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Jennifer Hayden
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THE STATIONS AT FISHERS DISTRICT PUD

City of Fishers
Planned Development
Ordinance
No. 031819B

Year
2019

THE STATIONS AT FISHERS DISTRICT PUD

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Planned Development
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THE STATIONS AT FISHERS DISTRICT PUD

1.01 Declaration, Purpose and Intent, and Permitted Uses

Declaration	Purpose and Intent	Permitted Uses
<p>Ordinance No. 031819B (this Ordinance" Adopted: <u>3/18/2019</u></p> <p>The Unified Development Ordinance (the "UDO") of the City of Fishers, Indiana, Ordinance No. 071618F, as amended, and the City of Fishers Official Zoning Map, as amended, which accompanies and is a part of the UDO are hereby amended as follows:</p> <p>The zoning classification of the real estate legally described in Section 1.12 of this Ordinance (the "Real Estate"), is hereby designated as a Planned Unit Development Mixed-Use (PUD-M), and that said PUD zoning district shall hereafter be known as "The Stations at Fishers District PUD."</p> <p>Development of the Real Estate shall be governed entirely by the provisions of this Ordinance and its exhibits 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 All provisions of the UDO that conflict with the provisions of this Ordinance are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Ordinance. All previous PUD Ordinances, and amendments thereto, applicable to the Real Estate are hereby repealed.</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>All uses described in the C3 Commercial District, and</p> <ul style="list-style-type: none"> • Coffee House • Food truck • Indoor entertainment <p>In addition, the following uses shall be permitted:</p> <ul style="list-style-type: none"> • Multi-unit living and related amenities • Townhouse <p>The following uses are prohibited:</p> <ul style="list-style-type: none"> • Vehicle sales • Vehicle repair (minor) • Vehicle repair (major) • Car wash • Vehicle fuel sales • Mortuary • Place of worship • Tattoo parlor • Piercing studio • Massage parlor (specifically not including massage services that are part of a high-end day spa or other similar use) • Alternative financial services (e.g., refund anticipation loan lenders, title loan businesses, short-term loan providers, cash for precious metal stores and pawn shops)(specifically not including retail services such as Fidelity, Jackson Hewitt, Charles Schwab, and similar concepts) • Day care, adult • Adult entertainment establishment • Head shop and hookah lounge (specifically not including a cigar bar or lounge, such as Blend, that also offers retail sales and on-site consumption of cigars and cigar related accessories) • Second hand or government surplus store

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1.02 Applicability

- A. The standards of the UDO applicable to the C3 *Commercial District* and the M2 *Multi-Family Residential District* shall apply to the development of the Real Estate, except as modified, revised, or expressly made inapplicable by this Ordinance. "Article" cross-references of this Ordinance shall hereafter refer to the *Article* section as specified and referenced in the UDO. Capitalized terms that are not otherwise defined herein shall have the meaning ascribed to them in the UDO. An amendment to the UDO shall apply to this Ordinance unless this Ordinance has specified an alternative development or design standard, and *Section 1.3.6 Transition Ordinance* shall also 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 Plans and shall be reviewed and approved based upon compliance with the development and design standards set forth herein. *Section 10.2.16.N* 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 in writing within ten (10) business 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 Stations at Fishers District 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 Development Standards for Commercial Area (as shown on the Concept Plan)

- A. **General Regulations:** *Section 3.3.3. C3 Commercial District:* shall not apply. Instead, the following shall apply:
- (1) Minimum perimeter Setbacks shall be as follows:
 - (a) Minimum Setback from northern perimeter of Real Estate (116th Street): Ten (10) feet.
 - (b) Minimum Setback from western perimeter of Real Estate: Zero (0) feet.
 - (c) Minimum Setback from southern perimeter of Real Estate: Five (5) feet.
 - (d) Minimum Setback from eastern perimeter of Real Estate: Ten (10) feet.
 - (2) Minimum Building Separation shall be zero (0) feet.
 - (3) Minimum Internal Setback shall be five (5) feet from the edge of pavement of any access drive or street, but not an alley.
 - (4) Maximum Building Height shall be eighty-five (85) feet.
 - (5) Maximum impervious area of lot shall be ninety-five (95) percent.
- B. **Cross References:** The regulations of *Chapter 6: Development Standards* shall apply, except as modified by this Ordinance.
- C. **Article 6.2. Accessory Structure Standards:** shall apply.
- D. **Article 6.3. Architectural Design Standards:** shall not apply; instead, the Mixed Retail/Office Building, as shown on the Concept Plan, shall be substantially similar in quality and character to the Illustrative Architectural Exhibit. The Illustrative Architectural Exhibit, attached hereto as **Exhibit B**, is hereby incorporated to illustrate conceptually the elements and anticipated character of and to establish a benchmark for the architecture and design of all new buildings constructed on the Real Estate. The final building designs may vary from the Illustrative Architectural Exhibit; however, buildings shall be substantially similar in quality and character to the buildings shown in the Illustrative Architectural Exhibit. The Commercial Building and the Hotel, as shown on the Concept Plan, each shall be reviewed and approved by the PUD Committee prior to the issuance of a building permit for each building, respectively. Additionally,
- (1) The following materials shall be permitted: composite wood materials, steel, aluminum, metal, precast concrete, stone, and porcelain/ceramic tile, masonry, EIFS.
 - (2) LED lighting or tubing shall be an acceptable feature for building trim or accent areas.
 - (3) All mechanicals shall be located and screened to minimize visibility from the Real Estate's property

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- line and adjacent Rights-of-Way at the grade of the site.
- E. Article 6.4. Entrance & Driveway Standards: shall apply, as amended below:
(1) Section 6.4.2(B): *Maximum Pavement Width*; shall not apply.
- F. Article 6.5. Exterior Lighting Standards: shall apply.
- G. Article 6.6. Height Standards: shall apply, as modified by this Ordinance.
- H. Article 6.7. Landscaping Standards: shall apply, as modified below:
(1) Section 6.7.4. *Buffer Yards*: shall not apply.
(2) Section 6.7.5.B. *Lot & Foundation Plantings; Foundation Planting*: shall apply, as modified below:
(i) At least two (2) shrubs, ornamental grasses, and/or ornamental trees shall be planted for every twelve (12) lineal feet of building circumference exclusive of loading dock openings. Plantings may be clustered and planted in a location approved by the Director.
(3) Section 6.7.6.E. *Street Trees; Escrow*: shall apply. In addition, an itemized estimate prepared by a landscape contractor shall also be accepted by the City.
- I. Article 6.8. Lot Standards: shall apply, as modified by this Ordinance.
- J. Article 6.9. Outdoor Display & Storage Standards: shall apply.
- K. Article 6.10. Parking & Loading Standards: shall apply, as amended below:
(1) Section 6.10.4.D.2. *Parking Area Landscaping; Interior islands*: shall apply, as amended below:
(i) Each island or peninsula shall be at least one hundred sixty-two (162) square feet in size.
(2) Section 6.10.4.G. *Parking Area Landscaping; Parking Structure Perimeter Landscaping*: shall not apply.
(3) Section 6.10.7.A.1. *Additional Parking Provisions; Shared Parking; Minimum Number of Parking Spaces Required*: shall apply, as amended below:
(i) The shared lot shall provide at least 75% of the cumulative total of parking spaces required for each use.
(4) Section 6.10.8. *Off-Street Parking Schedule*: shall not apply. Instead, the following shall apply:
(i) Minimum Stalls Required: Three (3) spaces per one thousand (1,000) square feet of the total floor area constructed within the Commerical Area shall be provided, except for the following uses:
(a) Hotel: 1 space per hotel room, plus one space per employee on the largest shift.
- L. Article 6.11. Pedestrian Accessibility Standards: shall apply.
- M. Article 6.12. Permitted Non-residential Structure Standards: shall apply.
- N. Article 6.13. Property Identification Standards: shall apply.
- O. Article 6.14. Public Art Standards: shall not apply.
- P. Article 6.15. Setback Standards: shall apply, as amended below:
(1) Section 6.15.2.E.1. *Building Setbacks; Commercial Setbacks*: shall not apply.
(2) Section 6.15.3.A.1. *Setback Encroachment; Building Features*: shall apply. In addition, foundations and footings may project into any required yard not more than two (2) feet.
(3) Section 6.15.3.A.2. *Setback Encroachment; Building Features*: shall apply, as amended below:
(i) No part of any non-residential or mixed-use structure or building, excluding footings, eaves or a cornice overhang, or a canopy over an entrance, not exceeding 15 feet, shall be within a required yard area.
- Q. Article 6.16. Signage Standards: shall apply; however, a comprehensive sign package may be submitted for review and approval to the PUD Committee or Mayor or Mayor's Designee that may vary from the sign code as long as it is in keeping with the quality and character of the proposed development. In addition, street frontage, for the purposes of wall signs, shall include public/private streets, access drives, drive aisles, and parking lots.
- R. Article 6.17. Wall & Fence Standards: shall apply.
- S. Article 6.18. Water & Sewer Standards: shall apply.
- T. Article 6.19. Vision Clearance Standards: shall apply.

