

Memo

To: City Council
From: Joanie Fitzwater
cc: Mayor Guy Titus
Date: September 20, 2024
Re: Adoption of Legacy at Springhurst PUD Amendment

The Legacy at Springhurst Retirement Community received a recommendation of approval from Plan Commission to amend the PUD Development Statement and PUD Plan. The amendment increases the maximum density allowed on the site from 58 to 75 residential units.

Originally, the two lots at the entry to the community were zoned for neighborhood commercial use. In 2018 the use for these two lots was changed back to residential use by an Ordinance adopted by Council, however, the density cap was not amended to account for additional units at that time.

The current PUD amendment will allow the owner to provide eight 2- family units as indicated on the attached Amended PUD Plan. The staff report is attached for additional detailed information.

I plan to attend the Oct 9 Council meeting as Council requested. The petitioner is notified of both Council meetings and your request for their attendance at the Oct. 9 meeting.

Please let me know if you have any questions or would like to discuss in more detail.

Thank you.

DUD24-01 & PUD24-01 Trilogy Real Estate of Hancock, LLC, requests approval of an amendment to a **Planned Unit Development Plan and Detailed Planned Unit Development plan**, 3.09 +/- acres, 600 Block of North Meridian Road, zoned PUD known as **Legacy at Springhurst Retirement Community**.

EXHIBITS:

1. **PUD Amendment Statement**
2. **Copy of PUD Ordinance 2018-4**
3. **Draft Ordinance Revision for Council**
4. **Amended Preliminary PUD and Detailed Unit Development Plan, 8/14/2024.**
5. **Elevations of proposed Duplexes**
6. **Trilogy Health Services Letter re: Parking Needs at Memory Care Facility**

Location and Surrounding Uses:



Aerial Map



Zoning Map

- North** - Spring Oaks Health Center zoned "PUD"
- South** - Outside corporate city limits, single family, - Sawmill Subdivision, single family, zoned "PUD"
- East** - Liberty Shores Subdivision, single family, zoned "RL – Residential Low Density"
- West** - Future Section of Sawmill, single family, zoned "PUD"

PUD HISTORY

This petition seeks to amend a 2003 Preliminary and Detailed Planned Unit Development plan and plat which was amended in 2008, 2009, and 2018. The PUD/DUD was granted an extension in 2011, administratively amended in 2012, amended again in 2014 to account for changes in phasing and the product being constructed, and most recently amended in 2018 to change the use on lots one and two from commercial to residential while increasing the number of units and density allowed within the PUD. The property was re-platted in 2014 to move the Lot One lot line further east.

Originally, the Petitioner was Springhurst Land Company and the name of the PUD was "Reflections at Springhurst". In 2008, Trilogy Health Services began development of the site and

it is now known as Legacy at Springhurst Retirement Community. The original 2003 PUD was an age-restricted development, consisting of 48 condominium units and 90 apartments, with a density of 8.24 units per acre. The plan also included a clubhouse and pool and associated accessory uses. The 2008 petition proposed a 22,000 square-foot, 30-bed Alzheimer Care Building, 28 independent-living rental duplex and quad villas, and a clubhouse. The minimum size of the independent living units was approved at 1,100 square feet, and no more than 28 residential units were allowed.

The 2009 amendment extended the PUD approval and added two commercial out lots for professional and personal services at the entry fronting on Meridian Rd.

The 2018 petition changed the uses of lots one and two from commercial to residential, increased both the total number of allowed units within the PUD and the allowed density of those units, and reduced the minimum separation distance between buildings.

The current proposal will increase the number of residential units both in the rental duplexes and in the Alzheimer care building, but it still remains lower than the original proposal when the community was first planned.

All residential units in the Springhurst Retirement Community Planned Unit Development are restricted for occupancy to independent residents seeking to lease a unit in the Villas, and for residents with memory care needs in the Alzheimer Building, all under the provisions of the Federal Fair Housing Act.

CURRENT PRELIMINARY PUD AMENDMENT

The current proposal is to amend the section of the PUD ordinance in Section III.E and Section V. Density.

Section III.E defines restrictions and requirements for parking spaces and driveway width within the Memory Care Facility and the Villas and would be amended as follows. Off-Street Parking Space Requirements would be reduced from 1 space per unit to 32 spaces at the Memory Care Facility (Alzheimer building).

Section V. Density defines the number and type of units allowed within the development. This section would be amended to increase the total number of units allowed within the development from 58 to 75. This section would further be amended to set the maximum potential villas at 40 (20 duplexes), which was previously 28 Villas (14 duplexes). This section would further be amended to increase the maximum potential Resident Beds in the Alzheimer's Building from 30 to 35.

