

FCO 2016 – 7

Floyd County Board of Commissioners

Ordinance Pertaining to the Establishment of a Planned Unit Development

PUD-NC-01 – Serenity Center

Whereas, the Floyd County Board of Commissioners met on April 19, 2016, in this matter pursuant to IC 36-7-4-1500 series; and

Whereas, the Floyd County Plan Commission provided the Board of Commissioners a favorable recommendation (9-0) for the proposed Planned Unit Development known as Serenity Center. The Plan Commission held a public hearing on the matter on March 21, 2016 and heard from both opponents and proponents of the proposed zoning change. The zoning classification has been amended as follows:

1. The following attached Exhibit A legal description has been changed from a zoning classification of NC (neighborhood commercial) to Planned Unit Development PD-NC-01 to permit a mixed use development on 5.1+/- acres in accordance with Exhibit B proposed Detailed Development Plan, attached, and :
 - a. The Planned Unit Development District PD-NC -01 shall be developed in conformance with the PUD plan, said plan presented and received a favorable recommendation at the Floyd County Plan Commission meeting on March 21, 2016.
 - b. The Planned Unit Development District PD-NC-01 shall also be developed in conformance with the voluntary written commitments agreed by the applicant and set forth as Exhibit C.
 - c. Those written commitments shall be recorded in the Floyd County Recorder's Office and shall be submitted for record to the Floyd County Plan Commission prior to any development of the parcels.
2. The land use for this PD-NC-01 shall be limited to a mixed use development as described in the detailed development plan district.

Now, Therefore,

BE IT ORDAINED, that the Floyd County Zoning Ordinance and Map is amended as indicated on the attached exhibits.

So Ordained this 19th of April 2016.



Stephen A. Bush, President



Charles A. Freiburger, Member



D. Mark Seabrook, Member

Attest:



Scott Clark, County Auditor

Exhibit A Legal Description

JH

Key No. 002-0630-150✓

WARRANTY DEED

THIS INDENTURE WITNESSETH, that Cecil Pate Romans and R. Susan Romans, husband and wife, of Floyd County, Indiana, as grantors, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged,

CONVEY AND WARRANT

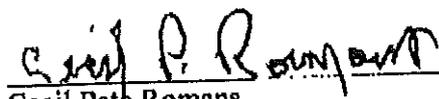
to Serenity Properties, LLC, an Indiana limited liability company, as grantee, the following described real estate in Floyd County, Indiana, to-wit:

See attached "Exhibit A" for legal description.

This conveyance is made subject to all applicable easements, rights-of-way, restrictions, and agreements of record.

Real estate taxes having been apportioned between the grantors and grantee herein, the grantee hereby assumes and agrees to pay the first installment of real estate taxes for the year 2003, payable in 2004, and all subsequent real estate taxes.

IN WITNESS WHEREOF, the said grantors have hereunto set their hands this 13th day of February, 2004.


Cecil Pate Romans


R. Susan Romans

(C)

WILLIAM B. GIBSON
CIVIL ENGINEER & LAND SURVEYOR
5421 STATE ROAD 62
GEORGETOWN, IN 47122
812/945-4669

January 27, 2004

(Gray House at 5064 S.R. 62)

DESCRIPTION FOR THE PROPERTY AT
5064 STATE ROAD 62
IN FLOYD COUNTY, INDIANA

Being a part of the southwest quarter of Section 1,
Township 3 South, Range 5 East, in Floyd County, Indiana,
and being the same property conveyed to Roszella S.
Romans, as described by deed recorded in Deed No.
200014892, said tract being more particularly described as
follows: Beginning at an iron pipe at the southeast corner
of Lot 16 of Floyd County, Indiana, Plat No. 629, said pipe
being the true point of beginning of the tract being herein
described, thence with the East line of said Lot 16, North
01 deg. 04 min. 56 sec. West 140.00 feet to an iron pipe,
thence with the south line of Malette (Deed No. 200112154),
North 87 deg. ⁵⁰30 min. 00 sec. East 266.99 feet to a rebar,
thence South 02 deg. 10 min. 00 sec. East 105.00 feet to a
rebar, thence North 87 deg. 50 min. 00 sec. East 473.30
feet to a point in the centerline of State Road 62, thence
with the centerline of State Road 62, South 38 deg. 01 min.
48 sec. West 45.79 feet to a point, thence South 87 deg. 50
min. 00 sec. West 713.38 feet to the true point of
beginning, containing 1.23 acres, more or less, and being
subject to the right of way of State Road 62 and easements
of record.