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1.05 Design Standards for Commercial Area

- A. Cross References: The regulations of *Chapter 8. Subdivision Design Standards* applicable to *Planned Unit Development (PUD)* shall apply, except as modified by this Ordinance.
- B. Article 8.2. Block, Lot & Access Standards: shall apply, as amended below:
 - (1) *Section 8.2.4.B.2. Lots; Lot Standards; Interior Street Frontage*: shall not apply.
- C. Article 8.3. Street & Alley Standards: shall apply.
- D. Article 8.4. Open Space, Common Area & Amenity Standards: shall apply, as amended below:
 - (1) *Section 8.4.5. Perimeter Landscaping*: Perimeter Landscaping shall be in aggregate with other landscape requirements, not in addition to.
 - (2) *Section 8.4.6. Open Space*: shall not apply as long as an open space, such as a dog park or gathering area, is provided within the Real Estate and a program for public art is provided to and reasonably approved by the Director.
- E. Article 8.5. Other Design Standards: shall apply.

1.06 Development Standards for Residential Area (as shown on the Concept Plan)

- A. General Regulations: *Section 3.2.9. M2 Multi-Family Residential District*: shall not apply. Instead, the following shall apply:
 - (1) A maximum of 53 dwelling units shall be permitted.
 - (2) Minimum Lot Area (per building): 10,000 square feet
 - (3) Minimum Lot Frontage shall be 116 feet.
 - (4) Minimum Building Setbacks shall be as follows:
 - (a) Front setback shall be a minimum of twenty-five (25) feet. The front setback shall be measured to the Front Building Facade (as defined below) from the lot line parallel and closest to the Front Building Facade. The Front Building Facade shall be the facade opposite of the building facade that includes the garage door. The Rear Building Facade shall be the facade that includes the garage door.
 - (b) Side setback shall be a minimum of ten (10) feet.
 - (c) Rear setback shall be a minimum of twenty (20) feet. The rear setback shall be measured to the Rear Building Facade from the lot line parallel and closest to the Rear Building Facade.
 - (d) Building Separation shall be a minimum of twenty (20) feet.
 - (5) Maximum Building Height shall be forty (40) feet.
 - (6) Maximum impervious area of lot shall be ninety (90) percent.
- B. Cross References: The regulations of *Chapter 6: Development Standards* shall apply, except as modified by this Ordinance.
- C. Article 6.2. Accessory Structure Standards: shall apply.
- D. Article 6.3. Architectural Design Standards: shall apply, as amended below:
 - (1) *Section 6.3.4.A.2.d. Residential Design; Residential Cohesive Design; Standards*: shall not apply. However, each townhome unit will have matching address numbers, plaques, or other identity design features.
 - (2) *Section 6.3.4.A.2.e. Residential Design; Residential Cohesive Design; Standards*: shall not apply. Instead, for north-facing rear facades of the northernmost row of townhomes, each unit within a building shall alternate between first floor and second floor masonry height.
 - (3) *Section 6.3.4.B.2.a. Residential Design; Residential Building Form; Facade Standards*: shall not apply. Instead, each townhome unit shall be offset a minimum of two (2) feet from its adjacent unit to provide modulation in the townhome building's facade plane.
 - (4) *Section 6.3.4.B.2.f. Residential Design; Residential Building Form; Facade Standards*: Second-story residential facades of individual townhome units may not extend to the front face without additional facade modulation or additional material types and architectural accents.
 - (5) *Section 6.3.4.B.3 Residential Design; Residential Building Form; Roof Standards*: Shall not apply. Instead, the following shall apply:
 - (a) Roof systems shall be screened by a parapet wall and shall have a minimum roof pitch of 3/12 of

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- asphalt shingles.
- E. Article 6.4. Entrance & Driveway Standards: shall apply, as amended below:
 - (1) Section 6.4.3.A.1. Driveways; Residential: shall not apply.
 - F. Article 6.5. Exterior Lighting Standards: shall apply.
 - G. Article 6.6. Height Standards: shall apply.
 - H. Article 6.7. Landscaping Standards: shall apply, as amended below:
 - (1) Section 6.7.4.A. Buffer Yards; Applicability: Buffer yards shall not apply. Instead, a dog park may be installed within the Real Estate.
 - (2) Section 6.7.5.B. Lot & Foundation Plantings; Foundation Planting: shall apply, as specified below:
 - (a) Four (4) 2-gallon shrubs shall be planted per unit, with two (2) trees and ten (10) shrubs on each end of the buildings.
 - I. Article 6.8. Lot Standards: shall apply.
 - J. Article 6.9. Outdoor Display & Storage Standards: shall apply.
 - K. Article 6.10. Parking & Loading Standards: shall apply.
 - L. Article 6.11. Pedestrian Accessibility Standards: shall apply, as amended below:
 - (1) Section 6.11.2.B. Residential; Sidewalk Location: Sidewalks shall be provided to provide connectivity from all townhome entrances (front doors) to guest parking spaces, a dog park (if one is included), the Yard, and Kroger Strip Center.
 - (2) Section 6.11.2.C. Residential; Asphalt Path Minimum Width: shall not apply.
 - M. Article 6.12. Permitted Non-residential Structure Standards: shall apply.
 - N. Article 6.13. Property Identification Standards: shall apply.
 - O. Article 6.14. Public Art Standards: shall apply.
 - P. Article 6.15. Setback Standards: shall apply.
 - Q. Article 6.16. Signage Standards: shall apply, as amended below:
 - (1) Section 6.16.6.A.4. Free-Standing Signs; In General: A sign, if included, shall be located anywhere on the Real Estate.
 - R. Article 6.17. Wall & Fence Standards: shall apply.
 - S. Article 6.18. Water & Sewer Standards: shall apply.
 - T. Article 6.19. Vision Clearance Standards: shall apply.

1.07 Design Standards for Residential Area

- A. Cross References: The regulations of *Chapter 8. Subdivision Design Standards* applicable to *Planned Unit Development (PUD)* shall apply, except as modified by this Ordinance.
- B. Article 8.2. Block, Lot & Access Standards: shall apply, as amended below:
 - (1) Section 8.2.2.C.1. Anti-Monotony; Anti-monotony Code; Front Facade: shall not apply. Instead, front facades on the same building shall not be duplicated for one (1) unit on each side of the subject unit.
 - (2) Section 8.2.2.C.2. Anti-Monotony; Anti-monotony Code; Exterior Siding Color: shall not apply. Each building shall have a uniform design.
 - (3) Section 8.2.2.C.3. Anti-Monotony; Anti-monotony Code; Masonry Package: shall not apply. Each building within the community shall have a uniform design.
 - (4) Section 8.2.5.B. Subdivision Access; Entrance Design: shall not apply.
 - (5) Section 8.2.6.B.b. Pedestrian Network; Residential Minimum Internal Pedestrian Network: Sidewalks shall be provided to provide connectivity from all townhome entrances (front doors) to guest parking spaces, the dog park, the Yard, and Kroger Strip Center.
 - (6) Section 8.2.6.B.d. Pedestrian Network; Residential Minimum Internal Pedestrian Network: shall not apply.
- C. Article 8.3. Street & Alley Standards: shall apply, as amended below:
 - (1) Section 8.3.3.B.b.a. On-Street Parking; On-street Parking Requirements; In Residential Areas; Location: On-street guest parking spaces shall be located in close proximity to the front doors of the dwellings they serve, as shown on the concept plan.
 - (2) Section 8.3.3.B.b.a. On-Street Parking; On-street Parking Requirements; In Residential Areas:

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Design: On-street guest parking spaces shall be designed, as shown on the Concept Plan.

- (3) *Section 8.3.7.B. Alleys; Use of Alleys:* Alleys, as shown on the Concept Plan, shall be deemed approved.
- (4) *Section 8.3.7.B. Alleys; Easement:* Alleys shall be privately owned and maintained and shall be centered within an easement a minimum of 14 feet wide.
- D. *Article 8.4. Open Space, Common Area & Amenity Standards:* shall apply, as amended below:
 - (1) *Section 8.4.6.C. Open Space; Minimum Open Space:* shall not apply as long as an open space, such as a dog park or gathering area, is provided within the Real Estate and a program for public art is provided to and reasonably approved by the Director.
 - (2) *Section 8.4.6.H. Open Space; Public Art:* shall not apply.
- E. *Article 8.5. Other Design Standards:* shall apply.

1.08 Floodplain Standards for Real Estate

- A. *Cross References:* The regulations of *Chapter 9: Floodplain Standards:* shall apply, except as modified by this Ordinance.
- B. *Article 9.1 Floodplain Standards:* shall apply.

