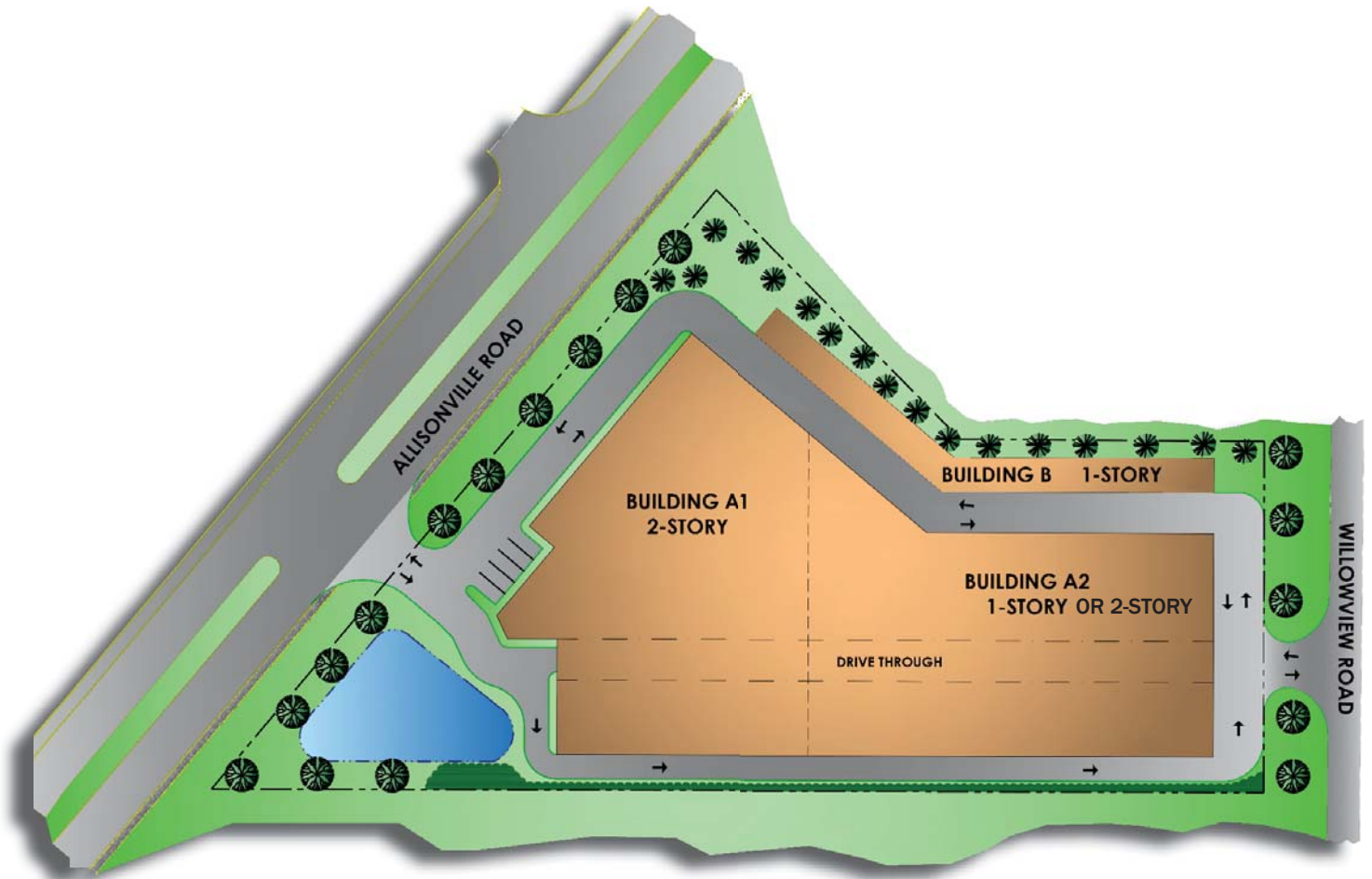


# GALLACHER PLANNED UNIT DEVELOPMENT



**GALLACHER**  
DEVELOPMENT

PRESENTED BY  
STEVEN D. HARDIN, ESQ.  
FAEGRE BAKER  
DANIELS

City Council | Request for Combined 2nd and 3rd Reading | December 21, 2015

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**GALLACHER PUD**



**Petitioner:**

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**Attorney:**

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Consultant

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telephone. 317.569.9600  
fax. 317.569.4800

