lot line, instead of only lots that directly adjoin a subdivision boundary line.
- ADJACENT PROPERTY – Intent of the ordinance is being met. No negative impact to the reasonable use and development of other properties.
- UNIQUE CONDITIONS – Not all lots adjoining the subdivision boundary lines, and large amount of common areas within the development.
- PHYSICAL CONDITIONS – Hardship due to serving all lots with utilities from the perimeter of the subdivision, and disturbance of golf course use and other open space areas.
- COMPREHENSIVE PLAN – No negative impact to the land use, public infrastructure or planning of any future adjacent areas.

Criteria for Decisions (Waivers)

- Article 6.15 – Street Tree Standards, Section A – General Req. – **Art.6.15(A)**
 - PUBLIC WELFARE –Protection of existing utility infrastructure and asphalt paths.
 - ADJACENT PROPERTY – Proposed double frontage tree plantings.
 - UNIQUE CONDITIONS – Presence of existing utilities and asphalt paths, and proposed double frontage tree plantings.
 - PHYSICAL CONDITIONS – Hardship is created by preservation of existing utilities, ditches, paths and proposed double frontage tree planting areas.
 - COMPREHENSIVE PLAN – No negative impact to the land use, public infrastructure or planning of any future adjacent areas.

Criteria for Decisions (Waivers)

- Article 6.15 – Street Tree Standards, Section A – General Req. – **Art.6.15(A.1)&(B)**
 - PUBLIC WELFARE – Limit possible damage to required utility infrastructure as street trees mature.
 - ADJACENT PROPERTY – Intent of the ordinance is being met, while the increased front and side yard landscaping will exceed the minimum standards from the ordinance.
 - UNIQUE CONDITIONS – Limited space for tree growth and maturity, and proposed landscaping exceeding minimum standards.
 - PHYSICAL CONDITIONS – Hardship is created by location of proposed sidewalk and utilities within the allowable tree planting areas.
 - COMPREHENSIVE PLAN – Preserves the intent of the street tree ordinance, and has no negative impact to the land use, public infrastructure or planning of any future adjacent areas.

Questions & Answers



**CITY OF FRANKLIN, PLAN COMMISSION RESOLUTION # 2021-13
TO THE FRANKLIN COMMON COUNCIL FOR CONSIDERATION**

NAME OF PETITIONER:

Hillview Properties, LLC & JP Real Estate I, LLC

PLAN COMMISSION DOCKET NUMBER:

PC 2021-13

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 Map; 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

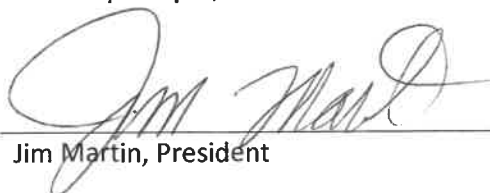
WHEREAS, after proper notice, as outlined in the City of Franklin Rules and Procedures and Indiana Code, a public hearing was held in the Council Chambers of Franklin City Hall, 70 E. Monroe Street, Franklin, Indiana on the 20th day of April, 2021, with the Commission having heard all objections and 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 20th day of April, 2021.

PLAN COMMISSION OF THE CITY OF FRANKLIN, INDIANA


Jim Martin, President

ATTEST:


Suzanne Findley, Secretary

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 107.81 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 1811.11 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 curve being subtended by a chord bearing and distance of 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 found 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 and distance of 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; thence Northeasterly on and along the said centerline on a curve to the right which has a radius of 2136.39 feet and curve distance of 370.48 feet, said curve being subtended by a chord bearing and distance of 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 1015.10 feet; thence Northeasterly on and along the said centerline on a curve to the right which has a radius of 772.90 feet a curve distance of 323.40 feet, said curve being subtended by a chord bearing and distance of 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 feet; thence South 00 degrees 13 minutes 11 seconds East 433.11 feet to the Point of Beginning.

Containing 79.40 acres, more or less, and being subject to all legal easements, rights-of-way or restrictions of record or observable.

ALSO, Being 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 107.81 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 [sic] East line of said lands; thence North 00 degree 06 minutes 47 seconds West, along a [sic] 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.