1.09 Procedures

- A. The procedures set forth in *Chapter 10. Procedures and Permits* shall apply. Development plans shall be reviewed and approved based upon compliance with the development and design standards set forth herein.
- B. If applicable: (1) the Real Estate shall be assigned to the City's general PUD Committee (the "Committee") for review pursuant to *Section 10.1.2. Summary of Review Authority;* and (2) prior to the Committee's review, the Mayor or Mayor's Designee shall review each building's preliminary architectural plan (e.g., elevations, roof plan, floor plan, and rendering) and approve such plan based upon compliance with the development and design standards set forth herein.
- C. The Committee, if applicable, and the Mayor or Mayor's Designee 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 or Mayor or Mayor's Designee determines such modifications are consistent with the intent of this Ordinance and consistent with the quality and character represented in this Ordinance.

1.10 PUD Expiration

- A. If, after five (5) years from the date of approval of this Ordinance, construction in the form of grading, infrastructure installation, or other land alteration has not commenced, then the provisions set forth by this Ordinance shall be rescinded as applied to the Real Estate, and the EN Employment Node District shall govern the Real Estate.

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03/18/19 B

Year 2019

1.11 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 March, 2019.

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

Richard W. Block AYE

Richard W. Block,
President

Eric Moeller

Eric Moeller,
Vice-President

Cecilia Coble

Cecilia Coble,
District At Large

Todd Zimmerman

Todd Zimmerman,
District At Large

Brad DeReamer

Brad DeReamer,
District NE

David C. George

David C. George,
District SW

Pete Peterson

Pete Peterson,
District SE

Selina Stoller

Selina Stoller,
District NW

John Weingardt

John Weingardt,
District SC

X David C. George

I hereby certify that the foregoing Ordinance was delivered to City of Fishers Mayor Scott Fadness on the 18th day of March 2019, at 9:30 m.

ATTEST: Jennifer L. Kehl
Jennifer L. Kehl, City Clerk

Scott A. Fadness
Scott A. Fadness, Mayor

MAYOR'S APPROVAL

3/18/2019
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: Mark R. Leach

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1.12 Real Estate

Part of the Northeast Quarter of Section 6, Township 17 North, Range 5 East of the Second Principal Meridian, Hamilton County, Indiana, being 6.640 acres of land shown on the plat of ALTA/NSPS Land Title Survey certified by Brian L. Haggard, PS #LS29800001 on August 23, 2018 under Banning Engineering project number 18185, the overall parcel being described as follows:

Commencing at the Northeast corner of said Northeast Quarter; thence North 90 degrees 00 minutes 00 seconds West 958.00 feet; thence South 09 degrees 00 minutes 22 seconds West 50.62 feet to the south right of way line of 116th Street per Instrument 200200050446 in the Office of the Recorder of Hamilton County said point also being the POINT OF BEGINNING; thence South 90 degrees 00 minutes 00 seconds East 32.11 feet along the south right of way line of 116th Street to the northwest corner of Outlot D recorded as Instrument 2010008524; thence South 06 degrees 34 minutes 20 seconds West along the west line of said Outlot D 232.69 feet to the southwest corner of Outlot D; thence South 90 degrees 00 minutes 00 seconds West along said south line 112.84 feet; thence South 00 degrees 26 minutes 16 seconds West 346.25 feet; thence South 90 degrees 00 minutes 00 seconds West 14.17 feet; thence South 00 degrees 00 minutes 00 seconds East 284.00 feet to the north line of Highpoint Ridge per the Master Plan of Highpoint Ridge recorded as Instrument Number 2005003433; thence North 87 degrees 49 minutes 35 seconds West along the north line of said Highpoint Ridge 422.91 feet to the beginning of a non-tangent curve to the left having a radius of 745.00 feet and a central angle of 07 degrees 13 minutes 01 seconds; the radius point of which bears South 79 degrees 45 minutes 35 seconds West; thence along the arc of said curve 93.84 feet to the southeast corner of the plat for Fishers District recorded as Instrument 2018021156; thence the following three (3) calls along the east line of said plat; 1.) thence North 10 degrees 14 minutes 15 seconds West 70.00 feet to the beginning of a tangent curve to the right having a radius of 375.00 feet and a central angle of 12 degrees 04 minutes 17 seconds; 2.) thence along the arc of said curve 79.00 feet; 3.) thence North 01 degree 50 minutes 00 seconds East 335.00 feet to the southwest corner of the land of KLC Realty, LLC as recorded in Instrument Number 2016058111; thence the following three (3) calls along the south and east lines of said KLC Realty; 1.) North 76 degrees 48 minutes 43 seconds East 229.78 feet; 2.) thence North 64 degrees 03 minutes 46 seconds East 97.73 feet; 3.) thence North 09 degrees 00 minutes 22 seconds East 176.85 to the POINT OF BEGINNING, containing 6.640 acres more or less.

And

Part of the North Half of the Northeast Quarter of Section 6, Township 17 North, Range 5 East in Delaware Township, Hamilton County, Indiana, described as follows:

Beginning on the North line of the Northeast Quarter of Section 6, Township 17 North, Range 5 East 958.00 feet North 90 degrees 00 minutes 00 seconds West (assumed bearing) from the Northeast corner of said Northeast Quarter; thence North 90 degrees 00 minutes 00 seconds West on said North line 336.09 feet to the Northeast corner of Spring Dale Estates, First Section, a subdivision in Hamilton County, Indiana, said plat being recorded in Plat Book 2, page 166, in the Office of the Recorder of Hamilton County, Indiana; thence South 01 degrees 50 minutes 00 seconds West on the East line of said Spring Dale Estates, 320.00 feet; thence North 76 degrees 48 minutes 43 seconds East 228.84 feet; thence North 64 degrees 03 minutes 46 seconds East 97.73 feet; thence North 09 degrees 00 minutes 22 seconds East 227.69 feet to the place of beginning, containing 2.054 acres, more or less.

EXCEPT THEREFROM:

Part of the Northeast Quarter of Section 6, Township 17 North, Range 5 East of the Second Principal Meridian, Hamilton County, Indiana, and being a part of a parcel of land as described in Instrument No. 1983-001107, in the Office of the Recorder of Hamilton County, Indiana, described as follows:

Commencing at the Northeast Corner of the Northeast Quarter of Section 6, Township 17 North, Range 5 East; thence. South 88 degrees 39 minutes 10 seconds West, along the North line of said Quarter Section, 958.00 feet to the Northeast corner of Instrument No, 1983-001107, and the Point of Beginning of this description; thence South 07 degrees 39 minutes 32 seconds West, along the Easterly line thereof, 60.24 feet; thence South 88 degrees 39 minutes 10 seconds West, 7.92 feet; thence North 01 degrees, 20 minutes 50 seconds West, 10.00 feet; thence South 88 degrees 39 minutes 10 seconds West, 321.24 feet to the East line of Spring Dale Estates, as per plat thereof recorded in Plat Book 2, Page 166; thence North 00 degrees 29 minutes 10 seconds East, along said East line, 49.53 feet to the North line of said Quarter Section; thence North 88 degrees 39 minutes 10 seconds East, along said North line 337.00 feet to the point of beginning, containing 16,614 square feet, 0.381 acres, more or less.

Exhibit A - Concept Plan



Exhibit B - Illustrative Architectural Exhibit

Mixed Retail/Office Building



Exhibit B - Illustrative Architectural Exhibit

Rear load townhome with dark brick color scheme



METAL CAP OVER
 1/2" RIM BOARD (TP)
 TOP OF WALL
 HORIZONTAL SIDING
 6" CORNER TRIM (TP)
 TOP OF PLATE
 WINDOW HEAD HGT.
 1/2" RIM BOARD (TP)
 HORIZONTAL SIDING
 METAL RAINWATER
 SOLDER CONSOLE
 TOP OF PLATE
 WINDOW HEAD HGT.
 BRICK SOLDER CONSOLE
 METAL RAINWATER
 CANOPY
 BRICK SOLDER (TP)
 TOP OF FLOOR
 TOP OF PLATE
 WINDOW HEAD HGT.
 THROUGH CANOPY AND
 PORCH
 TOP OF ENTRY F.L.R.
 TOP OF FLOOR
 METAL RAINWATER

34'-10" OVERALL
 9'-11"
 7'-4"
 9'-11"
 4'-10"

Elevation 31

Elevation 33

Elevation 32

Elevation 34

Elevation 35



TOP OF WALL
 TOP OF PLATE
 WINDOW HEAD HGT.
 TOP OF FLOOR
 WINDOW HEAD HGT.
 HORIZONTAL
 SIDING
 TOP OF FLOOR
 TOP OF PLATE
 WINDOW HEAD HGT.
 TOP OF ENTRY F.L.R.
 TOP OF FLOOR
 FINISHED GARAGE

34'-10" OVERALL
 9'-11"
 7'-4"
 9'-11"
 4'-10"

Elevation 35

Elevation 34

Elevation 32

Elevation 33

Elevation 31

REAR ELEVATION

Exhibit B - Illustrative Architectural Exhibit

Side elevation is illustrative of all side elevations for both the rear and front load townhomes



Exhibit B - Illustrative Architectural Exhibit

Rear load townhome with light brick color scheme



Exhibit B - Illustrative Architectural Exhibit

Side elevation is illustrative of all side elevations for both the rear and front load townhomes



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03/18/19 B

Year 2019

1.11 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 March, 2019.

