

Year

2015

06.08.15

THE RESERVE AT LANTERN

PUD

City of Fishers
Planned Development
Ordinance
042015B

1.1 Declaration, Purpose and Intent, and Permitted Uses

Declaration	Purpose and Intent	Permitted Uses
<p>Ordinance No. <u>042015B</u>"this Ordinance") Adopted: <u>June 15, 2015</u></p> <p>The text of the Unified Development Ordinance of the City of Fishers, Indiana, Ordinance No. 090605A and the OFFICIAL ZONING MAP, CITY OF FISHERS, INDIANA, dated October 16, 2006, which accompanies and is a part of the Zoning Code of the City of Fishers, Indiana, as amended (the "UDO") are hereby amended as follows:</p> <p>That the zoning classification of the real estate legally described in Section 1.8 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 the "The Reserve at Lantern PUD" (the "District").</p> <p>Development of the Real Estate shall be governed entirely by (i) the provisions of this Ordinance, and (ii) 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 All provisions of the UDO that conflict with the provisions of this Ordinance are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Ordinance.</p>	<p>The purpose of this PUD is to encourage improved design in the development of the land by promoting the following objectives:</p> <ul style="list-style-type: none"> • Provide for the development of a residential neighborhood; • Greater flexibility in applying the ordinances to the development of the Real Estate; • Innovative approach to meet the demands of the residential market; • The recognition of the interdependency of various markets; • Efficient use of land resulting in more cost effective networks of utilities, streets and other facilities; and • Coordination of architectural styles, building forms and relationships, graphics and other private improvements. 	<p>Permitted Uses:</p> <ul style="list-style-type: none"> • All uses described in <i>Article 2.11 R4 Residential District</i>

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1.2 Applicability

- A. The standards of the UDO applicable to the **R4 Residential District** shall apply to the development of the Real Estate, except as modified, revised, or expressly made inapplicable by this PUD District Ordinance (this "Ordinance"). "Article" cross-references in 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. Pursuant to *Article 4.2(F): Amendments to the Unified Development Ordinance*, an amendment to the UDO shall apply to this Ordinance unless this Ordinance has specified an alternative development or design standard, and *Article 1.10: Basic Provisions: Transition Rules* also shall apply to amendments.

1.3 Concept Plan





- A. The Concept Plan is hereby incorporated. The Real Estate's development plan may vary from the Concept Plan; however, per *Article 9.17(A)(2)(a): Planned Unit Development District; General; Purpose & Intent*, the Concept Plan provides the Plan Commission and Common Council with a general vision for the development of the Real Estate.

Concept Plan Exhibit



Tree Preservation and Conservation Easements



-  EXISTING TREES TO PROTECT
-  PRESERVATION EASEMENT
-  CONSERVATION EASEMENT
-  LANDSCAPE EASEMENT

1.4 Development Standards

- A. Cross References: The regulations of *Article 2: Zoning Districts & Regulations* and *Article 5: Development Standards* shall apply except as modified by this Ordinance.
- B. General Regulations: *Article 2: Residential District Development Standards* shall not apply. Instead the following Development Standards Matrix shall apply:

Max. Lots	Min. Lot Area (sq. ft.)	Min. Lot Width	Min. Lot Frontage	Min. Front Setback	Min. Side Setback	Min. Aggregate Side Setback	Min. Rear Setback	Max. Impervious Surface Coverage	Min. Living Unit Area Ranch/2-Story (sq. ft.)	Max. Structure Height
38	9,100	65'	*40'	25'	5'	13'	25'	45%	2,200 / 2,800	35'

*One lot (the lot which will be occupied by the existing home shall be permitted less than 40' lot frontage

