



CITY OF FISHERS AGENDA

BOARD/COMMISSION: Plan Commission Meeting

DATE: 7/10/2024, at 6:00 PM

DIRECTIONS: Fishers Municipal Center Theater, 1 Municipal Drive, Fishers, IN 46038

Members of the public can [submit comments to the board via form submittal](#) before 12pm on the day of the meeting.

Members of the public may [stream the live meeting](#) online.

In accordance with the Americans with Disabilities Act (ADA), the City of Fishers will, upon request, provide appropriate aid (i.e. interpreters) and/or assistance leading to effective participation for people with disabilities. Anyone who requires such assistance should [email Kelly Lewark](#), Office Manager, no later than 48 hours before the scheduled event or call at (317) 595-3487.

1. **Call to Order**
2. **Pledge of Allegiance to The Flag of The United States**
3. **Roll Call**
4. **Approval of Previous Minutes**
 - a. 5-1-24
5. **Public Hearings**
 - a. **Fishers Marketplace Text Amendment**
Parcel: 15-11-30-00-42-002.000
Case: TA-24-4
Request: Consideration of a text amendment to the Fishers Marketplace PUD Ord. 070506, as amended in Ord. 081511A, to update development standards and

architectural standards associated with the gas station concept plan and proposed elevations and to allow the following land uses, vehicle fuel sales, convenience store, and car wash at 13498 Bent Grass Lane. (Outlot 5, Parcel ID: 15-11-30-00-42-002.000).

Petitioner: Joe Calderon (jcalderon@btlaw.com)

Planner: Christy Cashin (cashinc@fishers.in.us)

b. **Fall Creek Marketplace PUD Text Amendment (Meijer Grocery) –
CONTINUED**

Parcel: 13-12-31-00-00-022.000, 13-12-31-00-00-023.000, 13-12-31-00-00-024.000, 13-12-31-00-00-025.000

Case: TA-24-3

Request: Consideration of a text amendment to the Fall Creek Marketplace PUD (Ord. 050106A) to allow updates to the concept plan and the land use and development standards, generally located near the intersection of Southeastern Parkway and N Cyntheanne Road.

Petitioner: Abby Jacobs (abby.jacobs@woolpert.com)

Planner: Ross Hilleray (hillearyr@fishers.in.us)

6. Staff Communication

7. Summary of Council Action

8. Adjournment

**CITY OF FISHERS
ADVISORY PLAN COMMISSION MINUTES
LAUNCH FISHERS THEATER
May 1, 2024**

The meeting of the Advisory Plan Commission convened at 6:00 p.m.

Mr. Stevenson confirmed quorum and called the meeting to order.

A roll call was taken and those members present were: Selina Stoller, Howard Stevenson, Pete Peterson, Bruce Molter, Kim Logan, Brad DeReamer, Steve Richards, Angie Frazier. Rick Fain and Katie Jackson were not present.

Others present: Rodney Retzner, Kay Prange, Ross Hilleary, Tracy Gaynor, Gabrielle Herin, Christy Cashin, Kevin Martin, Rob McMurray, Paul Walters.

Adam Kaps was introduced as the new member of the Plan Commission. He will be sworn in at the next meeting. Correction 6/3/24 : Mr. Kaps will not join the Plan Commission.

Pete Peterson made a Motion to approve the Minutes from the 2-7-24 meeting. Angie Frazier seconded. The Motion was approved 8-0.

Public Hearings:

[Resolution](#) of the Plan Commission Approving Redevelopment Commission Approval of CityView Allocation Area, [FRC 01R032124](#)

Lisa Bradford presented the Resolution which was approved by the RDC for the Allocation area at 116th and Lantern Rd.

Mr. Peterson made a Motion to approve, seconded by Ms. Logan. The Motion was approved, 8-0.

The Meeting was adjourned at 6:10p.m.

Respectfully Submitted by:

Kay Prange, Recording Secretary



Advisory Plan Commission Staff Report

Meeting Date: July 10, 2024

DEPARTMENT CONTACT:

Christy Cashin (cashinc@fishers.in.us)

CASE NUMBER:

TA-24-4

PETITIONER:

Joe Calderon (jcalderon@btlaw.com)

PROPERTY ADDRESS/LOCATION:

13498 Bent Grass Lane

REQUEST: Consideration of a text amendment to the Fishers Marketplace PUD Ord. 070506, as amended in Ord. 081511A, to update development standards and architectural standards associated with the gas station concept plan and proposed elevations and allow the following land uses, vehicle fuel sales, convenience store, and car wash at 13498 Bent Grass Lane. (Outlot 5, Parcel ID: 15-11-30-00-42-002.000).

