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07/29/2019 12:47:48PM 2 PGS
Jennifer Hayden
Hamilton County Recorder IN
Recorded as Presented

LLP



ORDINANCE NO. 071519B

**AN ORDINANCE AMENDING THE TEXT OF ORDINANCE NO. 072496
(REYNOLDS PUD)**

This is an Ordinance approving a text amendment to Ordinance No. 072496 (the "Reynolds PUD Ordinance"), dated July 24, 1996, and is applicable to the real estate which is legally described and depicted on the attached **Exhibit A** (the "Real Estate").

The Real Estate is located adjacent to SR 37, and the City of Fishers has notified the owners of the Real Estate that a portion of the Real Estate is needed as part of the SR 37 improvement project. The portion of the Real Estate to be conveyed to the City is described and depicted on the attached **Exhibit B** (the "ROW"). In recognition that the ROW grant may affect the application of zoning, planning and related ordinances and standards to the Real Estate, the City now desires to amend the Reynolds PUD Ordinance to provide that the ROW shall continue to be deemed to be a part of the Real Estate for purposes of applying zoning, planning and related ordinances and standards.

The Plan Commission held a public hearing on this proposal on _____, 2019, and, following the public hearing, the Plan Commission forwarded the proposal to the City Council with a favorable/unfavorable recommendation.

NOW THEREFORE, the City Council hereby adopts this Ordinance as an amendment to the Reynolds PUD Ordinance with respect to the Real Estate as follows:

Section 1. Text Amendment

1.1 For purposes of applying zoning, planning and related ordinances and standards to the Real Estate, the ROW shall be deemed to be a part of the Real Estate.

Section 2. Effective Date

2.1 This Amendment shall be effective with respect to the ROW and the Real Estate upon adoption by the City Council of this Ordinance.

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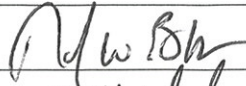
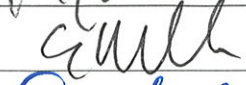
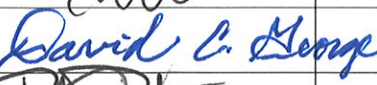

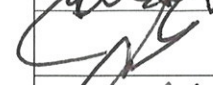

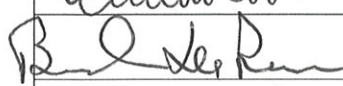
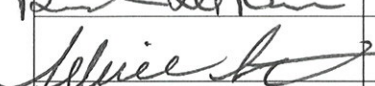
071519B

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

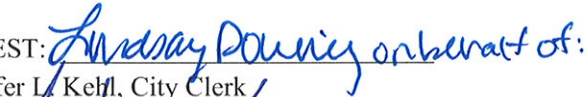
YAY


NAY

ABSTAIN

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

I hereby certify that the foregoing Ordinance was delivered to City of Fishers Mayor Scott Fadness on the
__15th__ day of __July__ 2019, at _____ m.

ATTEST:  on behalf of:
Jennifer L. Kehl, City Clerk

MAYOR'S APPROVAL


Scott A. Fadness, Mayor

7/17/19

DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

Approved by: Christopher P. Greisl, City Attorney

Prepared by: Steven D. Hardin, Attorney at Law, Faegre Baker Daniels, LLP,
600 East 96th Street, Suite 600, Indianapolis, Indiana 46240, (317) 569-9600

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: Steven D. Hardin.



CITY COUNCIL STAFF REPORT

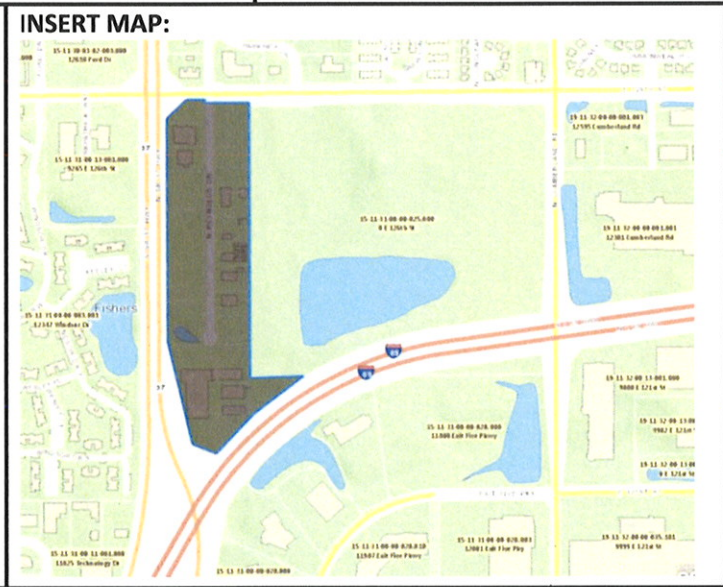
DEPARTMENT CONTACT: Dale Davis, AICP Department of Planning & Zoning City of Fishers	
One Municipal Drive, Fishers, In. 46038 T: (317) 595-3137 E-mail: david@d@fishers.in.us	
DOCKET NUMBER: TA-19-10	PETITIONER/PROPERTY OWNER: City of Fishers
PUBLIC HEARING DATE & TIME: July 15, 2019, 7:00pm	PROPERTY ADDRESS/LOCATION: Reynolds PUD (Reynolds Drive, south of 126 th Street)

