

Year
2018

RITCHEY RESERVE PUD

City of Fishers
Planned Development
Ordinance
No. 121718E

RITCHEY RESERVE PUD

1.01 Declaration, Purpose and Intent, and Permitted Uses

Declaration	Purpose and Intent	Permitted Uses
<p>Ordinance No. 121718E (this Ordinance) Adopted: <u>12/17/2018</u></p> <p>The Unified Development Ordinance (the "UDO") of the City of Fishers, Indiana, Ordinance No. 071618F, as amended, and the OFFICIAL ZONING MAP, CITY OF FISHERS, INDIANA, dated June, 2017, as amended, which accompanies and is a part of the Zoning Code of the City of Fishers, Indiana, are hereby amended as follows:</p> <p>The zoning classification of the real estate legally described in Section 1.08 of this Ordinance (the "Real Estate"), is hereby designated as a Residential-Planned Unit Development District (PUD-R), and that said PUD-R zoning district shall hereafter be known as "Ritchey Reserve PUD".</p> <p>Development of the Real Estate shall be governed entirely by the provisions of this Ordinance and its exhibits and those provisions of the UDO in effect as of the date of adoption of this Ordinance and 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 All provisions of the UDO that conflict with the provisions of this Ordinance are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Ordinance.</p>	<p>The purpose of this PUD is to encourage improved design in the development of land by promoting greater flexibility in applying the UDO to the development of the Real Estate.</p>	<ul style="list-style-type: none"> • Age-Restricted Senior Apartments Age-Restricted Senior Apartments shall mean multi-family homes with at least one occupant in each household being at least 55 years old and all residents being at least 40 years old. • Accessory and Temporary Uses associated with Age-Restricted Senior Apartments

RITCHEY RESERVE PUD

1.02 Applicability

- A. The standards of the UDO applicable to the M2 *Multi-Family Residential District* shall apply to the development of the Real Estate, except as modified, revised, or expressly made inapplicable by this Ordinance. "Article" cross-references of this Ordinance shall hereafter refer to the *Article* 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 not apply to this Ordinance; rather, those provisions of the UDO in effect as of the date of adoption of this Ordinance shall apply. *Section 1.3.6 Transition Ordinance* shall also apply to amendments.

1.03 Concept Plan

- A. The Concept Plan, attached hereto as Exhibit A, is hereby incorporated. The Real Estate's Development Plan shall be substantially consistent with the Concept Plan and shall be reviewed and approved based upon compliance with the development and design standards set forth herein. *Section 10.2.16.N* shall not apply. If the Director determines that a Development Plan is not substantially consistent with the Concept Plan (the "Director's Determination"), then the Director shall notify the applicant in writing within fifteen (15) days of receipt of the submitted Development Plan of: (1) the Director's Determination; and (2) whether the Development Plan is (a) approved; or (b) not approved (the "Director's Decision"). The Director's Decision shall be based upon the Development Plan's compatibility and consistency with the intended quality and character of Ritchey Reserve PUD. If the Director's Decision does not approve the Development Plan, then the applicant may submit the Development Plan to the City Council for review and approval. The City Council's decision shall be made at a public meeting, but no additional public hearing shall be required.

1.04 Development Standards

- A. General Regulations: *Section. 3.2.9. M2 Multi-Family Residential* shall apply, except as modified below:
 - (1) Minimum Lot Area shall not apply.
 - (2) Minimum Lot Frontage shall not apply.
 - (3) Maximum Building Height shall not apply. Instead the maximum building height shall not exceed forty-five (45) feet, for any structure on the Real Estate.
 - (4) Building Floor Area shall not apply.
- B. Cross References: The regulations of *Chapter 6. Development Standards* shall apply, except as modified by this Ordinance.
- C. Article 6.2. Accessory Structure Standards: shall apply, as amended below:
 - (1) Screening for ground-mounted mechanical and utility equipment shall only be required for equipment located in the front of buildings.
- D. Article 6.3. Architectural Design Standards: shall apply, as amended below:
 - (1) The Illustrative Architectural Exhibit, as shown below, is hereby incorporated to illustrate conceptually the elements and anticipated character of and to establish a benchmark for the architecture and design of all new buildings constructed on the Real Estate. The final building designs may vary from the Illustrative Architectural Exhibit; however, buildings shall be substantially similar in quality and character to the building shown in the Illustrative Architectural Exhibit.
 - (2) Sloped roofs shall have a pitch of at least 3/12.
- E. Article 6.4. Entrance & Driveway Standards: shall apply.
- F. Article 6.5. Exterior Lighting Standards: shall apply.
- G. Article 6.6. Height Standards: shall apply, as modified by this Ordinance.
- H. Article 6.7. Landscaping Standards: shall apply.
- I. Article 6.8. Lot Standards: shall apply, as modified by this Ordinance.
- J. Article 6.9. Outdoor Display & Storage Standards: shall apply.
- K. Article 6.10. Parking & Loading Standards: shall apply, as amended below:
 - (1) *Section 6.10.3.B.3. Parking Lot Design; Location of Parking*: shall apply, as amended below:

RITCHEY RESERVE PUD

(i) If a landscape easement or buffer yard is not present, a parking lot shall not be installed within 10 feet of a side lot line or within 10 feet of a front or rear lot line, except when the parking lot is used as a shared parking lot as outlined in *Sec. 6.10.7.A. Shared Parking*.

