

2017062324 ORDI \$25.00  
12/20/2017 12:00:53PM 11 PGS  
Jennifer Hayden  
Hamilton County Recorder IN  
Recorded as Presented



LAKE MEADOWS PUD



City of Fishers  
Planned Unit  
Development  
Ordinance  
No. 101617C

1.01 Declaration, Purpose and Intent, and Permitted Uses

Declaration	Purpose and Intent	Permitted Uses
<p><b>Ordinance No. 101617C</b> (this "Ordinance") <b>Adopted: 12/18/2017</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 of the City of Fishers, Indiana, dated June, 2017, 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 1.11 of this Ordinance (the "Real Estate"), is hereby designated as a <b>Planned Unit Development - Residential District (PUD-R)</b>, and that said PUD-R zoning district shall hereafter be known as the "<b>Lake Meadows 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 All provisions of the UDO that conflict with the provisions of this Ordinance are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Ordinance.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>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><b>Area A<sup>1</sup>:</b></p> <ul style="list-style-type: none"> <li>• Assisted Living Facility</li> <li>• Accessory Uses described in the R2 District</li> </ul> <p><b>Area B<sup>1</sup>:</b></p> <ul style="list-style-type: none"> <li>• Dwelling, two-family</li> <li>• Accessory Uses described in the R5 district</li> </ul> <p><sup>1</sup>Area A and Area B are identified on the Concept Plan, attached hereto as <b>Exhibit A.</b></p>

# LAKE MEADOWS PUD

## 1.02 Applicability

- A. The standards of the UDO applicable to the **R2** Residential District shall apply to the development of Area A of the Real Estate, except as modified, revised, or expressly made inapplicable by this Ordinance. The standards of the UDO applicable to the **R5** Residential District shall apply to the development of Area B 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): Planned Unit Development (PUD) Districts: 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, attached hereto as **Exhibit A**, is hereby incorporated. The Real Estate's Development Plan shall be substantially consistent with the Concept Plan and shall be reviewed and approved based upon compliance with the development and design standards set forth herein. *Article 9.18(M)(1): Planned Unit Development; Concept Plan: Changes or Amendments: UDO/PUD Text Amendment* shall not apply. If the Director determines that a Development Plan is not substantially consistent with the Concept Plan (the "Director's Determination"), then the Director shall notify the applicant within fifteen (15) days of receipt of the submitted Development Plan of (1) the Director's Determination; and (2) whether the Development Plan is (a) approved; or (b) not approved (the "Director's Decision"). The Director's Decision shall be based upon the Development Plan's compatibility and consistency with the intended quality and character of the Lake Meadows PUD. If the Director's Decision does not approve the Development Plan, then the applicant may submit the Development Plan to the City Council for review and approval. The City Council's decision shall be made at a public meeting, but no additional public hearing shall be required.

## 1.04 General Regulations

- A. **Cross References:** The regulations of *Article 05: Development Standards* shall apply, except as modified by this Ordinance. Cross references in *Article 05: Development Standards* to the two-page layout in *Article 02: Zoning Districts and Regulations* shall not apply.

- B. **General Regulations:**

(1) For Area A, *Article 2.08: R2 Residential District Development Standards* shall not apply. Instead, only the following Development Standards shall apply:

Min. Lot Area	Min. Lot Width at Building Line	Min. Lot Frontage	Min. I-69 Setback	Min. 126th St Setback	Min. Street A Setback	Max. Impervious Surface Coverage	Max. Structure Height
15,000	100'	50'	50'	50'	15'	74% of the Lot Area	Primary: 35' Accessory: 18'

(2) For Area B, *Article 2.14: R5 Residential District Development Standards* shall not apply. Instead, only the following Development Standards shall apply:

Min. Lot Area	Min. Lot Width at Building Line	Min. Lot Frontage	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Max. Impervious Surface Coverage	Min. Living Unit Area	Max. Structure Height
7,500	70'	50'	25'	10'	25'	45% of the Lot Area	1-story: 1,600 sq. ft. 2-story: 1,800 sq. ft.	Primary: 35' Accessory: 18'

# LAKE MEADOWS PUD

## 1.05 Development Standards for Area A

- A. The regulations of *Article 05: Development Standards* shall apply, except as modified by this Ordinance.
- B. Accessory Structure Standards (AS): shall apply, except as modified below:
  - (1) *Article 5.04 AS-01 (D)(6): Accessory Structures; General; Trash Receptacle Enclosures (Ord. #081808, Effective 12/1/08): Orientation* shall apply, except for the first sentence, which shall not apply.
- C. Architectural Design Standards (AD): shall apply, except as modified below:
  - (1) Approved Elevations
    - (a) The City's PUD Committee, at its November 1, 2017, meeting, reviewed and approved the illustrative architectural exhibits on file with the City's Planning and Zoning Department (the "Approved Elevations"). The illustrative architectural exhibits, attached hereto as **Exhibit B**, is a sampling and general representation of the approved building elevations. The Approved Elevations are hereby incorporated and approved. All buildings shall be substantially consistent with the Approved Elevations or otherwise comply with the standards set forth in this Ordinance. The Director of the Planning and Zoning Department, including his/her designees, shall review and approve building elevations at the time of filing of the Building Permit for compliance.
    - (b) If a building elevation does not comply with Section 1.05(C)(1)(a), then the proposed building elevation(s) shall be submitted for review and approval by the PUD Committee. The PUD Committee's review of the building elevation(s) shall be performed in order to determine its compatibility and consistency with the intended quality and character of the PUD and the Approved Elevations.
  - (2) *Article 5.13 AD-01 (A)(1)(A): Architectural Design; Single-family Residential; Façade; Masonry* shall not apply. Instead, the following shall apply:
    - (a) A minimum of 50% of the front façade shall be Masonry. The front façade shall be the facade that is oriented to Lake Meadows Drive.
    - (b) A minimum of 30% of the side and rear façades shall be Masonry.
  - (3) *Article 5.13 AD-01 (A)(2): Architectural Design; Single-family Residential; Façade; Exterior Material* shall apply, except heavy-gauge vinyl and vinyl shall not be permitted as a siding material.
  - (4) *Article 5.13 AD-01 (A)(3): Architectural Design; Single-family Residential; Façade; Architectural Features* shall apply, except as modified below:
    - (a) A total of seven (7) points shall be required.
    - (b) *Article 5.13 AD-01 (A)(3)(c): Architectural Design; Single-family Residential; Façade; Architectural Features; Garage* shall not apply.
  - (5) *Article 5.13 AD-01 (A)(4): Architectural Design; Single-family Residential; Façade; Dimensions* shall not apply.
  - (6) *Article 5.13 AD-01 (B): Architectural Design; Single-family Residential; Entries* shall not apply.
  - (7) *Article 5.13 AD-01 (D): Architectural Design; Single-family Residential; Automobile Storage* shall not apply.
  - (8) *Article 5.13 AD-01 (G): Architectural Design; Single-family Residential; Model Homes* shall not apply.
- D. Density & Intensity Standards (DI): shall apply.
- E. Entrance & Driveway Standards (ED): shall apply.
- F. Environmental Standards (EN): shall apply.
- G. Fence & Wall Standards (FW): shall apply.
- H. Floodplain Standards (FP): shall apply.
- I. Floor Area Standards (FA): shall apply.
- J. Height Standards (HT): shall apply.
- K. Home Occupation Standards (HO): 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.

# LAKE MEADOWS PUD

- Q. Parking Standards (PK): shall not apply. Instead, a minimum of ninety-five (95) parking spaces shall be provided.
- 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. Sexually Oriented Business Standards (SX): shall apply.
- AA. Sign Standards (SG): shall not apply. Instead, *Article 5.93 SG-03 (A)(5): Sign Standards; Residential Districts; Apartment Complex Identification Signs* shall apply.
- BB. Structure Quantity Standards (SQ): shall apply.
- CC. Telecommunication Facilities Standards (TC): shall apply.
- DD. Temporary Use/Structure Standards (TU): shall apply.
- EE. Use-specific Standards (US): shall apply.
- FF. Vision Clearance Standards (VC): shall apply.