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# **TAB 1**

**EXECUTIVE SUMMARY**

**GALLACHER PUD**



Gallacher Development, LLC (“Gallacher”) is the contract purchaser of 4.09 +/- acres, located at 10415 Allisonville Road. Gallacher respectfully requests approval of a PUD-C Ordinance to allow for the development of its proposed upscale storage facility. Approximately 85% of the units will be climate controlled, and the proposed development represents a \$7.4 Million investment in the community. In addition to serving the needs of nearby businesses and residents, the proposed use will increase the City’s assessed value without adding students and without creating a demand for City services (low traffic, minimal uses of utilities and police and fire protection).

Update since First Reading:

At First Reading, the City Council encouraged Gallacher to consider increasing the amount of masonry used on the exterior of the buildings. In response, Gallacher revised the building elevations to increase the masonry on all four sides. The proposed Concept Plan and updated Illustrative Elevations may be found at Tabs 3 and 4, respectively, and the proposed PUD Ordinance can be found at Tab 5.

Plan Commission Public Hearing:

At the November 17, 2015, public hearing, no remonstrance was made, and the Plan Commission voted unanimously to forward this proposal to the City Council with a favorable recommendation

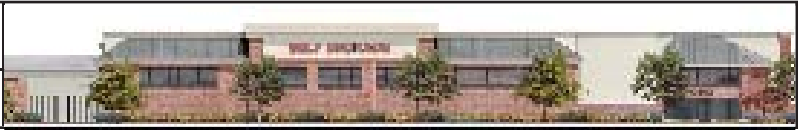
If approved, Gallacher plans to start development planning and work early next year.

Thank you for your consideration.

