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02/23/2018 01:18:54PM 11 PGS
Jennifer Hayden
Hamilton County Recorder IN
Recorded as Presented



ORDINANCE NO. 121817A

**AN ORDINANCE AMENDING THE TEXT OF THE PARKSIDE PUD
ORDINANCE No. 030294C
OF FISHERS, INDIANA**

AN ORDINANCE AMENDING THE TEXT OF AN ORDINANCE OF FISHERS, INDIANA, DATED March 2, 1994 - Ordinance No. 030294C (the "Parkside PUD") as amended by Ordinance No. 081511C (the "2011 Amendment");

SECTION 1. DECLARATION

It is hereby ordained by the City Council (the "Council") of the City of Fishers, Indiana (the "City") that the 2011 Amendment is hereby repealed and replaced in its entirety and the text of the Parkside PUD is hereby amended as set forth in this Amendment to the Parkside PUD. To the extent there is any conflict between the Parkside PUD and this Amendment to the Parkside PUD, this Amendment to the Parkside PUD shall control. Any provisions of the Parkside PUD that are not specifically amended by this Amendment to the Parkside PUD shall remain in full force and effect. Any provisions of the Unified Development Ordinance of the City of Fishers, Ordinance No. 090605A (the "UDO") which are specifically referenced shall apply.

SECTION 2. PURPOSE AND INTENT

The purpose and intent of this Amendment to the Parkside PUD is to amend certain and specific provisions of the Parkside PUD pertaining to the list of permitted land uses and the development standards for those land uses. This Amendment to the Parkside PUD hereby establishes a Senior Independent Living Facility, defined as multi-family apartment rental units restricted to tenants that are 55 years old and over, as a permitted residential land use and also establishes specific development standards for said Senior Independent Living Facility.

SECTION 3. AMENDMENTS TO THE PARKSIDE PUD

The following constitute the amendments to the Parkside PUD:

A. Section 2 Land Use is hereby appended with the following:

In addition to C2 and 11 land uses, the Senior Independent Living Facility shall be a permitted land use subject to the development standards, architectural guidelines and other restrictions defined herein. The Senior Independent Living Facility shall be eligible as a permitted use only within the ten (10) acre area described on Exhibit "A" attached hereto (the "Subject Property") and shall be developed substantially in compliance with the conceptual site plan attached as Exhibit "B" (the "Site Plan").

**B. Section 3. Development Standards, paragraph C is hereby replaced with the following paragraph
C:**

C. RESIDENTIAL USE.

The following development standards and definitions shall apply to residential land use on the Subject Property. For the purposes of this Ordinance, residential use shall be limited to a Senior Independent Living Facility.

(1) **MAXIMUM NUMBER OF UNITS.** The maximum number of apartment units permitted within the Senior Independent Living Facility shall not exceed 162.

(2) **PARKING.** There shall be a minimum number of 175 off-street parking spaces serving the Senior Independent Living Facility. There shall not be a required minimum number of covered parking spaces.

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(2) **PARKING.** There shall be a minimum number of 175 off-street parking spaces serving the Senior Independent Living Facility. There shall not be a required minimum number of covered parking spaces.