APPLICABLE REGULATIONS:

Fishers Marketplace PUD

EXISTING ZONING:

PUDM (Fishers
Marketplace PUD)

FISHERS 2040:

Employment Node

Lot Size: 1.93 Acres

LOCATION MAP**STAFF RECOMMENDATION**

☐ Favorable Recommendation

☐ Unfavorable Recommendation

☒ No Recommendation

ZONING OVERVIEW

The property is currently zoned PUDM (Fishers Marketplace PUD, Ordinance No. 070506 and amendment Ordinance No. 081511A). The amendment prohibits gas stations and car washes.

North: PUDM – Fishers Marketplace PUD (commercial use)

South: PUDM – Fishers Marketplace PUD (commercial use)

East: PUDM – Fishers Marketplace PUD (retention pond & vacant land)

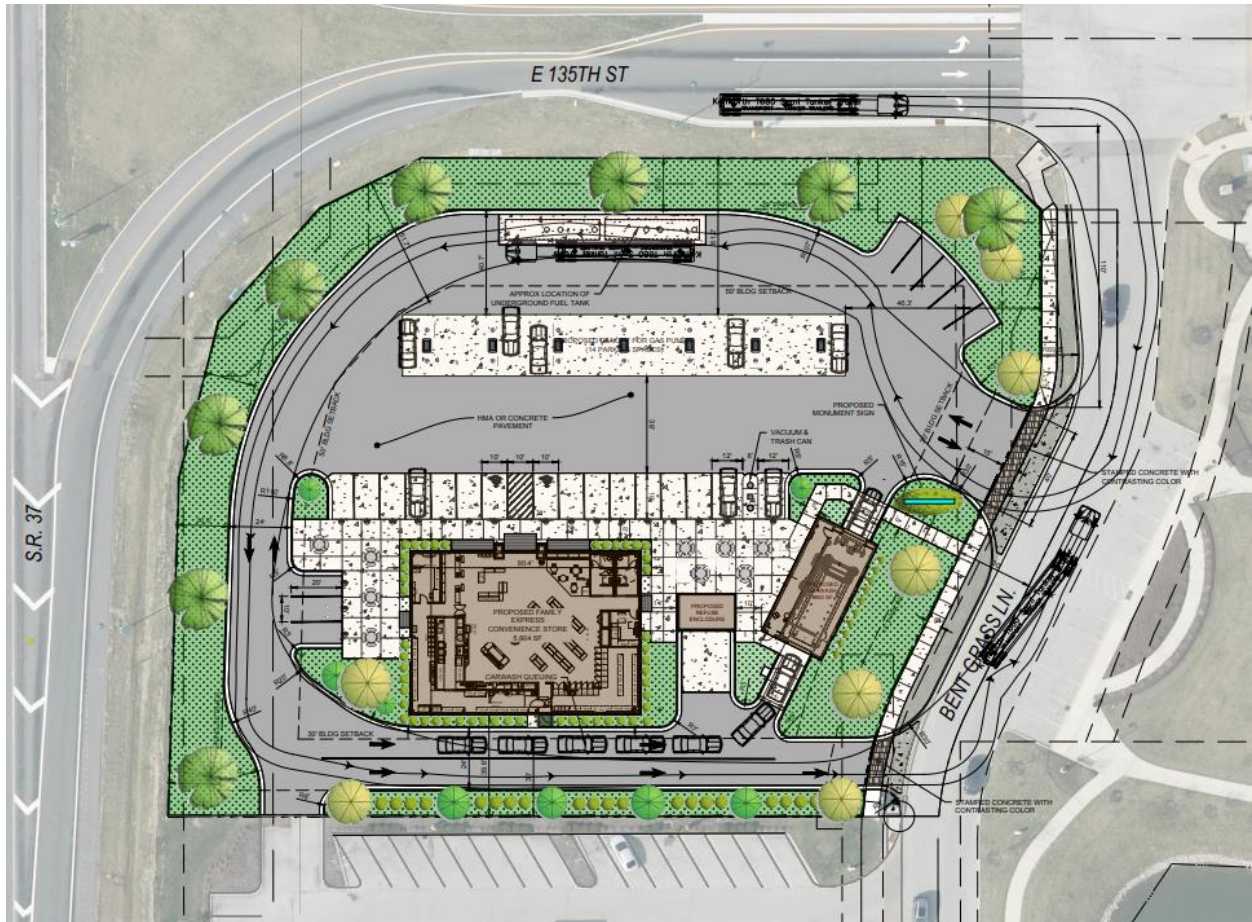
West: PUDC – Britton Industrial Park and Nuckols PUD (commercial use)



PETITION OVERVIEW

The petitioner is requesting to amend the Fishers Marketplace PUD to allow vehicle fuel sales, convenience store, and car wash uses and certain development standards and architectural standards. These uses and standard changes would apply only to 13498 Bent Grass Lane. This text amendment will also approve the concept plan and proposed elevations.