## **TAB 2**

**AERIAL LOCATION EXHIBIT**

**GALLACHER PUD**

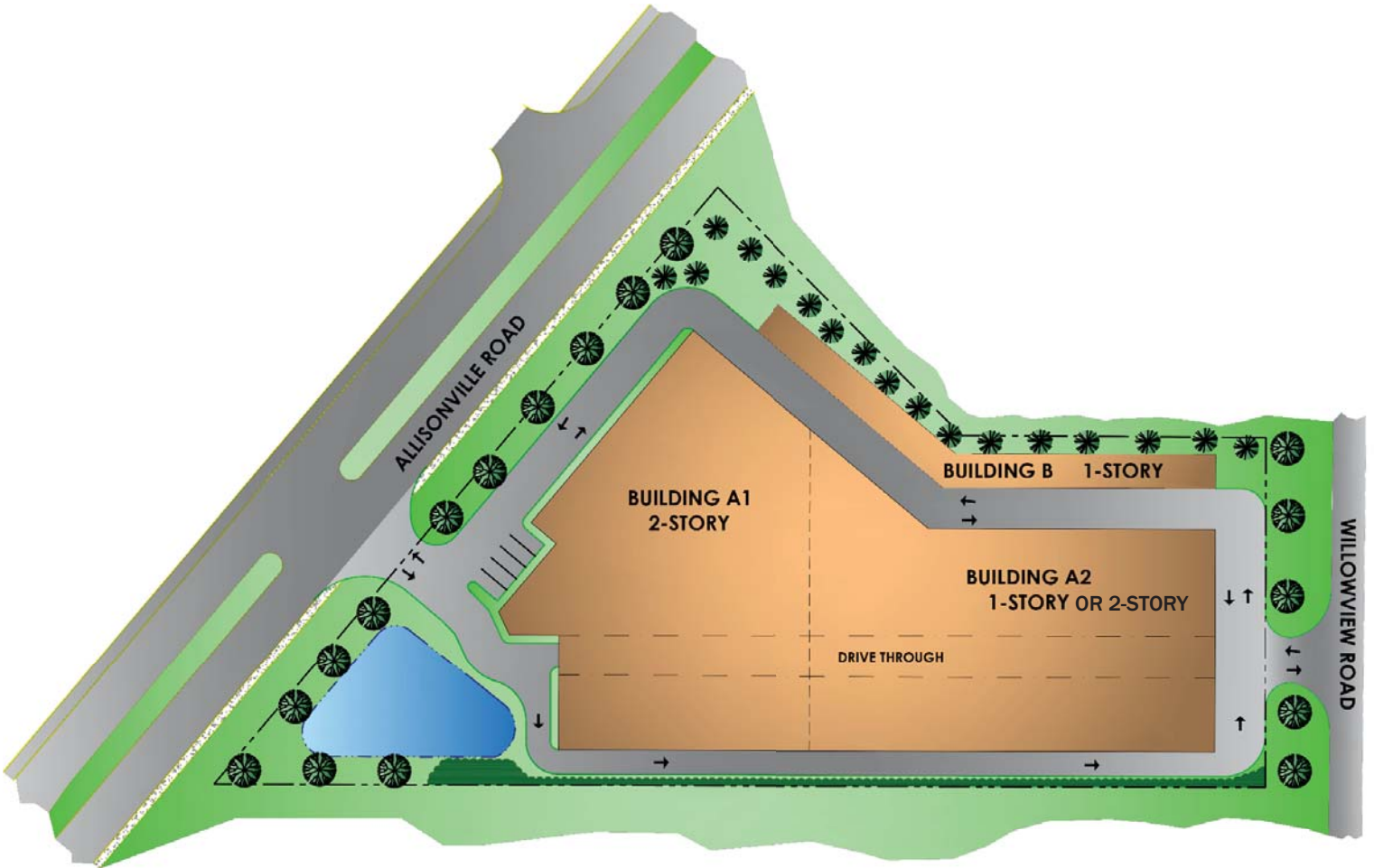


# **TAB 3**



CONCEPT PLAN

GALLACHER PUD

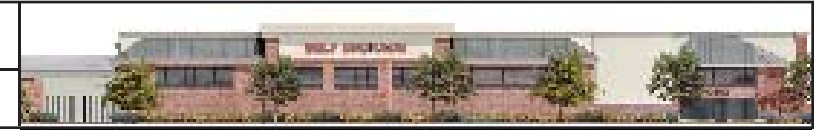




**TAB 4**

UPDATED ELEVATIONS

GALLACHER STORAGE



West Elevation



North Elevation



East Elevation



South Elevation



PREVIOUS ELEVATIONS

GALLACHER STORAGE



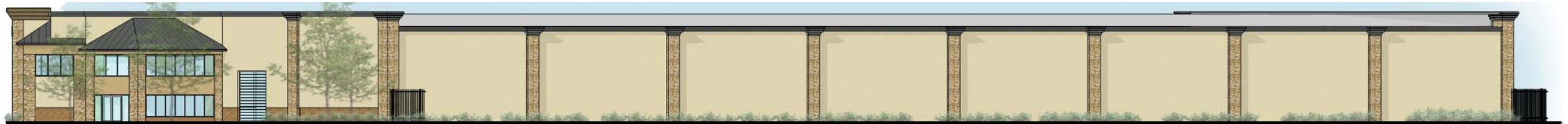
**WEST ELEVATION**



**NORTH ELEVATION**



**EAST ELEVATION**



**SOUTH ELEVATION**

# **TAB 5**

Year  
2015

GALLACHER PUD

---

City of Fishers  
Planned Development  
Ordinance  
No. 101915B

# GALLACHER PUD

## 1.01 Declaration, Purpose and Intent, and Permitted Uses

Declaration	Purpose and Intent	Permitted Uses
<p><b>Ordinance No. 101915B</b> (this Ordinance") <b>Adopted:</b> _____</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 1.09 of this Ordinance (the "Real Estate"), is hereby designated as a <b>Commercial - Planned Unit Development District (PUD-C)</b>, and that said PUD-C zoning district shall hereafter be known as the "<b>Gallacher PUD.</b>"</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.</p> <p>If the Real Estate is developed as a Self-Storage Facility, then 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.</p> <p>If the Real Estate is not developed as a Self-Storage Facility, then the standards applicable to the C2 District shall govern the Real Estate.</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>	<p><b>All uses described in the <span style="border: 1px solid black; border-radius: 5px; padding: 2px;">C2</span> Commercial District and the following:</b></p> <ul style="list-style-type: none"> <li>• 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 Director that compliment and are intended to serve such a facility.</li> </ul>