- C. Accessory Structure Standards (AS): shall apply.
- D. Architectural Design Standards (AD): shall apply, except as modified below:
 - (1) Architectural design shall be substantially similar in quality and character to the Illustrative Elevations depicted in Sections 1.11 of this Ordinance.
 - (2) *Article 5.13 AD-01(A)(2): Architectural Design; Single-Family Residential; Facade; Exterior Material* shall apply; however, aluminum, heavy-gauge vinyl, and vinyl shall not be permitted as a siding material.
 - (3) *Article 5.13 AD-01(C): Architectural Design; Single-Family Residential; Roof* shall apply except as modified below:
 - (i) *AD-01(C)(2): Materials* shall apply; however, all dwellings shall be required to have dimensional shingles.
 - (ii) *AD-01(C)(3): Minimum Eave/Overhang Width* shall apply with the modification that the minimum overhang shall be increased to eleven (11) inches deep.
 - (4) *Article 5.13 AD-01(D): Architectural Design; Single-Family Residential; Automobile Storage* shall apply except as modified below:
 - (i) *AD-01(D)(4) Garage-forward Design* shall apply. Front-load garages shall have doors of a "decorative" design including windows and recessed panels substantially similar to one of the designs illustrated in Section 1.11 of this Ordinance.
 - (5) *Article 5.13 AD-01(G)(3): Architectural Design; Single-Family Residential; Model Homes; Largest Model* shall not apply. Instead, the following shall apply:
 - (i) All model homes in the District shall meet or exceed the square footage of the largest Ranch plan offered in the District by the builder. A model home which is not the largest Ranch plan offered in the District by the builder shall provide finished living area above the first story living area.
- E. Density & Intensity Standards (DI): shall apply.
- F. Entrance & Driveway Standards (ED): shall apply except as modified below:
 - (1) *Article 5.24 ED-01 (D): Proximity* shall apply to all lots other than the two lots closest to 126th Street in which case the driveway location shall be as defined by the Fishers Engineering Department.
- G. Environmental Standards (EN): shall apply.
- H. Fence & Wall Standards (FW): shall apply.
- I. Floodplain Standards (FP): shall apply.
- J. Floor Area Standards (FA): shall apply.
- K. Height Standards (HT): shall apply.
- L. Home Occupation Standards (HO): shall apply.
- M. Landscape Standards (LA): shall apply, except as modified below:
 - (1) *Article 5.40 LA-02 (B): Landscaping Standards; Street Trees; Arterial and Collector Streets* and *Article 5.40LA-02 (D): Landscaping Standards; Street Trees; Arterial, Collector, and Local Streets* shall not apply, except for Local Streets.
- N. Lighting Standards (LT): shall apply.
- O. Loading Standards (LD): shall apply.
- P. Lot Standards (LO): shall apply except as modified below:

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(1) Article 5.53 LO-01 (D)(2) shall not apply. Instead, the minimum corner lot width shall be 85 feet.

- Q. Outdoor Storage Standards (OS): shall apply.
- R. Parking Standards (PK): shall apply.
- S. Pedestrian Accessibility Standards (PA): shall apply.
- T. Performance Standards (PF): shall apply.
- U. Property Identification Standards (PI): shall apply.
- V. Public Art Standards (PT): shall apply.
- W. Public Improvement Standards (PV): shall apply.
- X. Setback Standards (SB): shall apply.
- Y. Sewer & Water Standards (SW): shall apply.
- Z. Sexually Oriented Business Standards (SX): shall apply.
- AA. Sign Standards (SG): shall apply.
- BB. Structure Quantity Standards (SQ): shall apply.
- CC. Telecommunication Facility Standards (TC): shall apply.
- DD. Temporary Use/Structure Standards (TU): shall apply.
- EE. Use-specific Standards (US): shall apply.
- FF. Vision Clearance Standards (VC): shall apply.

1.5 Subdivision Types

- A. Cross References: The regulations of *Article 6.04: Subdivision Types; Standard Subdivision; Standards* applicable to a *Planned Unit Development (PUD)* shall apply except as modified by this Ordinance and as modified below:
 - (1) *Minimum Perimeter Landscaping*: The minimum perimeter landscaping shall be 20 feet of common area along arterial or collector streets.
 - (2) *Maximum Cul-de-sac Length*: The maximum cul-de-sac length shall be permitted to be 1,190 feet provided on street parking is prohibited within the cul-de-sac radius.

1.6 Design Standards

- A. Cross References: The regulations of *Article 7: Design Standards* applicable to a *Planned Unit Development (PUD)* shall apply except as modified by this Ordinance.
- B. Access Road Standards (AC): shall apply.
- C. Alley Standards (AL): shall apply.
- D. Anti-monotony Standards (AM): shall apply.
- E. Common Area Standards (CA): shall apply.
- F. Covenant Standards (CE): shall apply.
- G. Dedication of Public Improvement Standards (DD): shall apply.
- H. Density & Intensity Standards (DE): shall apply.
- I. Development Name Standards (DN): shall apply.
- J. Easement Standards (EA): shall apply.
- K. Erosion Control Standards (EC): shall apply.
- L. Floodplain Standards (FL): shall apply.
- M. Lot Establishment Standards (LE): shall apply except as modified below:
 - (1) *Article 7.18 LE-01 (B)(3): Residential Lot Standards; Corner Lots* shall have a minimum lot area of 11,800 square feet.
- N. Mixed Use Development Standards (MU): shall apply.
- O. Monument & Marker Standards (MM): shall apply.
- P. On-street Parking Standards (OG): shall apply.
- Q. Open Space Standards (OP): shall apply. Per the UDO, a minimum of twenty-five percent (25%) Open Space shall be provided within the development. Per *Article 7.25 OP-01 (C)(6): Open Space Standards; Residential; Town Council-Approved Open Space*, all common areas, as shown generally on the Concept Plan, shall count as Open Space.
- R. Pedestrian Network Standards (PN): shall apply.