EXCEPTING THEREFROM:

BEING A 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 SAID SECTION 13; THENCE SOUTH 00 DEGREES 09 MINUTES 39 SECONDS EAST ON AND ALONG THE EAST LINE OF SAID NORTHEAST QUARTER A DISTANCE OF 432.04 FEET; THENCE SOUTH 89 DEGREES 23 MINUTES 01 SECONDS WEST A DISTANCE OF 403.45 FEET; THENCE SOUTH 21 DEGREES 46 MINUTES 25 SECONDS WEST A DISTANCE OF 195.52 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 47 SECONDS EAST A DISTANCE OF 1232.92 FEET TO THE PLACE OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES 06 MINUTES 47 SECONDS EAST A DISTANCE OF 397.41 FEET; THENCE NORTH 87 DEGREES 11 MINUTES 04 SECONDS WEST A DISTANCE OF 588.67 FEET; THENCE NORTH 86 DEGREES 14 MINUTES 12 SECONDS WEST A DISTANCE OF 632.21 FEET TO THE EAST RIGHT OF WAY OF EASTVIEW DRIVE PER INSTRUMENT NUMBER 2015-019086; THENCE NORTH 00 DEGREES 16 MINUTES 00 SECONDS EAST ON AND ALONG THE SAID EAST RIGHT OF WAY LINE A DISTANCE OF 438.78 FEET; THENCE CONTINUING ON AND ALONG SAID RIGHT OF WAY NORTH 01 DEGREES 43 MINUTES 40 SECONDS EAST A DISTANCE OF 223.14 FEET TO A POINT ON THE SOUTH LINE OF THE HOMESTEADS AT HILLVIEW - SECTION 2 MAJOR SUBDIVISION SECONDARY PLAT RECORDED IN PLAT CABINET E SLIDE 239 IN THE OFFICE OF THE RECORDER OF JOHNSON COUNTY; THE NEXT (7) CALLS ARE ALONG SAID SOUTH LINE: (1) THENCE SOUTH 86 DEGREES 41 MINUTES 17 SECONDS EAST A DISTANCE OF 77.59 FEET TO THE BEGINNING OF A CURVE, (2) THENCE ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 150.00 FEET, AND WHOSE LONG CHORD BEARS SOUTH 77 DEGREES 33 MINUTES 56 SECONDS EAST 47.56 FEET; (3) THENCE SOUTH 68 DEGREES 26 MINUTES 35 SECONDS EAST A DISTANCE OF 537.05 FEET; (4) THENCE SOUTH 21 DEGREES 46 MINUTES 25 SECONDS WEST A DISTANCE OF 30.00 FEET; (5) THENCE SOUTH 68 DEGREES 26 MINUTES 35 SECONDS EAST A DISTANCE OF 282.10 FEET; (6) THENCE NORTH 61 DEGREES 36 MINUTES 54 SECONDS EAST A DISTANCE OF 147.85 FEET; (7) THENCE SOUTH 73 DEGREES 15 MINUTES 19 SECONDS EAST A DISTANCE OF 213.60 FEET TO THE PLACE OF BEGINNING.

CONTAINING 14.164 ACRES, MORE OR LESS.

EXHIBIT "B"**HOMESTEADS AT HILLVIEW
PUD STANDARDS**

DEVELOPMENT STANDARD	VILLAGE GREEN	HOMESTEADS	WINDSOR
No. of Lots	33	31	66
Minimum Lot Area	8,420 sf	13,000 sf	9,100 sf
Maximum Lot Coverage	67%	60%	67%
Minimum Lot Width (measured at front setback)	57 ft.	63 ft.	70 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	7.5 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	20 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 - 1,650 sf 2 story - 2,000 sf (min. 1,200 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 for traditional architectural styles; 4/12 minimum for modern architectural styles which requires approval from Architecture Control Committee of the subdivision
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 FOR INDIVIDUAL RESIDENCES:

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 that are also north of Homestead Boulevard.

3. 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 north side of Homestead Boulevard.
4. 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.
5. 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.
6. Both entrances will also include additional landscaping around the proposed development signage.
7. 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.
8. All landscaping, including tree/shrub plantings and berms/mounding, will be installed in compliance with Article 7 of the City of Franklin Zoning Ordinance.

LANDSCAPE SCREENING:

Landscape screening consisting of plants and wooden panel fencing not to exceed 6 ft. in height and as approved by the City of Franklin shall be installed along Upper Shelbyville Road in the Common Area at the rear of lots 1-10 (Village Green), lot 34 (Homesteads), and lots 82-90 (Windsor).

