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Luann G. Welmer, Clerk-Treasurer

**CITY COUNCIL MEETING  
CITY HALL  
TUESDAY, MARCH 17, 2015  
6:00 O’CLOCK P.M.**

**I. Meeting Called to Order**

- A. Opening Prayer
- B. Pledge of Allegiance
- C. Roll Call
- D. Acceptance of Minutes

**II. Unfinished Business Requiring Council Action**

- A. Second Reading and Public Hearing of an Ordinance entitled “ORDINANCE NO. \_\_, 2015 AN ORDINANCE PROVIDING FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE BUDGET YEAR 2015.” (Road Overlay and Reconstruction) Beth Fizel
- B. Second Reading of an Ordinance entitled “ORDINANCE NO. \_\_\_\_, 2015 AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY FROM “RM” (RESIDENTIAL: MULTI-FAMILY) AND “RT” (RESIDENTIAL: TWO-FAMILY) TO “RS2” (RESIDENTIAL” SINGLE-FAMILY 2).” (Oak Ridge Rezoning) Jeff Bergman
- C. Second Reading of an Ordinance entitled “ORDINANCE NO. \_\_\_\_, 2015 AN ORDINANCE AMENDING THE SHADOW CREEK FARMS PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD) PLAN.” (Shadow Creek Farms Preliminary PUD Modification) Jeff Bergman

**III. New Business Requiring Council Action**

- A. Reading of Resolution entitled "RESOLUTION NO. \_\_\_\_, 2015 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS TO APPROVE THE SALE OF PROPERTY LOCATED AT 148 LINDSAY STREET, COLUMBUS(PUMPHOUSE) Jeff Logston

**IV. Other Business**

- A. Standing Committee and Liaison Reports
- B. State of the City meeting is scheduled for **Tuesday, April 7, 2015, 6:00 p.m. at the Commons.**
- C. Adjournment

**ORDINANCE NO. \_\_, 2015**

**AN ORDINANCE PROVIDING FOR THE ADDITIONAL APPROPRIATION  
OF FUNDS FOR THE BUDGET YEAR 2015**

**WHEREAS**, the Indiana General Assembly has adopted a policy to grant local units of government all powers that they need for the effective operation of government as to local affairs through Indiana Code 36-1-3-2; and

**WHEREAS**, it is desire of the City to address the condition of certain roads within the City of Columbus; and

**WHEREAS**, it is necessary to appropriate additional funds from the General Fund in the amount of \$5,000,000 for the cost of repairing certain roads within the City of Columbus with at least \$1,000,000 of the overall appropriation spent for concrete street repair; and

**WHEREAS**, there are additional funds in the amount of \$5,000,000 available for these purposes and these funds must be appropriated for these purposes before they can be spent.

**NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA**, that the funds in the amount of Five Million Dollars (\$5,000,000.00) shall be paid during the 2015 budget year and the same is hereby appropriated and ordered to be paid from the General Fund for the City of Columbus, Indiana and for the purposes of repairing certain roads within the City of Columbus with at least One Million Dollars (\$1,000,000.00) of that overall appropriation spent for concrete street repair.

**BE IT FURTHER ORDAINED**, that the above additional appropriation shall be effective as of the date of adoption of this Ordinance.

**BE IT FURTHER ORDAINED**, that the Clerk Treasurer and the Mayor be and are hereby authorized and empowered and directed to take any and all further actions necessary to effect this additional appropriation.

**ADOPTED**, by the Common Council of the City of Columbus, Indiana, this \_\_\_\_ day of \_\_\_\_\_, 2015 at \_\_\_\_\_ o'clock P.M. by a vote of \_\_\_\_ ayes and \_\_\_\_ nays.

\_\_\_\_\_  
Presiding Officer

**ATTEST:**

\_\_\_\_\_  
Luann Welmer  
Clerk Treasurer, City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the \_\_\_\_ day of \_\_\_\_\_, 2015 at \_\_\_\_\_ o'clock P.M.

\_\_\_\_\_  
Kristen Brown  
Mayor, City of Columbus, Indiana



## MEMORANDUM

**TO:** Columbus City Council Members

**FROM:** Jeff Bergman, AICP  
on behalf of the Columbus Plan Commission

**DATE:** February 24, 2015

**RE:** RZ-15-01 (Oak Ridge Rezoning)

At its February 11, 2015 meeting, the Columbus Plan Commission reviewed the above referenced application and forwarded it to the City Council with a favorable recommendation by a vote of 9 in favor and 0 opposed.

Cornerstone Land Company, LLC is proposing to consolidate the zoning classification for an area of 36.21 acres from the current combination of RM (Residential: Multi-family), RT (Residential: Two-family) and RS2 (Residential: Single-family 2) to RS2 throughout. The proposed rezoning would change 12.22 acres from RM to RS2 and 11.11 acres from RT to RS2. The applicant intends to construct a subdivision of single-family homes on the property. The preliminary plat for that development was approved at the February 11, 2015 Plan Commission meeting contingent upon the approval of this rezoning request.

During the Plan Commission public hearing 2 adjoining property owners spoke on this request. A resident of the adjacent Timber Ridge subdivision inquired as to whether or not the new subdivision would become a part of Tipton Lakes (the applicant indicated that it would). Another nearby property owner expressed concern about the increasing traffic on Carr Hill Road and its need for widening and other improvements.

The following items of information are attached to this memo for your consideration:

1. the proposed ordinance approving the rezoning,
2. the resolution certifying the action of the Plan Commission,
3. a copy of the staff report prepared for the Plan Commission meeting, and
4. a location map.

Please feel free to contact me if you have any questions regarding this matter.

ORDINANCE NO.: \_\_\_\_\_, 2015

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP  
OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY  
FROM "RM" (RESIDENTIAL: MULTI-FAMILY) AND "RT" (RESIDENTIAL: TWO-FAMILY)  
TO "RS2" (RESIDENTIAL: SINGLE-FAMILY 2)**

**To be known as the: Oak Ridge Rezoning  
Plan Commission Case No.: RZ-15-01**

**WHEREAS**, this rezoning was requested by Cornerstone Land Company, LLC and includes the consent of all owners of the subject property; and

**WHEREAS**, the Columbus Plan Commission did, on February 11, 2015, hold a legally advertised public hearing on said request and has certified a favorable recommendation to the Common Council; and

**WHEREAS**, the Common Council of the City of Columbus, Indiana has considered the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance.

**NOW THEREFORE BE IT ORDAINED** by the Common Council of the City of Columbus, Indiana, as follows:

**SECTION 1: Official Zoning Map**

The zoning classification of the subject property, which is in the zoning jurisdiction of the City of Columbus, Indiana, shall be changed as follows:

1. The following described real estate shall be changed from "RM" (Residential: Multi-family) to "RS2" (Residential: Single-Family 2):

*A part of Section 33, Township 9 North, Range 5 East lying in Columbus Township, Bartholomew County, Indiana; intended to be a part of Lots 1 and 2 of "Tipton Lakes - Southeast Administrative Subdivision" as recorded in Plat Book "R", Page 207A; and described as follows:*

*Beginning at the west corner of said Lot 1 and on the east right-of-way line of Champion Drive; thence along the south line of "Timber Ridge" (P.B. "O", pg. 154) the following 6 calls: north 58°33'14" east a distance of 110.00 feet; thence north 31°57'34" east a distance of 120.00 feet; thence north 33°01'31" east a distance of 112.92 feet; thence north 50°29'10" east a distance of 121.77 feet; thence north 31°38'07" east a distance of 62.91 feet; thence north 47°07'30" east a distance of 84.74 feet; thence north 88°55'26" east a distance of 231.89 feet; thence south 27°07'37" east a distance of 665.68 feet; thence south 00°56'52" east a distance of 45.00 feet to the centerline of Carr Hill Road; thence south 63°21'02" west along the centerline of said road a distance of 102.34 feet; thence north 26°09'48" west a distance of 30.00 feet to the north right-of-way line of Carr Hill Road; thence along said right-of-way line the following 3 calls: south 63°50'12" west a distance of 232.48 feet to the pc of a curve to the left; thence southwesterly along said curve for an arc distance of 98.97 feet, having a radius of 330.00 feet and a chord bearing south 55°14'42" west a distance of 98.60 feet to the pt thereof; thence south 46°39'12" west a distance of 246.98 feet to the east right-of-way line of Champion Drive and the pc of a curve to the right; thence along said right-of-way line the following 6 calls: northwesterly along said curve for an arc distance of 39.26 feet, having a radius of 25.00 feet and a chord bearing north 88°20'48" west a distance of 35.35 feet to the pt thereof; thence north 43°20'48" west a distance of 121.61 feet to the pc of a curve to the right; thence northwesterly along said curve for an arc distance of 118.79 feet, having a radius of 265.00 feet and a chord bearing north 30°30'17" west a distance of 117.80 feet to the pt thereof; thence north 17°39'46" west a distance of 126.65 feet to the pc of a curve to the left; thence northwesterly along said curve for an arc distance of 124.79*

feet, having a radius of 335.00 feet and a chord bearing north 28°20'04" west a distance of 124.07 feet to the pt thereof; thence north 38°51'13" west a distance of 150.12 feet to the point of beginning, containing 12.22 acres, more or less, and subject to all legal rights of way and easements.

2. The following described real estate shall be changed from "RT" (Residential: Two-family) to "RS2" (Residential: Single-Family 2):

*A part of Section 33, Township 9 North, Range 5 East lying in Columbus Township, Bartholomew County, Indiana; intended to be a part of Lots 3 and 4 of "Tipton Lakes - Southeast Administrative Subdivision" as recorded in Plat Book "R", Page 207A; and described as follows:*

*Beginning at the northeast corner of said Lot 4 and on the centerline of Carr Hill Road; thence along the centerline of said road the following 6 calls: south 40°50'10" west a distance of 74.18 feet; thence south 40°40'52" west a distance of 678.39 feet; thence south 40°58'00" west a distance of 158.13 feet to the pc of a curve to the right; thence southwesterly along said curve for an arc distance of 136.14 feet, having a radius of 161.00 feet and a chord bearing south 65°11'29" west a distance of 132.12 feet to the pt thereof; thence south 89°24'57" west a distance of 190.10 feet; thence south 88°11'21" west a distance of 80.10 feet; thence north 00°13'54" east a distance of 731.73 feet to the south line of "Ahlbrand Administrative Subdivision Replat of Lot 1" (P.B. "p", pg. 219a); thence north 88°56'24" east along said south line a distance of 981.68 feet to the point of beginning, containing 11.11 acres, more or less, and subject to all legal rights of way and easements.*

**SECTION 2: Commitment(s)**

No commitments are attached to this rezoning.

**SECTION 3: Repealer**

All ordinances or parts thereof in conflict with this ordinance shall be repealed to the extent of such conflict.

**SECTION 4: Severability**

If any provision, or the application of any provision, of this ordinance is held unconstitutional or invalid the remainder of the ordinance, or the application of such provision to other circumstances, shall be unaffected.

**SECTION 5: Effective Date**

This ordinance shall be effective upon and after the date and time of its adoption, as provided in Indiana law.

**ADOPTED**, by the Common Council of the City of Columbus, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2015 at \_\_\_\_\_ o'clock \_\_\_\_m., by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

\_\_\_\_\_  
Presiding Officer

**ATTEST:**

\_\_\_\_\_  
Luann Welmer  
Clerk-Treasurer of the City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the \_\_\_\_\_ day of \_\_\_\_\_, 2015 at  
\_\_\_\_\_ o'clock \_\_\_\_\_.m.

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Kristen S. Brown  
Mayor of the City of Columbus, Indiana

**RESOLUTION: RZ-15-01**

**of the City of Columbus, Indiana Plan Commission**

regarding  
**Case number RZ-15-01  
(Oak Ridge Rezoning),  
a proposal to rezone +/-23.33 acres from  
RM (Residential: Multi-family) and RT (Residential: Two-family)  
to RS2 (Residential: Single-family 2)**

**WHEREAS**, the Plan Commission has received the application referenced above from Cornerstone Land Company, LLC; and

**WHEREAS**, the applicant(s) represent 100% of the property owners involved in the rezoning request, which meets the requirements of IC 36-7-4-602(c); and

**WHEREAS**, the Plan Commission did, on February 11, 2015, hold a public hearing consistent with the applicable requirements of Indiana law, the Columbus & Bartholomew County Zoning Ordinance, and the Plan Commission Rules of Procedure; and

**WHEREAS**, the Plan Commission did pay reasonable regard to the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance; and

**WHEREAS**, the Plan Commission recognizes that its action on this matter represents a recommendation to the Common Council of the City of Columbus, Indiana, which will be responsible for final action on the request.

