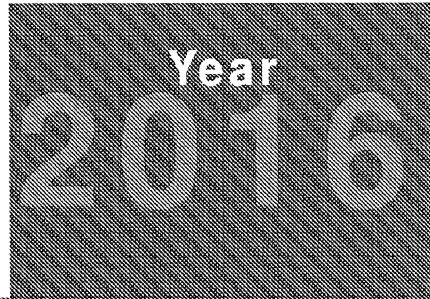


2016017602 ORDI \$25.00
04/20/2016 03:36:35PM 8 PGS
Jennifer Hayden
Hamilton County Recorder IN
Recorded as Presented



EXTRA SPACE STORAGE PUD

City of Fishers
Planned Development
Ordinance
No. 021516B

EXTRA SPACE STORAGE PUD

1.01 Declaration, Purpose and Intent, and Permitted Uses

| Declaration | Purpose and Intent | Permitted Uses |
|---|---|---|
| <p>Ordinance No. 021516C (this Ordinance") Adopted: April 18, 2016</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, dated October 16, 2006, 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 Commercial-Planned Unit Development District (PUD-C), and that said PUD-C zoning district shall hereafter be known as the "Extra Space Storage PUD."</p> <p>Development of the Real Estate shall be governed entirely by the provisions of this Ordinance, and those provisions of the UDO which may be amended by the City from time to time, specifically referenced in this Ordinance. All provisions of the UDO that conflict with the provisions of this Ordinance are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Ordinance.</p> <p>After the seventh (7th) anniversary of the approval of this PUD Ordinance by the Fishers City Council, this PUD Ordinance shall be rescinded and the PUD-C zoning shall be changed (rezoned) to a straight zoning district compatible with the Fishers 2040 Comprehensive Plan. Such a rezoning can be initiated by the City, and City Council shall approve such a rezoning based upon a recommendation by Plan Commission during a Public Hearing.</p> | <p>The purpose of this PUD is to encourage improved design in the development of land by promoting greater flexibility in applying the ordinance to the development of the Real Estate.</p> | <ul style="list-style-type: none"> • Self-Storage Facility, which shall be defined as a building or group of buildings consisting of individual, self-contained units leased to individuals, organizations, or businesses for self-service storage of personal property. Such use shall include related accessory uses including, without limitation, any one or a combination of the following: (i) administrative offices; (ii) ancillary retail sales (e.g., moving and packing supplies); (iii) mail or delivery boxes; and (iv) any other facilities approved by the Mayor or Mayor's Designee that compliment and are intended to serve such a facility. |

EXTRA SPACE STORAGE PUD

1.02 Applicability

- A. The standards of the UDO applicable to the **C2** *Commercial District* shall apply to the development of the Real Estate, except as modified, revised, or expressly made inapplicable by 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.

Concept Plan Exhibit



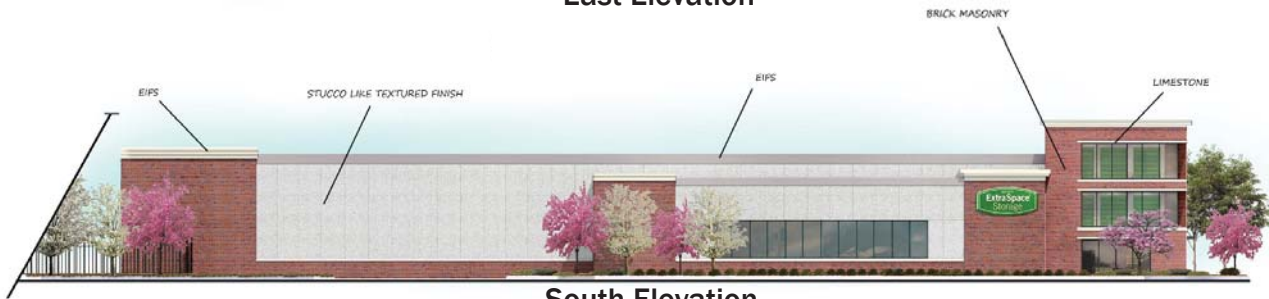
EXTRA SPACE STORAGE PUD

1.04 Development Standards

- A. Cross References: The regulations of *Article 05: Development Standards* shall apply except as modified by this Ordinance.
- B. General Regulations: *Article 2.26: C2 Commercial District Development Standards* shall apply, except as modified below:
 - (1) Minimum Front Setback shall be fifteen (15) feet.
 - (2) Minimum Side Setback shall be ten (10) feet.
 - (3) Minimum Rear Setback shall be ten (10) feet.
 - (2) Floor Area Ratio shall not apply. Instead, no development shall exceed 100,000 ft².
- C. Accessory Structure Standards (AS): shall apply.
- D. Architectural Design Standards (AD): shall apply, and as described below:
 - (1) The Illustrative Architectural Exhibits, as shown below, are 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 designs may vary from the Illustrative Architectural Exhibits; however, buildings shall be substantially similar in quality and character to the buildings shown in the Illustrative Architectural Exhibits.



