

RESOLUTION NO. R041618G

**RESOLUTION APPROVING A DRIVE-THRU USE
IN THE YARD AT FISHERS DISTRICT DEVELOPMENT LOCATED IN THE CITY
OF FISHERS, HAMILTON COUNTY, INDIANA**

WHEREAS, Springdale Estates Fishers IN, LLC, an Indiana limited liability company (“Developer”), the City of Fishers, Hamilton County, Indiana (“City”), the City of Fishers Redevelopment Commission (“RDC”), City of Fishers Economic Development Commission (“EDC”) and Fishers Town Hall Building Corporation (the “Building Corp.”) entered into a certain Project Agreement, dated May 25, 2017, (the “Agreement”) for the development of a project consisting of retail, restaurants, hotels and a Culinary Accelerator Building to be generally located southeast of 116th Street and IKEA Way and known as “The Yard” (the “Project”);

WHEREAS, on or around November 20, 2017, the Common Council for the City of Fishers (“Council”) approved a Site Specific PUD for the Project, Ordinance No.: 101617J (the “Yard PUD”), which requires, in part, the Council to review any request for "drive up windows, exterior menu boards, and speakers”;

WHEREAS, Developer plans to locate Copper Moon Coffee (“Coffee Shop”) at the tenant space within the “P1 Building” generally located at the northwest corner of the Project, and more specifically described in Exhibit A, attached hereto and incorporated herein (“Site Location”), and

WHEREAS, in accordance with the Yard PUD, Developer now requests drive-thru, exterior menu boards, and a speaker box for the Coffee Shop at the Site Location.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fishers, Hamilton County, Indiana meeting in regular session as follows:

Section 1. Council Approval. The Council hereby determines that drive-thru, exterior menu boards, and a speaker box for the specific use of the Coffee Shop at the Site Location is hereby approved.

Section 2. Change of Use. The Council's approval is conditioned upon the specific use (coffee shop) on the Site Location. If Developer or any subsequent owner of the Site Location desires to change or amend its use of the Site Location, the Developer or subsequent owner shall, consistent with the Yard PUD, seek Council approval for any drive-thru, exterior menu board, and/or a speaker box on the Site Location.

Section 3. This Resolution shall be in full force and effect upon adoption.

Section 4. This Resolution shall be recorded in the Office of the Hamilton County, Indiana Recorder.

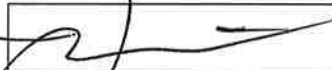



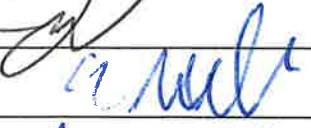
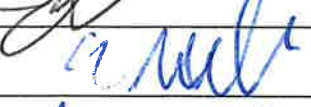


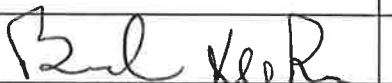
ALL OF WHICH IS ORDAINED by the Common Council of the City of Fishers, Hamilton County, Indiana, this 16th day of April, 2018.

**COMMON COUNCIL OF THE CITY OF FISHERS, R041618G
HAMILTON COUNTY, INDIANA**

YAY

NAY

ABSTAIN

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

I hereby certify that the foregoing Ordinance/ Resolution was delivered to City of Fishers Mayor Scott Fadness on the 16 day of April 2018, at 9P m.