**NOW THEREFORE BE IT RESOLVED**, by the Plan Commission of the City of Columbus, Indiana, as follows:

- 1) The rezoning of the property subject to the application (approximately 23.22 acres on the north side of Carr Hill Road, east of Champion Drive) is forwarded to the Common Council with a favorable recommendation.
- 2) This resolution shall serve as the certification required for such ordinance amendments (re-zonings) by IC 36-7-4-605.

**ADOPTED BY THE COLUMBUS, INDIANA PLAN COMMISSION THIS 11<sup>th</sup> DAY OF, FEBRUARY 2015 BY A VOTE OF 9 IN FAVOR AND 0 OPPOSED.**

Signed copy on file in the Planning Department

Roger Lang, President

**ATTEST:**

Signed copy on file in the Planning Department

David L. Fisher, Secretary



## STAFF REPORT

### CITY OF COLUMBUS PLAN COMMISSION (February 11, 2015 Meeting)

**Docket No. / Project Title:** RZ-15-01 (Oak Ridge)  
**Staff:** Allie Keen

**Applicant:** Cornerstone Land Company LLC  
**Property Size:** 23.33 Acres  
**Current Zoning:** RM (Residential: Multi-Family)  
RT (Residential: Two-Family)  
**Proposed Zoning:** RS2 (Residential: Single-Family 2)  
**Location:** Northeast corner of the intersection of Carr Hill Road and Champion Drive, in the City of Columbus.

#### Background Summary:

The applicant has indicated that the proposed rezoning is for the purpose of developing a single-family residential subdivision consisting of 42 lots. The subdivision site currently contains 3 different zoning districts, including RM (Residential: Multi-Family), RT (Residential: Two-Family) and RS2 (Residential: Single-Family 2). At this time the applicant is proposing to rezone 12.22 acres from RM to RS2 and 11.11 acres from RT to RS2 to provide consistent zoning for the entire subdivision site.

#### Key Issue Summary:

The following key issue(s) should be resolved through the consideration of this application: Is the RS2 (Residential: Single-Family 2) zoning district appropriate for this area?

#### Preliminary Staff Recommendation:

Favorable recommendation to the City Council.

#### Plan Commission Options:

In reviewing a request for rezoning the Plan Commission may (1) forward a favorable recommendation to the City Council, (2) forward an unfavorable recommendation to the City Council, (3) forward the application to City Council with no recommendation, or (4) continue the review to the next Plan Commission meeting. The Plan Commission may recommend that conditions or commitments be attached to the rezoning request. The City Council makes all final decisions regarding rezoning applications.

#### Decision Criteria:

Indiana law and the Columbus Zoning Ordinance require that the Plan Commission and City Council pay reasonable regard to the following when considering a rezoning:

##### The Comprehensive Plan.

*Preliminary Staff Comments:* The proposed rezoning is intended to make the property more developable due to the existing site conditions and difficult terrain. The Comprehensive Plan identifies the future land use for this area as residential and encourages residential development to conserve open space and to

protect natural features. Additionally, this property is located within the Comprehensive Plan's Western Hills character area which also encourages new development to preserve the natural features such as the topography.

**The current conditions and the character of current structures and uses in each district.**

*Preliminary Staff Comments:* The site is located just south of Timber Ridge, which consists of single-family residential homes. To the west and south of the site are large properties that are currently zoned for a mix of residential but have not been developed at this point. There are also several single-family residences located along Carr Hill Road that are located on larger lots. The proposed rezoning is consistent with the surrounding character of the area.

**The most desirable use for which the land in each district is adapted.**

*Preliminary Staff Comments:* The Comprehensive Plan identifies residential for the use of the property and surrounding area. Although the property is located near goods and services, it is likely not close enough to support dense residential development such as that found in the RM or RT zoning districts; therefore the proposed rezoning is appropriate.

**The conservation of property values throughout the jurisdiction of the City of Columbus.**

*Preliminary Staff Comments:* The property values throughout the City of Columbus should not be impacted in a negative way if the zoning request were approved. The proposed development is in character with the surrounding properties and is within an area where single-family residential use is dominant and therefore surrounding values should not be impacted.

**Responsible growth and development.**

*Preliminary Staff Comments:* The rezoning represents responsible growth and development. The parcel is located within the city limits in an area with adequate infrastructure, including access to two collector streets. The site is not located close enough to goods and services in order to support dense residential development, therefore single-family residential is more appropriate. In addition, the site is located in a predominately single-family residential area.

<b>Current Property Information:</b>	
<b>Land Use:</b>	Vacant/Undeveloped
<b>Site Features:</b>	The site is primarily densely wooded with a small open grassy area on the west side and a pond.
<b>Flood Hazards:</b>	No flood hazards exist at this location.
<b>Special Circumstances:</b> (Airport Hazard Area, Wellfield Protection Area, etc.)	No special circumstances exist at this location.
<b>Vehicle Access:</b>	This property gains access from Champion Drive (Collector, Residential, Suburban) and Carr Hill Road (Collector, Residential, Suburban).

<b>Surrounding Zoning and Land Use:</b>		
	<b>Zoning:</b>	<b>Land Use:</b>
<b>North:</b>	RS4 (Residential: Single-Family 4) AP (Agriculture: Preferred)	Single-Family Residential (Timber Ridge) Single-Family Residential

<b>South:</b>	RM (Residential: Multi-Family) AP (Agriculture: Preferred) RS3 (Residential: Single-Family 3)	Vacant / Undeveloped Single-Family Residential Vacant / Undeveloped
<b>East:</b>	AP (Agriculture: Preferred) RS2 (Residential: Single-Family 2)	Single-Family Residential Single-Family Residential
<b>West:</b>	RT (Residential: Two-Family) RS4 (Residential: Single-Family 4)	Vacant / Undeveloped Single-Family Residential

<b>Zoning District Summary (Existing / Proposed):</b>			
	<b>Existing Zoning: RM</b>	<b>Existing Zoning: RT</b>	<b>Proposed Zoning: RS2</b>
<b>Zoning District Intent:</b>	To provide areas for a variety of multi-family uses, such as two-family dwellings, apartment homes and complexes, and condominiums in areas with compatible infrastructure and services. Development in this zoning district should be served by sewer and water utilities. This district should be used in limited locations with highly developed infrastructure, immediate access to Arterial or Collector roads, and direct connections to public open space and convenience goods. This district may be used to provide a transition from regional commercial areas to moderate density single-family residences.	To provide areas for moderate density single, two, and multi-family residences in areas with compatible infrastructure and services. These residences are most likely arranged as multiple attached units on a single lot or multiple attached units separated by lots lines at a common wall. Development in this zoning district should be served by sewer and water utilities. Such development should also provide residents with convenient access to Collector and Arterial roads, parks and open space, employment, and convenience goods.	To provide areas for moderate density single-family residences in areas with compatible infrastructure and services. Development in this zoning district should generally be served by sewer and water utilities. Such development should also provide residents with convenient access to Collector and Arterial roads, parks and open space, employment, and convenience goods.
<b>Permitted Uses:</b>	<ul style="list-style-type: none"> <li>• Dwellings, Multi-Family</li> <li>• Dwelling, Two-Family</li> <li>• Nursing Home / Assisted Living Facility</li> <li>• Retirement Facility</li> <li>• Nature Preserve / Conservation Area</li> </ul>	<ul style="list-style-type: none"> <li>• Dwelling, Single-Family</li> <li>• Dwelling, Two-Family</li> <li>• Nature Preserve / Conservation Area</li> </ul>	<ul style="list-style-type: none"> <li>• Dwelling, Single-Family</li> <li>• Nature Preserve / Conservation Area</li> </ul>

<b>Zoning District Summary (Existing / Proposed):</b>			
	<b>Existing Zoning: RM</b>	<b>Existing Zoning: RT</b>	<b>Proposed Zoning: RS2</b>
<b>Water and Sewer Service:</b>	Required	Required	Required
<b>Lot and/or Density Requirements:</b>	<p><b>Maximum Gross Density:</b> 25 Dwelling Units per Acre</p> <p><b>Minimum Lot Area:</b> Non-Residential: 5,000 sqft. Residential: 1,500 sqft. per dwelling unit (with a minimum of 6,000 sqft. if fewer than 4 units)</p> <p><b>Minimum Lot Width:</b> 50 Feet</p> <p><b>Minimum Lot Frontage:</b> 50 Feet</p> <p><b>Maximum Lot Coverage:</b> 65%</p>	<p><b>Maximum Gross Density:</b> 8 Dwelling Units per Acre</p> <p><b>Minimum Lot Area:</b> Non-Residential: 5,000 sqft. Residential: 3,000 sqft. per dwelling unit.</p> <p><b>Minimum Lot Width:</b> Single-Family: 25 feet Two-Family: 40 feet Multi-Family: 50 feet Non-Residential: 50 feet</p> <p><b>Minimum Lot Frontage:</b> Single-Family: 25 feet Two-Family: 40 feet Multi-Family: 50 feet</p> <p><b>Maximum Lot Coverage:</b> 55%</p>	<p><b>Maximum Gross Density:</b> 3.5 Dwelling Units per Acre</p> <p><b>Minimum Lot Area:</b> 10,000 sqft.</p> <p><b>Minimum Lot Width:</b> 65 feet</p> <p><b>Minimum Lot Frontage:</b> 35 feet</p> <p><b>Maximum Lot Coverage:</b> 35%</p>

**Zoning District Summary (Existing / Proposed):**

	<b>Existing Zoning: RM</b>	<b>Existing Zoning: RT</b>	<b>Proposed Zoning: RS2</b>
<p><b>Setbacks Required:</b></p> <p>Front Setbacks are determined by the Thoroughfare Plan Classification of the adjacent street and are the same regardless of zoning.</p>	<p><b>Side Yard Setback:</b>                      Two-Family: 5 feet                      Multi-Family: 10 feet                      Non-Residential: 10 feet                      Accessory Structure: 5 feet</p> <p><b>Rear Yard Setback:</b>                      Primary Structure: 10 feet                      Non-Residential: 10 feet                      Accessory Structure: 5 feet</p> <p><b>Front Yard Setback:</b>                      10 feet*</p> <p>*25 feet for any auto service bay, auto fuel pump canopy, or other similar vehicle access points to structures.</p>	<p><b>Side Yard Setback:</b>                      Single-Family: 0 feet minimum per side, 10 feet aggregate*                      Two-Family: 5 feet                      Multi-Family: 10 feet                      Non-Residential: 10 feet                      Accessory Structure: 5 feet</p> <p>*the aggregate side setback for single-family may be reduced to 0 feet for the center units in multiple attached unit designs.</p> <p><b>Rear Yard Setback:</b>                      Residential: 5 feet                      Non-Residential: 10 feet                      Accessory Structure: 5 feet</p> <p><b>Front Yard Setback:</b>                      Collector Street: 15 feet *                      Local Street: 10 feet*</p> <p>*25 feet for any garage with a vehicle entrance facing the street.</p>	<p><b>Side Yard Setback:</b>                      Primary Structure: 5 feet                      Accessory Structure: 5 feet</p> <p><b>Rear Yard Setback:</b>                      Primary Structure: 5 feet                      Accessory Structure: 5 feet</p> <p><b>Front Yard Setback:</b>                      Collector Street: 15 feet*                      Local Street: 10 feet *</p> <p>*25 feet for any garage</p>
<p><b>Height Restrictions:</b></p>	<p><b>Primary Structure:</b>                      50 feet</p> <p><b>Accessory Structure:</b>                      25 feet</p>	<p><b>Primary Structure:</b>                      50 feet</p> <p><b>Accessory Structure:</b>                      25 feet (or the height of the primary structure on the property, whichever is less)</p>	<p><b>Primary Structure:</b>                      40 feet</p> <p><b>Accessory Structure:</b>                      25 feet (or the height of the primary structure on the property, whichever is less)</p>

<b>Zoning District Summary (Existing / Proposed):</b>			
	<b>Existing Zoning: RM</b>	<b>Existing Zoning: RT</b>	<b>Proposed Zoning: RS2</b>
<b>Floor Area Requirements:</b>	<b>Minimum Living Area per Dwelling:</b> Two-Family: 1,000 sqft. Multi-Family: 500 sqft.	<b>Minimum Living Area per Dwelling:</b> Single-Family: 1,000 sqft. Two-Family: 1,000 sqft. Multi-Family: 500 sqft. <b>Minimum Ground Floor Living Area:</b> 40%	<b>Minimum Living Area per Dwelling:</b> 1,000 sqft. <b>Minimum Ground Floor Living Area:</b> 40%
<b>Signs:</b>	<b>Development Entry Signs:</b> Max. Number: 2 per street frontage Max. Area: 32 sqft. Max. Height: 6 feet All other signage is only permitted through Conditional Use.	<b>Development Entry Signs:</b> Max. Number: 2 per street frontage Max. Area: 32 sqft. Max. Height: 6 feet All other signage is only permitted through Conditional Use.	<b>Development Entry Signs:</b> Max. Number: 2 per street frontage Max. Area: 32 sqft. Max. Height: 6 feet All other signage is only permitted through Conditional Use.