# GALLACHER PUD

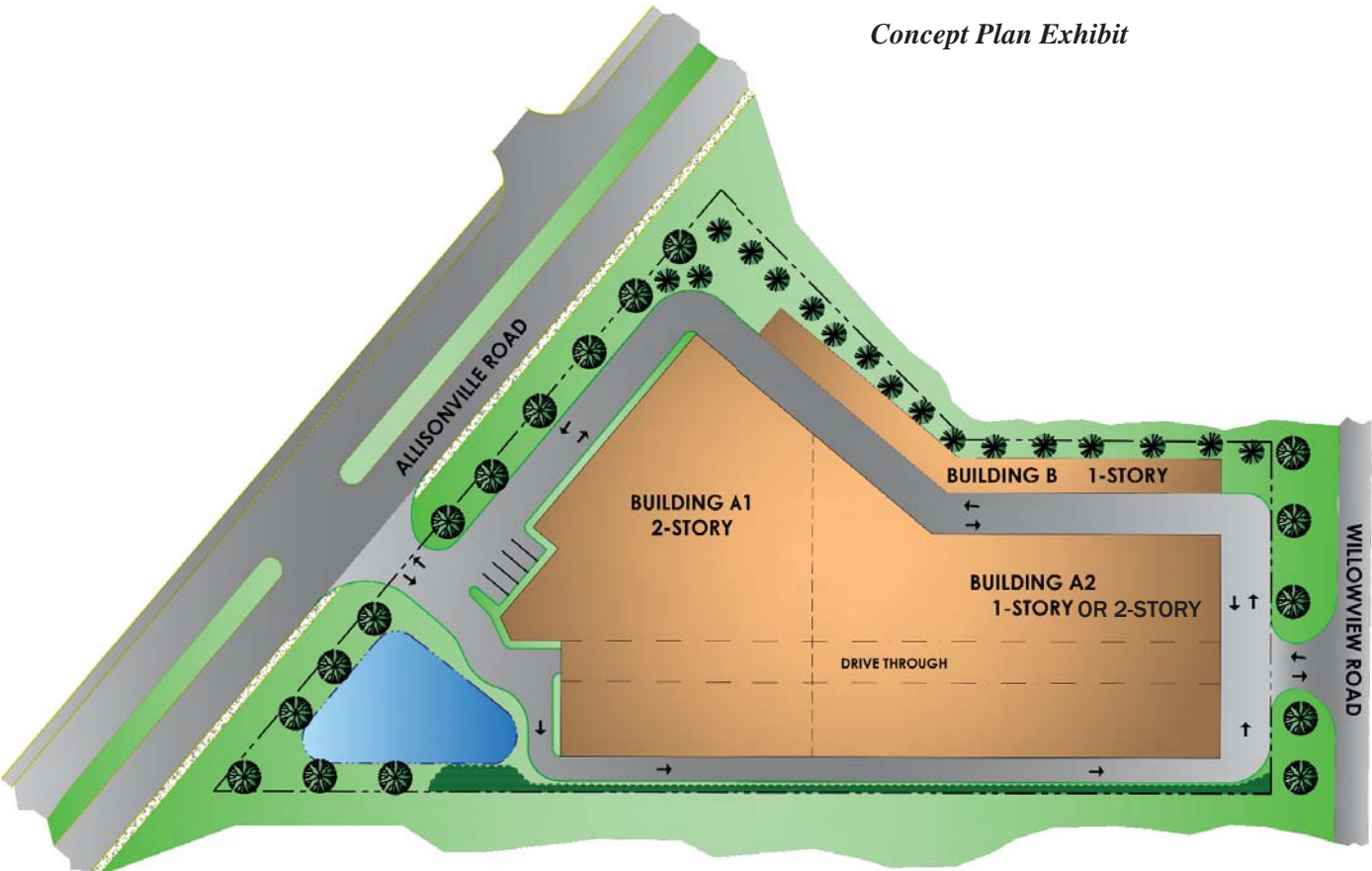
## 1.02 Applicability

- 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



# GALLACHER 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 Setback along Willow View Road shall be 30 feet.
  - (2) Floor Area Ratio shall not apply. Instead, no single building shall be larger than 128,000 ft<sup>2</sup>.
  - (3) Maximum Structure Height shall apply. In addition, any structure on the Real Estate shall be one-story or two-story.
- C. Accessory Structure Standards (AS): shall apply.
- D. Architectural Design Standards (AD): shall apply:
  - (1) 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 all new buildings constructed on the Real Estate. The final building design may vary from the Illustrative Architectural Exhibit; however, buildings shall be substantially similar in quality and character to the building shown in the Illustrative Architectural Exhibit.