## 1.06 Development Standards for Area B

- A. The regulations of *Article 05: Development Standards* shall apply, except as modified by this Ordinance.
- B. Accessory Structure Standards (AS): shall apply.
- C. Architectural Design Standards (AD): shall apply, except as modified below:
  - (1) Building Elevations
    - (a) The City’s PUD Committee, shall review and approve the illustrative architectural exhibits submitted to the City’s Planning and Zoning Department (the “Approved Elevations”). The Approved Elevations shall be: (1) at a minimum, substantially consistent in character and quality with the Adams & Marshall homes built in the adjacent Whispering Woods neighborhood; or (2) otherwise comply with the standards set forth in this Ordinance. The Director of the Planning and Zoning Department, including his/her designees, shall review and approve home elevations at the time of filing of the Building Permit for compliance.
    - (b) If a building elevation does not comply with Section 1.06(C)(1)(a), then the proposed home elevation(s) shall be submitted for review and approval by the PUD Committee. The PUD Committee’s review of the home elevation(s) shall be performed in order to determine its compatibility and consistency with the intended quality and character of the PUD.
- D. Density & Intensity Standards (DI): shall apply.
- E. Entrance & Driveway Standards (ED): shall apply.
- F. Environmental Standards (EN): shall apply.
- G. Fence & Wall Standards (FW): shall apply.
- H. Floodplain Standards (FP): shall apply.
- I. Floor Area Standards (FA): shall apply.
- J. Height Standards (HT): shall apply.
- K. Home Occupation Standards (HO): shall apply.
- L. Landscaping Standards (LA): shall apply.
- M. Lighting Standards (LT): shall apply, except as modified below:
  - (1) *Article 5.48 LT-02 (C): Lighting Standards; Residential; Architectural Accent Lighting* shall not apply. Instead, the following shall apply:
    - (a) All ground lighting used to cast light on building facades, building features or signs shall have shields to ensure that light does not project beyond the building or sign, and shall utilize the minimum amount of light necessary to light the facade, building feature or sign. The light fixture and bulb shall be shielded from view of any street, sidewalk, or adjacent lot.

# LAKE MEADOWS PUD

- 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.
- 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. Sexually Oriented Business Standards (SX): shall apply.
- AA. Sign Standards (SG): shall apply.
- BB. Structure Quantity Standards (SQ): shall apply.
- CC. Telecommunication Facilities Standards (TC): shall apply.
- DD. Temporary Use/Structure Standards (TU): shall apply.
- EE. Use-specific Standards (US): shall apply.
- FF. Vision Clearance Standards (VC): shall apply.

## 1.07 Design Standards for Area A

- 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 apply.
- R. Pedestrian Network Standards (PN): shall apply.
- S. Perimeter Landscaping Standards (PL): shall apply.
- T. Prerequisite Standards (PO): 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.

# LAKE MEADOWS PUD

## 1.08 Design Standards for Area B

- 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 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.

## 1.09 Procedures

- A. The procedures set forth in *Article 9: Processes, Permits & Fees; Planned Unit Development* shall apply, as amended. Development plans shall be reviewed and approved based upon compliance with the development and design standards set forth herein.
- B. If applicable the Real Estate shall be assigned to the City's general PUD Committee (the "Committee") for architectural review.
- C. The Committee shall have discretion and flexibility to consider and approve modifications pertaining to any development and 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.
- D. If the Committee no longer is applicable, then the Mayor or Mayor's Designee shall replace all references to the Committee.

1.10 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 18th day of December, 2017.

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

*David C. George*  
*[Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*

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



I hereby certify that the foregoing Ordinance was delivered to City of Fishers Mayor Scott Fadness on the day of 18th 2017, at 8:00 pm.

ATTEST: *Alexandra Orzyk*  
Jennifer L. Kehl, City Clerk

*[Signature]*  
Scott A. Fadness, Mayor

MAYOR'S APPROVAL

12/18/2017  
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: India A.J.B.B. Olson



# LAKE MEADOWS PUD

Year  
2017

## 1.11 Real Estate

THE FOLLOWING DESCRIBED REAL ESTATE IN HAMILTON COUNTY, STATE OF INDIANA, TOWIT:

PART OF THE SOUTHEAST QUARTER OF SECTION TWENTY-EIGHT (28), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIVE (5) EAST IN HAMILTON COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOW, TO WIT:

BEGINNING AT A POINT ON THE NORTH BOUNDARY LINE OF EAST 126TH STREET (AS NOW ESTABLISHED) SAID POINT BEING 16.50 FEET NORTH AND 1,548.25 FEET EAST OF THE SOUTHWEST CORNER SOUTHEAST QUARTER; THENCE NORTH PARALLEL TO THE WEST LINE OF SAID SOUTHEAST QUARTER APPROXIMATELY 1,068.72 FEET MORE OR LESS, TO THE SOUTHEASTERLY LINE OF A PUBLIC HIGHWAY KNOWN AS I-69, BEING PROJECT #1-69-1 (30) 6 AS SHOWN UNDER CAUSE #S66-228, WHICH WAS FILED MARCH 31, 1966 IN THE HAMILTON COUNTY SUPERIOR COURT;

(THE FOLLOWING COURSES ARE ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE);

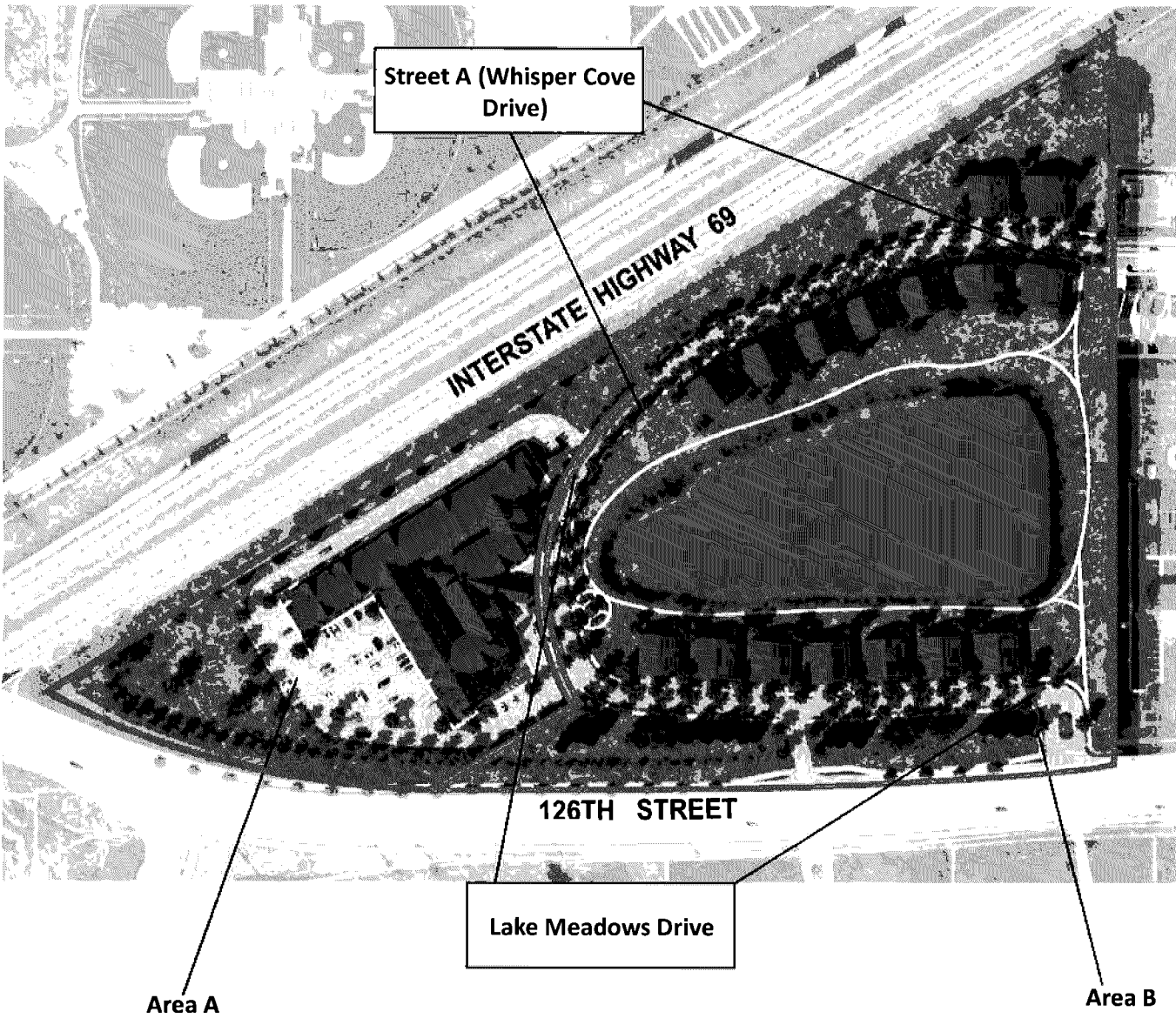
THENCE SOUTH 57 DEGREES 48 MINUTES 00 SECONDS WEST 1,742.64 FEET; THENCE SOUTH 67 DEGREES 54 MINUTES 44 SECONDS EAST 265.80 FEET; THENCE SOUTH 81 DEGREES 26 MINUTES 44 SECONDS EAST 95.96 FEET; THENCE SOUTH 85 DEGREES 53 MINUTES 07 SECONDS EAST 197.48 FEET; THENCE SOUTH 80 DEGREES 10 MINUTES 03 SECONDS EAST 71.29 FEET TO THE NORTH BOUNDARY LINE OF EAST 126TH STREET, THENCE EAST ON AND ALONG SAID NORTH BOUNDARY LINE TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM PROPERTY CONVEYED TO THE TOWN OF FISHERS, STATE OF INDIANA BY DEED RECORDED MAY 20, 2009 AS INSTRUMENT 2009029390 DESCRIBED AS FOLLOWS:

A PART OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 5 EAST, IN HAMILTON COUNTY, INDIANA, AND BEING THAT PART OF THE GRANTORS' LAND LYING WITHIN THE RIGHT OF WAY LINES DEPICTED ON THE RIGHT OF WAY PARCEL PLAT ATTACHED TO THE AFORESAID DEED MARKED EXHIBIT "B", DESCRIBED AS FOLLOWS:

BEGINNING AT POINT "2210" ON SOUTH LINE OF SAID QUARTER SECTION NORTH 89 DEGREES 21 MINUTES 45 SECONDS EAST 669.47 FEET FROM THE SOUTHWEST CORNER OF SAID QUARTER SECTION DESIGNATED AS POINT "35" ON SAID PLAT; THENCE NORTH 0 DEGREES 38 MINUTES 15 SECONDS WEST 16.50 FEET TO THE NORTH BOUNDARY OF 126TH STREET DESIGNATED AS POINT "369" ON SAID PLAT; THENCE NORTH 79 DEGREES 43 MINUTES 19 SECONDS WEST 71.29 FEET ALONG SAID BOUNDARY TO POINT "368" ON SAID PLAT; THENCE NORTH 85 DEGREES 26 MINUTES 22 SECONDS WEST 197.48 FEET ALONG SAID BOUNDARY TO POINT "367" ON SAID PLAT; THENCE SOUTH 86 DEGREES 11 MINUTES 02 SECONDS EAST 200.26 FEET TO POINT "1654" ON SAID PLAT; THENCE NORTH 89 DEGREES 21 MINUTES 44 SECONDS EAST 200.00 FEET TO POINT "1656" ON SAID PLAT; THENCE SOUTH 84 DEGREES 59 MINUTES 06 SECONDS EAST 100.05 FEET TO POINT "1657" ON SAID PLAT; THENCE NORTHEASTERLY 430.70 FEET ALONG AN ARC TO THE LEFT HAVING A RADIUS OF 6,435.00 FEET AND SUBTENDE BY A LONG CHORD HAVING A BEARING OF NORTH 87 DEGREES 03 MINUTES 35 SECONDS EAST AND A LENGTH OF 430.62 FEET TO POINT "2220" ON SAID PLAT; THENCE NORTH 85 DEGREES 08 MINUTES 32 SECONDS EAST 100.72 FEET TO POINT "2221" ON SAID PLAT; THENCE NORTHEASTERLY 118.33 FEET ALONG AN ARC TO THE RIGHT HAVING A RADIUS OF 6,565.00 FEET AND SUBTENDE BY A LONG CHORD HAVING A BEARING OF NORTH 85 DEGREES 39 MINUTES 31 SECONDS EAST AND A LENGTH OF 118.33 FEET TO THE EAST LINE OF SAID GRANTORS' LAND DESIGNATED AS POINT "1679" ON SAID PLAT; THENCE SOUTH 0 DEGREES 17 MINUTES 42 SECONDS EAST 54.84 FEET ALONG SAID LINE TO THE SOUTHEAST CORNER OF SAID GRANTORS' LAND DESIGNATED AS POINT "940" ON SAID PLAT; THENCE SOUTH 89 DEGREES 21 MINUTES 45 SECONDS WEST 881.03 FEET ALONG SAID LINE TO THE POINT OF BEGINNING AND CONTAINING 0.704 ACRES, MORE OR LESS, INCLUSIVE OF THE PRESENTLY EXISTING RIGHT OF WAY FOR 126TH STREET WHICH INCLUDES 0.333 ACRES, MORE OR LESS.

# Exhibit A - Concept Plan Exhibit



# Exhibit B - Illustrative Architectural Exhibit



Year  
**2017**

LAKE MEADOWS PUD

---

City of Fishers  
Planned Unit  
Development  
Ordinance  
No. 101617C

1.01 Declaration, Purpose and Intent, and Permitted Uses

Declaration	Purpose and Intent	Permitted Uses
<p><b>Ordinance No. 101617C</b> (this "Ordinance") <b>Adopted:</b> 12/18/2017</p> <p>The Unified Development Ordinance (the "UDO") of the City of Fishers, Indiana, Ordinance No. 090605A, as amended, and the Official Zoning Map of the City of Fishers, Indiana, dated June, 2017, 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 1.11 of this Ordinance (the "Real Estate"), is hereby designated as a <b>Planned Unit Development - Residential District (PUD-R)</b>, and that said PUD-R zoning district shall hereafter be known as the "<b>Lake Meadows 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>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><b>Area A<sup>1</sup>:</b></p> <ul style="list-style-type: none"> <li>• Assisted Living Facility</li> <li>• Accessory Uses described in the R2 District</li> </ul> <p><b>Area B<sup>1</sup>:</b></p> <ul style="list-style-type: none"> <li>• Dwelling, two-family</li> <li>• Accessory Uses described in the R5 district</li> </ul> <p><sup>1</sup> Area A and Area B are identified on the Concept Plan, attached hereto as <b>Exhibit A.</b></p>

# LAKE MEADOWS PUD

## 1.02 Applicability

- A. The standards of the UDO applicable to the **R2 Residential District** shall apply to the development of Area A of the Real Estate, except as modified, revised, or expressly made inapplicable by this Ordinance. The standards of the UDO applicable to the **R5 Residential District** shall apply to the development of Area B 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): Planned Unit Development (PUD) Districts: 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, attached hereto as **Exhibit A**, is hereby incorporated. The Real Estate's Development Plan shall be substantially consistent with the Concept Plan and shall be reviewed and approved based upon compliance with the development and design standards set forth herein. *Article 9.18(M)(1): Planned Unit Development; Concept Plan: Changes or Amendments: UDO/PUD Text Amendment* shall not apply. If the Director determines that a Development Plan is not substantially consistent with the Concept Plan (the "Director's Determination"), then the Director shall notify the applicant within fifteen (15) days of receipt of the submitted Development Plan of (1) the Director's Determination; and (2) whether the Development Plan is (a) approved; or (b) not approved (the "Director's Decision"). The Director's Decision shall be based upon the Development Plan's compatibility and consistency with the intended quality and character of the Lake Meadows PUD. If the Director's Decision does not approve the Development Plan, then the applicant may submit the Development Plan to the City Council for review and approval. The City Council's decision shall be made at a public meeting, but no additional public hearing shall be required.

## 1.04 General Regulations

- A. **Cross References:** The regulations of *Article 05: Development Standards* shall apply, except as modified by this Ordinance. Cross references in *Article 05: Development Standards* to the two-page layout in *Article 02: Zoning Districts and Regulations* shall not apply.