<b>Interdepartmental Review:</b>	
<b>City Engineering:</b>	No issues with rezoning request.
<b>City Fire Department:</b>	No issues with rezoning request.
<b>City Utilities:</b>	No comments.
<b>MPO:</b>	No comments.
<b>Code Enforcement:</b>	No comments.

**Comprehensive Plan Consideration(s):**

The Future Land Use Map indicates the future use of this property as Residential.

The following Comprehensive Plan goal(s) and/or policy(ies) apply to this application:

1. **Policy A-2-3:** Ensure that development takes place in a manner which allows for preservation of farmland, open space, and significant natural features whenever possible and desirable. *This policy is intended to encourage creative subdivision design which protects natural features, proper buffering, and orderly development. It is not an anti-growth policy, nor does it mean that all farmland will be retained.*

2. **Policy A-2-11:** Encourage all new development to be in scale (height, area, mass, setback, etc.) with its surroundings, determined on a neighborhood-by-neighborhood basis.
3. **Goal D-1:** Develop new housing where adequate public services can be provided economically.
4. **Policy D-1-1:** Promote orderly housing expansion in locations where the city's infrastructure and services have the capacity to accommodate the growth. *New neighborhoods should have adequate infrastructure and services. Road networks should be safe, there should be adequate sewage disposal and a safe drinking water supply, and there should be adequate police and fire protection and trash pick-up. The city should guide new development to areas where these services will be available at reasonable cost.*
5. **Policy D-1-3:** Encourage development adjacent to already developed areas. *Compact development contiguous to already developed areas is the most economical and convenient urban form, and the city should encourage that type of development.*

This property is located in the Western Hills character area. The following Planning Principle(s) apply to this application:

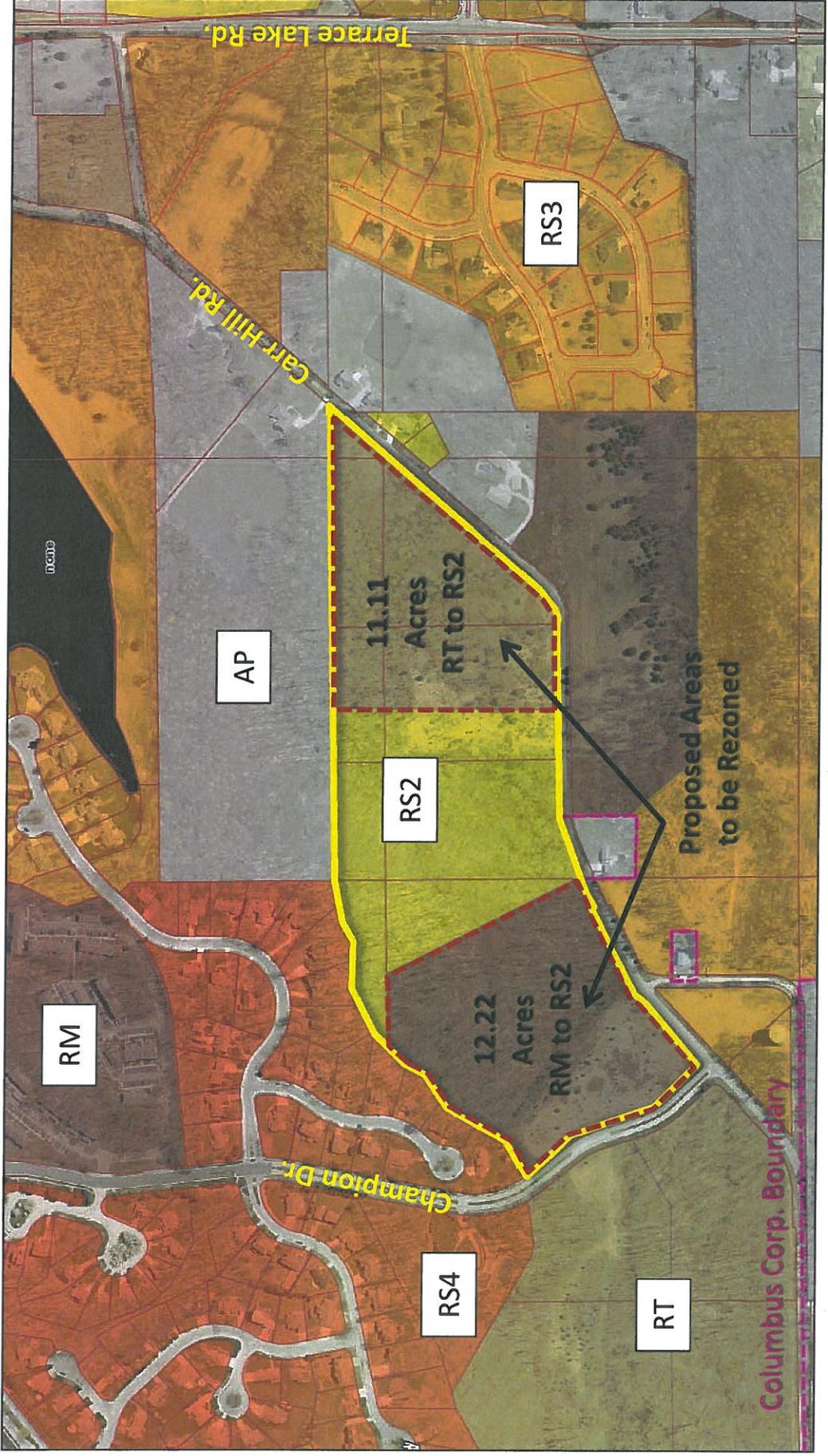
1. Ensure that new development takes place in a manner that preserves natural features such as topography and wooded areas. Clustering should be encouraged.
2. Encourage all development to be linked to bicycle and pedestrian systems.
3. Encourage a better mix of housing prices.

### **Planning Consideration(s):**

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. Cornerstone Land Company LLC is proposing to develop the subject property as a single-family residential subdivision consisting of 42 lots and 6 common areas. They have submitted a companion application for approval of a Preliminary Plat (PP-15-01). The proposed rezoning will allow for single-family residential and provide 1 zoning district for the entire 36.21 acre subdivision site, which is currently broken up into the following 3 districts: approximately 12.22 acres of RM (Residential: Multi-Family), 11.11 acres of RT (Residential: Two-Family), and 12.88 acres of RS2 (Residential: Single-Family 2).
2. The applicant has indicated that the lower-density zoning is necessary in order to develop the property due to the site conditions which limit the amount of development that can take place on the property. The subject property is currently heavily wooded with significant topography due to the presence of ravines that run through the site.
3. The subject property is located just south of the existing Tipton Lakes neighborhoods which have a mix of residential zoning, including single-family, two-family, and multi-family. Additionally, the subject property is surrounded to the west and south by large tracts of undeveloped land that is zoned for both single-family and multi-family residential, as well as some existing single-family residences to the south and east.
4. The subject property gains access from both Carr Hill Road and Champion Drive which are both identified by the Thoroughfare Plan as Collector Streets. Collector streets are intended to connect local streets with arterial streets and therefore provide connections between neighborhoods and commercial service areas. Collectors provide both mobility and access and are typically designed to carry up to 8,000 vehicles per day. The subject property's location provides adequate access to nearby shopping centers, such as the Westhill Shopping Center which is approximately 1.2 miles away and the Columbus Crossing Shopping Center which is approximately 1.5 miles away. Although the site is nearby to goods and services, it is likely not close enough to support dense residential development such as that found in the existing RM and RT zoning districts. Residents of the RM and RT zoning districts have typically smaller or no yards and more likely to utilize public parks for recreation and the denser development would likely warrant additional commercial services to serve the increased population in the area.
5. Once developed, the subject property will also have a direct connection from Champion Drive to the sidewalks and sidepaths in Tipton Lakes, which provides pedestrian connections throughout the area. Also, Harrison Ridge Park is approximately a ½ mile north of the subject property and Oakbrook Park is approximately ¾ of a mile northwest of the property, which could both be accessed by these pedestrian connections.

# Property Location & Surrounding Zoning





## MEMORANDUM

**TO:** Columbus City Council Members

**FROM:** Jeff Bergman, AICP  
on behalf of the Columbus Plan Commission

**DATE:** February 24, 2015

**RE:** *PUD-15-01 (Shadow Creek Farms Preliminary PUD Modification)*

At its February 11, 2015 meeting, the Columbus Plan Commission reviewed the above referenced application and forwarded it to the City Council with a favorable recommendation by a vote of 9 in favor and 0 opposed.

Beazer Homes of Indiana, the current developer of the Shadow Creek Farms subdivision, is requesting a modification to the originally approved Planned Unit Development requirements. Please recall that a Planned Unit Development (PUD) is a process provided by the Zoning Ordinance through which a developer and the Plan Commission and City Council negotiate a specific set of development standards and other parameters that replace the typical City zoning requirements for that location. The Shadow Creek Farms Preliminary PUD was approved by the City Council in 1999 and has been modified on several occasions since then (most recently last year). The Preliminary PUD documents, sometimes referred to as the "concept plan" provide overall guidance for the development. Final PUD, or "detailed plans", for this development are finalized between the Plan Commission and the developer as each section of lots is developed. All Final PUD Plans must comply with the approved Preliminary PUD.

Beazer is currently requesting that an area of the development that is currently limited to homes designed to be accessed from an alley be allowed instead to have homes with driveways from the street. This request would affect 23 lots located on the north side of Shadow Creek Boulevard and 22 lots located on the south side of Shadow Fox Drive / CreekrIDGE Drive. The rear yards of the affected lots adjoin each other. Beazer has indicated that the change would allow them to build more typical homes on the lots in question rather those using an alley (which they indicate are less popular with homebuyers). Beazer is also proposing some other, minor changes to the lot arrangement in this area.

The inclusion of an alley in the original design of this portion of the development was intended to limit access onto Shadow Creek Boulevard. This Boulevard extends through the center of the development and acts as a "spine" from which the other streets extend. It connects County Road 200 South on the north side of the development with County Road 150 East to the east. It was originally envisioned as a "collector" street that would have limited access. The City's current zoning regulations permit homes to have driveway access to collector streets elsewhere in Columbus.

No members of the public spoke at the Plan Commission public hearing on this request.

In making its favorable recommendation the Plan Commission added a condition that on-street parking be prohibited in front of the section of lots that will have direct driveway access to Shadow Creek Boulevard in order to preserve good visibility for drivers and those backing from driveways on this comparatively busier street.

The following items of information are attached to this memo for your consideration:

1. the proposed ordinance approving the Preliminary PUD Plan modification,
2. the resolution certifying the action of the Plan Commission,
3. a copy of the staff report from the February 11, 2015 Plan Commission meeting,
4. annotated text of Shadow Creek Farms Preliminary PUD Statement of Conditions #14 indicating the proposed changes, and
5. copies of the Shadow Creek Farms Preliminary PUD Phasing Plan map indicating the current and proposed design for the area in question.

Please feel free to contact me if you have any questions regarding this matter.

ORDINANCE NO.: \_\_\_\_\_, 2015

**AN ORDINANCE AMENDING THE  
SHADOW CREEK FARMS  
PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD) PLAN**

**To be known as the: Shadow Creek Farms Preliminary PUD Modification  
(driveway access to Shadow Creek Boulevard)  
Plan Commission Case No.: PUD-15-01**

**WHEREAS**, the Shadow Creek Farms Preliminary PUD Plan was established by the Columbus Common Council on November 16, 1999 through Ordinance 28,1999 and has been amended periodically as needed; and

**WHEREAS**, this modification to the Preliminary PUD was requested by Beazer Homes of Indiana LLP which is the developer of Shadow Creek Farms and the owner of the remaining undeveloped property at this location; and

**WHEREAS**, the Columbus Plan Commission did, on February 11, 2015, hold a legally advertised public hearing on said request and has certified a favorable recommendation to the Common Council; and

**WHEREAS**, the Common Council of the City of Columbus, Indiana has considered the criteria contained in Section 5.3(D)(3) of the Columbus & Bartholomew County Zoning Ordinance.

