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02/25/2021 03:16:57PM 36 PGS  
Jennifer Hayden  
Hamilton County Recorder IN  
Recorded as Presented



AMM

# 2020

## CUMBERLAND COTTAGES PUD



Planning & Zoning Department  
City of Fishers  
Ordinance: 122120B



# 2020

## CUMBERLAND COTTAGES PUD



Planning & Zoning Department

City of Fishers

Ordinance: 122120B



## 1.1. Declaration, Purpose and Intent, Applicability, and Allowed Uses

### A. Declaration

1. Ordinance No. 122120B (this "Ordinance")
2. Adopted:

### B. Purpose and Intent

The Unified Development Ordinance (the "UDO") of the City of Fishers, Indiana, Ordinance No. 071618F, as amended, and the Official Zoning Map of the City of Fishers, Indiana, as amended, which accompanies and is a part of the Zoning Code of the City of Fishers, Indiana, are hereby amended as follows:

The zoning classification of the real estate legally described in Section 1.6 of this Ordinance (the "Real Estate"), is hereby designated as a Planned Unit Development - Residential District (PUD-R), and that said PUD-R zoning district shall hereafter be known as the "Cumberland Cottages PUD."

Development of the Real Estate shall be governed entirely by the provisions of this Ordinance and those provisions of the UDO specifically referenced in this Ordinance. All provisions of the UDO that conflict with the provisions of this Ordinance are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Ordinance.

### C. Applicability

The standards of the UDO applicable to the M2 District shall apply to the development of the Real Estate, except as modified, revised, or expressly made inapplicable by this Ordinance. "Chapter" cross-references of this Ordinance shall hereafter refer to the Chapter section as specified and referenced in the UDO. Capitalized terms that are not otherwise defined herein shall have the meaning ascribed to them in the UDO. An amendment to the UDO shall apply to this Ordinance unless this Ordinance has specified an alternative development or design standard, and *Sec. 1.3.6.: Introductory Provisions: Transition Rules* also shall apply to amendments.

### D. Allowed Uses

1. All uses listed under MF in *Sec. 5.1.5. Permitted Use Table*.
2. In addition, any applicable use standard as set forth in *Chapter 5: Use Regulations* shall also apply.

## 1.2. Concept Plan

The Concept Plan, attached hereto as "Exhibit B" is hereby incorporated. The Real Estate's development plan may vary from the Concept Plan; however, per *Sec.10.2.16.(M)(3) PUD District Ordinance Requirements*, the Concept Plan shall show in general terms the following: major circulation; generalized location and dimensions of buildings, structures, and Parking Areas; Open Space areas; Conservation and/or Preservation areas; recreation facilities; and other details to indicate the character of the proposed development.

### 1.3. Development Standards

**A. Cross Reference**

The regulations of *Chapter 6: Development Standards* shall apply, except as modified by this Ordinance

**B. Development Standards: Sec. 3.2.9. M2 Multi-Family Residential** shall apply, except as modified below.

1. Minimum Building Setbacks	
1a. Front - Internal	Not applicable
1b. Building separation (min)	10'
2. Building Floor Area	
2a. Living unit area (min) – 1-bedroom / 2-bedroom / 3-bedroom	850 / 1,100 / 1,200 sf

**C. General Regulations:** Shall apply.

**D. Accessory Structure Standards:** Shall apply.

**E. Architectural Design Standards:** Shall not apply. Instead, architectural design shall be in substantial compliance with the depiction in “Exhibit C” (the “Character Exhibit”), attached hereto and made a part thereof.

**F. Entrances & Driveways:** Shall apply.

**G. Exterior Lighting Standards:** Shall apply.

**H. Height Standards:** Shall apply.

**I. Landscaping Standards:** Shall apply.

**J. Lot Standards:** Shall apply.

**K. Outdoor Display & Storage Standards:** Shall apply.

**L. Parking & Loading Standards:** Shall not apply. Instead, each living unit will be provided a carport and visitor parking will be provided consistent with the depiction in “Exhibit B.”

**M. Pedestrian Accessibility Standards:** Shall apply.

**N. Permitted Nonresidential Structure Standards:** Shall apply.

**O. Property Identification Standards:** Shall apply.

**P. Public Art Standards:** Shall apply.

**Q. Setback Standards:** Shall apply, except that the minimum side and rear building setbacks shall be 30 feet.

**R. Signage Standards:** Shall apply.

**S. Wall & Fence Standards:** Shall apply.

**T. Water & Sewer Standards:** Shall apply.

**U. Vision Clearance Standards:** Shall apply.

### 1.4. Planned Unit Development Design Standards

**A. Cross Reference:** The regulations of *Chapter 8: Subdivision and Planned Unit Development Design Standards* shall apply, except as modified below.

**B. General Provisions:** Shall apply

**C. Block, Lot & Access Standards:** Shall apply.

**D. Street & Alley Standards:** Shall apply.

**E. Open Space, Common Area & Amenity Standards:** Shall apply.

**F. Other Design Standards:** Shall apply.

1.5. Procedures

The procedures set forth in *Sec. 10.2.16. Planned Unit Development* shall apply.

1.6. Real Estate

See "Exhibit A" attached hereto.

*(Legal Description and Location Map of property.)*

1.7. Adoption

I hereby certify that the foregoing ordinance shall be in full force and effect from and after its passage by the Common Council and after the occurrence of all other actions required by law. All provisions or parts of the UDO in conflict herewith are hereby repealed.

APPROVED by the Common Council of the City of Fishers this 15th day of February, 2020.

**COMMON COUNCIL OF THE CITY OF FISHERS,  
HAMILTON COUNTY, INDIANA**

SO ORDAINED/RESOLVED by the Common Council of the City of Fishers, Indiana, on this 15th day of February, 2021

**COMMON COUNCIL OF THE CITY OF FISHERS,  
HAMILTON COUNTY, INDIANA**

**YAY**

**NAY**

**ABSTAIN**

	Selina Stoller President	/s/ Selina Stoller
/s/ David George	David George Vice President	
	C. Pete Peterson, Member	/s/ Pete Peterson
	John Weingardt, Member	/s/ John Weingardt
/s/ Cecilia Coble	Cecilia C. Coble, Member	
/s/ Brad DeReamer	Brad DeReamer, Member	
	Todd Zimmerman, Member	/s/ Todd Zimmerman
/s/ Samantha Delong	Samantha Delong, Member	
/s/ Jocelyn Vare	Jocelyn Vare, Member	

I hereby certify that the foregoing Ordinance/ Resolution was delivered to City of Fishers Mayor \_\_\_\_\_ Scott Fadness on the 15th day of February, 2021, at 9:35 p. m.