### *Illustrative Architectural Exhibit*



WEST ELEVATION



NORTH ELEVATION (2 STORY OPTION)



EAST ELEVATION



SOUTH ELEVATION (2 STORY OPTION)

# GALLACHER PUD

- 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. Landscaping Standards (LA): shall apply. In addition, the following shall apply:
  - (1) Evergreen trees, a minimum of six (6) feet tall at planting, shall be planted in between the north building's north facade and the north property line at a rate of three (3) trees per 100 lineal feet.
- M. Lighting Standards (LT): shall apply.
- N. Loading Standards (LD): shall not apply.
- O. Lot Standards (LO): shall apply.
- P. Outdoor Storage Standards (OS): shall apply.
- Q. Parking Standards (PK): shall not apply. Instead, there shall be 5 parking spaces as shown on the concept plan.
- R. Pedestrian Accessibility Standards (PA): shall apply.
- S. Performance Standards (PF): shall apply.
- 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.
- Y. Sewer & Water Standards (SW): shall apply.
- Z. Sign Standards (SG): shall apply.
- AA. Structure Quantity Standards (SQ): shall not apply. Instead, more than one (1) Primary Structure shall be permitted on a given lot or parcel.
- 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. In addition, any unimproved areas of the Real Estate shall qualify as open space as permitted per *Article 7.025 (C)(6) OP-01: Open Space Standards; Residential; Site Features that Qualify as Open Space; City Council-approved Open Space*.

# GALLACHER PUD

- Q. Pedestrian Network Standards (PN): shall apply.
- R. Perimeter Landscaping Standards (PL): shall not 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 Hours of Operation

The hours of operation shall not exceed 6:00 am - 10:00 pm daily.

## 1.07 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.

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 of the UDO in conflict herewith are hereby repealed.

COPY

APPROVED by the Common Council of the City of Fishers this 21<sup>st</sup> day of December, 2015.

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

[Signature]  
[Signature]

C. Pete Peterson,  
President

John W. Weingardt,  
Vice-President

Stuart F. Easley,  
Member

David C. George

David C. George,  
Member

[Signature]

Eric Moeller,  
Member

[Signature]

Selina M. Stoller,  
Member

[Signature]

Richard W. Block,  
Member

[Signature]

Cecilia C. Coble,  
Member

[Signature]

Todd P. Zimmerman  
Member

I hereby certify that the foregoing Ordinance was delivered to City of Fishers Mayor Scott Fadness on the 21<sup>st</sup> day of December 2015, at 9 P m.

ATTEST: [Signature]  
Jennifer Kehl, City Clerk

2016000515 ORDINANCE \$21.00  
01/06/2016 11:39:19A 5 PGS  
Jennifer Hayden  
HAMILTON County Recorder IN  
Recorded as Presented

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

DATE 12-21-2015

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.

## 1.09 Real Estate

Part of the East Half of the Northeast Quarter of Section 10, Township 17 North, Range 4 East of the Second Principal Meridian located in Delaware Township, Hamilton County, Indiana, described as follows:

Commencing at the Southeast Corner of said Half Quarter Section thence North 00 degrees 05 minutes 04 seconds East (bearing based upon state plane coordinates) along the east line of said Section 1195.18 feet to a mag nail with a washer stamped "NPES 20100076" being the Point of Beginning of the herein described parcel also being the northeast corner of the land of JMH Properties LLC; thence North 89 degrees 50 minutes 17 seconds West along the north line of said JMH Properties LLC 763.84 feet to the center of Allisonville Road identified by a capped rebar with a pink cap stamped "NPES 20100076"; thence North 40 degrees 06 minutes 55 seconds East along last said centerline 532.04 feet to a capped rebar with a pink cap stamped "NPES 20100076"; thence South 44 degrees 33 minutes 46 seconds East along the southerly line of the land of Fishers Town Hall Building Corp. 272.69 feet to a capped rebar with a pink cap stamped "NPES 20100076"; thence South 89 degrees 33 minutes 46 seconds East along last said south line 230.00 feet to the aforesaid east line identified by a mag nail with a washer stamped "NPES 20100076"; thence South 00 degrees 05 minutes 04 seconds West along said east line 213.00 feet to the Point of Beginning containing 4.09 acres more or less.