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

NAY

Richard W. Block AYE

Richard W. Block,
President

Eric Moeller,
Vice-President

Cecilia Coble,
District At Large

Todd Zimmerman,
District At Large

Brad DeReamer,
District NE

David C. George,
District SW

Pete Peterson,
District SE

Selina Stoller,
District NW

John Weingardt,
District SC

X David C. George

Cecilia Coble
Brad DeReamer

Scott A. Fadness

I hereby certify that the foregoing Ordinance was delivered to City of Fishers Mayor Scott Fadness on the 18th day of March 2019, at 9:30 m.

ATTEST: Jennifer L. Kehl
Jennifer L. Kehl, City Clerk



MAYOR'S APPROVAL

Scott A. Fadness
Scott A. Fadness, Mayor

3/18/2019
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: Mark R. Leach

THE STATIONS AT FISHERS DISTRICT PUD

1.12 Real Estate

Part of the Northeast Quarter of Section 6, Township 17 North, Range 5 East of the Second Principal Meridian, Hamilton County, Indiana, being 6.640 acres of land shown on the plat of ALTA/NSPS Land Title Survey certified by Brian L. Haggard, PS #LS29800001 on August 23, 2018 under Banning Engineering project number 18185, the overall parcel being described as follows:

Commencing at the Northeast corner of said Northeast Quarter; thence North 90 degrees 00 minutes 00 seconds West 958.00 feet; thence South 09 degrees 00 minutes 22 seconds West 50.62 feet to the south right of way line of 116th Street per Instrument 200200050446 in the Office of the Recorder of Hamilton County said point also being the POINT OF BEGINNING; thence South 90 degrees 00 minutes 00 seconds East 32.11 feet along the south right of way line of 116th Street to the northwest corner of Outlot D recorded as Instrument 2010008524; thence South 06 degrees 34 minutes 20 seconds West along the west line of said Outlot D 232.69 feet to the southwest corner of Outlot D; thence South 90 degrees 00 minutes 00 seconds West along said south line 112.84 feet; thence South 00 degrees 26 minutes 16 seconds West 346.25 feet; thence South 90 degrees 00 minutes 00 seconds West 14.17 feet; thence South 00 degrees 00 minutes 00 seconds East 284.00 feet to the north line of Highpoint Ridge per the Master Plan of Highpoint Ridge recorded as Instrument Number 2005003433; thence North 87 degrees 49 minutes 35 seconds West along the north line of said Highpoint Ridge 422.91 feet to the beginning of a non-tangent curve to the left having a radius of 745.00 feet and a central angle of 07 degrees 13 minutes 01 seconds; the radius point of which bears South 79 degrees 45 minutes 35 seconds West; thence along the arc of said curve 93.84 feet to the southeast corner of the plat for Fishers District recorded as Instrument 2018021156; thence the following three (3) calls along the east line of said plat; 1.) thence North 10 degrees 14 minutes 15 seconds West 70.00 feet to the beginning of a tangent curve to the right having a radius of 375.00 feet and a central angle of 12 degrees 04 minutes 17 seconds; 2.) thence along the arc of said curve 79.00 feet; 3.) thence North 01 degree 50 minutes 00 seconds East 335.00 feet to the southwest corner of the land of KLC Realty, LLC as recorded in Instrument Number 2016058111; thence the following three (3) calls along the south and east lines of said KLC Realty; 1.) North 76 degrees 48 minutes 43 seconds East 229.78 feet; 2.) thence North 64 degrees 03 minutes 46 seconds East 97.73 feet; 3.) thence North 09 degrees 00 minutes 22 seconds East 176.85 to the POINT OF BEGINNING, containing 6.640 acres more or less.

And

Part of the North Half of the Northeast Quarter of Section 6, Township 17 North, Range 5 East in Delaware Township, Hamilton County, Indiana, described as follows:

Beginning on the North line of the Northeast Quarter of Section 6, Township 17 North, Range 5 East 958.00 feet North 90 degrees 00 minutes 00 seconds West (assumed bearing) from the Northeast corner of said Northeast Quarter; thence North 90 degrees 00 minutes 00 seconds West on said North line 336.09 feet to the Northeast corner of Spring Dale Estates, First Section, a subdivision in Hamilton County, Indiana, said plat being recorded in Plat Book 2, page 166, in the Office of the Recorder of Hamilton County, Indiana; thence South 01 degrees 50 minutes 00 seconds West on the East line of said Spring Dale Estates, 320.00 feet; thence North 76 degrees 48 minutes 43 seconds East 228.84 feet; thence North 64 degrees 03 minutes 46 seconds East 97.73 feet; thence North 09 degrees 00 minutes 22 seconds East 227.69 feet to the place of beginning, containing 2.054 acres, more or less.

EXCEPT THEREFROM:

Part of the Northeast Quarter of Section 6, Township 17 North, Range 5 East of the Second Principal Meridian, Hamilton County, Indiana, and being a part of a parcel of land as described in Instrument No. 1983-001107, in the Office of the Recorder of Hamilton County, Indiana, described as follows:

Commencing at the Northeast Corner of the Northeast Quarter of Section 6, Township 17 North, Range 5 East; thence. South 88 degrees 39 minutes 10 seconds West, along the North line of said Quarter Section, 958.00 feet to the Northeast corner of Instrument No, 1983-001107, and the Point of Beginning of this description; thence South 07 degrees 39 minutes 32 seconds West, along the Easterly line thereof, 60.24 feet; thence South 88 degrees 39 minutes 10 seconds West, 7.92 feet; thence North 01 degrees, 20 minutes 50 seconds West, 10.00 feet; thence South 88 degrees 39 minutes 10 seconds West, 321.24 feet to the East line of Spring Dale Estates, as per plat thereof recorded in Plat Book 2, Page 166; thence North 00 degrees 29 minutes 10 seconds East, along said East line, 49.53 feet to the North line of said Quarter Section; thence North 88 degrees 39 minutes 10 seconds East, along said North line 337.00 feet to the point of beginning, containing 16,614 square feet, 0.381 acres, more or less.

Exhibit A - Concept Plan



Exhibit B - Illustrative Architectural Exhibit

Mixed Retail/Office Building



Exhibit B - Illustrative Architectural Exhibit

Side elevation is illustrative of all side elevations for both the rear and front load townhomes



Exhibit B - Illustrative Architectural Exhibit

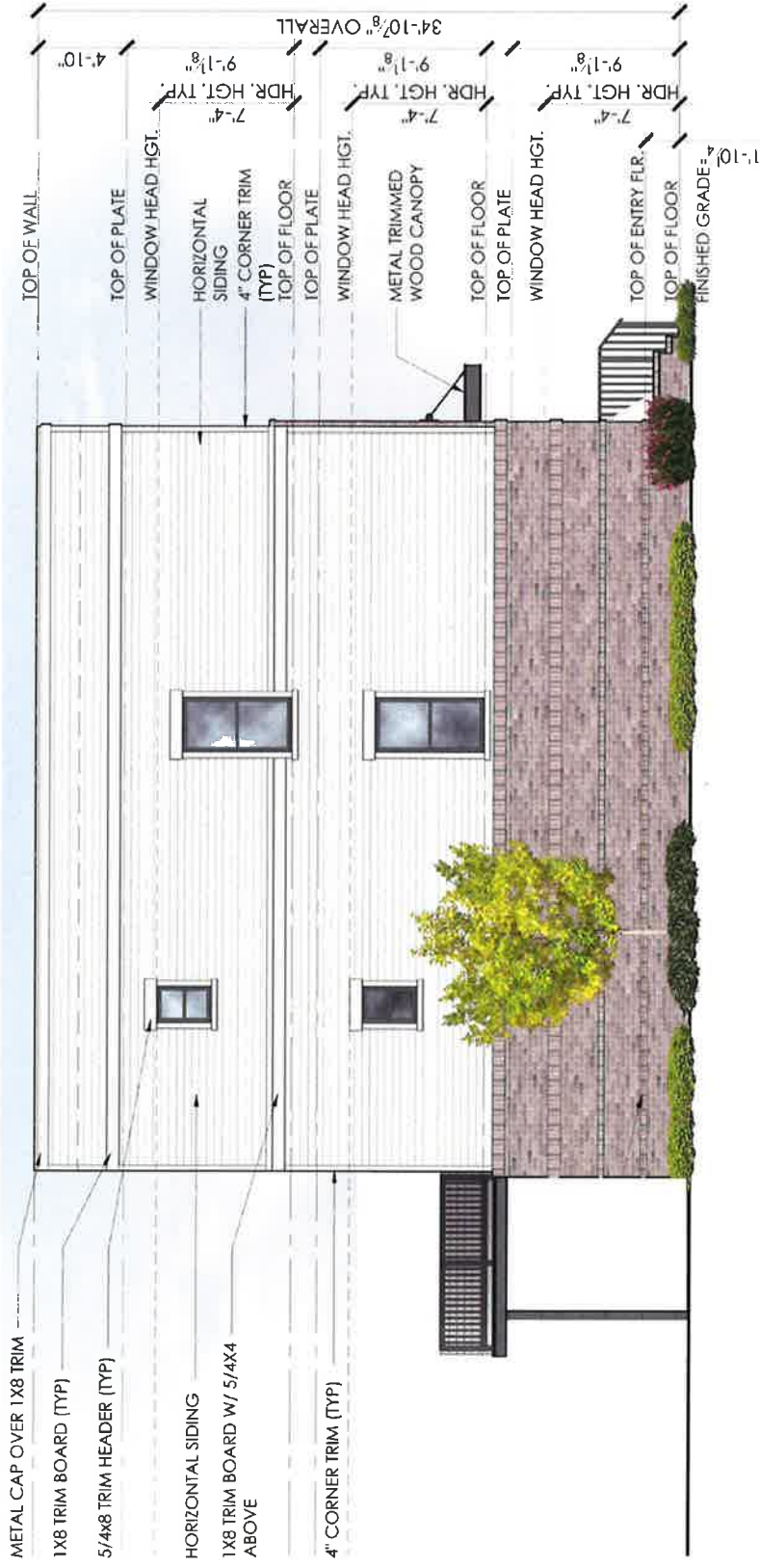
Rear load townhome with light brick color scheme