(3) SITE DEVELOPMENT STANDARDS

- a. Front Yard Setback – minimum 40 feet measured from the outside limit of Parkside Drive.
- b. Side Yard Setback - minimum 40 feet.
- c. Lot Frontage – No frontage on a public street shall be required, as Parkside Drive is a private street.
- d. Buffer Yard – in lieu of any buffer yard required by the UDO, the following shall be provided along east property line of the Subject Property:
 - i. A thirty foot (30') wide Tree Preservation Area shall be provided along the east property line. No existing trees or shrubs may be removed from this area unless (a) they are deceased, dying, dead, an invasive species, or they pose a threat to property or public safety; or (b) repair or replacement of an existing stormwater pipe currently located with the Tree Preservation Area is necessary. In the event that existing trees are removed by reason of (b) hereinabove, replacement trees in a ratio of 1:1 shall be planted in the 40 foot landscaping/preservation area set forth in (3)d.ii. below.
 - ii. A ten foot 10' strip of additional landscaped area shall be maintained along the west side of the length of the Tree Preservation Area. The total combined landscaped area/Tree Preservation Area shall be 40' in width.
- e. Landscaping – Except for the requirements of Section 5.39 of the UDO, street trees, lot and foundation plantings and parking lot plantings shall be provided generally as shown on the Site Plan. A detailed landscaping plan shall be provided to the PUD Committee, and upon approval, shall create the applicable landscaping standards for the Senior Independent Living Facility.
- f. Driveway Widths –widths of the driveways serving the Senior Independent Living Facility shall be as shown on the Site Plan.
- g. General Accessory Standards –the general accessory standards of the UDO shall apply, except that the trash dumpster enclosure shall be permitted in the location shown on the Site Plan.

(4) ARCHITECTURAL GUIDELINES

- a. The Senior Independent Living Facility shall be substantially similar in size and design to the elevations attached hereto as Exhibit "C".
- b. All exterior building materials shall be of durable high-quality products. Vinyl siding will not be permitted. Cementitious siding will be used.
- c. Maximum building height shall be three stories above grade, which shall in no case exceed 46 feet to the peak of the roof line.
- d. Brick or stone masonry shall be required on all sides of any building and the front elevation shall require a minimum of 50% brick or stone masonry, excluding the area of doors, windows and vents.
- e. Accessory buildings/structures are permitted as shown on the Site Plan.

(5) OTHER RESIDENTIAL STANDARDS

Any residential standard for the Senior Independent Living Facility not specifically defined in this Ordinance or established by deed restrictions recorded with the land shall follow the standards of the M2 district as defined in the UDO.

- C. Section 3. paragraph C is hereby relabeled as paragraph D.
- D. Section 3. paragraph D is hereby relabeled as paragraph E.

SECTION 4. PROCEDURES

The Parkside PUD as hereby amended by this Amendment to the Parkside PUD, shall remain in full force and effect.

SECTION 5. APPROVAL

This Amendment to the Parkside PUD shall be in full force and effect from and after its passage by the City Council.

ADOPTED BY THE City Council of the City of Fishers, Indiana on this 19th day of FEBRUARY, 2018.

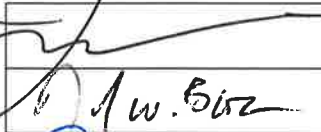
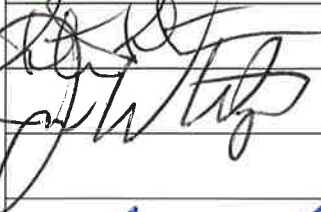
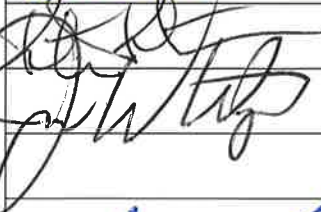

**COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA**

121817A

YAY

NAY

ABSTAIN

	Todd Zimmerman, President		
<u>A.W. Block</u>	Richard W. Block, Vice President		
<u>David C. George</u>	David George, Member		
	C. Pete Peterson, Member		
	John Weingardt, Member		
	Eric Moeller, Member		
	Selina M. Stoller, Member		
<u>Cecilia C. Coble</u>	Cecilia C. Coble, Member		
<u>Brad DeReamer</u>	Brad DeReamer, Member		

I hereby certify that the foregoing Ordinance/ Resolution was delivered to City of Fishers Mayor Scott Fadness on the 19th day of FEBRUARY, 2018, at 9:00 P m.