East Elevation



South Elevation

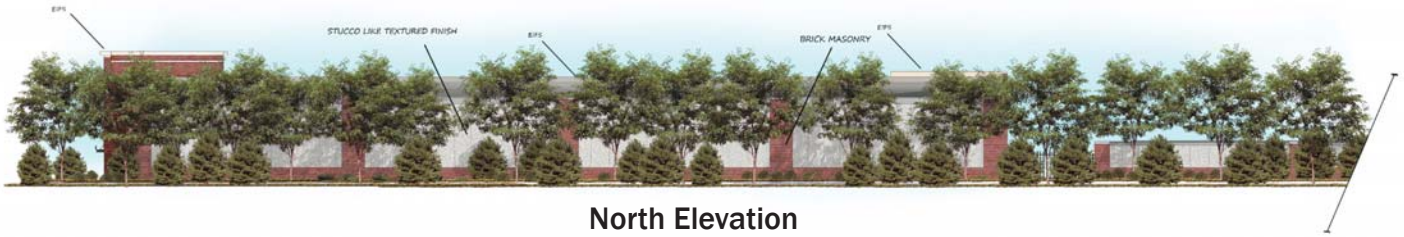


South Elevation (Cont.)



West Elevation

EXTRA SPACE STORAGE PUD



North Elevation



North Elevation (Cont.)

- 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.
- I. Floodplain Standards (FP): shall apply.
- J. Floor Area Standards (FA): shall apply.
- K. Height Standards (HT): shall apply.
- L. Home Occupation Standards (HO): shall apply.
- M. Landscaping Standards (LA): shall apply, except as modified below:
 - (1) *Article 5.40 (C) LA-02 Landscaping Standards; Street Trees; Local Streets*; shall apply, except as modified below:
 - (i) Street trees shall be required at a ratio of one (1) ornamental tree per thirty-five (35) lineal feet excluding drives. Street trees may be planted with a maximum distance of one hundred-sixty (160) feet between them.
 - (2) *Article 5.42 (A) LA-03 Landscaping Standards; Commercial, Multi-family, Industrial Lot and Foundation Plantings; Lot Planting*; shall apply, except as modified below:
 - (i) Street Trees, Parking Lot Plantings, and Buffer Yard Requirements shall count toward the Lot Planting total.
 - (3) *Article 5.42 (B) LA-03 Landscaping Standards; Commercial, Multi-family, Industrial Lot and Foundation Plantings; Foundation Planting*; shall not apply. Instead, the following shall apply:
 - (i) Foundation plantings shall be located within twenty-five (25) feet of the south facade foundation wall and within fifty (50) feet of the east facade foundation wall of Building 1, as identified on the Concept Plan.
 - (ii) At least two (2) shrubs shall be planted for every fifteen (15) lineal feet of the south facade foundation wall of Building 1, as identified on the Concept Plan, exclusive of loading dock and garage door openings.
 - (iii) At least two (2) shrubs shall be planted for every fifteen (15) lineal feet of the east facade foundation wall of Building 1, as identified on the Concept Plan, exclusive of loading dock and garage door openings.
 - (4) *Article 5.45 (A) LA-07 Landscaping Standards; Buffer Yards*; shall not apply. Instead, the following shall apply:
 - (i) North Buffer Yard: shall be 10' requiring four (4) canopy trees, four (4) evergreen trees, and ten (10) shrubs per one hundred (100) lineal feet. Trees may be planted on the Real Estate or within twenty (20) feet of the north property line of the Real Estate consistent with the approval of the Hamilton Southeastern School District.

EXTRA SPACE STORAGE PUD

- (ii) East Buffer Yard: shall be 10' requiring two (2) canopy trees, two (2) evergreen trees, and ten (10) shrubs per one hundred (100) lineal feet.
- (iii) South Buffer Yard: shall be 10' requiring two (2) canopy trees, two (2) evergreen trees, and ten (10) shrubs per one hundred (100) lineal feet.
- (iv) West Buffer Yard: shall be 10' requiring four (4) evergreen trees, and ten (10) shrubs per one hundred (100) lineal feet.
- N. Lighting Standards (LT): shall apply.
- O. Loading Standards (LD): shall not apply.
- P. Lot Standards (LO): shall apply.
- Q. Outdoor Storage Standards (OS): shall apply.
- R. Parking Standards (PK): shall not apply. Instead, there shall be 1 parking space per 300 ft² of office space as shown on the concept plan.
- S. Pedestrian Accessibility Standards (PA): shall apply.
- T. Performance Standards (PF): shall apply.
- U. Permanent Outdoor Display Area Standards (PD): shall apply.
- V. Property Identification Standards (PI): shall apply.
- W. Public Art Standards (PT): shall apply.
- X. Public Improvement Standards (PV): shall apply.
- Y. Setback Standards (SB): shall apply.
- Z. Sewer & Water Standards (SW): shall apply.
- AA. Sexually Oriented Business Standards (SX): shall apply.
- BB. Sign Standards (SG): shall apply.
- CC. Structure Quantity Standards (SQ): shall not apply. Instead, more than one (1) Primary Structure shall be permitted on one (1) lot or parcel.
- DD. Telecommunication Facilities Standards (TC): shall apply.
- EE. Small Cell Facilities Standards (MTC): shall apply.
- FF. Temporary Use/Structure Standards (TU): shall apply.
- GG. Use-specific Standards (US): shall apply.
- HH. 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 not apply.
- E. Common Area Standards (CA): shall apply.
- F. Covenant Standards (CE): shall apply.
- G. Dedication of Public Improvement Standards (DD): shall apply.
- H. Density and Intensity Standards (DE): shall apply.
- I. Development Name Standards (DN): shall apply.
- J. Easement Standards (EA): shall apply.
- K. Erosion Control Standards (EC): shall apply.
- L. Floodplain Standards (FL): shall apply.
- M. Lot Establishment Standards (LE): shall apply.
- N. Mixed Use Development Standards (MU): shall apply.
- O. Monument & Marker Standards (MM): shall apply.
- P. On-street Parking Standards (OG): shall apply.
- Q. Open Space Standards (OP): shall apply. In addition, any non-impervious areas of the Real Estate shall qualify as open space as permitted per *Article 7.25 (C)(6) OP-01: Open Space Standards; Residential; Site Features that Qualify as Open Space; City Council-approved Open Space*.