REAR ELEVATION

Exhibit B - Illustrative Architectural Exhibit

Side elevation is illustrative of all side elevations for both the rear and front load townhomes





CITY COUNCIL STAFF REPORT

DEPARTMENT CONTACT:

Ross Hilleary, Dept. of Planning & Zoning, 1 Municipal Drive, Fishers, IN. 46038 T: (317) 588-1436 E: hillearyr@fishers.in.us

DOCKET NUMBER:

Ord. #031819B

PETITIONER/PROPERTY OWNER:

Faegre Baker Daniels on behalf of Thompson Thrift Dev.

MEETING DATE:

Monday March 18, 2019
Fishers City Hall Auditorium

PROPERTY ADDRESS/LOCATION:

9712 & 9799 E 116th Street Fishers, IN 46038
Generally located east of The Yard at Fishers District

SPECIFIC REQUEST: Request to approve The Stations at Fishers District rezone, 8.67 acres located at 9712 and 9799 E. 116th Street - 2nd & 3rd Reading

SIZE OF PROPERTY:

8.67 +/- acres

EXISTING ZONING:

PUD-C (The Stations PUD, Exit 5 PUD)

EXISTING LAND USE:

Vacant

PROJECT SUMMARY:

Faegre Baker Daniels, LLP. on behalf of Thompson Thrift Development, Inc. wish to rezone the subject property from The Stations PUD-C and Exit 5 (Sunbeam) PUD-C to The Stations at Fishers District PUD-M. The PUD would allow for C3-Commerical District Uses with additional uses including a coffee house, food trucks, and indoor entertainment and multi-unit townhomes.

The subject property is located at 9712 116th Street Fishers, IN 46038 and on approximately 7 +/- acres of 9799 E 116th Street Fishers, IN 46038. Thompson Thrift Development, Inc. plans to construct a mixed-use building with office and retail, a commercial building, a hotel, and approximately 50 townhomes on the 8.67 +/- acre site.

LOCATION MAP:



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

- SUBMITTED PLANS**
 PUBLIC COMMENTS

- AGENCY COMMENTS**
 OTHER

PETITION HISTORY:

The Stations PUD was adopted by City Council in October 2017 as a PUD rezoning a R2 – Residential District to a PUD-C Commercial with an underlying zoning of C2 – Commercial. The Site plan incorporated a two-building commercial development with surface parking. With the continued growth and development of the 116th Street corridor there is an opportunity to increase the development size of the Planned Unit Development, include additional and diverse land use while connecting one existing development and one development currently under construction.

PETITION OVERVIEW:

Thompson Thrift Development is proposing The Stations at Fishers District, an 8.67 +/- acres mixed-use development. The Stations at Fishers District will include approximately 70,000 square feet of office / commercial, 10,000 square feet of retail, a hotel, and approximately 50 townhomes ranging in prices from \$275,000 to \$350,000. It will provide both vehicular and pedestrian connectivity between the Kroger commercial center and The Yard at Fishers District as well as Cumberland Road and Ikea Way with a boulevard-like connection. If approved Thompson Thrift plans to start site work later this year.

All uses are allowed described in C3 Commercial District as well as:

- ✓ Coffee House
- ✓ Food Truck
- ✓ Indoor Entertainment

In addition, the follow uses are permitted:

- ✓ Multi-unit living and related amenities
- ✓ Townhouse

Several uses are prohibited, including but not limited to:

- x Vehicle Sales
- x Vehicle Repair (minor or major)
- x Car Wash
- x Vehicle Fuel Sales
- x Alternative Financial Services

The Concept Plan shows the location of an office building, a mixed-used building, a hotel, and townhomes. It also shows the proposed location of shared bicycle parking and a dog park for the residence. A public art program will be incorporated into the development with the assistance of staff to meet the Open Space requirements of the UDO. The office buildings and townhomes architecture are included in the PUD as Illustrative Architectural Exhibits. The townhomes exhibits feature two color schemes, both a light and dark brick, as well as an alley-loaded and front-loaded garage designs.

PUBLIC COMMENTS:

No public comment has been received at the time of writing this staff report.

Faegre Baker Daniels, LLP. on behalf of Thompson Thrift Development, Inc. did hold a neighborhood meeting on February 25, 2019 and was available to answer any additional comments or concerns regarding the development. Staff was told that no issues arose from this neighborhood meeting.

PUD COMMITTEE:

The PUD Committee met on March 7, 2019 to review the architecture of the site plan, mixed-retail / office building, and townhomes. The Committee gave feedback to the petitioner, builder, and staff including a recommendation for the northern-most townhomes to be enhanced facing 116th Street. Additional masonry requirements were added to the PUD Ordinance for these townhomes. The PUD Committee approved the site plan, mixed-retail / office building, and townhomes (3-0).

ADVISORY PLAN COMMISSION:

The Advisory Plan Commission met on March 7, 2019 to review the Ordinance. The Commission gave feedback to the petitioner and staff. The Advisory Plan Commission send a favorable recommendation (9-0) to City Council.

STAFF COMMENTS:

Staff is supportive of the rezone of The Stations at Fishers District. The petitioner has worked with staff regarding changes to the architecture that is included as exhibits in the PUD as well as the concept plan and the inclusion of public art in the development.

Staff believes this meets the Regional Center called out in the 2040 Comprehensive Plan as well as the overall vision of the City of Fishers. Staff recommends the City Council approved the rezone of The Stations at Fishers District as presented.

ATTACHMENTS:

- 1) Ordinance
- 2) Petitioner Packet

The Stations

Planned Unit Development



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

City Council | March 18, 2019

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THE STATIONS PUD



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Applicant:
Thompson Thrift
Development, Inc.

Ashlee Boyd,
Managing Partner
Eric Wojak,
Development Director of
Midwest Region

111 Monument Circle
Suite 1600
Indianapolis, IN 46204

Attorney:
Steven D. Hardin, Esq.
Mark R. Leach,
Land Use Planner

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

Telephone: 317.569.9600

Tab 1	Executive Summary
Tab 2	Aerial Location Map
Tab 3	Connectivity Map
Tab 4	Concept Plan
Tab 5	Mixed Retail/Office Building Renderings
Tab 6	Townhome Elevations
Tab 7	Proposed PUD Ordinance

TAB 1

EXECUTIVE SUMMARY	
THE STATIONS PUD	

Thompson Thrift Development, Inc. (“Thompson Thrift”) is pleased to propose its plans for The Stations, a nine-acre +/- development on the south side of 116th Street in between the Yard at Fishers District and the existing Kroger commercial center. The Stations is planned to include approximately 70,000 square feet of office, 10,000 square of retail, a hotel, and townhomes, ranging in price from \$275,000.00 to \$350,000.00. Importantly, The Stations will provide vehicular and pedestrian connectivity between Ikea Way to the west and Cumberland Road to east, relieving stress on 116th Street and enhancing the existing and planned developments.

PUD Committee Review and Recommendation:

The City’s PUD Committee, at its March 6, 2019, meeting, reviewed the proposed plans and then voted unanimously to recommend approval of the plans.

Plan Commission Update:

On March 6, 2019, 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.

If approved, then site development work is anticipated to begin later this year.

Thank you for your consideration.