ATTEST: 
Jennifer L. Kehl, City Clerk

MAYOR'S APPROVAL


Scott A. Fadness, Mayor

2/22/2018
DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

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

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



EXHIBIT "A"

LAND DESCRIPTION

Part of the West Half of the Southeast Quarter of Section 30, Township 18 North, Range 5 East of the Second Principal Meridian, Washington Township, Hamilton County, Indiana, described as follows:

Commencing at the Southeast Corner of said Quarter Section; thence along the south line thereof South 89 degrees 30 minutes 21 seconds West (basis of bearings is South 00 degrees 07 minutes 49 seconds East on the East line of said Southeast Quarter - Indiana State Plane Coordinates - Indiana East Zone NAD83)1335.32 feet to the Southeast Corner of the West Half of said Quarter Section; thence along the east line of said Half Quarter Section North 00 degrees 11 minutes 00 seconds West 921.03 feet to the Point of Beginning; thence parallel with the south line of said Quarter Section South 89 degrees 30 minutes 21 seconds West 787.93 feet; thence North 32 degrees 06 minutes 13 seconds West 157.55 feet to the southeast line of Parkside Drive as described in Instrument No. 980039548 and Instrument No. 2002037932 in the office of the Hamilton County Recorder; thence along Parkside Drive North 47 degrees 12 minutes 00 seconds East 478.57 feet to the point of curvature of a curve concave northwesterly having a radius of 405.00 feet, the radius point of said curve bears North 42 degrees 48 minutes 00 seconds West from said point; thence Northeasterly along said curve 264.53 feet to the southwest corner of Parkside - Lot Six, the plat of which is recorded in Plat Cabinet 2, Slide No. 300 as Instrument No. 199909948156 in the Office of the Recorder, Hamilton County, Indiana, said corner bears South 80 degrees 13 minutes 22 seconds East from the radius point; thence along the south line of Lot 6 North 89 degrees 17 minutes 28 seconds East 394.39 feet to the east line of said Half Quarter Section; thence along said east line South 00 degrees 11 minutes 00 seconds East 685.10 feet to the place of beginning containing 10.00 acres, more or less.

DMS JCALDERON 11142274v1

EXHIBIT "B"



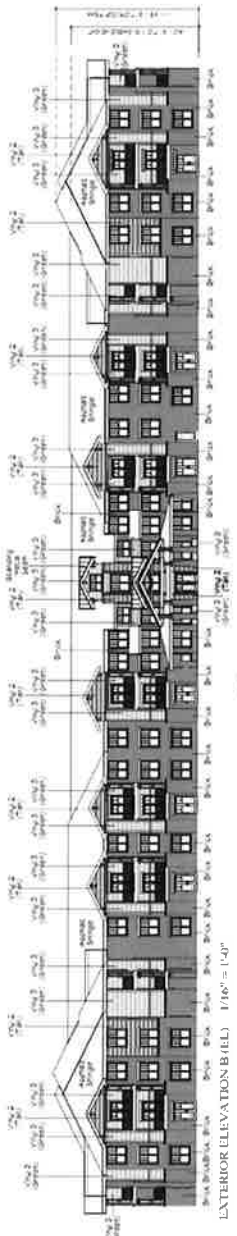
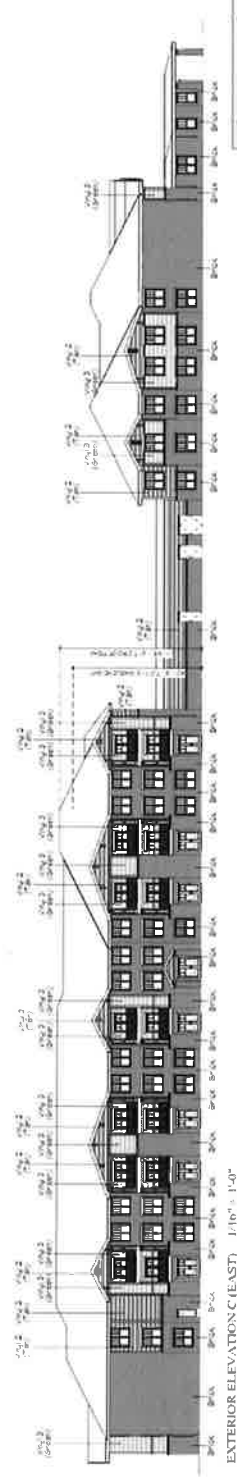
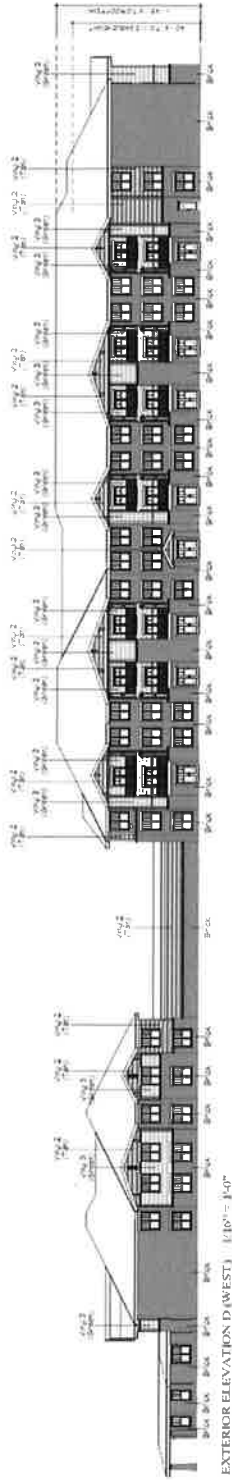
SITE DEVELOPMENT PLAN
C1.1
berardi+