ATTEST: Kimberly Greiner
For Jennifer L. Kehl, City Clerk

[Signature]
Scott A. Fadness, Mayor

MAYOR'S APPROVAL

4-16-18
DATE



Scott A. Fadness, Mayor

MAYOR'S VETO

DATE

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

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



GRAPHIC SCALE IN FEET
0 15 30 45

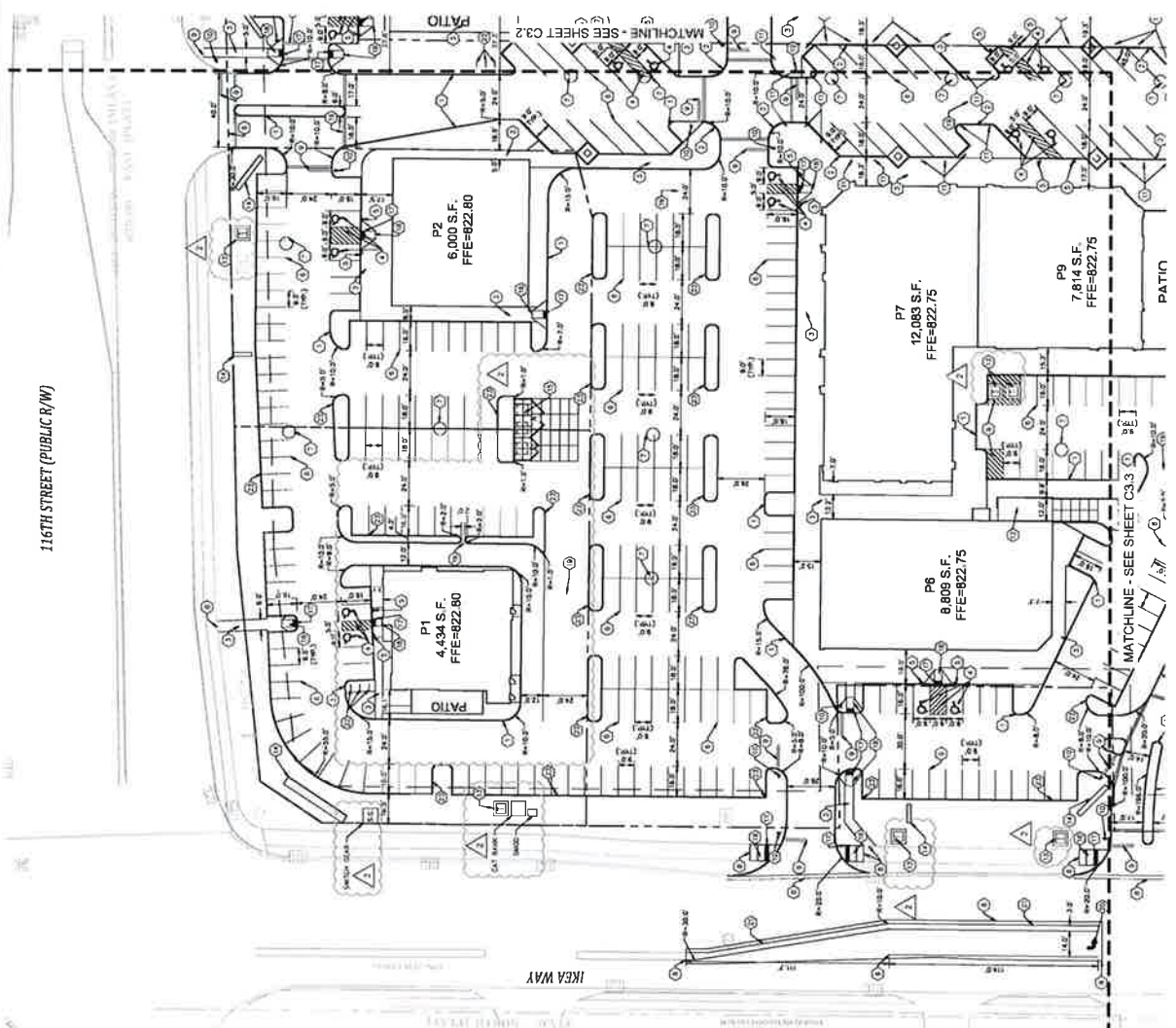
DATE	03/10/18
BY	WJT
REVISIONS	
NO.	
DESCRIPTION	
APPROVED BY	
DATE	

KEY NOTES

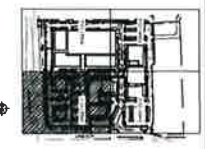
1. CONCRETE BARRELS CURB, TOP (SEE FINISHER DETAILS)
2. SPURRING CURB
3. CONCRETE SIDEWALK, TOP (SEE DETAILS)
4. CONCRETE SIDEWALK, BOTTOM (SEE DETAILS)
5. REINFORCED ASPHALT SIDEWALK (MATCH RT-4 SEE DETAILS)
6. 2" WEP PAVED SIDEWALK LUG TOP (SEE DETAILS)
7. CONCRETE INLET MANHOLE, TOP (SEE DETAILS)
8. CONNECT TO EXISTING PARALLEL SIDEWALK CURB, TOP
9. 24" WIDE STEP BLM, TOP (SEE DETAILS)
10. 24" WIDE STEP BLM, BOTTOM (SEE DETAILS)
11. EXTERIOR WALKWAY, TOP (MATCH RT-1, SEE DETAILS)
12. EXTERIOR WALKWAY, BOTTOM (SEE DETAILS)
13. TRANSFORMER PAD (SEE ARCHITECTURAL PLANS FOR DETAILS)
14. MOUNTING PAD (SEE ARCHITECTURAL PLANS FOR DETAILS)
15. MOUNTING PAD (SEE ARCHITECTURAL PLANS FOR DETAILS)