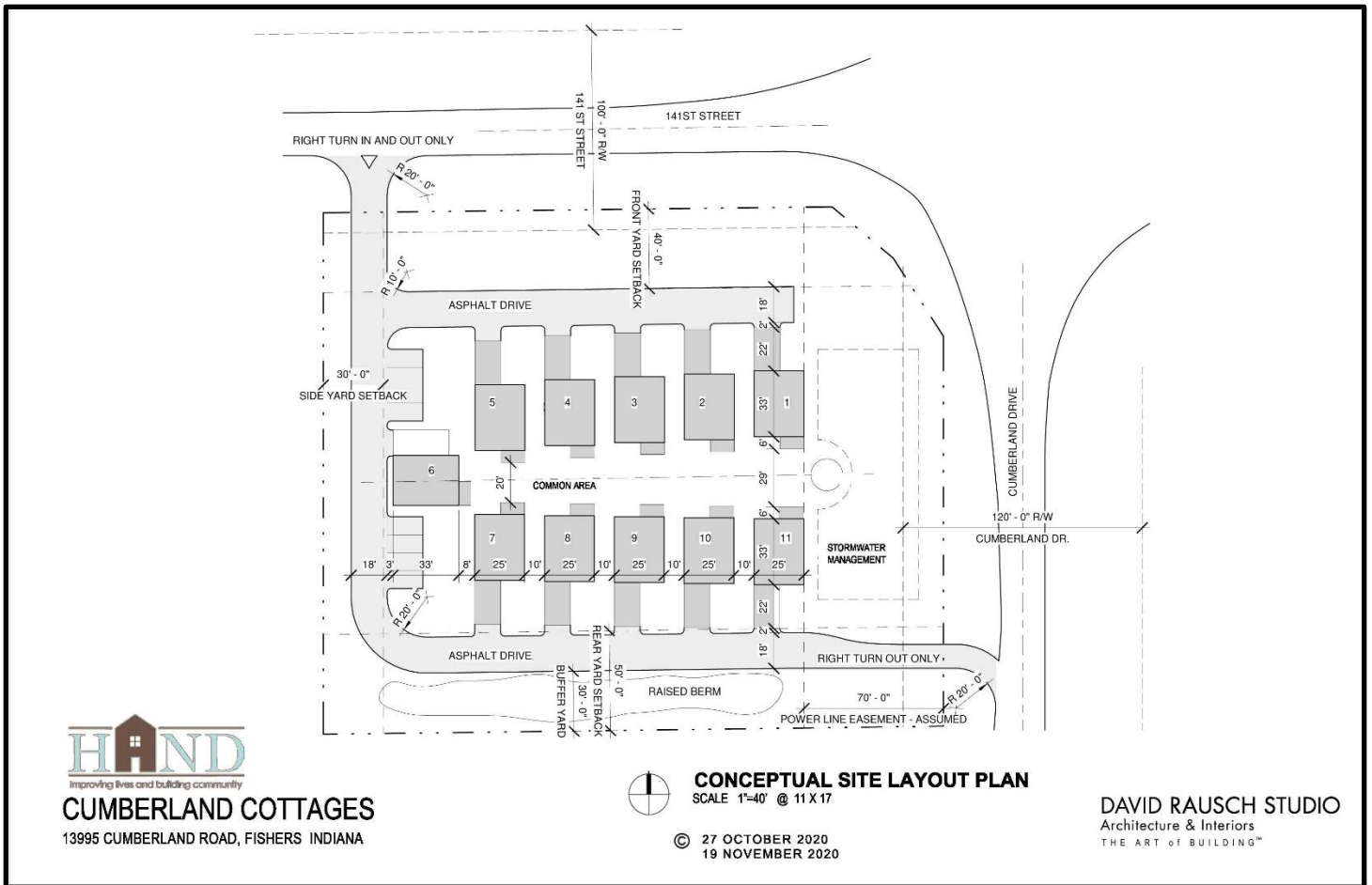
**Exhibit A – Real Estate**

**Cumberland Cottages Overall Perimeter Description:**

**Acreage 1.82, Section 19, Township 18, Range 5, SUTTON SUBDIVISION, Lot 1**



Exhibit B – Concept Plan  
(page 1 of 2)