This item is anticipated to go to the City Council on July 15, 2024 for Final Reading.



Concept plan





Convenience store elevations



Carwash elevations

Land Use & Development Standards

Below is a chart showing the history of the carwash and fuel station land uses since the 2006 ordinance (Ord. No. 070506).

Ordinance No. 070506	Ordinance No. 081511A	Proposed Text Amendment (for this property ONLY)
Allowed Uses - All C-3 uses, including: - Bar/Nightclub/Tavern - Hotel - Kennel - Veterinary Hospital - Car Wash (automatic or semi-automatic), detail shop shall conduct completely within enclosed buildings. - Gasoline Service Station/ C-Store (without repair) - Post Office - Recreation (full list in ordinance) - Residential (see ordinance)	Allowed Uses - All C-3 uses, including: - Bar/Nightclub/Tavern - Hotel - Veterinary Hospital - Post Office - Recreation (full list in ordinance) - Residential (see ordinance)	Allowed Uses - All C-3 uses, including: - Bar/Nightclub/Tavern - Hotel - Veterinary Hospital - Post Office - Filling Station/Fuel Station, in conjunction with a convenience store and car wash. - Car Wash, in conjunction with the Convenience Store with Gas and Car Wash. - Recreation (full list in ordinance) - Residential (see ordinance)
Prohibited Uses Wireless telecommunication facilities	Prohibited Uses - Wireless telecommunication facilities - Gasoline Service Station/ C-Store (without repair) - Car Wash (automatic or semi-automatic), detail shop shall conduct completely within enclosed buildings. - Kennel - Automobile sales, new and/or used - Automobile rentals - Automobile services and/or repair - Self storage	Prohibited Uses - Wireless telecommunication facilities - Kennel - Automobile sales, new and/or used - Automobile rentals - Automobile services and/or repair - Self storage

Below are the proposed changes to the existing PUD's Uses, Development Standards, and Architectural standards.

	Ordinance No. 070506	Proposed Text Amendment (for this property ONLY)	Add or Remove
Uses	Section 3	Filling Station/Fuel Station, in conjunction with a convenience store and car wash	Add
Uses	Section 3	Car Wash, in conjunction with the Convenience Store with Gas/Car Wash.	Add
Development Standards	Section 4	Development standards in Ordinance No. 070506 shall apply to Convenience Store with Gas/Car Wash.	Add
Development Standards	Section 4	Subject Property shall be developed in a manner consistent with the Conceptual Site Plan in the text amendment.	Add
Architectural Standards	Section 5	Architectural Standard "G" shall not apply. Entryways: Each ground floor, retail tenant space designed to contain greater than ten thousand (10,000) square feet in area shall have clearly defined, highly visible customer entrances featuring no less than three (3) of the following: 1. Canopies or porticoes; 2. Overhangs; 3. Recesses / Projections; 4. Arcades; 5. Raised corniced parapets over the door; 6. Peaked roof forms; 7. Arches; 8. Architectural details such as tile work and moldings which are integrated into the building structure and design; or, 9. Integral planters or wing walls that incorporate landscaped areas or places for sitting.	Remove
Architectural Standards	Section 5	Architectural Standard "I" shall not apply. Roofs – Roofs shall have some combination of the following features: 1. Parapets – not exceeding one-third (1/3) of the height of the supporting wall and shall conceal flat roofs. 2. Cornice – shall be three-dimensional and in scale with the structure. 3. Eaves, Overhangs – extending not less than twelve (12) inches from the surface of the wall. 4. Pitched Roofs – shall have a minimum slope of 5/12 and: a. Shall be comprised of three (3) or more roof slope planes; b. Shall be covered with high quality roofing materials such as natural clay tiles, slate, concrete tiles (with natural texture and color), high quality standing seam metal roofing, wood shakes or shingles (with adequate fire protection), three dimensional asphalt / fiberglass shingles. Metal roofs shall have a low gloss finish to reduce glare. c. No more than fifty percent (50%) of the roof shall be flat unless the roof has an architectural addition. Flat roofs shall have architectural significance, such as different sections of flat roofs so that the roof can be given articulation with different heights. This subsection shall not apply to hotels.	Remove
Architectural Standards	Section 5	The Convenience Store with Gas / Car Wash/Pet Wash on the Subject Property shall be constructed in a manner consistent with the renderings in the text amendment.	Add