SPECIFIC REQUEST: Consideration of text amendments to the Reynolds PUD.

SIZE OF PROPERTY: 27.8 Acres	EXISTING ZONING: PUD-C	EXISTING LAND USE: Commercial/Industrial
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PROJECT SUMMARY:

The City of Fishers requests a text amendment to the Reynolds PUD to address properties being affected by the State Road 37 upgrades. The proposed language intends to address any setback issues by allowing the setbacks to be measured from the original property line.



STAFF RECOMMENDATION

<input checked="" type="checkbox"/> APPROVE	<input type="checkbox"/> APPROVE WITH CONDITIONS	<input type="checkbox"/> DENY	<input type="checkbox"/> CONTINUE
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ATTACHMENTS

- | | |
|--|--|
| <input type="checkbox"/> SUBMITTED PLANS | <input type="checkbox"/> LEGAL NOTICE |
| <input type="checkbox"/> PUBLIC COMMENTS | <input type="checkbox"/> AGENCY COMMENTS |
| <input type="checkbox"/> OTHER | <input type="checkbox"/> LEGAL DESCRIPTION |

ADVISORY PLAN COMMISSION RECOMMENDATION:

The Advisory Plan Commission reviewed this item on July 10, 2019.

PETITION HISTORY:

The Reynolds PUD was established in 1996 and has started to see new development in recent years. The development is home to Harley Davidson, Reynolds Farm Equipment, and existing industrial tenants.

PETITION OVERVIEW:

This request is to allow the setbacks within the Reynolds PUD to be measured from the current property lines. This request is necessary as right-of-way will be acquired through the State Road 37 project and buildings will then become legal, non-conforming structures. The proposed language will allow the new businesses to remain legal, conforming structures.

PUBLIC COMMENTS:

No comments have been received from the public at this time.

STAFF COMMENTS:

This request allows existing structures to remain legal, conforming structures with the land acquisitions required for the State Road 37 upgrades.

Staff recommends a favorable recommendation to the City Council.

ATTACHMENTS: 1) Ordinance



Council Action Form

MEETING DATE	July 15, 2019			
TITLE	Reynolds PUD Text Amendment			
SUBMITTED BY	Name & Title: Dale Davis, AICP, Planner III			
	Department:			
MEETING TYPE	<input type="checkbox"/> Work Session	<input 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 type="checkbox"/> 2 nd Reading	<input type="checkbox"/> Public Hearing	<input type="checkbox"/> 3 rd Reading
				<input checked="" type="checkbox"/> Final Reading
	Ordinance #: 071519B		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 Please mark the box in the other column that pertains to this contract.		<input type="checkbox"/> Services <input type="checkbox"/> Capital Outlay <input type="checkbox"/> Debt Services	
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 checked="" type="checkbox"/> Legal Counsel – <i>Name of Reviewer: Chris Greisl</i>	
BACKGROUND (Includes description, background, and justification)	The text amendment is in response to right-of-way acquisition for the State Road 37 improvement project. The properties in the Reynolds PUD wish to have their building setbacks measured from the current property lines as opposed to the property line after the right-of-way acquisition.	
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	N/A
	Expenditure \$:	N/A
	Source of Funds:	N/A
	Additional Appropriation #:	N/A
	Narrative:	N/A
OPTIONS (Include <i>Deny Approval Option</i>)	1.	Approve
	2.	Deny
	3.	Continue
	4.	
PROJECT TIMELINE	Plan Commission: July 10, 2019 City Council: July 15, 2019	
STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)	Staff recommends approval of the text amendments to the Reynolds PUD.	
SUPPLEMENTAL INFORMATION (List all attached documents)	Staff Report Ordinance	