**Exhibit B – Concept Plan**  
(page 2 of 2)

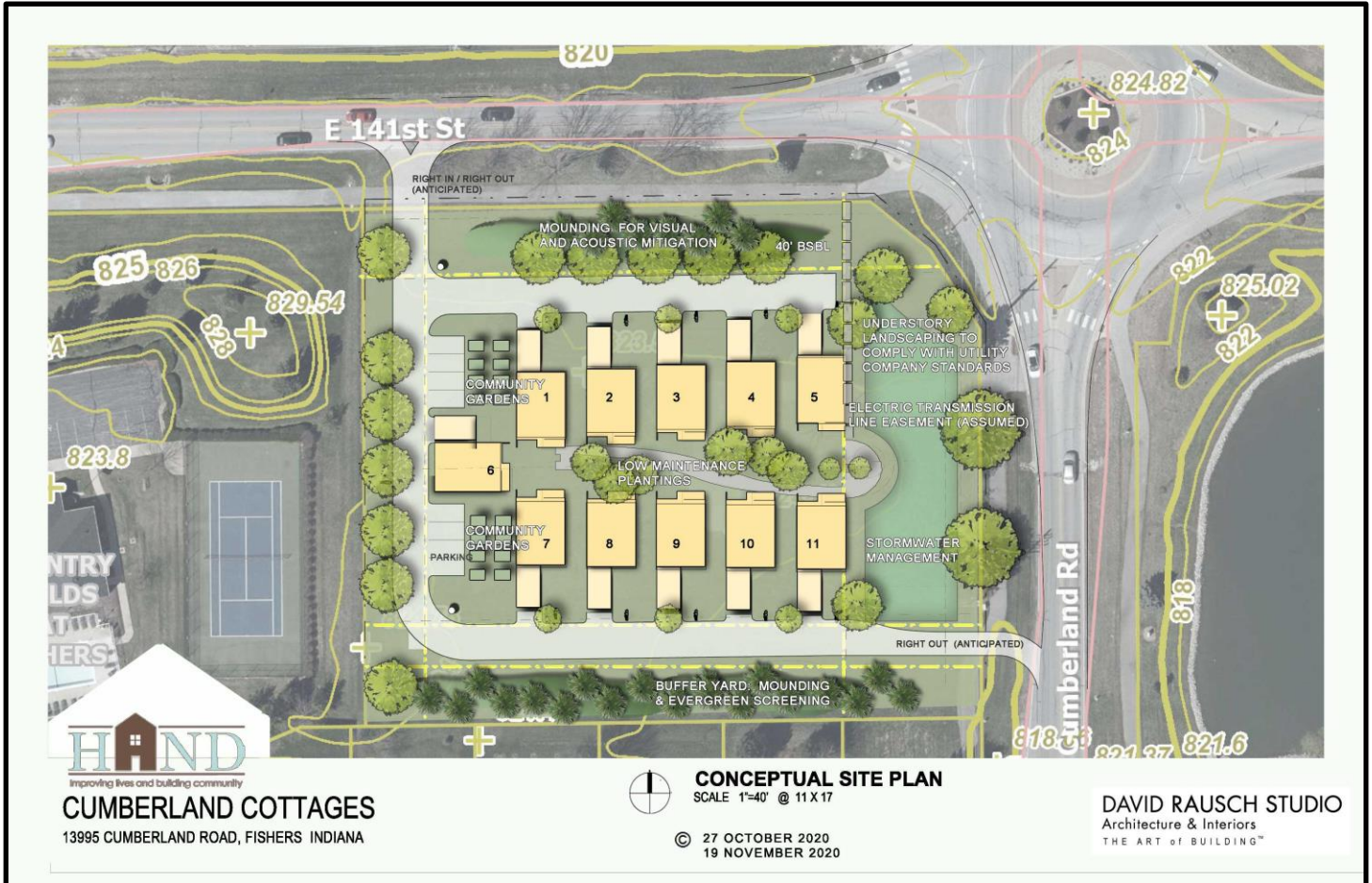


Exhibit C – Character Exhibit  
(page 1 of 3)

**LOW MAINTENANCE PLANTINGS**

**COMMUNITY GARDENS 1-11**

**ACCESSIBLE COMMUNITY GARDEN**

**STORMWATER MANAGEMENT**

**UNDERSTORY LANDSCAPING TO COMPLY WITH UTILITY COMPANY STANDARDS**

**ELECTRIC TRANSMISSION LINE EASEMENT (ASSUMED)**

**STORMWATER MANAGEMENT**

**RIGHT OUT (ANTICIPATED)**

**BUFFER YARD: MOUNDING & EVERGREEN SCREENING**

**CONCEPTUAL SITE FEATURES**  
SCALE 1"=40' @ 11 X 17

© 27 OCTOBER 2020  
19 NOVEMBER 2020

**DAVID RAUSCH STUDIO**  
Architecture & Interiors  
THE ART OF BUILDING™

**HAND**  
Improving lives and building community  
**CUMBERLAND COTTAGES**  
13995 CUMBERLAND ROAD, FISHERS INDIANA



**Exhibit C – Character Exhibit**  
(page 2 of 3)

The exhibit features a row of five white cottages with dark roofs and porches. Five callout boxes are positioned above the cottages, each connected to a specific feature on the building facade by a black line. The callouts are: 'PORCHES' (showing a close-up of a porch with a table and chairs), 'ELEVATION DETAIL & PROPORTION' (showing a detailed view of a gable roof and porch), 'NATURAL VENTILATION' (showing a cross-section of a house with arrows indicating airflow from a window through a central hallway to another window), 'RAIN CAPTURE FOR PLANTINGS' (showing a rain barrel system), and a night view of the cottages with interior lights glowing.

**HND**  
Improving lives and building community  
**CUMBERLAND COTTAGES**  
13995 CUMBERLAND ROAD, FISHERS INDIANA

**BUILDING CHARACTER**  
SCALE NTS @ 11 X 17  
© 27 OCTOBER 2020  
19 NOVEMBER 2020

**DAVID RAUSCH STUDIO**  
Architecture & Interiors  
THE ART OF BUILDING™

**Exhibit C – Character Exhibit**  
**(page 3 of 3)**

**SHIPLAP ACCENT SIDING**      **SMOOTH LAP SIDING FIELD**      **PANEL SIDING RECESSES**      **VINYL WINDOWS**

**RAIN BARREL**      **PORCH/PLANTER**      **ENTRY**      **MECHANICAL RECESS**      **REAR ENTRY**      **CARPORT**

**FRONT ELEVATION**      **REAR ELEVATION**

**RESIDENCE CHARACTER**  
SCALE: APPROX 1/8" = 1'-0" @ 11 X 17  
© 27 OCTOBER 2020  
19 NOVEMBER 2020

**HAND**  
Improving lives and building community  
**CUMBERLAND COTTAGES**  
13995 CUMBERLAND ROAD, FISHERS INDIANA

**DAVID RAUSCH STUDIO**  
Architecture & Interiors  
THE ART OF BUILDING™



## CITY COUNCIL STAFF REPORT

**DEPARTMENT CONTACT:**

Jessie Boshell, Department of Planning & Zoning, One Municipal Drive, Fishers, IN. 46038 T: (317) 595-3116 EMAIL: [boshellj@fishers.in.us](mailto:boshellj@fishers.in.us)

**DOCKET NUMBER:**

Ord. No. 122120B (RZ-20-5)

**PETITIONER/PROPERTY OWNER:**

HAND

**PUBLIC HEARING DATE:**

Wednesday, February 3rd, 6:00 PM

**PROPERTY ADDRESS/LOCATION:**

13995 Cumberland Road/15-11-19-00-00-013.000

**SPECIFIC REQUEST:** HAND is requesting a rezone of 13995 Cumberland Rd from R3 to PUD-R. Subject proposal will incorporate eleven (11) detached units that are 1 1/2 stories, with carports for covered parking. Units will be incorporating sustainable features. Site will have a central common area space that will provide community gardens and greenspace.