StoryPoint of Fishers
 Fishers, IN

WEIHE ENGINEERS
 10000 N. STATE ROAD 137
 FISHERS, IN 46038

STORYPOINT

EXHIBIT "C"

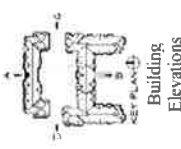


Exterior Material Breakdown

NO.	DESCRIPTION	AMOUNT
1	BRICK	10000
2	ALUMINUM	5000
3	GLASS	15000
4	WOOD	2000
5	CEMENT	1000
6	PAINT	500
7	IRON	100
8	STEEL	500
9	COPPER	100
10	ZINC	50
11	LEAD	20
12	BITUMEN	10
13	ASPHALT	5
14	GRAVEL	100
15	SAND	500
16	CONCRETE	1000
17	REBAR	500
18	FORMWORK	1000
19	INSULATION	500
20	MECHANICAL	100
21	ELECTRICAL	50
22	PLUMBING	20
23	HEATING	10
24	Cooling	5
25	Other	10

Material Schedule

NO.	DESCRIPTION	AMOUNT
1	BRICK	10000
2	ALUMINUM	5000
3	GLASS	15000
4	WOOD	2000
5	CEMENT	1000
6	PAINT	500
7	IRON	100
8	STEEL	500
9	COPPER	100
10	ZINC	50
11	LEAD	20
12	BITUMEN	10
13	ASPHALT	5
14	GRAVEL	100
15	SAND	500
16	CONCRETE	1000
17	REBAR	500
18	FORMWORK	1000
19	INSULATION	500
20	MECHANICAL	100
21	ELECTRICAL	50
22	PLUMBING	20
23	HEATING	10
24	Cooling	5
25	Other	10