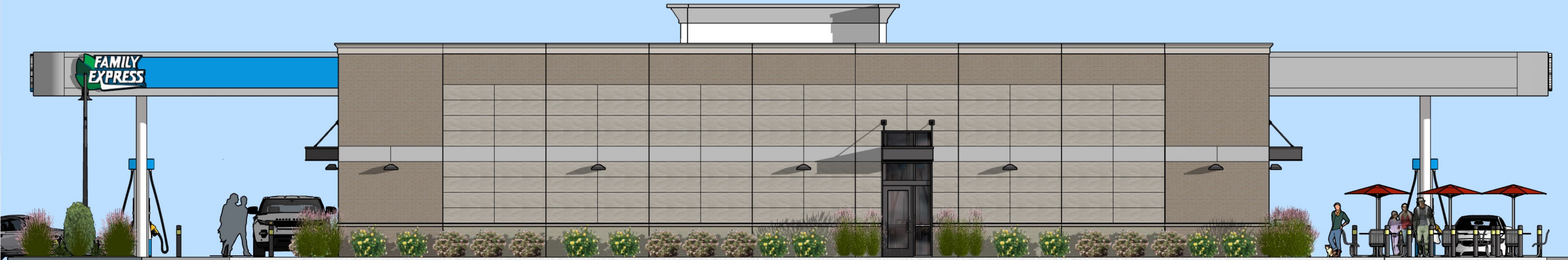


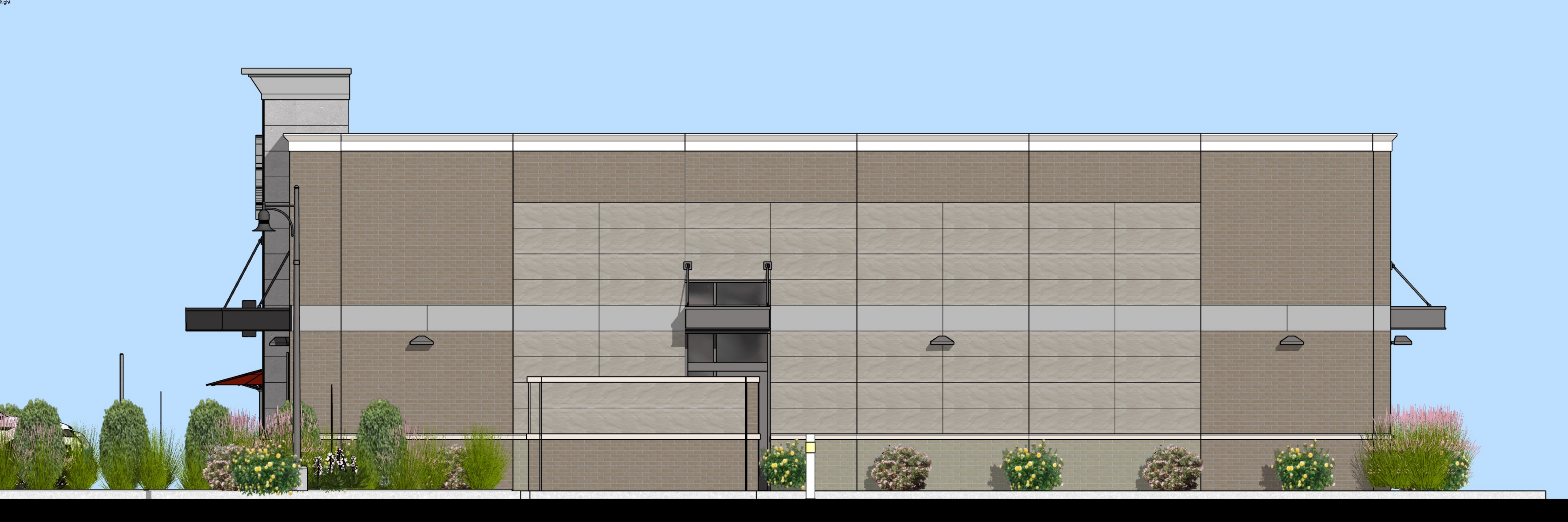




FAMILY
EXPRESS









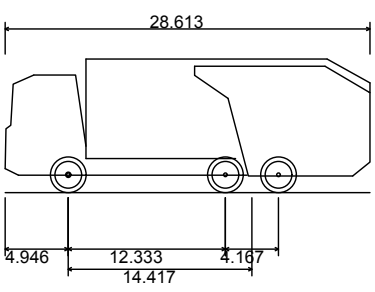
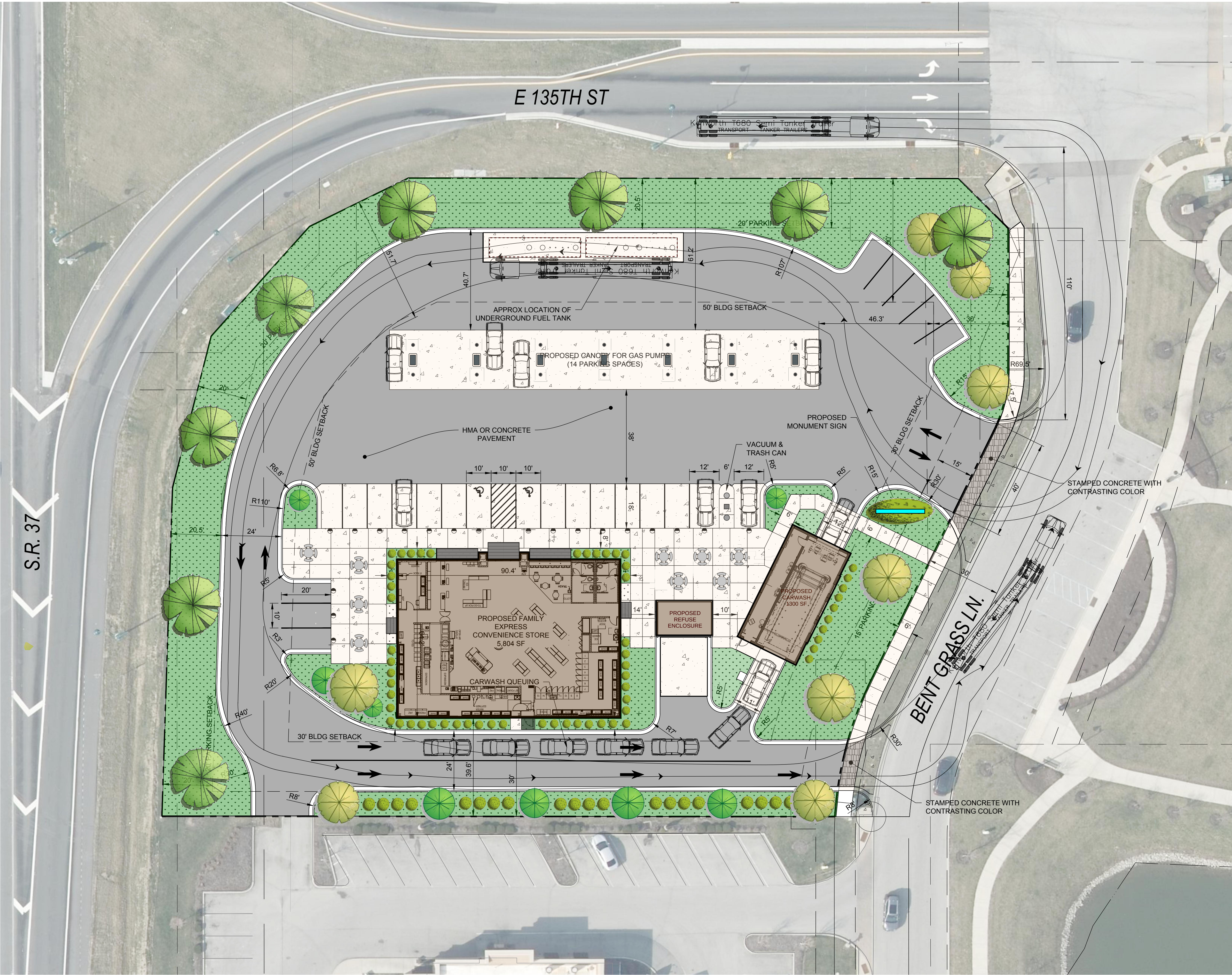




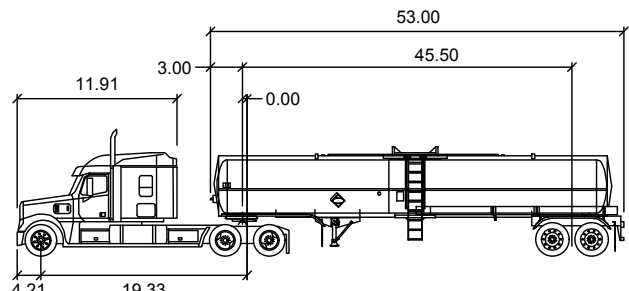








Mack TerraPro Cabover 6x4 MRU613 + Wayne Curbtender 31cu yd
Overall Length 28.613ft
Overall Width 8.000ft
Overall Body Height 10.481ft
Min Body Ground Clearance 1.311ft
Track Width 8.000ft
Lock-to-lock time 6.00s
Curb to Curb Turning Radius 33.500ft