EXTRA SPACE STORAGE PUD

- R. Pedestrian Network Standards (PN): shall apply.
- S. Perimeter Landscaping Standards (PL): shall apply.
- T. Prerequisite Standards (PQ): shall apply.
- U. Storm Water Standards (SM): shall apply.
- V. Street & Right-of-way Standards (SR): shall apply.
- W. Street Lighting Standards (SL): shall apply.
- X. Street Name Standards (SN): shall apply.
- Y. Street Sign Standards (SS): shall apply.
- Z. Surety Standards (SY): shall apply.
- AA. Utility Standards (UT): shall apply.

1.06 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.
- B. The Real Estate shall be assigned to the City's 116th and Olio Road PUD Committee (the "Committee") for review pursuant to *Article 9.20 Planned Unit Development; Final Development Plan*.
- C. The Committee shall have discretion and flexibility to consider and approve modifications pertaining to architecture, signage, and landscaping design standards established or referenced by this Ordinance if the Committee determines such modifications are consistent with the intent of this Ordinance and consistent with the quality and character represented in this Ordinance.

1.07 Real Estate

Lots 3, 4, 5 and 6 in Russel's Subdivision per the plat thereof recorded in plat book 2, page 71 in the office of the Recorder of Hamilton County, Indiana.


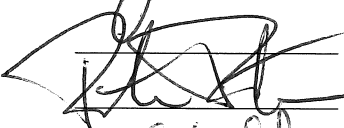
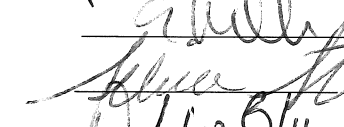
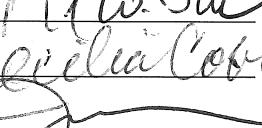
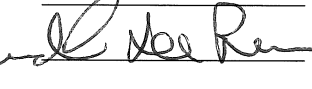
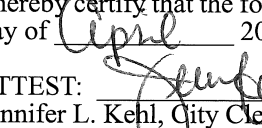
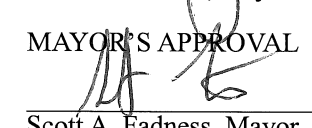
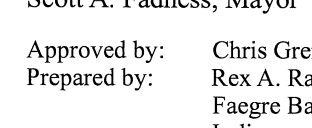
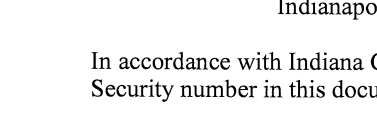
021516B

1.08 Adoption

This ordinance shall be in full force and effect from and after its passage by the Common Council and after the occurrence of all other actions required by law. All provisions or parts thereof in conflict herewith are hereby repealed.

APPROVED by the Common Council of the City of Fishers this 18 day of April, 2016.

THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA
AYE NAY ABSTAIN

| | | | |
|---|--|-------|------------------------|
|  | John W. Weingardt, President | _____ | _____ |
|  | David George, Vice-President | _____ | <u>x David C. Hays</u> |
|  | C. Pete Peterson, 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 was delivered to City of Fishers Mayor Scott Fadness on the 18th day of April 2016, at 9:00 P m.

ATTEST: Jennifer L. Kehl
Jennifer L. Kehl, City Clerk

MAYOR'S APPROVAL
Scott A. Fadness
Scott A. Fadness, Mayor

4-20-16
DATE



Approved by: Chris Greisl, City Attorney
Prepared by: Rex A. Ramage, Land Use Consultant
Faegre Baker Daniels LLP, 600 East 96th Street, Suite 600,
Indianapolis, Indiana 46240. (317) 569-9600.

In accordance with Indiana Code, I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law: Rex. A Ramage, Land Use Consultant