

Year

2011

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Shamrock Landing PUD District

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*Town of Fishers  
Planned Development  
Ordinance  
#110911*

# Shamrock Landing PUD District

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

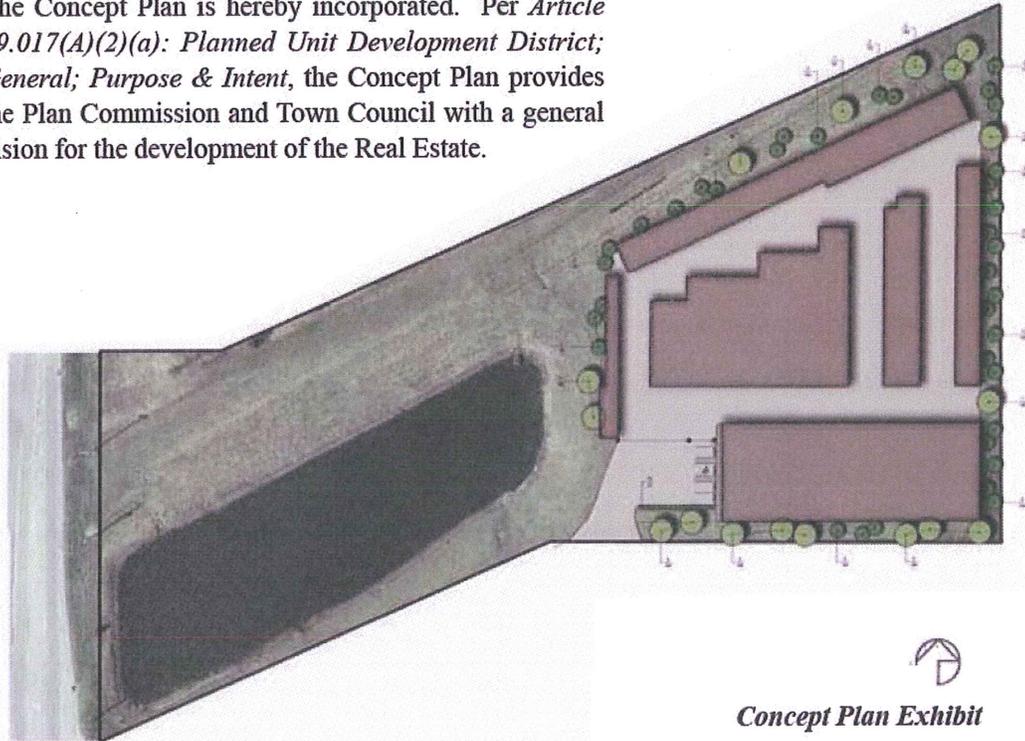
Declaration	Purpose and Intent	Permitted Uses
<p><b>Ordinance No. 110911</b> <b>Adopted: December 5, 2011</b></p> <p>The Unified Development Ordinance of the Town of Fishers, Indiana, Ordinance No. 090605A, and the OFFICIAL ZONING MAP, TOWN OF FISHERS, INDIANA, dated October 16, 2006, which accompanies and is a part of the Zoning Code of the Town of Fishers, Indiana, as amended (the "UDO"), are hereby amended as follows:</p> <p>The zoning classification of the real estate legally described in Section 1.07 of this Ordinance (the "Real Estate"), is hereby designated as a <b>Commercial Planned Unit Development District (PUD-C)</b> to be known as the <b>"Shamrock Landing PUD."</b></p> <p>Development of the Real Estate shall be governed entirely by (i) the provisions of this Ordinance, and (ii) 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 All provisions of the UDO that conflict with the provisions of this Ordinance are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Ordinance.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 the following objectives:</p> <ul style="list-style-type: none"> <li>• Provide for the development of diverse neighborhoods;</li> <li>• Greater flexibility in applying the ordinances to the development of the Real Estate;</li> <li>• Innovative approach to meet the demands of the market;</li> <li>• The recognition of the interdependency of various markets;</li> <li>• Efficient use of land resulting in more cost effective networks of utilities, streets and other facilities; and</li> <li>• Coordination of architectural styles, building forms and relationships, graphics and other private improvements.</li> </ul>	<p><b>Permitted Uses:</b></p> <ul style="list-style-type: none"> <li>• All uses described in <i>Article 02.023 C1 Commercial District</i></li> <li>• Self-Storage Facility, which shall be defined as a building or group of buildings consisting of individual, self-contained units leased to individuals, organizations, or businesses for self-service storage of personal property. Facility shall include related accessory uses including, without limitation, any one or a combination of the following: (i) administrative offices; (ii) ancillary retail sales (e.g., moving and packing supplies); (iii) mail or delivery boxes; and (iv) any other facilities approved by the Director that compliment and are intended to serve such a facility.</li> </ul>

## 1.02 Applicability

- A. The standards of the UDO applicable to the **C1 Commercial District** shall apply to the development of the Real Estate, except as modified, revised, or expressly made inapplicable by this PUD District Ordinance (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 04.002(F): Amendments to the Unified Development Ordinance*, an amendment to the UDO shall apply to this Ordinance unless this Ordinance has specified an alternative development or design standard.