The above description is based on previous surveys and
deeds, and is not based on a current survey.



EXHIBIT A

Key No. 002-0630-070 ✓

WARRANTY DEED

THIS INDENTURE WITNESSETH, that Roszella S. Romans, of Floyd County, Indiana, as grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged,

CONVEYS AND WARRANTS

to Serenity Properties, LLC, an Indiana limited liability company, as grantee, the following described real estate in Floyd County, Indiana, to-wit:

See attached "Exhibit A" for legal description.

This conveyance is made subject to all applicable easements, rights-of-way, restrictions, and agreements of record.

Real estate taxes having been apportioned between the grantor and grantee herein, the grantee hereby assumes and agrees to pay the first installment of real estate taxes for the year 2003, payable in 2004, and all subsequent real estate taxes.

IN WITNESS WHEREOF, the said grantor has hereunto set her hand this 13th day of February, 2004.

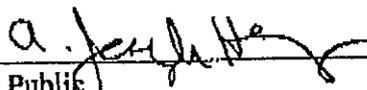

Roszella S. Romans

STATE OF INDIANA)
) SS:
COUNTY OF HARRISON)

BEFORE ME, the undersigned, a Notary Public, in and for the above-named County and State, this 13th day of February, 2004, personally appeared Roszella S. Romans, and acknowledged the execution of the foregoing Deed.

WITNESS my hand and notarial seal.

My Commission expires:
April 22, 2008



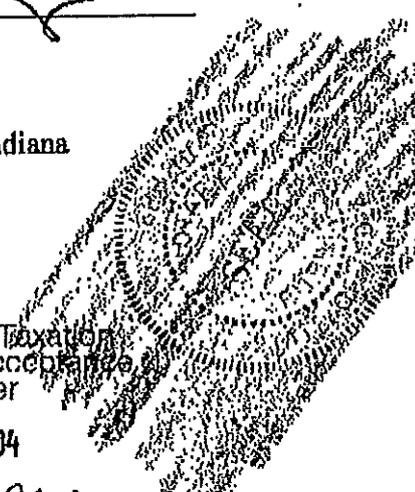
Notary Public
A. Joseph Heinz
Printed Name
Resident of Floyd County, Indiana

Mail Tax Statements To:

1270 Edwardsville-Galeva Rd.
Georgetown, IN 47122

Duly Entered For Taxation
Subject To Final Acceptance
For Transfer

FEB 17 2004


Jerome A. Plaiss
AUDITOR FLOYD CO. IND.

This instrument prepared by:
A. Joseph Heinz, Attorney at Law
326 E. Court Avenue
Jeffersonville, Indiana 47130
Phone (812) 288-5757



DAVID J. RUCKMAN CO.

SURVEYORS, PLANNERS, CONSULTANTS
4259 STONE MOUNTAIN ROAD
NEW ALBANY, INDIANA 47150
(812) 949-8394 (812) 941-9432 fax

JANUARY 30, 2004

LAND DESCRIPTION
ROMANS - 1.32 ACRES

BEING A 1.32 ACRE PARCEL OF LAND LYING IN SECTION 1, TOWNSHIP 3 SOUTH, RANGE 5 EAST, GEORGETOWN TOWNSHIP, FLOYD COUNTY, INDIANA, BEING PART OF THOSE SAME LANDS AS CONVEYED TO ROZELLA SUSAN ROMANS AS DESCRIBED IN DEED RECORD 26, INSTRUMENT 10797. SAME BEING BOUNDED AS FOLLOWS:

COMMENCING AT AN IRON PIPE AT THE SOUTHEAST CORNER OF LOT NUMBER 16 OF PLAT NUMBER 629; THENCE NORTH 02°02'48" EAST A DISTANCE OF 140.03 FEET TO A POINT; THENCE NORTH 01°16'59" WEST PASSING A STONE AT 139.53 FEET, FOR A TOTAL DISTANCE OF 159.71 FEET TO A POINT ON THE QUARTER SECTION LINE; THENCE NORTH 86°42'43" EAST, ALONG CORYDON RIDGE ROAD, A DISTANCE OF 550.00 FEET TO A POINT AT SERGE MALETTE NORTHEAST CORNER AS DESCRIBED IN DEED RECORD 200112154, BEING THE TRUE PLACE OF BEGINNING; THENCE NORTH 86°42'43" EAST, PASSING THE CENTER OF SECTION 1 AT 301.95 FEET, FOR A TOTAL DISTANCE OF 375.89 FEET TO A POINT IN THE CENTER OF STATE ROAD 62; THENCE THE FOLLOWING CALLS ALONG SAID ROAD, SOUTH 22°05'08" WEST A DISTANCE OF 68.68 FEET TO A POINT; THENCE SOUTH 29°00'19" WEST A DISTANCE OF 77.73 FEET TO A POINT; THENCE SOUTH 29°00'02" WEST A DISTANCE OF 57.20 FEET TO A POINT; THENCE LEAVING SAID ROAD, SOUTH 87°50'26" WEST, PASSING AN EXISTING 1/2 IRON PIN AT 40.29 FEET, FOR A TOTAL DISTANCE OF 280.40 FEET TO A 5/8 INCH STEEL PIN AND CAP; THENCE NORTH 01°16'59" WEST A DISTANCE OF 170.70 FEET TO THE PLACE OF BEGINNING. SUBJECT TO ANY AND ALL EASEMENTS OF RECORD AND THE LEGAL RIGHT OF WAY OF CORYDON RIDGE ROAD AND STATE ROAD 62.

EXHIBIT A

Key No. 002-0630-071 ✓
& 002-0630-160 ✓

WARRANTY DEED

THIS INDENTURE WITNESSETH, that Roszella S. Romans, of Floyd County, Indiana, as grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged,

CONVEYS AND WARRANTS

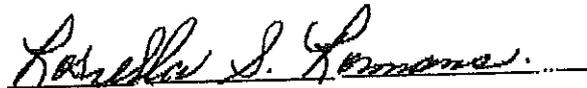
to Serenity Properties, LLC, an Indiana limited liability company, as grantee, the following described real estate in Floyd County, Indiana, to-wit:

See attached "Exhibit A" for legal description.

This conveyance is made subject to all applicable easements, rights-of-way, restrictions, and agreements of record.

Real estate taxes having been apportioned between the grantor and grantee herein, the grantee hereby assumes and agrees to pay the first installment of real estate taxes for the year 2003, payable in 2004, and all subsequent real estate taxes.

IN WITNESS WHEREOF, the said grantor has hereunto set her hand this 13th day of February, 2004.

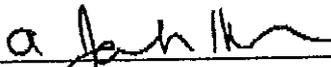

Roszella S. Romans

STATE OF INDIANA)
) SS:
COUNTY OF HARRISON)

BEFORE ME, the undersigned, a Notary Public, in and for the above-named County and State, this 13th day of February, 2004, personally appeared Roszella S. Romans, and acknowledged the execution of the foregoing Deed.

WITNESS my hand and notarial seal.

My Commission expires:
April 22, 2008



Notary Public
A. Joseph Heinz
Printed Name
Resident of Floyd County, Indiana

Mail Tax Statements To:

1770 Edwardsville-Galena Rd
Georgetown, IN 47122



This instrument prepared by:
A. Joseph Heinz, Attorney at Law
326 E. Court Avenue
Jeffersonville, Indiana 47130
Phone (812) 288-5757

Duly Entered For Taxation
Subject To Final Acceptance
For Transfer

FEB 17 2004


AUDITOR FLOYD COUNTY



WILLIAM B. GIBSON
 CIVIL ENGINEER & LAND SURVEYOR
 5421 STATE ROAD 62
 GEORGETOWN, IN 47122
 812/945-4669

January 27, 2004 (Brown House at 5060 State Road 62)