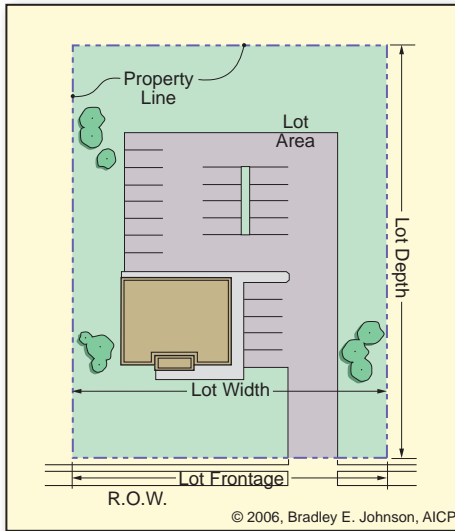
# **TAB 6**

## 2.25 C2 Neighborhood Business District Intent and Permitted Uses

District Intent	Permitted Uses
<p>The C2 Commercial (Neighborhood Business) District is established to provide for the development of commercial and frequently used businesses associated with the shopping, service and family needs of adjacent or local residential areas. The C2 zoning district is intended to provide for the establishment of smaller shops or stores serving a localized area rather than larger businesses serving regional areas.</p> <p>Consideration of access of such uses by safe and well-planned pedestrian traffic, are also encouraged into the overall site design of the parcel.</p> <p><b>Required Approvals:</b></p> <ul style="list-style-type: none"> <li>Development Plan approval required for all developments.</li> </ul>	<p><b>Accessory Uses:</b></p> <ul style="list-style-type: none"> <li>accessory use subordinate to the primary use of the building</li> <li>satellite television receiving-only antenna</li> </ul> <p><b>Commercial and Service Uses:</b></p> <ul style="list-style-type: none"> <li>art and antique shop</li> <li>bakery</li> <li>coffee shop</li> <li>confectionery</li> <li>dance studio</li> <li>day care, adult</li> <li>day care, child</li> <li>dry cleaner</li> <li>flower shop</li> <li>fuel sales*</li> <li>fuel/energy station</li> <li>gift shop</li> <li>grocery/convenience mart</li> <li>hardware store</li> <li>health food store</li> <li>mortuary</li> <li>office supply store</li> <li>package goods store (alcohol)</li> <li>personal body services</li> <li>personal care services</li> <li>pharmacy/nutrition store</li> <li>photography shop</li> <li>restaurant, deli-style and ice cream shop/parlor*</li> <li>restaurant, family</li> <li>restaurant, fast food/quick service*</li> <li>restaurant, fine dining</li> <li>restaurant, takeout*</li> <li>retail, low intensity</li> <li>retail, very low intensity</li> <li>retail shop, specialty</li> <li>sewing, art, or craft supply store</li> <li>veterinary clinic</li> </ul> <p><b>Institutional Uses:</b></p> <ul style="list-style-type: none"> <li>civic club or recreational facility</li> <li>community center</li> <li>government office and building</li> <li>library</li> <li>place of worship</li> <li>public safety facility</li> <li>school; trade, business or commercial</li> </ul> <p><b>Office Uses:</b></p> <ul style="list-style-type: none"> <li>bank, credit union, financial services or savings and loan</li> <li>financial office</li> <li>general office</li> <li>medical office</li> </ul> <p><b>Residential Uses:</b></p> <ul style="list-style-type: none"> <li>nursing and convalescent home</li> </ul> <p><i>*see also Article 05; §US: Use-specific Standards.</i></p>

# C2 Neighborhood Business District

## 2.26 C2 Neighborhood Business District Development Standards



**Minimum Project Area:**

- n/a

**Minimum Lot Area:**

- 1 acre (43,560 square feet)