- L. Article 6.11. Pedestrian Accessibility Standards: shall apply, as amended below:
 - (1) Section 6.11.2. Residential: shall not apply. No sidewalk or asphalt path shall be required along 106th Street.
- M. Article 6.12. Permitted Non-residential Structure Standards: shall apply.
- N. Article 6.13. Property Identification Standards: shall apply.
- O. Article 6.14. Public Art Standards: shall apply.
- P. Article 6.15. Setback Standards: shall apply.
- Q. Article 6.16. Signage Standards: shall apply.
- R. Article 6.17. Wall & Fence Standards: shall apply.
- S. Article 6.18. Water & Sewer Standards: shall apply.
- T. Article 6.19. Vision Clearance Standards: shall apply.

1.05 Design Standards

- A. Cross References: The regulations of *Chapter 8. Subdivision Design Standards* applicable to a *Planned Unit Development (PUD)* shall apply, except as modified by this Ordinance.
- B. Article 8.2. Block, Lot & Access Standards: shall apply, as modified by this Ordinance.
- C. Article 8.3. Street & Alley Standards: shall apply.
- D. Article 8.4. Open Space, Common Area & Amenity Standards: shall apply.
- E. Article 8.5. Other Design Standards: shall apply.

1.06 Floodplain Standards

- A. Cross References: The regulations of *Chapter 9. Floodplain Standards* shall apply, except as modified by this Ordinance.
- B. Article 9.1 Floodplain Standards: shall apply.

Illustrative Architectural Exhibit



1.07 Procedures

- A. The procedures set forth in *Chapter 10. Procedures & Permits* shall apply. Development plans shall be reviewed and approved based upon compliance with the development and design standards set forth herein.
- B. The Real Estate shall be assigned to the City's general PUD Committee (the "Committee") for review pursuant to Section 10.1.2 Summary of Review Authority.
- C. The Committee shall have discretion and flexibility to consider and approve modifications pertaining to architecture, signage, and landscaping design standards established or referenced by this Ordinance if the Committee determines such modifications are consistent with the intent of this Ordinance and consistent with the quality and character represented in this Ordinance.

1.08 Tree Easement

A tree easement ("Easement") as approximately shown on the Concept Plan, Exhibit A, shall be recorded. Within the Easement, no trees with a diameter at breast height ("DBH") in excess of six inches (6") or evergreens eight feet (8') or more in height (the "Protected Trees") shall be removed unless the tree is damaged, diseased, dead, classified as an invasive plant species, is required to be removed in order to comply with safety requirements of any governmental agency, or is required to be removed to accommodate drainage, utilities, or other infrastructure (including, but not limited to, fencing). If a Protected Tree is damaged or otherwise removed by the owner of the Real Estate, except as permitted to be removed as listed above, then the owner of the Real Estate shall reestablish the Protected Tree with a tree or trees of combined equal or greater DBH subject to the availability of space for their healthy growth.

1.09 Real Estate

A part of the Northwest quarter of Section 12, Township 17 North, Range 4 East, in Delaware Township, Hamilton County, Indiana more particularly described as follows:

Commencing at the Northwest corner of the Northwest quarter of the Northwest quarter of said Section 12; thence North 89 degrees 07 minutes 40 seconds East (assumed bearing) 528.00 feet along the North line of said Section to the Point of Beginning of this description; thence North 89 degrees 07 minutes 40 seconds East 818.61 feet along said North line to the Northeast corner of said Quarter quarter Section; thence South 00 degrees 09 minutes 26 seconds West 660.00 feet along the East line of said Quarter quarter Section; thence South 89 degrees 07 minutes 40 seconds West 819.06 feet parallel with said North line; thence North 00 degrees 11 minutes 46 seconds East 660.00 feet parallel with the West line of said Section to the place of beginning, containing 12.404 acres more or less.

RITCHEY RESERVE PUD

121718 E

1.09 Adoption

This 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 17th day of DECEMBER, 2018.

THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA
AYE NAY

[Handwritten signature]

Todd Zimmerman,
President

Richard W. Block,
Vice-President

David George,
Member

C. Pete Peterson,
Member

John Weingardt,
Member

Eric Moeller,
Member

Selina M. Stoller,
Member

Cecilia C. Coble,
Member

Brad DeReamer,
Member

David C George

[Handwritten signature]

[Handwritten signature]

[Handwritten signature]

Cecilia Coble

Brad DeReamer

I hereby certify that the foregoing Ordinance was delivered to City of Fishers Mayor Scott Fadness on the 17th day of December, 2018, at 9:00 P m.

ATTEST: *[Signature]*
Jennifer L. Kehl, City Clerk

MAYOR'S APPROVAL
[Signature]
Scott A. Fadness, Mayor

December 17, 2018
DATE



Approved by: Christopher P. Greisl, City Attorney
Prepared by: Steven D. Hardin, Esq.,
Faegre Baker Daniels LLP, 600 East 96th Street, Suite 600,
Indianapolis, Indiana 46240. (317) 569-9600.

In accordance with Indiana Code, I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law: Steven D. Hardin, Esq.

RITCHEY RESERVE PUD

EXHIBIT A Concept Plan



Ritchey Reserve

Planned Unit Development



PRESENTED BY
STEVEN D. HARDIN, ESQ.