**NOW THEREFORE BE IT ORDAINED** by the Common Council of the City of Columbus, Indiana, as follows:

**SECTION 1: Shadow Creek Farms Preliminary PUD Plan Modified**

The Shadow Creek Farms Preliminary PUD Plan modifications regarding driveway access to Shadow Creek Boulevard are approved as described below:

1. The Phasing Plan Map is amended as follows:
  - a. The "Lake Ridge Lane" alley that runs parallel to and between Shadow Fox Drive / Creekridge Drive and Shadow Creek Boulevard in Sections 6A and 6B is deleted.
  - b. The area of lots which had been shown as having driveway access from the Lake Ridge Lane alley is revised to portray (1) a terminus to the existing portion of the alley 4 lots to the east of Rolling Knoll Lane and (2) a total of 45 lots at a minimum of 42 feet in width each. These 45 lots will be provided with vehicle access via individual driveways from Shadow Fox Drive, Creekridge Drive, or Shadow Creek Boulevard, as appropriate.
  - c. The resulting eastern "dead-end" of the Lake Ridge Lane alley shall be labeled as being a "Conceptual Design Only: Final design details shall be subject to the approval of the Columbus Fire Department, City Engineer's Office, and Plan Commission at the time of Final PUD Plan approval for Section 6A".
  - d. A temporary dead end street extension (a "stub" street) providing access to the adjacent property to the north is shown between Lots 574 and 575 along the north side of Creekridge Drive. In order to facilitate the provision of this stub street the area of lots on the east side of Creekridge Drive is extended to meet Shadow Creek Boulevard thereby eliminating an area of common area at the east corner of the Shadow Creek Boulevard / Creekridge Drive intersection.

2. The Statement of Conditions document is amended such that Condition #14 reads as follows:

“TRAFFIC CIRCULATION WITHIN THE DEVELOPMENT. The Development will include a street extending from County Road 200 South to County Road 150 West. This street will be developed as a collector road. The collector road will be constructed using traffic calming techniques, including pavement which in general will be approximately 28 feet in width, using vertical curbs instead of roll curbs, using 5 foot wide sidewalks (rather than 4 foot wide as in other portions of the Project), and having no curb cuts or driveway accesses except those for the amenity area, other common areas, and those for the homes located in Section 6B (with Section 6B being limited to a maximum of 23 lots located on the north side of the collector street, Shadow Creek Boulevard, between its intersections with Creekridge Drive and Rolling Knoll Lane). The right-of-way for the collector road will be designed between 50 and 60 feet wide, subject to the detailed site plan approval process, and except where boulevards, turn lanes, or the like require otherwise. The collector road will otherwise be constructed to substantially comply with all City of Columbus standards for collector roads. The collector road shall be posted as “No Parking This Side” along the entire frontage of and on the same side of the street as Section 6B, with such posting to meet all requirements of the City Engineer.”

**SECTION 2: Repealer**

All ordinances or parts thereof in conflict with this ordinance shall be repealed to the extent of such conflict.

**SECTION 3: Severability**

If any provision, or the application of any provision, of this ordinance is held unconstitutional or invalid the remainder of the ordinance, or the application of such provision to other circumstances, shall be unaffected.

**SECTION 4: Effective Date**

This ordinance shall be effective upon and after the date and time of its adoption, as provided in Indiana law.

**ADOPTED**, by the Common Council of the City of Columbus, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2015 at \_\_\_\_\_ o'clock \_\_\_\_\_.m., by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

\_\_\_\_\_  
Presiding Officer

**ATTEST:**

\_\_\_\_\_  
Luann Welmer  
Clerk-Treasurer of the City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the \_\_\_\_\_ day of \_\_\_\_\_, 2015 at \_\_\_\_\_ o'clock \_\_\_\_\_.m.

\_\_\_\_\_  
Kristen Brown  
Mayor of the City of Columbus, Indiana

**RESOLUTION: PUD-15-01**

**of the City of Columbus, Indiana Plan Commission**

regarding

**Case number PUD-15-01**

**[Shadow Creek Farms Preliminary PUD Plan Modification  
(driveway access to Shadow Creek Boulevard)],**

**a proposal to modify the Shadow Creek Farms Preliminary Planned Unit Development**

**WHEREAS**, the Plan Commission has received the application referenced above from Beazer Homes of Indiana LLP; and

**WHEREAS**, the applicant represents all parties and property owners involved in the request; and

**WHEREAS**, the Plan Commission did, on February 11, 2015, hold a public hearing consistent with the applicable requirements of Indiana law, the Columbus & Bartholomew County Zoning Ordinance, and the Plan Commission Rules of Procedure; and

**WHEREAS**, the Plan Commission did pay reasonable regard to the criteria contained in Section 5.3(D)(3) of the Columbus & Bartholomew County Zoning Ordinance; and

**WHEREAS**, the Plan Commission recognizes that its action on this matter represents a recommendation to the Common Council of the City of Columbus, Indiana, which will be responsible for final action on the request.

**NOW THEREFORE BE IT RESOLVED**, by the Plan Commission of the City of Columbus, Indiana, as follows:

- 1) The request to modify the Shadow Creek Farms Preliminary PUD Plan as described below is forwarded to the Common Council with a favorable recommendation:
  - a) The Phasing Plan Map is amended as follows:
    - i. The "Lake Ridge Lane" alley that runs parallel to and between Shadow Fox Drive / Creekridge Drive and Shadow Creek Boulevard in Sections 6A and 6B is deleted.
    - ii. The area of lots which had been shown as having driveway access from the Lake Ridge Lane alley is revised to portray (1) a terminus to the existing portion of the alley 4 lots to the east of Rolling Knoll Lane and (2) a total of 45 lots at a minimum of 42 feet in width each. These 45 lots will be provided with vehicle access via individual driveways from Shadow Fox Drive, Creekridge Drive, or Shadow Creek Boulevard, as appropriate.
    - iii. The resulting eastern "dead-end" of the Lake Ridge Lane alley shall be labeled as being a "Conceptual Design Only: Final design details shall be subject to the approval of the Columbus Fire Department, City Engineer's Office and Plan Commission at the time of Final PUD Plan approval for Section 6A".
    - iv. A temporary dead end street extension (a "stub" street) providing access to the adjacent property to the north is shown between Lots 574 and 575 along the north side of Creekridge Drive. In order to facilitate the provision of this stub street the area of lots on the east side of Creekridge Drive is extended to meet Shadow Creek Boulevard thereby eliminating an area of common area at the east corner of the Shadow Creek Boulevard / Creekridge Drive intersection.
  - b) The Statement of Conditions document is amended such that Condition #14 reads as follows:

"TRAFFIC CIRCULATION WITHIN THE DEVELOPMENT. The Development will include a street extending from County Road 200 South to County Road 150 West. This street will be developed as a collector road. The collector road will be constructed using traffic calming techniques, including pavement which in general will be approximately 28 feet in width, using vertical curbs instead of roll curbs, using 5 foot wide sidewalks (rather than 4 foot wide as in other portions of the Project), and having no curb cuts or driveway accesses except those for the amenity area, other common areas, and those for the homes located in Section 6B (with Section 6B being limited to a maximum of 23 lots located on the north side of the collector road, Shadow Creek Boulevard, between its intersections with Creekridge Drive and Rolling Knoll Lane). The right-of-way for the collector road will be designed between 50 and 60 feet wide, subject to the detailed site plan approval process, and except where boulevards, turn lanes, or the like require otherwise. The collector road will otherwise be constructed to substantially comply with all City of Columbus standards for collector roads. The collector road shall be posted as "No Parking This Side" along the entire frontage of and on the same side of the street as Section 6B, with such posting to meet all requirements of the City Engineer."

- 2) This resolution shall serve as the certification required for such Preliminary PUD modifications by Columbus & Bartholomew County Zoning Ordinance Section 5.3(D)(5).

**ADOPTED BY THE COLUMBUS, INDIANA PLAN COMMISSION THIS 11<sup>th</sup> DAY OF FEBRUARY 2014 BY A VOTE OF 9 IN FAVOR AND 0 OPPOSED.**

Signed copy on file in the Planning Department  

---

Roger Lang, President

**ATTEST:**

Signed copy on file in the Planning Department  

---

David L. Fisher, Secretary



## STAFF REPORT

### CITY OF COLUMBUS PLAN COMMISSION (February 11, 2015 Meeting)

**Docket No. / Project Title:** PUD-15-01 (Shadow Creek Farms Preliminary PUD, Condition #14 – Traffic Circulation and Alley Load Product)

**Staff:** Melissa Begley

**Applicant:** Beazer Homes

**Property Size:** 322.214 Acres

**Current Zoning:** PUD (Planned Unit Development)

**Location:** South of County Road 200 South between County Roads 225 West and 150 West, in the City of Columbus

#### Background Summary:

The proposal is an amendment to the Preliminary PUD Plan for Shadow Creek Farms. The Preliminary PUD Plan for Shadow Creek Farms was approved in 1999 (PUD-99-2) for a subdivision of 886 residential lots and 110 acres of open space. At this time, residential Sections 1, 2, 3, 4, 5, 7A and 7B have been completed. The Final PUD Plans and Preliminary and Final Plats for Sections 8 and 9 have been approved. The Final PUD Plans and Preliminary Plats for Section 10 and 6A have been approved and the Final Plats are under review. Sections 6B and 11 have not been developed at this time.

The applicant is requesting to eliminate the alley load housing product that was proposed in sections 6A and 6B. They have proposed removing the alley between CreekrIDGE Drive and Shadow Creek Boulevard and would like to provide driveways onto Shadow Creek Boulevard. This will require amending the Preliminary PUD of the Statement of Conditions #14 which currently prohibits driveways onto Shadow Creek Boulevard.

#### Key Issue Summary:

The following key issue(s) should be resolved through the consideration of this application:

1. Is the reconfiguration of Section 6 to eliminate the alley load house product appropriate?
2. Are driveways on Shadow Creek Boulevard, which is classified as a collector, appropriate?
3. Is the spacing of driveways, less than 50 feet apart appropriate on a collector?
4. Will the presence of the front load garage homes in contrast with the alley load homes across the street, harm the character of the neighborhood?

#### Preliminary Staff Recommendation & Comments:

Favorable Recommendation to the City Council with the condition that signs be provided on Shadow Creek Boulevard for parking on one-side – the alley product side.

#### Plan Commission Options:

In reviewing a request for a Preliminary PUD the Plan Commission may (1) forward a favorable recommendation to the City Council, (2) forward an unfavorable recommendation to the City Council, (3) forward the application to City Council with no recommendation, or (4) continue the review to a future Plan Commission meeting. The Plan Commission may attach conditions to any recommendation which are to

become written commitments of the applicant. The City Council makes all final decisions regarding Preliminary PUD applications.

**Decision Criteria:**

The Shadow Creek Farms Planned Unit Development was initially approved in 1999 under the procedures specified by the Zoning Ordinance at that time. A different PUD procedure was established with the replacement of the Zoning Ordinance in 2008. Under the original approval procedure the property was rezoned to PUD at the time the City Council approved the preliminary PUD. Current Zoning Ordinance Section 5.1(E) establishes the intent of the Zoning Ordinance for pre-2008 PUDs to follow the procedures in place at the time of their original adoption. Therefore, the Plan Commission and City Council should pay reasonable regard to the following when considering this Preliminary PUD modification (a rezoning).

**The Comprehensive Plan.**

*Preliminary Staff Comments:* The future land use plan identifies this area as residential and the site is currently surrounded by single family residential houses. The Comprehensive Plan encourages street designs which complement neighborhoods (narrower pavement in residential areas, traffic calming measures, alleys). Shadow Creek Boulevard was built as a collector street with traffic calming measures to encourage slower traffic. Traffic will continue to move safely and efficiently with the addition of the driveways and be appropriate for the character of the neighborhood.

**The current conditions and the character of current structures and uses in each district.**

*Preliminary Staff Comments:* This residential subdivision has been under construction for the last 14 years and is now over halfway completed. The lots being reconfigured are surrounded by existing houses to the north, west and south. The reconfigured lots will be similar in size to those that were originally proposed. Opossum Creek and an area of open space is located to the east.

**The most desirable use for which the land in each district is adapted.**

*Preliminary Staff Comments:* The most desirable use for the land in this district is residential. The modifications being proposed will only impact lots internal to the subdivision.

**The conservation of property values throughout the jurisdiction of the City of Columbus.**

*Preliminary Staff Comments:* The property values should not be impacted in a negative way. The amendment to the Preliminary PUD is in character with the surrounding properties and where single family residential use is dominant. Changing the lot arrangement will not affect the property values of the adjacent homes.