**Minimum Lot Width:**

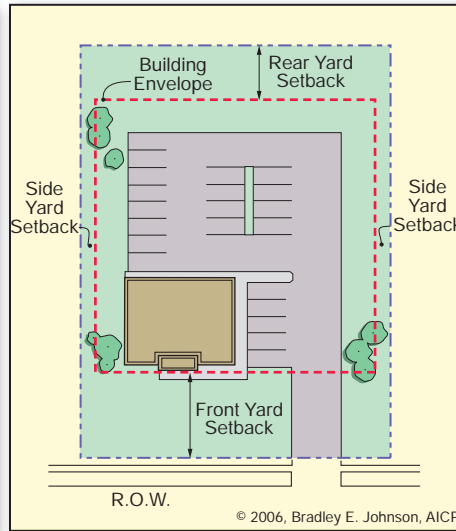
- n/a

**Minimum Lot Frontage:**

- 150 feet

**Sewer and Water:**

- Requires municipal water or sewer hookup



**Minimum Front Setback\*:**

- 50 feet

**Minimum Side Setback\*:**

- 10 feet; however, if adjacent to an area either zoned or used for:
  - Single- or Two-family Residential: 50 feet;
  - Multi-family Residential: 25 feet.

**Minimum Aggregate Side Setback:**

- 20 feet

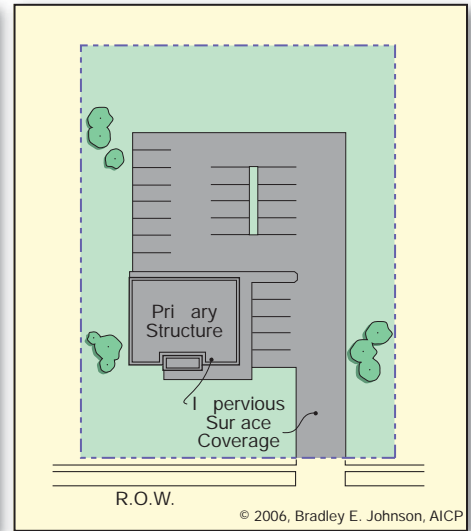
**Minimum Rear Setback\*:**

- 20 feet; however, if adjacent to an area either zoned or used for:
  - Single- or Two-family Residential: 50 feet;
  - Multi-family Residential: 25 feet.

\*Note: Additional Buffer Yard requirements may apply

**Minimum Building Separation:**

- 20 feet



**Minimum Internal Setback:**

- 18 feet

**Maximum Impervious Surface Coverage:**

- 75%

**Minimum Gross Floor Area:**

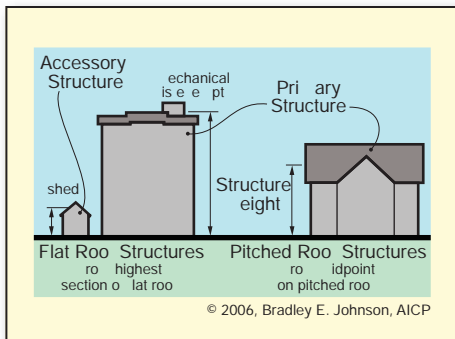
- n/a

**Floor Area Ratio:**

- No primary structure shall exceed a floor area ratio of 0.2. No development with multiple primary structures shall exceed a floor area ratio of 0.02. In addition, no one single user building may exceed 55,000 square feet and no development shall exceed 90,000 square feet.

**Minimum Required Open Space:**

- 15%



**Maximum Structure Height:**

- Primary Structure: 35 feet, not to exceed two (2) stories; 25 feet for freestanding structures, not to exceed one (1) story.
- Accessory Structure: 18 feet