DESCRIPTION FOR THE PROPERTY AT
 5060 STATE ROAD 62
 IN FLOYD COUNTY, INDIANA

Being a part of the southwest quarter of Section 1, Township 3 South, Range 5 East, in Floyd County, Indiana, and being part of the property conveyed to Restella S. Romans, as described by deed recorded in Deed Drawer 26, Instrument No. 10797, said part being more particularly described as follows: Commencing at an iron pipe at the southeast corner of Lot No. 16 of Floyd County, Indiana Plat No. 629, thence with the East line of said Lot 16, North 01 deg. 04 min. 56 sec. West 140.00 feet to an iron pipe, thence with the south line of Malette (Deed No. 200112154), North 87 deg. 50 min. 00 sec. East 266.98 feet to a rebar at the true point of beginning of the tract being herein described, thence continuing North 87 deg. 50 min. 00 sec. East 562.02 feet to a point in the centerline of State Road 62, thence with the centerline of State Road 62, South 36 deg. 01 min. 48 sec. West 137.46 feet to a point, thence South 87 deg. 50 min. 00 sec. West 473.30 feet to a rebar, thence North 02 deg. 10 min. 00 sec. West 106.00 feet to the true point of beginning, containing 1.25 acres, more or less, subject to the right of way of State Road 62 and easements of record.

The above description is based on previous surveys and deeds, and is not based on a current survey.

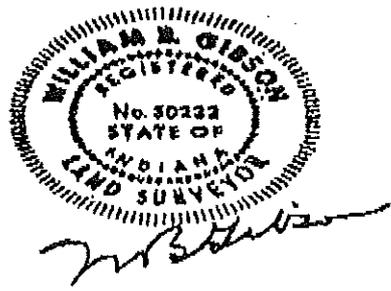


Exhibit A

Key No. 002-0630-072 ✓
& 002-0630-117 ✓

QUITCLAIM DEED

THIS INDENTURE WITNESSETH, that Brian L. Kehrer, of Floyd County, Indiana, as grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged,

CONVEYS AND QUITCLAIMS

to Serenity Properties, LLC, an Indiana limited liability company, as grantee, all of the grantor's right, title, and interest in and to the real estate located in Floyd County, Indiana, and described as follows:

See attached "Exhibit A" for legal description.

This conveyance is made subject to all applicable easements, rights-of-way, restrictions, and agreements of record.

IN WITNESS WHEREOF, the said grantor has hereunto set his hand this 30 day of September, 2004.

Brian L. Kehrer
Brian L. Kehrer

STATE OF INDIANA)
COUNTY OF FLOYD) SS: 426961

BEFORE ME, the undersigned, a Notary Public, in and for the above-named County and State, this 30 day of September, 2004, personally appeared Brian L. Kehrer, and acknowledged the execution of the foregoing Deed.

WITNESS my hand and notarial seal.

My Commission expires:
March 8, 2008

Wanda D. Kehrer
Notary Public
WANDA D. KEHRER
Printed Name
Resident of Floyd County, Indiana

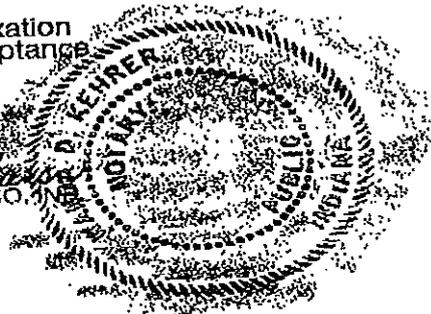
Mail Tax Statements To:
Serenity Prop LLC
PO Box 452
Bevington, IN 47122

Duly Entered For Taxation
Subject To Final Acceptance
For Transfer

MAR 24 2005

Jessica A. Phillips
AUDITOR FLOYD CO. INE

This instrument prepared by:
A. Joseph Heinz, Attorney at Law
326 E. Court Avenue
Jeffersonville, Indiana 47130
Phone (812) 288-5757



(A)

EXHIBIT A

Legal Description

Being a 3.67 acre parcel of land lying in the Southwest Quarter of Section 1, Township 3 South, Range 5 East, Georgetown Township, Floyd County, Indiana, being part of those same lands as conveyed to Rozella S. Romans as described in Deed Drawer 26, Instrument 10797, and Deed Instrument 200328149, and being part of Lot No. 3, Plat No. 495.

