



FUEL TANK AT FISHERS PUD

City of Fishers
Planned Development
Ordinance
No. 062016A

FUEL TANK AT FISHERS PUD

1.01 Declaration, Purpose and Intent, and Permitted Uses

Declaration	Purpose and Intent	Permitted Uses
<p>Ordinance No. 062016A (this Ordinance") Adopted: _____</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 1.08 of this Ordinance (the "Real Estate"), is hereby designated as a Planned Unit Development - Commercial District (PUD-C), and that said PUD-C zoning district shall hereafter be known as the "Fuel Tank at Fishers PUD."</p> <p>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. All provisions of the UDO that conflict with the provisions of this Ordinance are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Ordinance. All previous PUD Ordinances, and amendments thereto, applicable to the Real Estate are hereby repealed.</p>	<p>The purpose of this PUD is to encourage improved design in the development of land by promoting greater flexibility in applying the UDO to the development of the Real Estate.</p>	<p>All uses described in the C1 <i>Commercial District and the following:</i></p> <ul style="list-style-type: none"> • Sports entertainment facility • All uses described in the M2 <i>Multi-family Residential District shall be permitted on Lot 1.</i>

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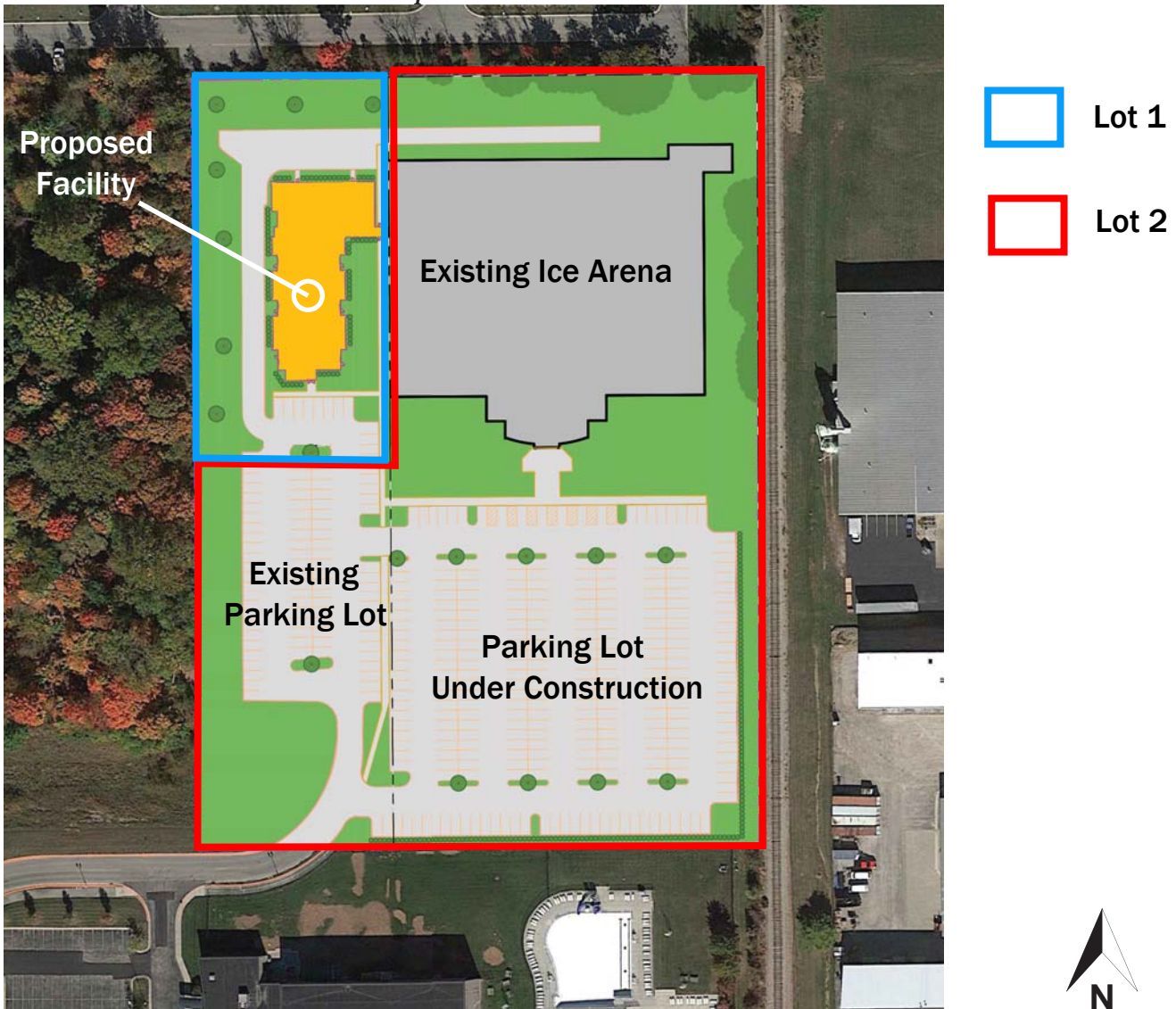
1.02 Applicability

- A. The UDO's standards applicable to the **C1** *C1 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.
- B. The improvements existing on the Real Estate on the date of the approval of this Ordinance shall be permitted.