**FAEGRE BAKER
DANIELS**

City Council | December 17, 2018

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Developer:

**RealAmerica Development, LLC
Ronda Shrewsbury Weybright,
President and Owner
Jeff Ryan,
Vice President of Development
10501 Hague Road
Fishers, IN 46038**

Attorney:

**Steven D. Hardin, Esq.
Mark R. Leach, Land Use Planner**

**Faegre Baker Daniels LLP
600 E. 96th Street, Suite 600
Indianapolis, IN 46240**

Telephone: 317.569.9600

Tab 1

Executive Summary

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Neighbor Update

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Aerial Location Map

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Concept Plan

Tab 5

Illustrative Architectural Exhibits

Tab 6

Proposed PUD Ordinance

TAB 1

EXECUTIVE SUMMARY

RITCHEY RESERVE PUD



RealAmerica Development, LLC (“RealAmerica”) respectfully submits its proposed PUD Ordinance for its planned multi-family, age-restricted, senior residential development. Tucked in the woods near the future Nickel Plate rail trail, the development, known as “Ritchey Reserve”, will be a spectacular setting for senior living. Located on the south side of 106th between Hague Road and the Nickel Plate rail corridor (please see Aerial Location Map at Tab 3), Ritchey Reserve will provide independent senior living apartments in a quiet, wooded setting that is still near all the great amenities provided in Fishers.

RealAmerica plans to build two buildings on the 12.5-acre site. (Please see the Concept Plan at Tab 4.) Each building will feature 65 apartments on three floors with a mix of one and two bedroom homes. The buildings will have internal hallways and elevators for the convenience and safety of the residents. Other amenities will include on-site management and maintenance, a library, pet wash station, fitness center with space for physical therapy, a salon and a community room with kitchenette and gathering area. Outdoor amenities will include a gazebo, raised bed gardens and sidewalks connecting the two buildings, parking areas, and a walking path connecting to the Nickel Plate rail trail.



Each building will feature 38 one-bedroom apartments and 27 two-bedroom apartments. As independent living, every apartment will have a full kitchen, living room, bedroom, patio or deck, and outside storage. All residents will have in-unit washers and dryers. The one-bedroom homes will be approximately 714 square feet while the two-bedroom homes will be approximately 898 square feet. In addition to these square footages, each apartment will have an additional 81 square feet in outside space with the patio/deck and storage.



RealAmerica’s goal is for Ritchey Reserve to be a mixed-income apartment community with one building at market rates and one building at more affordable rents. The market rate building is expected to have rents of approximately \$1,250 to \$1,450 for a one or two bedroom apartment. The affordable rents are anticipated to be in the approximately \$800 to \$950 range.

EXECUTIVE SUMMARY

RITCHEY RESERVE PUD



“Seniors are a big part of our community. As seniors age, they need a home that fits their needs. At RealAmerica, we want to help our seniors live productive, independent lives while aging in place among family and friends. We want to provide them a home that has everything they need surrounding them. The location of Ritchey Reserves does just that! It is close to grocery stores, health facilities, and even the soon to be Nickel Plate Rail Trail. RealAmerica strives to make a difference in people’s lives, and by developing safe, quality housing for our 55 and older community, we do just that.”

- Ronda Shrewsbury Weybright,
President & Owner, RealAmerica Development, LLC



PUD Committee Review and Recommendation:

The City’s PUD Committee, at its September 5, 2018, meeting, reviewed the proposed plans and then voted unanimously to recommend approval of the plans.

Neighbor Meeting Update:

On October 8, 2018, RealAmerica hosted an informational neighbor meeting. Following the meeting, RealAmerica sent a Neighbor Update to the HOA, on October 15, 2018, for those neighbors who were not able to attend the informational meeting. The Neighbor Update can be found at Tab 2.

Plan Commission Update:

On November 7, 2018, the Plan Commission held the public hearing on this proposal. No remonstrance was made, and, after conducting the public hearing, the Plan Commission voted unanimously to forward the proposed PUD Ordinance to the City Council with a favorable recommendation.

If approved, then site development work is anticipated to begin in early spring 2019, with building construction starting in late spring 2019. Thank you for your consideration.

TAB 2

NEIGHBOR UPDATE

RITCHEY RESERVE PUD



Fishers-based RealAmerica Development, LLC (“RealAmerica”) is pleased to present its planned multi-family, age-restricted, senior residential development to be called “Ritchey Reserve”. Ritchey Reserve is proposed for the property on the south side of 106th Street in between the Humane Society property and the Stoepelwerth building. Last week, RealAmerica hosted an informational neighbor meeting at its Hague Road office to provide information about Ritchey Reserve. The RealAmerica team enjoyed meeting a number of the neighbors who attended, and RealAmerica had the opportunity to answer a number of neighbor questions about the development. Some neighbors may not have been able to attend the meeting, so RealAmerica is providing this update for those who could not attend.

Ritchey Reserve Q & A

Question: Will Ritchey Reserve provide an opportunity for seniors in our community to live in a Class A community?

Answer: Yes, Ritchey Reserve specifically is limited to seniors. At least one resident in each unit must be at least 55 years old or older and all residents must be over the age of 40.

Our typical resident is a 69-year old retired widow who has lived in the area for quite some time or has moved here to be closer to family. While children certainly can visit their grandparents here, no children will be allowed to live at Ritchey Reserve. We believe that seniors are invaluable to our community and deserve the opportunity to age with vitality, grace and dignity. Ritchey Reserve will allow seniors to remain in Fishers where they have built up a support network to help them as they age or to move closer to their children who can assist them as they grow older.