**Responsible growth and development.**

*Preliminary Staff Comments:* Houses with forward facing garages are common. The reconfiguration will allow driveways to directly access Shadow Creek Boulevard, rather than an alley from behind and will generate additional traffic directly onto Shadow Creek Boulevard. The additional cars will not cause a significant disruption to the roadway network. No other driveways in the subdivision directly access Shadow Creek Farms. Further, by our standards today, driveways are permitted onto collector streets.

<b>Current Property Information:</b>	
<b>Land Use:</b>	Single family residential/Undeveloped ground
<b>Site Features:</b>	Undeveloped sections of Shadow Creek Farms, single family homes, detention ponds, common areas
<b>Flood Hazards:</b>	Floodway, 100 year flood fringe, 500 year flood fringe along Denois Creek and Opossum Creek

<b>Special Circumstances:</b> (Airport Hazard Area, Wellfield Protection Area, etc.)	The subdivision is located in the Wellfield Protection Area.
<b>Vehicle Access:</b>	County Road 200 South (Minor Arterial, Residential, Suburban) and County Road 150 West (Minor Arterial, Residential, Suburban)

<b>Surrounding Zoning and Land Use:</b>		
	<b>Zoning:</b>	<b>Land Use:</b>
<b>North:</b>	RS2 (Residential: Single Family 2) RS3 (Residential: Single Family 3)	Wildflower Estates, Agriculture farm fields, large lot single family residential
<b>South:</b>	AP (Agriculture: Preferred)	Agriculture farm fields
<b>East:</b>	AP (Agriculture: Preferred) RS2 (Residential: Single Family 2)	Agriculture farm fields, large lot single family residential
<b>West:</b>	AP (Agriculture: Preferred)	Agriculture farm fields, large lot single family residential

<b>Interdepartmental Review:</b>	
<b>City Utilities:</b>	No comments received.
<b>Fire Department:</b>	The elimination of the alley behind these lots will not hamper Columbus Fire Departments ability to fight a fire in this area should one take place. I would question the terminations of the roads adjacent to lots 478-479 and 476-477. While I understand fire equipment can access these lots from the other side I would request that these roads be marked with "no outlet" or "dead end" signage unless the turnarounds meet international fire code requirements for fire equipment.
<b>City Engineer:</b>	No issues with the proposed Preliminary PUD amendment.
<b>CAMPO:</b>	No comments received.

**History of this Location:**

The proposal is an amendment to the Preliminary PUD Plan for Shadow Creek Farms. The Preliminary PUD Plan for Shadow Creek Farms was approved in 1999 (PUD-99-2) for a subdivision of 886 residential lots and 110 acres of open space. At this time, Sections 1, 2, 3, 4, 5, 7A and 7B have been completed. The Final PUD Plan and Preliminary and Final Plats for Sections 8 and 9 have been approved. The Preliminary Plats for Section 10 and 6A have been approved and the Final Plats are under review. Sections 6B and 11 have not been developed at this time.

**Comprehensive Plan Consideration(s):**

The Future Land Use Map indicates the future use of this property as residential:

The following Comprehensive Plan goal(s) and/or policy(ies) apply to this application:

1. **POLICY A-2-14:** Encourage street design which complements neighborhoods (narrower pavement in residential areas, traffic calming measures, alleys)  
*Streets should move traffic safely and efficiently, but at the same time, they should be designed to further neighborhood goals. Traffic should move slowly through residential areas, and street widths and configuration should be in character with the neighborhoods in which they are located.*
2. **POLICY D-2-3:** Allow for various housing types.  
*A diverse population needs diverse housing. The city should encourage a variety of housing types, including single-family detached houses, townhouses and apartments.*
3. **POLICY F-1-1:** Reduce points of traffic conflict on public streets through driveway and intersection separation requirements.  
*Traffic flows more smoothly and safely when there are fewer points of conflict and fewer places where turning movements take place. Proper spacing of driveways and intersections reduces these conflict points and improves traffic safety.*

This property is located in the Western Hills character area. The following planning principles apply to this application: Encourage neighborhood business centers in convenient locations as new residential areas are developed.

The following Thoroughfare Plan guiding principle(s) and/or policy(ies) apply to this application:

1. **Collector Streets:** Collector Streets play a significant role in both mobility and access and are often integrated into neighborhoods, rather than bordering them as so arterial streets. This duality of purpose requires special attention to design features for collector streets in order to provide the proper balance of mobility and access. Access from adjoining property should be secondary to the movement of traffic.”
2. **7 – Alleys:** Alleys are particularly important in existing and new traditional neighborhoods where they play a significant role in creating a walkable area with quality urban character by moving garages and utilities to the rear of the property.

### **Planning Consideration(s):**

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. The applicant has stated that they would like to alter the Preliminary PUD Plan and remove the alley load housing product from Sections 6A and 6B. With this reconfiguration they would eliminate the alley currently shown on the phasing plan between Creekridge Drive and Shadow Creek Boulevard. Instead of the alley load housing product, the applicant is proposing the standard front facing garage housing product and would provide individual driveways for these lots onto Shadow Creek Boulevard instead of accessing the alley from behind. Shadow Creek Boulevard was created to collect the traffic from the local streets within the subdivision. The alley load housing product and limited access on Shadow Creek Boulevard was established to limit driveways and intersections and allow traffic to flow freely onto 200 South or 150 West.
2. Condition #14 of the Statement of Conditions refers to traffic circulation within the development. Shadow Creek Boulevard was built as a collector street as specified in the condition. The condition further states that “driveways will not have direct access to the collector street”. The applicant has modified the condition to only allow driveways on Shadow Creek Boulevard for Section 6B. This would ensure that no other existing lots would be permitted a second driveway onto Shadow Creek Boulevard.
3. With the reconfiguration, approximately 23 lots would have driveways on Shadow Creek Boulevard. Currently, there are no driveways that have direct access onto Shadow Creek Boulevard. Other lots that are located along Shadow Creek Boulevard are accessed from either an interior local road or an alley.
4. Section 7.3(Part 1)(C)(3)(b) of the Zoning Ordinance states “All properties occupied by a farm or a single or two-family residential use shall be permitted one access point from any Local or Collector Street. All access points shall on a Collector Street shall be separated by a minimum of 50 feet.

Access to Arterial streets from any lot platted after the effective date of this ordinance shall be prohibited.” The lots being proposed are 40 feet in width, which means there will be driveways located closer than 50 feet apart.

5. The construction for Shadow Creek Boulevard was detailed in the Statement of Conditions - Condition #14. The table below shows a comparison of Shadow Creek Boulevard with the current Subdivision Control Ordinance standards for a typical Collector, Suburban, Residential Street.

	<b>Current Thoroughfare Plan Standards for a Collector</b>	<b>Shadow Creek PUD Standards for a Collector</b>
Traffic Lane width	10 feet	14 feet
Bike Lane	Required - 4 foot	None provided
Parking Lane	Permitted but not required – 8 feet in width	None provided
Curb and Gutter width	Required - 2 feet	2 feet
Tree Lawn width	Required - 5 feet	5 feet
Sidewalk width	Required - 5 feet	5 feet
R-O-W Width	No less than 65 feet	50 feet

6. There are 14 lots with Alley load product located on the south side of Shadow Creek Boulevard. The alley load product has a building setback of 15 feet from the property line. As originally proposed, there would have been the same product on the north side of the road with the same setback. With the front facing garage, the building setback will become 25 feet and will be setback farther on the lot than the alley load product.
7. With the reconfiguration, the lots along Creekridge Drive and Shadow Creek Boulevard will gain 15 extra feet in length due to the alley being eliminated. Each lot will also be narrowed from 42 feet in width to 40 feet in width. The previous layout contained 47 buildable lots and the new layout will contain 45 lots.
8. Located east of Rolling Knoll Lane, there are 8 alley load lots that will remain. There are currently houses on these lots. The applicant has provided a T-shaped turnaround at this location where the future proposed alley will be eliminated. The Fire Department has provided a comment regarding this turnaround and the details of the turnaround will be reviewed at a later time.
9. The applicant has added a stub street in Section 6A to the undeveloped 40 acre parcel located to the north. Staff had made this recommendation previously, in that the stub street would allow for future development of that parcel. The location of Opossum Creek makes the southwest portion of the parcel inaccessible without the installation of a bridge or culvert. The stub street will allow for additional possibilities for future development of that parcel.

**Shadow Creek Farms Preliminary PUD Plan  
Statement of Conditions #14 Proposed Revisions**

**~~strikethrough~~** – text to be deleted

**underline** – text to be added

TRAFFIC CIRCULATION WITHIN THE DEVELOPMENT. The Development will include a street extending from County Road 200 South to County Road 150 West. This street will be developed as a collector road. The collector road will be constructed using traffic calming techniques, including pavement which in general will be approximately 28 feet in width, using vertical curbs instead of roll curbs, using 5 foot wide sidewalks (rather than 4 foot wide as in other portions of the Project), and having no curb cuts or driveway accesses except ~~those as approved by the City~~ for the amenity area, ~~or other common areas, or improvements within the project or otherwise approved by the City and those for the homes located in Section 6B (with Section 6B being limited to a maximum of 23 lots located on the north side of the collector road, Shadow Creek Boulevard, between its intersections with Creekridge Drive and Rolling Knoll Lane).~~ The collector street will not have driveways having direct access to it. The right-of-way for the collector road will be designed between 50 and 60 feet wide, subject to the detailed site plan approval process, and except where boulevards, turn lanes, or the like require otherwise. The collector road will otherwise be constructed to substantially comply with all City of Columbus standards for collector roads. The collector road shall be posted as "No Parking This Side" along the entire frontage of and on the same side of the road as Section 6B, with such posting to meet all requirements of the City Engineer.

THIS INSTRUMENT PREPARED BY:  
 CURTIS C. HUFF  
 STOEPPELWERTH AND ASSOCIATES, INC.  
 7965 EAST 106th STREET  
 FISHERS, INDIANA 46038  
 PHONE: (317)-849-5935

THIS INSTRUMENT PREPARED FOR:  
 BEAZER HOMES  
 9202 N. MERIDIAN STREET, SUITE 300  
 INDIANAPOLIS, INDIANA 46290

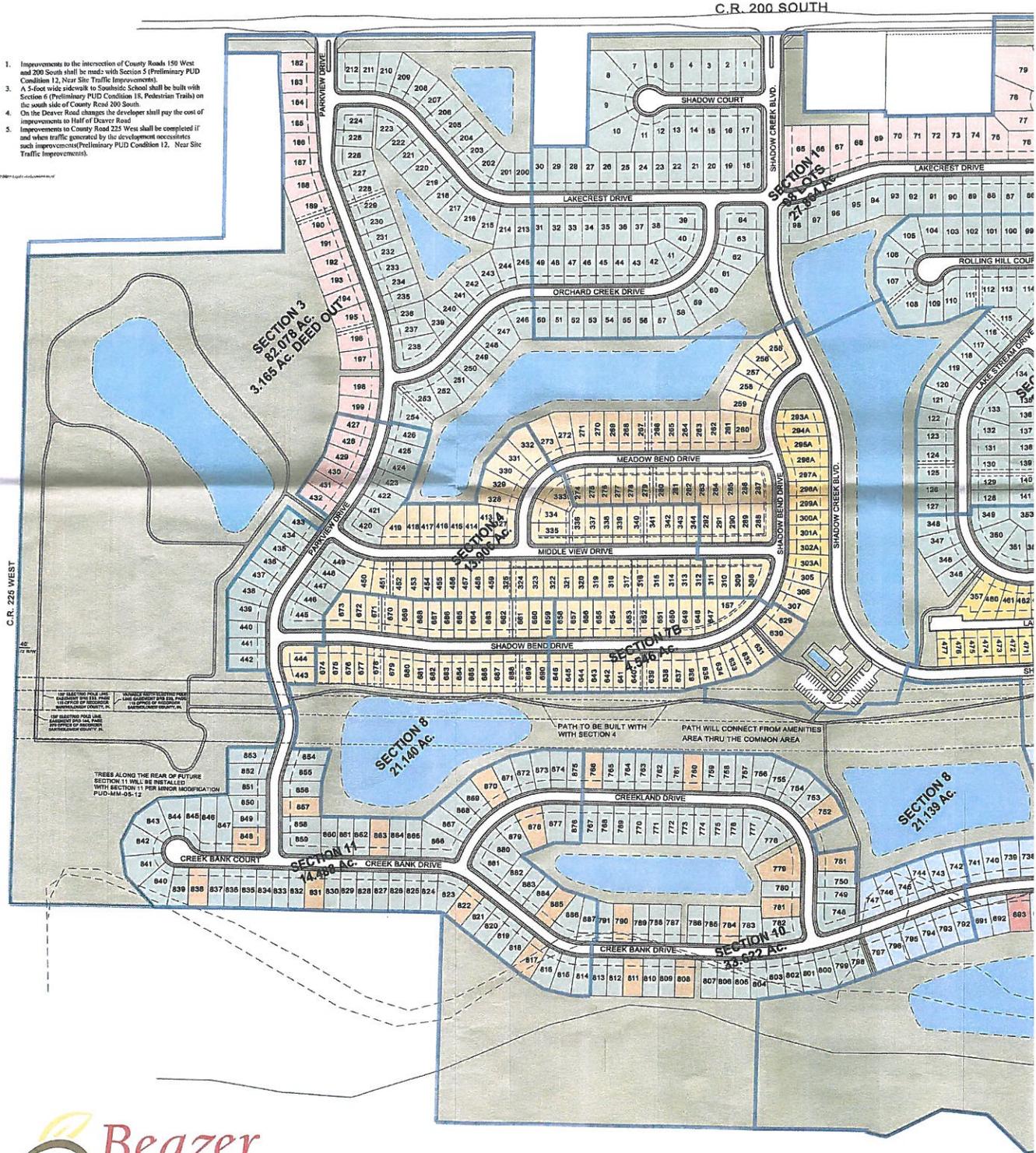
DENSITY CALCULATIONS				
SECTION	HOUSING UNITS	ACRES	DENSITY	TYPE
1	98	27.864	3.52	LAKESIDE, ENCLAVE
2	82	17.351	4.72	LAKESIDE
3	129	82.078	1.57	
4	79	13.906	5.66	
5	111	43.725	2.53	
6A	48	19.027	2.52	
6B	33	5.555	5.94	
7A	45	11.463	3.92	
7B	31	4.546	6.81	
8	32	21.140	1.51	
9	51	27.449	1.86	
10	72	33.622	2.14	
11	74	14.488	5.11	
<b>TOTAL</b>	<b>885</b>	<b>322.214</b>	<b>2.75</b>	