- S. Perimeter Landscaping Standards (PL): shall apply, except as modified below:
 (1) *Article 7.32 PL-01 (C)(2): Perimeter Landscaping; Residential Development; Single-family and Multi-family Residential; Perimeter Fences and Walls* shall not apply.
- U. Storm Water Standards (SM): shall apply.
- V. Street & Right-of-way Standards (SR): shall apply.
- W. Street Lighting Standards (SL): shall apply.
- X. Street Name Standards (SN): shall apply.
- Y. Street Sign Standards (SS): shall apply.
- Z. Surety Standards (SY): shall apply.
- AA. Utility Standards (UT): shall apply.

1.7 Procedures

- A. The procedures set forth in *Article 09: Processes, Permits & Fees; Planned Unit Development* shall apply.
- B. Prior to approval of any Detailed Development Plan, a petition for annexation of the Real Estate that is the subject of the Detailed Development Plan shall be filed.

1.8 Real Estate

A part of the Southeast Quarter of Section 25, Township 18 North, Range 4 East, in Delaware Township, Hamilton County, Indiana, being more particularly described as follows:

BEGINNING at the Southwest corner of said Southeast Quarter Section; thence North 00 degrees 14 minutes 53 seconds West (bearing system based on Indiana State Plane East Zone, NAD 83 / CORS 96) along the West line thereof a distance of 1413.08 feet to the Southwest corner of the plat of New Britton Woods, Secondary Plat as recorded in Plat Cabinet 1, Slide 120, Instrument Number 9022188 in the Office of the Recorder of Hamilton County, Indiana; (the next 3 courses being along the Southerly perimeter lines of said Plat; thence South 89 degrees 51 minutes 57 seconds East a distance of 326.24 feet; thence North 00 degrees 14 minutes 53 seconds West a distance of 170.92 feet; thence South 89 degrees 51 minutes 57 seconds East a distance of 326.24 feet to the Northwest corner of a tract of land described in Instrument Number 9429481 in said Recorder's Office; thence South 00 degrees 14 minutes 53 seconds East along the West line thereof and parallel with the West line of said Southeast Quarter a distance of 1584.00 feet to the Southwest corner of said tract, said point also being on the South line of said Southeast Quarter; thence North 89 degrees 51 minutes 57 seconds West along the South line thereof a distance of 652.48 feet to the POINT OF BEGINNING. Containing 22.446 acres, more or less.

1.9 Stipulations

- A. The petitioner shall investigate the addition of a minimum 3' tall berm along the east property line, in coordination with the adjacent property owner, Mr. Smith.
- B. The petitioner shall investigate a sewer connection to the Smith property to the east.
- C. The petitioner shall be responsible to construct to city standards (i.e. length, width, materials, etc.) an acceleration lane, deceleration lane, and passing blister on 126th Street near the subdivision entrance. If necessary, the petitioner shall use best efforts to acquire necessary right-of-way from nearby property owners in order to construct the improvements. If the petitioner is unable to acquire necessary right-of-way, the petitioner shall be fully responsible for the costs of the eminent domain process utilized by the city, should this right be exercised.

1.10 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 thereof in conflict herewith are hereby repealed.

APPROVED by the Common Council of the City of Fishers this 15 day of June, 2015.

Ord 042015B

Year
2015

THE RESERVE AT LANTERN PUD

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

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C. Pete Peterson,
President

John W. Weingardt,
Vice-President

Stuart F. Easley,
Member

David C. George,
Member

Eric Moeller,
Member

Selina M. Stoller,
Member

Richard W. Block,
Member

Cecilia C. Coble,
Member

Todd P. Zimmerman
Member

I hereby certify that the foregoing Ordinance was delivered to City of Fishers Mayor Scott Fadness on the 15 day of June 2015, at 8:00 m.