16. MOUNTING PAD (SEE ARCHITECTURAL PLANS FOR DETAILS)
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25. MOUNTING PAD (SEE ARCHITECTURAL PLANS FOR DETAILS)
26. MOUNTING PAD (SEE ARCHITECTURAL PLANS FOR DETAILS)
27. 7" WIDE DETECTABLE WARNING STRIP (SEE FINISHER DETAILS)
28. ACCESSIBLE RAMP (SEE DETAILS)
29. 4" WIDE PAVEMENT MARKED PAVEMENT MARKER (SEE FINISHER DETAILS)
30. PAVEMENT MARKING, TOP (SEE DETAILS)
31. CONCRETE CENTER DRAIN (SEE FINISHER DETAILS)
32. SPECTRUM MARKING (SEE DETAILS)
33. EXTRUDED CONCRETE CURB (SEE DETAILS)

GENERAL NOTES

1. ALL DIMENSIONS REFER TO THE FACE OF CURB UNLESS OTHERWISE NOTED
2. BUILDING DIMENSIONS ARE TO THE EXTERIOR FACE OF BUILDING WALLS
3. REFER TO ARCHITECTURAL AND STRUCTURAL PLANS TO VERIFY ALL BUILDING DIMENSIONS
4. BARS ADJACENT TO PARKING STALL AND NOT DIMENSIONED ON THIS PLAN SHALL BE 3'-FEET TYPICAL
5. ALL DIMENSIONS SHALL BE TO THE CENTERLINE UNLESS OTHERWISE NOTED
6. ALL PROPOSED ON-SITE STAMPING SHALL BE PAINTED WALLS OTHERWISE INDICATED
7. ALL DIMENSIONS SHALL BE TO THE RIGHT-OF-WAY UNLESS OTHERWISE INDICATED
8. ALL DIMENSIONS SHALL BE TO THE CENTERLINE UNLESS OTHERWISE INDICATED



KEY MAP



SITE PLAN
(1 OF 4)