## 1.03 Concept Plan

- A. The Concept Plan is hereby incorporated. Per *Article 09.017(A)(2)(a): Planned Unit Development District; General; Purpose & Intent*, the Concept Plan provides the Plan Commission and Town Council with a general vision for the development of the Real Estate.



## 1.04 Development Standards

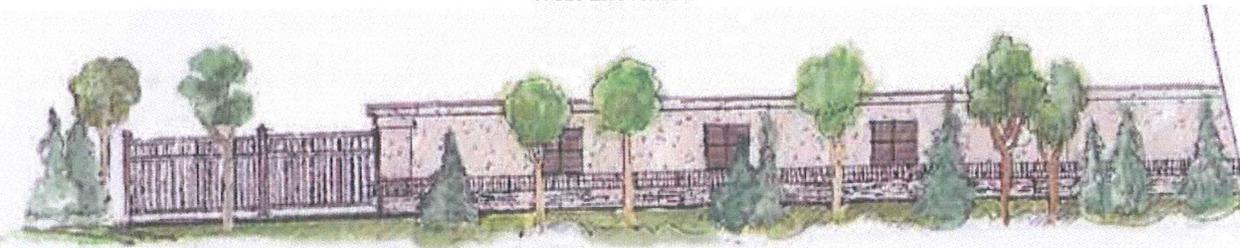
- A. **Cross References:** The regulations of *Article 05: Development Standards* shall apply except as modified by this Ordinance.
- B. **General Regulations:** *Article 02.024: C1 Commercial District Development Standards* shall apply except as modified below:
- (1) **Minimum Setbacks** shall apply except as specified below:
    - East Property Line Setback: 15 feet
    - South Property Line Setback: 15 feet
    - Minimum Building Separation: 10 feet
- C. **Accessory Structure Standards (AS):** shall apply.
- D. **Architectural Design Standards (AD):** shall apply except as modified below:
- (1) For purposes of this section, the following definitions shall apply:
    - (i) **Interior Façade:** A building façade not defined as a Perimeter Façade. Interior Facades shall include those facades interior to the site and located within an enclosed perimeter (e.g., fence or wall).
    - (ii) **Perimeter Façade:** A building facade adjacent, parallel or contiguous with the perimeter of the Real Estate and oriented to the exterior of the site (e.g., those facades shown on the Illustrative Building Exhibit).

- (iii) **Illustrative Building Exhibit:** The Illustrative Building Exhibit is hereby incorporated. The Illustrative Building Exhibit provides a general representation of the intended architecture and character for the Real Estate.
- (2) **Article 05.014 AD-03(A)(2) and (3): Architectural Design; Commercial; Facade; Exterior Materials** shall not apply, rather the following shall apply:
- (i) **Perimeter Facade:** A Perimeter Façade shall incorporate multiple textures. Smooth faced textures shall not be permitted. A minimum of a three (3) foot tall brick or stone wainscot shall be required on a Perimeter Facade. The following materials and finishes shall be permitted for the remainder of the façade: Brick, stone, split-face concrete masonry unit (CMU), stucco or EIFS (Dryvit) wall systems, or decorative precast panels.
- (ii) **Interior Facade:** The following materials and finishes shall be permitted for Interior Facades: Brick, split-face concrete masonry unit (CMU), fiber cement board siding, stone, decorative precast panels, integrally colored block, stucco or EIFS (Dryvit) wall systems, heavy-gauge vinyl, steel and/or aluminum curtain wall systems.