Commencing at a railroad spike at the northwest corner of the Southwest Quarter of said Section 1; thence south 02 deg. 02' 48" west along the west line of said Section 1 a distance of 253.63 feet to a point on the west side of Yenowine Lane; thence south 87 deg. 36' 10" east along the line dividing Lots 2 and 3, Plat #629, a distance of 1312.98 feet to a 5/8 inch steel pin and cap; thence continuing south 87 deg. 36' 10" east along said dividing line a distance of 253.40 feet to an existing pin and cap, being the TRUE PLACE OF BEGINNING; thence continuing south 87 deg. 36' 10" east a distance of 784.75 feet to a point in the centerline of State Road 62; thence along said centerline, south 38 deg. 16' 00" west a distance of 24.03 feet to a point; thence continuing along said centerline, south 47 deg. 12' 16" west a distance of 50.43 feet to a point; thence continuing along centerline, south 54 deg. 26' 20" west a distance of 134.06 feet to a point; thence continuing along said centerline, south 56 deg. 30' 56" west a distance of 235.33 feet to a point; thence leaving said centerline, north 87 deg. 37' 00" west a distance of 290.46 feet to a point; thence north 02 deg. 02' 48" east a distance of 81.65 feet to a 5/8 inch steel pin; thence north 88 deg. 15' 43" west a distance of 146.61 feet to a 5/8 inch steel pin; thence north 02 deg. 02' 48" east a distance of 195.75 feet to THE PLACE OF BEGINNING. Subject to any and all easements of record. Subject to a 20 foot easement along the south line herein.

Exhibit B - Development Standards

1. The Planned Unit Development incorporates all of the Floyd County Zoning Ordinance requirements set forth in Floyd County Zoning Ordinance for Neighborhood Commercial (FCO 2006-14 amended December 2, 2014) with the following exceptions.

Phase I

Section 4.37 – Allowance of Live Work Space

Permitted use – Live work units for the owner of a commercial or nonprofit business within the structure on the second floor, not to be smaller than 900 sf per unit. Maximum of two units per commercial structure and units shall meet all applicable building code standards.

Section 5.06 – No outside storage to be permitted. No additional structures to be permitted.

Section 5.20 to allow existing parking areas and existing entrance drive to remain gravel.

Restrictions:

- No additional structures to be permitted
- No outside storage to be permitted
- Landscape maintenance required

Phase II:

Section 4.39 to allow multiple primary structures per lot.

Section 4.37 – Allow R V & Vehicle storage as a permitted use and to allow Mini Storage Facilities for the 2 structures of this phase only.

Restrictions:

- No vehicle repair/ maintenance permitted
- No vehicles for the purpose of transporting chemicals or hazardous materials permitted.

Section 5.09 Buffer Yard See Written Commitment. Placement of 6 (six) foot evergreen trees staggered along non-disturbance area.

Existing entrance and drive will be improved to serve the storage business. The improvements will comply with all current INDOT codes and requirements. The drive to the existing residential structure, 5064 SR 62, will be relocated as indicated on Sheet PUD2.

Phase III

Section 4.36 to allow retail space to be greater than 5,000 sf of floor space per tenant.

Section 4.37 – Allowance of Live Work Space

Permitted use – Live work units for the owner of a commercial or nonprofit business within the structure on the second floor, not to be smaller than 900 sf per unit. Maximum of two units per commercial structure and units shall meet all applicable building code standards. Change from Development Plan Section 4.42 to allow the additional uses listed in Appendix A in this plan.

Section 5.13 D to not provide the 36" landscape screen along HWY 62.

A new entrance will be constructed as shown to provide access for the retail strip center, RV & Vehicle Storage business, and the existing residential structure 5064 SR 62. The new entrance will comply with all current INDOT codes and requirements. The drive to the existing residential structure, 5064 SR 62, will be relocated as indicated on Sheet PUD3.

Phase IV

Section 4.44 to allow retail space to be greater than 5,000 sf of floor space per tenant.

Section 4.37 – Allowance of Live Work Space

Permitted use – Live work units for the owner of a commercial or nonprofit business within the structure on the second floor, not to be smaller than 900 sf per unit. Maximum of two units per commercial structure and units shall meet all applicable building code standards. Change from Development Plan Section 4.42 to allow the additional uses listed in Appendix A in this plan.

Section 5.13 D to not provide the 36" landscape screen along HWY 62 and Corydon Ridge Road.