**SIZE OF PROPERTY:** 17+/- acres

**EXISTING ZONING:** PUD

**EXISTING LAND USE:** Vacant Land

**PROJECT SUMMARY:**

HAND is requesting a rezone of 13995 Cumberland Rd from R3 to PUD-R. Subject proposal will incorporate eleven (11) detached units that are 1 1/2 stories, with carports for covered parking. Units will be incorporating sustainable features. Site will have a central common area space that will provide community gardens and greenspace.

**LOCATION MAP:**



### STAFF RECOMMENDATION

<input checked="" type="checkbox"/> APPROVE	<input type="checkbox"/> APPROVE WITH CONDITIONS	<input type="checkbox"/> DENY	<input type="checkbox"/> CONTINUE
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**ATTACHMENTS**

- |  |  |
|--|--|
| <input type="checkbox"/> SUBMITTED PLANS | <input type="checkbox"/> LEGAL NOTICE      |
| <input type="checkbox"/> PUBLIC COMMENTS | <input type="checkbox"/> AGENCY COMMENTS   |
| <input type="checkbox"/> OTHER           | <input type="checkbox"/> LEGAL DESCRIPTION |

**PETITION HISTORY:**

The subject site is located at the corner of 141st street and Cumberland Road. Subject address is 13995 Cumberland Rd.

Petition went before City Council for first reading on December 21st, 2020.

Petition also went before the PUD committee for architectural approval on January 12th, 2021 and received unanimous approval.

On February 3<sup>rd</sup>, 2021 the petition went before the Plan Commission and received a unfavorable recommendation.

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**PETITION OVERVIEW:**

Petitioner is seeking approval of a rezone of 13995 Cumberland Road from R3 to PUD-R. Site is approximately 1.82 acres and currently has one residence on the property. The petitioner is seeking a rezone for an eleven (11) detached unit affordable development targeted towards single parents. While the project is targeted towards single parents, the development is open to all that qualify. Each unit will range from 1-3 bedrooms, majority of units will be 2-3 bedrooms and will be 1 1/2 stories. Each unit will incorporate a covered parking space, and additional visitor parking will be provided. Project will be strictly rental.

Petitioner will be incorporating a central green space between the units for open space and will also incorporate accessible community gardens for fresh produce. Petitioner will be utilizing a rain garden system as part of the overall storm water control near 141st and Cumberland.

Proposed project will be incorporating a buffer yard along the southern boundary and a tree line along the western property line for screening purposes. Project will also be incorporating mounding with landscaping along the northern property line for visual and acoustic mitigation.

The overall idea behind the proposed project is to provide a nice affordable development that utilizes green and sustainable practices.

The proposed location is surrounded by attached single-family to the west, single-family to the south and east. Those zoning districts being R-4 and R-5 respectively, with a 1.0-3.0 d/u per acre ratio.

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**PUBLIC COMMENTS:**

We have received comments from the public related to this project. Majority of the concerns being related to property values and potential safety concerns. Those have been provided as part of the packet.

We have also received comments in favor of the project that were sent directly to the Mayor and City Council members. AS well as additional in favor as part of the packet.

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**STAFF COMMENTS:**

Staff is supportive of Ord. No. 122120B as it will fill a housing gap that is needed in the City of Fishers. Staff believes that the proposed product and overall concept of the development is comparable to that of the density that is found in the surrounding areas.

Staff recommends holding final reading and adopting Ord. No 122120B.

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**ATTACHMENTS:**

- 1) Council Action Form
- 2) Petitioner Packet
- 3) Public Comment



Form Name: Public Meeting Comment Form  
Submission Time: January 30, 2021 9:45 pm  
Browser: Mobile Safari 14.0.2 / iOS  
IP Address: 98.220.129.10  
Unique ID: 748041092  
Location: 39.960998535156, -85.983703613281

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**Name** Kelly Ward

---

**Address** 11113 Mirador Lane  
Fishers, IN 46037

---

**Email** kellyoward@gmail.com

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**Subdivision or business name** Hamilton Proper

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**Please select the meeting to which you would like to submit a public comment** Plan Commission Meeting - 2/03/21

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**Project Name/Number** Cumberland Cottages

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**Plan Commission Meeting – 2/03/21** We recently relocated from Valparaiso to fishers, and thought we had found a great location. Since we have been here, we are seeing apartments being built everywhere, which is increasing traffic in an already population dense area, and will ultimately drive down the property values. I'm stunned to see all that the plan commission has approved. I served on the Valparaiso City Council, and I worked diligently to ensure we had HOMEOWNERS in the area and not just renters. I would be interested to see the data on ownership vs. rentals in Fishers. I urge you to stop approving all of the apartments and do not rezone areas to accommodate more density. Re the cottages? There is a reason that are is zoned for fewer units. Please protect our home values and our quality of life.

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Form Name: Public Meeting Comment Form  
Submission Time: January 31, 2021 3:35 pm  
Browser: Firefox 83.0 / OS X  
IP Address: 98.253.4.115  
Unique ID: 748238466  
Location: 39.955600738525, -86.013900756836

**Name** Deb Sternke

---

**Address** 10832 Cody Lane  
Fishers, IN 46037

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**Email** deb.sternke@gmail.com

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**Subdivision or business name** Sawgrass

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**Please select the meeting to which you would like to submit a public comment** Plan Commission Meeting - 2/03/21

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**Project Name/Number** RZ 20-05 Cumberland Cottages

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This new proposal would be an investment into Fishers' future that will strengthen and benefit EVERYONE in our city.

One of Fishers' main values and mission statements is to be a place where ALL residents can live, work, and play. However, this is not a current reality for all people. We need housing at different price points throughout our community. (HAND is one non-profit that is working to make this a reality.)

The impact of affordable housing affects everyone: the families in need, the surrounding community, the employers, etc. The impacts include household security, economic security, socio-economic diversity, education, and even health issues. Studies show significant impacts for the families, the surrounding community (Fishers) and the employers. (Duerr, Brisson 2017)

If we make these changes now, we set up Fishers to be a place of diversity. Research shows the many benefits of socio-economic diversity; including improvements in test scores and graduation rates among students of ALL backgrounds, as well as a reduction in the number of students who enter the criminal justice system (Copperwheat, Swab, and Winiski, 2017). This is one of many areas that see positive impacts from having socio-economic diversity.

Critics think creating more low-income housing is the start of another slippery slope that will increase crime rates. Studies have shown that low-income housing does not increase crime rates (Tillyer and Walter, 2019).