Kenworth T680 Semi Tanker Trailer

feet			
Tractor Width	: 8.21	Lock to Lock Time	: 6.0
Trailer Width	: 8.20	Steering Angle	: 42.5
Tractor Track	: 8.90	Articulating Angle	: 75.0
Trailer Track	: 8.90		

EXISTING ZONING = PUDM PARKING REQUIRED:
PROPOSED USE: CONVENIENCE STORE & GAS
A. 1 SPACE/1000 SFT (5,760 SFT) + 1 SPACE/INDOOR/OUTDOOR SEATING + 1 SPACE/EMPLOYEE = 23 REQUIRED
PROPOSED USE: CAR WASH
A. 2 SPACE PER WASH BAY + 1 SPACE PER EMPLOYEE = 3 REQUIRED
TOTAL = 26 PACES
TOTAL PARKING PROVIDED = 38 SPACES (INCLUDES 14 FUEL STATION SPACES AND 2 ADA SPACES)

- APPARENT EXISTING PROPERTY
- LAWN/LANDSCAPE AREA
- CONCRETE PAVEMENT/SIDEWALK
- STAMPED CONCRETE SIDEWALK
- GAS PUMP LOCATION

FAMILY EXPRESS, FISHERS, IN

04.23.2024

JONES PETRIE RAFINSKI
South Bend, IN
p: 574.232.4388
Fort Wayne, IN
p: 260.422.2522

North arrow pointing up and a scale bar labeled "SCALE: 1"=20'".

ORDINANCE NO. TA-24-4

AN ORDINANCE AMENDING THE TEXT OF THE FISHERS MARKETPLACE PUD ORDINANCE NO. 070506 OF FISHERS, INDIANA

AN ORDINANCE AMENDING THE TEXT OF AN ORDINANCE OF FISHERS, INDIANA, dated November 6, 2006 - Ordinance No. 070506, as amended by Ordinance Nos. 081808D, 081511A, 021813, and 052019F (collectively, the “Fishers Marketplace PUD”).

SECTION 1. DECLARATION

It is hereby ordained by the City Council (the “Council”) of the City of Fishers, Indiana (the “City”), that the text of the Fishers Marketplace PUD is hereby amended as set forth in this Amendment to the Fishers Marketplace PUD. To the extent there is any conflict between the Fishers Marketplace PUD and this Amendment to the Fishers Marketplace PUD, this Amendment to the Fishers Marketplace PUD shall control. Any provisions of the Fishers Marketplace PUD that are not specifically amended by this Amendment to the Fishers Marketplace PUD shall remain in full force and effect. Any provisions of the Unified Development Ordinance of the City of Fishers, Ordinance No. 071618F (the “UDO”) which are specifically referenced shall apply.

SECTION 2. PURPOSE AND INTENT

The purpose and intent of this Amendment to the Fishers Marketplace PUD is to amend certain and specific provisions of the Fishers Marketplace PUD pertaining to certain uses and certain development standards. This Amendment to the Fishers Marketplace PUD hereby establishes specific uses and development standards for the property in the Fishers Marketplace PUD commonly known as 13498 Bent Grass Lane, and more particularly described on Exhibit “A” attached hereto (the “Subject Property”).

SECTION 3. AMENDMENTS TO THE FISHERS MARKETPLACE PUD

The following constitute the amendments to the Fishers Marketplace PUD:

- A. Section 3. Uses Permitted and Prohibited is hereby amended by adding the following uses as an additional permitted use on the Subject Property:
 - 1. Filling Station/Fuel Station, in conjunction with a convenience store and car wash (the Convenience Store with Gas/Car Wash”).
 - 2. Car Wash, in conjunction with the Convenience Store with Gas/Car Wash.
- B. Section 4. Development Standards is hereby amended by the following:
 - 1. The Development Standards set forth in the Fishers Marketplace PUD shall apply to the Convenience Store with Gas/Car Wash.
 - 2. The Subject Property shall be developed in a manner consistent with the Conceptual Site Plan attached hereto as Exhibit “B”.
- C. Section 5. Architectural Standards is hereby amended by the following:
 - 1. Architectural Standard “G” shall not apply to the Convenience Store with Gas/Car Wash/Pet Wash on the Subject Property.
 - 2. Architectural Standard “I” shall not apply to the Convenience Store with Gas/Car Wash on the Subject Property.
 - 3. The Convenience Store with Gas/Car Wash on the Subject Property shall be constructed in a manner consistent with the renderings set forth on Exhibit “C” attached hereto.

SECTION 4. PROCEDURES

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

SECTION 5. APPROVAL

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

ADOPTED BY THE City Council of the City of Fishers, Indiana on this ____ day of _____, 2024.