FINDINGS

The intent of the PUD district is to provide more development flexibility than is possible through the application of customary zoning regulations and to simplify the Zoning and Planning process; all in a manner that is consistent with the best interests of the City.

Section **155.019.2.B** of the UDO regarding PUDs requires an examination of the intensity and density of the proposed use to ensure it is consistent with the Comprehensive Plan. This proposal is a modification of a previously acceptable PUD that was consistent with the Comprehensive Plan. This density is still less than the originally approved PUD. The Comprehensive Plan indicates this property is designated for residential development between 5-7 units per acre, so the proposal fits within those recommendations having a density of approximately 5 units per acre.

Section 36-7-4-603 of Indiana Code provides several criteria for determining changes to the zoning ordinance or zoning map. The five elements in this section are the criteria by which the City evaluates rezone requests. Section 36-7-4-603 states that "the plan commission and legislative body shall pay reasonable regard to:

(1) The comprehensive plan;

Findings: The density of this proposal is less than the original PUD approval, which was higher at 5-7 units per acre. The original proposal was found to meet the intent of the comprehensive plan, and this proposal is less intense and therefore not contradictory to the Comprehensive Plan.

(2) Current conditions and the character of current structures and uses in each district;

Findings: The property is currently used for a residential care structure as well as independent living villas. Adding additional villas is consistent with the current character of the development. The additional villas will be required to meet similar design standards as those of the villas constructed in prior phases. The petitioner is not actually adding new units to the memory care facility. The increase is accounting for what was actually built.

(3) The most desirable use for which the land in each district is adapted;

Findings: As identified in the comprehensive plan and indicated by the previous approval of a similar PUD at this location, the most desirable use for this area is residential, and specifically for age-targeted development.

(4) The conservation of property values throughout the jurisdiction;

Findings: The residential development would not create a situation that creates an adverse negative impact on property values in the jurisdiction. It is consistent with the previously developed phases.

(5) Responsible development and growth.

Findings: The PUD district as amended is supported by the existing development patterns of previous phases and additional residential development near the site.

DETAILED DEVELOPMENT PLAN AMENDMENT

The current proposal is to amend the approved Detailed Unit Development Plan as follows:

- 1.) Reduce the setback of lots 1 and 2 along 60' to 40'. The reduced setback is consistent with residential setbacks existing on Meridian Rd.
- 2.) The Creation of Private Drives north and south of Legacy Ln to service new duplex "Villas" within Lots 1 and 2. The southern drive will connect to the parking lot of the Memory Care Facility.
- 3.) Build 8 Villas (2-unit duplexes) along the new Private Drive(s) within Lots 1 and 2. 2 Villas will be built in Lot 1 to the north. 6 villas will be built in Lot 2 to the south.

Section 155.083 of the UDO states the Plan Commission shall have the authority to approve or disapprove all development plans. This action of the Plan Commission is a final decision, which may then be subject to judicial review.

155.083.9.B *The Plan Commission shall review the development plan request to determine if the development plan*

- i. Is consistent with the comprehensive plan;*
- ii. Satisfies the development requirements specified and as identified in the staff report.*

155.083.9C *If these criteria are satisfied, the Plan Commission may approve the development plan as submitted, or approve the plan with one (1) or more of the following options:*

i. The Plan Commission may impose conditions on the approval of a development plan, if necessary to satisfy the development requirements specified in section 155.083.2

ii. The commission may provide that approval is conditioned on furnishing a bond or written assurance, in accordance with Indiana State Law, that guarantees completion of the proposed public improvements in the development, which is satisfactory to the commission.

iii. The Plan Commission may require the owner to make a written commitment.

155.083.D *If the Plan Commission finds that the submitted plan does not meet the required criteria, the commission shall disapprove the Development Plan.*

In General the Plan Commission must be satisfied that the development provides:

1) Compatibility with surrounding land uses and consistent with the comprehensive plan;

This proposal is a modification of a previously acceptable PUD that was found to be consistent with the Comprehensive Plan in terms of density and usage. The single-family development that surrounds Legacy at Springhurst indicates that the lower density here could allow for a smooth transition.

Findings: Staff finds that the proposal is compatible with the existing surrounding land uses and is consistent with the Comprehensive Plan.

2) Utilities availability;

Tech Review has established that all utilities are on site with previous phases of development. Various departments issued requests for modifications to the site and construction that should be corrected prior to permitting.

Findings: Staff finds that all necessary utilities are available or can readily be made available to all developments in this proposal.