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. Development plans shall be reviewed and approved based upon compliance with the development and design standards set forth herein.

Concept Plan Exhibit



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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 2.24: C1 Commercial District Development Standards* shall apply, except as modified below:
 - (1) Maximum Primary Structure Height: Forty (40) feet.
 - (2) Minimum Lot Frontage: As shown on Concept Plan.
 - (3) Minimum Front Setback: As shown on Concept Plan.
 - (4) Minimum Side Setback: As shown on Concept Plan. No minimum side setback required between Lots 1 & 2.
 - (5) Minimum Aggregate Side Setback: N/A
 - (6) Minimum Rear Setback: As shown on Concept Plan.
 - (7) Minimum Building Separation: N/A
 - (8) Minimum Internal Setback: N/A
 - (9) Minimum Living Unit Area: 800 square feet
- C. Accessory Structure Standards (AS): shall apply.
- D. Architectural Design Standards (AD): shall apply, except as modified below:
 - (1) If Lot 1 is developed for a multi-family residential use, then *Article 5.14 AD-02: Architectural Design; Multi-family Residential*; shall apply to that use, except as modified below:
 - (a) The Illustrative Architectural 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 the new multi-family building to be constructed on Lot 1, as shown on the Concept Plan. The final building design may vary from the Illustrative Architectural Exhibit; however, building shall be substantially similar in quality and character to the building shown in the Illustrative Architectural Exhibit.
 - (b) *Article 5.14 AD-02: Architectural Design; Multi-family Residential; (C): Roof* shall not apply. Instead, a flat roof shall be permitted.
 - (c) *Article 5.14 AD-02: Architectural Design; Multi-family Residential; (F): Architectural Features* shall apply, except as modified below:
 - (i) Each multi-family building shall each have a total of seven (7) or more points from the following list.

Illustrative Architectural Exhibit



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Rear Elevation



Left Elevation



Right Elevation

- 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.
- N. Lighting Standards (LT): shall apply.
- O. Loading Standards (LD): shall apply.
- P. Lot Standards (LO): shall apply.
- Q. Outdoor Storage Standards (OS): shall apply.
- R. Parking Standards (PK): shall apply, **except as modified below**: ~~One parking space per bedroom shall be~~

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provided for multi-family use and may be located on Lot 1 and/or Lot 2:

(1) The parking standards shall not apply to the proposed facility on Lot 1. Instead, the following parking standards shall apply to the proposed facility located on Lot 1:

(i) One parking space per bedroom shall be provided for the proposed facility and may be located on Lot 1 and/or Lot 2.

- 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 apply.
- DD. Telecommunication Facilities Standards (TC): shall apply.
- EE. Temporary Use/Structure Standards (TU): shall apply.
- FF. Use-specific Standards (US): shall apply.
- GG. 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. 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 (LT): 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 not apply.
- 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.

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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 general 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.

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ORD 062016A

Year 2016

1.07 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 of the UDO in conflict herewith are hereby repealed.

APPROVED by the Common Council of the City of Fishers this 15th day of August, 2016.

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

[Handwritten signatures of council members]

John W. Weingardt, President
David C. George, Vice-President
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 15th day of August, 2016, at 9:00 P m.

ATTEST: *[Signature]*
Jennifer L. Kehl, City Clerk

MAYOR'S APPROVAL
[Signature]
Scott A. Fadness, Mayor

8/15/16
DATE



MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

Approved by: Chris Greisl, City of Fishers, City Attorney
Prepared by: Steven D. Hardin, Esq.,
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: Steven D. Hardin, Esq.

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1.08 Real Estate

A part of the Southwest Quarter of Section 30, Township 18 North, Range 5 East, Delaware Township, Hamilton County, Indiana, Being more particularly described as follows:

Commencing at the Southwest Corner of the Southwest Quarter of Section 30, Township 18 North, Range 5 East, Hamilton County, Indiana; thence North 90 degrees 00 minutes 00 seconds East (assumed bearing) on the South line of said Southwest Quarter a distance of 1513.21 feet to a point on the West right of way line of the former Norfolk and Western Railway, said point being located 20 feet West of, as measured perpendicular to, the centerline of the existing rails; thence North 00 degrees 15 minutes 04 seconds East on said West right of way line a distance of 627.16 feet to the Point of Beginning of the herein described real estate; thence South 90 degrees 00 minutes 00 seconds West parallel with the South line of said Southwest Quarter a distance of 507.81 feet; thence North 00 degrees 00 minutes 00 seconds East a distance of 684.22 feet to a point on the prolongation of the North line of the real estate described in Instrument No. 91-23240 in the Office of the Recorder of Hamilton County, Indiana; thence North 90 degrees 00 minutes 00 seconds East on said North line a distance of 510.81 feet to a point on said West right of way line of the Norfolk and Western Railway; thence South 00 degrees 15 minutes 04 seconds West on said West line a distance of 684.23 feet to the point of beginning, containing 8.00 acres, more or less.