- B. **General Regulations:**

(1) For Area A, *Article 2.08: R2 Residential District Development Standards* shall not apply. Instead, only the following Development Standards shall apply:

Min. Lot Area	Min. Lot Width at Building Line	Min. Lot Frontage	Min. I-69 Setback	Min. 126th St Setback	Min. Street A Setback	Max. Impervious Surface Coverage	Max. Structure Height
15,000	100'	50'	50'	50'	15'	74% of the Lot Area	Primary: 35' Accessory: 18'

(2) For Area B, *Article 2.14: R5 Residential District Development Standards* shall not apply. Instead, only the following Development Standards shall apply:

Min. Lot Area	Min. Lot Width at Building Line	Min. Lot Frontage	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Max. Impervious Surface Coverage	Min. Living Unit Area	Max. Structure Height
7,500	70'	50'	25'	10'	25'	45% of the Lot Area	1-story: 1,600 sq. ft. 2-story: 1,800 sq. ft.	Primary: 35' Accessory: 18'

## LAKE MEADOWS PUD

## 1.05 Development Standards for Area A

- A. The regulations of *Article 05: Development Standards* shall apply, except as modified by this Ordinance.
- B. Accessory Structure Standards (AS): shall apply, except as modified below:
  - (1) *Article 5.04 AS-01 (D)(6): Accessory Structures; General; Trash Receptacle Enclosures (Ord. #081808, Effective 12/1/08): Orientation* shall apply, except for the first sentence, which shall not apply.
- C. Architectural Design Standards (AD): shall apply, except as modified below:
  - (1) Approved Elevations
    - (a) The City's PUD Committee, at its November 1, 2017, meeting, reviewed and approved the illustrative architectural exhibits on file with the City's Planning and Zoning Department (the "Approved Elevations"). The illustrative architectural exhibits, attached hereto as **Exhibit B**, is a sampling and general representation of the approved building elevations. The Approved Elevations are hereby incorporated and approved. All buildings shall be substantially consistent with the Approved Elevations or otherwise comply with the standards set forth in this Ordinance. The Director of the Planning and Zoning Department, including his/her designees, shall review and approve building elevations at the time of filing of the Building Permit for compliance.
    - (b) If a building elevation does not comply with Section 1.05(C)(1)(a), then the proposed building elevation(s) shall be submitted for review and approval by the PUD Committee. The PUD Committee's review of the building elevation(s) shall be performed in order to determine its compatibility and consistency with the intended quality and character of the PUD and the Approved Elevations.
  - (2) *Article 5.13 AD-01 (A)(1)(A): Architectural Design; Single-family Residential; Façade; Masonry* shall not apply. Instead, the following shall apply:
    - (a) A minimum of 50% of the front façade shall be Masonry. The front façade shall be the facade that is oriented to Lake Meadows Drive.
    - (b) A minimum of 30% of the side and rear façades shall be Masonry.
  - (3) *Article 5.13 AD-01 (A)(2): Architectural Design; Single-family Residential; Façade; Exterior Material* shall apply, except heavy-gauge vinyl and vinyl shall not be permitted as a siding material.
  - (4) *Article 5.13 AD-01 (A)(3): Architectural Design; Single-family Residential; Façade; Architectural Features* shall apply, except as modified below:
    - (a) A total of seven (7) points shall be required.
    - (b) *Article 5.13 AD-01 (A)(3)(c): Architectural Design; Single-family Residential; Façade; Architectural Features; Garage* shall not apply.
  - (5) *Article 5.13 AD-01 (A)(4): Architectural Design; Single-family Residential; Façade; Dimensions* shall not apply.
  - (6) *Article 5.13 AD-01 (B): Architectural Design; Single-family Residential; Entries* shall not apply.
  - (7) *Article 5.13 AD-01 (D): Architectural Design; Single-family Residential; Automobile Storage* shall not apply.
  - (8) *Article 5.13 AD-01 (G): Architectural Design; Single-family Residential; Model Homes* shall not apply.
- D. Density & Intensity Standards (DI): shall apply.
- E. Entrance & Driveway Standards (ED): shall apply.
- F. Environmental Standards (EN): shall apply.
- G. Fence & Wall Standards (FW): shall apply.
- H. Floodplain Standards (FP): shall apply.
- I. Floor Area Standards (FA): shall apply.
- J. Height Standards (HT): shall apply.
- K. Home Occupation Standards (HO): 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.

## LAKE MEADOWS PUD

- Q. Parking Standards (PK): shall not apply. Instead, a minimum of ninety-five (95) parking spaces shall be provided.
- 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. Sexually Oriented Business Standards (SX): shall apply.
- AA. Sign Standards (SG): shall not apply. Instead, *Article 5.93 SG-03 (A)(5): Sign Standards; Residential Districts; Apartment Complex Identification Signs* shall apply.
- BB. Structure Quantity Standards (SQ): shall apply.
- CC. Telecommunication Facilities Standards (TC): shall apply.
- DD. Temporary Use/Structure Standards (TU): shall apply.
- EE. Use-specific Standards (US): shall apply.
- FF. Vision Clearance Standards (VC): shall apply.

### 1.06 Development Standards for Area B

- A. The regulations of *Article 05: Development Standards* shall apply, except as modified by this Ordinance.
- B. Accessory Structure Standards (AS): shall apply.
- C. Architectural Design Standards (AD): shall apply, except as modified below:
  - (1) Building Elevations
    - (a) The City's PUD Committee, shall review and approve the illustrative architectural exhibits submitted to the City's Planning and Zoning Department (the "Approved Elevations"). The Approved Elevations shall be: (1) at a minimum, substantially consistent in character and quality with the Adams & Marshall homes built in the adjacent Whispering Woods neighborhood; or (2) otherwise comply with the standards set forth in this Ordinance. The Director of the Planning and Zoning Department, including his/her designees, shall review and approve home elevations at the time of filing of the Building Permit for compliance.
    - (b) If a building elevation does not comply with Section 1.06(C)(1)(a), then the proposed home elevation(s) shall be submitted for review and approval by the PUD Committee. The PUD Committee's review of the home elevation(s) shall be performed in order to determine its compatibility and consistency with the intended quality and character of the PUD.
- D. Density & Intensity Standards (DI): shall apply.
- E. Entrance & Driveway Standards (ED): shall apply.
- F. Environmental Standards (EN): shall apply.
- G. Fence & Wall Standards (FW): shall apply.
- H. Floodplain Standards (FP): shall apply.
- I. Floor Area Standards (FA): shall apply.
- J. Height Standards (HT): shall apply.
- K. Home Occupation Standards (HO): shall apply.
- L. Landscaping Standards (LA): shall apply.
- M. Lighting Standards (LT): shall apply, except as modified below:
  - (1) *Article 5.48 LT-02 (C): Lighting Standards; Residential; Architectural Accent Lighting* shall not apply. Instead, the following shall apply:
    - (a) All ground lighting used to cast light on building facades, building features or signs shall have shields to ensure that light does not project beyond the building or sign, and shall utilize the minimum amount of light necessary to light the facade, building feature or sign. The light fixture and bulb shall be shielded from view of any street, sidewalk, or adjacent lot.



## LAKE MEADOWS PUD

- 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.
- 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. Sexually Oriented Business Standards (SX): shall apply.
- AA. Sign Standards (SG): shall apply.
- BB. Structure Quantity Standards (SQ): shall apply.
- CC. Telecommunication Facilities Standards (TC): shall apply.
- DD. Temporary Use/Structure Standards (TU): shall apply.
- EE. Use-specific Standards (US): shall apply.
- FF. Vision Clearance Standards (VC): shall apply.

### 1.07 Design Standards for Area A

- 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 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.

## LAKE MEADOWS PUD

### 1.08 Design Standards for Area B

- 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 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.

### 1.09 Procedures

- A. The procedures set forth in *Article 9: Processes, Permits & Fees; Planned Unit Development* shall apply, as amended. Development plans shall be reviewed and approved based upon compliance with the development and design standards set forth herein.
- B. If applicable the Real Estate shall be assigned to the City's general PUD Committee (the "Committee") for architectural review.
- C. The Committee shall have discretion and flexibility to consider and approve modifications pertaining to any development and 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.
- D. If the Committee no longer is applicable, then the Mayor or Mayor's Designee shall replace all references to the Committee.

1.10 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 18th day of December, 2017.

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

*David C. George*  
*[Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*

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



I hereby certify that the foregoing Ordinance was delivered to City of Fishers Mayor Scott Fadness on the day of 18th 2017, at December m. 8:00pm.