TAB 2

AERIAL LOCATION MAP

THE STATIONS PUD



Real Estate

TAB 3

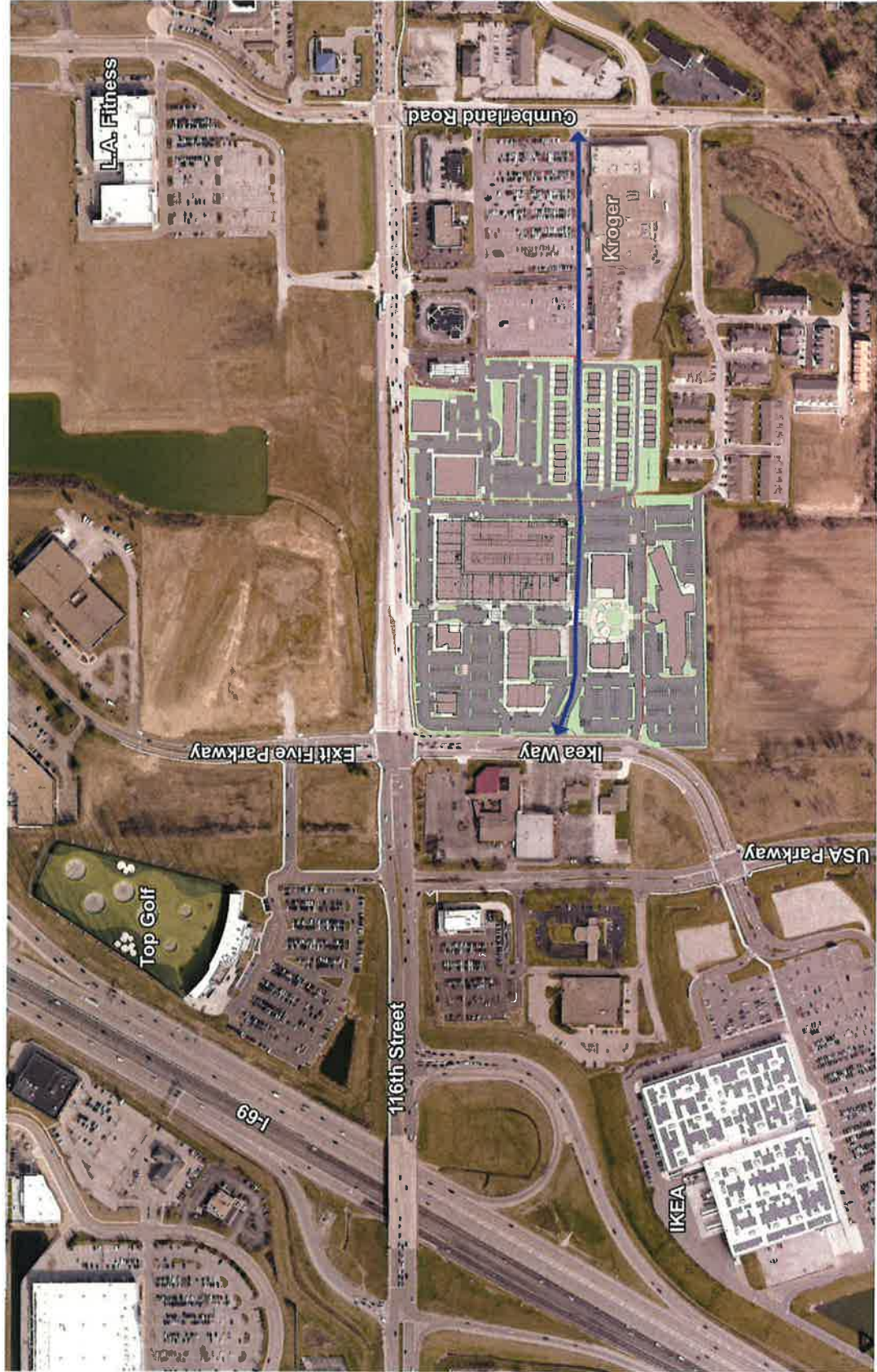
CONNECTIVITY MAP

THE STATIONS PUD



CONNECTIVITY MAP

THE STATIONS PUD



TAB 4

CONCEPT PLAN

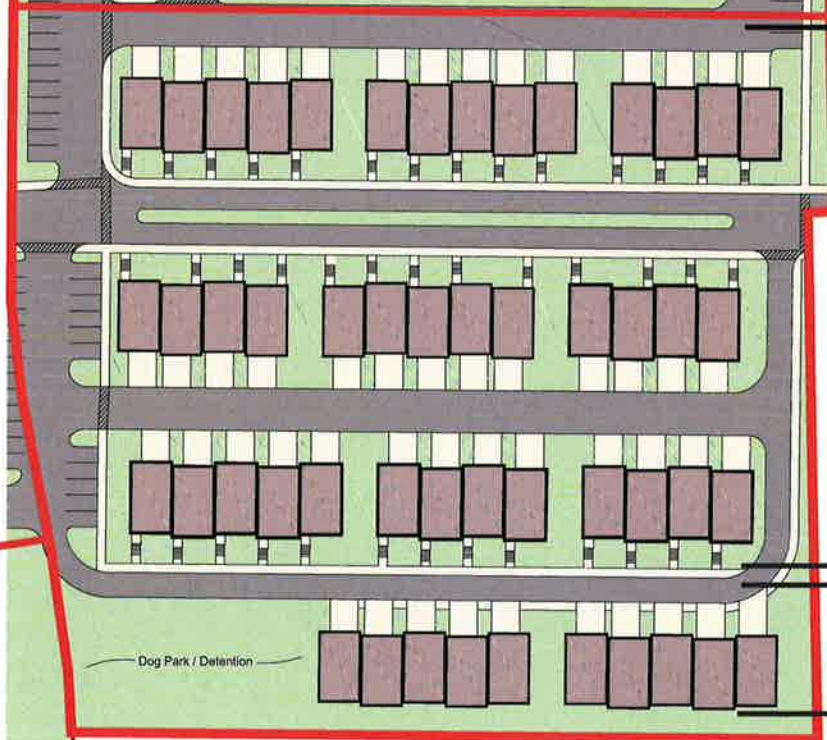
THE STATIONS PUD



Commercial Area



Residential Area



Rear Load Townhomes

Front Load Townhomes

TAB 5

MIXED RETAIL/OFFICE BUILDING RENDERINGS

THE STATIONS PUD



North and East Elevations



North and West Elevations

TAB 6

TAB 7

Year
2019

THE STATIONS AT FISHERS DISTRICT PUD

City of Fishers
Planned Development
Ordinance
No. 031819B

THE STATIONS AT FISHERS DISTRICT PUD

1.01 Declaration, Purpose and Intent, and Permitted Uses

Declaration	Purpose and Intent	Permitted Uses
<p>Ordinance No. 031819B (this Ordinance) Adopted: <u>031819B</u></p> <p>The Unified Development Ordinance (the "UDO") of the City of Fishers, Indiana, Ordinance No. 071618F, as amended, and the City of Fishers Official Zoning Map, as amended, which accompanies and is a part of the UDO are hereby amended as follows:</p> <p>The zoning classification of the real estate legally described in Section 1.12 of this Ordinance (the "Real Estate"), is hereby designated as a Planned Unit Development Mixed-Use (PUD-M), and that said PUD zoning district shall hereafter be known as "The Stations at Fishers District PUD."</p> <p>Development of the Real Estate shall be governed entirely by the provisions of this Ordinance and its exhibits 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. All previous PUD Ordinances, and amendments thereto, applicable to the Real Estate are hereby repealed.</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>All uses described in the C3 Commercial District, and</p> <ul style="list-style-type: none"> • Coffee House • Food truck • Indoor entertainment <p>In addition, the following uses shall be permitted:</p> <ul style="list-style-type: none"> • Multi-unit living and related amenities • Townhouse <p>The following uses are prohibited:</p> <ul style="list-style-type: none"> • Vehicle sales • Vehicle repair (minor) • Vehicle repair (major) • Car wash • Vehicle fuel sales • Mortuary • Place of worship • Tattoo parlor • Piercing studio • Massage parlor (specifically not including massage services that are part of a high-end day spa or other similar use) • Alternative financial services (e.g., refund anticipation loan lenders, title loan businesses, short-term loan providers, cash for precious metal stores and pawn shops)(specifically not including retail services such as Fidelity, Jackson Hewitt, Charles Schwab, and similar concepts) • Day care, adult • Adult entertainment establishment • Head shop and hookah lounge (specifically not including a cigar bar or lounge, such as Blend, that also offers retail sales and on-site consumption of cigars and cigar related accessories) • Second hand or government surplus store

THE STATIONS AT FISHERS DISTRICT PUD

1.02 Applicability

- A. The standards of the UDO applicable to the *C3 Commercial District* and the *M2 Multi-Family Residential District* shall apply to the development of the Real Estate, except as modified, revised, or expressly made inapplicable by this Ordinance. "Article" cross-references of this Ordinance shall hereafter refer to the *Article* section as specified and referenced in the UDO. Capitalized terms that are not otherwise defined herein shall have the meaning ascribed to them in the UDO. An amendment to the UDO shall apply to this Ordinance unless this Ordinance has specified an alternative development or design standard, and *Section 1.3.6 Transition Ordinance* shall also 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 Plans and shall be reviewed and approved based upon compliance with the development and design standards set forth herein. *Section 10.2.16.N* 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 in writing within ten (10) business 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 Stations at Fishers District 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 Development Standards for Commercial Area (as shown on the Concept Plan)