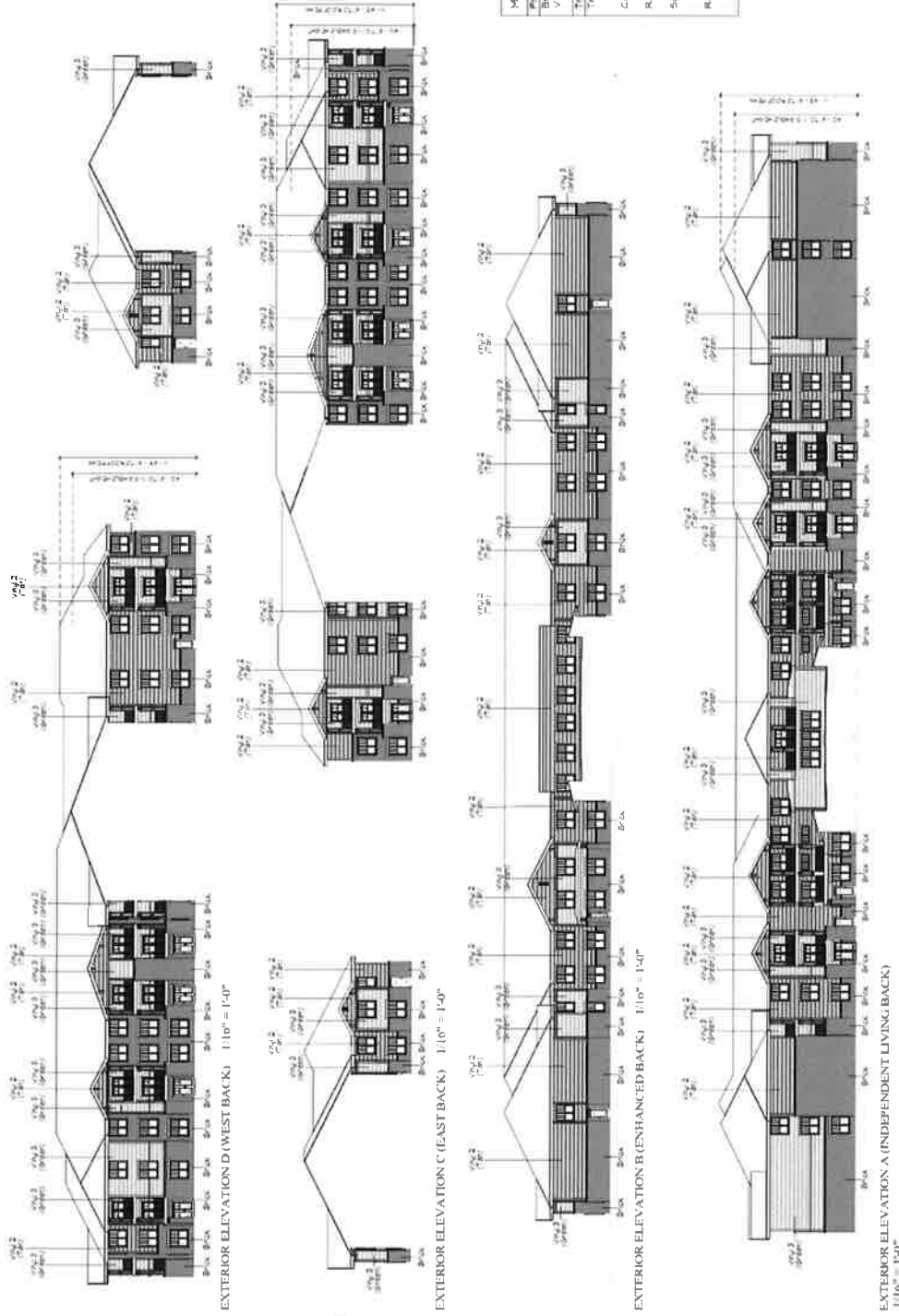
Building Elevations
A2.1
berardi +



Storypoint Fishers
 Fishers, IN

STORYPOINT

EXHIBIT "C"



Exterior Material Breakdown

1.0000	1.0000	1.0000
1.0000	1.0000	1.0000
1.0000	1.0000	1.0000
1.0000	1.0000	1.0000