Critics also believe it is the start of a slippery slope that will lower the current home values in Fishers. Multiple studies have shown this perception is not accurate (Kolomatsky, 2016).

There are abundant community-wide benefits for having diversity of housing in Fishers. We all value Fishers continuing to grow and be a place where people want to call home; where families of ALL kinds can live, work, and play. The proposal for Cumberland Cottages is one way to make this a reality!

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Copperwheat, J., Swab, J. and Winiski, E. (2017) The effect of socioeconomic and racial diversity on elementary student test performance. Retrieved from:  
<https://www.elon.edu/docs/e-web/students/ipe/volumes/Copperwheat%2017.pdf>

Duerr, L., & Brisson, A. B. (2017, May). Impact of affordable housing on families and communities. Retrieved from:  
<https://homeforallsmc.org/wp-content/uploads/2017/05/Impact-of-Affordable-Housing-on-Families-and-Communities.pdf>

Kolomatsky, (2016) Study: New Low-Income Housing Has No Effect for Nearby Property Value. Retrieved from:  
<https://www.planetizen.com/node/89963/study-new-low-income-housing-has-no-effect-nearby-property-values>

Tillyer, M. S. & Walter, R. J. (2019). Low-income housing and crime: The influence of housing development and neighborhood characteristics. Sage Publications. Retrieved from:  
<https://journals-sagepub-com.ezproxy1.lib.asu.edu/doi/pdf/10.1177/0011128718794185>

**Would you like to receive email  
communications and updates from the  
City of Fishers?** Yes

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Form Name: Public Meeting Comment Form  
Submission Time: February 1, 2021 2:54 pm  
Browser: Chrome 88.0.4324.104 / Windows  
IP Address: 68.45.34.97  
Unique ID: 748728643  
Location: 38.51309967041, -86.455200195312

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<b>Name</b>	Thomas Peck
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<b>Address</b>	10045 Deer Run Circle Fishers, IN 46037
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<b>Email</b>	tom.peck@hagemangroup.com
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<b>Subdivision or business name</b>	Not sure what to put here but I live in Windermere
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<b>Please select the meeting to which you would like to submit a public comment</b>	Plan Commission Meeting - 2/03/21
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<b>Is this comment regarding 5G cell tower deployment?</b>	No
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<b>Project Name/Number</b>	RZ-20-5 Cumberland Cottages
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<b>Plan Commission Meeting – 2/03/21</b>	Hello - Those of us who are long-term Fishers residents have been blessed to live in a thriving community that has experienced very impressive economic growth, particularly in the past 8-10 years. One of the unintended consequences of this growth is that Fishers has become a less affordable place to live. This has implications from both a human and business perspective when many of the people with newly created jobs in Fishers can't afford to live here. Historically Fishers has not had much intentional affordable housing, so I commend the City for considering HAND's proposed development of Cumberland Cottages. As a past president of the HAND board of directors, I can also vouch that HAND is a responsible property owner that cares very much for both its residents and the communities where its properties are located. I fully support HAND's rezoning request for Cumberland Cottages. Thank you for considering my comments. Tom Peck
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Form Name: Public Meeting Comment Form  
Submission Time: February 1, 2021 3:01 pm  
Browser: Chrome 88.0.4324.104 / Windows  
IP Address: 104.63.178.185  
Unique ID: 748732983  
Location: 37.750999450684, -97.821998596191

**Name** Kim Williams

---

**Address** 9544 Clover Leaf Lane  
Fishers, IN 46038

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**Email** kwilliams4116@gmail.com

---

**Subdivision or business name** Country Fields of Fishers

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**Please select the meeting to which you would like to submit a public comment** Plan Commission Meeting - 2/03/21

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**Is this comment regarding 5G cell tower deployment?** No

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**Project Name/Number** RZ-20-5- Cumberland Cottages

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Members of the Plan Commission,

On behalf of the Board of Directors and homeowners of Country Fields of Fishers, I would like to submit the following comments to the proposed consideration of rezone of 1.82 acres from R3 to PUD-R (RZ-20-5-Cumberland Cottages). Our neighborhood will be the closest to the west of the proposed development.

Our homeowners have several concerns that they would like to share with the Commission in your consideration of this proposal.

1. Density - the proposal of 11 homes in the size large enough for 2-3 bedrooms seems very tight. According to the Fishers Unified Development Ordinance, the minimum project size for a PUD District shall be two (2) acres or more. The proposal being reviewed is 1.82 acres.

2. Ingress and Egress from 141st Street - in reviewing the plan proposal, it appears that ingress into the new addition would only happen from 141st Street. While egress would occur on both 141st Street and Cumberland Road, our homeowners are very concerned about the added traffic density in that small of an area. With the traffic circle at 141st Street and Cumberland, exiting our neighborhood can be very difficult at high traffic times of the day. Our concern is further enhanced with reduced traffic flow as the State Road 37 project is progressing.

In addition, it appears that the only entrance to the new neighborhood will be entering from 141st Street driving east. This raises an additional concern of anyone travelling west on 141st Street and wanting to access the neighborhood. Our HOA is concerned that those travelling west will drive past the entrance and enter our neighborhood, round our entrance peninsula and exit in order to be driving east to enter Cumberland Cottages. This not only will put extra wear and tear on our roads but will cause additional safety and traffic hazards. Our HOA clubhouse/pool/tennis courts are located directly inside the entrance and those walking or driving from there will now have additional traffic to be aware of. We have many walkers and bikers in the neighborhood and increase traffic is always a concern.

3. Our homeowners do not believe that a shrubbery boundary would be substantial enough to separate the property and would request a more substantial division (i.e., fencing). In the case that shrubbery remains, we would be concerned regarding the upkeep and maintenance of the landscape.

4. The HOA of Country Fields of Fishers is managed by a homeowner association management company. Would the Cumberland Cottages be managed in the same manner? If so, who will that management company be?

5. The HOA of Country Fields of Fishers is governed by covenants (expectations) for both homeowners and renters. The HOA of Country Fields holds the renters to the same standards and requirements as homeowners. Are there planned covenants/rules for the Cumberland Cottages and will they be in the same vein as those of surrounding established neighborhoods (i.e., requirements for vehicles, trash collection, pets, maintenance, etc.)?