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

2015030756 MISC \$18.00
06/23/2015 10:04:30A 4 PGS
Jennifer Hayden
HAMILTON County Recorder IN
Recorded as Presented

MAYOR'S APPROVAL

[Signature]
Scott A. Fadness, Mayor

DATE 6-17-15

Approved by: Rodney S. Retzner, Krieg DeVault LLP, Plan Commission Legal Counsel

Prepared by: James E. Shinaver, attorney at law, NELSON & FRANKENBERGER and Jon C. Dobosiewicz, land use professional, NELSON & FRANKENBERGER. 3105 East 98th Street, Suite 170, Indianapolis, IN 46280

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: James E. Shinaver

1.11 Illustrative Elevations







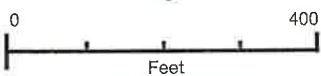


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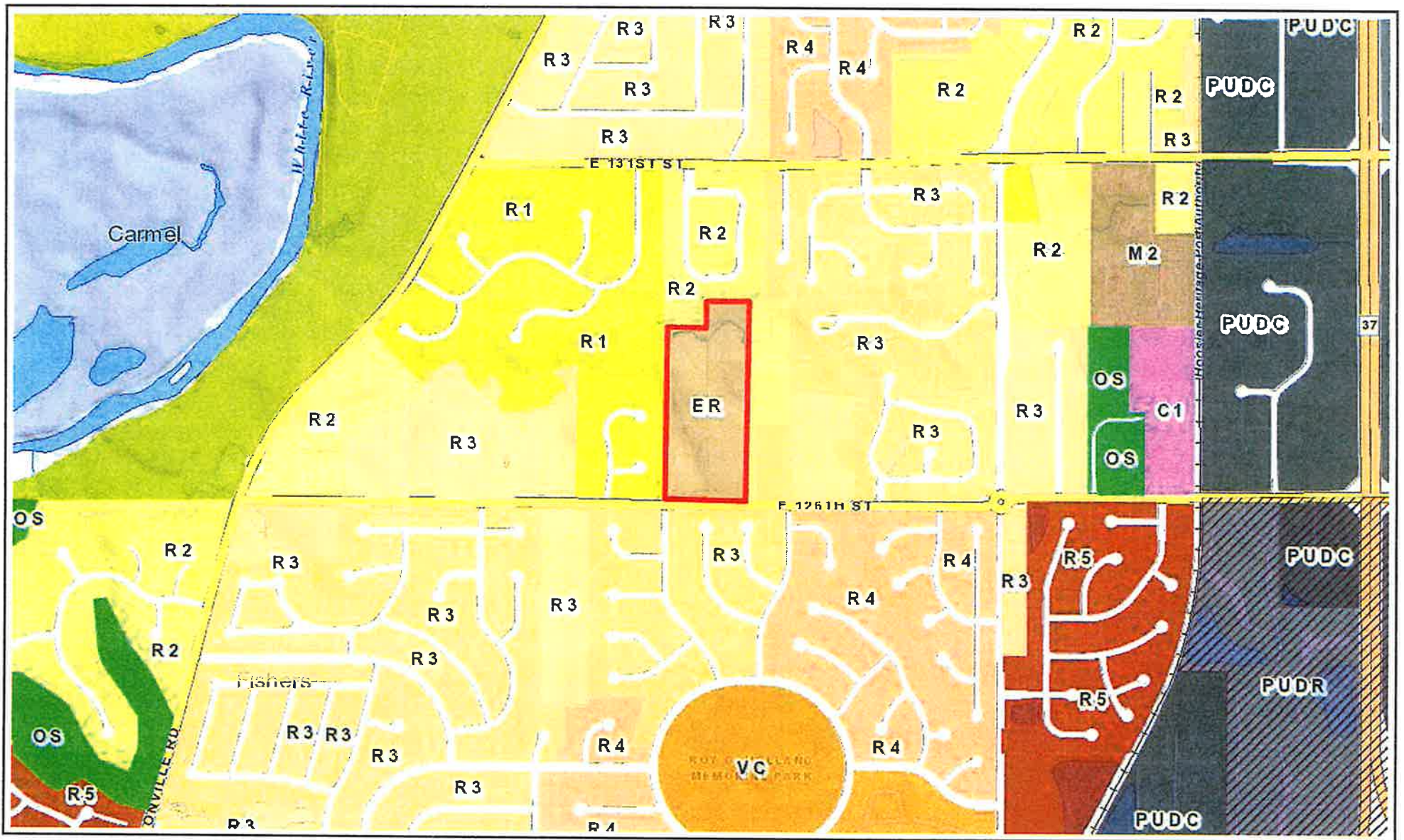
The Reserve at Lantern PUD Rezoning Aerial Exhibit

Printed: Apr 10, 2015



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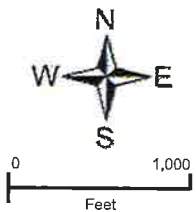




The Reserve at Lantern PUD Rezoning - Case #4-R-15

Zoning Map

Printed: Apr 10, 2015



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