Material Schedule

1.0000	White vinyl corner board
1.0000	Aluminum fascia board painted white
1.0000	Columns
1.0000	White ceramic-tile masonry
1.0000	Aluminum painted white
1.0000	Soffits
1.0000	Exterior grade painted wood board
1.0000	Overhang and eaves to be performed by
1.0000	Asph/Flt Shingle - Dripwood
1.0000	Met&S Standing Seam - Silver-Gray



A2.2
berardi+

Storypoint Fishers
Fishers, IN



STORYPOINT

EXHIBIT "C"



Exterior Material Breakdown

Brick	100%
Stone	0%
Stucco	0%
Other	0%
Total	100%

Material Schedule

Brick	White Vinyl Siding
Stone	White Vinyl Siding
Stucco	White Vinyl Siding
Other	White Vinyl Siding
Interior	White Vinyl Siding
Exterior	White Vinyl Siding
Roofs	White Vinyl Siding
Windows	White Vinyl Siding
Doors	White Vinyl Siding
Trim	White Vinyl Siding
Handrails	White Vinyl Siding
Staircases	White Vinyl Siding
Other	White Vinyl Siding



A2.3
berardi+

STORYPOINT
Fishers, IN



EXHIBIT "C"



STORYPOINT

WEIHE
PROPERTIES
FOR THE FUTURE

Storypoint Fishers
Fishers, IN

3 STORY
PERSPECTIVE
A2.4
berardi+

EXHIBIT "C"



2 STORY
PERSPECTIVE

A2.5
berardi+

Storypoint Fishers
Fishers, IN



STORYPOINT



CITY COUNCIL STAFF REPORT

DEPARTMENT CONTACT:

Taylor Navarre, Planner II, Department of Planning & Zoning, One Municipal Drive, Fishers, IN. 46038 T: (317) 595-3116

DOCKET NUMBER:

PRT-1711-30

PETITIONER/PROPERTY OWNER:

Barnes & Thornburg LLP on behalf of CSIG Devel. Co.

PUBLIC HEARING DATE:

February 7, 2018

PROPERTY ADDRESS/LOCATION:

East side of Parkside Drive, north of East 126th Street

SPECIFIC REQUEST:

Consideration of a Text Amendment to the Parkside Planned Unit Development (PUD) Ordinance

SIZE OF PROPERTY:

Approx. 10 acres

EXISTING ZONING:

PUD-C

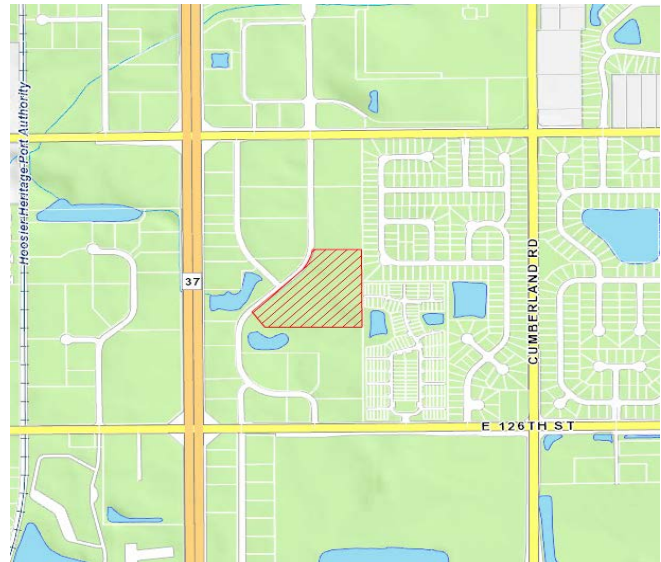
EXISTING LAND USE:

Vacant

PROJECT SUMMARY:

Barnes & Thornburg LLP, on behalf of CSIG Development Company, seeks approval of a proposed Text Amendment to the Parkside PUD that would allow the use of the StoryPoint of Fishers senior independent living facility and would establish specific development and architectural standards for the project.

