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Jennifer Hayden
HAMILTON County Recorder IN
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4 PAWS LODGE PUD



City of Fishers
Planned Development
Ordinance
No. 081715D

4 PAWS LODGE PUD

1.01 Declaration, Purpose and Intent, and Permitted Uses

Declaration	Purpose and Intent	Permitted Uses
<p>Ordinance No. 081715D (this "Ordinance") Adopted: <u>02/15/2016</u></p> <p>The Unified Development Ordinance (the "UDO") of the City of Fishers, Indiana, Ordinance No. 090605A, as amended, and the OFFICIAL ZONING MAP, CITY OF FISHERS, INDIANA, as amended, which accompanies and is a part of the Zoning Code of the City of Fishers, Indiana, are hereby amended as follows:</p> <p>The zoning classification of the real estate legally described in Section 1.07 of this Ordinance (the "Real Estate"), is hereby designated as a Planned Unit Development - Mixed District (PUD-M), and that said PUD-M zoning district shall hereafter be known as the "4 PAWS LODGE PUD."</p> <p>If the Real Estate is developed pursuant to this Ordinance, then: (1) development of the Real Estate shall be governed entirely by the provisions of this Ordinance and those provisions of the UDO specifically referenced in this Ordinance; (2) all provisions of the UDO that conflict with the provisions of this Ordinance are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Ordinance; and (3) ordinance numbers 120312, 030705D, and 120103E are hereby rescinded in their entirety.</p> <p>If the Real Estate is not developed pursuant to this Ordinance, then the existing ordinances shall continue to govern the Real Estate.</p>	<p>The purpose of this PUD is to encourage improved design in the development of land by promoting the following objectives:</p> <ul style="list-style-type: none"> • Greater flexibility in applying the ordinances to the development of the Real Estate; • Efficient use of land; • Coordination of architectural styles and building forms; • Provide a level of certainty in the development of a commercial property in close proximity to residential uses; • Exclude inappropriate uses. 	<p>All Permitted Uses in the <i>Commercial District</i>. C1</p> <ul style="list-style-type: none"> • Veterinary Clinic • Pet care and boarding facility (kennel) use with outdoor play areas and related retail and office uses • Parks and recreation area uses • One single-family residence use

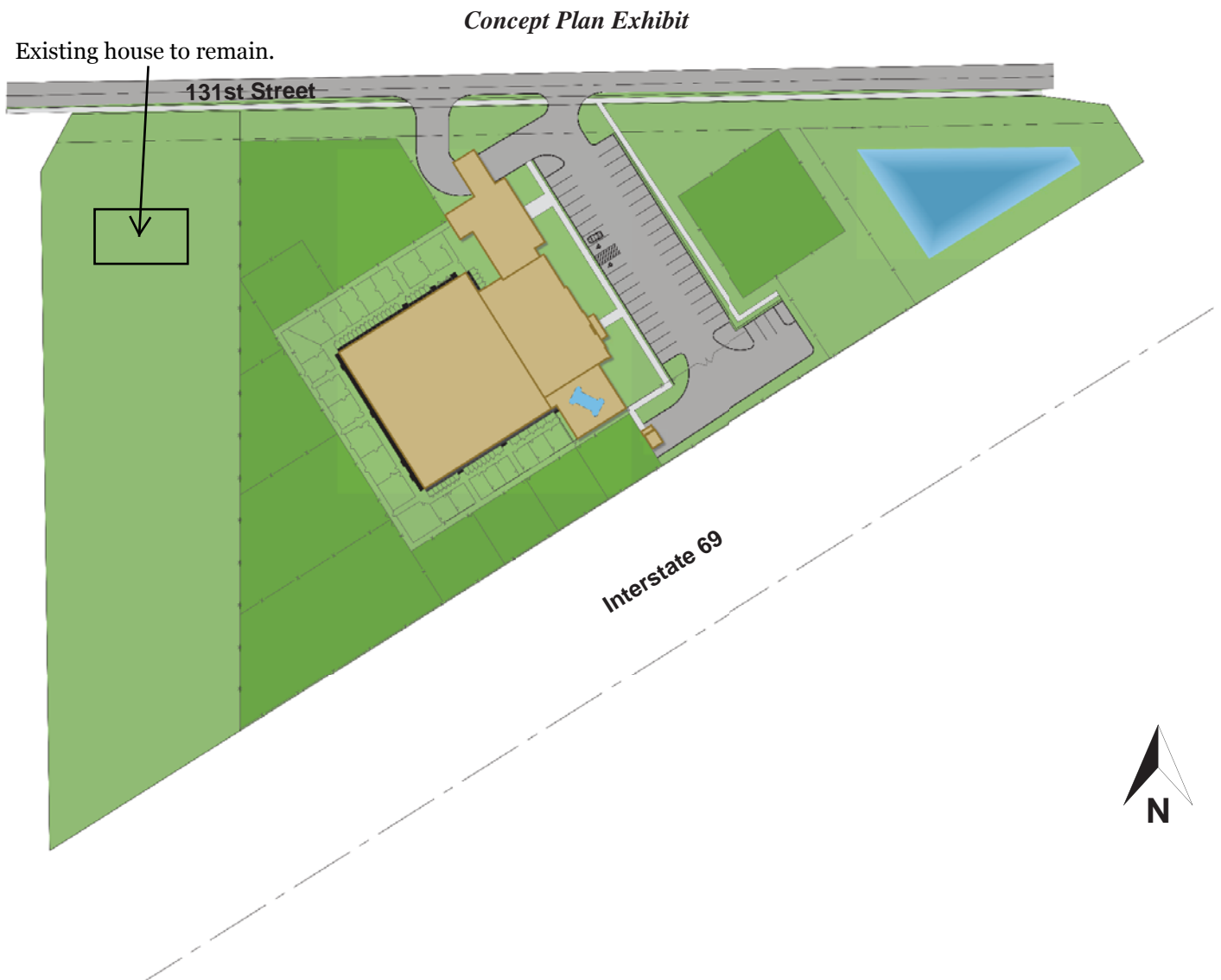
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1.02 Applicability