Question: Will you include the “seniors only” limitation in the zoning ordinance so that it is binding law?

Answer: Yes, our commitment for senior housing is not just a goal. It will be in writing and part of the zoning ordinance and enforceable by the City of Fishers.





Question: Do seniors contribute to our community?

Answer: Yes. Like any younger person, they shop, they use services (which employ people), and they pay taxes. They also volunteer; in fact, many organizations would be hard pressed to function without their older volunteers.

Seniors also give generously: they make more charitable donations per capita than any other age group.

Seniors help out their families that live nearby. One can only imagine what would happen to our economy if, suddenly, no grandparents were available to help out with grandchildren. How many parents would have to scramble to find emergency childcare options (already scarce) — or would have to miss work because they couldn't find alternatives? How many soccer games or ballet classes would be missed if grandma or grandpa were not there to drive the grandchildren?



Seniors do housework, home maintenance and yard work — not just for themselves, but for others as well. They provide transportation or run errands for others. They provide emotional support and friendship, like the senior who looks in on a house-bound friend to make sure that everything is alright and stays for a chat.

Seniors provide care for spouses or friends. Think of the wife who takes on more and more responsibilities in and outside the home as her husband starts to get frail. She may not think of herself as a caregiver, but without her, what would happen to him? Who would get the groceries, run errands, do the cooking, take him to medical appointments?



Other family members are not always available to help. They may live too far away or have health problems themselves. There are organizations that can help out — but the bulk of these supports are made possible because of volunteers. And the volunteers are typically seniors.

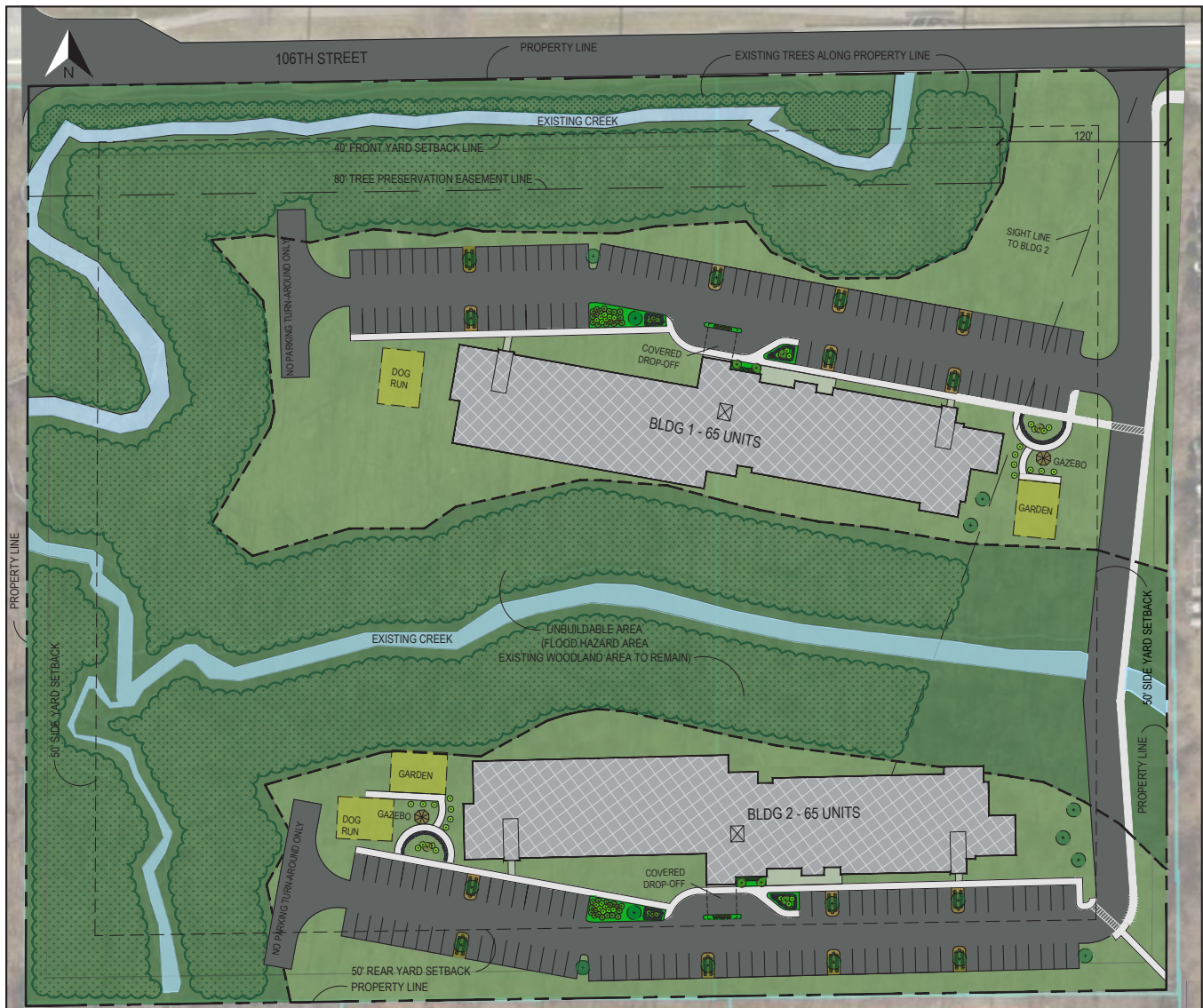
NEIGHBOR UPDATE

RITCHEY RESERVE PUD



Question: Will Ritchey Reserve be developed in a way that can preserve the trees along 106th Street?