LOCATION MAP:



STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

ATTACHMENTS

- SUBMITTED PLANS
- PUBLIC COMMENTS
- OTHER

- LEGAL NOTICE
- AGENCY COMMENTS
- LEGAL DESCRIPTION

PETITION HISTORY:

The Parkside PUD is located to the east of State Road 37, between East 126th Street and East 131st Street, and includes a variety of commercial land uses. The petitioner is seeking an amendment to the PUD to establish development standards, architectural guidelines and a concept and landscaping plan that are specific to a proposed senior independent living facility, called StoryPoint of Fishers. The amendment seeks to repeal and replace an amendment from 2011 that was specific to a previous senior living project.

City Council held First Reading of the Text Amendment at its December 18, 2017 meeting. Positive feedback on the project was given overall, however, several Council members raised concerns with vinyl siding proposed as an exterior building material.

The concept plan, architectural exhibits and landscaping plan went before the PUD Committee at its January 10, 2018 meeting. The PUD Committee approved all of the plans as presented.

A public hearing was held at the Advisory Plan Commission meeting on February 7, 2018. Several Commission members spoke on the need of senior housing, noting the growing number of seniors in the community and the shortage of appropriate housing throughout Fishers. The Plan Commission also commented on the high-quality of architecture featured, and gave the project a unanimous favorable recommendation.

PETITION OVERVIEW:

The proposed StoryPoint of Fishers facility is located on a ten (10) acre parcel and will consist of approximately one hundred and sixty-two (162) senior independent living units and a minimum of one hundred and seventy-five (175) parking spaces. The building will have a maximum height of forty-six (46) feet (measured to the peak of the roof line), with the northern portion of the building being two (2) stories tall and the southern portion being three (3) stories. The architecture of the facility will be residential in character and will feature hardie-plank siding and a minimum of fifty (50) percent masonry on all elevations.

The petitioner originally proposed heavy gauge vinyl siding as an allowed material for the non-masonry portions of the elevations. After the City Council opposed the request for vinyl siding at First Reading, the petitioner revised the PUD ordinance and elevation renderings to feature a hardie-plank material.

The landscaping plan of the PUD establishes a thirty (30) foot Tree Preservation Area on the east side of the property to buffer the project from the adjacent residential developments. This buffer yard is consistent with what was approved with the 2011 PUD amendment and will ensure that the existing tree line will remain untouched, unless trees and/or shrubs are deceased or need to be removed for maintenance of the stormwater infrastructure in the area.

PUBLIC COMMENTS:

During the public hearing at the Advisory Plan Commission meeting a resident of Middleton Place, a residential subdivision immediately east of the subject property, spoke in opposition of the proposed text amendment. Representing he and several of his neighbors, the resident voiced concerns on the height of the proposed building and the amount of traffic and noise that the project will generate. Staff also received an email of opposition from a separate Middleton Place resident, which is included as an attachment.

STAFF COMMENTS:

Overall, staff is supportive of the PUD Text Amendment and the petitioner's proposed plans for the project. The high-quality materials and architectural features of the building create a residential character that is appropriate for the use and allows the development to fit in with the surrounding community. In addition to the Tree Preservation area, the petitioner has also designed a landscaping plan that will help to buffer the surface parking and internal drives from Parkside Drive.

Staff recommends that the City Council hold a combined Second and Third Reading and approve the text amendment for the proposed StoryPoint of Fishers project.

- ATTACHMENTS:**
- 1) Proposed PUD Ordinance
 - 2) Email from Middleton Place resident

Navarre, Taylor

From: Barbara Davis <bdavis9568@gmail.com>
Sent: Wednesday, February 07, 2018 4:47 PM
To: Navarre, Taylor
Subject: tonight's meeting 6 pm
Attachments: IMG_3578.JPG

EXTERNAL SENDER: Please exercise increased caution. Do not open attachments or click links from unknown senders or unexpected email messages.