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

AYE		NAY
	Cecilia Coble	
	Pete Peterson	
	John DeLucia	
	Brad DeReamer	
	Tiffanie Ditlevson	
	Selina Stoller	
	Bill Stuart	
	John Weingardt	
	Todd Zimmerman	

ATTEST: _____
Jennifer Kehl, City Clerk
City of Fishers, Indiana

Date: _____

Approved by: Lindsey Bennet, City Attorney

I hereby certify that the foregoing Ordinance/Resolution was delivered to City of Fishers Mayor Scott Fadness on the ____ day of _____, 2024, at _____ .m.

ATTEST: _____
Jennifer Kehl, City Clerk

MAYOR'S APPROVAL

Scott A. Fadness, Mayor

DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument prepared by: _____, City Attorney, City of Fishers, Hamilton County, Indiana, 1 Municipal Drive, Fishers, Indiana 46038.

EXHIBIT "A"

PARCEL 1 (FEE)

OUTLOT 5 OF THE SECONDARY RE-PLAT OF BLOCKS A & D AT FISHERS MARKETPLACE, AN ADDITION TO THE TOWN OF FISHERS, HAMILTON COUNTY, INDIANA, AS PER PLAT THEREOF, RECORDED OCTOBER 9, 2013 IN [PLAT CABINET 5, SLIDE 133 AS INSTRUMENT NO. 2013063166](#) IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA.

EXCEPTING THEREFROM,

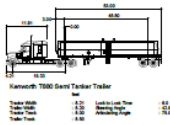
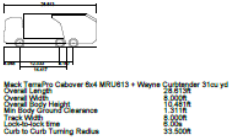
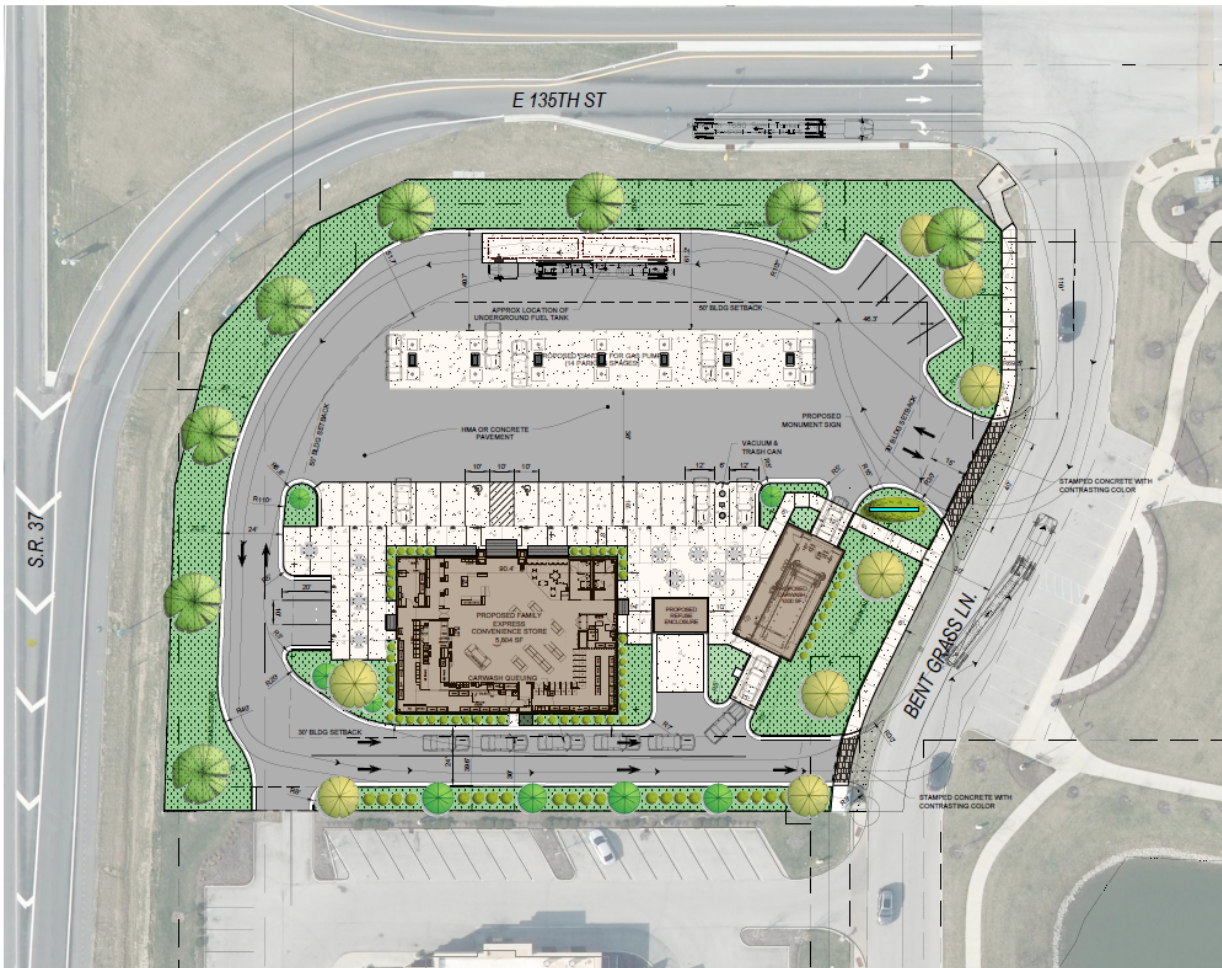
A PART OF OUTLOT 5 IN THE SECONDARY RE-PLAT OF BLOCKS A & D AT FISHERS MARKETPLACE, AN ADDITION TO HAMILTON COUNTY, INDIANA, THE PLAT OF WHICH IS RECORDED IN PLAT CABINET 5, SLIDE 133 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA, AND BEING THAT PART OF THE GRANTOR'S LAND LYING WITHIN THE RIGHT OF WAY LINES DEPICTED ON THE ATTACHED RIGHT OF WAY PARCEL PLAT, MARKED EXHIBIT "B", DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID OUTLOT 5; THENCE ALONG THE WEST LINE OF SAID OUTLOT 5 NORTH 00 DEGREES 00 MINUTES 07 SECONDS WEST, 207.45 FEET TO THE NORTHWESTERN LINE OF SAID OUTLOT 5; THENCE ALONG SAID NORTHWESTERN LINE NORTH 47 DEGREES 25 MINUTES 52 SECONDS EAST 74.28 FEET TO THE NORTH LINE OF SAID OUTLOT 5; THENCE ALONG SAID NORTH LINE NORTH 89 DEGREES 44 MINUTES 18 SECONDS EAST 54.06 FEET TO POINT "537" DESIGNATED ON SAID PLAT; THENCE SOUTH 63 DEGREES 16 MINUTES 40 SECONDS WEST 44.64 FEET TO POINT "538" DESIGNATED ON SAID PLAT; THENCE SOUTH 41 DEGREES 54 MINUTES 59 SECONDS WEST 59.47 FEET TO POINT "539" DESIGNATED ON SAID PLAT; THENCE SOUTH 14 DEGREES 20 MINUTES 26 SECONDS WEST 63.06 FEET TO POINT "540" DESIGNATED ON SAID PLAT; THENCE SOUTH 01 DEGREE 48 MINUTES 20 SECONDS WEST 132.54 FEET TO THE SOUTH LINE OF SAID OUTLOT 5, DESIGNATED AS POINT "541" ON SAID PLAT; THENCE ALONG SAID SOUTH LINE SOUTH 89 DEGREES 41 MINUTES 25 SECONDS WEST 8.15 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.121 ACRES, MORE OR LESS.