Answer: Yes, RealAmerica loves the trees along 106th Street, and we plan to preserve them. The trees are part of the attraction to this location. We will be working very hard to have a quiet, wooded environment for our future residents. To do this, we need to keep as many trees as possible. As for the trees along 106th Street specifically, we plan to preserve the trees in the area shown on the attached concept plan. This includes an area that is approximately 80' deep along 106th Street. We plan to incorporate specific tree preservation provisions in the proposed zoning ordinance that will restrict the removal of trees in this area of the property (this commitment will be part of the "law" and will be binding on the property owner).



NEIGHBOR UPDATE

RITCHEY RESERVE PUD



Question: If the zoning remains as it is currently, then could another developer cut down all of the trees along 106th Street to increase the visibility of the site?



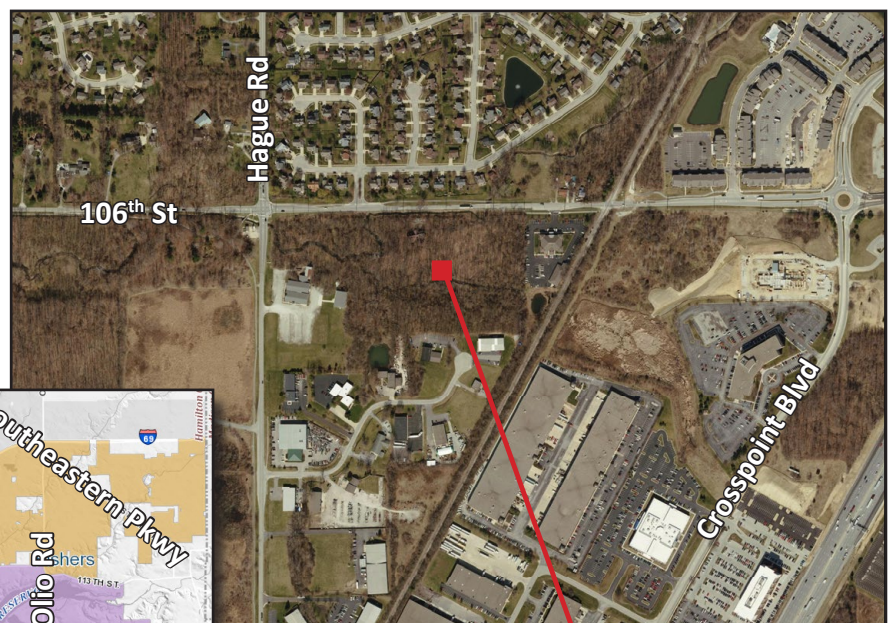
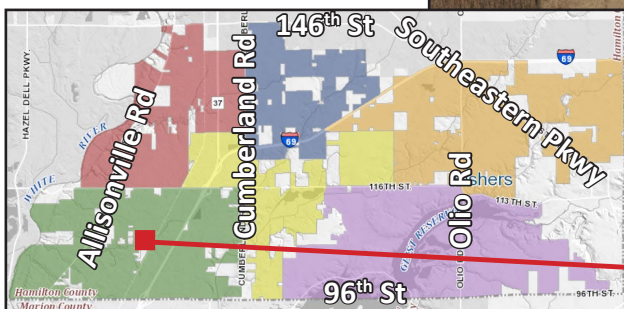
Answer: Yes, the current zoning is C1. This current zoning permits a number of commercial uses, including:

- Retail sales
- Bar, tavern, lounge
- Restaurants
- Group home
- Assisted living facility
- Nursing home
- Child care center
- Office

Most of these uses likely would depend on and need high visibility from 106th Street and would not want the businesses to be “blocked” from the street by all of the trees. The current zoning law does not prohibit a property owner from removing trees on his or her property.

Question: Will Ritchey Reserve generate less traffic than other permitted uses?

Answer: Yes, senior housing generally is expected to generate less traffic than retail and other commercial uses, and seniors typically drive during non-rush hour times. For example, according to the Institute of Traffic Engineers, a senior community like Ritchey Reserve is expected to generate approximately 51 automobile trips during its morning peak hour (and only 26 trips during the peak hour between 7:00 am – 9:00 am), while a 28,000 square foot specialty retail center is expected to generate approximately 192 trips during its morning peak hour.