- A. The standards of the UDO applicable to the **C1** *Commercial District* shall apply to the development of the Real Estate, except as modified, revised, or expressly made inapplicable by this PUD District Ordinance (this "Ordinance"). "Article" cross-references of this Ordinance shall hereafter refer to the *Article* section as specified and referenced in the UDO. Capitalized terms that are not otherwise defined herein shall have the meaning ascribed to them in the UDO. Pursuant to *Article 4.02(F): Amendments to the Unified Development Ordinance*, an amendment to the UDO shall apply to this Ordinance unless this Ordinance has specified an alternative development or design standard and *Article 1.10: Basic Provisions: Transition Rules* also shall apply to amendments.

1.03 Concept Plan

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

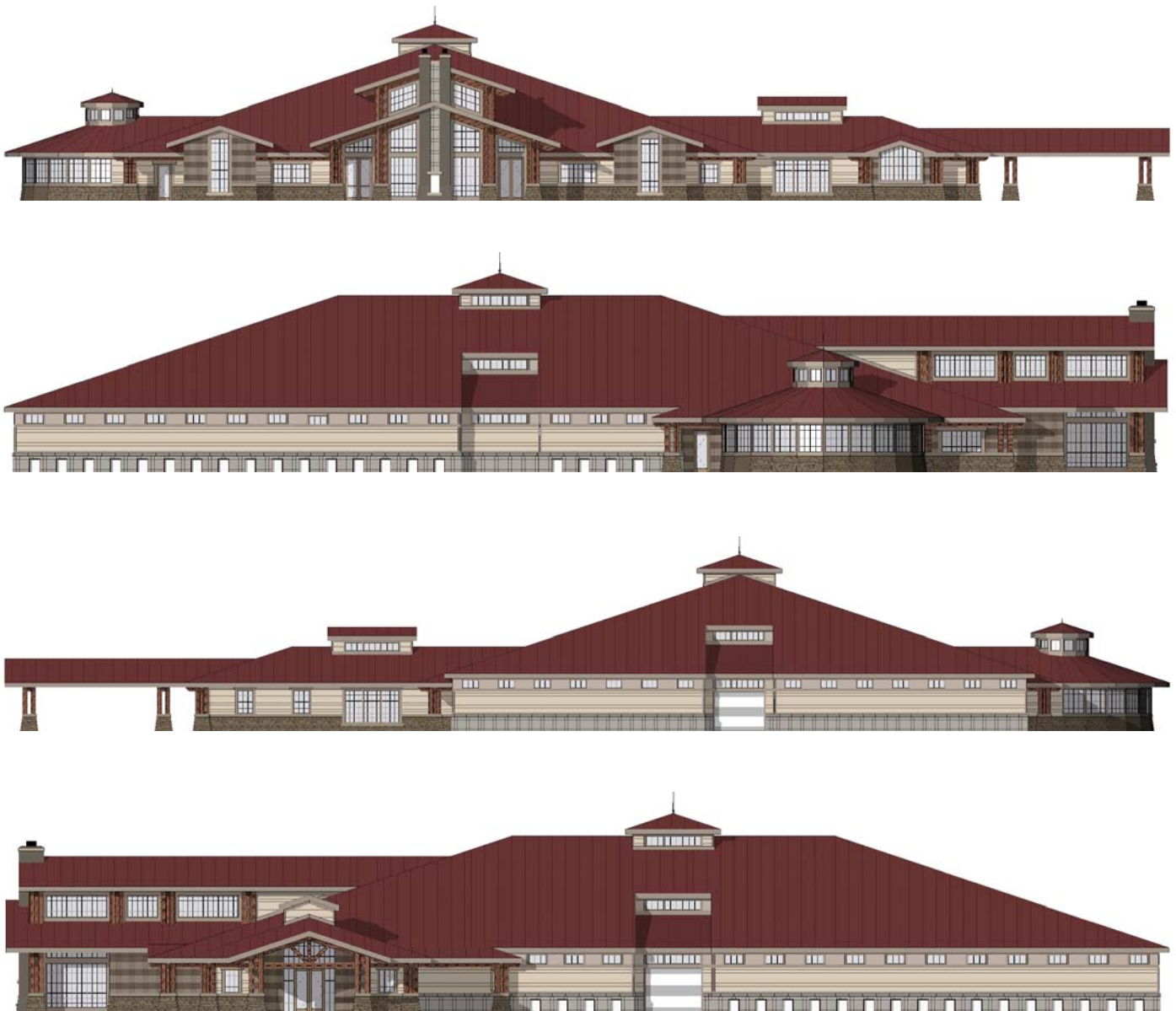


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1.04 Development Standards

- A. Cross References: The regulations of *Article 5: Development Standards* shall apply except as modified by this Ordinance.
- B. General Regulations: *Article 2.08: R2 Residential District Development Standards* shall apply to the one single-family residence use otherwise, *Article 2.24: C1 Commercial District Development Standards* shall apply, except as modified below:
 - (1) Minimum Front Setback: Forty (40) feet.
- C. Accessory Structure Standards (AS): shall apply.
- D. Architectural Design Standards (AD): shall apply, except as modified below:
 - (1) The Illustrative Character Exhibit, as shown below, is hereby incorporated to illustrate conceptually the elements and anticipated character of and to establish a benchmark for the architecture and design of all new buildings constructed on the Real Estate. The final building design may vary from the Illustrative Character Exhibit; however, buildings shall be substantially similar in quality and character to the building shown in the Illustrative Character Exhibit.