Dear Mr. Navarre:

I do apologize for the last minute letter. The notice I was finally able to pick up today stated that I need to file a written suggestion or objection concerning the proposed StoryPoint structure that will be located right next to my home on Meeting Street. I attended the meeting which was held by the developers last week.

I am concerned about a possible drop in my property values because of this building. I have enjoyed the trees at the end of the street not only because of the aesthetic value and because we have a lot birds that live there, but also because they act as a buffer against the growing traffic noise. While I do not wish to leave my home at this time, I am concerned that I will have a lot of trouble selling it after this structure goes up.

The 30 foot buffer of trees as measured from the end of Meeting Street is a joke, including only a handful of trees and it appears that the "screen" of trees they propose will be very small and of little value for shielding their dumpsters from our street. Even a 100 foot buffer although better, would not provide much privacy for us.

Additionally, the neighbors are very concerned about the height of the building (3 stories) which is, of course, going to make it the tallest structure around.

I will be attending the meeting tonight and I really appreciate this opportunity. I have attached a photo showing the effectiveness of a 30 foot buffer.

Sincerely,
Barbara R. Davis MD
9568 Meeting Street





Council Action Form

MEETING DATE	February 19, 2018			
TITLE	Request to approve a Text Amendment to the Parkside PUD			
SUBMITTED BY	Name & Title: Taylor Navarre, Planner II			
	Department: Community Development			
MEETING TYPE	<input type="checkbox"/> Work Session	<input checked="" type="checkbox"/> Regular	<input type="checkbox"/> Special	<input type="checkbox"/> Retreat
	<input type="checkbox"/> Executive			
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Regular
ORDINANCE/RESOLUTION (New ordinances or resolutions are assigned a new number)	<input type="checkbox"/> 1 st Reading	<input checked="" type="checkbox"/> 2 nd Reading	<input type="checkbox"/> Public Hearing	<input checked="" type="checkbox"/> 3 rd Reading
	Ordinance #: 121817A		Resolution #:	
CONTRACTS (Contracts include other similar documents such as agreements and memorandum of understandings. <u>Check all applicable boxes pertaining to contracts</u>)	<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			
HAMILTON COUNTY (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			
APPROVALS/REVIEWS	<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 – <i>Name of Reviewer:</i>			

<p>BACKGROUND (Includes description, background, and justification)</p>	<p>Barnes & Thornburg LLP, on behalf of CSIG Development Company LLC, requests an amendment to the Parkside PUD ordinance to establish development standards that are specific to a proposed ten (10) acre senior independent living facility, called StoryPoint at Fishers. The amendment seeks to repeal and replace an amendment from 2011 that was specific to a previous senior living project.</p>	
<p>BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)</p>	<p>Budgeted \$:</p>	<p>Not Applicable (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>OPTIONS (Include <i>Deny Approval</i> Option)</p>	<p>1.</p>	<p>Hold 2nd and 3rd Reading</p>
	<p>2.</p>	<p>Hold 2nd Reading only</p>
	<p>3.</p>	<p>Do not hold 2nd Reading</p>
	<p>4.</p>	<p>Continue</p>
<p>PROJECT TIMELINE</p>	<p>December 18, 2017 - 1st Reading at City Council January 10, 2018- PUD Committee review and approval February 7, 2018 - Plan Commission review and recommendation (Public Hearing) February 19, 2018 - Anticipated 2nd and 3rd Reading at City Council March 19, 2018 - Anticipated 3rd Reading at City Council (if needed)</p>	
<p>STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)</p>	<p>Staff recommends that City Council hold a combined 2nd and 3rd Reading, and approve the text amendment.</p>	
<p>SUPPLEMENTAL INFORMATION (List all attached documents)</p>	<p>1. Staff Report 2. Petitioner's Packet (includes amended PUD Ordinance) 3. Email of opposition</p>	