# SHADOW CREEK

Currently Approved Lot

- Improvements to the intersection of County Roads 159 West and 200 South shall be made with Section 5 (Preliminary PUD Condition 12, Near Site Traffic Improvements).
- A 5-foot wide sidewalk to Southside School shall be built with Section 6 (Preliminary PUD Condition 18, Pedestrian Trails) on the south side of County Road 200 South.
- On the Deaver Road, changes the developer shall pay the cost of improvements to Half of Deaver Road.
- Improvements to County Road 225 West shall be completed if and when traffic generated by the development necessitates such improvements (Preliminary PUD Condition 12, Near Site Traffic Improvements).

© 2006 Beazer Homes



THIS INSTRUMENT PREPARED BY:  
 CURTIS C. HUFF  
 STOEPPELWEHR AND ASSOCIATES, INC.  
 7065 EAST 108TH STREET  
 FISHERS, INDIANA 46036  
 PHONE: (317)-849-5936

THIS INSTRUMENT PREPARED FOR:  
 BEAZER HOMES  
 9202 N. MERIDIAN STREET, SUITE 300  
 INDIANAPOLIS, INDIANA 46280

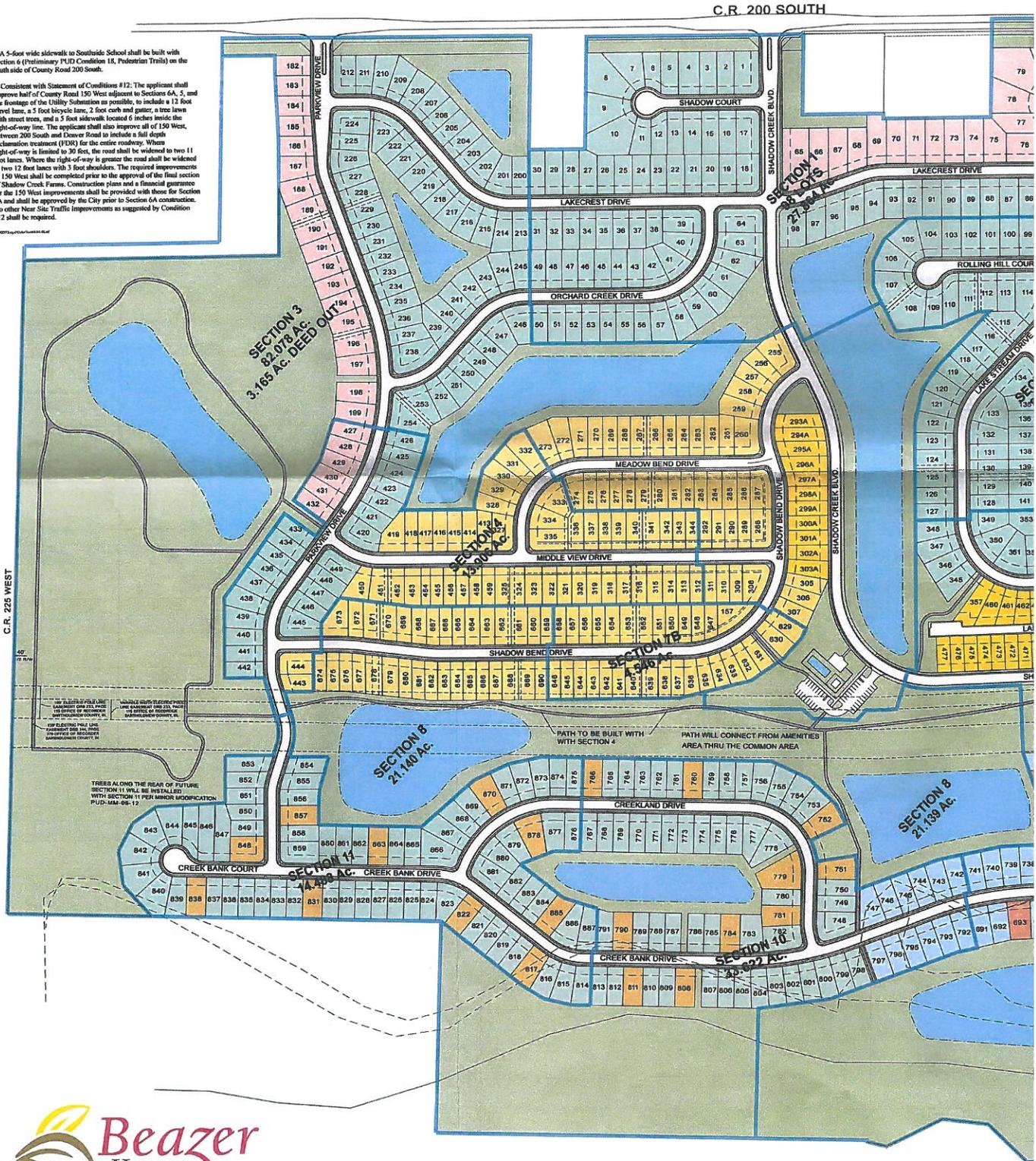
DENSITY CALCULATIONS				
SECTION	HOUSING UNITS	ACRES	DENSITY	TYPE
1	98	27.864	3.52	LAKESIDE, ENCLAVE
2	82	17.351	4.72	LAKESIDE
3	129	82.078	1.57	
4	79	13.906	5.66	
5	111	43.725	2.53	
6A	54	21.667	2.49	
6B	23	2.915	7.89	
7A	45	11.483	3.92	
7B	31	4.546	6.81	
8	32	21.140	1.51	
9	51	27.449	1.86	
10	72	33.622	2.14	
11	74	14.488	5.11	
<b>TOTAL</b>	<b>881</b>	<b>322.214</b>	<b>2.73</b>	

# SHADOW CREEK

Proposed Lot Arran

- A 5-foot wide sidewalk to Southside School shall be built with Section 6 (Preliminary PUD Condition 18, Pedestrian Trails) on the south side of County Road 200 South.
- Consistent with Statement of Conditions #12: The applicant shall improve half of County Road 150 West adjacent to Sections 6A, 5, and the frontage of the Utility Substation as possible, to include a 12 foot travel lane, a 5 foot bicycle lane, 2 foot curb and gutter, a tree lawn with street trees, and a 5 foot sidewalk located 6 inches inside the right-of-way line. The applicant shall also improve all of 150 West, between 200 South and Deaver Road to include a full depth reclamation treatment (FR) for the entire roadway. When right-of-way is limited to 30 feet, the road shall be widened to two 11 foot lanes. Where the right-of-way is greater the road shall be widened to two 12 foot lanes with 3 foot shoulders. The required improvements to 150 West shall be completed prior to the approval of the final section of Shadow Creek Farms. Construction plans and a financial guarantee for the 150 West improvements shall be provided with those for Section 6A and shall be approved by the City prior to Section 6A construction. No other Near Site Traffic Improvements as suggested by Condition #12 shall be required.

SECTION 3 DEED OUT



REVISED: MARCH 1, 2006  
 REVISED: APRIL 4, 2006  
 REVISED: DECEMBER 15, 2014  
 REVISED: DECEMBER 31, 2014

RESOLUTION NO. \_\_\_\_\_, 2015

**A RESOLUTION OF THE COMMON COUNCIL OF THE  
CITY OF COLUMBUS TO APPROVE THE SALE OF PROPERTY LOCATED AT  
148 LINDSAY STREET, COLUMBUS (PUMPHOUSE)**

**WHEREAS**, the City of Columbus (the "City") owns property located at 148 Lindsay Street which is commonly known as the Pumphouse (the "Pumphouse");

**WHEREAS**, the City of Columbus Board of Works and Public Safety ("BOW") did approve a disposal process and request for proposal on February 10, 2015 ("RFP");

**WHEREAS**, the City received one proposal prior to the deadline from Moravec Realty, LLC (the "Proposal");

**WHEREAS**, the Proposal meets the minimum criteria included in the RFP;

**WHEREAS**, the Proposal states a purchase price of \$285,000 which is the average of the two appraisals;

**WHEREAS**, the BOW feels that accepting the Proposal is in the best interest of the City and approved a recommendation to accept the Proposal on March 10, 2015 (the BOW Resolution and Proposal is attached hereto as Exhibit "A" and incorporated by reference herein);

**WHEREAS**, pursuant to I.C. 36-1-11-3, the Common Council of the City (the "Council") must approve every sale of real property for which the appraised value is fifty thousand dollars (\$50,000) or more; and

**WHEREAS**, the City has completed the statutorily required steps as outlined in I.C. 36-1-11 *et seq.* to dispose of the Property and requests that the Council approve the sale of the Property in the amount of \$285,000 to Moravec Realty, LLC.

**NOW THEREFORE BE IT RESOLVED BY THE COLUMBUS COMMON COUNCIL THAT** the sale of the Property between the City of Columbus and Moravec Realty, LLC in the amount of \$285,000 as set forth in the Proposal and subject to the RFP attached as Exhibit "A" is hereby approved.

**BE IT FURTHER RESOLVED** that the Mayor be and is hereby authorized and empowered and directed to take any and all further actions necessary to effect the sale of the Property.

**THE FORGOING RESOLUTION OF THE COMMON COUNCIL IS ADOPTED BY THE COMMON COUNCIL OF COLUMBUS, INDIANA**, on this the \_\_\_\_ day of \_\_\_\_\_, 2015, by a vote of \_\_\_\_ ayes and \_\_\_\_ nays.

\_\_\_\_\_  
Kristen S. Brown, Mayor  
Presiding Officer of the Common Council

**ATTEST:**

\_\_\_\_\_  
Luann Welmer  
Clerk of the Common Council

Presented by me to the Mayor of Columbus, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2015  
at \_\_\_\_\_ o'clock \_\_\_\_\_M.

\_\_\_\_\_  
Luann Welmer  
Clerk-Treasurer

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2015, at \_\_\_\_\_ o'clock \_\_\_\_M.

\_\_\_\_\_  
Kristen S. Brown  
Mayor of the City of Columbus, Indiana

**Exhibit "A"**

**(Resolution No. 4, Board of Works and Public Safety, Adopted March 10, 2015)**

RESOLUTION NO. 4, 2015

**A RESOLUTION OF THE BOARD OF PUBLIC WORKS AND SAFETY  
TO RECOMMEND THE ACCEPTANCE OF AN  
PROPOSAL TO PURCHASE CERTAIN PROPERTY**

WHEREAS, the City of Columbus (the "City") owns property located at 148 Lindsay Street which is commonly known as the Pumphouse (the "Pumphouse");

WHEREAS, the City of Columbus Board of Works and Public Safety ("BOW") did approve a disposal process and request for proposal on February 10, 2015 ("RFP");

WHEREAS, the City received one proposal prior to the deadline from Moravec Realty, LLC (the "Proposal") (the Proposal is attached hereto as Exhibit "A");

WHEREAS, the Proposal meets the minimum criteria included in the RFP;

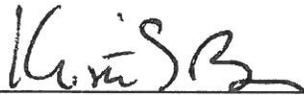
WHEREAS, the Proposal states a purchase price of \$285,000 which is the average of the two appraisals; and

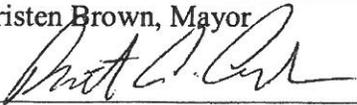
WHEREAS, the BOW feels that accepting the Proposal is in the best interest of the City.