Site

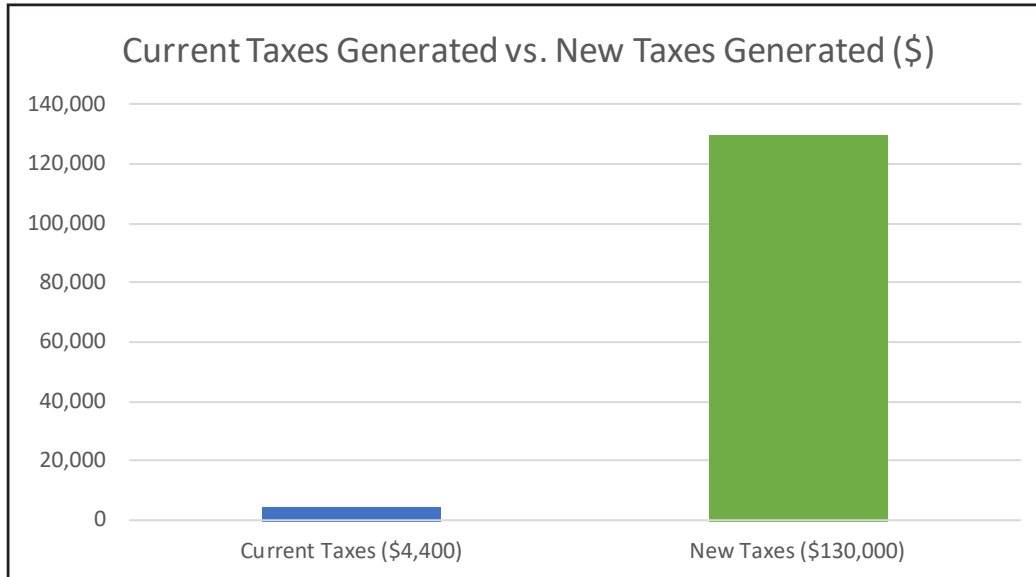
NEIGHBOR UPDATE

RITCHEY RESERVE PUD



Question: Will Ritchey Reserve add to the City of Fishers tax base?

Answer: Yes. The Ritchey Reserve community is expected to result in an approximate \$17,000,000 investment in the City of Fishers and generate approximately \$130,000 in property taxes, annually. That compares to approximately \$60,000 in property taxes that a 28,000 square foot retail center likely would pay.



Question: Will the Ritchey Reserve community contribute positively to the Fishers community?

Answer: Yes. The community will:

- Incorporate Class A architectural design
- Include high quality materials
- Add to the City's tax base
- Preserve significant tree areas
- Generate low traffic
- Meet a community need to serve our senior population.



NEIGHBOR UPDATE

RITCHEY RESERVE PUD



Both planned buildings will be built exactly the same with the same design and materials. We plan to offer the first building at “market” rents, which are expected to be:

- \$1,250 per month for a 1 bedroom; and
- \$1,450 per month for a 2 bedroom.

Our goal is also to provide high quality housing to our seniors that is affordable, too. As a result, we plan to seek state approval to offer the second building at “affordable” rents, which are likely to be approximately:

- \$800 per month for a 1 bedroom; and
- \$950 per month for a 2 bedroom.



To qualify for the “affordable” rents, a two-person senior household would need to have an annual gross income of less than \$37,080. Many seniors, even with substantial retirement savings, may still qualify because, as a retired person, they no longer earn a substantial “income”.

Question: If RealAmerica sells the community in the future, will the community stay a “seniors only” community?

Answer: Yes, while RealAmerica has never sold a community that we have developed, if we ever do sell the real estate, then the new owner will be subject to the same commitment because it will be part of the zoning law that “runs with the land.”



NEIGHBOR UPDATE

RITCHEY RESERVE PUD



Conclusion:

“We believe that seniors are invaluable to our community and deserve the opportunity to age with vitality, grace and dignity. Ritchey Reserve will allow seniors to remain in Fishers where they have built up a support network to help them as they age or to move closer to their children who can assist them as they age.”

-RealAmerica



Developer:

**RealAmerica Development, LLC
Ronda Shrewsbury Weybright, President and Owner
Jeff Ryan, Vice President of Development
10501 Hague Road, Fishers, IN 46038**

Attorney:

**Faegre Baker Daniels LLP
Steven D. Hardin, Esq.
Mark R. Leach, Land Use Planner
600 E. 96th St., Suite 600, Indianapolis, IN 46240**

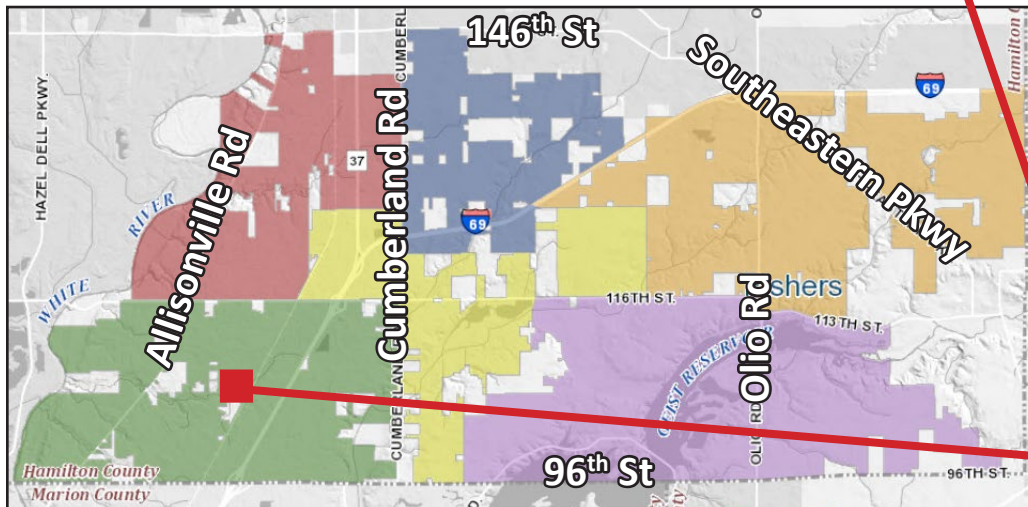
If you have further questions, please do not hesitate to reach out to Jeff Ryan with RealAmerica. Jeff can be reached at jeff@realamericallc.com or (317) 815-5929.