TOGETHER WITH, THE PERMANENT EXTINGUISHMENT OF ALL RIGHTS AND EASEMENTS OF INGRESS AND EGRESS TO, FROM AND ACROSS THE ABOVE-DESCRIBED REAL ESTATE. THIS RESTRICTION SHALL BE A COVENANT RUNNING WITH THE LAND AND SHALL BE BINDING ON THE GRANTOR AND ON ALL SUCCESSORS IN TITLE TO THE SAID ABUTTING LANDS.

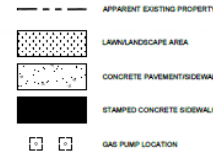
PARCEL 2 (EASEMENT)

TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR ACCESS AS CREATED AND GRANTED IN THAT CERTAIN DECLARATION OF COVENANTS AND EASEMENTS (NORTH PARCEL) DATED OCTOBER 28, 2013, AND RECORDED NOVEMBER 7, 2013 AS [INSTRUMENT NO. 2013068073](#) IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA.

Exhibit "B"



EXISTING ZONING = FUMM PARKING REQUIRED
PROPOSED USE: CONVENIENCE STORE & GAS
A. 1 SPACE/1000 SFT (5,760 SFT) = 1 SPACE/EMPLOYEE + 1 SPACE/DOOR/OUTDOOR SEATING + 1 SPACE/EMPLOYEE
PROPOSED USE: CAR WASH
A. 2 SPACE PER WASH BAY + 1 SPACE PER EMPLOYEE
TOTAL = 36 SPACES
TOTAL PARKING PROVIDED = 36 SPACES (INCLUDES 14 FUEL STATION SPACES AND 2 ADA SPACES)



FAMILY EXPRESS, FISHERS, IN

04.23.2024



Exhibit “C”