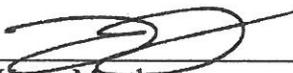
**NOW THEREFORE BE IT RESOLVED BY THE CITY OF COLUMBUS BOARD OF WORKS AND PUBLIC SAFETY THAT** it recommends the sale of the Pumphouse to Moravec Realty, LLC in the amount of \$285,000 subject to all the required terms in the RFP and as set forth in the Proposal attached as Exhibit "A".

**BE IT FURTHER RESOLVED** that the Mayor be and is hereby authorized and empowered and directed to take any and all further actions necessary to effect the sale of the Property.

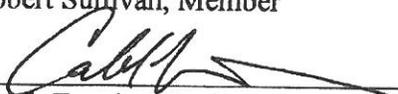
**ADOPTED BY THE BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF COLUMBUS, INDIANA ON THE 10<sup>th</sup> DAY OF MARCH, 2015.**

  
\_\_\_\_\_  
Kristen Brown, Mayor

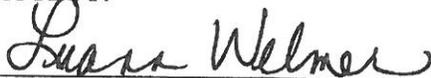
  
\_\_\_\_\_  
Robert Crider, Member

  
\_\_\_\_\_  
Jason Hyer, Member

  
\_\_\_\_\_  
Robert Sullivan, Member

  
\_\_\_\_\_  
Caleb Tennis, Member

ATTEST:

  
\_\_\_\_\_  
Luann Welmer, Clerk-Treasurer

**EXHIBIT "A"**

**(MORAVEC REALTY, LLC PROPOSAL)**



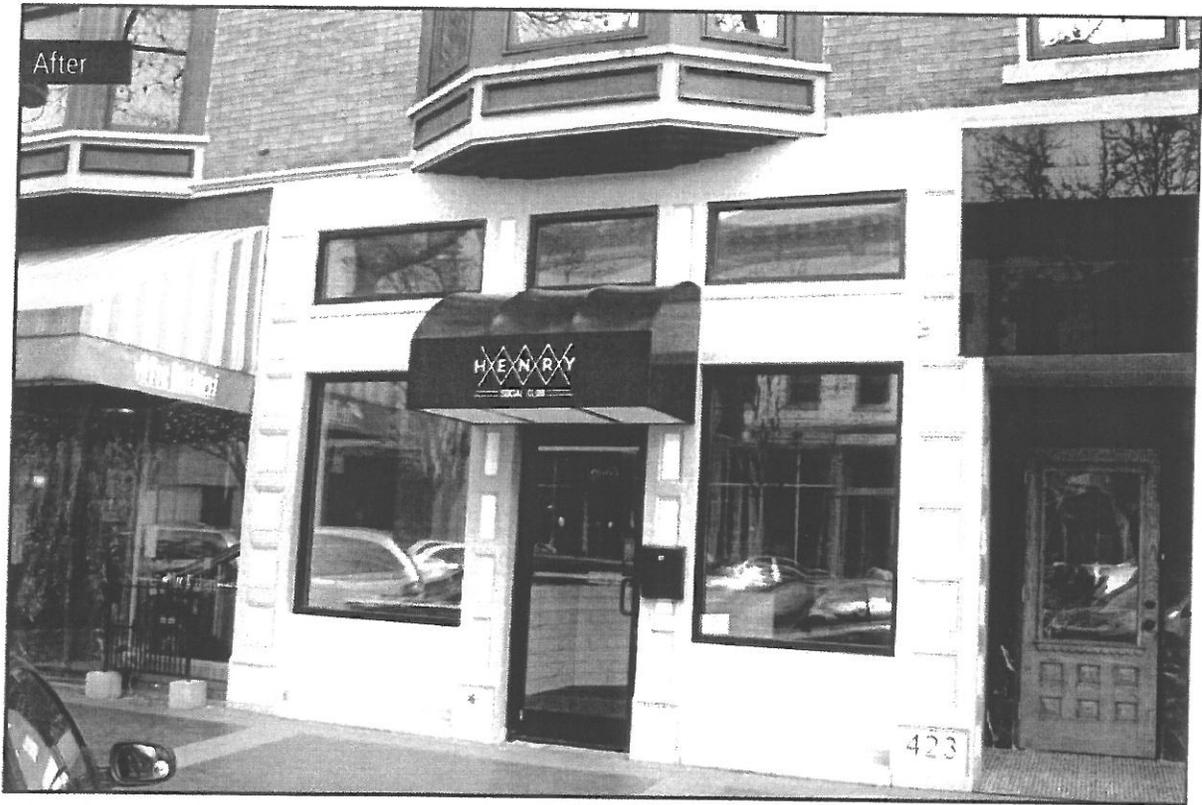
## **Pump House Proposal**

148 Lindsay Street, Columbus

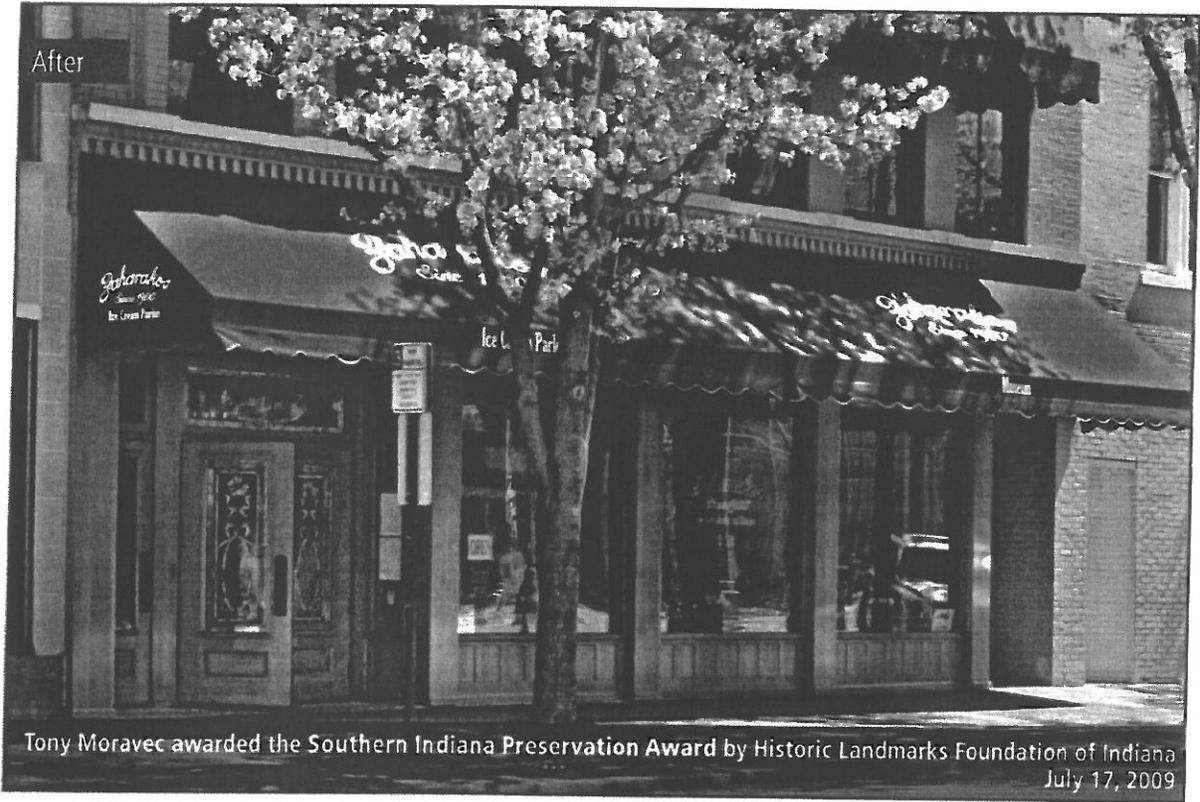
1. Financial Strength / Background
2. Regional Draw / History / Experience and Confidence of Success
3. Demographics Served
4. Timing
5. Websites and Contact Information