Illustrative Character Exhibit



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- (2) **Article 5.15 AD-03: Architectural Design; Commercial;** (A)(2) *Exterior Materials* shall apply, as modified below:
- (i) All siding shall be brick, split-face or ground face concrete masonry unit (CMU), fiber cement board siding, stone, stucco, decorative precast panels, integrally colored block, EIFS, or wood.
- (3) **Article 5.15 AD-03: Architectural Design; Commercial;** (A)(3) *Exterior adjacent to Residential* shall apply except as modified below:
- (i) The exterior material of all buildings adjacent to residentially zoned or occupied areas and thoroughfares shall be constructed predominantly of brick, split-face or ground face concrete masonry unit (CMU), stone, fiber cement board siding, wood, or stucco materials with masonry surface and appearance.
- (4) **Article 5.15 AD-03: Architectural Design; Commercial;** (A)(4) *Wall Planes* shall apply except as modified below:
- (i) For every eighty-eight (88) feet of building facade as measured horizontally, there shall be a minimum of four percent (4%) projection or recess in the facade (vertical plane). Any wall exceeding the eighty-eight (88) feet in length shall include at least one (1) change in wall plane. Absolute minimum changes in plane shall be two (2) feet. The projection or recess can be realized with setbacks of the building facade, but also with architectural elements that include but are not exclusive or arcades, columns, ribs, piers, and pilasters.
- (5) **Article 5.15 AD-03: Architectural Design; Commercial;** (A)(5) *Four-sided Architecture* shall apply, except as modified below:
- (i) The architectural style, materials, color and design on the front elevation shall be applied to all elevations of the structure, as shown in the Illustrative Character Exhibit.
- (6) **Article 5.15 AD-03: Architectural Design; Commercial;** (D)(5)(a) *Minimum Pitch* shall apply, except as modified below:
- (i) The Minimum Pitch shall be 4 (vertical units): 12 (horizontal units).
- E. Density & Intensity Standards (DI): shall apply.
- F. Entrance & Driveway Standards (ED): shall apply.
- G. Environmental Standards (EN): shall apply.
- H. Fence & Wall Standards (FW): shall apply, except as modified below:
- (1) Fences shall not exceed eight (8) feet in height in the front, side, or rear yards, except an opaque decorative screen up to ten (10) feet in height may be installed where shown approximately in the Decorative Screening Exhibit, attached hereto as Exhibit A.
- I. Floodplain Standards (FP): shall apply.
- J. Floor Area Standards (FA): shall apply.
- K. Height Standards (HT): shall apply.
- L. Landscaping Standards (LA): shall apply.
- M. Lighting Standards (LT): shall apply.
- N. Loading Standards (LD): shall apply.
- O. Lot Standards (LO): shall apply.
- P. Outdoor Storage Standards (OS): shall apply.
- Q. Parking Standards (PK): shall apply.
- R. Pedestrian Accessibility Standards (PA): shall apply.
- S. Performance Standards (PF): shall apply
- (1) Compliance with Municipal Code Title IX: General Regulations; Chapter 98: Noise; Section 98.02 Offense; (A), shall be deemed compliance with Article 5.77 PF-01: Performance Standards; General; (A) *Obnoxious Characteristics* and (D) *Noise*.
- T. Permanent Outdoor Display Area Standards (PD): shall apply.
- U. Property Identification Standards (PI): shall apply.
- V. Public Art Standards (PT): shall apply.
- W. Public Improvement Standards (PV): shall apply.
- X. Setback Standards (SB): shall apply, except as modified below:

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(1) Article 5.84 (A) SB-03 Setback Standards; Commercial; shall apply, except as modified below:

- (i) No part of any structure or building, excluding eaves or a cornice overhang not exceeding four (4) feet, a canopy over an entrance not exceeding fifteen (15) feet, or a portico extending no more than twenty-five (25) feet, into the required yard area, shall be built within the required yard areas.

- Y. Sewer & Water Standards (SW): shall apply.
- Z. Sign Standards (SG): shall apply.
- AA. Structure Quantity Standards (SQ): shall apply.
- BB. Temporary Use/Structure Standards (TU): shall apply.
- CC. Use-specific Standards (US): shall apply.
- DD. Vision Clearance Standards (VC): shall apply.

1.05 Design Standards

- A. Cross References: The regulations of *Article 7: Design Standards* applicable to a *Planned Unit Development (PUD)* shall apply except as modified by this Ordinance:
- B. Access Road Standards (AC): shall apply.
- C. Alley Standards (AL): shall apply.
- D. Anti-monotony Standards (AM): shall apply.
- E. Common Area Standards (CA): shall apply.
- F. Covenant Standards (CE): shall apply.
- G. Dedication of Public Improvement Standards (DD): shall apply.
- H. Development Name Standards (DN): shall apply.
- I. Easement Standards (EA): shall apply.
- J. Erosion Control Standards (EC): shall apply.
- K. Floodplain Standards (FL): shall apply.
- L. Lot Establishment Standards (LT): shall apply.
- M. Mixed Use Development Standards (MU): shall apply.
- N. Monument & Marker Standards (MM): shall apply.
- O. On-street Parking Standards (OG): shall apply.
- P. Open Space Standards (OP): shall apply.
- Q. Pedestrian Network Standards (PN): shall apply.
- R. Perimeter Landscaping Standards: shall apply.
- S. Prerequisite Standards (PQ): shall apply.
- T. Storm Water Standards (SM): shall apply.
- U. Street & Right-of-way Standards (SR): shall apply.
- V. Street Lighting Standards (SL): shall apply.
- W. Street Name Standards (SN): shall apply.
- X. Street Sign Standards (SS): shall apply.
- Y. Surety Standards (SY): shall apply.
- Z. Utility Standards (UT): shall apply.

1.06 Procedures

- A. The procedures set forth in *Article 9: Processes, Permits & Fees; Planned Unit Development* shall apply. Development plans shall be reviewed and approved based upon compliance with the development and design standards set forth herein.