ATTEST: *Alexandra Orzy* for  
Jennifer L. Kehl, City Clerk

*[Signature]*  
Scott A. Fadness, Mayor

MAYOR'S APPROVAL

*12/18/2017*  
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: India A.J.B.B. Olson

## 1.11 Real Estate

THE FOLLOWING DESCRIBED REAL ESTATE IN HAMILTON COUNTY, STATE OF INDIANA, TOWIT:

PART OF THE SOUTHEAST QUARTER OF SECTION TWENTY-EIGHT (28), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIVE (5) EAST IN HAMILTON COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOW, TO WIT:

BEGINNING AT A POINT ON THE NORTH BOUNDARY LINE OF EAST 126TH STREET (AS NOW ESTABLISHED) SAID POINT BEING 16.50 FEET NORTH AND 1,548.25 FEET EAST OF THE SOUTHWEST CORNER SOUTHEAST QUARTER; THENCE NORTH PARALLEL TO THE WEST LINE OF SAID SOUTHEAST QUARTER APPROXIMATELY 1,068.72 FEET MORE OR LESS, TO THE SOUTHEASTERLY LINE OF A PUBLIC HIGHWAY KNOWN AS I-69, BEING PROJECT #1-69-1 (30) 6 AS SHOWN UNDER CAUSE #S66-228, WHICH WAS FILED MARCH 31, 1966 IN THE HAMILTON COUNTY SUPERIOR COURT;

(THE FOLLOWING COURSES ARE ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE);

THENCE SOUTH 57 DEGREES 48 MINUTES 00 SECONDS WEST 1,742.64 FEET; THENCE SOUTH 67 DEGREES 54 MINUTES 44 SECONDS EAST 265.80 FEET; THENCE SOUTH 81 DEGREES 26 MINUTES 44 SECONDS EAST 95.96 FEET; THENCE SOUTH 85 DEGREES 53 MINUTES 07 SECONDS EAST 197.48 FEET; THENCE SOUTH 80 DEGREES 10 MINUTES 03 SECONDS EAST 71.29 FEET TO THE NORTH BOUNDARY LINE OF EAST 126TH STREET, THENCE EAST ON AND ALONG SAID NORTH BOUNDARY LINE TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM PROPERTY CONVEYED TO THE TOWN OF FISHERS, STATE OF INDIANA BY DEED RECORDED MAY 20, 2009 AS INSTRUMENT 2009029390 DESCRIBED AS FOLLOWS:

A PART OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 5 EAST, IN HAMILTON COUNTY, INDIANA, AND BEING THAT PART OF THE GRANTORS' LAND LYING WITHIN THE RIGHT OF WAY LINES DEPICTED ON THE RIGHT OF WAY PARCEL PLAT ATTACHED TO THE AFORESAID DEED MARKED EXHIBIT "B", DESCRIBED AS FOLLOWS:

BEGINNING AT POINT "2210" ON SOUTH LINE OF SAID QUARTER SECTION NORTH 89 DEGREES 21 MINUTES 45 SECONDS EAST 669.47 FEET FROM THE SOUTHWEST CORNER OF SAID QUARTER SECTION DESIGNATED AS POINT "35" ON SAID PLAT; THENCE NORTH 0 DEGREES 38 MINUTES 15 SECONDS WEST 16.50 FEET TO THE NORTH BOUNDARY OF 126TH STREET DESIGNATED AS POINT "369" ON SAID PLAT; THENCE NORTH 79 DEGREES 43 MINUTES 19 SECONDS WEST 71.29 FEET ALONG SAID BOUNDARY TO POINT "368" ON SAID PLAT; THENCE NORTH 85 DEGREES 26 MINUTES 22 SECONDS WEST 197.48 FEET ALONG SAID BOUNDARY TO POINT "367" ON SAID PLAT; THENCE SOUTH 86 DEGREES 11 MINUTES 02 SECONDS EAST 200.26 FEET TO POINT "1654" ON SAID PLAT; THENCE NORTH 89 DEGREES 21 MINUTES 44 SECONDS EAST 200.00 FEET TO POINT "1656" ON SAID PLAT; THENCE SOUTH 84 DEGREES 59 MINUTES 06 SECONDS EAST 100.05 FEET TO POINT "1657" ON SAID PLAT; THENCE NORTHEASTERLY 430.70 FEET ALONG AN ARC TO THE LEFT HAVING A RADIUS OF 6,435.00 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 87 DEGREES 03 MINUTES 35 SECONDS EAST AND A LENGTH OF 430.62 FEET TO POINT "2220" ON SAID PLAT; THENCE NORTH 85 DEGREES 08 MINUTES 32 SECONDS EAST 100.72 FEET TO POINT "2221" ON SAID PLAT; THENCE NORTHEASTERLY 118.33 FEET ALONG AN ARC TO THE RIGHT HAVING A RADIUS OF 6,565.00 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 85 DEGREES 39 MINUTES 31 SECONDS EAST AND A LENGTH OF 118.33 FEET TO THE EAST LINE OF SAID GRANTORS' LAND DESIGNATED AS POINT "1679" ON SAID PLAT; THENCE SOUTH 0 DEGREES 17 MINUTES 42 SECONDS EAST 54.84 FEET ALONG SAID LINE TO THE SOUTHEAST CORNER OF SAID GRANTORS' LAND DESIGNATED AS POINT "940" ON SAID PLAT; THENCE SOUTH 89 DEGREES 21 MINUTES 45 SECONDS WEST 881.03 FEET ALONG SAID LINE TO THE POINT OF BEGINNING AND CONTAINING 0.704 ACRES, MORE OR LESS, INCLUSIVE OF THE PRESENTLY EXISTING RIGHT OF WAY FOR 126TH STREET WHICH INCLUDES 0.333 ACRES, MORE OR LESS.

# Exhibit A - Concept Plan Exhibit



## Exhibit B - Illustrative Architectural Exhibit



20  
YEARS



**Fishers City Council**

Planning & Zoning Department Staff Report  
December 18, 2017 Meeting

<b>Petition Number:</b>	PRR-1709-29
<b>Petitioner:</b>	Steven D. Hardin of Faegre Baker Daniels on behalf of C&H Capital, LLC.
<b>Subject Site Address:</b>	North of the intersection of Hoosier Road and E 126 <sup>th</sup> Street
<b>Action Required:</b>	Favorable Recommendation of the Lake Meadows PUD
<b>Current Zoning:</b>	R2 - Residential
<b>Current Land Use:</b>	Unplatted
<b>Approximate Acreage:</b>	19.25 Acres
<b>Project Manager:</b>	Ross Hilleary, Planner II
<b>Exhibits:</b>	Location Map Petitioner's Packet (includes ordinance)

---

**PROJECT OVERVIEW**

The Fishers-based business C&H Capital, LLC. submits the proposed PUD Ordinance for the \$29 million senior living development. The Lake Meadows PUD will consist of an assisted living facility and paired patio homes.

The 19.25-acre site is located north of the intersection of Hoosier Road and E 126<sup>th</sup> Street and west of the existing Whisper Woods neighborhood and Life Connection Church (*see Location Map*). The existing Whisper Woods neighborhood will connect by the required stub-street that was previously constructed. The thirty-two (32) paired patio homes are located around a central pond focused on pedestrian amenities including a gazebo refection area which also has easy access to the assisted living facility.

The assisted living facility will include one hundred and twenty-three (123) private rooms and will provide 24-hour care for elderly patients with services such as medication management and assisting with bathing, dressing, meals and mobility while featuring a café, theatre room, and a salon (*see Petitioner's Packet*).

The proposed PUD is nearly consistent with the UDO. A few minor changes include:

- The allowance of an assisted living facility as it is not outright allowed in any zoning jurisdiction.
- The impervious surface coverage increase from 35% (R2 Standards) to 74% for the assisted living facility.
- A minimum parking of 95 spaces located behind the assisted living facility on the west side.
- The Sign Standards for Residential Districts Apartment Complex Identification will apply.
- Lighting Standards increased to ensure that light does not project beyond any of the proposed façade or signage from the assisted living facility protecting the paired patio homes from unnecessary light pollution.

If the Lake Meadows PUD is approved by Plan Commission and City Council, C&H Capital, LLC. anticipates construction to begin in Spring 2018.