FISHERS DISTRICT
116TH & IKEA WAY
FISHERS, IN

PROJECT NO.
110001000

SHEET NUMBER
C3.1

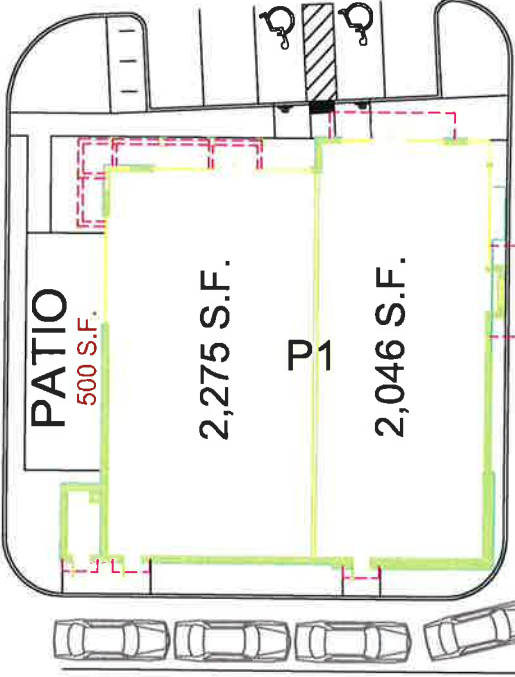
Kimley-Horn

0 818 EAST HORN LANE ASSOCIATES INC.
1300 S. W. 10TH ST.
MIAMI, FL 33135

THOMPSON TRUMP

REVIEWED BY: [Signature]
APPROVED BY: [Signature]

BLOCK 1





Council Action Form

MEETING DATE	April 16, 2018		
TITLE	Request to approve a resolution allowing a drive-thru coffee use within The Yard at Fishers District development		
SUBMITTED BY	Name & Title: Kevin Stotts, Assistant Director of Planning & Zoning Department: Community Development		
MEETING TYPE	<input type="checkbox"/> Work Session <input type="checkbox"/> Executive	<input checked="" type="checkbox"/> Regular	<input type="checkbox"/> Special <input type="checkbox"/> Retreat
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input type="checkbox"/> Ordinance	<input checked="" 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 checked="" type="checkbox"/> 3 rd Reading
	Ordinance #:	Resolution #: R041618G	
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 type="checkbox"/> Document must be recorded with the County Recorder's Office <input type="checkbox"/> Wait 31 days prior to filing with the County Recorders' Office	<input checked="" type="checkbox"/> Document does not need recorded with the County Recorder's 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>The purpose of the proposed resolution is to allow a coffee shop land uses with a drive-thru window, exterior menu boards, and speakers within The Yard at Fishers District. The Yard at Fishers District PUD Ordinance states "Drive up windows, exterior menu boards, and speakers will be reviewed and approved by the City Council at a public meeting (no additional public hearing shall be required). This limitation shall not apply to the culinary accelerator uses nor food trucks."</p> <p>Thompson Thrift's request is to allow Copper Moon Coffee to occupy a tenant space within the "P1 Building" generally located at the northwest corner of The Yard development. Please see attached Site Plan and Color Building Elevations for a complete overview of the proposed location. Copper Moon Coffee will require a drive-thru, exterior menu boards, and a speaker box in order to operate at this location.</p>	
<p>BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)</p>	<p>Budgeted \$:</p>	<p>Not Applicable (N/A)</p>
	<p>Expenditure \$:</p>	<p>N/A</p>
	<p>Source of Funds:</p>	<p>N/A</p>
	<p>Additional Appropriation #:</p>	<p>N/A</p>
	<p>Narrative:</p>	<p>N/A</p>
<p>OPTIONS (Include <i>Deny Approval</i> Option)</p>	<p>1.</p>	<p>Approve the proposed Resolution</p>
	<p>2.</p>	<p>Continue to the May 21st Council Meeting</p>
	<p>3.</p>	<p>Deny the proposed Resolution</p>
	<p>4.</p>	
<p>PROJECT TIMELINE</p>	<p>Technical Advisory Committee: March 29, 2018 City Council: April 16, 2018</p>	
<p>STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)</p>	<p>Staff recommends approval of the requested resolution.</p>	
<p>SUPPLEMENTAL INFORMATION (List all attached documents)</p>	<ul style="list-style-type: none"> - Resolution - Building Elevations - Site Plans 	