3) Traffic Management that is favorable to health, safety, convenience, and the harmonious development of the community;

2 private shared drives onto Legacy Lane will be installed to facilitate access to and from the proposed Villas. The increase in allowed villas necessitated the creation of a connecting drive south of Legacy Lane which connects to the adjoining parking lot for the Memory Care Facility. These will be private drives lined with pedestrian walkways. The connecting drive will eliminate 4 of the existing 36 spaces for the memory care facility. Trilogy states that they do not fill the parking lot now, but do have overflow parking areas if it were needed.

Findings: Staff finds that the additional driveway connection to be appropriate means of traffic management for this site and particular development.

4) Vehicular and pedestrian circulation on-site, with appropriate tie-ins to adjacent public circulation systems.

Sidewalks are proposed for the new residential units along the west side and north side of the private drive leading south from Legacy Lane, servicing the 6 southern villas, and connecting into the parking lot of the Memory Care Facility from Legacy Lane. These sidewalks connect to the existing sidewalk network within the larger Legacy at Springhurst development, and to the residential areas surrounding it.

Findings: Staff finds that both vehicular and pedestrian circulation and connections have been well provided for with this proposal.

5.) Compatible with scale, materials, and style of improvements with the surrounding areas

The proposal is a mix brick and siding which meets the previous standards created for the site.

Findings: Staff finds this to be compatible with both the existing development within this larger site as well as the surrounding single-family residential neighborhoods.

6.) Development Standards:

The previously submitted and approved “**Springhurst Retirement Community Development Standards**” establish authority for regulation of the site. The Standards state that any guidelines or requirements not specified by that document shall be governed by the Ordinances of the City of Greenfield, and any other governmental entity having jurisdiction.

Findings: Staff finds that the proposed development meets the standards set forth in the PUD.

7.) Finding: The development plan application procedures have been followed correctly.

Staff Recommendation: PUD24-01 Recommend the amended Preliminary Unit Development district for this property to the Common Council, subject to the preliminary plan, development standards, and development statement dated August 14, 2024, and the following conditions:

1. Amend the PUD Development Standards to reflect the changes to parking requirements under Section III.E as follows:

	<u>Memory Care</u>	<u>Villas</u>
Off-Street Parking Spaces	32 spaces	2 car per unit
i. Parking space size	10'x20'	n/a
ii. Driveway width	n/a	16-feet

2. Amend the PUD Development Standards to reflect the changes to Density under Section V.Density to reads as follows:

- “A. The total number of units in Springhurst Retirement Community will not exceed 75.
- B. Of the maximum potential 40 villas (in 20 duplex buildings) and 35 Resident Beds in the Alzheimer’s Building, the total number of Units in Springhurst Retirement Community shall not exceed 75.”

3. Any use not set forth in the Development Standards included in the staff report shall be subject to an additional Detailed Unit Development Plan review by the staff and the Plan Commission.

Staff Recommendation: DUD24-01 Approve the Detailed Unit Development plan, subject to the submitted plans and the Springhurst Retirement Community Development Standards, dated August 14, 2024, and the following conditions:

1. The Amended PUD Development Statement Ordinance shall be adopted by the City Council.
2. Residential structures built on Lots 1 & 2 will adhere to the previously determined development standards as amended by this proposal and outlined for Villas in the Development Standards Matrix.
3. Detailed landscaping plans shall be created at the time of Improvement Location permit application that are consistent with prior phases, indicating:
 - plantings around the buildings, signs, and within the open areas within the development, where applicable.
4. The plat shall be amended and recorded.
5. All public improvements shall conform to the Public Improvements Design Manual. The design and installation of all public infrastructures shall be subject to the approval of the appropriate governmental agency.
6. Subdivider shall complete all public improvements as required by a Subdivision Improvement Agreement between the Subdivider and the Board of Public Works and Safety, prior to recording the plat, or the applicant shall submit surety on an approved form, in an amount equal to 110% of the cost of the uncompleted improvements at the time of plat recording.
7. Applicant shall submit one electronic copy (tiff or pdf) of the recorded plat to the City Engineering Department, and electronic cad and GIS shape files for incorporation into the city's records and Geographic Information System.
8. Street names shall be approved prior to plat recording.
9. Addresses shall be assigned in accordance with Chapter 157, Greenfield Addressing Code and shall be recorded on the plat.
10. Water, Sewer, and Electric availability fees shall be paid prior to plat recording, where applicable.
11. Water, Sewer, and Power connection fees, recreational impact fees, if applicable, and building permit fees shall be paid at time of permitting.