6. How will property values of existing neighborhoods adjacent to the proposed development be affected?

Thank you for the opportunity to discuss these concerns. The HOA Board is happy to make ourselves available for additional conversations.

Submitted on behalf of the Board of Directors, HOA Country Fields of Fishers

Kimberly Williams, Board Secretary

**Would you like to receive email  
communications and updates from the  
City of Fishers?** Yes

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Form Name: Public Meeting Comment Form  
Submission Time: February 2, 2021 5:02 pm  
Browser: Chrome 88.0.4324.104 / Windows  
IP Address: 73.103.60.215  
Unique ID: 750168544  
Location: 40.31489944458, -86.890800476074

<b>Name</b>	Jill Troha
<b>Address</b>	13084 Fenwick St Fishers, IN 46037
<b>Email</b>	jrtroha7@gmail.com
<b>Subdivision or business name</b>	Avalon of Fishers
<b>Please select the meeting to which you would like to submit a public comment</b>	Plan Commission Meeting - 2/03/21
<b>Is this comment regarding 5G cell tower deployment?</b>	No
<b>Project Name/Number</b>	RZ-20-5 Cumberland Cottages

Fishers Plan Commission,

As a Fishers resident heavily involved in the community, I am writing to strongly support HAND Inc.'s proposal to build 11 detached rental homes at 13995 Cumberland Road in Fishers. This development, if constructed as proposed, would provide much-needed affordable housing for our growing workforce and help ensure businesses have access to the employees they need to grow and thrive.

I have served on HAND committees for over 6 years and can personally attest to the quality work in all of their communities throughout Hamilton County. HAND strives to create not just homes, but actual small rental communities that fit into the surrounding neighborhoods. A stated value of HAND is "build like our parents live here" which demonstrates the strong commitment HAND has to creating safe, attractive, stable neighborhoods.

Cumberland Cottages will fit in well with the surrounding homes and can serve as a first step for residents who aren't in a financial position to buy a home just yet. HAND's 2018 Housing Needs Assessment of Hamilton County shows that more than 25 percent of current Fishers households can't afford to buy a home here.

I ask that you vote YES to rezone the property on the southwest corner of Cumberland and 141st Street (13995 Cumberland Road) to continue meeting our housing needs and strengthening our community.

I look forward to seeing your positive response to this request.

Thank you,

Jill R. Troha  
13084 Fenwick St.  
Fishers, IN 46037  
email jrtroha7@gmail.com  
cell 317.366.5413

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**Would you like to receive email communications and updates from the City of Fishers?**

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Yes

Form Name: Public Meeting Comment Form  
Submission Time: February 2, 2021 9:04 pm  
Browser: Chrome 88.0.4324.96 / OS X  
IP Address: 68.38.255.13  
Unique ID: 750256168  
Location: 40.23690032959, -85.467903137207

**Name** Elizabeth Patel

---

**Address** 11226 Harrington Lane  
Fishers, IN 46038

---

**Email** elizabethcpatel@gmail.com

---

**Subdivision or business name** Fishers Pointe

---

**Please select the meeting to which you would like to submit a public comment** Plan Commission Meeting - 2/03/21

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**Is this comment regarding 5G cell tower deployment?** No

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**Project Name/Number** Cumberland Cottages

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**Plan Commission Meeting – 2/03/21**

I am writing in support of the HAND Inc.'s proposal to build 11 detached rental homes at 13995 Cumberland Road in Fishers. If constructed as proposed, this development would provide a much-needed affordable housing option for Fishers' growing workforce-helping to ensure businesses have access to the employees they need to thrive and grow.

Our family owns several restaurant franchises in Hamilton County and has struggled to find employees who live anywhere near the stores. Many of them drive for 45 minutes or more in rush hour, and access to reliable transportation is yet another challenge. It's not uncommon for us to pay \$50 for an Uber ride from the west side of Indianapolis. Even then, that's not enough. We closed one store due to continued staffing challenges.

As neighbors, we can trust HAND to make Cumberland Cottage a success. HAND is a local nonprofit and trusted community partner that has been developing small rental communities in Hamilton County for over a decade. It has a wealth of experience in affordable housing and leases more than 100 apartments to low- and moderate-income residents, many of them seniors. It takes pride in being an active, responsible landlord.

Today's affordable housing is incredible - it is visually appealing, blends in with the design of surrounding developments, provides happy homes for growing families, and adds to the economic diversity of our community. As many families face new or increased economic pressure the timing of this project is ideal. Please consider rezoning the property so that even more families can enjoy the warmth, opportunity and vibrance that we are so fortunate to have here in Fishers.

Thank you for your consideration and support.

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**Would you like to receive email  
communications and updates from the  
City of Fishers?**

---

Yes



Form Name: Public Meeting Comment Form  
Submission Time: February 2, 2021 10:25 pm  
Browser: Chrome 88.0.4324.104 / Windows  
IP Address: 184.170.166.177  
Unique ID: 750278729  
Location: 40.31489944458, -86.890800476074

<b>Name</b>	Ryan FISCHER
<b>Address</b>	9580 Feather Grass Way Fishers, IN 46038
<b>Email</b>	rwfischer@gmail.com
<b>Subdivision or business name</b>	Country Fields of Fishers
<b>Please select the meeting to which you would like to submit a public comment</b>	Planned Unit Development Committee Meeting - 2/03/21 Plan Commission Meeting - 2/03/21
<b>Is this comment regarding 5G cell tower deployment?</b>	No
<b>Project Name/Number</b>	RZ-20-05
<b>Planned Unit Development Committee Meeting – 2/03/21</b>	<p>I have the same concerns as our Country Fields of Fishers Home Owners Association board: much lower property values, density, increased traffic, and property management. In addition I would like to bring to your attention our concerns for increasing criminal activity associated with rental properties. There are already sufficient rental properties in the area to the west of Country Fields - Woods of Britton.</p> <p>If this project were to go through, our development would be flanked on two sides by rental properties. The Fishers Police are in and out of the Woods of Britton quite frequently these days and I foresee the same problems coming to Cumberland Cottages.</p> <p>Please don't allow this development to go forward.</p> <p>Ryan Fischer</p>

**Plan Commission Meeting – 2/03/21**

I have the same concerns as our Country Fields of Fishers Home Owners Association board: much lower property values, density, increased traffic, and property management. In addition I would like to bring to your attention our concerns for increasing criminal activity associated with rental properties. There are already sufficient rental properties in the area to the west of Country Fields - Woods of Britton.