1.07 Real Estate

A part of the North Half of the Southwest Quarter of Section 27, Township 18 North, Range 5 East, Hamilton County, Indiana, described as follows:

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Beginning South 00 degrees 40 minutes East 63.10 feet from the Northwest corner of said half-quarter section, thence North 28 degrees 12 minutes 45 seconds East 52.88 feet; thence North 88 degrees 55 minutes 30 seconds East 795.93 feet; thence South 82 degrees 05 minutes 25 seconds East 54.43 feet; thence South 32 degrees 12 minutes East 54.86 feet to the North line of I-69, thence South 57 degrees 48 minutes West 1,056.40 feet along said North line, thence North 00 degrees 40 minutes East 552.56 feet to the point of beginning.

1.08 Termination of Commitments

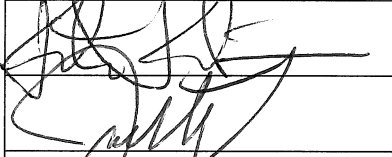

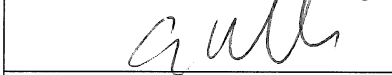
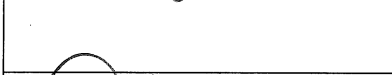
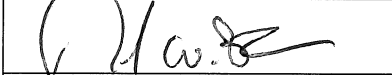


Certain “Modified Commitments Concerning the Use and Development of Real Estate”, attached as Exhibit B to Ordinance No. 120312, were approved by the Fishers Town Council on March 4, 2013 (the “Commitments”). The Commitments now hereby are terminated.

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

YAY

Ord081715D

NAY

	C. Pete Peterson, President	
	John Weingardt, Vice-President	
David C. George	David George, Member	
	Eric Moeller, Member	
	Selina M. Stoller, Member	
	Richard W. Block, Member	
	Cecilia C. Coble, Member	
	Todd P. Zimmerman, Member	
	Brad DeReamer, Member	

I hereby certify that the foregoing Ordinance/ Resolution was delivered to City of Fishers Mayor Scott Fadness on the 15th day of FEBRUARY 2016, at 9:30 P m.

ATTEST: 
Jennifer L. Kehl, City Clerk

MAYOR'S APPROVAL



Scott A. Fadness, Mayor

2-16-16

DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

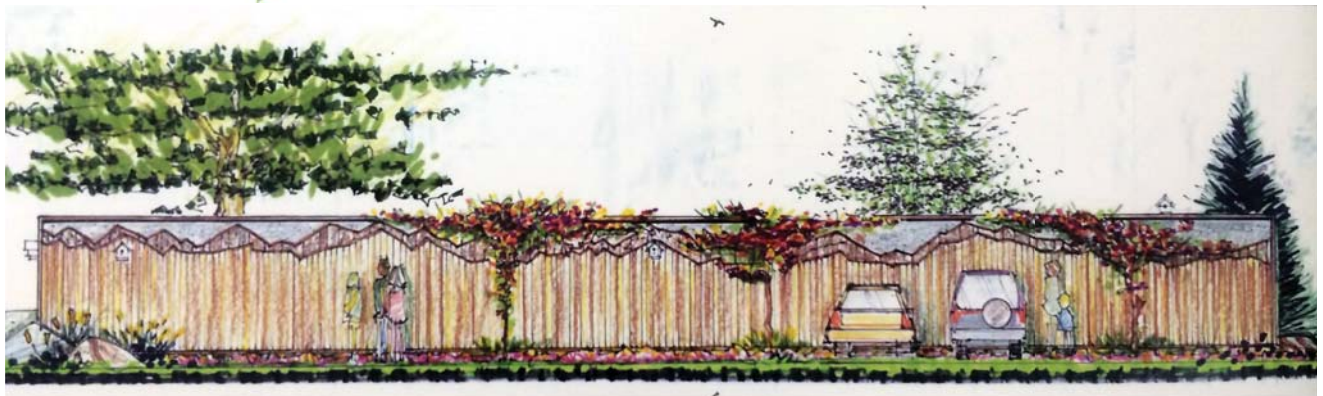
DATE

This instrument prepared by: Christopher P. Greisl, City Attorney, City of Fishers, Hamilton County, Indiana, 1 Municipal Drive, Fishers, Indiana, 46038

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law." Christopher P. Greisl, City Attorney.

Exhibit A

Decorative Screening Exhibit



Looking south from 131st Street.