### *Illustrative Building Exhibit*



*West Elevation*



*North Elevation*



*South Elevation*



*East Elevation*

- (3) **Article 05.014 AD-03(A)(4): Architectural Design; Commercial; Facade; Wall Planes** shall not apply, however, the following shall apply with regard to overhead doors:
- (i) Overhead doors shall be prohibited on Perimeter Facades.
- (ii) All overhead doors on buildings located on the perimeter of the site shall be oriented towards the interior of the site.
- (4) **Article 05.014 AD-03(A)(4): Architectural Design; Commercial; Facade; Four-sided Architecture** shall be replaced and superseded to require that the Perimeter Facades shall be substantially similar in quality and character as shown in the Illustrative Building Exhibit.

- (5) *Article 05.014 AD-03(A)(7): Architectural Design; Commercial; Facade; Colors* shall be supplemented to require that colors used on Interior Facades shall be complementary to those used on the Perimeter Façades.
- (6) *Article 05.014 AD-03(D)(6) and (7): Architectural Design; Commercial; Roofs* shall not apply, rather, all buildings shall have flat roofs as shown on the Illustrative Building Exhibit. The maximum roof pitch shall not exceed 2 (vertical units): 1 (horizontal units).
- E. Density & Intensity Standards (DI): shall apply.
- F. Entrance & Driveway Standards (ED): shall apply.
- G. Environmental Standards (EN): shall apply.
- H. Fence & Wall Standards (FW): shall apply. In addition, any fencing or gates shall be decorative in design (e.g., wrought iron design) and black.
- I. Floodplain Standards (FP): shall apply.
- J. Floor Area Standards (FA): shall apply.
- K. Height Standards (HT): shall apply.
- L. Home Occupation Standards (HO): shall apply.
- M. Landscaping Standards (LA): shall apply except as modified below:
- (1) *Article 05.042 LA-05: Landscaping Standards; Nonresidential Uses; Lot and Foundation Plantings* shall only apply to the foundations of Perimeter Facades oriented towards Brooks School Road and the Real Estate's south property line.
- (2) *Article 05.044 LA-07(E): Landscaping Standards; Buffer Yards* shall apply as provided below:
- (i) North Property Line Buffer. A "Small-sized Buffer Yard" shall apply along the Real Estate's north property line, as generally shown on the Concept Plan; however, no mound shall be required.
- (ii) East Property Line Buffer. A "Small-sized Buffer Yard" shall apply along the Real Estate's east property line, as generally shown on the Concept Plan; however, the buffer shall be a minimum of fifteen (15) feet wide and no mound shall be required.
- N. Lighting Standards (LT): shall apply.
- O. Loading Standards (LD): shall apply.
- P. Lot Standards (LO): shall apply.
- Q. Outdoor Storage Standards (OS): shall apply. In addition, the storage of boats, vehicles and recreational vehicles shall only be permitted within the perimeter of the Self-Storage Facility. Except as provided by Section 1.04(R)(2) below, the storage of boats, vehicles or recreational vehicles shall be prohibited within openings between Perimeter Facades.
- R. Parking Standards (PK): shall apply, except as provided below:
- (1) No drive aisle (e.g., to provide direct access to a storage unit) shall be permitted between a Perimeter Façade and the Real Estate's property line.
- (2) *Article 05.067 PK-05(A): Parking Standards; Number of Commercial Parking Spaces* shall be modified to provide that a minimum of four (4) parking spaces shall be provided for a Self Storage Facility, one of which may be used for temporary parking of the facility's "loaner" truck. Such "loaner" truck shall be permanently stored within the perimeter of the Self-Storage Facility, which may include parking it within an opening between Perimeter Facades.
- S. Pedestrian Accessibility Standards (PA): shall apply.
- T. Performance Standards (PF): shall apply.
- U. Property Identification Standards (PI): shall apply.
- V. Public Improvement Standards (PV): shall apply.
- W. Setback Standards (SB): shall apply, except as modified below:
- (1) *Article 05.084 SB-03(B): Setback Standards; Commercial* shall not apply; rather, the provisions of Section 1.04(B) and (M)(2) of this Ordinance shall apply.
- X. Sewer & Water Standards (SW): shall apply.
- Y. Sexually Oriented Business Standards (SX): shall apply.

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- Z. Sign Standards (SG): shall apply; except as provided below:
  - (1) Signs interior to a Self-Storage Facility (e.g., directional signs, building identification signs) shall be permitted and exempt from sign permit requirements as long as such signs are not visible from the exterior of the facility.
- AA. Structure Quantity Standards (SQ): shall not apply.
- BB. Telecommunication Facility Standards (TC): shall apply.
- CC. Temporary Use/Structure Standards (TU): shall apply.
- DD. Use-specific Standards (US): shall apply.
- EE. Vision Clearance Standards (VC): shall apply.