If this project were to go through, our development would be flanked on two sides by rental properties. The Fishers Police are in and out of the Woods of Britton quite frequently these days and I foresee the same problems coming to Cumberland Cottages.

Please don't allow this development to go forward.

Ryan Fischer

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**Would you like to receive email communications and updates from the City of Fishers?**

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Yes

Form Name: Public Meeting Comment Form  
Submission Time: February 3, 2021 12:50 pm  
Browser: Chrome 87.0.4280.141 / Windows  
IP Address: 68.77.38.33  
Unique ID: 752493710  
Location: 39.955600738525, -86.013900756836

**Name** Patrishia Parker

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**Address** 12295 SAGAMORE WOODS DR  
Not Specified, IN 46037

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**Email** patrishaparker@yahoo.com

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**Subdivision or business name** Sumerlin Trails

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**Please select the meeting to which you would like to submit a public comment** Plan Commission Meeting - 2/03/21

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**Is this comment regarding 5G cell tower deployment?** No

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**Project Name/Number** Cumberland Cottages RZ 20-05

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**Plan Commission Meeting – 2/03/21** I am excited to learn that new homes will be built in order committee for low income tenants. This shows the willingness of the community to move forward and allow those who normally can't afford to live in our community the opportunity. This will also provide families to live and work in a thriving community while their children receive a 'blue ribbon' education. I can't express enoughn gratitude to this commitee for considering this new development.

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**Would you like to receive email communications and updates from the City of Fishers?** Yes

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Form Name: Public Meeting Comment Form  
Submission Time: February 3, 2021 1:57 pm  
Browser: Chrome 88.0.4324.96 / OS X  
IP Address: 163.116.133.113  
Unique ID: 752712756  
Location: 48.858200073242, 2.338700056076

<b>Name</b>	Tim Roe
<b>Address</b>	9579 Clover Leaf Ln Fishers, IN 46038
<b>Email</b>	indydrummer@gmail.com
<b>Subdivision or business name</b>	Country Fields
<b>Please select the meeting to which you would like to submit a public comment</b>	Plan Commission Meeting - 2/03/21
<b>Is this comment regarding 5G cell tower deployment?</b>	No
<b>Project Name/Number</b>	Cumberland Cottages
<b>Plan Commission Meeting – 2/03/21</b>	<a href="https://www.youarecurrent.com/2020/12/29/fishers-council-approved-granth-am-pud-hears-cumberland-cottages-introduction/">https://www.youarecurrent.com/2020/12/29/fishers-council-approved-granth-am-pud-hears-cumberland-cottages-introduction/</a>  <a href="https://www.handincorporated.org/introducing-hands-cumberland-cottages/">https://www.handincorporated.org/introducing-hands-cumberland-cottages/</a>  I have some reservations about this project. I'm not going to lie. Single parents? Of small children? Right on the corner of a busy intersection? How will this impact property values here in Country Fields? So many questions.
<b>Would you like to receive email communications and updates from the City of Fishers?</b>	Yes

Form Name: Public Meeting Comment Form  
Submission Time: February 3, 2021 5:52 pm  
Browser: Chrome 88.0.4324.96 / OS X  
IP Address: 98.253.9.46  
Unique ID: 753168940  
Location: 39.955600738525, -86.013900756836

**Name** Bill Gossard

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**Address** 355 Southwood Drive  
Tipton, IN 46072

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**Email** bill.gossard1@gmail.com

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**Subdivision or business name** HAND, Inc.

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**Please select the meeting to which you would like to submit a public comment** Plan Commission Meeting - 2/03/21

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**Is this comment regarding 5G cell tower deployment?** No

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**Project Name/Number** HAND, Inc. Cottages

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**Plan Commission Meeting – 2/03/21** I support the development of eleven units to assist those citizens in need of affordable family housing. It is a serious need which needs attention.  
Thank you for your work

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## Public Comments for RZ-20-5

1. **From:** Maryanne <[maryannewilliams2400@gmail.com](mailto:maryannewilliams2400@gmail.com)>  
**Sent:** Tuesday, January 26, 2021 9:29 AM  
**To:** Boshell, Jessie <[boshellj@fishers.in.us](mailto:boshellj@fishers.in.us)>  
**Subject:** Docket number RZ-20-5

**EXTERNAL SENDER:** Please exercise increased caution. Do not open attachments or click links from unknown senders unexpected email messages.

I live in Country Fields Condos adjacent to the property that is up for rezoning from R3 to PUD-R. Unfortunately I cannot attend the Virtual meeting scheduled for February 3rd. I am sending you a copy of my email to our condo association's president, Randy McGriff. It's quite clear on how I stand for the rezoning. Please feel free to share this at the meeting.

Thank you.

Maryanne Williams  
Country Fields  
9640 Clover Leaf Lane  
Fishers 46038

Sent from my iPhone

Begin forwarded message:

**From:** Maryanne <[maryannewilliams2400@gmail.com](mailto:maryannewilliams2400@gmail.com)>  
**Date:** January 22, 2021 at 9:01:44 AM EST  
**To:** rlmcgriff <[rlmcgriff@comcast.net](mailto:rlmcgriff@comcast.net)>  
**Subject: Re: Current article**

Everyone does need a home, but not necessarily adjacent to our homes. If we don't mind the value of our homes plummeting downward, then everything is ok. I do mind. Of course, I have the option of selling and moving on before that happens.

I have chosen condo living because of the rules that must be followed so that we don't have to live where yards are overrun, trash is everywhere, cars are allowed to sit jacked up in the drive ways or in the yards, and break ins are common.

If this project goes in next door, I envision us having to pay for security guards to roam our neighborhood from dusk to dawn.

No, I don't have any questions. I wish I could be proven wrong on my fears, but I've lived and seen how this happens every time low income housing comes into a neighborhood. Everything looks good on paper, but reality will set in. Thank you for listening.

Maryanne

Sent from my iPhone

On Jan 22, 2021, at 7:03 AM, rlmcgriff <[rlmcgriff@comcast.net](mailto:rlmcgriff@comcast.net)> wrote:

Good morning Maryanne. I wanted to respond to your email concerning the proposed development next to CFF.

First of all, we did discuss the proposed development at our recent Board.

We are not sure we can nor want to stop it. We do want to ask and have answered some concerns, however.