A new entrance will be constructed as shown. The new entrance will comply with all current INDOT codes and requirements. The drive to the existing residential structure, 5046 SR 62, will be abandoned and removed.

Phase V:

Section 4.39 matrix to allow multiple primary structures per lot.

Section 5.09 Buffer Yard See Written Commitment. Placement of 6 (six) foot evergreen trees staggered along non-disturbance area.

Additional Restrictions:

- No vehicles for the purpose of transporting chemicals or hazardous materials permitted.
- No storage other than wheeled vehicles permitted

Phase VI:

Section 4.36 to allow retail space to be greater than 5,000 sf of floor space per tenant.

Permitted Uses - All uses permitted by right or conditional use Per Floyd County Zoning ordinance land use matrix Neighborhood Commercial District to be used and agreed to with the following noted requested changes:

Section 4.37 – Allowance of Live Work Space

Permitted use – Live work units for the owner of a commercial or nonprofit business within the structure on the second floor, not to be smaller than 900 sf per unit. Maximum of two units per commercial structure and units shall meet all applicable building code standards. Change from Development Plan Section 4.37 to allow the additional uses listed in Appendix A in this plan.

Section 5.13 D to not provide the 36" landscape screen along HWY 62.

Appendix A

Noted Exceptions

- Additional Permitted Uses
- Commercial Greenhouse
- Child Care Facility - Owner Occupied
- Child Care Institution
- Residential Facility for Developmentally Disabled (A&B)
- Automotive Service & Repair
- Automotive Sales & Service (New & Used)
- Gas Station
- Hotel / Motel Lodging
- Institutional Public Uses
- Boat or Motorcycle Sales & Services
- RV Services & Accessory sales
- RV Storage
- Mini-warehousing – 2 units only

PLANNED UNIT DEVELOPMENT (PUD) BALLOT

Floyd County Plan Commission
Pine View Government Center
2524 Corydon Pike, Suite 203
New Albany, IN 47150
Phone: 812-948-5440; Fax: 812-941-4571

ORDINANCE AUTHORITY: Floyd County Zoning Ordinance

Name of Development: SERENITY CENTER

Docket No.: FC-12-15-30

Petitioner/Owner Name: SERENITY PROPERTIES, LLC-BRIAN KEHRER

ADVISORY CONCEPTUAL SKETCH PLAN PHASE

1. Petitioner (HAS / HAS NOT) provided all required information needed for review of the conceptual sketch plan.
2. A conceptual sketch plan conference (HAS / HAS NOT) been conducted with the petitioner.
3. Recommendations by the Plan Commission / Planning Director on the conceptual sketch plan:

Subject to Fwd Dept approval letter.

Don Lopp's staff report.

8.06 E restrictions

In general to fine trees staggered. ^{west side +} detention area.

INDOT letter before construction approval

Signature: _____
Planning Director or Representative

Date: December 10, 2015

DETAILED DEVELOPMENT PLAN PHASE

STAFF REVIEW:

1. Petitioner has met all the following requirements:

(Strike out any of the following that do not apply)

- A. Conceptual Sketch Plan submitted for review by the Planning Director
- B. Conceptual Sketch Plan conference with the Planning Director or Representative
- C. Site Plan drawn to scale, meeting requirements of Section 7.06 (c)
- D. Affidavit of Ownership (if applicable)
- E. Letter verifying proper waste disposal will be available to the property
- F. Identification of existing and proposed easements and their purpose
- G. Detailed plans for handling water supply, sanitary sewers, storm water drainage system, traffic circulation, pedestrian connectivity, parking, loading, lighting, signage, and landscaping
- H. Copy of proposed covenants, conditions, and restrictions
- I. Written approvals for roads and storm water drainage from the County Engineer and County Surveyor
- J. Letter describing any written commitments being made by the Petitioner(s)
- ~~K.~~ Agreement between multiple owners to not develop the parcels separately, but in accordance with a single, unified plan
- L. Statement addressing compliance with Conceptual Sketch Plan recommendations
- M. Zoning Amendment Petition Approved

2. Petitioner has met the following development standards for a Planned Unit Development

District:

(Strike out any of the following that do not apply)