## 1.05 Design Standards

- A. Cross References: The regulations of *Article 07: 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 & 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: 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.

## 1.06 Procedures

- A. The procedures set forth in *Article 09: Processes, Permits & Fees; Planned Unit Development* shall apply.
- B. This District shall be assigned to the Town's general PUD Committee (the "Committee") for review pursuant to *Article 09.020 Planned Unit Development; Final Development Plan*.
- C. The PUD Committee shall have discretion and flexibility to consider and approve modifications pertaining to architecture, signage and landscaping design standards established or referenced by this Ordinance if the Committee determines such modifications are consistent with the intent of this Ordinance and consistent with the quality and character represented in this Ordinance.

## 1.07 Real Estate

Part of the Southeast Quarter of Section 34, Township 18 North, Range 5 East in Hamilton County, Indiana, more particularly described as follows: Beginning at a point on the West line of the East half of the said Southeast Quarter Section, North 00 degrees 00 minutes 00 seconds East (assumed bearing) 661.64 feet from the Southwest corner thereof; thence North 00 degrees 00 minutes 00 seconds East along the said West line 279.46 feet to the Southwest corner of a 7.19 acre tract of land described in a Warranty Deed recorded as Instrument # 9809827354 in the Office of the Recorder of Hamilton County, Indiana; thence continuing North 00 degrees 00 minutes 00 seconds East along the said West line 230.00 feet; thence North 90 degrees 00 minutes 00 seconds East 45.00 feet; thence South 00 degrees 00 minutes 00 seconds West parallel with the said West line 163.47 feet; thence North 90 degrees 00 minutes 00 seconds East 101.00 feet to the Southerly line of said 7.19 acre tract; thence North 65 degrees 30 minutes 00 seconds East along the said Southerly line 695.75 feet to the West line of a 8.77 acre tract of land described in a Corporate Warranty Deed recorded as Instrument #91-19846 in the said Recorder's Office; thence South 00 degrees 06 minutes 03 seconds East along the West line of said 8.77 acre tract 279.24 feet to the Northeast corner of a 15.00 acre tract of land described in a Warranty Deed recorded as Instrument #9809838451 in the said Recorder's Office; thence South 00 degrees 06 minutes 03 seconds East along the East line of said 15.00 acre tract 162.76 feet; thence South 89 degrees 53 minutes 57 seconds West 358.82 feet to the Northerly line of said 15.00 acre tract; thence South 65 degrees 30 minutes 00 seconds West along the said Northerly line 462.72 feet to the point of beginning, containing 5.951 acres, more or less.

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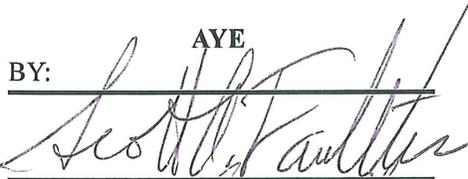
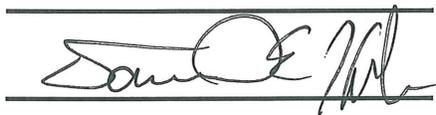
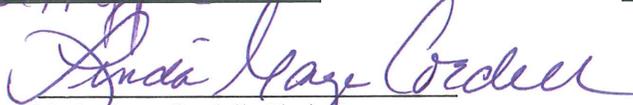
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## 1.08 Adoption

This ordinance shall be in full force and effect from and after its passage by the Town Council and after the occurrence of all other actions required by law. All provisions or parts thereof in conflict herewith are hereby repealed.

Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Town Council this Fifth day of December, Two Thousand and Eleven.

### THE TOWN COUNCIL OF FISHERS, HAMILTON COUNTY, INDIANA

BY:	AYE		NAY
		Scott A. Faultless, President	_____
		Michael Colby, Vice President	_____
		Stuart F. Easley, Member	_____
_____		Eileen N. Pritchard, Member	_____
		Daniel E. Henke, Member	_____
		David George, Member	_____
		Edward H. Offerman, Member	_____
ATTEST: 		Linda Gaye Cordell, Clerk-Treasurer, The Town of Fishers, Indiana Ordinance No. 110911	

Approved by: Douglas D. Church, Esq., Church, Church, Hittle and Antrim, Town Attorney  
Prepared by: Steven D. Hardin, Esq., Attorney at Law, Baker & Daniels LLP  
Jesse M. Pohlman, Land Use Consultant, Baker & Daniels, LLP  
600 East 96th Street, Suite 600, Indianapolis, Indiana 46240. (317) 569-9600.