TAB 3

AERIAL LOCATION MAP

RITCHEY RESERVE PUD



Site

TAB 4

CONCEPT PLAN

RITCHEY RESERVE PUD



TAB 5

ILLUSTRATIVE ARCHITECTURAL EXHIBITS

RITCHEY RESERVE PUD



TAB 6



CITY COUNCIL STAFF REPORT

DEPARTMENT CONTACT:

Ross Hilleary, Dept. of Planning & Zoning, 1 Municipal Drive, Fishers, IN. 46038 T: (317) 588-1436 E:hillearyr@fishers.in.us

DOCKET NUMBER:

Ordinance No. 121718E

PETITIONER/PROPERTY OWNER:

Faegre Baker Daniels, LLP. on behalf of RealAmerica, LLC.

MEETING DATE:

December 17, 2018

PROPERTY ADDRESS/LOCATION:

7877 E 106th Street Fishers, IN 46038

SPECIFIC REQUEST: Request to hold the final reading for the rezoning of the of the subject property located at 7877 E 106th Street for the construction of the RealAmerica, LLC. Ritchey Reserve Senior Housing Project.

SIZE OF PROPERTY:

12.5 acres

EXISTING ZONING:

C1 – Commercial District

EXISTING LAND USE:

Vacant

PROJECT SUMMARY:

Faegre Baker Daniels, LLP. on behalf of RealAmerica, LLC. request the final reading for the proposed Ritchey Reserve senior residential project.

The subject property is located at 7877 E 106th Street, and is generally located west of the Stoepelwerth and Associates office. RealAmerica plans to construct two (2) three-story age-restricted senior buildings with 65 apartments each with a mix of one and two bedrooms on the 12.5-acre site.

Site amenities will include a garden, dog run, gazebo, and a planned connection to the Nickel Plate Trail.

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

SUBMITTED PLANS

AGENCY COMMENTS

PUBLIC COMMENTS

OTHER

PETITION HISTORY:

The subject property consists of two (2) parcels, totaling roughly twelve and half (12.5) acres, and is generally located on E 106th Street, east of Hague Road and west of the E 106th Street/Lantern Road/Crosspoint Boulevard roundabout. A large portion of the property is within a floodplain and features a creek and heavy vegetation.

The subject property is currently zoned C1 - Commercial. It was rezoned by the Common Council of the City of Fishers in March of 2017 from I1 – Industrial to better fit the long-term vision of the City through the 2040 Comprehensive Plan.

PETITION OVERVIEW:

From the PUD Summary:

“RealAmerica plans to build two buildings on the 12.5-acre site. Each building will feature 65 apartments on three floors with a mix of one and two bedroom homes. The buildings will have internal hallways and elevators for the convenience and safety of the residents. Other amenities will include on-site management and maintenance, a library, pet wash station, fitness center with space for physical therapy, a salon and a community room with kitchenette and gathering area. Outdoor amenities will include a gazebo, raised bed gardens and sidewalks connecting the two buildings, parking areas, and a walking path connecting to the Nickel Plate rail trail. Each building will feature 38 one-bedroom apartments and 27 two-bedroom apartments. As independent living, every apartment will have a full kitchen, living room, bedroom, patio or deck, and outside storage. All residents will have in-unit washers and dryers. The one-bedroom homes will be approximately 714 square feet while the two-bedroom homes will be approximately 898 square feet. In addition to these square footages, each apartment will have an additional 81 square feet in outside space with the patio/deck and storage.”

- ✓ Permitted Uses will be Age-Restricted Senior Apartments which shall mean multi-family homes with at least one occupant in each household being at least 55 years old and all residents being at least 40 years old.
 - ✓ The Standards of the UDO are applicable to the M2 Multi-Family Residential District except where modified in the PUD.
 - ✓ Maximum Building height shall not exceed forty-five (45) feet, an increase of thirty-five (35) feet from the UDO.
 - ✓ No sidewalk or asphalt path will be installed along 106th Street due to terrain restraints but Right-of-Way and/or a Pedestrian Access Easement will be granted to the City for future construction.
-

PUBLIC COMMENTS:

Letters of remonstrations were received from the public and distributed to the Advisory Plan Commission. Included in the Public Notice for the Advisory Plan Commission Public Hearing, RealAmerica and Faegre Baker Daniels invited the neighbors to an informational meeting that was held on October 8, 2018 followed by an additional update mailing sent out on October 15, 2018. Questions and Answers from the informational meeting can be found in The Neighbor Update located in **TAB 2**.

PUD COMMITTEE:

The concept site plan and architecture was approved at the September 5, 2018 PUD Committee with a vote of 4 to 0.

- ✓ The Concept Site Plan can be found in **TAB 4**.
 - ✓ The Illustrative Architectural Exhibits can be found in **TAB 5**.
-

ADVISORY PLAN COMMISSION

The Advisory Plan Commission held a public hearing and gave a favorable recommendation at the November 7, 2018 meeting with a vote of 8 to 0. The Petitioner agreed to grant the City of Fishers R.O.W. and/or a Pedestrian Access Easement for a future trail per the Engineering Department.

STAFF COMMENTS:

The 2040 Future Land Use Plan calls for this property to Flex Employment Center / R+D but due to terrain restrictions staff believe that the above-mentioned land use is well suited.

Staff recommends that City Council approve the rezone of the property known as the Ritchey Reserve PUD.