A. Minimum land area of:

(1) two (2) acres to qualify for any residential base zone; or

(2) two (2) acres to qualify for any commercial/industrial base zone

B. Minimum Road Frontage for PUD of one hundred (100) feet

C. Square footage of all primary structures, accessory structures, and impervious surfaces does not exceed seventy percent (70%) of lot coverage

D. Minimum open space of fifteen percent (15%)

E. If PUD is planned in a base residential and/or multi-family zone, no more than twenty-five percent (25%) of the total proposed development gross square footage for commercial uses

F. If PUD is planned in a base commercial zone, no more than thirty percent (30%) of the total proposed development gross square footage for residential development

G. If PUD is planned in a base industrial zone, no more than forty percent (40%) of the total proposed development gross square footage for commercial development

Signature: _____

Planning Director or Representative

Date: _____

FLOYD COUNTY PLAN COMMISSION REVIEW:

1. Proposed PUD (~~DOES NOT~~ / DOES) vary significantly from the zoning and subdivision control regulations concerning: (strike out any of the following that do not apply)
density, lot size, height, use, required improvements, construction, design
2. Proposed land uses in the PUD (~~ARE NOT~~ / ARE) in conflict with the spirit and intent of the Comprehensive Plan, surrounding land uses, and zoning districts.
3. Proposed PUD (~~DOES~~ / DOES NOT) provide for adequate public services, light, air, traffic control, open and/or common space, and recreation.
4. Proposed PUD (~~IS~~ / IS NOT) compatible with adjacent properties and surrounding neighborhood.
5. Proposed PUD (~~WILL NOT~~ / WILL) interfere with the use or diminish the value of adjacent properties and surrounding neighborhood.
6. Proposed PUD (~~WILL NOT~~ / WILL) diminish the level of service for roadway system in the vicinity.
7. Proposed PUD (~~CAN~~ / CANNOT) be immediately and adequately served by existing public facilities and services.
8. Proposed PUD (~~DOES~~ / DOES NOT) preserve natural and historic resources to the extent possible.
9. Proposed PUD (~~WILL NOT~~ / WILL) be injurious to the public health, safety, and general welfare.

10. Written commitments (WILL / WILL NOT) be required. Please specify those required

written commitments:

Fire Dept letter
INDOT letter
See list on page 1 Item 3

11. Petitioner (WILL / WILL NOT) be required to meet conditions. Please specify those
NA
required conditions:

DECISION:

Upon careful review, The Floyd County Plan Commission hereby makes:

- A Favorable Recommendation
- An Unfavorable Recommendation
- No Recommendation

to the County Commissioners concerning the Petitioner's Planned Unit Development Application at the meeting held on the 21st day of March 2016.

Commission Members in Favor:

Wm B Gibson
Chad A. Furling
Jeff Fesse
Jeffery R. Edwards
Greg H. Mathman
Paul [unclear]
Dea [unclear]
John Schullerboyn
Gina [unclear]

Commission Members Opposed:

CERTIFICATION OF ACTION

Comes now the Floyd County Plan Commission and hereby certifies that the attached Recommendation on PUD is a true and accurate copy of the Recommendation as made at its regularly scheduled meeting on the 21 day of March, 2016. The Ballot accurately reflects the vote of the Floyd County Plan Commission on the Recommendation.

Date: March 21, 2016

Linda Barksdale
Linda Barksdale, Executive Plan Director
Floyd County Plan Commission

**Floyd County Plan Commission
Resolution Pertaining to Amendment to the Floyd County Zoning Map**

WHEREAS, the Floyd County Plan Commission met on March 21, 2016, and conducted a public hearing on this matter pursuant to I.C. 36-7-4-608; and

WHEREAS, the Plan Commission heard from both proponents and opponents of the zoning map amendment and voted to forward an:

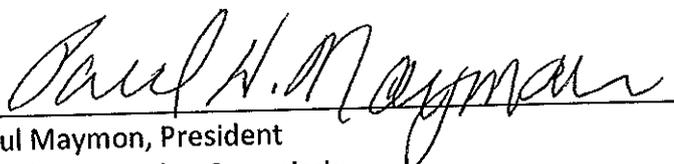
- Favorable Recommendation**
 Unfavorable Recommendation
 No Recommendation

For the project known as *Serenity Center by Serenity Properties, LLC* by a vote of 9 - 0.