Submitted by  
Moravec Realty, LLC

February 27, 2015



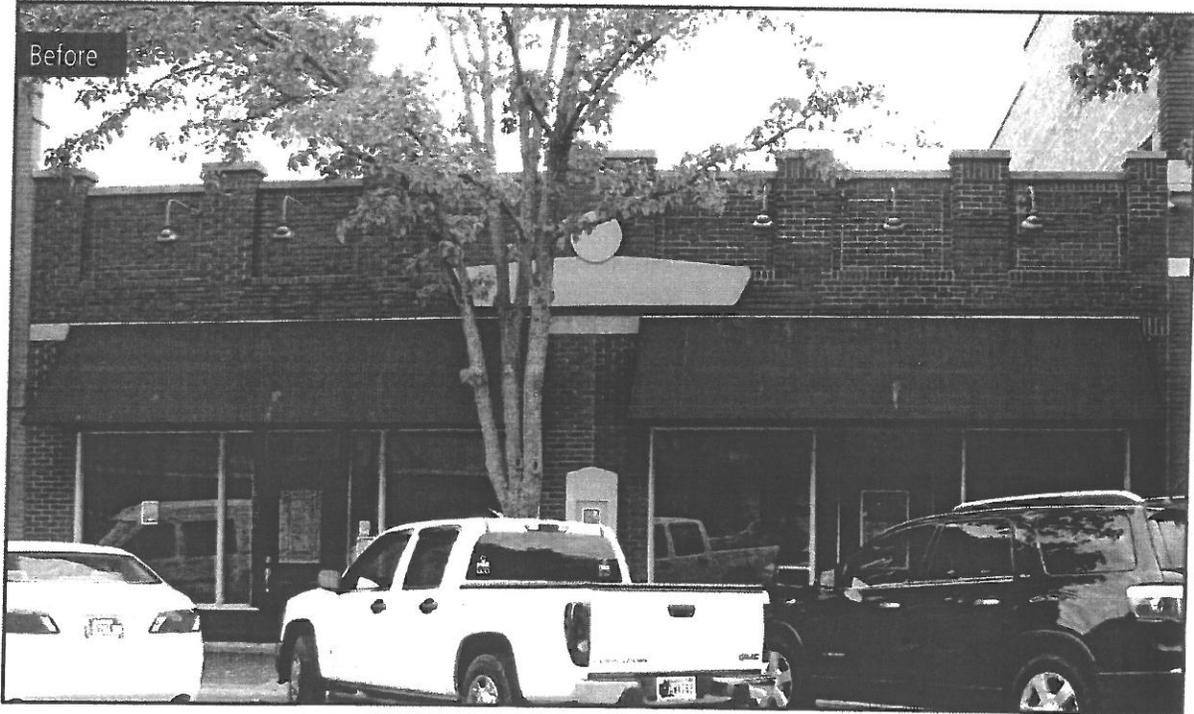
423 Washington Street



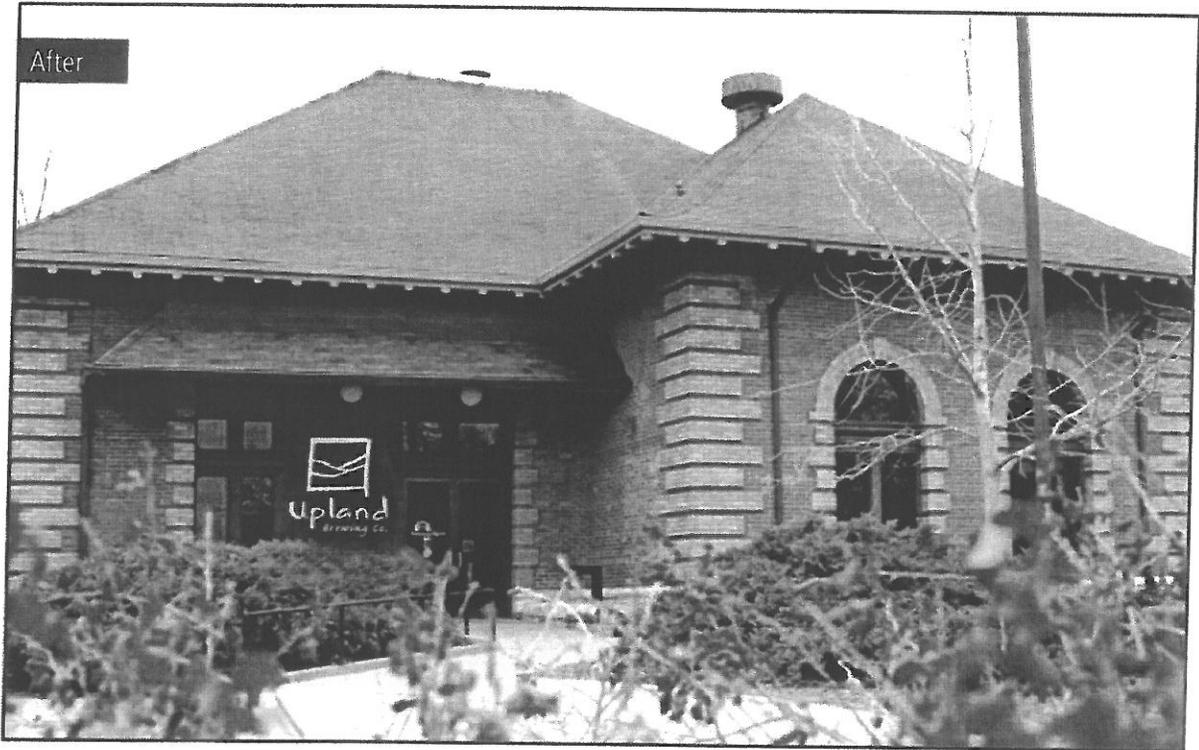
After



Before



534 Washington Street



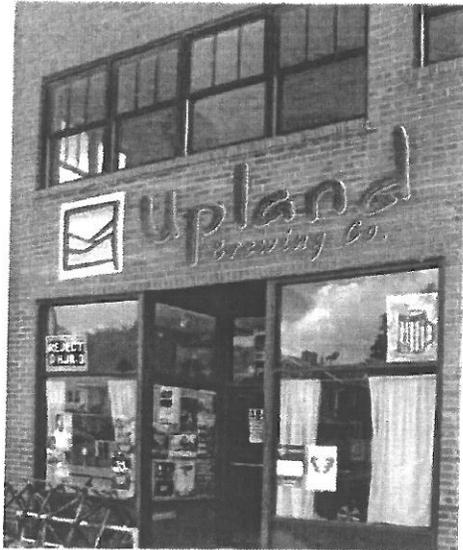
**2. Regional Draw / History / Experience and Confidence of Success**



350 W. 11th Street • Bloomington, Indiana



4060 Profile Parkway • Bloomington, Indiana



4842 N. College • Broad Ripple, Indiana



820 E. 11th Street • Carmel, Indiana

Anthony Moravec and Ryan Moravec are also principals in Upland Brewing Co. in Bloomington, Indiana.

Upland Brewing Co., headquartered in Bloomington, Indiana, will be the new tenant in the Pump House. Upland Brewing is a growing brewery and pub eatery with four locations in Indiana as pictured—Bloomington (2), Carmel (1) and Broad Ripple (1).

Upland Brewing has been in business for over 15 years and has grown from scratch to several million dollars. Currently, there are plans for additional expansion and locations.

Due to Upland Brewing's connection to Bloomington/Indiana University, it is well known throughout the state. It is the second largest brew pub in Indiana.

We are confident that we have the ability to invest \$1.5 - \$2.0 million over the next year to a year and half to create a viable regional brew pub establishment based on our history in development/acquisition and operation of a successful family friendly establishment.

The tenant has experienced a successful and growing business model for the past 15 years. The company is well managed from its home office in Bloomington, Indiana, and sees the Columbus location as a perfect fit, particularly in the location of the Pump House.



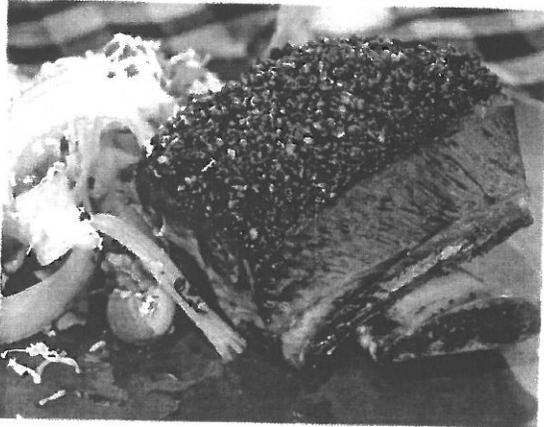
### 3. Demographics Served



The brew pub concept is a family friendly concept. People of all ages are welcome. Although there is a small bar area for patrons 21 and over, the rest of the dining room is family friendly. Highchairs and booster seats are available for younger guests.



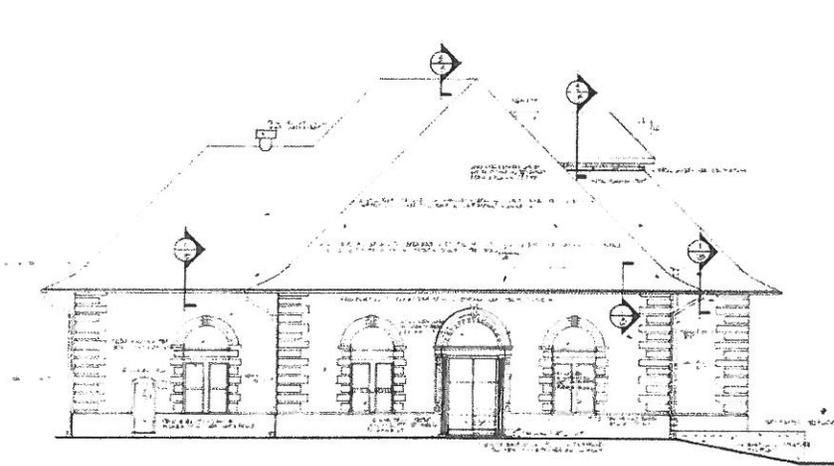
Upland utilizes local meats and produce whenever possible when designing lunch, dinner and weekly specials. Creative and delicious vegetarian and vegan options are offered. The menu also includes a wide variety of dishes designed especially for children.



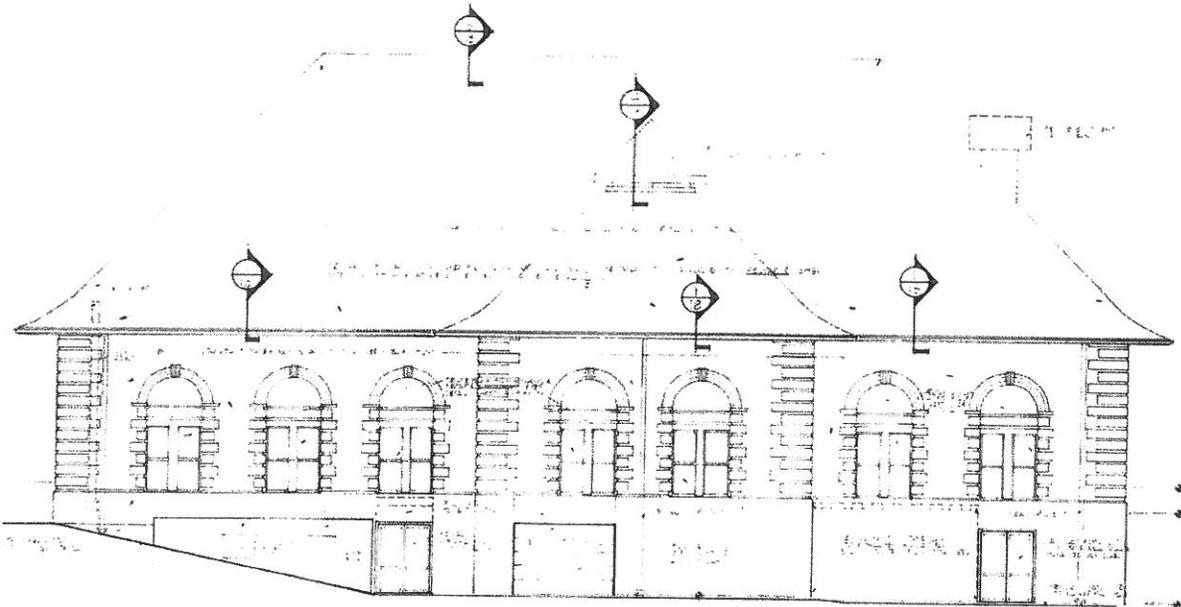


#### 4. Timing

Moravec Realty, LLC. has the ability to improve the property with reasonable promptness. As soon as the property is acquired, plans for the renovation will begin. Our ultimate concept will be very similar to those already functioning in Bloomington and Carmel at the Upland Brewing sites, which have proved to be successful.



**NORTH ELEVATION**  
SCALE: 1/4" = 1'-0"



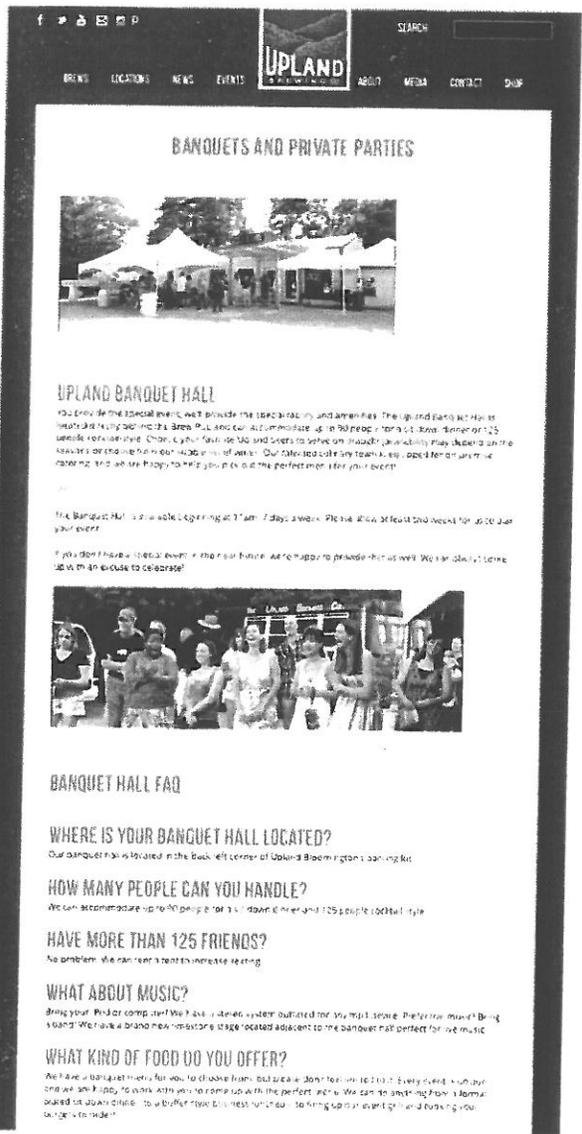
**WEST ELEVATION**  
SCALE: 1/4" = 1'-0"



## 5. Websites and Contact Information



**Upland Brewing Co.**  
 Website: [www.uplandbeer.com](http://www.uplandbeer.com)  
 Ryan Moravec – Principal  
[rmoravec@blairex.com](mailto:rmoravec@blairex.com)  
 Anthony Moravec – Principal  
[tmoravec@blairex.com](mailto:tmoravec@blairex.com)





**Zaharakos Ice Cream Parlor and Museum**

Website: [www.zaharakos.com](http://www.zaharakos.com)

Anthony J. Moravec – Owner  
 tmoravec@blairex.com  
 812-378-1864

**Moravec Realty**

George Breeden  
 gbreeden@moravecrealty.com  
 812-374-4509



[www.zaharakos.com](http://www.zaharakos.com)



1600 Brian Drive  
Columbus, IN  
47201

812-378-1864  
Fax 812-378-1033

www.moravecrealty.com

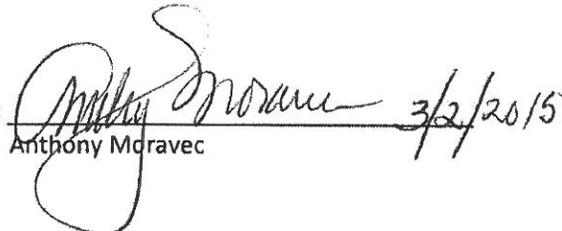
**Addendum  
For  
Moravec Realty, LLC's Proposal**

**Date:** March 2, 2015

**Property Location:** 148 Lindsay Street, Columbus, IN

This Addendum is to inform the City of Columbus that we understand that per the Request for Proposal and Notice to Bidders, dated February 10, 2015, on page 2, section (Criteria), number six, the initial offer of sales price for the property must be \$285,000.00 to be eligible to participate in the bidding process.

By:

  
Anthony Moravec

3/2/2015

MAR 2 2015