ATTACHMENTS:

- 1) Petitioner Packet
- 2) Ordinance

EXECUTIVE SUMMARY

RITCHEY RESERVE PUD



“Seniors are a big part of our community. As seniors age, they need a home that fits their needs. At RealAmerica, we want to help our seniors live productive, independent lives while aging in place among family and friends. We want to provide them a home that has everything they need surrounding them. The location of Ritchey Reserves does just that! It is close to grocery stores, health facilities, and even the soon to be Nickel Plate Rail Trail. RealAmerica strives to make a difference in people’s lives, and by developing safe, quality housing for our 55 and older community, we do just that.”

**- Ronda Shrewsbury Weybright,
President & Owner, RealAmerica Development, LLC**



PUD Committee Review and Recommendation:

The City’s PUD Committee, at its September 5, 2018, meeting, reviewed the proposed plans and then voted unanimously to recommend approval of the plans.

Neighbor Meeting Update:

On October 8, 2018, RealAmerica hosted an informational neighbor meeting. Following the meeting, RealAmerica sent a Neighbor Update to the HOA, on October 15, 2018, for those neighbors who were not able to attend the informational meeting. The Neighbor Update can be found at Tab 2.

Plan Commission Update:

On November 7, 2018, the Plan Commission held the public hearing on this proposal. No remonstrance was made, and, after conducting the public hearing, the Plan Commission voted unanimously to forward the proposed PUD Ordinance to the City Council with a favorable recommendation.

If approved, then site development work is anticipated to begin in early spring 2019, with building construction starting in late spring 2019. Thank you for your consideration.



Council Action Form

MEETING DATE	December 17, 2018		
TITLE	Request to approve the rezone of two properties known as the Ritchey Reserve PUD, with the common address of 7877 E 106 th Street Fishers, IN 46038.		
SUBMITTED BY	Name & Title: Ross Hilleary, Planner II Department: Community Development		
MEETING TYPE	<input type="checkbox"/> Work Session <input type="checkbox"/> Executive	<input checked="" type="checkbox"/> Regular	<input type="checkbox"/> Special <input type="checkbox"/> Retreat
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution <input type="checkbox"/> Regular
ORDINANCE/RESOLUTION (New ordinances or resolutions are assigned a new number)	<input type="checkbox"/> 1 st Reading	<input type="checkbox"/> 2 nd Reading	<input type="checkbox"/> Public Hearing <input checked="" type="checkbox"/> 3 rd Reading
	Ordinance #: 121718E		Resolution #:
CONTRACTS (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 required for this item		<input type="checkbox"/> Signed copy of contract attached
	<input type="checkbox"/> Seeking award or other scenario & will provide contract at a later date		<input checked="" type="checkbox"/> No contract for this item
	<input type="checkbox"/> Contract over \$50,000		
HAMILTON COUNTY (Some documents need recorded by the City Clerk)	<input checked="" type="checkbox"/> Document must be recorded with the County Recorder's Office		<input type="checkbox"/> Document does not need recorded with the County Recorder's Office
	<input type="checkbox"/> Wait 31 days prior to filing with the County Recorders' Office		
APPROVALS/REVIEWS	<input 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>		

<p align="center">BACKGROUND (Includes description, background, and justification)</p>	<p>Faegre Baker Daniels, LLP. on behalf of RealAmerica, LLC. request the final reading for the proposed Ritchey Reserve senior residential project. The subject property is located at 7877 E 106th Street, and is generally located west of the Stoepelwerth and Associates office. RealAmerica plans to construct two (2) three-story age-restricted senior buildings with 65 apartments each with a mix of one and two bedrooms on the 12.5-acre site. Site amenities will include a garden, dog run, gazebo, and a planned connection to the Nickel Plat Trail.</p>	
<p align="center">BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)</p>	<p>Budgeted \$:</p>	<p>Not applicable (N/A)</p>
	<p>Expenditure \$:</p>	<p>N/A</p>
	<p>Source of Funds:</p>	<p>N/A</p>
	<p>Additional Appropriation #:</p>	<p>N/A</p>
	<p>Narrative:</p>	<p>N/A</p>
<p align="center">OPTIONS (Include Deny Approval Option)</p>	<p>1. Hold Final Reading and approve</p>	
	<p>2. Countinue to the Janauary 2019 Council Meeting</p>	
	<p>3. Hold Final Reading and deny</p>	
	<p>4. Take no action</p>	
<p align="center">PROJECT TIMELINE</p>	<p>September 5, 2018 - Approval of Architecture and Site Plan by the PUD Committee</p> <p>October 22, 2018 - First and Second Reading and Public Hearing for the Annexation at City Council</p> <p>November 7, 2018 - Public Hearing and Favorable Recommendation (8-0) by the Advisory Plan Commission</p> <p>November 19, 2018 - Adotion of written fiscal plan by resolution and 3rd Reading of Annexation Ordinance at City Council</p> <p>December 17, 2018 - Potential Final Reading and adoption of the Rezone Ordinance at City Council</p> <p>December 20, 2018 - Potential earliest effective date of Annexation</p>	
<p align="center">STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)</p>	<p>Staff recommends that the City Council hold Final Reading and approve the rezone request.</p>	
<p align="center">SUPPLEMENTAL INFORMATION (List all attached documents)</p>	<p>1. Petitioner Packet 2. Ordinance</p>	