---

### **COUNCIL COMMENTS / 1<sup>st</sup> READING**

There were no concerns heard at the 1<sup>st</sup> Reading of the Lake Meadows PUD.

---

### **PUD REVIEW / ARCHITECTUE APPROVAL**

The color renderings (*see Petitioner's Packet*) showcases the high-quality building materials including cultured stone and multiple colors of fiber cement siding. The renderings and floor plan also showcase the various roof lines and the wall plane adjustments compliant with the UDO. The PUD requires that 50% of the front façade (facing northeast) and 30% of the side and rear façade will be masonry emphasizing the UDO's four-sided architecture requirement; additional architectural features include a cupola and covered drive entrance.

There were some concerns made by the PUD Committee on the monotonous of the architecture of the Assisted Living Facility on the north façade. The renderings in the Petitioner's packet have been updated to match the PUD Committee's recommendation. Their approval of the project was pending these changes to be led by Staff.

---

### **PUBLIC COMMENTS**

There has been no remonstrations from the public prior to the Public Hearing as of Tuesday, November 28, 2017.

Faegre Baker Daniels held an Informational Neighbor Meeting on Thursday, November 30, 2017 at 6pm, located at Geist Christian Church with the common address of: 12756 Promise Road Fishers, IN 46038. Faegre Baker Daniels did not present any issues or concerns that were brought up at this neighbor meeting.

---

### **PLAN COMMISSION / PUBLIC HEARING**

There were no concerns heard at the Plan Commission Public Hearing. The Plan Commission presented a favorable approval with a 6-0 vote, with Mr. President Warren Harling abstaining.



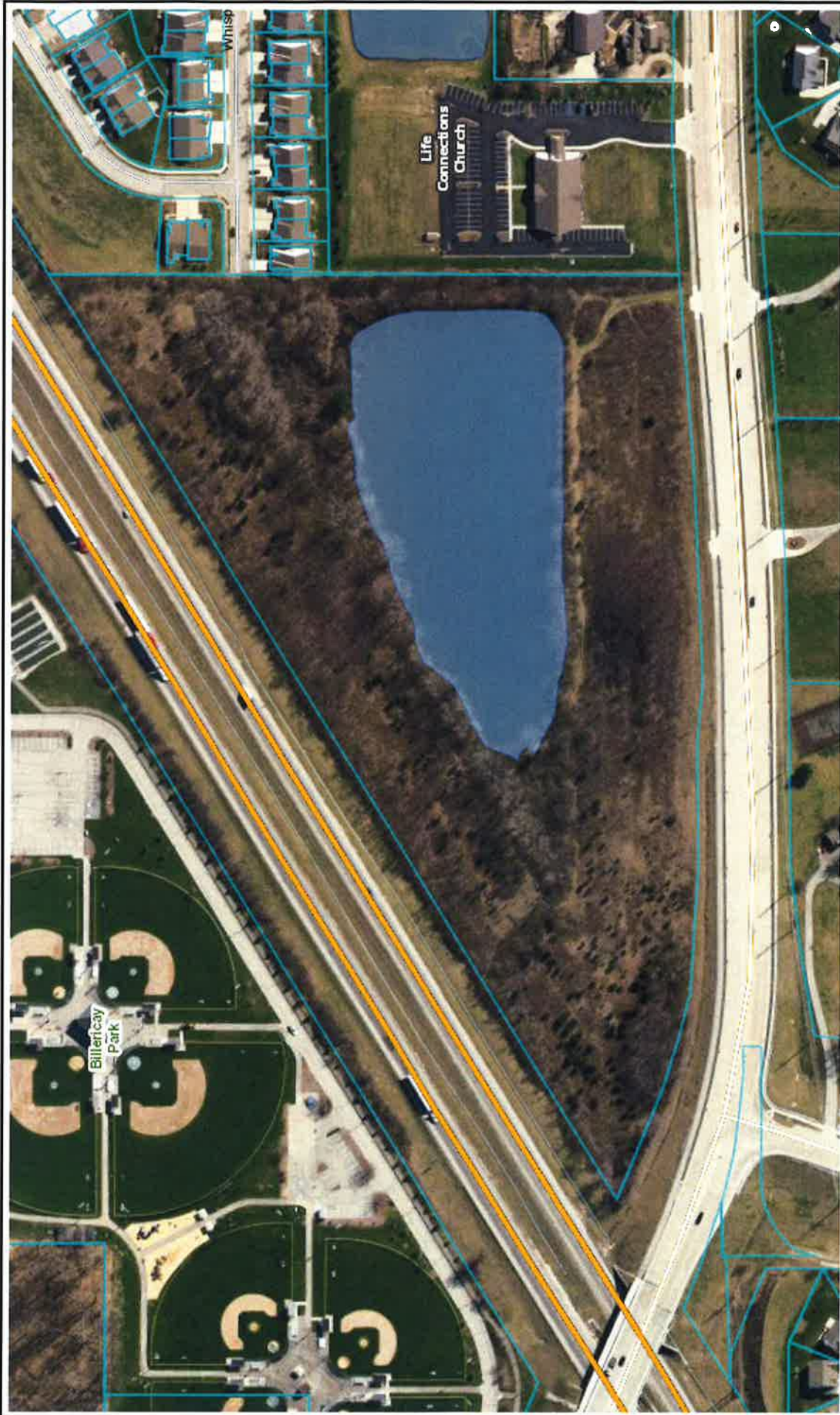
---

## **STAFF COMMENTS AND RECOMMENDATION**

Discussion with City Staff noted that there will need to be a break in the new proposed public road for addressing and public safety. The northern portion of the road (paired patio homes north of the assisted living facility) will remain as an expansion of *Whisper Cove Drive*. The southern portion of the road (assisted living facility and the remaining paired patio homes) will need a new proposed street name approved by both the City of Fishers and Hamilton County, in the interim to be referred to as *Lake Meadows Drive*.

A voluntary agreement from the Petitioner will bring the architecture of the paired patio homes back for approval to the PUD Committee once a building has been solidified.

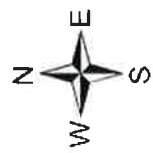
The petitioner is asking for approval of the Lake Meadows PUD from City Council. Overall staff is supportive of the proposed Lake Meadows PUD as the petitioner has shown compliance, cooperation, and exceeded requirements with the development standards and proposed architectural standards.