NOW THEREFORE,

BE IT FURTHER RESOLVED that the staff of the Floyd County Plan Commission shall forward a certified copy of this resolution to the Floyd County Commissioners for any further action which they may desire.

SO RESOLVED this 21st day of March, 2016.



Paul Maymon, President
Floyd County Plan Commission

Attest:



Linda Barksdale, Executive Plan Director
Floyd County Plan Commission



**Floyd County Government
Floyd County, Indiana**

FLOYD COUNTY PLAN COMMISSION

Pine View Government Center • 2524 Corydon Pike, Suite 203 • New Albany, IN 47150
Phone: (812) 948-5440 • Fax: (812) 941-4571

March 23, 2016

bkehrer@nafcs.k12.in.us
kallshouse.rdbi@sbcglobal.net

Serenity Properties, LLC

RE: Docket FC-12-15-30

Mr. Kehrer,

On March 21, 2016 the Floyd County Plan Commission provided a favorable recommendation for your project to be sent to the County Commissioner with the following written commitments:

- Fire department approval letter,
- Don Lopp's staff report,
- Section 8.06 E of the Floyd County Zoning Ordinance regarding restrictions,
- In general 6' pine trees staggered along the west side and detention area,
- INDOT letter before construction approval.

Secondary Approval application process can be submitted on the first Friday of the next month on or before 2 p.m. after the review and approval of the County Commissioners. At which time three complete copies of the application and all supporting documentation is to be submitted for review. After the review process on the fourth (4) Friday of the month on or before 2 p.m. fifteen (15) copies of the completed application and all supporting documents are to be submitted. The information required for the Secondary Approval are from Section C of the application and are listed here below.

- Detailed Development Plan,
- PUD Ordinance text which includes a statement of proposed exceptions to the requirements of the underlying base zone district,
- Covenants and written commitments made as part of the proposal,
- Performance and/or maintenance guarantees,
- Location of all utility lines and easements,
- Detailed landscaping, lighting, and signage
- Any other supporting documentation as requested by either the County Commissioners and/or Plan Commission.

For further information regarding the Commissioners meeting, please contact their office, 812-948-5466.

Should you have any questions, please feel free to contact the office.

Sincerely

Linda Barksdale
Executive Plan Director

LSB/mnj

Cc: Kevin Allshouse-Renaissance Design Build

Enclosure- 2 pages

Written Commitments

Serenity Center Plan Unit Development FCPC docket 12-15-30

The owner(s) _____ of Serenity Center which is a Planned Unit Development in Floyd County and was given favorable recommendation by the Floyd County Plan Commission 9-0, hereby provides the following voluntary written commitments for the project. These commitments were made at the public hearing of the Floyd County Plan Commission on FCPC docket 12-15-30. The written commitment is made pursuant to IC 36-7-4-1015.

1. Secondary Approval of Planned Unit Development requires the submission to the Floyd County Plan Commission the following letters.
 - a. INDOT Approval Letter for location and siting of entrances
 - b. Georgetown Fire District Letter regarding fire protection and safety.
2. Corydon Ridge Road Right of Way
 - a. The owner will dedicate additional Right of Way to the County as shown on the development plan included as Exhibit A.
3. Buffer Yard
 - a. The owner shall maintain a 25 foot non-disturbance buffer around perimeter of the property with adjacent property owners. Said buffer shall be staked and identified prior to any construction activities for phases that have adjacent property owners. Said buffer staking shall be reviewed by the County Engineer prior to the issuance of a notice to proceed for any construction phase.
4. Drainage
 - a. Final drainage design for RV storage parking to get County Engineering approval for usage of gravel as alternate to asphalt.
 - b. Drainage retention shall capture 150 percent rather than 125 percent per drainage requirement. Final drainage plans for entire site approved by County Engineer before phase 2 construction begins
5. Overlay Requirements
 - a. All phases to comply with commercial and industrial building standards as set in 8.06E overlay building requirement as part of the secondary approval process

Before me, a Notary Public, in and for said County and State, personally appears,
_____, by and through its member, _____, and by their
signature on this instrument acknowledges the execution of this agreement.

Witness my hand and seal _____ day of _____, 2016.

Notary Public

Printed Name

My Commission Expires:

Resident of _____,