COMMON AREAS 8 AND 9 IMPROVEMENTS:

A 25 ft. easement for a walking path between lots 77 and 78 connecting Windsor Section to the City of Franklin Greenway Trail.

A dock, benches, trellis, and bocce courts are permitted to be installed in an expanded Common Area 9 with appropriate landscaping as approved by the City of Franklin and to be installed by the time the Windsor lots are placed on the market for sale.

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-two (22) 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 the north side 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 the Meadowbrook Lane 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 (PC 2017-18) except that no marker post will be located for the Preserve or on the 14.164 acres south of Homestead Boulevard that was removed from the PUD.

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 2021-11

AN ORDINANCE APPROVING RESOLUTION NUMBER 2021-13
OF THE CITY OF FRANKLIN, INDIANA PLAN COMMISSION, REZONING CERTAIN PROPERTY TO
PUD (Planned Unit Development)
(To be known as Homesteads at Hillview PUD Updated - 2021)

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 2021-13 forwarded a favorable recommendation 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 § 36-7-4-605, Resolution 2021-13 has been certified to the City’s Common Council; and

WHEREAS, the Common Council, after paying reasonable regard to: 1) City of Franklin Comprehensive Plan, 2) the current conditions and the character of current structures and uses in each district, 3) the most desirable use for which the land in each district is adapted, 4) the conservation of property values throughout the City of Franklin’s planning jurisdiction, and 5) responsible growth and development, finds the rezoning of the property described in Exhibit “A” should be approved.

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 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 § 36-4-6-16.

INTRODUCED on the 17th day of May, 2021.

DULY PASSED on this ____ day of _____, 2021, 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:

Kenneth Austin, President

Melissa Jones

Daniel J. Blankenship

Robert D. Heuchan

Anne McGuinness

Chris Rynerson

Shawn Taylor

Voting Opposed:

Kenneth Austin, President

Melissa Jones

Daniel J. Blankenship

Robert D. Heuchan

Anne McGuinness

Chris Rynerson

Shawn Taylor

Attest:

Jayne Rhoades, City 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 and 16, this ____ day of _____, 2021 at ____ o'clock p.m.

Jayne Rhoades, City 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 _____, 2021 at ____ o'clock p.m.

Steve Barnett, Mayor

Attest:

Jayne Rhoades, City Clerk-Treasurer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.

Signed _____

*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 107.81 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 1811.11 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 curve being subtended by a chord bearing and distance of 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 found 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 and distance of 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; thence Northeasterly on and along the said centerline on a curve to the right which has a radius of 2136.39 feet and curve distance of 370.48 feet, said curve being subtended by a chord bearing and distance of 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 1015.10 feet; thence Northeasterly on and along the said centerline on a curve to the right which has a radius of 772.90 feet a curve distance of 323.40 feet, said curve being subtended by a chord bearing and distance of 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 feet; thence South 00 degrees 13 minutes 11 seconds East 433.11 feet to the Point of Beginning.

Containing 79.40 acres, more or less, and being subject to all legal easements, rights-of-way or restrictions of record or observable.

ALSO, Being 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 107.81 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 [sic] East line of said lands; thence North 00 degree 06 minutes 47 seconds West, along a [sic] 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.

EXCEPTING THEREFROM:

BEING A 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 SAID SECTION 13; THENCE SOUTH 00 DEGREES 09 MINUTES 39 SECONDS EAST ON AND ALONG THE EAST LINE OF SAID NORTHEAST QUARTER A DISTANCE OF 432.04 FEET; THENCE SOUTH 89 DEGREES 23 MINUTES 01 SECONDS WEST A DISTANCE OF 403.45 FEET; THENCE SOUTH 21 DEGREES 46 MINUTES 25 SECONDS WEST A DISTANCE OF 195.52 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 47 SECONDS EAST A DISTANCE OF 1232.92 FEET TO THE PLACE OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES 06 MINUTES 47 SECONDS EAST A DISTANCE OF 397.41 FEET; THENCE NORTH 87 DEGREES 11 MINUTES 04 SECONDS WEST A DISTANCE OF 588.67 FEET; THENCE NORTH 86 DEGREES 14 MINUTES 12 SECONDS WEST A DISTANCE OF 632.21 FEET TO THE EAST RIGHT OF WAY OF EASTVIEW DRIVE PER INSTRUMENT NUMBER 2015-019086; THENCE NORTH 00 DEGREES 16 MINUTES 00 SECONDS EAST ON AND ALONG THE SAID EAST RIGHT OF WAY LINE A DISTANCE OF 438.78 FEET; THENCE CONTINUING ON AND ALONG SAID RIGHT OF WAY NORTH 01 DEGREES 43 MINUTES 40 SECONDS EAST A DISTANCE OF 223.14 FEET TO A POINT ON THE SOUTH LINE OF THE HOMESTEADS AT HILLVIEW - SECTION 2 MAJOR SUBDIVISION SECONDARY PLAT RECORDED IN PLAT CABINET E SLIDE 239 IN THE OFFICE OF THE RECORDER OF JOHNSON COUNTY; THE NEXT (7) CALLS ARE ALONG SAID SOUTH LINE: (1) THENCE SOUTH 86 DEGREES 41 MINUTES 17 SECONDS EAST A DISTANCE OF 77.59 FEET TO THE BEGINNING OF A CURVE, (2) THENCE ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 150.00 FEET, AND WHOSE LONG CHORD BEARS SOUTH 77 DEGREES 33 MINUTES 56 SECONDS EAST 47.56 FEET; (3) THENCE SOUTH 68 DEGREES 26 MINUTES 35 SECONDS EAST A DISTANCE OF 537.05 FEET; (4) THENCE SOUTH 21 DEGREES 46 MINUTES 25 SECONDS WEST A DISTANCE OF 30.00 FEET; (5) THENCE SOUTH 68 DEGREES 26 MINUTES 35 SECONDS EAST A DISTANCE OF 282.10 FEET; (6) THENCE NORTH 61 DEGREES 36 MINUTES 54 SECONDS EAST A DISTANCE OF 147.85 FEET; (7) THENCE SOUTH 73 DEGREES 15 MINUTES 19 SECONDS EAST A DISTANCE OF 213.60 FEET TO THE PLACE OF BEGINNING.

CONTAINING 14.164 ACRES, MORE OR LESS.

EXHIBIT "B"**HOMESTEADS AT HILLVIEW
PUD STANDARDS**

DEVELOPMENT STANDARD	VILLAGE GREEN	HOMESTEADS	WINDSOR
No. of Lots	33	31	66
Minimum Lot Area	8,420 sf	13,000 sf	9,100 sf
Maximum Lot Coverage	67%	60%	67%
Minimum Lot Width (measured at front setback)	57 ft.	63 ft.	70 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	7.5 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	20 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 – 1,650 sf 2 story – 2,000 sf (min. 1,200 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 for traditional architectural styles; 4/12 minimum for modern architectural styles which requires approval from Architecture Control Committee of the subdivision
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 FOR INDIVIDUAL RESIDENCES:

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 that are also north of Homestead Boulevard.

3. 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 north side of Homestead Boulevard.
4. 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.
5. 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.
6. Both entrances will also include additional landscaping around the proposed development signage.
7. 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.
8. All landscaping, including tree/shrub plantings and berms/mounding, will be installed in compliance with Article 7 of the City of Franklin Zoning Ordinance.

LANDSCAPE SCREENING:

Landscape screening consisting of plants and wooden panel fencing not to exceed 6 ft. in height and as approved by the City of Franklin shall be installed along Upper Shelbyville Road in the Common Area at the rear of lots 1-10 (Village Green), lot 34 (Homesteads), and lots 82-90 (Windsor).

COMMON AREAS 8 AND 9 IMPROVEMENTS:

A 25 ft. easement for a walking path between lots 77 and 78 connecting Windsor Section to the City of Franklin Greenway Trail.

A dock, benches, trellis, and bocce courts are permitted to be installed in an expanded Common Area 9 with appropriate landscaping as approved by the City of Franklin and to be installed by the time the Windsor lots are placed on the market for sale.

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-two (22) 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 the north side 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 the Meadowbrook Lane 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 (PC 2017-18) except that no marker post will be located for the Preserve or on the 14.164 acres south of Homestead Boulevard that was removed from the PUD.

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.