Do you have specific questions?

Simply saying, "Not in my back yard" probably won't accomplish much.

Everyone needs a home. These are folks who work in our community.

Personally, I can not say "It's okay for you to work for and serve me but I don't want you for a neighbor."

I am also sending you a link I found in another email.

The development, if completed as proposed will be quite impressive.

Randy

On Jan 14, 2021, at 10:12 AM, Maryanne <[maryannewilliams2400@gmail.com](mailto:maryannewilliams2400@gmail.com)> wrote:

Randy,

First of all, thank you for serving again this year especially when I know you wanted to step down! I assume you know about the article below. What can we do to at least attempt to stop this from happening? I am concerned about people, but I admit I'm more concerned about the value of our property. These cottages can be built elsewhere rather than next door to Country Fields. What can I do to help?

Thank you,

Maryanne Williams

<IMG\_3538.JPG>

Sent from my iPhone

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2. **From:** Roxanne E. Rather <[rer@communityms.net](mailto:rer@communityms.net)>  
**Sent:** Tuesday, January 5, 2021 4:41 PM  
**To:** Magee, Andrew <[mageea@fishers.in.us](mailto:mageea@fishers.in.us)>  
**Subject:** Cumberland Cottages PUD

**EXTERNAL SENDER:** Please exercise increased caution. Do not open attachments or click links from unknown senders unexpected email messages.

Andrew, We manage an association (Anderson Hall) that is located 141<sup>st</sup> and Howe and Promise Road. There are some homeowners that are asking questions about the proposed new community 141<sup>st</sup> and Cumberland Road area. Is this already scheduled to be built, or will there be any way for owners in the area to have input about this new community? I think that owners are hearing multiple things and concerned about the community. Is there anything you can provide to me?

Thanks

***Roxanne Rather***

Director of Client Services



O: 317-631-2213 x238 F: 317-252-5757  
941 E. 86th Street, Suite 225, Indianapolis, IN 46240  
[www.communityms.net](http://www.communityms.net)  
*Community Associations Institute Member*





# Council Action Form

<b>MEETING DATE</b>	February 15 <sup>th</sup> , 2021			
<b>TITLE</b>	Consideration of rezone of 1.82 acres from R3 to PUD-R. Property is located at 13995 Cumberland Road.			
<b>SUBMITTED BY</b>	Name & Title: Jessie Boshell, Planner II			
	Department: Planning and Zoning			
<b>MEETING TYPE</b>	<input type="checkbox"/> Work Session	<input checked="" type="checkbox"/> Regular	<input type="checkbox"/> Special	<input type="checkbox"/> Retreat
	<input type="checkbox"/> Executive			
<b>AGENDA CLASSIFICATION</b>	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Regular
<b>ORDINANCE/RESOLUTION</b> (New ordinances or resolutions are assigned a new number)	<input type="checkbox"/> 1 <sup>st</sup> Reading	<input type="checkbox"/> 2 <sup>nd</sup> Reading	<input type="checkbox"/> Public Hearing	<input checked="" type="checkbox"/> 3 <sup>rd</sup> Reading
				<input checked="" type="checkbox"/> Final Reading
	Ordinance #: 122120B		Resolution #:	
<b>CONTRACTS</b> (Contracts include other similar documents such as agreements and memorandum of understandings. <u>Check all applicable boxes pertaining to contracts</u> )	<input type="checkbox"/> Contract <b>required</b> for this item		<input type="checkbox"/> Signed copy of contract attached	
	<input type="checkbox"/> Seeking award or other scenario & <b>will provide contract</b> at a later date		<input checked="" type="checkbox"/> <b>No contract</b> for this item	
	<input type="checkbox"/> Contract <b>over</b> \$50,000 Please mark the box in the other column that pertains to this contract.		<input type="checkbox"/> Services <input type="checkbox"/> Capital Outlay <input type="checkbox"/> Debt Services	
<b>HAMILTON COUNTY</b> (Some documents need recorded by the City Clerk)	<input checked="" type="checkbox"/> Document <b>must</b> be recorded with the County Recorder's Office		<input type="checkbox"/> Document <b>does not need</b> recorded with the County Recorder's Office	
	<input type="checkbox"/> Wait 31 days <b>prior to</b> filing with the County Recorders' Office			

<b>APPROVALS/REVIEWS</b>	<input checked="" type="checkbox"/> Assistant/Deputy Department Head	<input type="checkbox"/> Controller's Office
	<input type="checkbox"/> Department Head	<input type="checkbox"/> Finance Committee
	<input type="checkbox"/> Deputy Mayor	<input type="checkbox"/> Technical Advisory Committee
	<input type="checkbox"/> Mayor	<input type="checkbox"/> Other:
	<input type="checkbox"/> Legal Counsel – <i>Name of Reviewer:</i>	
<b>BACKGROUND</b> (Includes description, background, and justification)	HAND requests a rezone of 1.82 acres from R-3 to PUD-R. The new zoning district will be known as the "Cumberland Cottages" and is generally located at the corner of Cumberland Rd and 141 st Street. Underlying zoning district for this PUD will be M-2. Project consists of 11 detached units. Please reference the Petitioner's Packet for the proposed Concept Plan and Illustrative Architectural Exhibit for the proposed homes to be built.	
<b>BUDGETING AND FINANCIAL IMPACT</b> (Includes project costs and funding sources)	Budgeted \$:	N/A
	Expenditure \$:	N/A
	Source of Funds:	N/A
	Additional Appropriation #:	N/A
	<b>Narrative:</b>	
<b>OPTIONS</b> (Include <i>Deny Approval</i> Option)	1.	Hold 3 <sup>rd</sup> and Final Reading
	2.	Continue to Next Meeting
	3.	Take No Action
	4.	
<b>PROJECT TIMELINE</b>	December 21 <sup>st</sup> , 2020: Council held combined 1 <sup>st</sup> Reading January 2021: PUD Committee (received unanimous approval) February 3 <sup>rd</sup> , 2021: Plan Commission (Public Hearing-received unfavorable recommendation)	
<b>STAFF RECOMMENDATION</b> (Board reserves the right to accept or deny recommendations)	Staff recommends holding 3 <sup>rd</sup> and final reading	
<b>SUPPLEMENTAL INFORMATION</b> (List all attached documents)	-Staff Report -Petitioner Packet -Public Comment	