# Lake Meadows PUD

## Location Map

Printed: Oct 27, 2017



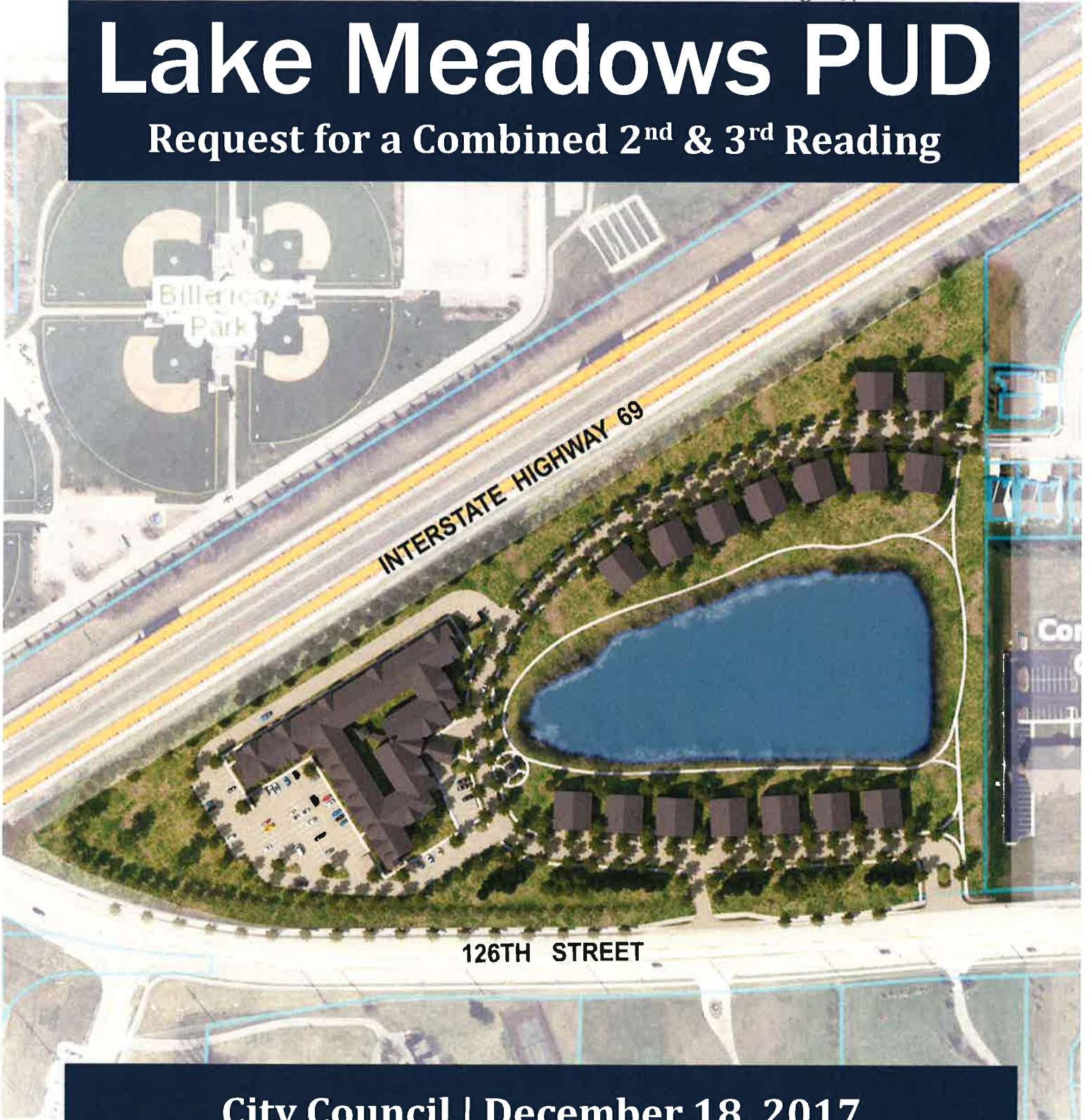
The information on this web site is provided and hosted through mutual agreement between the City of Fishers and Hamilton County, Indiana. Continued use of this web site is conditional upon your explicit acceptance of the terms and conditions set forth in this disclaimer document. The data provided herein may be inaccurate and/or out of date. Any person or entity who relies on this data for any purpose whatsoever does so solely at their own risk. Neither the City of Fishers, Indiana nor its employees or officers warrant the accuracy, reliability, or timeliness of any of the data provided herein. This data is provided "as is" without warranty of any kind. The City of Fishers may elect to discontinue this service without notice at any point in the future.



Ord 101617C

# Lake Meadows PUD

Request for a Combined 2<sup>nd</sup> & 3<sup>rd</sup> Reading



City Council | December 18, 2017

C&H CAPITAL,  
LLC



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

**TABLE OF CONTENTS**

**LAKE MEADOWS PUD**



Applicant:  
C&H Capital, LLC  
Daniel Hubbard  
PO Box 573  
Fishers, IN 46038

Attorney:  
Steven D. Hardin, Esq.  
India A.J.B.B. Olson, Land Use Planner

Faegre Baker Daniels LLP  
600 E. 96th Street, Suite 600  
Indianapolis, IN 46240

Telephone: 317.569.4825

**TABLE OF CONTENTS**

<b>Tab 1</b>	<b>Executive Summary</b>
<b>Tab 2</b>	<b>Aerial Location Map</b>
<b>Tab 3</b>	<b>Concept Plan</b>
<b>Tab 4</b>	<b>Illustrative Architectural Rendering</b>
<b>Tab 5</b>	<b>Illustrative Architectural Elevations</b>
<b>Tab 6</b>	<b>Proposed PUD Ordinance</b>

**Tab 1**

## EXECUTIVE SUMMARY

### LAKE MEADOWS PUD



Fishers-based business C&H Capital, LLC (“C&H”) respectfully submits the proposed PUD Ordinance for their \$29 million senior living development. The development, known as “Lake Meadows”, will include both paired patio homes and an assisted living facility.

The 19-acre site is located at the north east quadrant of the intersection of 126<sup>th</sup> Street and I-69 (please see the Aerial Location Map at [Tab 2](#)). The site is bounded by I-69 on the north, 126<sup>th</sup> Street on the south and the existing Whispering Woods paired patio home neighborhood and Life Connections Church on the east. The Whispering Woods neighborhood has been planned to connect to this site, and Whisper Cove Drive currently stubs directly into the site. On the south side of 126<sup>th</sup> Street are three established homes on larger 3-5 acre lots.

The proposed development will connect to the existing Whisper Cove Drive and continue the paired patio home look and feel around the central pond. The assisted living facility will be located in the far west corner of the site adjacent to I-69 and the 126<sup>th</sup> Street bridge. The assisted living facility will include private rooms and will provide 24-hour care for elderly patients with services such as medication management and assistance with bathing, dressing, meals and mobility. Other amenities will include a cafe, theatre room, and salon.

The proposed Concept Plan may be found at [Tab 3](#). The Illustrative Architectural Rendering, Illustrative Architectural Elevations, and Proposed PUD Ordinance may be found at [Tab 4](#), [Tab 5](#), and [Tab 6](#), respectively,

#### Update Since First Reading:

On November 1, 2017, the City’s PUD Committee reviewed and approved the Illustrative Architectural exhibits.

On December 5, 2017, the Plan Commission held the public hearing on this proposal. No remonstrance was made, and after conducting the public hearing, the Plan Commission voted unanimously to forward the proposed PUD Ordinance to the City Council with a favorable recommendation. Revisions made to the PUD Ordinance since First Reading are identified at [Tab 6](#) either by ~~strikethrough~~ text or red text.

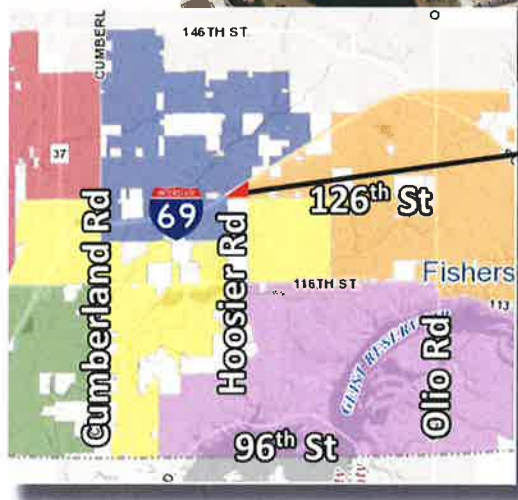
If approved, C&H anticipates construction beginning in the spring of 2018.

Thank you for your consideration.