- A. **General Regulations:** *Section 3.3.3. C3 Commercial District:* shall not apply. Instead, the following shall apply:
- (1) Minimum perimeter Setbacks shall be as follows:
 - (a) Minimum Setback from northern perimeter of Real Estate (116th Street): Ten (10) feet.
 - (b) Minimum Setback from western perimeter of Real Estate: Zero (0) feet.
 - (c) Minimum Setback from southern perimeter of Real Estate: Five (5) feet.
 - (d) Minimum Setback from eastern perimeter of Real Estate: Ten (10) feet.
 - (2) Minimum Building Separation shall be zero (0) feet.
 - (3) Minimum Internal Setback shall be five (5) feet from the edge of pavement of any access drive or street, but not an alley.
 - (4) Maximum Building Height shall be eighty-five (85) feet.
 - (5) Maximum impervious area of lot shall be ninety-five (95) percent.
- B. **Cross References:** The regulations of *Chapter 6: Development Standards* shall apply, except as modified by this Ordinance.
- C. **Article 6.2. Accessory Structure Standards:** shall apply.
- D. **Article 6.3. Architectural Design Standards:** shall not apply; instead, the Mixed Retail/Office Building, as shown on the Concept Plan, shall be substantially similar in quality and character to the Illustrative Architectural Exhibit. The Illustrative Architectural Exhibit, attached hereto as **Exhibit B**, is hereby incorporated to illustrate conceptually the elements and anticipated character of and to establish a benchmark for the architecture and design of all new buildings constructed on the Real Estate. The final building designs may vary from the Illustrative Architectural Exhibit; however, buildings shall be substantially similar in quality and character to the buildings shown in the Illustrative Architectural Exhibit. The Commercial Building and the Hotel, as shown on the Concept Plan, each shall be reviewed and approved by the PUD Committee prior to the issuance of a building permit for each building, respectively. Additionally,
- (1) The following materials shall be permitted: composite wood materials, steel, aluminum, metal, precast concrete, stone, and porcelain/ceramic tile, masonry, EIFS.
 - (2) LED lighting or tubing shall be an acceptable feature for building trim or accent areas.
 - (3) All mechanicals shall be located and screened to minimize visibility from the Real Estate's property

THE STATIONS AT FISHERS DISTRICT PUD

- line and adjacent Rights-of-Way at the grade of the site.
- E. Article 6.4. Entrance & Driveway Standards: shall apply, as amended below:
(1) Section 6.4.2(B): *Maximum Pavement Width*; shall not apply.
- F. Article 6.5. Exterior Lighting Standards: shall apply.
- G. Article 6.6. Height Standards: shall apply, as modified by this Ordinance.
- H. Article 6.7. Landscaping Standards: shall apply, as modified below:
(1) Section 6.7.4. *Buffer Yards*: shall not apply.
(2) Section 6.7.5.B. *Lot & Foundation Plantings; Foundation Planting*: shall apply, as modified below:
(i) At least two (2) shrubs, ornamental grasses, and/or ornamental trees shall be planted for every twelve (12) lineal feet of building circumference exclusive of loading dock openings. Plantings may be clustered and planted in a location approved by the Director.
(3) Section 6.7.6.E. *Street Trees; Escrow*: shall apply. In addition, an itemized estimate prepared by a landscape contractor shall also be accepted by the City.
- I. Article 6.8. Lot Standards: shall apply, as modified by this Ordinance.
- J. Article 6.9. Outdoor Display & Storage Standards: shall apply.
- K. Article 6.10. Parking & Loading Standards: shall apply, as amended below:
(1) Section 6.10.4.D.2. *Parking Area Landscaping; Interior islands*: shall apply, as amended below:
(i) Each island or peninsula shall be at least one hundred sixty-two (162) square feet in size.
(2) Section 6.10.4.G. *Parking Area Landscaping; Parking Structure Perimeter Landscaping*: shall not apply.
(3) Section 6.10.7.A.1. *Additional Parking Provisions; Shared Parking; Minimum Number of Parking Spaces Required*: shall apply, as amended below:
(i) The shared lot shall provide at least 75% of the cumulative total of parking spaces required for each use.
(4) Section 6.10.8. *Off-Street Parking Schedule*: shall not apply. Instead, the following shall apply:
(i) Minimum Stalls Required: Three (3) spaces per one thousand (1,000) square feet of the total floor area constructed within the Commerical Area shall be provided, except for the following uses:
(a) Hotel: 1 space per hotel room, plus one space per employee on the largest shift.
- L. Article 6.11. Pedestrian Accessibility Standards: shall apply.
- M. Article 6.12. Permitted Non-residential Structure Standards: shall apply.
- N. Article 6.13. Property Identification Standards: shall apply.
- O. Article 6.14. Public Art Standards: shall not apply.
- P. Article 6.15. Setback Standards: shall apply, as amended below:
(1) Section 6.15.2.E.1. *Building Setbacks; Commercial Setbacks*: shall not apply.
(2) Section 6.15.3.A.1. *Setback Encroachment; Building Features*: shall apply. In addition, foundations and footings may project into any required yard not more than two (2) feet.
(3) Section 6.15.3.A.2. *Setback Encroachment; Building Features*: shall apply, as amended below:
(i) No part of any non-residential or mixed-use structure or building, excluding footings, eaves or a cornice overhang, or a canopy over an entrance, not exceeding 15 feet, shall be within a required yard area.
- Q. Article 6.16. Signage Standards: shall apply; however, a comprehensive sign package may be submitted for review and approval to the PUD Committee or Mayor or Mayor's Designee that may vary from the sign code as long as it is in keeping with the quality and character of the proposed development. In addition, street frontage, for the purposes of wall signs, shall include public/private streets, access drives, drive aisles, and parking lots.
- R. Article 6.17. Wall & Fence Standards: shall apply.
- S. Article 6.18. Water & Sewer Standards: shall apply.
- T. Article 6.19. Vision Clearance Standards: shall apply.

THE STATIONS AT FISHERS DISTRICT PUD

1.05 Design Standards for Commercial Area

- A. **Cross References:** The regulations of *Chapter 8. Subdivision Design Standards* applicable to *Planned Unit Development (PUD)* shall apply, except as modified by this Ordinance.
- B. **Article 8.2. Block, Lot & Access Standards:** shall apply, as amended below:
 - (1) *Section 8.2.4.B.2. Lots; Lot Standards; Interior Street Frontage:* shall not apply.
- C. **Article 8.3. Street & Alley Standards:** shall apply.
- D. **Article 8.4. Open Space, Common Area & Amenity Standards:** shall apply, as amended below:
 - (1) *Section 8.4.5. Perimeter Landscaping:* Perimeter Landscaping shall be in aggregate with other landscape requirements, not in addition to.
 - (2) *Section 8.4.6. Open Space:* shall not apply as long as an open space, such as a dog park or gathering area, is provided within the Real Estate and a program for public art is provided to and reasonably approved by the Director.
- E. **Article 8.5. Other Design Standards:** shall apply.

1.06 Development Standards for Residential Area (as shown on the Concept Plan)

- A. **General Regulations:** *Section 3.2.9. M2 Multi-Family Residential District:* shall not apply. Instead, the following shall apply:
 - (1) A maximum of 53 dwelling units shall be permitted.
 - (2) Minimum Lot Area (per building): 10,000 square feet
 - (3) Minimum Lot Frontage shall be 116 feet.
 - (4) Minimum Building Setbacks shall be as follows:
 - (a) Front setback shall be a minimum of twenty-five (25) feet. The front setback shall be measured to the Front Building Facade (as defined below) from the lot line parallel and closest to the Front Building Facade. The Front Building Facade shall be the facade opposite of the building facade that includes the garage door. The Rear Building Facade shall be the facade that includes the garage door.
 - (b) Side setback shall be a minimum of ten (10) feet.
 - (c) Rear setback shall be a minimum of twenty (20) feet. The rear setback shall be measured to the Rear Building Facade from the lot line parallel and closest to the Rear Building Facade.
 - (d) Building Separation shall be a minimum of twenty (20) feet.
 - (5) Maximum Building Height shall be forty (40) feet.
 - (6) Maximum impervious area of lot shall be ninety (90) percent.
- B. **Cross References:** The regulations of *Chapter 6: Development Standards* shall apply, except as modified by this Ordinance.
- C. **Article 6.2. Accessory Structure Standards:** shall apply.
- D. **Article 6.3. Architectural Design Standards:** shall apply, as amended below:
 - (1) *Section 6.3.4.A.2.d. Residential Design; Residential Cohesive Design; Standards:* shall not apply. However, each townhome unit will have matching address numbers, plaques, or other identity design features.
 - (2) *Section 6.3.4.A.2.e. Residential Design; Residential Cohesive Design; Standards:* shall not apply. Instead, for north-facing rear facades of the northernmost row of townhomes, each unit within a building shall alternate between first floor and second floor masonry height.
 - (3) *Section 6.3.4.B.2.a. Residential Design; Residential Building Form; Facade Standards:* shall not apply. Instead, each townhome unit shall be offset a minimum of two (2) feet from its adjacent unit to provide modulation in the townhome building's facade plane.
 - (4) *Section 6.3.4.B.2.f. Residential Design; Residential Building Form; Facade Standards:* Second-story residential facades of individual townhome units may not extend to the front face without additional facade modulation or additional material types and architectural accents.
 - (5) *Section 6.3.4.B.3 Residential Design; Residential Building Form; Roof Standards:* Shall not apply. Instead, the following shall apply:
 - (a) Roof systems shall be screened by a parapet wall and shall have a minimum roof pitch of 3/12 of