### Additional Development Standards that Apply

<p><b>Accessory Structure (AS)</b></p> <ul style="list-style-type: none"> <li>• AS-01 .....Page 5-4</li> <li>• AS-06 .....Page 5-9</li> <li>• AS-07 .....Page 5-11</li> </ul> <p><b>Architectural Design (AD)</b></p> <ul style="list-style-type: none"> <li>• AD-03 .....Page 5-17</li> </ul> <p><b>Density and Intensity (DI)</b></p> <ul style="list-style-type: none"> <li>• DI-01 .....Page 5-26</li> </ul> <p><b>Entrances/Drives (ED)</b></p> <ul style="list-style-type: none"> <li>• ED-01 .....Page 5-27</li> <li>• ED-04 .....Page 5-29</li> </ul> <p><b>Environmental (EN)</b></p> <ul style="list-style-type: none"> <li>• EN-01 .....Page 5-30</li> </ul> <p><b>Fence and Wall (FW)</b></p> <ul style="list-style-type: none"> <li>• FW-01 .....Page 5-31</li> <li>• FW-04 .....Page 5-33</li> </ul> <p><b>Floodplain (FP)</b></p> <ul style="list-style-type: none"> <li>• FP-01 .....Page 5-34</li> </ul> <p><b>Floor Area (FA)</b></p> <ul style="list-style-type: none"> <li>• FA-01 .....Page 5-42</li> </ul> <p><b>Height (HT)</b></p> <ul style="list-style-type: none"> <li>• HT-01 .....Page 5-43</li> </ul>	<p><b>Landscaping (LA)</b></p> <ul style="list-style-type: none"> <li>• LA-01 .....Page 5-47</li> <li>• LA-02 .....Page 5-49</li> <li>• LA-04 .....Page 5-50</li> <li>• LA-05 .....Page 5-50</li> <li>• LA-06 .....Page 5-51</li> <li>• LA-07 .....Page 5-53</li> </ul> <p><b>Lighting (LT)</b></p> <ul style="list-style-type: none"> <li>• LT-01 .....Page 5-55</li> <li>• LT-03 .....Page 5-56</li> </ul> <p><b>Loading (LD)</b></p> <ul style="list-style-type: none"> <li>• LD-01 .....Page 5-57</li> </ul> <p><b>Lot (LO)</b></p> <ul style="list-style-type: none"> <li>• LO-01 .....Page 5-59</li> </ul> <p><b>Outdoor Storage (OS)</b></p> <ul style="list-style-type: none"> <li>• OS-03 .....Page 5-62</li> <li>• OS-04 .....Page 5-63</li> </ul> <p><b>Parking (PK)</b></p> <ul style="list-style-type: none"> <li>• PK-01 .....Page 5-64</li> <li>• PK-04 .....Page 5-67</li> <li>• PK-05 .....Page 5-68</li> <li>• Table PK-A .....Page 5-70</li> </ul> <p><b>Pedestrian Accessibility (PA)</b></p> <ul style="list-style-type: none"> <li>• PA-01 .....Page 5-75</li> <li>• PA-02 .....Page 5-75</li> </ul> <p><b>Performance (PF)</b></p> <ul style="list-style-type: none"> <li>• PF-01 .....Page 5-77</li> </ul>	<p><b>Permanent Display (PD)</b></p> <ul style="list-style-type: none"> <li>• PD-01 .....Page 5-78</li> </ul> <p><b>Property Identification (PI)</b></p> <ul style="list-style-type: none"> <li>• PI-01 .....Page 5-80</li> </ul> <p><b>Public Art (PT)</b></p> <ul style="list-style-type: none"> <li>• PT-01 .....Page 5-81</li> </ul> <p><b>Public Improvement (PV)</b></p> <ul style="list-style-type: none"> <li>• PV-01 .....Page 5-82</li> </ul> <p><b>Setback (SB)</b></p> <ul style="list-style-type: none"> <li>• SB-01 .....Page 5-83</li> <li>• SB-03 .....Page 5-84</li> <li>• SB-04 .....Page 5-85</li> </ul> <p><b>Sewer and Water (SW)</b></p> <ul style="list-style-type: none"> <li>• SW-01 .....Page 5-86</li> </ul> <p><b>Signs (SG)</b></p> <ul style="list-style-type: none"> <li>• SG-04 .....Page 5-96</li> <li>• SG-12 .....Page 5-117</li> </ul> <p><b>Structure Quantity (SQ)</b></p> <ul style="list-style-type: none"> <li>• SQ-01 .....Page 5-120</li> </ul> <p><b>Temporary Uses (TU)</b></p> <ul style="list-style-type: none"> <li>• TU-01 .....Page 5-124</li> <li>• TU-04 .....Page 5-129</li> </ul> <p><b>Use-specific (US)</b></p> <ul style="list-style-type: none"> <li>• US-05 .....Page 5-139</li> <li>• US-06 .....Page 5-140</li> <li>• US-08 .....Page 5-141</li> </ul> <p><b>Vision Clearance (VC)</b></p> <ul style="list-style-type: none"> <li>• VC-01 .....Page 5-143</li> </ul>
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