**Tab 2**

AERIAL LOCATION MAP

LAKE MEADOWS PUD



Site



# Tab 3

**CONCEPT PLAN**

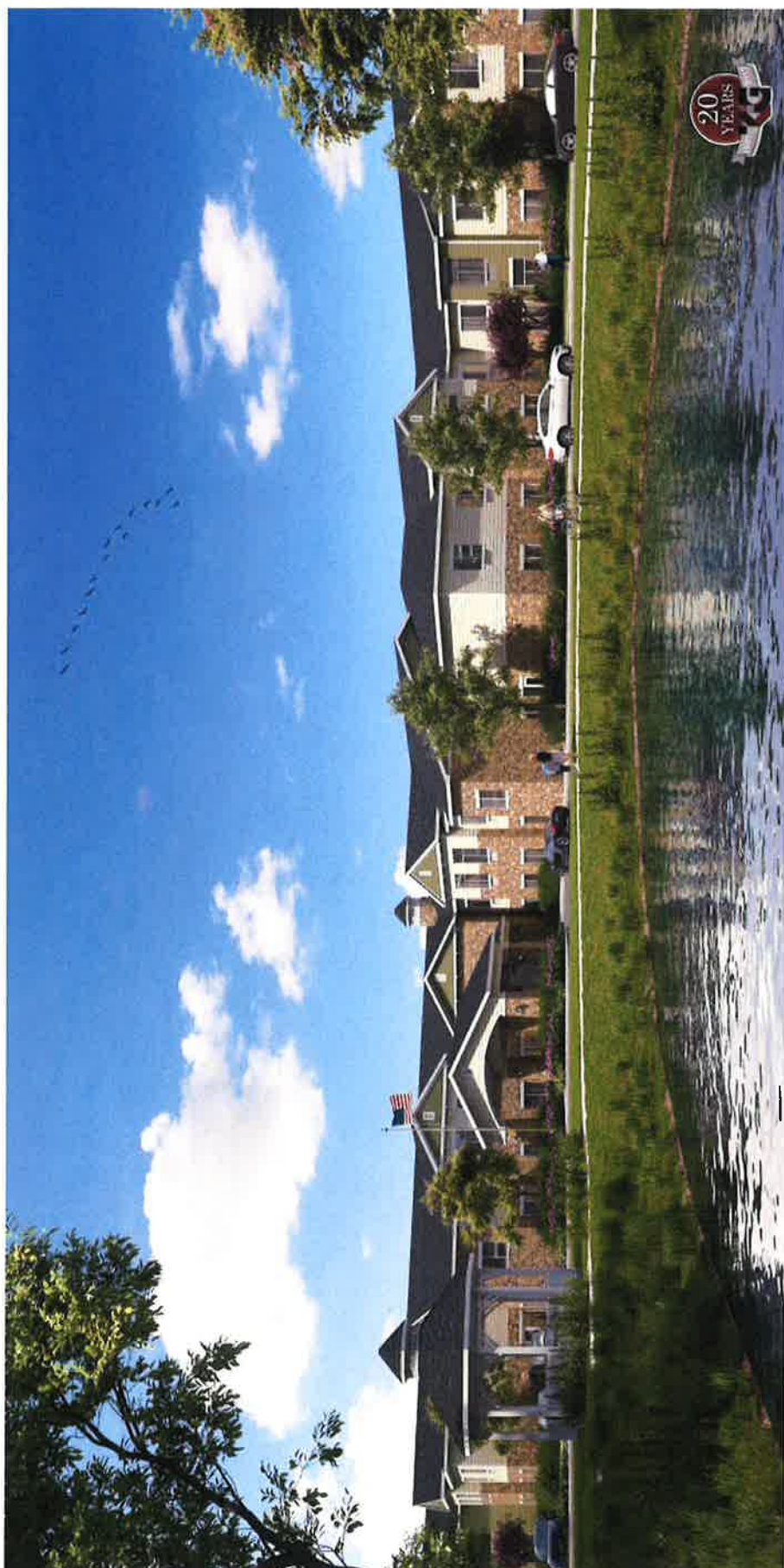
**LAKE MEADOWS PUD**



# Tab 4



ILLUSTRATIVE ARCHITECTURAL RENDERINGS  
LAKE MEADOWS PUD



# Tab 5

**ILLUSTRATIVE ARCHITECTURAL ELEVATIONS**  
**LAKE MEADOWS PUD**



**EAST ELEVATION**



**SOUTH ELEVATION**

**ILLUSTRATIVE ARCHITECTURAL ELEVATIONS**

**LAKE MEADOWS PUD**



**WEST ELEVATION**



**NORTH ELEVATION**

# Tab 6





# Council Action Form

<b>MEETING DATE</b>	December 18, 2017			
<b>TITLE</b>	Request to approve a rezone of 19.25 acres from R2 - Residential to Lake Meadows PUD at the intersection of E 126th Street and Hoosier Road.			
<b>SUBMITTED BY</b>	Name & Title: Ross Hilleary, Planner II			
	Department: Community Development			
<b>MEETING TYPE</b>	<input type="checkbox"/> Work Session	<input checked="" type="checkbox"/> Regular	<input type="checkbox"/> Special	<input type="checkbox"/> Retreat
	<input type="checkbox"/> Executive			
<b>AGENDA CLASSIFICATION</b>	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Regular
<b>ORDINANCE/RESOLUTION</b> (New ordinances or resolutions are assigned a new number)	<input type="checkbox"/> 1 <sup>st</sup> Reading	<input checked="" type="checkbox"/> 2 <sup>nd</sup> Reading	<input type="checkbox"/> Public Hearing	<input checked="" type="checkbox"/> 3 <sup>rd</sup> Reading
	Ordinance #: 101617C		Resolution #:	
<b>CONTRACTS</b> (Contracts include other similar documents such as agreements and memorandum of understandings. Check all applicable boxes pertaining to contracts)	<input type="checkbox"/> Contract required for this item		<input type="checkbox"/> Signed copy of contract attached	
	<input type="checkbox"/> Seeking award or other scenario & will provide contract at a later date		<input checked="" type="checkbox"/> No contract for this item	
	<input type="checkbox"/> Contract over \$50,000			
<b>HAMILTON COUNTY</b> (Some documents need recorded by the City Clerk)	<input checked="" type="checkbox"/> Document must be recorded with the County Recorder's Office		<input type="checkbox"/> Document does not need recorded with the County Recorder's Office	
	<input type="checkbox"/> Wait 31 days prior to filing with the County Recorders' Office			
<b>APPROVALS/REVIEWS</b>	<input type="checkbox"/> Assistant/Deputy Department Head		<input type="checkbox"/> Controller's Office	
	<input checked="" type="checkbox"/> Department Head		<input type="checkbox"/> Finance Committee	
	<input type="checkbox"/> Deputy Mayor		<input type="checkbox"/> Technical Advisory Committee	
	<input type="checkbox"/> Mayor		<input type="checkbox"/> Other:	
	<input type="checkbox"/> Legal Counsel – Name of Reviewer:			

<p><b>BACKGROUND</b> (Includes description, background, and justification)</p>	<p>C&amp;H Capital, LLC, and AHEPA Management Company submit the proposed PUD Ordinance for their senior living development. The development, known as “Lake Meadows”, will include both paired patio homes and an assisted living facility.</p> <p>The 19-acre site is located at the north east quadrant of the intersection of 126th Street and I-69 The site is bounded by I69 on the north, 126th Street on the south and the existing Whispering Woods paired patio home neighborhood and Life Connections Church on the east.</p> <p>The Whispering Woods neighborhood has been planned to connect to this site, and Whisper Cove Drive currently stubs directly into the site. On the south side of 126th Street are three established homes on larger 3-5 acre lots.</p> <p>The proposed development will connect to the existing Whisper Cove Drive and continue the paired patio home look and feel around the central pond. The assisted living facility will be located in the far west corner of the site adjacent to I69 and the 126th Street bridge.</p> <p>The proposed Concept Plan and Illustrative Architectural Elevations may be found at Tab 3 and Tab 4, respectively, and the proposed PUD Ordinance can be found at Tab 5.</p> <p>If approved, construction would begin in spring of 2018.</p>	
<p><b>BUDGETING AND FINANCIAL IMPACT</b> (Includes project costs and funding sources)</p>	<p>Budgeted \$:</p>	<p>N/A</p>
	<p>Expenditure \$:</p>	<p>N/A</p>
	<p>Source of Funds:</p>	<p>N/A</p>
	<p>Additional Appropriation #:</p>	<p>N/A</p>
	<p>Narrative:</p>	<p>N/A</p>
<p><b>OPTIONS</b> (Include Deny Approval Option)</p>	<p>1.</p>	<p>Hold a combined 2nd and 3rd Reading and approve the Ordinance</p>
	<p>2.</p>	<p>Hold 2nd Reading with additional comments for review</p>
	<p>3.</p>	<p>Do not hold 2nd Reading</p>
	<p>4.</p>	
<p><b>PROJECT TIMELINE</b></p>	<p>October 16, 2017 - 1st Reading at City Council  November 1, 2017 - P.U.D. Committee Architecture Approval  December 6, 2017 - Plan Commission Approval (Public Hearing)  December 18, 2017 - Anticipated 2nd and 3rd Reading at City Council  January 16, 2018 - Anticipated 3rd Reading at City Council (if needed)</p>	
<p><b>STAFF RECOMMENDATION</b> (Board reserves the right to accept or deny recommendations)</p>	<p>Staff recommends that the City Council suspend the rules and hold a combined 2nd and 3rd reading for Ord. No. 101617C.</p>	
<p><b>SUPPLEMENTAL INFORMATION</b> (List all attached documents)</p>	<ul style="list-style-type: none"> <li>- Staff Report</li> <li>- Location Map</li> <li>- Petitioner Packet (includes ordinance)</li> </ul>	