THE STATIONS AT FISHERS DISTRICT PUD

- asphalt shingles.
- E. Article 6.4. Entrance & Driveway Standards: shall apply, as amended below:
 - (1) Section 6.4.3.A.1. Driveways; Residential: shall not apply.
 - F. Article 6.5. Exterior Lighting Standards: shall apply.
 - G. Article 6.6. Height Standards: shall apply.
 - H. Article 6.7. Landscaping Standards: shall apply, as amended below:
 - (1) Section 6.7.4.A. Buffer Yards; Applicability: Buffer yards shall not apply. Instead, a dog park may be installed within the Real Estate.
 - (2) Section 6.7.5.B. Lot & Foundation Plantings; Foundation Planting: shall apply, as specified below:
 - (a) Four (4) 2-gallon shrubs shall be planted per unit, with two (2) trees and ten (10) shrubs on each end of the buildings.
 - I. Article 6.8. Lot Standards: shall apply.
 - J. Article 6.9. Outdoor Display & Storage Standards: shall apply.
 - K. Article 6.10. Parking & Loading Standards: shall apply.
 - L. Article 6.11. Pedestrian Accessibility Standards: shall apply, as amended below:
 - (1) Section 6.11.2.B. Residential; Sidewalk Location: Sidewalks shall be provided to provide connectivity from all townhome entrances (front doors) to guest parking spaces, a dog park (if one is included), the Yard, and Kroger Strip Center.
 - (2) Section 6.11.2.C. Residential; Asphalt Path Minimum Width: shall not apply.
 - M. Article 6.12. Permitted Non-residential Structure Standards: shall apply.
 - N. Article 6.13. Property Identification Standards: shall apply.
 - O. Article 6.14. Public Art Standards: shall apply.
 - P. Article 6.15. Setback Standards: shall apply.
 - Q. Article 6.16. Signage Standards: shall apply, as amended below:
 - (1) Section 6.16.6.A.4. Free-Standing Signs; In General: A sign, if included, shall be located anywhere on the Real Estate.
 - R. Article 6.17. Wall & Fence Standards: shall apply.
 - S. Article 6.18. Water & Sewer Standards: shall apply.
 - T. Article 6.19. Vision Clearance Standards: shall apply.

1.07 Design Standards for Residential Area

- A. Cross References: The regulations of *Chapter 8. Subdivision Design Standards* applicable to *Planned Unit Development (PUD)* shall apply, except as modified by this Ordinance.
- B. Article 8.2. Block, Lot & Access Standards: shall apply, as amended below:
 - (1) Section 8.2.2.C.1. Anti-Monotony; Anti-monotony Code; Front Facade: shall not apply. Instead, front facades on the same building shall not be duplicated for one (1) unit on each side of the subject unit.
 - (2) Section 8.2.2.C.2. Anti-Monotony; Anti-monotony Code; Exterior Siding Color: shall not apply. Each building shall have a uniform design.
 - (3) Section 8.2.2.C.3. Anti-Monotony; Anti-monotony Code; Masonry Package: shall not apply. Each building within the community shall have a uniform design.
 - (4) Section 8.2.5.B. Subdivision Access; Entrance Design: shall not apply.
 - (5) Section 8.2.6.B.b. Pedestrian Network; Residential Minimum Internal Pedestrian Network: Sidewalks shall be provided to provide connectivity from all townhome entrances (front doors) to guest parking spaces, the dog park, the Yard, and Kroger Strip Center.
 - (6) Section 8.2.6.B.d. Pedestrian Network; Residential Minimum Internal Pedestrian Network: shall not apply.
- C. Article 8.3. Street & Alley Standards: shall apply, as amended below:
 - (1) Section 8.3.3.B.b.a. On-Street Parking; On-street Parking Requirements; In Residential Areas; Location: On-street guest parking spaces shall be located in close proximity to the front doors of the dwellings they serve, as shown on the concept plan.
 - (2) Section 8.3.3.B.b.a. On-Street Parking; On-street Parking Requirements; In Residential Areas:

THE STATIONS AT FISHERS DISTRICT PUD

Design: On-street guest parking spaces shall be designed, as shown on the Concept Plan.

- (3) *Section 8.3.7.B. Alleys; Use of Alleys:* Alleys, as shown on the Concept Plan, shall be deemed approved.
- (4) *Section 8.3.7.B. Alleys; Easement:* Alleys shall be privately owned and maintained and shall be centered within an easement a minimum of 14 feet wide.

D. *Article 8.4. Open Space, Common Area & Amenity Standards:* shall apply, as amended below:

- (1) *Section 8.4.6.C. Open Space; Minimum Open Space:* shall not apply as long as an open space, such as a dog park or gathering area, is provided within the Real Estate and a program for public art is provided to and reasonably approved by the Director.
- (2) *Section 8.4.6.H. Open Space; Public Art:* shall not apply.

E. *Article 8.5. Other Design Standards:* shall apply.

1.08 Floodplain Standards for Real Estate

- A. *Cross References:* The regulations of *Chapter 9: Floodplain Standards:* shall apply, except as modified by this Ordinance.
- B. *Article 9.1 Floodplain Standards:* shall apply.

1.09 Procedures

- A. The procedures set forth in *Chapter 10. Procedures and Permits* shall apply. Development plans shall be reviewed and approved based upon compliance with the development and design standards set forth herein.
- B. If applicable: (1) the Real Estate shall be assigned to the City's general PUD Committee (the "Committee") for review pursuant to *Section 10.1.2. Summary of Review Authority;* and (2) prior to the Committee's review, the Mayor or Mayor's Designee shall review each building's preliminary architectural plan (e.g., elevations, roof plan, floor plan, and rendering) and approve such plan based upon compliance with the development and design standards set forth herein.
- C. The Committee, if applicable, and the Mayor or Mayor's Designee 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 or Mayor or Mayor's Designee determines such modifications are consistent with the intent of this Ordinance and consistent with the quality and character represented in this Ordinance.

1.10 PUD Expiration

- A. If, after five (5) years from the date of approval of this Ordinance, construction in the form of grading, infrastructure installation, or other land alteration has not commenced, then the provisions set forth by this Ordinance shall be rescinded as applied to the Real Estate, and the EN Employment Node District shall govern the Real Estate.



Council Action Form

MEETING DATE	March 18, 2019			
TITLE	Request to approve The Stations at Fishers District rezone, 8.67 acres located at 9712 and 9799 E. 116th Street - Final Reading			
SUBMITTED BY	Name & Title: Ross Hilleary, 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 type="checkbox"/> 2 nd Reading	<input type="checkbox"/> Public Hearing	<input type="checkbox"/> 3 rd Reading
	Ordinance #: 031819B		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>Faegre Baker Daniels, LLP. on behalf of Thompson Thrift Development, Inc. wish to rezone the subject property from The Stations PUD-C and Exit 5 (Sunbeam) PUD-C to The Stations at Fishers District PUD-M. The PUD would allow for C3-Commerical District Uses with additional uses including a coffee house, food trucks, and indoor entertainment and multi-unit townhomes.</p> <p>The subject property is located at 9712 116th Street Fishers, IN 46038 and on approximately 7 +/- acres of 9799 E 116th Street Fishers, IN 46038. Thompson Thrift Development, Inc. plans to construct a mixed-use building with office and retail, a commercial building, a hotel, and approximately 50 townhomes on the combined 8.67 +/- acre site.</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</p>	
	<p>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 Final Reading and approve</p>
	<p>2.</p>	<p>Proposed an Amendment and approve</p>
	<p>3.</p>	<p>Continue to April Council Meeting</p>
	<p>4.</p>	<p>Deny Approval</p>
<p>PROJECT TIMELINE</p>	<p>March 7, 2019 - PUD Committee (approved architecture of mix retail/office and townhomes) March 7, 2019 - Plan Commission review and favorable recommendation (Public Hearing) March 18, 2019 - Anticipated Final Reading and approval at City Council</p>	
<p>STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)</p>	<p>Staff recommends that City Council hold Final Reading and approve the rezone of The Stations at Fishers District as presented</p>	
<p>SUPPLEMENTAL INFORMATION (List all attached documents)</p>	<p>1. Ordinance 2. Staff Report 3. Petitioner Packet</p>	